

ORDINANCE NO. 2015-08

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 1.9 AND RE-20 FOR THE AMANDA ESTATES PROJECT SITE AND ANNEXATION AREA CONSISTING OF APPROXIMATELY 14.8 ACRES OF LAND GENERALLY LOCATED ALONG AMANDA LANE, NORTH OF GAMBLE LAND, ALONG WITH PREZONE OF RE-20 AND RE-40 FOR EIGHT ADDITIONAL PARCELS IN CONFORMANCE WITH SB 244

Planning Case Nos.: SUB 13-0007, PHG 13-0034

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. That on March 10, 2015, the Planning Commission recommended approval (Resolution No. 6037) of the proposed Preliminary, Master and Precise Development Plan to develop 21 single-family residential clustered lots and a Prezone from County zoning to Prezone PD-R 1.9 (Planned Development Residential - 1.9 dwelling units per acre) for the approximately 11.2-acre Amanda Estates planned residential development site, and a designation of Prezone RE-20 (Residential Estates – 20,000 SF minimum lot size) for three additional adjacent developed parcels included in project annexation area. In compliance with SB 244 “Disadvantaged Unincorporated Communities,” the Planning Commission also recommended approval of the rezoning

of eight additional parcels to include a prezone designation of RE-40 (Residential Estates – 40,000 SF minimum lot size) for six of the parcels, and RE-20 for two of the parcels. The proposed “Amanda Estates” project is located in an unincorporated area of Escondido addressed as 2115 Amanda Lane (APN 235-202-35). The three contiguous developed residential properties located to the south of the project site that are included in the Amanda Estates Annexation (Prezone to RE-20) are addressed as 2153, 2151 and 2149 Amanda Lane (APNs 235-202-56, -57 and -58). The eight additional parcels to be included in the prezone process associated with SB 244, “Disadvantaged Unincorporated Communities” include APNs 235-202-20 and -55 (Prezone to RE-20) and APNs 235-202-37, -38, -79, -80, -81 and -82 (Prezone to RE-40). The subject area is more particularly described and depicted in Exhibit “C,” attached to this Ordinance and incorporated by this reference; and

SECTION 3. That the City Council has reviewed and considered the Amanda Estates Final Mitigated Negative Declaration 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. The date of adoption of the Final Mitigated Negative Declaration is the effective date of approval of the Amanda Estates Residential Planned Development and associated Prezones (City Council Ordinance No. 2015-08).

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 proposed Prezone designations are consistent with the Escondido 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 described and depicted in Exhibit "C" attached to this Ordinance and incorporated by this reference, to Prezone PD-R 1.9, RE-20 and RE-40.

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 consisting of 21 single-family residential clustered lots, two open space lots and two private street lots on approximately 11.2 acres of land, along with certain off-site improvements subject to the Conditions of Approval and Mitigation Monitoring and Reporting Program attached as Exhibit "B," which is attached to this Ordinance and is 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 22nd day of April, 2015 by the following vote to wit:

AYES : Councilmembers: DIAZ, GALLO, MASSON, MORASCO, ABED
NOES : Councilmembers: NONE
ABSENT : Councilmembers: NONE

APPROVED:



SAM ABED, Mayor of the
City of Escondido, California

ATTEST:



EVA HETER, Assistant City Clerk of the
City of Escondido, California

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

I, EVA HETER, Assistant City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2015-08 passed at a regular meeting of the City Council of the City of Escondido held on the 22nd day of April, 2015, after having been read at the regular meeting of said City Council held on the 8th day of April, 2015.



EVA HETER, Assistant City Clerk of the
City of Escondido, California

ORDINANCE NO. 2015-08

EXHIBIT "A"

FINDINGS OF FACT/FACTORS TO BE CONSIDERED SUB 13-0007, PHG 13-0034

Prezone:

1. The project site is proposed to be pre-zoned to Planned Development - Residential 1.9 (PD-R 1.9) and the three adjacent parcels are 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 use of the three adjacent developed residential parcels 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. The primary use of the three adjacent developed residential parcels will remain unchanged. In addition, the proposed density is compatible 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 improvements that would be well integrated into its surroundings, because 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 unincorporated territory included in the SB 244-related second annexation proposal area is developed with single-family estate homes. Development plans are not proposed to change the type of land use or increase the number of homes. The City of Escondido's General Plan land use designation for the second annexation proposal area is Estate I and Estate II, which permits a fewer number of dwelling units than the County of San Diego North County Metropolitan Planning Area designation of Village Residential (VR-2.9 du/ac). The proposed prezoning for these eight parcels would be PZ-RE-20 and PZ-RE-40 to be consistent with their corresponding Escondido General Plan land-use designations of Estate I and Estate II.
7. The requirements of the California Environmental Quality Act have been met because it was found/determined the project will not have a significant effect on the environment because mitigation measures and project design features will avoid or reduce potential impacts to less than a significant level, as demonstrated in the Final Mitigated Negative Declaration prepared for the project.

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 Final Mitigated Negative Declaration, the traffic impact analysis for the project prepared by Linscott, Law & Greenspan, and the Engineering Division. The project proposed off-site improvements to Amanda Lane and Gamble Lane, including traffic calming along Gamble Lane to reduce current roadway and drainage deficiencies within the area, which would be a public benefit to existing city and county residents.
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 in close proximity 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.
7. The approval of the proposed Preliminary, 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 reports).
8. The requirements of the California Environmental Quality Act have been met because it was found/determined the project will not have a significant effect on the environment because mitigation measures and project design features will avoid or reduce potential impacts to less than a significant level, as demonstrated in the Final Mitigated Negative Declaration prepared for the project.

EXHIBIT "B"

CONDITIONS OF APPROVAL

SUB 13-0007, PHG 13-0034
Amanda Estates

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 to a level of less than significant during all grading and site preparation activities including, but not limited to, the following actions:
 - a. 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.
 - b. Operate all vehicles on the construction site at speeds less than 15 miles per hour.
 - c. 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.
 - d. 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/carryout is prohibited under any circumstances.
2. **Bio-1** To avoid any direct impacts to raptors, removal of eucalyptus woodland habitat shall occur outside of the raptor breeding season (January 15 to August 31). If removal of eucalyptus woodland habitat must occur during the breeding season, the applicant shall retain a City approved biologist to conduct a pre-construction survey to determine the presence or absence of nesting raptors in the proposed area of disturbance. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction activities (including the removal of vegetation). The applicant shall submit the results of the preconstruction survey to the City for review and approval prior to initiating any construction activities.
3. **Bio-2** Vegetation clearing or brushing shall occur outside of the typical breeding season for raptors and migratory birds (January 15 to August 31). If this is not possible, then a qualified biologist shall conduct a survey for nesting birds no more than five calendar days prior to construction to determine the presence or absence of nests on the project site. The applicant shall submit the results of the pre-construction survey to the City for review and approval prior to initiating any construction activities. No construction activities shall occur within 300 feet of tree dwelling raptor nests, 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 (Leq) at the nest site. Alternatively, noise minimization measures such as noise barriers shall be constructed to bring noise levels to below 60 dB(A) Leq, which will reduce the impact to below a level of significance.
4. **Bio-3** During construction activities, the construction contractor shall ensure that dirt storage piles are stabilized by chemical binders, tarps, fencing or other erosion control measures.

5. **Bio-4** During construction activities, the construction contractor shall terminate grading activities if winds exceed 25 mph.
6. **Bio-5** Prior to issuance of a grading permit, the project applicant shall show on project plans that all landscape areas, including plant material within the plantable retaining wall, include native vegetation and drought tolerant plant materials.
7. **Bio-6** During construction activities, the construction contractor shall ensure that the limits of grading are flagged or marked with silt fencing prior to grading to prevent indirect impacts to off-site sensitive coastal sage scrub habitat to the northeast of the project site. Prior to grading, a qualified biologist shall review the flagging and silt fencing and during grading the qualified biologist shall monitor the limits of clear and grub and grading activities. Monitoring shall be conducted on an as needed basis as determined by the qualified biologist with reports submitted to the City of Escondido Planning Division on a weekly basis.
8. **Bio-7** To offset impacts associated with the loss of one mature oak tree, prior to issuance of a certificate of occupancy for the first residence, the applicant shall plant two oak trees within an open space area on the proposed project site, and the on-site homeowners' association shall ensure that they are maintained in perpetuity.
9. **Cul-1** The following mitigation monitoring and reporting program shall be implemented to address potential impacts to undiscovered buried archaeological resources within the proposed project impact area. This program shall include, but not be limited to, the following actions:
 - a. Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and Native American monitor from a tribal group appropriate to this location have been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the lead agency. The archaeologist shall be responsible for coordinating with the tribal representative. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.
 - b. The qualified archaeologist and a Native American representative shall attend the pregrading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.
 - c. During the original cutting of previously undisturbed deposits the archaeological monitor and Native American representative shall be on site full-time to perform inspections of the excavations. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of prehistoric artifacts and features. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The project archaeologist shall be responsible for determining the duration and frequency of monitoring.
 - d. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.
 - e. In the event that previously unidentified cultural resources are discovered, the archaeologist, with input from the Native American representative, shall have the authority to temporarily divert 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 Planning Division at the time of discovery. The archaeologist, in consultation with the Native American representative, shall determine the significance of the discovered resources. The significance determination and any additional mitigation measures shall be submitted to the City of Escondido for review.

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 City, then carried out using professional archaeological methods. If any human remains 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, shall be contacted in order to determine proper treatment and disposition of the remains.

- f. Where any significant cultural deposits have been discovered, data recovery measures shall be implemented before construction activities are allowed to resume in the affected area.
 - g. All cultural material collected during the grading monitoring program shall be processed using appropriate protocols for cataloging, recording, and photographing, in addition to special studies, to facilitate a detailed and exhaustive analysis. When all research potential of the collection has been exhausted, the collection shall be repatriated to the Native American community, consistent with existing state law and the City's policies. Should the Native American community decline the collection, the collection shall be curated at the San Diego Archaeological Center.
 - h. 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 Planning Department prior to the issuance of any building permits. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.
10. **Geo-1** Prior to the issuance of a grading permit, the applicant shall demonstrate that all recommendations contained in the GSI Preliminary Geotechnical Evaluation (2011) are incorporated into the proposed project during construction. All required recommendations from the Geotechnical Evaluation shall be documented on the project's grading plans and included in the grading permit application submitted and approved by the City's Engineering Division prior to the start of construction.
11. **Haz-1** Prior to the issuance of a grading permit, the results of the Site Assessment Report, dated November 17, 2014, prepared by Tetra Tech to evaluate agricultural chemical residue at the site, shall be submitted to State of California Department of Toxic Substances Control (DTSC) for review. Based on the results of the Site Assessment Report, the environmental condition of the project site has been sufficiently characterized as soil with concentrations of metals, polyaromatic hydrocarbons, and dioxin/furan compounds exceeding DTSC-approved screening levels is limited to an area approximately 35 feet wide by 51 feet long by 2 feet deep adjacent to the westerly property boundary. A Response Plan shall be developed to remediate the impacted soils and shall be provided to DTSC for review. The Response Plan shall be submitted in accordance with the California Land Reuse and Revitalization Act (CLRRRA) and shall be implemented under the oversight of the DTSC.
12. **Haz-2** If asbestos-cement irrigation pipelines are encountered during site grading, they shall be handled in accordance with the U.S. Occupational Safety and Health Administration (OSHA), California OSHA, and County of San Diego Department of Environmental Health requirements and all federal, state, and local disposal regulations.
13. **Haz-3** At least 10 working days prior to the issuance of the demolition permit or commencement of any asbestos stripping or removal work (such as site preparation that would break up, dislodge or similarly disturb asbestos containing material (ACM)), the project applicant shall submit an Asbestos Demolition or Renovation Operational Plan (Notice of Intention) to the City Planning Department. The 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 (Cal OSHA) to conduct an asbestos inspection in compliance with the Asbestos National Emission Standard for Hazardous Air Pollutants

(NESHAP) requirements. The Asbestos NESHAP, as specified under Rule 40 CFR 61, Subpart M, (enforced locally by the San Diego County Air Pollution Control District (SDCAPCD), under authority, per Regulation XI, Subpart M - Rule 361.145), requires the Asbestos Demolition or Renovation Operational Plan to include the facility information, project description, presence of asbestos, removal and demolition contractors, means of waste transportation off site, contingency plan, and certified specialist who will be present on site during removal of asbestos. Removal of all ACM or presumed ACM 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 and Cal OSHA standards; and the SDCAPCD Rule 361.145, Standard for Demolition and Renovation. Notification of at least 10 days of any removal or demolition work and payment of the appropriate fee(s) is required by SDCAPCD.

14. **Haz-4** Prior to the issuance of a grading permit or demolition permit, the project applicant shall show proof to the City Planning Department that 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, has been retained to perform demolition and removal of all existing on-site structures constructed pre-1979. Lead-based materials exposure is regulated by California Occupational Safety and Health Administration (Cal OSHA). Title 8 CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead based materials so that exposure levels do not exceed Cal OSHA standards.
15. **Haz-5** Prior to issuance of a grading permit, the project applicant shall hire an environmental consultant to prepare and submit to the lead regulatory agency (California Department of Toxic Substances Control (DTSC)) a Response Plan pursuant to California Land Reuse and Revitalization Act (CLRRA), for the excavation, testing and off-site disposal of polyaromatic hydrocarbons, dioxin, and furan compounds found within the undocumented fill in the natural drainage swale adjacent to the westerly property line of the project site. The Response Plan shall be implemented under DTSC oversight during site grading and excavation according to the method described below or otherwise required by DTSC.
 - a. The undocumented fill shall be excavated, profiled for proper disposal and transported to an appropriate landfill certified to accept Cal-hazardous waste by a licensed hazardous waste contractor.
 - b. Testing of soils exposed on the bottom and the sides of the remedial excavation shall be performed to confirm that the extent of excavation is sufficient for purposes of satisfying DTSC's requirements.

Following completion of the Response Plan, the proposed project applicant shall obtain a written regulatory closure letter from the DTSC specifying that no further action is necessary in regard to the undocumented fill in the natural drainage swale adjacent to the westerly property line of the proposed project site.

16. **Haz-6** Prior to issuance of a grading permit, the project applicant shall hire an environmental remediation contractor who shall be responsible for managing any grading, excavation or ground disturbance in the natural drainage swale adjacent to the westerly property line. The environmental remediation contractor and its staff shall be trained through the Occupational Safety and Health Administration (OSHA) 40-hour safety program (29 Code of Federal Regulations [CFR] 1910.120), and shall implement the Response Plan and a soil management plan (SMP) approved by the DTSC, under DTSC's oversight.
17. **Haz-7** Prior to the start of the construction, the construction contractor shall notify the Escondido Police Department of the location, timing, and duration of any lane closure(s) on Gamble Lane, 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 ambulances services, shall be notified of the lane closure(s).

18. **Noi-1 Construction Activities Limitation.** Construction activities associated with the project that occur within 75 feet of an existing residence shall only take place during the day as required by the Noise Ordinance. Sections 17-234, 17-238, and 17-240 of the City of Escondido Noise Ordinance limit operation of construction equipment to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Grading activities on Saturday may not begin until 10:00 a.m. and must end by 5:00 p.m. Construction is prohibited on Sundays. Therefore, construction activities would not occur during nighttime hours.
19. **Noi-2** Prior to grading activities, the construction contractor shall implement and monitor the noise reduction measures described below to ensure that construction noise levels would not exceed an hourly average noise level of 75 dBA at any residential property line. Noise reduction measures are required for all off-site construction and on-site construction within 150 feet of an off-site residential lot. Any one or a combination of measures can be used as necessary. Typical measures that may be implemented include the following, as necessary, to achieve compliance with the Escondido Noise Ordinance:
 - a. 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) for construction equipment and trucks;
 - b. Use "quiet" gasoline-powered compressors or other electric-powered compressors, and use electric rather than gasoline or diesel powered forklifts for small lifting;
 - c. Locate stationary noise sources, such as temporary generators, as far from nearby receptors as possible;
 - d. Muffle and enclose stationary noise sources within temporary sheds or incorporate insulation barriers;
 - e. Limit simultaneous operation of construction equipment or limit construction time within an hour to reduce hourly average noise level; and/or
 - f. For on-site construction, install temporary noise barriers of a sufficient height and thickness around the perimeter of the project site to minimize construction noise to 75 dBA as measured at the applicable property lines of the adjacent uses. It is anticipated that a plywood barrier, 8 feet in height and 1 inch thick would be sufficient (FWHA 2006, City of New York 2013).

To ensure compliance with City noise ordinance, noise monitoring shall be conducted on the first day of typical on-site and off-site construction. A one-hour noise measurement shall be conducted in accordance with Section 17-228 of the City's noise ordinance at 50 feet from the most intensive construction activity. If it is determined that construction would have the potential to exceed the hourly construction noise level limit at any residential property, additional noise control measures shall be implemented as necessary and an additional noise measurement shall be conducted to confirm compliance.

Planning Division Conditions Tentative Map

1. This approval is subject to the project parcel(s) annexing into the City of Escondido, as described in the staff report. The proposed annexation shall be recorded prior to recordation of the final map and 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. 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 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. 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).
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, as determined by the Engineering Division.
7. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
8. Three copies of a final 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.
9. All residential lots shall meet the minimum 10,000 SF net lot area and 80-foot average lot width requirements as detailed in the approved Master and Precise 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 final Tentative Map submitted for certification, the grading plan and final map. Non-compliance with these minimum standards will result in revisions to the map, as might be necessary to achieve compliance.
10. No street names are established as part of this approval. A separate request shall be submitted prior to final map.
11. Exemptions from the Grading Ordinance are approved as part of this project, as specifically detailed in the staff report, exhibits and details of request as follows:
 - Area 1: (Open Space Lots A & B) Fill Slopes ranging from 5' to 35' in height
 - Area 2: (Lots 15, 21 and Open Space Lots A & B) Fill slopes ranging from 20' to 38' in height

Area 3: (Lots 11 & 12) Cut slopes up to 24' in height

Area 4: (Lot 19 and Open Space Lot A) Cut slopes up to 28' in height

Note: The final engineering design may require slopes, including identified grading exemption slopes to vary up to approximately 1 foot in height from the heights described above, as may be determined by Director of Community Development.

12. Prior to recordation of the final map and issuance of a grading permit, two copies of the CC&Rs with the appropriate review fees shall be submitted to the Planning Division for review and approval. The CC&Rs shall contain provisions for the maintenance of any common landscaping, open space, fences/walls, 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.
13. This Tentative Subdivision Map and Planned Development shall expire three years (36 months) 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.
14. 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 \$2,260.00 for a project with a Mitigated Negative Declaration. 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).

Preliminary, Master and Precise Development Plan

1. 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.
2. The project shall be developed with the unit mix and location of proposed units as identified on the Plotting Plan. Deviations from the Plotting Plan may be approved on a case-by-case basis by the Director of Community Development. Lots 8, 12 and 17 shall be restricted to single-story homes (with no second story addition option allowed). This requirement shall be included in the project CC&Rs.
3. 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.

4. General setbacks for primary and accessory structures shall be subject to the R-1-10 zoning standards unless otherwise prescribed in the approved Master and Previsé Development Plan, details of request section of the staff report and conditions of approval, and as illustrated on the project exhibits (Preliminary Plotting Plan). Appropriate setbacks from top and toe of slope shall be maintained, as determined by the Engineering Division. California rooms provided as an option by the builder must meet the rear yard setback. Single-story structures, such as patio covers, gazebos, outdoor kitchens and fireplaces may encroach 10 feet into the rear yard setback. 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.
5. Exterior stairways for the Plan 1X shall be required to meet all building setbacks required for the primary structure.
6. A minimum 15' separation between homes shall be maintained at all times.
7. Appropriate access shall be provided around all sides of the building (with appropriate separation/setback from slopes or retaining walls, generally min. 5 feet) or as determined by the Fire Department and Engineering Division on a case-by-case basis for each lot.
8. Prior to issuance of building permits for the first phase, the applicant shall submit a design review package to the Planning Division for the entry project identification signage. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs.
9. The perimeter retaining walls shall incorporate decorative materials and shall be indicated on the final grading and landscape plans (material type and color). Decorative masonry cap also shall be used (rolled mortar cap not allowed). Stucco finish shall not be allowed for perimeter retaining walls.

Landscaping Conditions

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted to the Engineering Division 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. Prior to issuance of grading permits, the final landscape plans shall be approved by the Engineering Division and Planning Division. 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.
2. 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. 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 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.
4. 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.

5. 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. Fire hydrants capable of delivering 1,500 GPM 2,500 GPM at 20 PSI residual pressure are required every 500 feet 300 feet other _____
3. The project internal streets must maintain a minimum required access width of 28' (32' min. shown on TM) 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).
4. 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.
5. 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).
6. A 28' inside turning radius will be required on all corners.
7. Speed humps/bumps will not be allowed.

Engineering Conditions of Approval

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. Grading permit for the project may be issued prior to recordation of the final map provided that: 1) Grading, Erosion Control, Drainage and Landscaping Plans have been reviewed by the City Engineer and found to be ready for approval; and 2) Performance bond, satisfactory to City Engineer has been provided to the City; and 3) All Planning and Engineering conditions related to grading have been met.
3. 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.
4. 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.
5. 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.
6. 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.
7. The engineer shall submit to the Planning Division copy of the Tentative Map as presented to the Planning Commission and the City Council for certification. 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 and private street improvements shall be designed and constructed to City Design Standards, Gamble Lane Traffic Calming Plan and the Amanda Estates 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 Amanda Estates Tentative Subdivision Map and the project master development plans.
2. The developer shall construct street improvements, including but not limited to, new roadways, roadway removal and reconstruction, curb & gutter, sidewalk, street lights, street trees, signing and striping on the following streets consistent with the Amanda Estates Traffic Calming Plan and Subdivision Tentative Map:

<u>STREET</u>	<u>CLASSIFICATION</u>
Amanda Lane	Offsite Access Road
Gamble Lane	Offsite Access Road
Amanda Glen	Private Residential

3. The developer shall be responsible to improve the existing Gamble Lane between Eucalyptus Avenue and westerly end of Gamble Lane (at the gate) with widening the existing roadway to 24 feet, install a berm on both sides and sign and stripe in accordance with the "Traffic Calming Plan" prepared by the project engineer and by the City Engineer. Improvements shall include upgrading the existing structural section with asphalt concrete overlay to equal a residential street standard structural section.
4. The developer shall be responsible to construct a temporary turn around within the existing right-of-way and access easement in accordance with the "Traffic Calming Plan" and project tentative map, to the satisfaction of the City Engineer.
5. The developer shall be responsible to install a streetlight at the intersection of Amanda Lane and Gamble Lane.
6. The developer shall be responsible to replace the existing emergency access gate at the northerly end of Gamble Lane with a gate approved by the Fire Chief. The gate shall be operational, prior to first occupancy.
7. The developer shall be responsible to improve Amanda Lane (offsite) as a 24 foot roadway with residential street standard structural section as a green street with super-elevation and storm water treatment swale along the east side.
8. The developer shall be responsible to construct Amanda Glen (on-site) as a private residential standard street (32' wide) with rolled curb and sidewalk on one side.
9. 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.
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. 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.

3. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
4. 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.
5. 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.
6. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
7. 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.
8. 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. Drainage improvements shall include construction of offsite storm drain on Amanda Lane and Gamble Lane, including removal and reconstruction of a section of the existing storm drain system.
2. 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, consistent with the "Gamble Lane Traffic Calming Plan" and the Amanda Estates Subdivision Tentative Map. The Water Quality Technical Report shall include hydro-modification calculations, post construction storm water treatment measures and maintenance requirements.
3. All onsite drainage system, storm water treatment and retention facilities and their drains including the bio-retention basins and bio swales shall be maintained by homeowners' association. Provisions stating this shall be included in the CC&Rs.
4. The developer will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement by the homeowners' association to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.
5. All storm drain systems within the project are private. The responsibility for maintenance of these storm drains shall be that of the homeowners' 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 the 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 SUPPLY

1. The developer shall be responsible to design and construct a sewer system for the project in accordance with Design standards and the requirements of the Utilities Engineer. Sewer improvements shall include removal and replacement of a portion of the existing sewer on Gamble Lane to provide for gravity flow and meet the required depth of cover for sewer lines per the Amanda Estates Subdivision Tentative Map and to the satisfaction of the Utilities Director.
2. All onsite sewer mains shall be public. All on-site sewer laterals shall be private. The Homeowners' Association will be responsible for all maintenance and repair of these laterals. This shall be clearly stated in the CC&Rs.

CC&Rs

1. Copies of the CC&Rs shall be submitted to the Engineering Department and Planning Division for approval prior to approval of the Final Map.
2. The developer shall make provisions in the CC&Rs for maintenance by the homeowners' association of all, lightings, signing and striping, parkway landscaping and irrigation, storm water treatment basins and facilities, sewer laterals, common open spaces, Amanda Glen and Amanda Lane, including roadside bio swale. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Water Quality Technical Report for the project.
4. The CC&Rs must state that the homeowners' 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.

FINAL MAP - EASEMENTS AND DEDICATIONS

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

STREET

Amanda Lane

Amanda Glen

CLASSIFICATION

Offsite Access Road (P.U.E./Emergency Access)

Private Residential (P.U.E./Emergency Access)

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

1. 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 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
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.
3. Storm Drain Repayment of \$16,828 (\$18,174, after July 2015) per acre for the 5.7 acres of project site (total \$95,920 if paid prior to July 2015) within the Hamilton Basin is due to the City of Escondido for the Hamilton Basin Drainage improvements (Repayment # 197, Reso. # 91-26).

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.

Mitigation Monitoring and Reporting Program for the Amanda Estates Development Project Initial Study / Mitigated Negative Declaration City No: PHG 13-0034 / SUB 13-0007

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 Amanda Estates Development Project (proposed project), which is the subject of the Initial Study / Mitigated Negative Declaration (IS/MND), complies with all applicable environmental mitigation requirements. The mitigation described in the IS/MND and summarized below provides a broad purpose and overview of actions that will occur in order to reduce identified environmental impacts.

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 IS/MND. Only those subsections of the environmental issues presented in the IS/MND that have mitigation measures are provided below in the MMRP table. All other subsections in the IS/MND 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.

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
Air Quality					
<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 to a level of less than significant 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. Operate all vehicles on the construction site at speeds less than 15 miles per hour. 3. 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. 4. 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. 	<p>Require standard best management practices</p>	<p>Field monitoring</p>	<p>Prior to and during any construction activities</p>	<p>City of Escondido Community Development Department Planning Division; Building Division; Construction Contractor; San Diego County Air Pollution Control District</p>	

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
Biological Resources					
<p><i>Bio-1</i> To avoid any direct impacts to raptors, removal of eucalyptus woodland habitat shall occur outside of the raptor breeding season (January 15 to August 31). If removal of eucalyptus woodland habitat must occur during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of nesting raptors in the proposed area of disturbance. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction activities (including the removal of vegetation). The applicant shall submit the results of the pre-construction survey to the City for review and approval prior to initiating any construction activities.</p>	<p>Require that impacts to raptors be avoided during breeding season</p>	<p>Field survey, documentation and monitoring report</p>	<p>Prior to initiating any construction activities</p>	<p>City of Escondido Community Development Department Planning Division; Project Biologist; Engineering Division</p>	
<p><i>Bio-2</i> Vegetation clearing or brushing shall occur outside of the typical breeding season for raptors and migratory birds (January 15 to August 31). If this is not possible, then a qualified biologist shall conduct a survey for nesting birds no more than five calendar days prior to construction to determine the presence or absence of nests on the project site. The applicant shall submit the results of the pre-construction survey to the City for review and approval prior to initiating any construction activities. No construction activities shall occur within 300 feet of tree dwelling raptor nests, 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.</p>	<p>Require that impacts to raptors and migratory birds be avoided during breeding season</p>	<p>Field survey, documentation and monitoring report</p>	<p>Prior to initiating any construction activities</p>	<p>City of Escondido Community Development Department Planning Division; Project Biologist; Engineering Division</p>	

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p><i>Bio-3</i> During construction activities, the construction contractor shall ensure that dirt storage piles are stabilized by chemical binders, tarps, fencing or other erosion control measures.</p>	<p>Require that erosion/dirt control measures are implemented</p>	<p>Field survey and documentation</p>	<p>During construction activities</p>	<p>City of Escondido Community Development Department Planning Division; Field Engineer; Construction Contractor</p>	
<p><i>Bio-4</i> During construction activities, the construction contractor shall terminate grading activities if winds exceed 25 mph.</p>	<p>Require termination of construction activities if strong winds</p>	<p>Field survey and documentation</p>	<p>During construction activities</p>	<p>City of Escondido Community Development Department Planning Division; Field Engineer; Construction Contractor</p>	
<p><i>Bio-5</i> Prior to issuance of a grading permit, the project applicant shall show on project plans that all landscape areas, including plant material within the plantable retaining wall, include native vegetation and drought tolerant plant materials.</p>	<p>Require native vegetation and drought tolerant plant materials</p>	<p>Review of plans/permits</p>	<p>Prior to issuance of any permits</p>	<p>City of Escondido Community Development Department Planning Division</p>	
<p><i>Bio-6</i> During construction activities, the construction contractor shall ensure that the limits of grading are flagged or marked with silt fencing prior to grading to prevent indirect impacts to off-site sensitive coastal sage scrub habitat to the northeast of the project site. Prior to grading, a qualified biologist shall review the flagging and silt fencing and during grading the qualified biologist shall monitor the limits of clear and grub and grading activities. Monitoring shall be conducted on an as needed basis as determined by the qualified biologist with reports submitted to the City of Escondido Planning Department on a weekly basis.</p>	<p>Require that silt fencing be implemented during construction and before grading activities</p>	<p>Field survey, documentation and monitoring report</p>	<p>Prior to issuance of grading plan; During construction activities</p>	<p>City of Escondido Community Development Department Planning Division; Field Engineer; Construction Contractor</p>	
<p><i>Bio-7</i> To offset impacts associated with the loss of one mature oak tree, prior to issuance of a certificate of occupancy for the first residence, the applicant shall plant two oak trees within an open space area on the proposed project site, and the on-site homeowners' association shall ensure that they are maintained in perpetuity.</p>	<p>Plant two oak trees on the project site prior to occupancy</p>	<p>Review of plans, documentation</p>	<p>Prior to issuance of a certificate of occupancy for the first residence</p>	<p>City of Escondido Community Development Department Planning Division; Construction Contractor</p>	

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
Cultural Resources					
<p><i>Cul-1</i> The following mitigation monitoring and reporting program shall be implemented to address potential impacts to undiscovered buried archaeological resources within the proposed project impact area. 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 and Native American monitor from a tribal group appropriate to this location have been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the lead agency. The archaeologist shall be responsible for coordinating with the tribal representative. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program. 2. The qualified archaeologist and a Native American representative shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program. 3. During the original cutting of previously undisturbed deposits, the archaeological monitor and Native American representative shall be on site full-time to perform inspections of the excavations. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of prehistoric artifacts and features. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The project archaeologist shall be responsible for determining the duration and frequency of monitoring. 	<p>Require verification and approval of qualified archaeologist</p> <p>Require monitoring program coordination</p> <p>Require on-site archaeological monitor</p>	<p>Meetings and documentation</p> <p>Meetings and documentation</p> <p>Field survey, documentation and monitoring report</p>	<p>Prior to issuance of permits and pre-construction meeting</p> <p>Prior to grading activities</p> <p>During grading activities</p>	<p>City of Escondido Community Development Department Planning Division</p> <p>City of Escondido Community Development Department Planning Division; Grading Contractor</p> <p>City of Escondido Community Development Department Planning Division; Archaeological Monitor; Field Engineering Division</p>	

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>4. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.</p>	<p>Require documentation of non-significant deposits</p>	<p>Field survey, documentation and monitoring report</p>	<p>During grading activities</p>	<p>City of Escondido Community Development Department Planning Division; Project Archaeologist</p>	
<p>5. In the event that previously unidentified cultural resources are discovered, the archaeologist, with input from the Native American representative, shall have the authority to temporarily divert ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the City Planning Department at the time of discovery. The archaeologist, in consultation with the Native American Representative, shall determine the significance of the discovered resources. The significance determination and any additional mitigation measures shall be submitted to the City of Escondido for review. 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 City, then carried out using professional archaeological methods. If any human remains 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, shall be contacted in order to determine proper treatment and disposition of the remains.</p>	<p>Require identification and preservation of any undiscovered cultural resources or human remains</p>	<p>Field survey, documentation and monitoring report</p>	<p>During grading activities</p>	<p>City of Escondido Community Development Department Planning Division; Project Archaeologist; County Coroner</p>	

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
6. Where any significant cultural deposits have been discovered, data recovery measures shall be implemented before construction activities are allowed to resume in the affected area.	Require recovery of any undiscovered cultural resources or human remains	Field survey, documentation and monitoring report	Prior to construction activities resuming	City of Escondido Community Development Department Planning Division; Archaeological Monitor; Field Engineering Division	
7. All cultural material collected during the grading monitoring program shall be processed using appropriate protocols for cataloging, recording, and photographing, in addition to special studies, to facilitate a detailed and exhaustive analysis. When all research potential of the collection has been exhausted, the collection shall be repatriated to the Native American community, consistent with existing state law and the City's policies. Should the Native American community decline the collection, the collection shall be curated at the San Diego Archaeological Center.	Require that the cultural material be preserved or adequately mitigated	Field survey, documentation, collection, reporting	Prior to project approval	City of Escondido Community Development Department Planning Division; Project Archaeologist	
8. 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 Planning Department prior to the issuance of any building permits. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.	Require documentation of analysis and data	Field survey, documentation and monitoring report	Prior to issuance of any building permits	City of Escondido Community Development Department Planning Division; Project Archaeologist	

Geology and Soils

Geo-1 Prior to the issuance of a grading permit, the applicant shall demonstrate that all recommendations contained in the GSI Preliminary Geotechnical Evaluation (2011) are incorporated into the proposed project during construction. All required recommendations from the Geotechnical Evaluation shall be documented on the project's grading	Require incorporation of geotechnical recommendations	Documentation and permit application	Prior to issuance of grading permit	City of Escondido Community Development Department Engineering Division	
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Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
plans and included in the grading permit application submitted and approved by the City's Engineering Division prior to the start of construction.					

Hazards and Materials Hazardous

<i>Haz-1</i> Prior to the issuance of a grading permit, the results of the Site Assessment Report, dated November 17, 2014, prepared by Tetra Tech to evaluate agricultural chemical residue at the site, shall be submitted to State of California Department of Toxic Substances Control (DTSC) for review. Based on the results of the Site Assessment Report, the environmental condition of the project site has been sufficiently characterized as soil with concentrations of metals, polyaromatic hydrocarbons, and dioxin/furan compounds exceeding DTSC-approved screening levels is limited to an area approximately 35 feet wide by 51 feet long by 2 feet deep adjacent to the westerly property boundary. A Response Plan shall be developed to remediate the impacted soils and shall be provided to DTSC for review. The Response Plan shall be submitted in accordance with the California Land Reuse and Revitalization Act (CLRRA) and shall be implemented under the oversight of the DTSC.	Submittal of Site Assessment report to DTSC. Submittal of the Response Plan to DTSC for review and approval.	Confirmation from DTSC that no further investigations are required	Prior to issuance of grading permit	City of Escondido Community Development Department Planning Division; County of San Diego Department of Environmental Health	
<i>Haz-2</i> If asbestos-cement irrigation pipelines are encountered during site grading, they shall be handled in accordance with the U.S. Occupational Safety and Health Administration (OSHA), California OSHA, and County of San Diego Department of Environmental Health requirements and all federal, state, and local disposal regulations.	Require compliance with Safety and Health requirements	Monitoring and documentation	During grading activities	City of Escondido Community Development Department Planning Division; Project Grading Contractor	
<i>Haz-3</i> At least 10 working days prior to the issuance of the demolition permit or commencement of any asbestos stripping or removal work (such as site preparation that would break up, dislodge or similarly disturb asbestos containing material (ACM)), the project applicant shall submit an	Require compliance with safety and health requirements	Field survey, documentation and monitoring report	Prior to issuance of building permit for demolition	City of Escondido Community Development Department Planning Division; Building Division; San Diego County Air Pollution Control District	

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>Asbestos Demolition or Renovation Operational Plan (Notice of Intention) to the City Planning Department. The plan shall be prepared by an asbestos consultant licensed with the California State Licensing Board and certified by the California Occupational</p>					
<p>Safety and Health Administration (Cal OSHA) to conduct an asbestos inspection in compliance with the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) requirements. The Asbestos NESHAP, as specified under Rule 40 CFR 61, Subpart M, (enforced locally by the San Diego County Air Pollution Control District (SDCAPCD), under authority, per Regulation XI, Subpart M - Rule 361.145), requires the Asbestos Demolition or Renovation Operational Plan to include the facility information, project description, presence of asbestos, removal and demolition contractors, means of waste transportation off site, contingency plan, and certified specialist who will be present on site during removal of asbestos. Removal of all ACM or presumed ACM 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 and Cal OSHA standards; and the SDCAPCD Rule 361.145, Standard for Demolition and Renovation. Notification of at least 10 days of any removal or demolition work and payment of the appropriate fee(s) is required by SDCAPCD.</p>					
<p>Haz-4 Prior to the issuance of a grading permit or demolition permit, the project applicant shall show proof to the City Planning Department that 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, has been retained to perform demolition and removal of all existing on-site structures constructed pre-1979. Lead-based materials exposure is regulated by California Occupational Safety and Health Administration (Cal OSHA). Title</p>	<p>Require compliance with safety and health requirements</p>	<p>Field survey, documentation and monitoring report</p>	<p>Prior to issuance of grading and building permits</p>	<p>City of Escondido Community Development Department Planning Division; Building Division</p>	

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>8 CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials so that exposure levels do not exceed Cal OSHA standards.</p>					
<p>Haz-5 Prior to issuance of a grading permit, the project applicant shall hire an environmental consultant to prepare and submit to the lead regulatory agency (California Department of Toxic Substances Control (DTSC)) a Response Plan pursuant to California Land Reuse and Revitalization Act (CLRRA), for the excavation, testing and off-site disposal of polyaromatic hydrocarbons, dioxin, and furan compounds found within the undocumented fill in the natural drainage swale adjacent to the westerly property line of the project site. The Response Plan shall be implemented under DTSC oversight during site grading and excavation according to the method described below or otherwise required by DTSC.</p> <ol style="list-style-type: none"> 1. The undocumented fill shall be excavated, profiled for proper disposal and transported to an appropriate landfill certified to accept Cal-hazardous waste by a licensed hazardous waste contractor. 2. Testing of soils exposed on the bottom and the sides of the remedial excavation shall be performed to confirm that the extent of excavation is sufficient for purposes of satisfying DTSC's requirements. <p>Following completion of the Response Plan, the proposed project applicant shall obtain a written regulatory closure letter from the DTSC specifying that no further action is necessary in regard to the undocumented fill in the natural drainage swale adjacent to the westerly property line of the proposed project site.</p>	<p>Require compliance with remediation plans</p>	<p>Certificate of Completion</p>	<p>Prior to issuance of permits</p>	<p>City of Escondido Community Development Department Planning Division; Grading Contractor; California Department of Toxic Substances Control</p>	

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<i>Haz-6</i> Prior to issuance of a grading permit, the project applicant shall hire an environmental remediation contractor who shall be responsible for managing any grading, excavation or ground disturbance in the natural drainage swale adjacent to the westerly property line. The environmental remediation contractor and its staff shall be trained through the Occupational Safety and Health Administration (OSHA) 40-hour safety program (29 Code of Federal Regulations [CFR] 1910.120), and shall implement the Response Plan approved by DTSC, under DTSC's oversight.	Require performance of the Response Plan and SMP	Field construction, remediation activities, confirmation sampling survey, documentation and reporting	Prior to issuance of permits	City of Escondido Community Development Department Planning Division; Field Engineering Division; California Department of Toxic Substances Control	
<i>Haz-7</i> Prior to the start of the construction, the construction contractor shall notify the Escondido Police Department of the location, timing, and duration of any lane closure(s) on Gamble Lane, 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 ambulances services, shall be notified of the lane closure(s).	Require notification to public service providers of road closures	Coordination, documentation and reporting	Prior to construction activities	City of Escondido Community Development Department Planning Division; Engineering Division; Construction Contractor; Police Department	

Noise

<i>Noi-1</i> Construction Activities Limitation. Construction activities associated with the project that occur within 75 feet of an existing residence shall only take place during the day as required by the Noise Ordinance. Sections 17-234, 17-238, and 17-240 of the City of Escondido Noise Ordinance limit operation of construction equipment to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Grading activities on Saturday may not begin until 10:00 a.m. and must end by 5:00 p.m. Construction is prohibited on Sundays. Therefore, construction activities would not occur during nighttime hours.	Comply with City Noise Ordinance	Nighttime construction field check	During construction	City of Escondido Community Development Department Planning Division; Construction Contractor; Building Division; Field Engineering Division	
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Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p><i>Noi-2</i> Prior to grading activities, the construction contractor shall implement and monitor the noise reduction measures described below to ensure that construction noise levels would not exceed an hourly average noise level of 75 dBA at any residential property line. Noise reduction measures are required for all off-site construction and on-site construction within 150 feet of an off-site residential lot. Any one or a combination of measures can be used as necessary. Typical measures that may be implemented include the following, as necessary, to achieve compliance with the Escondido Noise Ordinance:</p> <ol style="list-style-type: none"> 1. 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) for construction equipment and trucks; 2. Use "quiet" gasoline-powered compressors or other electric-powered compressors, and use electric rather than gasoline or diesel powered forklifts for small lifting; 3. Locate stationary noise sources, such as temporary generators, as far from nearby receptors as possible; 4. Muffle and enclose stationary noise sources within temporary sheds or incorporate insulation barriers; 5. Limit simultaneous operation of construction equipment or limit construction time within an hour to reduce hourly average noise level; and/or 6. For on-site construction, install temporary noise barriers of a sufficient height and thickness around the perimeter of the project site to minimize construction noise to 75 dBA as measured at the applicable property lines of the adjacent uses. It is anticipated that a 	<p>Require noise reduction measures and compliance with applicable noise ordinances</p>	<p>Field visits, documentation and reporting</p>	<p>Prior to grading activities</p>	<p>City of Escondido Community Development Department Planning Division; Construction Contractor; Building Division; Field Engineering Division</p>	

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>plywood barrier, 8 feet in height and 1 inch thick would be sufficient (FWHA 2006, City of New York 2013).</p>					
<p>To ensure compliance with City noise ordinance, noise monitoring shall be conducted on the first day of typical on-site and off-site construction. A one-hour noise measurement shall be conducted in accordance with Section 17-228 of the City's noise ordinance at 50 feet from the most intensive construction activity. If it is determined that construction would have the potential to exceed the hourly construction noise level limit at any residential property, additional noise control measures shall be implemented as necessary and an additional noise measurement shall be conducted to confirm compliance.</p>					

EXHIBIT "C"

Property Description SUB13-0007, PHG13-0034

APNs 235-202-35 (Amanda Estate Project Site/Planned Development/Annexation)

Prezone to PD-R 1.9

LOT 1 OF MAP NO. 1205 BEING A PORTION OF BLOCK 14 IN HOMELAND ACRES ADDITION TO ESCONDIDO, SITUATED IN THE SAN BERNARDO RANCHO, 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.

APNs 235-202-56, -57 and -58 (Three additional parcels in Amanda Estates Annexation)

Prezone to RE-20

PARCELS 2, 3 AND 4 OF PM NO. 8818, BEING A PORTION OF BLOCK 14 IN HOMELAND ACRES ADDITION TO ESCONDIDO, SITUATED IN THE SAN BERNARDO RANCHO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

0.32 acre Portion of 235-202-20 (Off-site Amanda Lane improvement for TM, Planned Development and Annexation)

0.32 acre Portion of LOT 2 OF MAP NO. 1205 (easterly property boundary access and utility easements) BEING A PORTION OF BLOCK 14 IN HOMELAND ACRES ADDITION TO ESCONDIDO, SITUATED IN THE SAN BERNARDO RANCHO, 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.

SB 244 Prezone Parcels

APNs 235-202-20 and -55

Prezone to RE-20

Parcel 1 of PM No. 8818, and Portion of Lot 2 of Map No. 1205 BEING A PORTION OF BLOCK 14 IN HOMELAND ACRES ADDITION TO ESCONDIDO, SITUATED IN THE SAN BERNARDO RANCHO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

APNs 235-202-37 and -38

Prezone to RE-40

Parcels 1 and 2 of PM 2275, situated in the County of San Diego, State of California.

APNs 235-202-79, 80, 81 and -82

Prezone to RE-40

Parcels 5, 6, 7 and 8 of Map No. 13515, situated in the County of San Diego, State of California, County Tract No. 4725.

SUB13-0007, PHG13-0034
Amanda Estates

