



June 18, 2025

Nathalie Vazquez, Associate Planner
City of Oceanside Planning Division
300 North Coast Highway
Oceanside, CA 92054

Dear Nathalie Vazquez:

Birdseye Planning Group (BPG) has evaluated RD24-00002, the 901 Mission Avenue Mixed-Use project (“proposed project” or “project”) proposed for construction on a 1.5-acre lot at the southwest corner of Mission Avenue and North Horne Street in the City of Oceanside. As proposed, the project would provide 273 apartment units, of which 28 would be managed as affordable units and rented to income qualifying tenants. As the project provides affordable housing units and qualifies for a density bonus, the project is entitled to one incentive and unlimited waiver requests. The project would be consistent with the D-2 zone development standards contained in Section 1232 of the City’s Zoning Ordinance as modified by the project’s Mixed-Use Development Plan with the use of the density bonus waivers. The remaining units would be rented to market rate tenants. The project will also provide 322 parking stalls in four levels, of which 2.5 floors would be subterranean, and 4,006 square feet of ground floor commercial space with related amenities.

This letter evaluates the proposed project for consistency with the Class 32 Urban Infill Exemption criteria identified in Section 15532 of the CEQA Guidelines and the applicability of potential exceptions including those identified in Section 15300.2 of the CEQA Guidelines. Based on our technical analyses, the following demonstrates that the project meets all of the criteria for the categorical exemption under the CEQA Guidelines Section 15332, described herein, and that none of the Section 15300.2 exceptions apply. Substantial evidence regarding this determination is provided herein and in the other project materials.

Categorical Exemptions – CEQA Exceptions

Article 19 of the CEQA Guidelines includes a list of classes of projects which have been determined not to have a significant effect on the environment and which shall; therefore, be exempt from the provisions of CEQA. Such projects are categorically exempt from the requirement for the preparation of environmental documents provided they meet the following exceptions as defined in Section 15300.2 of the CEQA Guidelines. These exceptions apply to different categorical exemptions:

- **Location.** Classes 3, 4, 5, 6, and 11 exceptions 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 all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

- **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- **Significant Effect (Unusual Circumstances).** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- **Scenic Highways.** A categorical exemption shall not be used for a project which 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. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Class 32 Urban Infill Categorical Exemption

Article 19 of the CEQA Guidelines includes categories of projects which, based on the location and scope of the proposed action, would not have a significant environmental effect. Individual projects that meet specific criteria associated with one or more exemption, can be categorically exempt from CEQA compliance requirements. If so, then no further CEQA documentation is required as part of the discretionary review process.

Class 32 exemptions are intended to promote infill development within urbanized areas and are applicable primarily to in-fill projects that are consistent with local general plan and zoning requirements. Specific to a Class 32 Urban Infill exemption, Section 15332 of the CEQA Guidelines identifies the following criteria that must be met for a project to qualify for a Class 32 categorical exemption:

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

- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- The project site has no value as habitat for endangered, rare or threatened species.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

Proposed Project Analysis

To evaluate whether the proposed project qualifies for a Class 32 Exemption and the CEQA exceptions for that class of exemption apply, the following analysis relies on the project plans and other permitting information as well as technical studies including the following:

- Air Quality/Greenhouse Gas; and
- Noise;
- Biological Resources Assessment;
- Vehicle Miles Traveled Memo;
 - Local Transportation Study;
- Geotechnical Report;
- Archaeological Survey Report
- Hydrology/Water Quality; and
- Phase I Environmental Site Assessment.

Categorical Exemption – Exception Analysis

This memorandum first analyzes whether an exception to the use of a categorical exemption applies. As the following demonstrates that none of the applicable exceptions apply, the memorandum goes on to analyze each of the Class 32 exemption criteria.

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 all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. (14 CCR § 15300.2(a).)

Because the project is relying on Class 32 exemption, this exception does not apply.

Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. (14 CCR § 15300.2(b).)

Based on the technical reports and studies prepared for the project, the project would have no potentially significant adverse effects under CEQA. The following is a list of cumulative projects included within the project analysis as applicable:

- 1) 522 North Tremont Street 2 multi-family units;
- 2) 702 North Freeman Street 5 multi-family units and 5,000 square feet of retail space;
- 3) Sunset Mixed-Use Project located North Horne Street and Pier View Way, would provide 180 apartment units and commercial space.
- 4) Pier View Way Mixed-Use: This project proposes to construct 64 multi-family dwelling units and 2,450 square-feet of retail space;
- 5) 716 Seagaze Drive: This project proposes to construct 179 multi-family dwelling units and 1,581 square feet of retail space;
- 6) One 11 S Tremont: This project proposes to construct 12 multi-family dwelling units and a 1,500 square-foot fitness studio; and
- 7) 405 S Tremont Condos: This project proposes to construct 8 multi-family dwelling units.
- 8) 801 Mission Avenue: This project proposes to construct approximately 230 residential units and approximately 6,000 square feet of retail/restaurant space.
- 9) 810 Mission Avenue: This project proposes to replace an existing office building with 206 residential units, including five live/work units.
- 10) Oceanside Transit Center: This project is a Mixed-Use Transit Oriented Design project that includes a bus/rail transit station, hotel, office, retail, multifamily residential, and other associated amenities.
- 11) 401 Mission Avenue: This project proposes to construct 332 apartments units and 19,420 square feet of commercial uses, including 8,311 square feet of retail and 11,109 square feet of restaurant space), in a new 5-story building. The project would replace 79,805 square feet of specialty retail and theater uses.
- 12) Oceanside Blocks 5 & 20: This mixed-use project would redevelop two downtown city blocks with 193 multi-family units and 1,474 square feet of retail on Block 5 (north of Pier View Way) and 180 multi-family units and 2,612 square feet of retail on Block 20 (between Pier View Way and Mission Avenue). No individually significant impacts would result from the proposed project. According to the Air

Quality and Greenhouse Gas Report (Birdseye Planning Group, June 2025) the proposed project would have a less than significant direct and/or cumulative impacts associated with air quality and greenhouse gas emissions. According to the Noise Report (Birdseye Planning Group, June 2025), the project would have less than significant construction and operational noise and vibration impacts. The proposed Project meets the City of Oceanside screening criteria for Vehicle Miles Traveled (VMT); thus, no VMT analysis was required. The proposed project would have a less than significant direct and cumulative transportation impact. As stated in the Archaeological Survey Report (South Environmental, Inc., May 2024), no archaeological or historic resources would be affected. According to the Biological Resource Assessment (South Environmental, Inc., April 2025), the project site has no value as habitat for endangered, rare or threatened species. Other potentially direct environmental effects of the project evaluated herein, such as zoning and General Plan consistency and public services/utilities would also be less than significant per applicable CEQA thresholds; and thus, would not cause or contribute to cumulative impacts. Therefore, no cumulatively considerable impacts are anticipated to occur.

As the project is within the City's Downtown area and in proximity to transit, increased density of successive mixed-use and residential projects in this area would be anticipated to reduce VMT and associated impacts related to air quality and greenhouse gas emissions. The majority of development in the project vicinity would consist of infill development, which would not disturb significant natural resources. While individual projects may increase the resources required on a particular infill site, the overall pattern of development within mixed-use and transit-oriented neighborhoods reduces the cumulative environmental effects associated with population growth in the region. Successive projects of the same type in the project area would; therefore, decrease regional emissions and environmental effects associated with transportation and goods movement. These projects are all subject to the same regulatory review requirements and design standards specified by the City of Oceanside to avoid or minimize environmental effects. Should any of the cumulative projects have a potentially significant or adverse environmental impact, the impacts would be mitigated as appropriate to reduce potential impacts to less than significant, or otherwise addressed during the CEQA review process. Thus, the proposed project would not result in a cumulative impact consistent with 14 CCR § 15300.2(b).

Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. (14 CCR § 15300.2(c).)

The project site is located in a developed urban area. The site does not contain, nor is it located proximal to any unusual or environmentally sensitive areas that could be adversely affected by the proposed project. As stated, the proposed project would have no significant or adverse environmental effects in areas such as noise, air quality, greenhouse gas, historic resources, biological resource, water quality, utilities and public services or transportation and is consistent with the General Plan and zoning designation for the site. The site does not contain any unusual features or natural resources. A Phase I Environmental Site Assessment (ESA) prepared in August 2024 by Hillman Consulting, Inc. determined that no recognized environmental conditions exist. Therefore, there is no reasonable possibility that the proposed project will have a significant effect on the environment due to unusual circumstances.

Scenic Highways. A categorical exemption shall not be used for a project which 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. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR. (14 CCR § 15300.2(d).)

The project site is located at the southwest corner of Mission Avenue and North Horne Street and has a Downtown Subdistrict 2 zoning designation. The surrounding area is developed with existing residential, commercial and institutional uses. The surrounding streets are all local and none are designated scenic. According to the California Department of Transportation's State Scenic Highway Program, there are no state scenic highways in the vicinity of the project site. The closest scenic highway is Route 52 near Santo Road in the City of San Diego, approximately 29 miles south of the project site. Accordingly, the exception does not apply as the project will not damage 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.

Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. (14 CCR § 15300.2(e).)

The project site was previously developed, however, no structures remain. This site is not within a designated hazardous site. The Project Site is not located on any list compiled pursuant to Section 65962.5 of the Government Code, which list is formally known as the California Department of Toxic Substances Control's Hazardous Waste and Substances Site List-Site Cleanup (Cortese List). Accordingly, this exception does not apply to the project. Although not required to demonstrate that the exception does not apply, the project site is also not listed on the EnviroStor database.

Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. (14 CCR § 15300.2(f).)

The project site is vacant. Development would require the removal of pavement from a vacated, former alley segment that bisects the site. With that exception, no buildings or other structures would be removed by the project. The project site is also not listed or deemed eligible for listing on the National Register of Historic Places, California Register of Historical Resources, or City of Oceanside's Historical Resources Inventory conducted in 1992 and has not been identified as a historic resource in any survey or otherwise meet the criteria of a historical resources as defined by Public Resources Code Section 21084.1(South Environmental, Inc. May 2024). Thus, the project will not cause a substantial adverse change in the significance of a historical resource.

Class 32 Exemption: In-Fill Development Analysis

The following presents an analysis of the project's consistency with the five criteria required for exemption from CEQA under the Class 32 Exemption. The determinations that the Class 32 Exemption

applies are supported by the above-referenced technical studies prepared for the project and the project record.

The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (14 CCR § 15332(a).)

The project site has a General Plan designation of Downtown and Zoning designation of Downtown Subdistrict 2. The purpose of this zoning designation is to provide sites for a financial center supported by professional offices. Residential uses are permitted, where appropriate, as part of mixed-use development projects. The mixed-use development regulations applicable to this project are intended to allow unlimited density and flexibility while maintaining ground floor pedestrian orientation and activation through design rather than type of use. The project would provide 273 residential units and 4,006 square feet of commercial space.

As stated, the project is consistent with the General Plan and zoning designation and designed in accordance with applicable General Plan policies relevant to the project and the property. The project would be consistent with the D-2 zone development standards contained in Section 1232 of the City's Zoning Ordinance as modified by the project's Mixed-Use Development Plan with the use of the density bonus waivers/incentives allowed with the inclusion of 28 affordable housing units. The project meets this criterion.

The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (14 CCR § 15332(b).)

The project site is entirely within the city limits of the City of Oceanside. The site is approximately 1.5 acres in size which is less than five acres. The project site is substantially surrounded by urban uses. To the west of the project site (across North Clementine Street) and north of the site across Mission Avenue are offices and commercial buildings. The Oceanside High School campus is located to the east across North Horne Street. Single- and multifamily residences are located to the south across Seagaze Drive. As the Public Resources Code (PRC) defines qualified urban use as "any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses," the project site is substantially surrounded by urban uses. (PRC § 21072.)

The project site has no value as habitat for endangered, rare or threatened species. (14 CCR § 15332(c).)

The entirety of the project site is disturbed. The majority of the site is an unpaved raised development pad. There is pavement from a vacated, former, alley that bisects the site east/west. On-site vegetation is limited to ruderal/weedy species throughout as observed during a field visit performed on April 26, 2024 (and confirmed during a field visit on April 17, 2025). Per the Biological Site Assessment for the Project prepared by South Environmental, dated April 2025, the project site has no value as habitat for endangered, rare or threatened species.

Approval of the project would not result in any significant effects relating to traffic, noise, air

quality, or water quality. (14 CCR § 15332(d).)

The project would not result in any significant effects related to traffic, noise, air quality or water quality. A Noise Study prepared by Birdseye Planning Group dated June 2025, analyzed the project with reference to the CEQA significant thresholds for noise. That study demonstrates that project construction noise and noise associated with operation would not exceed allowable noise thresholds or otherwise trigger a potentially significant noise impact. Thus, the project would not result in any significant effects related to noise.

CR Associates, Inc., demonstrated that the project is located in a low-VMT generating area within Appendix A of the Local Transportation Study (LTS) (CR Associates, Inc., June 2025).. Based on its location and uses, the project is screened out from a VMT analysis per the City's Traffic Impact Analysis Guidelines. Thus, consistent with the City's adopted CEQA significance thresholds, the project would have a less than significant VMT impact. The proposed project is surrounded on all four sides by public roads and, with its project design features, the project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities (CR Associates, Inc. June 2025). As the LTS demonstrates, the project would not substantially increase hazards due to a geometric design feature as vehicles accessing the site would be typical construction, common passenger and delivery vehicles and would not introduce equipment or incompatible uses to the local street system. Finally, as reflected in the LTS, the project would not adversely impact emergency access by providing inadequate site access or otherwise impacting use of local streets by emergency vehicles. Therefore, the project would not result in any significant effects relating to transportation/traffic. "

An Air Quality and Greenhouse Gas study prepared by Birdseye Planning Group dated June 2025, analyzed the project with reference to the applicable CEQA air quality thresholds of significance. That report demonstrates that the project, through compliance with applicable laws including, without limitations, the San Diego Air Pollution Control District (SDAPCD) Rules 55 and 67, and that neither construction nor operation of the project would result in any significant effects relating to air quality.

The project drainage, including stormwater capture, conveyance and treatment system incorporated into the project design (a) is in accordance with the requirements of the San Diego Regional Water Quality Board, Order No. R9-2013-0001, other applicable laws and the project will implement the project specific Storm Water Quality Management Plan (SWQMP) such that the project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; (b) The project would substantially increase the amount of impervious area on the site; however, through a project design feature and compliance with applicable regulatory requirements, runoff would be captured and conveyed into proprietary bioretention vault located in the building basement. The project would also not pump groundwater nor is the site over an aquifer recharge area such that the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge in a manner that the project would impede sustainable groundwater management of the basin. (c) Further, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through

the addition of impervious surfaces, in a manner which would: i) result in a substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows. Under the project design, the downstream point of stormwater discharge from the site will not be altered from the predevelopment condition. The project will not result in cross-lot drainage or an increase in the rate of off-site run-off in a manner that would impede or redirect flood flows. The project is required by law to implement stormwater Best Management Practices during construction to minimize erosion and pollutant discharge associated with stormwater runoff to the downstream drainage system. Consistent with applicable law and the project design features, post-construction runoff will be conveyed to said bioretention vault and a separate underground detention vault that will detain any increase in runoff from the predevelopment condition as required by applicable law. With the project design and in accordance with applicable regulatory requirements, post-construction runoff would be captured and treated by a proprietary biofiltration vault, so not to exceed existing or planned stormwater drainage system capacity or serve as a substantial additional source of polluted runoff (d) The project site is not located within a flood hazard area. The project is also not located within a dam inundation area nor are there large open water bodies proximal to the site that would pose a potential seiche impact. The project site is not located within the San Diego County Tsunami Hazard Area as depicted in the California Department of Conservation tsunami map, (<https://www.conservation.ca.gov/cgs/tsunami/maps/san-diego>). Thus, as the project is not within flood hazard, tsunami or seiche zones, the project would not have a significant impact with respect to the risk of release of pollutants due to project inundation in those zones.

Per the City of Oceanside 2020 Urban Water Management Plan, the City of Oceanside utilizes groundwater from the Mission Basin subbasin of the San Luis Rey Valley Groundwater Basin. The Mission Basin is an alluvial basin extending from the Pacific Ocean in the west to just beyond the City's eastern border. According to the Department of Water Resources' Bulletin 118 Groundwater Basin Lookup Map, the Project site is located south of the San Luis Rey Valley Groundwater Basin and Mission Subbasin boundary and is not within an area that is subject to an adopted water quality control plan for that basin or a sustainable groundwater management plan. Thus, the project would not result in any significant impacts relating to water quality.

The site can be adequately served by all required utilities and public services. (14 CCR § 15332(e).)

The project site is located within an urbanized downtown area and would connect to existing utilities located within street corridors surrounding the site. The project will provide necessary site-specific extensions from the building to existing utilities and public services located in the adjacent right of way. According to the City of Oceanside 2020 Urban Water Management Plan (June 2021), the City's water supply reliability analysis shows that with implementation of additional planned supplies and conservation measures, supplies will meet demands under all hydrologic scenarios, including the normal year, single dry year, and five consecutive dry years from 2025-2045. The project is consistent with General Plan and zoning designations; thus, water demand associated with the project has been factored into the demand calculations upon which the City determined that sufficient water supplies

exist to serve the project and reasonable foreseeable future development during normal, dry and multiple dry years. The project intensity is also consistent with the 2015 Sewer Master Plan and with the General Plan and zoning land use designations; thus, adequate wastewater treatment capacity exists to serve the project's projected demand in addition to existing commitments.

Further, the project would connect to existing electrical, natural gas and communications infrastructure located in the adjacent right of way. This infrastructure is in place and the project would not require expansion or relocation in a manner that would cause significant environmental effects. With the payment of connection fees and development impact fees to cover fair share impacts to public services (i.e., fire, law enforcement, parks and schools), the project would be adequately served by all required utilities and public services.

"The City contracts solid waste collection services with Waste Management and Agri Service. Waste is disposed at the El Sobrante Landfill, located at 10910 Dawson Canyon Road, Corona, CA 92883. The El Sobrante Landfill is permitted to accept up to 16,054 tons per day, has a remaining capacity of 143,977,170 tons and is estimated to be operational until 2051 (California Department of Resource Recycling and Recovery, SWIS Facility/Site Activity Details, October 2024).

According to CalEEMod 2022.1, the project would generate approximately 202 tons annually or 1,106 pounds (0.5 tons) daily assuming no waste material is recycled. The AB 341 policy goal targets a 75% reduction in the volume of landfilled solid waste by 2025. Assuming this is achieved, the amount of material landfilled would be 51.5 tons annually (282 pounds daily). In either case, the volume of solid waste generated by the project would be within the permitted daily landfill capacity. The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The impact would be less than significant.

The proposed project would be subject to the City's Solid Waste and Recycling Code (Chapter 13 of the City's Municipal Code) which will require separating recyclables from solid waste. The proposed project would be required to comply with required solid waste and recycling measures as provided in the California Green Building Code. Recycling bins for residential tenants would be provided. The applicant would collaborate with the applicable solid waste service providers regarding compliance with the Zero Waste Plan and the relevant statutes that the plan addresses. Thus, the proposed project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals have no impact relative to compliance with solid waste laws.

Though the project will result in additional people using utilities and public services at this location, the project is consistent with long term City land use plans and policies, as identified in the Oceanside General Plan, 2020 Urban Water Management Plan and 2015 Sewer Master Plan. The record reflects that applicable utilities and public services have capacity to serve the demand associated with the site, the project can be adequately served by all required utilities and public services and the project will not result in substantial adverse physical impacts associated with the provision of or need for new or

physically altered governmental facilities or the relocation or construction of new utilities that could cause significant effects.

CONCLUSION

A project qualifies for a Class 32 Exemption if it is developed on an infill site and meets the conditions described in CEQA. The five (5) conditions which the project must meet to qualify for the Class 32 Categorical Exemption are as follows: (a) 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; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially 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 relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services. As demonstrated in this report and the project record, the project meets all 5 criteria for reliance on a Class 32 exemption. Further, none of the exceptions to the use of a categorical exemption, as defined in Article 19 of the CEQA Guidelines described above, apply.

Therefore, the project would meet the criterion associated with the Class 32 Urban Infill exemption. If you have any questions regarding this analysis, please feel free to contact me at 760-712-2199 or via e-mail at ryan@birdseyeplanninggroup.com

Regards,



Ryan Birdseye
Principal