

COPIES TO:	
ENGINEERING	_____
FINANCE	_____
PLANNING	<i>Robyn T.</i>
PBLC.WRKS.	_____
UTILITIES	_____
OTHER	_____

ORDINANCE NO. 2015-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A PRELIMINARY, MASTER AND PRECISE DEVELOPMENT PLAN AND PREZONE FROM COUNTY ZONING TO PREZONE PD-R 1.75 AND RE-20 FOR THE OAK CREEK PROJECT ANNEXATION AREA AND PLANNED RESIDENTIAL DEVELOPMENT SITE ON APPROXIMATELY 43.73 ACRES OF LAND GENERALLY LOCATED ON THE EASTERN SIDE OF FELICITA ROAD AND BOTH SIDES OF HAMILTON LANE

Planning Case No.: SUB13-0002, PHG 13-0017, ENV 13-0006

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN as follows:

SECTION 1. That proper notices of a public hearing have been given and a public hearing has been held before the City Council on this issue.

SECTION 2. On January 27, 2015, the Planning Commission recommended approval of the proposed Preliminary, Master and Precise Development Plan to develop 65 single-family residential lots, and a Prezone from County zoning to Prezone PD-R 1.75 (Planned Development Residential - 1.75 dwelling units per acre) for the 37.59-acre planned residential development site and a designation of Prezone RE-20 (Residential Estates – 20,000 SF minimum lot size) for the remainder of the annexation area.

SECTION 3. That the City Council has reviewed and considered the Oak Creek Project Final Environmental Impact Report and Mitigation Monitoring and Reporting Program and has determined that all environmental issues associated with

the project have been addressed and no significant environmental impacts will result from approving the project.

SECTION 4. That upon consideration of the Findings of Fact/Factors to be Considered, attached as Exhibit "A" and incorporated by this reference, the staff report, Planning Commission recommendation, and all public testimony presented at the hearing held on this project, this City Council finds this Preliminary, Master and Precise Development Plan and Prezone is consistent with the General Plan and all applicable specific plans of the City of Escondido.

SECTION 5. That the Zone District Map of the City of Escondido is hereby amended by reclassifying the real property legally described on Exhibit "B" and depicted on Exhibit "C," both of which are attached to this Ordinance and are incorporated by this reference, to Prezone PD-R 1.75 and RE-20.

SECTION 6. That the City Council desires at this time and deems it to be in the best public interest to approve the requested Preliminary, Master and Precise Development Plan to develop 65 single-family residential lots on approximately 37.59 acres of land generally bounded on the north by Hamilton Lane, the west and south by Felicita Road, and the east by Miller Avenue. The remainder of the proposed annexation and prezone area is located on the eastern side of Miller Avenue and both sides of Hamilton Lane and includes two vacant parcels not proposed for development and the Chalice Unitarian Universalist Congregation property (2324 Miller Avenue), more particularly described in the attached Exhibit "B," and subject to the Conditions of

Approval and Mitigation Monitoring and Reporting Program attached as Exhibit "D," both of which are attached to this Ordinance and are incorporated by this reference.

SECTION 7. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 11TH day of March, 2015 by the following vote to wit:

AYES : Councilmembers: GALLO, MASSON, MORASCO, ABED

NOES : Councilmembers: DIAZ

ABSENT : Councilmembers: NONE

APPROVED:



SAM ABED, Mayor of the
City of Escondido, California

ATTEST:



DIANE HALVERSON, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, DIANE HALVERSON, City Clerk of the City of Escondido, hereby certify that the foregoing
ORDINANCE NO. 2015-07 passed at a regular meeting of the City Council of the City of Escondido
held on the 11th day of March, 2015, after having been read at the regular meeting of said City Council
held on the 4th day of March, 2015.



DIANE HALVERSON, City Clerk of the
City of Escondido, California

ORDINANCE NO. 2015-07

EXHIBIT "A"

**FINDINGS OF FACT/FACTORS TO BE CONSIDERED
SUB 13-0002, PHG 13-0017, ENV 13-0006**

Tentative Subdivision Map

1. The proposed tentative map with a density of 1.75 du/ acre (proposed 65 dwelling units) is consistent with the applicable General Plan land use designation of Estate II, 2.0 du/ac, maximum yield of 74 units based on site-specific slope conditions.
2. The site is physically suited for this type of development, which will be pre-zoned to be Planned Development and the proposed project would be consistent with the development standards of the Residential Development policies and goals in the General Plan.
3. The design of the tentative map and proposed improvements are not likely to cause substantial environmental damage or injury to fish, wildlife, or their habitat and approximately 13.93 acres will be permanently preserved as biological open space.
4. The design of the tentative map and the type of improvements are not likely to cause serious public health problems since city water and sewer facilities exist in the area or will be provided to the site, and the project proposes street improvements and traffic calming features.
5. The design of the subdivision map and the type of improvements will not conflict with existing easements of record, or easements established through court judgments or acquired by the population at large, for access through, or use of, property within the proposed subdivision map. Otherwise, the project design reflects all existing easements.
6. The requirements of the California Environmental Quality Act have been met since it was found that the project will not have a significant effect on the environment that cannot be mitigated to a less than significant impact, as demonstrated in the Oak Creek Project Final Environmental Impact Report.
7. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to recordation of the map.

Annexation:

1. The proposal conforms to the annexation policies established in the Escondido General Plan Land Use and Community Form Element that are intended to guide development to meet present and future needs, achieve a vibrant community, and enhance the character of Escondido.
2. The property to be annexed is in the Escondido Sphere of Influence area and the property owners desire to annex into the city.
3. The reorganization includes annexation to the City of Escondido and detachment from County Service Area No. 135 (Regional Communications). The site will also be excluded from the Rincon Municipal Water District - Improvement District "E" for fire services and the two remainder lots within the panhandle will be included within the Rincon Del Diablo Municipal Water District- Improvement District "I" for water service. The actions involving the improvement districts are subject to approval by Rincon Water.
4. The City of Escondido already provides fire and emergency response to the proposed annexation territory. The City would provide sewer service rather than private septic systems. The City of Escondido Police Department, which already patrols the general area and works cooperatively with the Sheriff, would assume responsibility for

law enforcement. Annexation would allow the City to increase their road maintenance responsibility. The annexation would not introduce new service providers to the area or become a departure from the existing pattern of service delivery in this portion of Escondido.

Prezone:

1. The project site is proposed to be pre-zoned to Planned Development - Residential 1.75 (PD-R 1.75) and the Chalice Unitarian Universalist Congregation Property is proposed to be pre-zoned to Residential Estates- 20,000 square foot minimum lot size (RE-20), both of which are consistent with the Escondido General Plan designation of Estate II (up to 2 dwelling units per acre) and would allow for project development. The Planned Development is conditioned on the approval and recordation of the proposed annexation.
2. The public health, safety and welfare will not be adversely affected by the proposed change because the zoning will be consistent with the existing Estate II General Plan designation on the subject properties and the primary use of the Chalice Unitarian Universalist Congregation property will remain unchanged.
3. The properties involved are suitable for the uses permitted by the proposed zone since the permitted use on the proposed development site will be the same single-family residential use permitted by the previous County zoning and the primary use of the Chalice Unitarian Universalist Congregation property will remain unchanged. In addition, the proposed density is consistent with surrounding residential development.
4. The proposed project would be consistent with the development standards of the Escondido Zoning Code and the General Plan designation and policies. Using the Planned Development process allows flexibility, if necessary, to achieve the basic public purposes of the Escondido General Plan and Zoning Code; to enhance the appearance and livability of the community; to promote and create public and private open space as an integral part of the proposed project design; and, to enhance and preserve the site and its topography and landscape features.
5. The landscape and character of the project would reinforce the community character of the surrounding neighborhoods with frontage improvements that would be well integrated into its surroundings, since excessive grading would not be required; the new structures would incorporate compatible and integrated architecture, materials and colors; the project would not be visually obstructive or disharmonious with surrounding areas; or harm protected views from adjacent properties.
6. The proposed project will restore, enhance, and maintain the existing creek including a buffer, and establish the area adjacent to the seasonal pond as an amenity which is accessible to the public.

Preliminary, Master and Precise Development Plan

1. The location, design and density of the proposed residential development is consistent with the goals and policies of the Escondido General Plan. The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets or public facilities, create excessive noise, and adequate on-site parking, circulation and public services could be provided to the site.
2. The proposed location and design of the development allows it to be well integrated with its surroundings near residentially zoned property and will not cause deterioration of bordering land uses.
3. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion on adjoining streets, according to the Oak Creek Project Final Environmental Impact Report, the traffic impact analysis for the project prepared by Linscott, Law & Greenspan on July 31, 2014, and the Engineering Division.
4. All public facilities, sewer and water service are existing or will be available to the subject site, with proposed and anticipated improvements and annexation.

5. The overall design of the proposed residential development would produce an attractive, beautiful, efficient and stable environment for living, since adequate parking, open space and landscaping would be provided, and the design of the development is consistent with a high quality, urban infill project that will provide ownership housing within walking distance of Felicita Park and close to schools, retail, commercial and office uses, consistent with the area's growing demand for high quality homes.
6. The proposed development would be well integrated into its surroundings, since excessive grading would not be required, the new structures would incorporate compatible and integrated architecture, materials and colors, the project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties, and the development would restore and maintain the existing seasonal pond which is accessible to the public.
7. The approval of the proposed Master and Precise Development Plan would be based on sound principles of land use since adequate parking, circulation, utilities and access would be provided for the development of the project (as detailed in the staff report).

Specific Alignment Plan for Felicita Road and Hamilton Lane:

1. In response to site conditions and constraints, the project is proposing modifications to Local Collector standards for Felicita Road and Hamilton Lane through the use of a Specific Alignment Plan. Once approved, the Specific Alignment Plan would serve as the applicable requirements for these City roadways.
2. Widening Felicita Road and Hamilton Lane to the standards identified for these roads in the City of Escondido General Plan Mobility and Infrastructure Element would result in additional adverse environmental and neighborhood impacts and would not be necessary to maintain acceptable traffic conditions.
3. The roadway improvements to Felicita Road proposed in the Specific Alignment Plan that would be implemented as a result of the project would create a more "complete street" by improving circulation for vehicles, bicyclists, and pedestrians; provide a modified Local Collector that achieves City standards for acceptable levels of service; introduce traffic calming measures to combat speeding vehicles; minimize environmental impacts, particularly to sensitive biological resources; respond to the preferences of existing unincorporated residents to maintain a rural atmosphere without full city improvements on the portions of their property that front Felicita Road; and minimize disruptions to existing properties by avoiding the need to relocate or remove private or public improvements such as driveways, mail boxes, retaining walls and power poles.
4. The roadway improvements to Hamilton Lane will complete the "half plus 12 feet" improvements with a rolled curb on the northern side of the street.

Grading Exemption:

1. Granting the proposed new and modified Grading Exemptions is consistent with the Grading Design Guidelines for the following reasons:
 - a. The grading activity does not affect sensitive biological species or habitats, mature or protected trees, and required landscaping, and the development shall incorporate erosion control measures as defined in the City's stormwater management requirements.
 - b. The proposed Grading Exemptions would not create a negative visual impact upon neighboring properties and the public right of way because landscaping on the slopes will assist in softening the visual effect.
 - c. The proposed slopes would not intrude into or disturb the use of any adjacent property or adversely block the primary view of any adjacent parcels, which generally are situated at a higher elevation; disturb any utilities or drainage facilities; obstruct circulation patterns or access; nor preclude the future development of any adjacent parcel.

- d. The proposed design of the slopes would not adversely affect any adjoining septic systems since the cut slope is located in an area of the project where no impacts would occur to nearby septic systems. The proposed project will be provided with sewer service.
- e. The project's homes would be built on lots that would be generally lower in elevation as compared to the surrounding neighborhood.
- f. The proposed cut and fill slopes would be structurally stable since all slopes will be manufactured to a standard 2:1 inclination.

All graded areas shall be protected from wind and water erosion through compliance with the City's stormwater management requirements. The development will be required to incorporate interim erosion control plans, certified by the project engineer and reviewed and approved by the City's Public Works Department.

SUB 13-0002; PHG 13-0017; ENV 13-0006

LEGAL DESCRIPTION

Real property in the unincorporated area of the County of San Diego, State of California, described as follows:

PARCEL ONE:

THAT PORTION OF LOT THREE IN BLOCK TWENTY-FIVE OF HOMELAND ACRES ADDITION TO ESCONDIDO NO. 2, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1241, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 11, 1910, LYING SOUTH OF A LINE THAT IS PARALLEL WITH AND DISTANT TWO HUNDRED SIXTY-FOUR FEET SOUTHERLY FROM THE NORTHERLY LINE OF SAID LOT THREE, EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID LOT 3, NORTH 12°01' EAST, 121.3 FEET FROM THE SOUTHWEST CORNER THEREOF; THENCE CONTINUING ALONG SAID WESTERLY LINE NORTH 12°01' EAST, 259.7 FEET; THENCE SOUTH 77°59' EAST, 258.2 FEET; THENCE SOUTH 56°51' WEST, 366.2 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH THE NORTHERLY HALF OF THE UN-NAMED STREET ADJOINING SAID LOT 3 ON THE SOUTH AS VACATED BY THE COUNTY OF SAN DIEGO BY RESOLUTION RECORDED JUNE 3, 1981, AS INSTRUMENT NO. 81-172660 OF OFFICIAL RECORDS IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

EXCEPT THEREFROM THAT PORTION THEREOF CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED DECEMBER 3, 1970 AS FILE NO. 221136 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 3; THENCE (1) ALONG THE WESTERLY LINE OF SAID LOT 3, NORTH 12°35'46" EAST, 121.29 FEET TO THE NORTHWESTERLY LINE OF SAID BASSETT LAND; THENCE (2) ALONG SAID NORTHWESTERLY LINE NORTH 57°24'50" EAST, 75.69 FEET TO THE TRUE POINT OF BEGINNING; THENCE (3) LEAVING SAID NORTHWESTERLY LINE SOUTH 77°24'01" EAST, 387.45 FEET; THENCE (4) ALONG A TANGENT CURVE TO THE RIGHT, WITH A RADIUS OF 458.00 FEET; THROUGH AN ANGLE OF 25°45'36", A DISTANCE OF 205.92 FEET TO THE EASTERLY LINE OF SAID LOT 3; THENCE (5) ALONG SAID EASTERLY LINE NORTH 12°37'04" EAST, 251.93 FEET TO THE NORTHERLY LINE OF SAID BASSETT LAND; THENCE (6) ALONG SAID NORTHERLY LINE NORTH 77°26'22" WEST, 196.96 FEET; THENCE (7) LEAVING SAID NORTHERLY LINE SOUTH 31°53'10" EAST, 141.58 FEET; THENCE (8) SOUTH 22°48'07" WEST, 46.00 FEET; THENCE (9) NORTH 77°24'01" WEST, 421.08 FEET TO SAID NORTHWESTERLY LINE; THENCE (10) ALONG SAID NORTHWESTERLY LINE SOUTH 57°24'50" WEST, 84.58 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL TWO:

THAT PORTION OF LOT 3 IN BLOCK 25 OF HOMELAND ACRES ADDITION TO ESCONDIDO NO. 2, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1241, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 11, 1910, SAID PORTION HEREBY CONVEYED DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID LOT 3, DISTANT ALONG SAID

WESTERLY LINE NORTH 12°35'46" EAST, 121.29 FEET FROM THE SOUTHWESTERLY CORNER OF SAID LOT 3; THENCE ALONG THE FOLLOWING NUMBERED COURSES; (1) NORTH 57°24'50" EAST, 75.69 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF FRONTAGE ROAD "FA-L" OF STATE FREEWAY 11-SD-15 -28.5, SAID FRONTAGE ROAD BEING 60.00 FEET IN WIDTH; (2) ALONG THE SOUTHERLY RIGHT OF WAY LINE NORTH 77°24'01" WEST, 53.35 FEET, TO SAID WESTERLY LINE OF SAID LOT 3; (3) ALONG LAST SAID LINE SOUTH 12°35'48" WEST, 53.69 FEET, TO THE POINT OF BEGINNING.

APN: 238-110-25-00 and 238-110-35-00

LEGAL DESCRIPTION

Real property in the unincorporated area of the County of San Diego, State of California, described as follows:

LOTS 1, 2, 3 AND 4 IN BLOCK 7 OF HOMELAND ACRES ADDITION TO ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1205, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 1, 1909.

TOGETHER WITH THAT PORTION OF THE EASTERLY ONE-HALF OF SAN DIEGO BOULEVARD ADJOINING SAID LOT 1 ON THE WEST AS VACATED BY ORDER OF THE BOARD OF SUPERVISORS OF SAN DIEGO COUNTY ON FEBRUARY 25, 1958, A CERTIFIED COPY OF WHICH ORDER IS RECORDED IN BOOK 6980, PAGE 88 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY.

ALSO TOGETHER WITH THE NORTHEASTERLY HALF OF SAN DIEGO BOULEVARD ADJOINING SAID LOT 4 ON THE SOUTHWEST, AS VACATED BY ORDER OF THE BOARD OF SUPERVISORS OF SAN DIEGO COUNTY ON OCTOBER 8, 1923, A CERTIFIED COPY OF WHICH ORDER IS RECORDED IN BOOK 751, PAGE 336 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

EXCEPTING THEREFROM THAT PORTION OF LOT 1 IN BLOCK 7 OF HOMELAND ACRES ADDITION TO ESCONDIDO, ACCORDING TO MAP THEREOF NO. 1205, FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, LYING WESTERLY OF THE CENTER LINE OF THAT CERTAIN RIGHT OF WAY FOR PUBLIC HIGHWAYS CONVEYED TO THE COUNTY OF SAN DIEGO BY EASEMENT RECORDED IN BOOK 6944, PAGE 31 OF OFFICIAL RECORDS OF SAID COUNTY, AND LYING NORTHERLY OF THE EASTERLY PROLONGATION OF THE SOUTH LINE OF THE NORTH 180 FEET OF LOT 1 IN BLOCK 8 OF SAID HOMELAND ACRES ADDITION TO ESCONDIDO.

ALSO EXCEPTING FROM THE ABOVE DESCRIBED LAND THAT PORTION THEREOF DESCRIBED IN DEED TO KONSTANTIN L. MICHAEL, RECORDED JUNE 22, 1953 IN BOOK 4896, PAGE 601 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

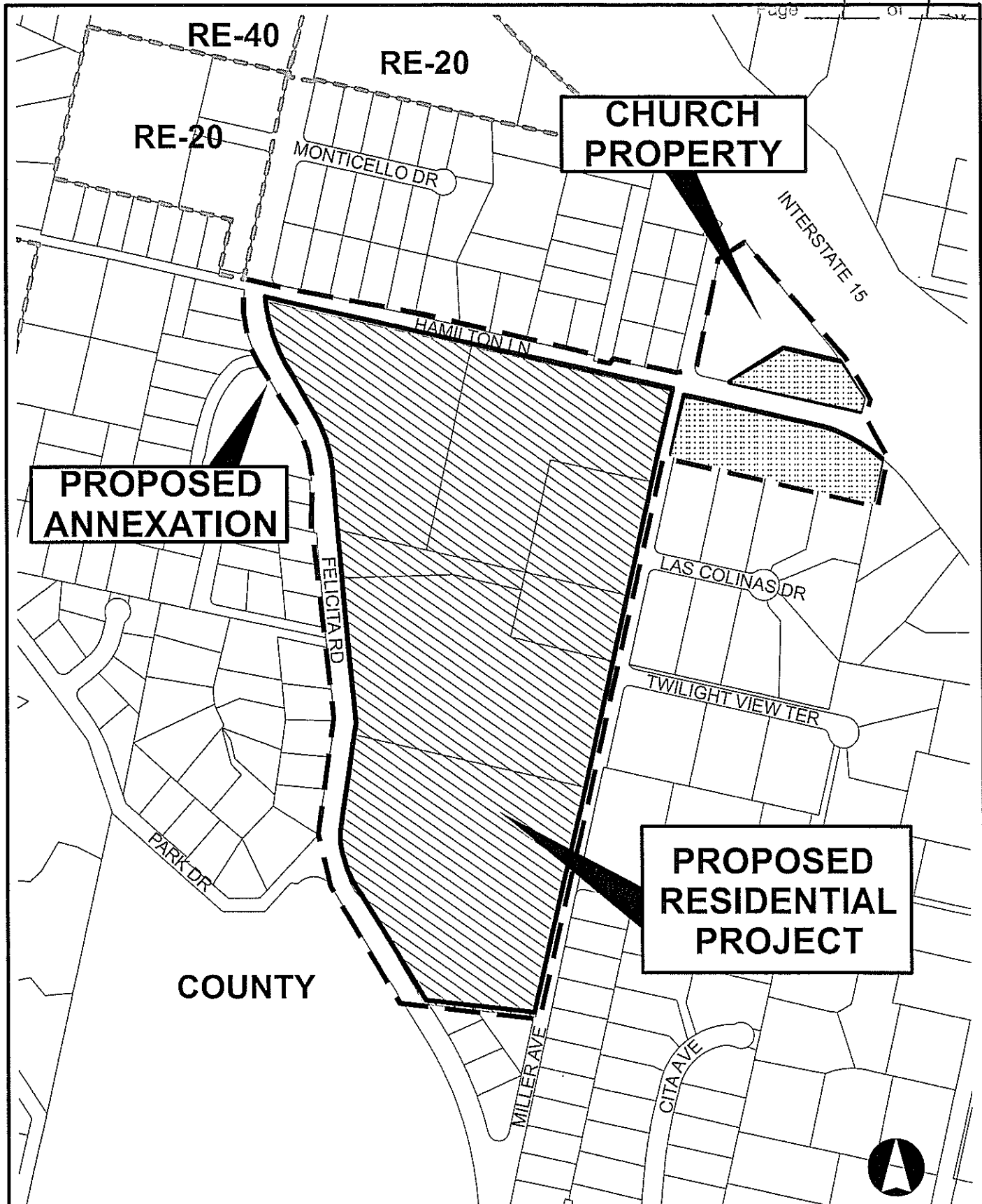
THAT PORTION OF LOT 4 IN BLOCK 7 AND OF LOT 1 IN BLOCK 9 OF HOMELAND ACRES ADDITION TO ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1205, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 1, 1909, TOGETHER WITH THAT PORTION OF SAN DIEGO BOULEVARD, NOW VACATED AND CLOSED TO PUBLIC USE, DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2 OF SAID BLOCK 9; THENCE ALONG THE NORTHWESTERLY LINE OF LOT 1 IN SAID BLOCK 9, NORTH 43°59' EAST 221.60 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 1; THENCE SOUTH 17°38' EAST 297.72 FEET; THENCE SOUTH 29°24' WEST 119.27 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 29°24' WEST 60.73; THENCE SOUTH 1°5' EAST 460.18 FEET; THENCE SOUTH 23°55' EAST 381.01 FEET, MORE OR LESS TO AN INTERSECTION WITH THE CENTER LINE OF THE COUNTY ROAD, (KNOWN AS CLARENCE LANE) AS SAID COUNTY ROAD IS SHOWN ON ROAD SURVEY NO. 1018, ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR OF SAID COUNTY; THENCE ALONG SAID CENTER LINE, SOUTH 78°02'30" EAST (RECORD SOUTH 77°59'

EAST) 354.18 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE CENTER LINE OF MILLER AVENUE AS SHOWN ON SAID MAP NO. 1205; THENCE NORTH 12°01'30" EAST ALONG SAID SOUTHERLY PROLONGATION AND ALONG SAID CENTER LINE OF MILLER AVENUE A DISTANCE OF 881.69 FEET; THENCE NORTH 77°58'30" WEST 20.00 FEET TO A POINT IN THE WESTERLY LINE OF SAID MILLER AVENUE; THENCE NORTH 83°59'20" WEST 653.50 FEET TO THE TRUE POINT OF BEGINNING.

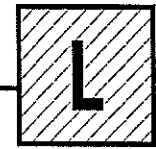
ALSO EXCEPTING FROM THE FIRST ABOVE DESCRIBED LAND THAT PORTION THEREOF LYING WITHIN THE PUBLIC HIGHWAY (COUNTY ROAD SURVEY NO. 461) AS SAID HIGHWAY IS DESCRIBED IN DEED TO THE COUNTY OF SAN DIEGO RECORDED JULY 6, 1956 IN BOOK 6169, PAGE 194 OF OFFICIAL RECORD.

APN: 238-370-01-00, 238-370-05-00, 238-370-04-00, 238-370-07-00, 238-370-08-00, 238-370-06-00 and 238-380-01-00



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PROPOSED PROJECT
SUB 13-0002



LOCATION/ZONING

CONDITIONS OF APPROVAL
SUB 13-0002, PHG 13-0017, ENV 13-0006

Project Mitigation Measures

1. **Air-1 Construction Dust Control Measures.** The on-site construction superintendent shall ensure implementation of standard best management practices to reduce the emissions of fugitive dust during all grading and site preparation activities including, but not limited to, the following actions:
 1. Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site, additional water shall be applied at a frequency to be determined by the on-site construction superintendent.
 2. Temporary hydroseeding with irrigation shall be implemented on all graded areas on slopes, and areas of cleared vegetation shall be revegetated as soon as possible following grading activities in areas that will remain in a disturbed condition (but will not be subject to further construction activities) for a period greater than three months during the construction phase.
 3. Operate all vehicles on the construction site at speeds less than 15 miles per hour.
 4. Cover all stockpiles that will not be utilized within three days with plastic or equivalent material, to be determined by the on-site construction superintendent, or spray them with a non-toxic chemical stabilizer.
 5. If a street sweeper is used to remove any track-out/carry-out, only PM₁₀-efficient street sweepers certified to meet the most current South Coast Air Quality Management District Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances.
 6. Grading shall be terminated when winds exceed 25 mph.
 7. Sweepers, wheel washers and water trucks shall be used to control dust and debris at public street access points.
 8. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading. Non-toxic soil stabilizers shall be applied according to manufacturer's specification to all inactive construction areas.
2. **Bio-1** Potential direct impacts to migratory bird species covered under the MBTA shall be mitigated by restricting brush removal and site grading to outside of the breeding season of most bird species (February 15 to September 15). Grubbing, grading, or clearing during the breeding season of MBTA covered species could occur if it is determined through a pre-construction survey by a qualified biologist that no nesting birds are present immediately prior to grubbing, grading, or clearing activities. A nesting survey report shall be submitted to the City for review and approval confirming that no breeding or nesting avian species are present in areas proposed for grubbing, grading, or clearing no longer than seven days prior to grading.
3. **Bio-2** The following measures shall be implemented to reduce indirect impacts to sensitive species to below a level of significance.
 1. Active construction areas and unpaved surfaces shall be watered pursuant to City grading permit requirements to ensure that generation of fugitive dust is minimized.
 2. Orange construction fencing shall be installed prior to the start of construction to define the proposed limits of construction impacts and clearly define the grading boundaries, and biological monitoring of on-site open space shall be conducted during grading and construction activities prevent unintended impacts.
 3. The Project shall address potential water quality impacts through compliance with the City's Grading Ordinance (See Section 33-1062, 33-1063, 33-1068, 33-1069) and implementation of the proposed best temporary construction management practices outlined in the Stormwater Management Plan (silt fence, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, solid waste management, stabilized construction entrance/exit, desilting basin, gravel bag berm, sandbag barrier, material delivery and storage, and any minor slopes will be covered with a plastic or tarp prior to a rain event).
 4. All construction and security lighting associated with the Project shall be shielded or directed away from the open space.
 5. After construction is complete, Project landscaping shall not include any California Invasive Plant Council (Cal-IPC) List A species.

6. A homeowner education program shall be implemented to alert homeowners of the need to keep pets outside of the on-site open space areas. The homeowners association shall be responsible for implementing rules related to resident's pets.
7. A management plan shall be provided for the on-site open space that will include all stewardship measures, such as upkeep of fencing and signs, restricting trespassing, and removing debris. The management plan will be implemented by the HOA. All fuel modification zones in open space lots will be maintained by the HOA. The HOA will be responsible for all vegetation management throughout the common areas of the project site, in compliance with the requirements. The HOA will be responsible for ensuring long-term funding and ongoing compliance with all provisions of the Project's Fire Protection Plan, including vegetation planting, fuel modification, vegetation management, and maintenance requirements throughout the private portions of the project site. Individual property owners will be responsible for maintaining zones on their property.
4. **Bio-3** All brush removal, grading, and clearing of vegetation on the project site shall take place outside of the bird breeding season (February 15 [January 1 for tree dwelling raptors] through September 15). If construction activities are proposed to occur during the breeding season, a pre-construction survey shall be conducted by a qualified biologist no longer than seven days prior to the start of construction to determine if nesting birds are present on site. No construction activities shall occur within 300 feet of burrowing owl burrows, tree dwelling raptor nests, or least Bell's vireo, or within 800 feet of ground dwelling raptor nests, until a qualified biologist has determined that they are no longer active or that noise levels will not exceed 60 dB(A) Equivalent Energy Level (L_{eq}) at the nest site. Alternatively, noise minimization measures such as noise barriers shall be constructed to bring noise levels to below 60 dB(A) L_{eq} , which will reduce the impact to below a level of significance.
5. **Bio-4** The Project would cause direct impacts to 1.1 acre of coast live oak woodland (0.9 acre of which is outside of CDFW jurisdiction), 0.1 acre of Diegan coastal sage scrub, and 3.1 acres of non-native grassland. Impacts to 0.9 acre of coast live oak woodland shall be mitigated at a 3:1 ratio through acquisition of 2.7 acres of credit from the Daley Ranch Mitigation Bank. The remaining 0.27 acre of coast live oak woodland within CDFW jurisdiction is addressed in mitigation measure Bio-5 below. Impacts to 0.1 acre of Diegan coastal sage scrub shall be mitigated at a 2:1 ratio through acquisition of 0.2 acre of credits from the Daley Ranch Mitigation Bank, while impacts to non-native grassland shall be mitigated at a 0.5:1 ratio through acquisition of 1.6 acres of credits from the Daley Ranch Mitigation Bank. See Table 5.4-8 for a summary of mitigation requirements.

Table 5.4-8

Resource	Impact (Acres)	Mitigation Ratio	Mitigation
Jurisdictional Habitats			
Southern willow riparian forest	0.23	3:1	0.69 acre on-site restoration
Southern coast live oak riparian forest	0.04	3:1	0.12 acre on-site restoration
Coast live oak woodland	0.27	3:1	0.81 acre on-site restoration
Eucalyptus woodland	0.02	1:1	0.02 acre on-site restoration
Streambed	0.04	1:1	0.04 acre on-site restoration
Subtotal	0.60		
Upland Habitats			
Coast live oak woodland	0.9	3:1	2.7 acres at Daley Ranch
Diegan coastal sage scrub	0.1	2:1	0.2 acre at Daley Ranch
Non-native grassland	3.1	0.5:1	1.6 acres at Daley Ranch

Subtotal	4.1		
Total	4.71		

Note: Areas are presented in acre(s) rounded to the nearest 0.01.

Source: Helix Environmental 2014

6. **Bio-5** The Project applicant shall be required to obtain wetland permits and approvals for impacts to USACE and California Department of Fish and Wildlife (CDFW) jurisdictional areas. See Table 5.4-9 for a summary of mitigation requirements for jurisdictional areas. Impacts to southern willow riparian forest, southern coast live oak riparian forest, and coast live oak woodland jurisdictional habitats are anticipated to require a 3:1 mitigation ratio through creation and/or restoration and/or enhancement of riparian or oak woodland habitat on site. Impacts to CDFW eucalyptus woodland and non-wetland Waters of the U.S./CDFW streambeds shall be mitigated through creation/restoration at a 1:1 ratio. This will require creation/restoration of approximately 0.07 acre of drainages, of which a minimum of 0.07 acre must be USACE jurisdictional. Wetland mitigation is proposed to occur within the 9.8 acres of open space along existing on-site drainages, with final mitigation requirements to be determined by the resource agencies through the permitting process. On-site mitigation is proposed to consist of recontouring a portion of the stream channel, removal of non-native species, and seeding/planting with a mix of native shrubs and trees. A detailed restoration, maintenance and monitoring plan shall be prepared by a qualified restoration ecologist/biologist and shall be approved by the City prior to issuance of a grading permit. More detail information regarding the performance standards that will be used in the implementation of this mitigation measure is provided in the Riparian Habitat Mitigation Plan for the Oak Creek Project found in Appendix G of the Biological Technical Report, which is Appendix F in the Final EIR. The biological open space lots would be preserved in their natural state within a permanent conservation easement and mechanism for privately funded on-going maintenance managed in perpetuity for biological resource values by the HOA. Conserved areas on site would be placed in an open space easement and managed through funding provided by the Project's Homeowners Association (HOA), with management overseen by a qualified biologist/resource manager.

Table 5.4-9

Jurisdictional Area	Ratio	USACE ¹		CDFW	
		Impacts	Mitigation	Impacts	Mitigation
Southern willow riparian forest	3:1	0.05	0.15	0.23	0.69
Southern coast live oak riparian forest	3:1	--	--	0.04	0.12
Coast live oak woodland	3:1	--	--	0.27	0.81
Eucalyptus woodland	1:1	--	--	0.02	0.02
Non-wetland Waters of the U.S / Streambed	1:1	0.07	0.07	0.04	0.04
Total	--	0.12	0.22	0.60	1.68

Note: Areas are presented in acre(s) rounded to the nearest 0.01.

¹ USACE is a subset of the CDFW jurisdiction.

Source: Helix Environmental 2014

7. **Bio-6** Prior to the issuance of grading permits, the Project applicant shall submit a Conceptual Habitat Restoration Plan (CHRP) to the City Community Development Department for review and approval. The CHRP, which is described more fully in Appendix C Tree Management and Preservation Plan, shall be a cohesive restoration and monitoring plan that addresses site-wide restoration/mitigation efforts and includes a tree planting, canopy cover goal, and monitoring component. The CHRP shall specify native oak, willow, sycamore, and cottonwood tree planting details, locations, and long-term maintenance and monitoring for the mitigation of trees. The CHRP shall be used to prepare bidding construction documents for site preparation, tree installation, and maintenance. The CHRP shall require that a knowledgeable arborist or biologist be retained to monitor mitigation tree plantings for a period of five years. The CHRP also shall outline reporting protocols and standards for mitigation tree replacement, should it be necessary if canopy cover goals are not being achieved. Table 5.4-13, Landscape Tree Replacement Calculation, identifies the total number of plantings required to meet the intent of the City's tree protection and replacement requirements. Upon approval of the CHRP, the Project applicant shall implement the plan. Implementation of the CHRP shall achieve at a minimum 2:1 replacement of trees at the end of five years.

Table 5.4-13

Impacted Tree Type	Grading Related	Replacement Ratio	Replacement Species ¹	Total Number Replacement Trees ²
<i>Cedrus deodora</i>	1	1:1	--	1
<i>Eucalyptus camaldulensis</i>	38	1:1	--	38
<i>Eucalyptus cinerea</i>	2	1:1	--	2
<i>Eucalyptus cladocylax</i>	2	1:1	--	2
<i>Fraxinus uhdei</i>	2	1:1	--	2
<i>Olea eurpea</i>	37	1:1	--	37
<i>Phoenix canariensis</i>	2	1:1	--	2
<i>Pinus elderica</i>	3	1:1	--	3
<i>Quercus agrifolia (protected)</i>	97	2:1	--	194
<i>Q. agrifolia (mature)</i>	98	1:1	--	98
<i>Q. engelmannii (protected)</i>	3	2:1	--	6
<i>Q. engelmannii (mature)</i>	3	1:1	--	3
<i>Salix goodingii</i>	18	1:1	--	18
<i>Salix lasiolepis</i>	11	1:1	--	11
<i>Schinus molle</i>	2	1:1	--	2
<i>S. terebenthifolius</i>	7	1:1	--	7
<i>Ulmas parvifolia</i>		1:1		3
<i>Washingtonia robusta</i>	24	1:1	--	24
Minimum Required Escondido Mitigation Tree Plantings				453
Minimum Proposed Landscape Plantings				453
Minimum Proposed Habitat Area Tree Plantings				1,500 to 2,000

¹ Replacement species will be a combination of native oak, sycamore, willow, and cottonwood in the riparian areas and native oak and other landscape trees within the urbanized area of the Project.

² Total replacement trees include coast live oak and other suitable native or ornamental species that would be planted to comply with Section 33-1069 of the City's Municipal Code, as well as trees that would be provided to mitigate habitat impacts as required in mitigation measures Bio-4 and Bio-5.

Source: Dudek 2014

8. **Cul-1** The following mitigation monitoring program shall be implemented to address potential impacts to undiscovered buried archaeological resources within the project site and off site. This program shall include, but not be limited to, the following actions:
1. Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the Project archaeologist to the lead agency. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program, including a qualified Native American monitor.

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2. The qualified archaeologist shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.
 3. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) shall be on site full-time to perform periodic inspections of the excavations. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features.
 4. A Native American monitor shall accompany the archaeologist monitor during all times that the archaeological monitor(s) is on site.
 5. Isolates and clearly non-significant deposits shall be minimally documented in the field so the monitored grading can proceed.
 6. In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the City's Project manager at the time of discovery of previously unidentified cultural resources within the project site. The archaeologist, in consultation with the City's Project manager, shall determine the significance of the discovered resources. The City must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the lead agency, then carried out using professional archaeological methods. The archaeologist shall contact the County DPR Resource Management Division and County Archaeologist at the time of discovery of previously unidentified cultural resources within off-site construction areas.
 7. If any human bones are discovered, the County Coroner and City shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted in order to determine proper treatment and disposition of the remains.
 8. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeological monitor(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.
 9. All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility meeting the standards of Title 36 CFR, Part 79, and located within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.
 10. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the City prior to the issuance of any building permits. The report will include California Department of Parks and Recreation (DPR) Primary and Archaeological Site Forms.
9. **Geo-1** All recommendations contained in the geotechnical feasibility review (Appendix D) shall be incorporated into the Project during construction. These recommendations include the following:
1. Transition lots shall be undercut at least 3 feet and at least one-third the maximum fill thickness on any lot, such that the ratio of 3:1 (maximum:minimum) fill thickness, or flatter is attained. Cut lots shall also be undercut to mitigate perched water conditions. All undercuts shall be sloped to drain away from the building area.
 2. The fill cap shall extend to at least one foot below the lowest utility invert in street areas to facilitate trenching operations.
 3. For fill slopes descending to property lines, removals shall be completed above a 1:1 projection beginning at the property line, or a point located at least 5 feet laterally from any adjacent street, or any nearby utility. Relatively deep removals adjacent to property line at Lots 3, 4, 43, 44, and Open Space Lot C may necessitate the use of structural setbacks within the building area, or possibly deepened foundations.
 4. Any planned import soil shall be very low to low expansive.
10. **Haz-1** At least 10 days prior to demolition or removal of existing on-site structures, the project applicant shall submit an **Asbestos Demolition or Renovation Operational Plan** (*Notice of Intention*) to the City Community Development Department. This Plan shall be prepared by an asbestos consultant licensed with the California State Licensing Board and certified by the California Occupational Safety and Health Administration to conduct an asbestos inspection in compliance with Asbestos *National Emission Standard for Hazardous Air Pollutants* (NESHA) requirements. The

Asbestos NESHAP, as specified under Rule 40, CFR 61, Subpart M, (enforced locally by the San Diego Air Pollution Control District, under authority, per Regulation XI, Subpart M - Rule 361.145), requires the owner of an establishment set for demolition to submit an **Asbestos Demolition or Renovation Operational Plan** at least 10 working days before **any** asbestos stripping or removal work begins (such as site preparation that would break up, dislodge or similarly disturb **asbestos containing material**.)

Removal of all asbestos-containing material or potential asbestos-containing material on the project site shall be monitored by the certified asbestos consultant and shall be performed in accordance with all applicable laws, including California Code of Regulations, Title 8, Section 1529, Asbestos; OSHA standards; and the San Diego County Air Pollution Control District Rule 361.145, Standard for Demolition and Renovation.

11. **Haz-2** Demolition or removal of existing on-site structures constructed pre-1979 shall be performed by a Certified Lead Inspector/Assessor, as defined in Title 17, CCR Section 35005, and in accordance with all applicable laws pertaining to the handling and disposal of lead-based paint. Lead-based materials exposure is regulated by Cal OSHA. Title 8 CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed Cal OSHA standards.
12. **Haz-3** The following mitigation measure addresses contaminated soils and their export off-site.
 1. Prior to issuance of a grading permit the applicant shall prepare a Response Plan in conformance with DTSC standards to address risks associated with the detected concentrations of TPH-DRO and arsenic on the project site. The Response Plan shall be approved by DTSC and submitted to the City prior to the issuance of a grading permit. The Response Plan will include one of the following three remedial methods to reduce impacts to a less than significant level. Remedial Method Options 1, 2 and 3 would require a small amount of soil export amounting to up to approximately 1,353 cubic yards of soil.

Remedial Method Option 1

- a) Remedial Method: Excavation and off-site disposal of TPH-impacted soil, approximately 20 cubic yards; and arsenic-impacted soil (AIS), approximately 1,333 cubic yards.
- b) Overseeing Agencies: California DTSC, along with California Department of Fish and Wildlife (CDFW) and RWQCB for portions of the project site near the creek.

Remedial Method Option 2

- c) Remedial Method: Excavation and off-site disposal of TPH-impacted soil, approximately 20 cubic yards; and excavation and on-site burial of AIS, approximately 1,333 cubic yards.
- d) Overseeing Agencies: DTSC, along with CDFW and RWQCB for portions of the project site near the creek.

Remedial Method Option 3

- e) Remedial Method: Excavation and off-site disposal of TPH-impacted soil, approximately 20 cubic yards; and capping of AIS with 800 cubic yards of soils (therefore, no excavation and off-site disposal of AIS is required). Capping is a process used to cover contaminated soils to prevent the migration of pollutants and is a reliable technology for sealing off contamination from the above-ground environment and significantly reducing underground migration of pollutants away from the site. The cap shall be made of soil native to the site.
 - f) Overseeing Agencies: DTSC, along with CDFW and RWQCB for portions of the project site near the creek.
2. Prior to issuance of a grading permit for the selected remedial method (options 1, 2, or 3), any areas proposed for disturbance on the project site where previous hazardous materials releases have occurred must be mitigated in accordance with the requirements of the overseeing regulatory agency (DTSC, RWQCB or CDFW, as appropriate) for the proposed residential use of the site. All proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site-specific health and safety plan, prepared by a licensed professional in accordance with California Division of Occupational Safety and Health (Cal OSHA) regulations (contained in Title 8 of the California Code of Regulations) to protect the public and all workers in the construction area prior to the commencement of groundbreaking.

3. Following completion of the selected remedial method, the project applicant shall seek and obtain written regulatory closure letter from the DTSC specifying that no further action is necessary in regard to the TPH- and arsenic-impacted soil. Overseeing Agencies: DTSC, along with CDFW and RWQCB for portions of the project site near the creek.
 4. The transportation of the exported soil is included as part of the grading activities associated with the Project and is described in Section 4.3.3, Site and Infrastructure Improvements and is addressed in Sections 5.3 Air Quality, 5.11 Noise and 5.14 Transportation and Traffic.
 5. Regarding potential dust migration impacts associated with the excavation, loading and transport of contaminated soils, all trucks transporting soil or waste shall comply with 22 California Code of Regulations (CCR) Part 66263.16, Standards Applicable to Transporters of Hazardous Waste. The following mitigation measures that will be implemented include but are not limited to:
 - a. Dust monitoring shall be conducted during loading of contaminated soil in conformance with the procedures and standards described below under mitigation measure Haz-4.
 - b. Water shall be used for dust suppression, if necessary.
 - c. Transport trucks shall have the contaminated soils loads covered with a retractable during transportation;
 - d. Transport trucks shall have at a minimum one foot of freeboard with the truck is loaded to prevent spillage.
 - e. Standard SWPPP procedures described in Section 5.9.3.1 Issue 1: Water Quality Standards and Requirements shall be implemented to prevent the migration of contaminated soil from the project site, such as installation of devices specially designed to clear tires of sediment and hold it for later cleanout.
 6. Potential human health risk mitigation measures would include the installation of soil vapor barriers beneath proposed building structures to prevent soil vapor intrusion if the vapor levels exceed regulatory standards. Additionally, the pockets of soil impacted by petroleum hydrocarbons and/or by heavy metals at concentrations above regional background levels will be mitigated through a removal action with either on-site strategic placement to eliminate the exposure pathway or off-site disposal at a suitable landfill.
 7. The truck haul route for the export of contaminated soils will head north from the project site along Felicita Road to Gamble Lane and then to Interstate 15. The return route would follow the same roadways.
13. **Haz-4** This measure addresses potential health impacts from exposure to contaminated dust during construction, both for workers at the Project and for residents around the Project during construction. This measure would take place during grading activities associated with remediating the contaminated soils on site and it would be monitored by a qualified hazardous materials specialist. The features of the measure are as follows.
1. Remedial excavation work and grading activities will be performed pursuant to a Site Health & Safety Plan developed in accordance with federal law, as set forth at 29 CFR 1910.20 (i.e., the "Hazardous Waste Operations and Emergency Response," also known as the HAZWOPER standard), which requires, among other things, that all personnel dealing with disturbed soil have the training, experience and medical clearance to work on the Project.
 2. Air will be monitored for contaminant concentrations in dust in comparison to action levels based on the Occupational Safety and Health Administration (OSHA) Permissible Exposure Limit (PEL) for arsenic of 0.01 milligrams per cubic meter (mg/m³) and the PEL for trichloroethylene (TCE) of 100 ppm. The Mitigation Report further specifies that arsenic will act as the surrogate for all other particulate exposures because it has the most stringent respirable dust action level of all the potential dust contaminants at the Project and that TCE will act as the surrogate for volatile organic compounds because it is the hazardous constituent potentially present in groundwater at the highest concentration.
 3. In the event the results of ongoing air monitoring indicate contaminant concentrations at least 75 percent of the established Action Levels, developed using the PELs for arsenic and TCE, exposure risks will be controlled through the use of personal protective equipment by workers at the Project to prevent their exposure to these

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contaminants, which equipment is designed to minimize the risk of exposure of contaminants by the on-site workers.

4. In addition to the air monitoring performed during earth movement activities within the areas in which on-site workers may inhale airborne dust, air monitoring will also be performed downwind of the earth movement activities – at the boundaries of the Project. The monitoring results will be compared to exposure limits and site-specific health-based air action levels developed in consideration of the characteristics of the soils that will be disturbed at the Project (see Mitigation Report attached to the Final EIR as Appendix I-3 at pp. 2-3 and Tables 1-2), in order to determine whether mitigation measures (set forth in section (5), immediately below) are warranted; and
5. If, during the excavation activities, monitoring results indicate contaminant levels that are 75 percent or more of the lowest identified fugitive dust health-based air action level derived (as specified above), the following dust mitigation measures will be employed:
 - a. Water (or another non-hazardous agent) will be applied to exposed soil to prevent dust migration from arising during earth movement activities (e.g., excavation and/or grading);
 - b. Water will be applied to stockpiled soil, which will also be covered with plastic sheeting to prevent dust migration; and

During periods of high wind (i.e., instantaneous wind speeds exceeding 25 miles per hour as measured by an anemometer), earth movement activities will be discontinued until wind speeds decrease to speeds less than 25 miles per hour. The 25 mile per hour standard is set forth at page 403-3 of the South Coast Air Quality District (SCAQMD) Rule 403 and was selected as the nearest applicable standard (because San Diego County does not have published standards regarding maximum wind speeds). SCAQMD Rule 403 is available at the following address: [http://www.aqmd.gov/search?q=Rule 403](http://www.aqmd.gov/search?q=Rule+403)

14. **Haz-4a** As required by the DTSC, the applicant will include a deed restriction on the title for the Project that prohibits the use of groundwater at the project site for any purpose including, without limitation, any extraction of groundwater.
15. **Haz-5** Prior to the start of construction, the construction contractor shall notify the Escondido Police Department of the location, timing and duration of any lane closure(s) on Felicita Road, or any other road in the project area, due to project construction activities. If determined necessary by the Police Department, local emergency services, including the Escondido Fire Department and appropriate ambulance services, shall also be notified of the lane closure(s).
16. **Hydro-1** A Letter of Map Revision (LOMR) certifying that all houses within the Project been elevated above the base flood level of the 100-year floodplain is required from the Federal Emergency Management Agency. The Project is required to model stormwater flow through the channel system as part of final Project engineering to meet FEMA requirements.
17. **Hydro-2 Impervious Cover on Homeowners Lots** - The sizing for the on-site bioretention/detention basins have been calculated based on 50% impervious surface for each lot and 100% impervious for streets and fire access. The actual impervious area installed by the builder on each lot has been calculated to be an average of approximately 34%, leaving 2,053 square feet available to each homeowner to install additional impervious hardscape or impervious structural improvements on their property. The builder will be required to provide a disclosure to all homebuyers informing purchasers of this limitation. Prior to issuance of grading or building permits for improvements by a future homeowner, the landscape or architectural consultant to the HOA shall provide an area calculation of all impervious surfaces (excluding water surface area in pools) that have been installed on the property since the initial purchase date from the builder plus the additional impervious area proposed by the homeowner. This calculation shall be provided to the City of Escondido Planning Division with the plans at the time of permit application for their approval to ensure consistency with this mitigation measure and the project conditions of approval.
18. **Noi-1 Limit Vibration-generating Equipment.** The construction contractor shall not operate a vibratory roller, or equipment with the potential to result in an equivalent level of vibration, within 75 feet of any residence.

19. **Noi-2** The construction contractor shall implement a noise mitigation plan to ensure that construction noise levels will not exceed an hourly average noise level of 75 dBA at any residence. The plan shall be verified by a qualified acoustical engineer and be subject to approval by the City Engineer. Measures to be included in the plan shall include the following, as necessary, to achieve compliance with the City's noise ordinance for construction within 140 feet of an off-site residential lot:
1. Equipment and trucks used for Project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds).
 2. Construction contractors shall use "quiet" gasoline-powered compressors or other electric-powered compressors, and use electric rather than gasoline or diesel powered forklifts for small lifting.
 3. Stationary noise sources, such as temporary generators, shall be located as far from nearby receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.
 4. Temporary plywood noise barriers eight feet in height shall be installed as needed around the construction site to minimize construction noise to 75 dBA as measured at the applicable property lines of the adjacent uses, unless an acoustical engineer submits documentation that confirms that the barriers are not necessary to achieve the attenuation levels.

Planning Division Conditions

Tentative Map

1. This approval is subject to the parcels annexing into the City of Escondido. The proposed annexation shall be recorded prior to recordation of the final map or issuance of any City permits for the project.
2. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when permits are issued, including any applicable City-Wide Facilities fees.
3. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
4. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
5. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
6. All new utilities shall be underground.
7. The City of Escondido hereby notifies the applicant that State Law (SB 1535) effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with state law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval (the "effective date" being the end of the appeal period, if applicable), a certified check payable to "County Clerk", in the amount of \$3,119.75 for a project with an Environmental Impact Report. These fees include an authorized County administrative handling fee of \$50.00. Failure to remit the required fees in full within the time specified above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. Commencing January 1, 2007, the State Clearinghouse and/or County Clerk will not accept or post a Notice of Determination filed by a lead agency unless it is accompanied by one of the following: 1) a check with the correct Fish and Wildlife filing fee payment, 2) a receipt or other proof of payment showing previous payment of the filing fee for the same project, or 3) a completed form from the Department of Fish and Wildlife documenting the Department's determination that the project will have no effect on fish and wildlife. If the required filing fee is not paid for a project, the project will not be

operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code).

8. Prior to issuance of a grading permit, the emergency access road width, pavement and gate specifications shall be reviewed and approved by the Fire Department.
9. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
10. Three copies of a revised Tentative Map, reflecting all modifications and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading plans, landscape plans and the final map.
11. All residential lots shall meet the minimum 10,000 SF lot area and 80-foot average lot width requirements of the Master Development Plan. In no event shall the reduction of lot sizes for this clustered residential development exceed the amount of open space area within the development. Conformance with these requirements shall be demonstrated on the Tentative Map submitted for certification, the grading plan and final map. Non-compliance with these minimum standards will result in revisions to the map.
12. No street names are established as part of this approval. A separate request shall be submitted prior to final map.
13. Two exemptions from the Grading Ordinance are approved as part of this project. Grading Exemption No. 1 is a proposed 2:1 cut slope up to 35 feet in height on Lots 4-9 where the Grading Ordinance permits a 20-foot-high cut slope. Grading Exemption No. 2 is a proposed 2:1 combination cut/fill slope up to 17 feet in height between Lot 3 and Lot "C" where the Grading Ordinance permits a 10-foot-high fill slope.
14. Prior to recordation of the final map or issuance of a grading permit, two copies of the CC&Rs shall be submitted to the Planning Division for review and approval. The CC&Rs shall contain provisions for the maintenance of any common landscaping (including landscaping in the public right-of-way fronting the project), open space, fences/walls, emergency access roads, detention basins, common drainage facilities, fuel modification zones, etc. to the satisfaction of the Planning and Engineering Divisions. Other conditions of approval identified for inclusion into the CC&Rs shall be included to the satisfaction of the Planning Division. A review fee established in the current fee schedule shall be collected at the time of submittal.
15. This Tentative Subdivision Map and Planned Development shall expire three years after the date of final approval if a final map has not been approved or an extension of time has not been granted. The life of the associated project entitlements shall run concurrently with the life of the Tentative Map.
16. Prior to issuance of a grading permit, the applicant shall provide evidence to the Planning Division indicating the Department of Toxic Substances Control has approved a "Response Plan" for the remedial work necessary to address contaminants in the soil at the project site.
17. Prior to issuance of grading or building permits, the applicant shall record a deed restriction over the entire project site that prohibits the use of groundwater on the project site for any purpose, including without limitation any extraction of groundwater.
18. Prior to the recordation of the final map, the applicant shall submit to the City for review and approval a standalone homebuyer disclosure providing the homebuyer clear and concise notice of the maximum allowable impervious area on their lot as part of the home purchase process. Prior to issuance of building permits for the final phase, the homebuilder shall provide signed copies of the disclosure statements for all lots in previous phases to the Planning Division.
19. Prior to issuance of building permits, the applicant shall record a deed restriction on all residential lots within the development that prohibits any future property owner from installing more than the maximum allowable impervious

surface area (anticipated to be 2,053 square feet, but will be re-confirmed during final engineering). This restriction against installing more than the maximum allowable impervious area shall be incorporated into the CC&Rs as well.

20. The CC&Rs shall set forth requirements for the HOA to review and approve all homeowner landscape and hardscape plans to ensure compliance with the maximum impervious area parameter and the approved Fire Protection Plan. Such review and approval process shall be conducted by a licensed landscape architect or licensed architect hired by the HOA. Such plans shall clearly notate in schedule form the square footage of existing hardscape and hardscape proposed to be added so as to demonstrate that it does not exceed the maximum impervious area allowed on the lot. The water surface area for swimming pools and other water features shall not count towards impervious areas since they do not contribute runoff.
21. Street lights are to be installed in conformance with the street lighting plan which is illustrated and textual described in Attachments B and C of Appendix A Specific Alignment Plan Analysis of the Final EIR to the satisfaction of the City Engineer. Some of the key features of the lighting plan shall include decorative light fixtures that have the International Dark Sky Association "Fixture Seal of Approval." Street light spacing on Felicita Road will be similar to that of the City standards with light fixtures installed only on the project side of the street. No street light fixtures will be installed on the western side of Felicita Road or northern side of Hamilton Lane so as to avoid any conflict with existing improvements located on neighbors' property.
22. Street improvement plans for Felicita Road shall include the features identified in the traffic calming plan which can be found in Appendix O-1 Traffic Impact Analysis in the Final EIR to the satisfaction of the City Engineer.
23. The final map shall include a conservation easement over the biological open space lots. The HOA shall be responsible to contract with a qualified biologist/resource manager to oversee management of these areas.

Preliminary, Master and Precise Development Plan

1. The Project includes a Fire Protection Plan which is found in Appendix J of the Oak Creek Final EIR and describes the wildland fire resistance features incorporated into the project. The key fire resistance features incorporated into the project are listed below:
 - a. Any structure or landscape item in the designated Fuel Modification Zone areas must be constructed from non-combustible materials such as stone, steel, or heavy timber/pre-treated, fire retardant wood. HOA must enforce as part of the CC&Rs, a landscape plan review process for a formal landscape improvement plan submittal and approval by a licensed landscape architect to ensure that plant palette and non-combustible materials are employed within the designated Fuel Modification Zones.
 - b. Fuel modification for common area lots will be pre-designed and installed by the project developer. For private lots, landscape plans for front, side, and rear yards for the entire project will need to be approved by the HOA landscape committee through a formal process prior to any landscape improvement work by a homeowner.
 - c. Designated Fuel Modification Zones that include rear and side-yard areas (outside house setback envelopes) will be inspected annually by the landscape committee and/or Escondido Fire Department for conformance with the requirements provided in the project's Fire Protection Plan. CC&R's shall include this language so that homeowners acknowledge this provision.
 - d. External dryer vents will be baffled or fitted with ember resistant mesh.
 - e. Exposed wood, including fascia and architectural trim boards, will not be allowed on the side of structures facing the wildland fuels unless considered "heavy timber" or beams with a minimum nominal dimension of 4 inches.
 - f. No combustible fences will be allowed in the Fuel Modification Zone areas. Fences using fire retardant treated wood products will be subject to approval of the Escondido Fire Department.
 - g. Heat deflecting landscape walls will be provided for all structures that abut the on-site riparian restoration areas as shown on the plan for the Oak Creek Fuel Management Zones.

2. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
3. All exterior residential lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. All residential outdoor lighting shall be provided with appropriate shields to prevent light from adversely affecting adjacent properties.
4. The project shall be developed with the unit mix and location of proposed units as identified on the Preliminary Plotting Plan. Deviations from the Preliminary Plotting Plan may be approved on a case-by-case basis by the Director of Community Development.
5. Colors, materials and design of the project shall be in substantial conformance with the plans/exhibits and details in the staff report to the satisfaction of the Planning Division.
6. Setbacks for residential structures and accessory structures shall be required as described in the Details of Request section of the staff report and as illustrated on the Planned Development Permit Site Plan. California rooms provided as an option by the builder must meet the rear yard setback. Open-sided structures, such as patio covers, gazebos, outdoor kitchens and fireplaces may encroach 15 feet into the rear yard setback. Room additions and enclosed structures may encroach 10 feet into the rear yard setback. Attached or detached accessory structures and room additions within the rear yard setback shall be limited to one-story and shall not include second-floor decks or balconies. Swimming pools, spas and associated equipment shall not be permitted in the front yard and must be located at least five feet from side and rear property lines.
7. Exterior stairways for the Plan 1X shall be required to meet all building setbacks required for the primary structure.
8. A minimum 15' separation between homes shall be maintained at all times.
9. The administrative adjustment process administered by the Planning Division may be utilized by homeowners to request encroachments into setback areas up to 25% of the required setback.
10. Guest homes shall not be permitted within this development.
11. Prior to issuance of building permits for the first phase, the applicant shall submit a complete design review package to the Planning Division for the entry guardhouse, entry monumentation and gates, and project identification signage.
12. Project identification signs shall be permitted in the locations shown on Sheet L-4 of the Overall Fence and Wall Exhibit. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs.
13. The proposed six-foot-high heat deflecting landscape walls shown on the fencing plan adjacent to the fuel modification zones shall be constructed of masonry or some other opaque fire resistive material to the satisfaction of the Planning Division and the Fire Department. Glass shall not be permitted for these walls unless the glass has been modified to prevent bird collisions using materials recommended by the American Bird Conservancy or approved equal to the satisfaction of the Planning Division.
14. Prior to issuance of a building permit for Lot 55, which is located approximately 110 feet from the Felicita Road centerline, an interior noise analysis shall be submitted to the Planning and Building Divisions to include the implementation of noise attenuation measures to reduce interior noise levels to 45 dBA. Building plans for Lot 55 shall include the noise attenuation construction features identified in the noise analysis prior to approval of a building permit for that lot.
15. Perimeter fuel modification areas shall be implemented and approved by the Escondido Fire Department prior to combustible materials being brought on the site.

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16. As proposed by the applicant in the Oak Creek Project Final EIR, in response to neighborhood concerns the applicant shall purchase agricultural mitigation credits from either a California land trust, authorized to accept grants by the Department of Conservation's California Farmland Conservancy Program, or the San Diego County Purchase of Agricultural Conservation Easement (PACE) Program Mitigation Bank, in an amount sufficient to acquire an agricultural conservation easement over land of annual economic productivity equal to that of the 25.1 acres lost through the development of the Project. As an example, if the annual economic productivity of the 25.1 acres lost through the development of the Project is \$100,000 and the annual economic productivity of an acre of land subject to a California land trust or the PACE Program is \$20,000, then the applicant shall purchase five mitigation credits from the land trust or the PACE Program Mitigation Bank. Verification of a qualifying credit purchase shall be provided to the Planning Division prior to issuance of a grading permit.

Landscaping Conditions

1. The landscaping for the proposed development will be implemented in a manner consistent with the project's planting plan as illustrated in Appendix P Planting Plan – Reduced Residential Footprint Alternative in the Final EIR to the satisfaction of the Planning Division. All landscaping proposed within fuel modification zones shall be consistent with the Fire Protection Plan for the project (Final EIR Appendix J).
2. Prior to issuance of building permits for the second residential phase, all habitat restoration, detention basin and perimeter landscaping shall be installed. Slope and interior street landscaping shall be installed commensurate with each phase of the development. All vegetation (including existing vegetation to be retained) shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
3. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading or building permits, and shall be equivalent or superior to the planting plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
4. The project landscape plan and individual homeowner landscape plans for fuel modification areas shall be prepared in accordance with the concept plans provided with the project and the following criteria listed in the Fire Protection Plan for the project (Final EIR Appendix J) to the satisfaction of the Fire Department and the Planning Division:
 - a. Non-fire resistive trees (including conifers, pepper trees, eucalyptus, cypress, Washingtonia palms and acacia species), shall not be planted on this site. All fire resistive tree species (many species including oak) shall be planted and maintained at a minimum of 10 feet from the tree's drip line to any combustible structure.
 - b. For streetscape plantings, fire resistive trees can be planted 10 feet from edge of curb to center of tree trunk. Care should be given to the type of tree selected, that it will not encroach into the roadway, or produce a closed canopy effect.
 - c. Limit planting of large unbroken masses especially trees and large shrubs. Groups should be two to three trees maximum, with mature foliage of any group separated horizontally by at least 10 feet, if planted on less than 20% slope, and 20 feet, if planted on greater than 20% slope.
 - d. If shrubs are located underneath a tree's drip line, the lowest branch should be at least three times as high as the understory shrubs or 10 feet, whichever is greater.
 - e. Existing trees can be pruned 10 feet away from roof, eave, or exterior siding, depending on the tree's physical or flammable characteristics and the building construction features.
 - f. All tree branches shall be removed within 10 feet of a fireplace chimney or outdoor barbecue.
5. The installation of the common area and right-of-way landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that

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the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.

- 6. Street trees shall be provided along each of the site's street frontages, in conformance with the project planting plan and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.
- 7. Street trees shall be permitted in roadside fuel management zones provided the following standards are maintained by the HOA.
 - a. Crowns of trees located within defensible space shall maintain a minimum horizontal clearance of 10 feet for fire resistant trees. No non-fire resistive trees will be allowed.
 - b. Mature trees shall be pruned to remove limbs one-third the height or 6 feet, whichever is less, above the ground surface adjacent to the trees.
 - c. Dead wood and litter shall be regularly removed from trees.
 - d. Ornamental trees shall be limited to groupings of 2-3 trees with canopies for each grouping separated horizontally as described in Table 4907.3 from Escondido Fire Code.
- 8. Prior to issuance of building permits, all fuel modification zones required to be maintained by the HOA shall be permanently marked at the property line to delineate the zones and aid ongoing maintenance activities that will occur on site.
- 9. The CC&Rs for the proposed development shall require that the homeowner landscape installation on residential lots must be completed within six (6) months of close of escrow.
- 10. The builder will be responsible for providing initial stabilization of the front yards, using hydro-seed and the homeowner shall be responsible for maintaining the method of stabilization through the completion of landscape improvements installed by the homeowner.

Fire Department Conditions

Fire Protection Systems

- 1. NFPA 13 NFPA 13R NFPA 13D **automatic fire sprinkler system** will be required.
- 2. Sprinklers will be required on all overhangs exceeding four feet.
- 3. Fire hydrants capable of delivering 1,500 GPM 2,500 GPM at 20 PSI residual pressure are required every 500 feet 300 feet other _____

Access

- 4. Access roads exceeding 20% slope are not allowed. Access roads over 15% slope require fire sprinkler systems in the served homes. Homes with driveways exceeding 15% will require Portland cement with rake or broom finish.
- 5. Dead-end roads over 600' (urban) and 800' (rural) require a secondary access.
- 6. Driveways serving three or more homes are considered access roads and must be a minimum of 24' wide. (Engineering may require a minimum width of 28')
- 7. Speed humps/bumps will not be allowed.
- 8. Access roads serving a single-family home must have a paved driveway within 150 feet of the furthest point of the structure and must be a minimum of 16-foot wide (Escondido Ordinance 2011-03 (RR) Section 503.2.1).

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9. Dead-end access roads and driveways over 150' and/or exceeding 15% slope require a Fire Department turn-around and may require a turn-out near the mid point.
10. Minimum radius for a cul-de-sac is 36 feet.
11. All-weather paved access, able to support the weight of a fire engine (75K lbs.) and approved fire hydrants must be provided prior to the accumulation of any combustible materials on the job site (Escondido Ordinance 2011-03 (RR) Section 503.2.1).
12. All gated entrances must be equipped with electric switches accessible from both sides and operable by dual-keyed switches for both fire and police. Electric gates must be operable by Fire Department strobe detectors, Opticom and Knox switches and allow free exiting. A funding method to provide ongoing maintenance of fire lanes, electric gates, and other fire & life safety requirements **must** be provided for in the CC&Rs and/or the Association, to the satisfaction of the Fire Department. A responsible property manager must be easily accessible to the Fire Department.
13. A 28' inside turning radius will be required on all corners.
14. Must maintain a minimum required access width of 28' to allow for on-street parking, loading and unloading of vehicles and still provide clear and unobstructed emergency vehicle access. One side to be marked as "FIRE LANE" (must meet Escondido Fire Department standards).
15. 13 feet 6 inches of vertical clearance must be provided in all access and driveway areas. Trees that obstruct the vertical clearance or access width must be trimmed or removed and provisions to provide ongoing maintenance must be reflected in the CC&Rs. A copy of the CC&Rs listing this requirement must be submitted.
16. Red curbs with 4" white lettering, "NO PARKING FIRE LANE" signs are required in 24'-wide access areas and provisions to provide ongoing maintenance must be reflected in the CC&Rs. A copy of the CC&Rs listing this requirement must be submitted to the Escondido Planning Division. "FIRE LANE" signs and red curbs must meet specifications of the Escondido Police Department.
17. The Fuel Modification Zones must be permanently marked and provisions to provide ongoing maintenance must be reflected in the CC&Rs. A copy of the CC&Rs listing this requirement must be submitted to the Planning Division.
18. Hose pull lengths shall be limited to a maximum of 150 feet to the furthest point of the residence and shall be shown on the building plans to the satisfaction of the Fire Department.
19. Homes located in or adjacent to a very high fire severity zone will require enhanced building construction as noted below.

To mitigate for the reduction of a 100' fuel modification zone, the following conditions are required and must comply with CBC 2010, Chapter 7A:

- a. Exterior windows, window walls, glazed doors, and glazed openings within exterior doors must be insulating-glass units with a minimum of one tempered pane, or glass block units, or have a fire resistance rating of not less than 20 minutes when tested according to ASTM E 2010. Skylights must be tempered glass or a Class "A" rated assembly.
- b. Roofs must have a Class A roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the spaces must be constructed to prevent the intrusion of flames and embers, be fire stopped with approved materials or have one layer of No. 72 cap sheet installed over the combustible decking.

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- c. Exterior wall surfaces shall comply with provisions of the 2010 C.B.C. and the following requirements: the exterior wall surface shall be of a non-combustible material. In all construction, exterior walls are required to be protected with 2-inch nominal solid blocking between rafters at all roof overhangs, or in the case of enclosed eaves, terminate at the enclosure.
- d. Roof and attic vents, when required by Chapter 15 of CBC, must resist the intrusion of flame and embers into the attic area of the structure, or must be protected by corrosion-resistant, non-combustible wire mesh with ¼-inch (6mm) openings or its equivalent. Vents must not be installed in the eaves and cornices. Eaves and soffits must be protected by ignition-resistant materials or noncombustible construction on the exposed underside.
- e. Exterior door assemblies must be of approved non-combustible construction, solid-core wood having stiles and rails not less than 1 ¾" thick with interior field panel thickness of no less than 1 ¼" or have a fire protection rating of not less than 20 minutes when tested according to ASTM E 2074. Windows within doors and glazed doors shall comply with the above glazing requirements (CBC 708A.3).
- f. Paper-faced insulation shall be prohibited in attics and ventilated spaces.
- g. Gutters and downspouts shall be constructed of non-combustible material. Gutters must be designed to reduce the accumulation of leaf litter and debris that contribute to roof edge ignition.
- h. Fencing attached to or immediately adjacent to structures which face wildland fuels must have the first five feet constructed of non-combustible heavy timber, or fire retardant pressure-treated wood or materials.
- i. Exterior balconies, carports, decks, patio covers, unenclosed roofs and floors, and other similar architectural appendages and projections where any portion of such surface is within 10 feet of the primary structure, must be of non-combustible construction, fire retardant treated wood, heavy timber construction, or one-hour fire resistive construction.

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**ENGINEERING CONDITIONS OF APPROVAL
ESCONDIDO TRACT NUMBER SUB 13-002**

GENERAL

1. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of the Final Subdivision Map.
2. Building Permits for model homes may be issued prior to recordation of Final Map provided that 1) adequate securities are provided for demolition and removal of the model units that will be required if the map is not recorded, and 2) other conditions required for building permit issuance are met. Bonding for building demolition and removal may be included in the Grading and Private Improvements bonds.
3. The project owner will be allowed to submit project final plans and map for plan check by the City prior to annexation of the project.
4. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
5. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
6. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be designed and constructed to City Design Standards and as specified by the approved Specific Alignment Plans for Felicita Road, Hamilton Lane and the Subdivision Tentative Map. Private Streets shall be designed and constructed in accordance with the City Design Standards and any modifications to the standards shall be in conformance with the approved Tentative Subdivision Map and the project master development plans. The project offsite improvements within the County shall be designed and constructed in accordance with the County requirements.
2. The developer shall construct street improvements in accordance with the approved Specific Alignment Plans and Subdivision Tentative Map , including but not limited

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to, roadway removal and reconstruction, curb& gutter, sidewalk, street lights, street trees, signing and striping on the following streets:

<u>STREET</u>	<u>CLASSIFICATION</u>
Felicita Road	Specific Alignment Plan
Hamilton Lane	Specific Alignment Plan Modified Local Collector (Felicita Road to Miller Ave.) Local Collector (Miller Ave. to easterly boundary of 2422 Hamilton Ln)
Miller Avenue	Residential (City/County)
Interior Streets	Modified Private Residential (32'wide, rolled curbs, sidewalk on one side and modified street lighting and spacing)
Project Entry	Modified Private Residential (variable width with sidewalk on one side and center median and modified street lighting)

3. Street lighting for Felicita Road, Hamilton Lane and internal streets shall be in accordance with the approved Specific Alignment Plans and Subdivision Tentative Map.
4. The developer shall be responsible for improvement of intersection of Felicita and Hamilton to allow for a 4-way stop control to the satisfaction of the City Engineer.
5. The developer shall be responsible for design and construction of Felicita Avenue, between Hamilton Lane and Clearance Lane in accordance with the approved Specific Alignment Plan/Traffic Calming Plan to the satisfaction of the City Engineer.
6. Public Utilities Easement access road improvements and easement and improvements shall be in accordance with the requirements of the Utilities Engineer.
7. Cul-de-sacs "A" and B" shall be provided with Fire Department approved gates at the ends.
8. The Developer's engineer shall prepare and submit for approval by the City Engineer a complete final Signing and Striping plan for all improved roadways and traffic related improvements on and off site. The developer will be responsible for removal of all existing signing and striping and construction of all new signing and striping to the satisfaction of the City Engineer.

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9. Adequate horizontal sight distance shall be provided at project entrance on Felicita Road in accordance with the requirements of the City Engineer.
 10. The address of each dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer and Fire Marshal.
 11. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.
2. Grading Permit shall not be issued for the project until a Conditional Letter of Map Revision (CLOMR) is issued by the FEMA. After FEMA issuance of CLOMR, and annexation of the project site, Grading Permit could be issued prior to approval of the Final Map, upon completion of the following requirements; a) City Engineer and Planning Director completion of the review of Grading & Erosion Control, Drainage, Water Quality Technical Report (WQTR) and Landscaping & Irrigation Plan; b) Compliance with all Planning requirements related to project Grading; c) Post bonds and fees for Erosion Control, Grading, Drainage, Landscaping & Irrigation
3. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.
4. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
5. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.

- 6. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one (1) or more acres.
- 7. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
- 8. Unless specifically permitted to remain by the County Health Department, any existing wells within the project shall be abandoned and capped, and all existing septic tanks within the project shall be pumped and backfilled per County Health Department requirements.
- 9. Prior to approval of final plans, the developer will be required to obtain permission from adjoining property owners for any off-site street improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

- 1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on the approved drainage study prepared by the Developer's engineer.
- 2. Portions of the project lie within the 100-year flood zone as designated on current flood insurance rate maps. All proposed development within these zones shall conform to the City's Floodplain Ordinance. A Conditional Letter of Map Revision (CLOMR) shall be issued by the Federal Emergency Management Agency (FEMA) prior to Grading Plan approval. A Letter of Map Revision (LOMR) shall be issued by FEMA prior to final occupancy of any unit, unless the developer provides the City Engineer satisfactory documentation that all grading has been completed in accordance with the CLOMR prior to occupancy. The developer shall be responsible for payment of any flood insurance that may be required until the LOMR is approved by FEMA.
- 3. A Final Water Quality Technical Report in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted for approval together with the final improvement and grading plans. The Water Quality Technical Report shall include hydro-modification calculations, post construction storm water treatment measures and maintenance requirements.
- 4. All onsite drainage system, storm water treatment and retention facilities and their drains including the bio-retention basins shall be maintained by home owners' association. Provisions stating this shall be included in the CC&Rs.
- 5. The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement by the home owners'

association to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

- 6. All storm drain systems within the project are private. The responsibility for maintenance of these storm drains shall be that of the home owners' association. Provisions stating this shall be included in the CC&Rs.

WATER SUPPLY

- 1. Fire hydrants together with adequate water supply shall be installed at locations approved by the Fire Marshal.
- 2. This project is located within Rincon Del Diablo Water District. The developer shall coordinate all water related improvements for the project with Rincon staff. Approved water improvement plans for the project shall be submitted to the City Engineer prior to approval of grading or improvement plans by the City.

SEWER

- 1. Sewer improvements for the project shall include design and construction of all internal public sewer system and connection to public sewer along project frontages at project boundaries as determined by the Utilities Engineer. In addition, developer shall provide stub-outs at two locations each extending from the end of the cul-de-sacs adjacent to Hamilton Lane out to the public right of way to the satisfaction of the Utilities Engineer.

CC&R's

- 1. Copies of the CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.
- 2. The developer shall make provisions in the CC&R's for maintenance by the home owners' association of all, lightings, signing and striping, parkway landscaping and irrigation, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and emergency access road and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
- 3. CC&R shall make provisions for maintenance frontage landscaping, irrigation, fencing, retaining walls and street lightings along project frontage on Felicita Road, Hamilton Lane and Miller Avenue by the home owners' association. CC&R should include provisions for maintenance of non-contiguous sidewalk along project frontage on Hamilton Lane by the home owners' association.
- 4. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Water Quality Technical Report for the project.

- 5. The CC&R's must state that the home owners' association assumes liability for damage and repair to City utilities in the event that damage is caused by the Property Owners' Association when repair or replacement of private utilities is done.
- 6. The CC&R's must state that (if stamped concrete or pavers are used in the private street) the home owners' association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street for repair or replacement of an existing utility.

FINAL MAP - EASEMENTS AND DEDICATIONS

- 1. The developer shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

<u>STREET</u>	<u>CLASSIFICATION</u>
Felicita Road	Specific Alignment Plan
Hamilton Lane	Specific Alignment Plan Modified Local Collector (Felicita Road. to Miller Ave.) Local Collector (Miller Ave. to easterly boundary of 2422 Hamilton Ln)
Miller Avenue	Residential (City/County)
Interior Streets	Modified Private Residential per Tentative Map
Project Entry	Modified Private Residential per Tentative Map

- 2. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.
- 3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
- 4. The developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to approval of the final map. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Final Map. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.
- 5. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

REPAYMENTS, FEES AND CASH SECURITIES

- 4. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be \$100,000.
- 2. The developer shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.

UTILITY UNDERGROUNDING AND RELOCATION

- 1. All existing overhead utilities within the subdivision boundary or along frontage of the fronting streets shall be relocated underground as required by the Subdivision Ordinance. The developer will not be responsible for undergrounding of overhead utilities on the other side of the fronting streets.
- 2. All new dry utilities to serve the project shall be constructed underground.
- 3. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

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Mitigation Monitoring and Reporting Program for the Oak Creek Project Reduced Residential Footprint Alternative

City File: SUB 13-0002, PHG 13-0017, ENV 13-0006
SCH # 2014041092

January 6, 2015

The City of Escondido adopts this Mitigation Monitoring and Reporting Program (MMRP) in accordance with Public Resources Code (PRC) Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines. The purpose of the MMRP is to ensure that the Oak Creek Project (Project), which is the subject of the Final Program Environmental Impact Report (EIR), complies with all applicable environmental mitigation requirements.

The mitigation described in the EIR and summarized below provides a broad purpose and overview of actions that will occur in order to reduce identified environmental impacts. These measures include avoiding certain impacts altogether, minimizing impacts by limiting the degree or magnitude of the action and its implementation, rectifying impacts by repairing, rehabilitating, or restoring the affected environment, and/or reducing or eliminating impacts over time through preservation and maintenance operations over the life of the proposed project.

For each project that is subject to CEQA, PRC Section 21081.6 requires the Lead Agency to monitor performance of the mitigation measures included in any environmental document to ensure that the specified mitigation is implemented. The City of Escondido is the designated Lead Agency for the proposed project. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition related to implementation of the MMRP.

After review and approval by the Lead Agency, minor changes to the MMRP are permitted but can only be made by the City of Escondido. No deviations from this MMRP shall be permitted unless it continues to satisfy the requirements of PRC Section 21081.6, as determined by the City of Escondido.

The organization of the MMRP follows the subsection formatting style presented within the Final EIR. Only those subsections of the environmental issues presented in the EIR that have mitigation measures are provided below in the MMRP table. All other subsections in the EIR do not contain mitigation measures. For each specified mitigation measure, the MMRP table identifies the following: 1) Implementation Action; 2) Method of Verification; 3) Timing of Verification; 4) Responsible Agency/Party; and 5) Verification Date.

In addition to the mitigation measures described below, this document also includes a list of project features that would avoid significant impacts.

PROJECT FEATURES

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1. Fire Resistance

The Project includes a Fire Protection Plan which is found in Appendix J of the Final EIR and describes the wildland fire resistance features incorporated into the Project. The key fire resistance features incorporated into the Project are listed below:

- a. Any structure or landscape item in the designated Fuel Modification Zone areas must be constructed from non-combustible materials such as stone, steel, or heavy timber/pre-treated, fire retardant wood. HOA must enforce as part of the CC&Rs, a landscape plan review process for a formal landscape improvement plan submittal and approval by a licensed landscape architect to ensure that plant palette and non-combustible materials are employed within the designated Fuel Modification Zones.
- b. Fuel modification for common area lots will be pre-designed and installed by the project developer. For private lots, landscape plans for front, side, and rear yards for the entire project will need to be approved by the HOA landscape committee through a formal process prior to any landscape improvement work by a homeowner.
- c. Designated Fuel Modification Zones that include rear and side-yard areas (outside house setback envelopes) will be inspected annually by the landscape committee and/or Escondido Fire Department for conformance with the requirements provided in the project's Fire Protection Plan. CC&R's shall include this language so that homeowners acknowledge this provision.
- d. External dryer vents will be baffled or fitted with ember resistant mesh.
- e. Exposed wood, including fascia and architectural trim boards, will not be allowed on the side of structures facing the wildland fuels unless considered "heavy timber" or beams with a minimum nominal dimension of 4 inches.
- f. No combustible fences will be allowed in the Fuel Modification Zone areas. Fences using fire retardant treated wood products will be subject to approval of the Escondido Fire Department.
- g. Heat deflecting landscape walls will be provided for all structures that abut the on-site riparian restoration areas.

2. Noise

- a. Lot 55, which is located approximately 110 feet from the Felicita Road centerline, would be impacted by a calculated noise level from Felicita Road of 61 dBA CNEL at the rear backyard edge of this lot. According to the Escondido General Plan, noise levels between 60 dBA CNEL and 70 dBA CNEL may be compatible with residences with implementation of noise attenuation to reduce interior noise levels. Noise attenuation for the home on this lot would be necessary to ensure that interior noise levels would be an acceptable. Therefore, the Project will incorporate building features for the home on this lot to achieve a calculated interior noise level of 45dBA CNEL that would meet the City's noise compatibility standards based on an exterior noise level of 61dBA CNEL.

3. Fence and Wall Plan

- a. The Project will incorporate a fence and wall plan as illustrated in Figure 7-3 Fence and Wall Plan, Reduced Residential Footprint Alternative in the Final EIR.

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4. Landscape Plan

- a. The Project's landscaping will be implemented in conformance with the Project's Planting Plan as illustrated in Appendix P Planting Plan – Reduced Residential Footprint Alternative in the Final EIR.

5. Agricultural Resources

- a. In response to neighborhood concerns the Project will purchase agricultural mitigation credits from either a California land trust, authorized to accept grants by the Department of Conservation's California Farmland Conservancy Program, or the San Diego County Purchase of Agricultural Conservation Easement (PACE) Program Mitigation Bank, in an amount sufficient to acquire an agricultural conservation easement over land of annual economic productivity equal to that of the 25.1 acres lost through the development of the Project. As an example, if the annual economic productivity of the 25.1 acres lost through the development of the Project is \$100,000 and the annual economic productivity of an acre of land subject to a California land trust or the PACE Program is \$20,000, then the applicant shall purchase five mitigation credits from the land trust or the PACE Program Mitigation Bank.

6. Street Lighting

- a. The Project includes a street lighting plan which is illustrated and textual described in Attachments B and C of Appendix A Specific Alignment Plan Analysis in the Final EIR. Some of the key features of the lighting plan are:
 - 1) Street lights are to be installed in conformance with Attachments B and C of Appendix A Specific Alignment Plan Analysis of the Final EIR
 - 2) A decorative light fixture as illustrated on Appendix A Specific Alignment Plan;
 - 3) A light fixture that would have Dark Sky Association "Fixture Seal of Approval" prior to installation;
 - 4) Light fixture spacing that would be similar to that of the City standards with light fixtures installed only on the project side of the street; and
 - 5) No street lights fixture would be installed on the existing neighbors' side of Felicita Road or Hamilton Lane so as to avoid any conflict with existing improvements located on neighbors' property.

7. Traffic Calming

- a. The Project will include a traffic calming plan which can be found in Appendix O-1 Traffic Impact Analysis in the Final EIR, with many of the elements illustrated on the Tentative Map. Some of the key features of the traffic calming plan include:
 - 1) A roundabout at the intersection of Felicita Road and Park Drive
 - 2) Speed limit signage
 - 3) Cross walk warning signs
 - 4) Bike lanes

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Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>AIR QUALITY</p> <p>Air-1 Construction Dust Control Measures. The on-site construction superintendent shall ensure implementation of standard best management practices to reduce the emissions of fugitive dust during all grading and site preparation activities including, but not limited to, the following actions:</p> <ol style="list-style-type: none"> 1. Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site, additional water shall be applied at a frequency to be determined by the on-site construction superintendent. 2. Temporary hydroseeding with irrigation shall be implemented on all graded areas on slopes, and areas of cleared vegetation shall be revegetated as soon as possible following grading activities in areas that will remain in a disturbed condition (but will not be subject to further construction activities) for a period greater than three months during the construction phase. 3. Operate all vehicles on the construction site at speeds less than 15 miles per hour. 4. Cover all stockpiles that will not be utilized within three days with plastic or equivalent material, to be determined by the on-site construction superintendent, or spray them with a non-toxic chemical stabilizer. 5. If a street sweeper is used to remove any track-out/carry-out, only PM₁₀-efficient street sweepers certified to meet the most current South Coast Air Quality Management District Rule 1.186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances. 6. Grading shall be terminated when winds exceed 25 mph. 7. Sweepers, wheel washers and water trucks shall be used to control dust and debris at public street access points. 8. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading. 9. Non-toxic soil stabilizers shall be applied according to manufacturer's specification to all inactive construction areas. 	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	



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Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
BIOLOGICAL RESOURCES					
<p>Bio-1 Potential direct impacts to migratory bird species covered under the MBTA shall be mitigated by restricting brush removal and site grading to outside of the breeding season of most bird species (February 15 to September 15). Grubbing, grading, or clearing during the breeding season of MBTA covered species could occur if it is determined through a pre-construction survey by a qualified biologist that no nesting birds are present immediately prior to grubbing, grading, or clearing activities. A nesting survey report shall be submitted to the City for review and approval confirming that no breeding or nesting avian species are present in areas proposed for grubbing, grading, or clearing no longer than seven days prior to grading.</p>	<p>Require that the specified measures be implemented prior to and during construction activities for future development projects.</p>	<p>Plan check and site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	
<p>Bio-2 The following measures shall be implemented to reduce indirect impacts to sensitive species to below a level of significance.</p> <ol style="list-style-type: none"> Active construction areas and unpaved surfaces shall be watered pursuant to City grading permit requirements to ensure that generation of fugitive dust is minimized. Orange construction fencing shall be installed prior to the start of construction to define the proposed limits of construction impacts and clearly define the grading boundaries, and biological monitoring of on-site open space shall be conducted during grading and construction activities prevent unintended impacts. The Project shall address potential water quality impacts through compliance with the City's Grading Ordinance (See Section 33-1062, 33-1063, 33-1068, 33-1069) and implementation of the proposed best temporary construction management practices outlined in the Stormwater Management Plan (silt fence, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, solid waste management, stabilized construction entrance/exit, desilting basin, gravel bag berm, sandbag barrier, material delivery and storage, and any minor slopes will be covered with a plastic or tarp prior to a rain event). All construction and security lighting associated with the Project shall be shielded or directed away from the open space. After construction is complete, Project landscaping shall not include any California Invasive Plant Council (Cal-IPC) List A species. 	<p>Require that the specified measures be implemented prior to and during construction activities, as applicable, for future development projects</p>	<p>Plan check and site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	



Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>6. A homeowner education program shall be implemented to alert homeowners of the need to keep pets outside of the on-site open space areas. The homeowners association shall be responsible for implementing rules related to resident's pets.</p> <p>7. A management plan shall be provided for the on-site open space that will include all stewardship measures, such as upkeep of fencing and signs, restricting trespassing, and removing debris. The management plan will be implemented by the HOA. All fuel modification zones in open space lots will be maintained by the HOA. The HOA will be responsible for all vegetation management throughout the common areas of the project site, in compliance with the requirements. The HOA will be responsible for ensuring long-term funding and ongoing compliance with all provisions of the Project's Fire Protection Plan, including vegetation planting, fuel modification, vegetation management, and maintenance requirements throughout the private portions of the project site. Individual property owners will be responsible for maintaining zones on their property.</p>	<p>Require that the specified measures be implemented prior to and during construction activities, as applicable, for future development projects</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	
<p>Bio-3 All brush removal, grading, and clearing of vegetation on the project site shall take place outside of the bird breeding season (February 15 [January 1 for tree dwelling raptors] through September 15). If construction activities are proposed to occur during the breeding season, a pre-construction survey shall be conducted by a qualified biologist no longer than seven days prior to the start of construction to determine if nesting birds are present on site. No construction activities shall occur within 300 feet of burrowing owl burrows, tree dwelling raptor nests, or least Bell's vireo, or within 800 feet of ground dwelling raptor nests, until a qualified biologist has determined that they are no longer active or that noise levels will not exceed 60 dB(A) Equivalent Energy Level (L_{eq}) at the nest site. Alternatively, noise minimization measures such as noise barriers shall be constructed to bring noise levels to below 60 dB(A) L_{top} which will reduce the impact to below a level of significance.</p>					

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Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
Bio-4 The Project would cause direct impacts to 1.1 acre of coast live oak woodland (0.9 acre of which is outside of CDFW jurisdiction), 0.1 acre of Diegan coastal sage scrub, and 3.1 acres of non-native grassland. Impacts to 0.9 acre of coast live oak woodland shall be mitigated at a 3:1 ratio through acquisition of 2.7 acres of credit from the Daley Ranch Mitigation Bank. The remaining 0.27 acre of coast live oak woodland within CDFW jurisdiction is addressed in mitigation measure Bio-5 below. Impacts to 0.1 acre of Diegan coastal sage scrub shall be mitigated at a 2:1 ratio through acquisition of 0.2 acre of credits from the Daley Ranch Mitigation Bank, while impacts to non-native grassland shall be mitigated at a 0.5:1 ratio through acquisition of 1.6 acres of credits from the Daley Ranch Mitigation Bank. See Table 5.4-8 for a summary of mitigation requirements.	Require that the specified measures be implemented for future development projects.	Plan check and Site Inspection	Prior to the issuance of any grading or building permit and At site inspection	City of Escondido Engineering Services-Field Engineering Section	

Table 5.4-8

Resource	Impact (Acres)	Mitigation Ratio	Mitigation
Jurisdictional Habitats			
Southern willow riparian forest	0.23	3:1	0.69 acre on-site restoration
Southern coast live oak riparian forest	0.04	3:1	0.12 acre on-site restoration
Coast live oak woodland	0.27	3:1	0.81 acre on-site restoration
Eucalyptus woodland	0.02	1:1	0.02 acre on-site restoration
Streambed	0.04	1:1	0.04 acre on-site restoration
Subtotal	0.60		
Upland Habitats			
Coast live oak woodland	0.9	3:1	2.7 acres at Daley Ranch
Diegan coastal sage scrub	0.1	2:1	0.2 acre at Daley Ranch
Non-native grassland	3.1	0.5:1	1.6 acres at Daley Ranch
Subtotal	4.1		
Total	4.71		

Note: Areas are presented in acre(s) rounded to the nearest 0.01.
Source: Helix Environmental 2014



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Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>Blo-5 The Project applicant shall be required to obtain wetland permits and approvals for impacts to USACE and California Department of Fish and Wildlife (CDFW) jurisdictional areas. See Table 5.4-9 for a summary of mitigation requirements for jurisdictional areas. Impacts to southern willow riparian forest, southern coast live oak riparian forest, and coast live oak woodland jurisdictional habitats are anticipated to require a 3:1 mitigation ratio through creation and/or restoration and/or enhancement of riparian or oak woodland habitat on site. Impacts to CDFW eucalyptus woodland and non-wetland Waters of the U.S./CDFW streambeds shall be mitigated through creation/restoration at a 1:1 ratio. This will require creation/restoration of approximately 0.07 acre of drainages, of which a minimum of 0.07 acre must be USACE jurisdictional. Wetland mitigation is proposed to occur within the 9.8 acres of open space along existing on-site drainages, with final mitigation requirements to be determined by the resource agencies through the permitting process. On-site mitigation is proposed to consist of recontouring a portion of the stream channel, removal of non-native species, and seeding/planting with a mix of native shrubs and trees. A detailed restoration, maintenance and monitoring plan shall be prepared by a qualified restoration ecologist/biologist and shall be approved by the City prior to issuance of a grading permit. More detail information regarding the performance standards that will be used in the implementation of this mitigation measure is provided in the Riparian Habitat Mitigation Plan for the Oak Creek Project found in Appendix G of the Biological Technical Report, which is Appendix F in the Final EIR.</p> <p>The biological open space lots would be preserved in their natural state within a permanent conservation easement and mechanism for privately funded on-going maintenance managed in perpetuity for biological resource values by the HOA. Conserved areas on site would be placed in an open space easement and managed through funding provided by the Project's Homeowners Association (HOA), with management overseen by a qualified biologist/resource manager.</p>	<p>Require that the specified measures be implemented prior to, and during grading activities for future development projects.</p>	<p>Plan check and Site Inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	



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Mitigation Measures

Implementation Action

Method of Verification

Timing of Verification

Responsible Agency/Party

Verification Date

Table 5.4-9

Jurisdictional Area	Ratio	USACE ¹		CDFW	
		Impacts	Mitigation	Impacts	Mitigation
Southern willow riparian forest	3:1	0.05	0.15	0.23	0.69
Southern coast live oak riparian forest	3:1	--	--	0.04	0.12
Coast live oak woodland	3:1	--	--	0.27	0.81
Eucalyptus woodland	1:1	--	--	0.02	0.02
Non-wetland Waters of the U.S. / Streambed	1:1	0.07	0.07	0.04	0.04
Total	--	0.12	0.22	0.60	1.68

Note: Areas are presented in acre(s) rounded to the nearest 0.01.

¹ USACE is a subset of the CDFW jurisdiction.

Source: Helix Environmental 2014

Bio-6 Prior to the issuance of grading permits, the Project applicant shall submit a Conceptual Habitat Restoration Plan (CHRP) to the City Community Development Department for review and approval. The CHRP, which is described more fully in Appendix C Tree Management and Preservation Plan, shall be a cohesive restoration and monitoring plan that addresses site-wide restoration/mitigation efforts and includes a tree planting, canopy cover goal, and monitoring component. The CHRP shall specify native oak, willow, sycamore, and cottonwood tree planting details, locations, and long-term maintenance and monitoring for the mitigation of trees. The CHRP shall be used to prepare bidding construction documents for site preparation, tree installation, and maintenance. The CHRP shall require that a knowledgeable arborist or biologist be retained to monitor mitigation tree plantings for a period of five years. The CHRP also shall outline reporting protocols and standards for mitigation tree replacement, should it be necessary if canopy cover goals are not being achieved. Table 5.4-13, Landscape Tree Replacement Calculation, identifies the total number of plantings required to meet the intent

Require that the specified measures be implemented prior to grading activities for future development projects.

Plan check and Site inspection

Prior to the issuance of any grading or building permit and At site inspection

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Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
of the City's tree protection and replacement requirements. Upon approval of the CHRP, the Project applicant shall implement the plan. Implementation of the CHRP shall achieve at a minimum 2:1 replacement of trees at the end of five years.					

Table 5.4-13

Impacted Tree Type	Grading Related	Replacement Ratio	Replacement Species ¹	Total Number Replacement Trees ²
<i>Cedrus deodora</i>	1	1:1	--	1
<i>Eucalyptus camaldulensis</i>	38	1:1	--	38
<i>Eucalyptus cinerea</i>	2	1:1	--	2
<i>Eucalyptus cladocylon</i>	2	1:1	--	2
<i>Fraxinus uhdei</i>	2	1:1	--	2
<i>Olea eurpea</i>	37	1:1	--	37
<i>Phoenix canariensis</i>	2	1:1	--	2
<i>Pinus eldrica</i>	3	1:1	--	3
<i>Quercus agrifolia (protected)</i>	97	2:1	--	194
<i>Q. agrifolia (mature)</i>	98	1:1	--	98
<i>Q. engelmannii (protected)</i>	3	2:1	--	6
<i>Q. engelmannii (mature)</i>	3	1:1	--	3
<i>Salix goodingii</i>	18	1:1	--	18
<i>Salix lasiolepis</i>	11	1:1	--	11
<i>Schinus molle</i>	2	1:1	--	2
<i>S. terebinthifolius</i>	7	1:1	--	7
<i>Ulmus parvifolia</i>		1:1	--	3
<i>Washingtonia robusta</i>	24	1:1	--	24
Minimum Required Escondido Mitigation Tree Plantings				
Minimum Proposed Landscape Plantings				
453				
Minimum Proposed Habitat Area Tree Plantings				
1,500 to 2,000				

¹ Replacement species will be a combination of native oak, sycamore, willow, and cottonwood in the riparian areas and native oak and other landscape trees within the urbanized area of the Project.
² Total replacement trees include coast live oak and other suitable native or ornamental species that would be planted to comply with Section 33-1069 of the City's Municipal Code, as well as trees that would be provided to mitigate habitat impacts as required in mitigation measures Bio-4 and Bio-5.
 Source: Dudek 2014

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Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>CUL-1 The following mitigation monitoring program shall be implemented to address potential impacts to undiscovered buried archaeological resources within the project site and off site. This program shall include, but not be limited to, the following actions:</p> <ol style="list-style-type: none"> 1. Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the Project archaeologist to the lead agency. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program, including, a qualified Native American monitor. 2. The qualified archaeologist shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program. 3. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) shall be on site full-time to perform periodic inspections of the excavations. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. 4. A Native American monitor shall accompany the archaeologist monitor during all times that the archaeological monitor(s) is on site. 5. Isolates and clearly non-significant deposits shall be minimally documented in the field so the monitored grading can proceed. 6. In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the City's Project manager at the time of discovery of previously unidentified cultural resources within the project site. The archaeologist, in consultation with the City's Project manager, shall determine the significance of the discovered resources. The City must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the lead agency, then carried out using professional archaeological methods. The archaeologist shall contact the County DPR Resource Management Division and County Archaeologist at the time of discovery of previously unidentified cultural resources within off-site construction areas. 	<p>Require that the specified measures be implemented prior to, and during grading activities for future development projects.</p>	<p>Department review and approval</p>	<p>Prior to project approval</p>	<p>City of Escondido Community Development Department -- Planning Division</p>	<p>Require that the significant archaeological resources be preserved or adequately mitigated.</p>



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Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>7. If any human bones are discovered, the County Coroner and City shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted in order to determine proper treatment and disposition of the remains.</p> <p>8. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeological monitor(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.</p> <p>9. All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility meeting the standards of Title 36 CFR, Part 79, and located within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.</p> <p>10. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the City prior to the issuance of any building permits. The report will include California Department of Parks and Recreation (DPR) Primary and Archaeological Site Forms.</p>					

GEOLOGY AND SOILS

<p>Geo-1 All recommendations contained in the geotechnical feasibility review (Appendix D) shall be incorporated into the Project during construction. These recommendations include the following:</p> <ol style="list-style-type: none"> 1. Transition lots shall be undercut at least 3 feet and at least one-third the maximum fill thickness on any lot, such that the ratio of 3:1 (maximum:minimum) fill thickness, or flatter is attained. Cut lots shall also be undercut to mitigate perched water conditions. All undercuts shall be sloped to drain away from the building area. 2. The fill cap shall extend to at least one foot below the lowest utility invert in street areas to facilitate trenching operations. 3. For fill slopes descending to property lines, removals shall be completed above a 1:1 projection beginning at the property line, or a point located at least 5 feet laterally from any adjacent street, or any nearby utility. Relatively deep removals adjacent to property line at Lots 3, 4, 43, 44, and Open Space Lot C may necessitate the use of structural setbacks within the building area, or possibly deepened foundations. 	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	
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Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
4. Any planned import soil shall be very low to low expansive.					
HAZARDS AND HAZARDOUS MATERIALS					
Haz-1 At least 10 days prior to demolition or removal of existing on-site structures, the project applicant shall submit an Asbestos Demolition or Renovation Operational Plan (<i>Notice of Intention</i>) to the City Community Development Department. This Plan shall be prepared by an asbestos consultant licensed with the California State Licensing Board and certified by the California Occupational Safety and Health Administration to conduct an asbestos inspection in compliance with Asbestos <i>Notional Emission Standard for Hazardous Air Pollutants</i> (NESHAP) requirements. The Asbestos NESHAP, as specified under Rule 40, CFR 61, Subpart M, (enforced locally by the San Diego Air Pollution Control District, under authority, per Regulation XI, Subpart M - Rule 361.145), requires the owner of an establishment set for demolition to submit an Asbestos Demolition or Renovation Operational Plan at least 10 working days before any asbestos stripping or removal work begins (such as site preparation that would break up, dislodge or similarly disturb asbestos containing material.)	Require that the specified measures be implemented prior to grading activities for future development projects.	Plan check and Site inspection	Prior to the issuance of any grading or building permit and At site inspection	City of Escondido Engineering Services Department - Field Engineering Section	
Removal of all asbestos-containing material or potential asbestos-containing material on the project site shall be monitored by the certified asbestos consultant and shall be performed in accordance with all applicable laws, including California Code of Regulations, Title 8, Section 1529, Asbestos; OSHA standards; and the San Diego County Air Pollution Control District Rule 361.145, Standard for Demolition and Renovation.					
Haz-2 Demolition or removal of existing on-site structures constructed pre-1979 shall be performed by a Certified Lead Inspector/Assessor, as defined in Title 17, CCR Section 35005, and in accordance with all applicable laws pertaining to the handling and disposal of lead-based paint. Lead-based materials exposure is regulated by Cal OSHA. Title 8 CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed Cal OSHA standards.	Require that the specified measures be implemented during grading activities for future development projects.	Plan check and Site inspection	Prior to the issuance of any grading or building permit and At site inspection	City of Escondido Engineering Services Department - Field Engineering Section	



Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>Haz-3 The following mitigation measure addresses contaminated soils and their export off-site.</p> <p>1. Prior to issuance of a grading permit the applicant shall prepare a Response Plan in conformance with DTSC standards to address risks associated with the detected concentrations of TPH-DRO and arsenic on the project site. The Response Plan shall be approved by DTSC and submitted to the City prior to the issuance of a grading permit. The Response Plan will include one of the following three remedial methods to reduce impacts to a less than significant level. Remedial Method Options 1, 2 and 3 would require a small amount of soil export amounting to up to approximately 1,353 cubic yards of soil.</p> <p>Remedial Method Option 1</p> <p>a) <u>Remedial Method</u>: Excavation and off-site disposal of TPH-impacted soil, approximately 20 cubic yards; and arsenic-impacted soil (AIS), approximately 1,333 cubic yards.</p> <p>b) <u>Overseeing Agencies</u>: California DTSC, along with California Department of Fish and Wildlife (CDFW) and RWQCB for portions of the project site near the creek.</p> <p>Remedial Method Option 2</p> <p>c) <u>Remedial Method</u>: Excavation and off-site disposal of TPH-impacted soil, approximately 20 cubic yards; and excavation and on-site burial of AIS, approximately 1,333 cubic yards.</p> <p>d) <u>Overseeing Agencies</u>: DTSC, along with CDFW and RWQCB for portions of the project site near the creek.</p> <p>Remedial Method Option 3</p> <p>e) <u>Remedial Method</u>: Excavation and off-site disposal of TPH-impacted soil, approximately 20 cubic yards; and capping of AIS with 800 cubic yards of soils (therefore, no excavation and off-site disposal of AIS is required). Capping is a process used to cover contaminated soils to prevent the migration of pollutants and is a reliable technology for sealing off contamination from the above-ground environment and significantly reducing underground migration of pollutants away from the site. The cap shall be made of soil native to the site.</p> <p>f) <u>Overseeing Agencies</u>: DTSC, along with CDFW and RWQCB for portions of the project site near the creek.</p>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services Department – Field Engineering Section</p>	<p>2015-07 1/3</p>

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Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>2. Prior to issuance of a grading permit for the selected remedial method (options 1, 2, or 3), any areas proposed for disturbance on the project site where previous hazardous materials releases have occurred must be mitigated in accordance with the requirements of the overseeing regulatory agency (DTSC, RWQCB or CDFW, as appropriate) for the proposed residential use of the site. All proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site-specific health and safety plan, prepared by a licensed professional in accordance with California Division of Occupational Safety and Health (Cal OSHA) regulations (contained in Title 8 of the California Code of Regulations) to protect the public and all workers in the construction area prior to the commencement of groundbreaking.</p> <p>3. Following completion of the selected remedial method, the project applicant shall seek and obtain written regulatory closure letter from the DTSC specifying that no further action is necessary in regard to the TPH- and arsenic-impacted soil. <u>Overseeing Agencies:</u> DTSC, along with CDFW and RWQCB for portions of the project site near the creek.</p> <p>4. The transportation of the exported soil is included as part of the grading activities associated with the Project and is described in Section 4.3.3, Site and Infrastructure Improvements and is addressed in Sections 5.3 Air Quality, 5.11 Noise and 5.14 Transportation and Traffic.</p>					

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Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>5. Regarding potential dust migration impacts associated with the excavation, loading and transport of contaminated soils, all trucks transporting soil or waste shall comply with 22 California Code of Regulations (CCR) Part 66263.16, Standards Applicable to Transporters of Hazardous Waste. The following mitigation measures that will be implemented include but are not limited to:</p> <ul style="list-style-type: none"> a. Dust monitoring shall be conducted during loading of contaminated soil in conformance with the procedures and standards described below under mitigation measure Haz-4. b. Water shall be used for dust suppression, if necessary. c. Transport trucks shall have the contaminated soils loads covered with a retractable during transportation; d. Transport trucks shall have at a minimum one foot of freeboard with the truck is loaded to prevent spillage. e. Standard SWPPP procedures described in Section 5.9.3.1 Issue 1: Water Quality Standards and Requirements shall be implemented to prevent the migration of contaminated soil from the project site, such as installation of devices specially designed to clear tires of sediment and hold it for later cleanup. <p>6. Potential human health risk mitigation measures would include the installation of soil vapor barriers beneath proposed building structures to prevent soil vapor intrusion if the vapor levels exceed regulatory standards. Additionally, the pockets of soil impacted by petroleum hydrocarbons and/or by heavy metals at concentrations above regional background levels will be mitigated through a removal action with either on-site strategic placement to eliminate the exposure pathway or off-site disposal at a suitable landfill.</p> <p>7. The truck haul route for the export of contaminated soils will head north from the project site along Felicita Road to Gamble Lane and then to Interstate 15. The return route would follow the same roadways.</p>					
<p>Haz-4 This measure addresses potential health impacts from exposure to contaminated dust during construction, both for workers at the Project and for residents around the Project during construction. This measure would take place during grading activities associated with remediating the contaminated soils on site and it would be monitored by a qualified hazardous materials specialist. The features of the measure are as follows.</p>					



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<p>1. Remedial excavation work and grading activities will be performed pursuant to a Site Health & Safety Plan developed in accordance with federal law, as set forth at 29 CFR 1910.20 (i.e., the "Hazardous Waste Operations and Emergency Response," also known as the HAZWOPER standard), which requires, among other things, that all personnel dealing with disturbed soil have the training, experience and medical clearance to work on the Project;</p> <p>2. Air will be monitored for contaminant concentrations in dust in comparison to action levels based on the Occupational Safety and Health Administration (OSHA) Permissible Exposure Limit (PEL) for arsenic of 0.01 milligrams per cubic meter (mg/m3) and the PEL for trichloroethylene (TCE) of 100 ppm. The Mitigation Report further specifies that arsenic will act as the surrogate for all other particulate exposures because it has the most stringent respirable dust action level of all the potential dust contaminants at the Project and that TCE will act as the surrogate for volatile organic compounds because it is the hazardous constituent potentially present in groundwater at the highest concentration;</p> <p>3. In the event the results of ongoing air monitoring indicate contaminant concentrations at least 75 percent of the established Action Levels, developed using the PELs for arsenic and TCE, exposure risks will be controlled through the use of personal protective equipment by workers at the Project to prevent their exposure to these contaminants, which equipment is designed to minimize the risk of exposure of contaminants by the on-site workers;</p> <p>4. In addition to the air monitoring performed during earth movement activities within the areas in which on-site workers may inhale airborne dust, air monitoring will also be performed downwind of the earth movement activities -- at the boundaries of the Project. The monitoring results will be compared to exposure limits and site-specific health-based air action levels developed in consideration of the characteristics of the soils that will be disturbed at the Project (see Mitigation Report attached to the Final EIR as Appendix I-3 at pp. 2-3 and Tables 1-2). In order to determine whether mitigation measures (set forth in section (5), immediately below) are warranted, and</p>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site Inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services Department – Field Engineering Section</p>	



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<p>5. If, during the excavation activities, monitoring results indicate contaminant levels that are 75 percent or more of the lowest identified fugitive dust health-based air action level derived (as specified above), the following dust mitigation measures will be employed:</p> <ul style="list-style-type: none"> a. Water (or another non-hazardous agent) will be applied to exposed soil to prevent dust migration from arising during earth movement activities (e.g., excavation and/or grading); b. Water will be applied to stockpiled soil, which will also be covered with plastic sheeting to prevent dust migration; and <p>During periods of high wind (i.e., instantaneous wind speeds exceeding 25 miles per hour as measured by an anemometer), earth movement activities will be discontinued until wind speeds decrease to speeds less than 25 miles per hour. The 25 mile per hour standard is set forth at page 403-3 of the South Coast Air Quality District (SCAQMD) Rule 403 and was selected as the nearest applicable standard (because San Diego County does not have published standards regarding maximum wind speeds). SCAQMD Rule 403 is available at the following address: http://www.aqmd.gov/search?q=Rule 403.</p>					
<p>Haz-4a As required by the DTSC, the applicant will include a deed restriction on the title for the Project that prohibits the use of groundwater at the project site for any purpose including, without limitation, any extraction of groundwater.</p>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check</p>	<p>Prior to the issuance of any grading or building permit</p>	<p>City of Escondido Engineering Services Department</p>	
<p>Haz-5 Prior to the start of construction, the construction contractor shall notify the Escondido Police Department of the location, timing and duration of any lane closure(s) on Felicitia Road, or any other road in the project area, due to project construction activities. If determined necessary by the Police Department, local emergency services, including the Escondido Fire Department and appropriate ambulance services, shall also be notified of the lane closure(s).</p>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services Department – Field Engineering Section</p>	



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<p>HYDROLOGY AND WATER QUALITY</p> <p>Hydro-1 A Letter of Map Revision (LOMR) certifying that all houses within the Project been elevated above the base flood level of the 100-year floodplain is required from the Federal Emergency Management Agency. The Project is required to model stormwater flow through the channel system as part of final Project engineering to meet FEMA requirements.</p>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit</p>	<p>City of Escondido Engineering Services Department – Field Engineering Section</p>	
<p>Hydro-2 ImperVIOUS Cover on Homeowners Lots - The sizing for the on-site bioretention/detention basins have been calculated based on 50% impervious surface for each lot and 100% impervious for streets and fire access. The actual impervious area installed by the builder on each lot has been calculated to be an average of approximately 34%, leaving 2,053 square feet available to each homeowner to install additional impervious hardscape or impervious structural improvements on their property. The builder will be required to provide a disclosure to all homebuyers informing purchasers of this limitation. Prior to issuance of grading or building permits for improvements by a future homeowner, the landscape or architectural consultant to the HOA shall provide an area calculation of all impervious surfaces (excluding water surface area in pools) that have been installed on the property since the initial purchase date from the builder plus the additional impervious area proposed by the homeowner. This calculation shall be provided to the City of Escondido Planning Division with the plans at the time of permit application for their approval to ensure consistency with this mitigation measure and the project conditions of approval.</p>	<p>Require that the specified measures be implemented as part of future HOA or homeowner permitted development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit</p>	<p>City of Escondido Engineering Services Department – Field Engineering Section and Planning Department</p>	



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<p>NOISE</p> <p>Noi-1 Limit Vibration-generating Equipment. The construction contractor shall not operate a vibratory roller, or equipment with the potential to result in an equivalent level of vibration, within 75 feet of any residence.</p>	<p>Require that the specified measures be implemented, as applicable, during construction activities for future development projects.</p>	<p>Plan check and site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>Plan Check: City of Escondido Community Development Department -- Building Division Inspection: City of Escondido Engineering Services Department -- Field Engineering Section</p>	
<p>Noi-2 The construction contractor shall implement a noise mitigation plan to ensure that construction noise levels will not exceed an hourly average noise level of 75 dBA at any residence. The plan shall be verified by a qualified acoustical engineer and be subject to approval by the City Engineer. Measures to be included in the plan shall include the following, as necessary, to achieve compliance with the City's noise ordinance for construction within 140 feet of an off-site residential lot:</p> <ol style="list-style-type: none"> 1. Equipment and trucks used for Project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds). 2. Construction contractors shall use "quiet" gasoline-powered compressors or other electric-powered compressors, and use electric rather than gasoline or diesel powered forklifts for small lifting. 3. Stationary noise sources, such as temporary generators, shall be located as far from nearby receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible. 4. Temporary plywood noise barriers eight feet in height shall be installed as needed around the construction site to minimize construction noise to 75 dBA as measured at the applicable property lines of the adjacent uses, unless an acoustical engineer submits documentation that confirms that the barriers are not necessary to achieve the attenuation levels. 	<p>Require that the specified measures be implemented, as applicable, during construction activities for future development projects.</p>	<p>Plan check and site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>Plan Check: City of Escondido Community Development Department -- Building Division Inspection: City of Escondido Engineering Services Department -- Field Engineering Section</p>	

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