

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MASTER AND PRECISE DEVELOPMENT PLAN, ZONE CHANGE FROM CG TO PD-R 28.4 AND AN AMENDMENT TO THE SOUTH ESCONDIDO BOULEVARD NEIGHBORHOOD PLAN FOR APPROXIMATELY 2.29 ACRES OF LAND LOCATED ON THE EASTERN SIDE OF SOUTH ESCONDIDO BOULEVARD AND THE WESTERN SIDE OF CRANSTON DRIVE, ADDRESSED AS 2516 SOUTH ESCONDIDO BOULEVARD

Planning Case No. SUB14-0018, AZ 14-0018

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 22, 2016, the Planning Commission recommended denial of the proposed Master and Precise Development Plan to develop 65 residential condominium units, Zone Change from CG (General Commercial) to PD-R 28.4 (Planned Development–Residential, up to 28.4 dwelling units per acre), and an Amendment to the South Escondido Boulevard Neighborhood Plan to allow a residential development without a mixed-use component on the 2.29-acre subject site.

SECTION 3. As the final decision making body on this matter, the City Council has made findings in Resolution No. 2016-50 and determined to reverse the decision of the Planning Commission.

SECTION 4. That the City Council has reviewed and considered the Mitigated Negative Declaration (City File No. SUB 14-0018) and Mitigation Monitoring Report 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 5. That upon consideration of the Findings/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, and notwithstanding the Planning Commission determination, this City Council finds this Master and Precise Development Plan, Zone Change and Amendment to the South Escondido Boulevard Neighborhood Plan is consistent with the General Plan and all applicable specific plans of the City of Escondido.

SECTION 6. That the Zone District Map of the City of Escondido is hereby amended by reclassifying the real property legally described on Exhibit "C" from PD/MU to PD-R 28.4.

SECTION 7. That Section 6. Uses and Structures, of the South Escondido Boulevard Neighborhood Plan is hereby amended to include the following language:

- (e) *Residential development without a commercial component may be permitted on the 2.29-acre property located on the eastern side South Escondido Boulevard and the western side of Cranston Drive between Citracado Parkway and Verda Avenue (APN 238-152-20), and shall be processed in accordance with the planned development process specified in Article 19 of the Escondido Zoning Code. The*

density of any project on APN 238-152-20 shall be a minimum of 28 dwelling units per acre and the maximum height shall be three stories.

SECTION 8. That the City Council desires at this time and deems it to be in the best public interest to approve the requested Master and Precise Development Plan to develop 65 residential condominium units subject to the Conditions of Approval and Mitigation Monitoring Report attached as Exhibit "B," on approximately 2.29 acres of land located on the eastern side of South Escondido Boulevard and the western side of Cranston Drive, south of Citracado Parkway, addressed as 2516 S. Escondido Boulevard, more particularly described in the attached Exhibit "C," both of which are attached to this Ordinance and are incorporated by this reference.

SECTION 9. 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 4th day of May, 2016 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:



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. 2016-04 passed at a regular meeting of the City Council of the City of Escondido held on the 4th day of May, 2016, after having been read at the regular meeting of said City Council held on the 27th day of April, 2016.



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

ORDINANCE NO. 2016-04

EXHIBIT "A"

FINDINGS OF FACT/FACTORS TO BE CONSIDERED

SUB 14-0018, AZ 14-0006

Tentative Subdivision Map

1. The General Plan land-use designation for subject site is General Commercial (GC), which allows for a variety of commercial, retail and service uses along the South Escondido Boulevard Corridor. The site also is located within the South Escondido Boulevard Neighborhood Plan which is an overlay zone established for the South Escondido Corridor, and the proposed development is subject to the provisions of the overlay zone. The South Escondido Boulevard Neighborhood Plan allows for residential development in conjunction with a commercial component (mixed-use) subject to the approval of a Planned Development with a maximum density of 24 dwelling units per acre. The City updated its General Plan in 2012 to allow for both mixed-use and residential development within a target area of the South Escondido Boulevard Neighborhood Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). Mixed-Use development within the Target Area is required to provide a minimum density of 30 dwelling units per acre. While a density standard has not been adopted in the General Plan for exclusively residential development, it is expected the forthcoming update to the South Escondido Boulevard Neighborhood Plan now underway will establish a lower density for exclusively residential development. The proposed development would be consistent with the Escondido General Plan density provisions for the Target Area because the overall density of the project would be approximately 28.4 du/ac (65 residential units/2.29 net acres). 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 design and improvement of the proposed subdivision is consistent with the General Plan and the South Escondido Boulevard Neighborhood Plan since the proposed residential land use is permitted in Centre City Parkway/Brotherton Road Target Area and the development is consistent with the development standards established for the South Escondido Boulevard Neighborhood Plan, except where noted and analyzed in this staff report.
3. The site is suitable for this residential type of development because the project site already is zoned for a multi-story high density residential development. The project would be compatible with the surrounding uses because the subject site is adjacent to a variety of commercial and residential developments of similar densities. The proposed grading design would not result in any significant visual or compatibility impacts with adjacent lots, nor block any significant views, as discussed in the land-use compatibility and analysis sections of the staff report and environmental analysis. Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.
4. The site is physically suitable for the proposed development because the site is relatively flat and extensive grading is not proposed. The design of the project would be compatible with the variety of residential and commercial zoning and development surrounding the site. The proposed project also would not result in a significant impact to biological resources and all vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.
5. The design of the map and type of improvements are not likely to cause substantial environmental problems or substantially and avoidably injure fish or wildlife or their habitat since no stream courses or endangered wildlife occurs on the property as determined during Environmental Review, City Log No. SUB 14-0018.

6. The design of the map and the type of improvements are not likely to cause serious public health problems since the project will not degrade the levels of service on the adjoining streets or drainage system and city sewer and water is available or can be provided with minor extension of nearby facilities.
7. The design of the map and type of improvements will not conflict with easements of record, or easements established through court judgment, or acquired by the population at large, for access through, or use of property within the proposed map based on a review of all available maps and a preliminary title report submitted by the applicant. Neither the City of Escondido, nor its employees assume any responsibility for the completeness or accuracy of these documents.
8. All of 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 as demonstrated in the Mitigated Negative Declaration issued on February 16, 2016, for the proposed Tentative Subdivision Map, Master and Precise Development Plan, Zone Change and Amendment to the South Escondido Boulevard Neighborhood Plan. Mitigation measures were developed to reduce potential impacts related to biological resources, cultural resources, noise and paleontological resources to a less than significant level.
9. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The subdivision configuration provides opportunities for passive/solar heating and landscaping will provide opportunities for the shading of each unit.

Master and Precise Development Plan

1. The location and design of the proposed planned development is consistent with the goals and policies of the Escondido General Plan since high-density residential development is permitted and encouraged in the General Commercial designation when located within a Mixed-Use Overlay. The site is also located within the Centre City Parkway/Brotherton Road Target Area. Guiding principles for the target area include updating the existing Neighborhood Plan to include the formulation of new criteria for considering exclusively residential development along Escondido Boulevard. That process is now underway as part of the on-going update to the South Escondido Boulevard Neighborhood Plan. The proposed infill residential project would be in conformance with General Plan Housing Goals and Policies to expand the stock of all housing; increase homeownership; plan for quality managed and sustainable growth; and encourage a compact, efficient urban form that promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities.
2. The proposed location of the development allows the development to be well integrated with its surroundings near residentially and commercially developed properties because adequate parking, circulation, utilities and access would be provided for the development of the residential project (as detailed in the staff report). The residential project also would not be out of character for the area which contains other multi-story residential developments. The overall mass and scale of the buildings has been mitigated through the quality of the design, use of a variety of building materials and exterior colors; varied wall planes, roof lines; as well as perimeter landscaping.
3. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion upon adjoining streets, according to the Mitigated Negative Declaration, issued February 16, 2016 (City File No. SUB 14-0018), the Traffic Impact Analysis prepared by Kunzman Associates, Inc., in October of 2015, and the Engineering Division.
4. The overall design of the proposed planned development would produce a quality and attractive residential development with ownership opportunities in the South Escondido Boulevard area. The project would be consistent with the Vision and Goals of the Neighborhood Plan and Target Area by

creating new a compact urban project that is safe, healthy, attractive and sustainable that is located in close proximity to other amenities such as public transit and shopping.

5. The proposed development would be well integrated into its surroundings, since 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 provide convenient access for residents to nearby commercial services. The residential project also would not be out of character for the area which contains other multi-story residential developments. Extensive grading is not required to support the project, and the project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because the site is not located on a skyline or intermediate ridge, and the site does not contain any significant topographical features.
6. The uses proposed have a beneficial effect not obtainable under existing zoning regulations since an exclusively residential development within the South Escondido Boulevard Neighborhood Plan must be processed through the Planned Development process in accordance with the South Escondido Boulevard Neighborhood Plan (Ord. 92-01). The project would provide residential ownership opportunities integrated into a comprehensive and self-contained development, which creates an environment of sustained desirability and stability through the controls offered and regulated through the Planned Development process.

Amendment to South Escondido Boulevard Neighborhood Plan and Zone Change

1. The public health, safety and welfare will not be adversely affected by the proposed Zone Change from CG (General Commercial) to PD-R (Planned Development-Residential) because the General Plan allows for mixed-use and exclusively residential development within a target area of the South Escondido Boulevard Neighborhood Plan known as the "Centre City Parkway/Brotherton Road Target Area" (page II-70). While mixed-Use residential development within the Target Area is required to provide a minimum density of 30 dwelling units per acre, the project provides a density of 28.4 dwelling units per acre and there is no minimum density requirement for exclusively residential development. The proposed project would provide an appropriate transition to similar residential development to the north and low intensity commercial development to the south. Adequate public services and access can be provided to the site. The project would not result in any significant impacts to the environment, as demonstrated in adopted Final Mitigated Negative Declaration (MND).
2. The property involved is suitable for the uses permitted by the proposed PD-R zone because the site currently is zoned for mixed-use/residential development and multi-story residential development already is permitted on the subject site. The General Plan allows for exclusively residential development within the South Escondido Boulevard corridor subject to the Planned Development Zone. The project has been designed to be compatible with the mix of surrounding commercial and residential development through the use of appropriate building design and orientation, fencing and perimeter landscaping.
3. The uses permitted by the proposed PD-R zone would not be detrimental to surrounding properties since a mix of commercial and residential uses surround the project site and the proposed the PD-R zone and amendment to the South Escondido Boulevard Neighborhood Plan to allow for an exclusively residential project would be in conformance with the Escondido General Plan. Commercial development is located to the north and south, and single- and multi-family type residential development is located to the north, east and west. The scale of the project would be in substantial conformance with the general pattern of commercial and residential development within the area. The proposed change of zone would not result in a significant impact to the environment, nor impact existing services or degrade levels of-service to adjacent streets.
4. The proposed zone change would not conflict with any specific plans for the area since the project would be in conformance with and Escondido General Plan which allows for exclusively residential development. The proposed amendment to the South Escondido Boulevard Neighborhood Plan is

necessary to implement to provisions of the Escondido General Plan, as indicated in the staff report and above. The Planned Residential Development zoning designation is necessary to implement the project in conformance with the General Plan and South Escondido Boulevard requirements. The proposed Amendment to the South Escondido Boulevard Neighborhood Plan to allow an exclusively residential project at this 'mid-block' location would be appropriate because this type of development would serve as an appropriate transition between the mix of commercial and residential uses. The General Plan vision for the Centre City Parkway/Brotherton Road Target Area calls for locating non-residential uses at major intersections and specific nodes that are more conducive to commercial development. An exclusively residential development on this site would provide the catalyst for future residential development in the corridor and strengthen the customer base for mixed-use development at key intersections and node areas.

EXHIBIT "B"
CONDITIONS OF APPROVAL
SUB 14-0018

Project Mitigation Measures

1. **BIO-1** - To avoid disturbance of nesting and special-status birds, including raptorial species protected by the MBTA and CFGC, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 30). If construction must begin within the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 3 days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted within the Project Boundary, including a 300-foot buffer (500-foot for raptors), on foot, and within inaccessible areas (i.e., private lands) afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California coastal communities. If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.
2. **CR-1** - The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.
3. **CR-2** - Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.
4. **CR-3** - The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.
5. **CR-4** - During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. 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 qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

6. **CR-5** - In the event that previously unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor, shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.
7. **CR-6** - If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.
8. **CR-7** - The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant tribal cultural resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.
9. **CR-8** - As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. 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 in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.
10. **CR-9** - If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

11. **CR-10** - Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.
12. **N-1** - Noise and groundborne vibration construction activities whose specific location on the project site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses to the north. In addition, the use of vibratory rollers and packers should be avoided, as feasible, near sensitive areas.
13. **N-2** - The operation of construction equipment that generates high levels of vibration, such as large bulldozers and loaded trucks, shall be prohibited within 45 feet of existing nearby residential structures to the north during construction of the proposed project. Instead, small bulldozers not exceeding 310 horsepower shall be used within this area during grading and excavation operations.
14. **N-3** - The project Applicant and/or contractor shall ensure that all construction equipment has properly operating mufflers.
15. **N-4** - Construction activities associated with the proposed project shall, to the extent feasible, be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. When the use of impact tools are necessary, they shall be hydraulically or electrically powered when feasible to minimize noise associated with compressed air exhaust from pneumatically powered tools.
16. **N-5** - The Applicant shall locate stationary construction noise sources away from adjacent receptors to the extent feasible, and ensure that they are muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.
17. **N-6** - The Applicant shall designate a construction relations officer to serve as a liaison with surrounding residents and property owners who is responsible for responding to any concerns regarding construction noise and vibration. The liaison's telephone number(s) shall be prominently displayed at the project site. Signs shall be posted at the project site that include permitted construction days and hours.
18. **N-7** - Construction activities shall be limited to between the hours of 7:00 AM and 6:00 PM from Monday through Friday, and between the hours of 9:00 AM and 5:00 PM on Saturdays. Further, no construction activity shall be undertaken on Sundays and recognized City holidays (Section 17-234 of the City's Municipal Code).
19. **N-8** - Prior to the issuance of a certificate of occupancy, the Applicant shall ensure that all exterior windows associated with the proposed residential uses at the project site shall be constructed to provide a sufficient amount of sound insulation to ensure that interior noise levels would be below an Ldn or CNEL of 45 dB in any room.
20. **PR-1** - If paleontological resources are encountered during construction or land modification, the construction manager shall ensure that all ground disturbance activities are stopped, and shall notify the Community Development Department immediately and arrange for a qualified paleontologist to assess the nature, extent, and potential significance of any fossils. If such fossils are determined to be significant, appropriate actions to mitigate impacts to the fossils shall be identified in consultation with a qualified paleontologist. Depending upon the nature of the find, actions could involve avoidance, documentation, or other appropriate actions, to be determined by the qualified paleontologist.

Planning Division Conditions

1. 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 building permits are issued, including any applicable City-Wide Facilities fees.
2. 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.
3. 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.
4. 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.
5. 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.
6. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. All outdoor lighting shall be provided with appropriate shields to prevent light from adversely affecting adjacent properties.
7. As proposed, 130 garage spaces and nine striped guest parking spaces shall be provided on-site in conjunction with this development. Frontage improvements on Cranston Drive shall accommodate another six parallel guest parking spaces north of the project driveway. On-site outdoor parking spaces shall be double-striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards
8. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
9. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
10. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures shall meet current engineering requirements for storm water quality, which includes the installation of a decorative roof structure. Solid metal doors shall be incorporated into the trash enclosure. A decorative exterior finish shall be used. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc.
11. As proposed, the buildings, architecture, colors and materials, and the conceptual landscaping of the proposed development shall be in accordance with the Master and Precise Development Plan for SUB 14-0018, staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division. Any major modifications to the exterior architectural building elements or lessening of the

quality of the exterior design shall require approval by the Director of Community Development, and or the Planning Commission as may be recommended by the Director.

12. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code), and more specifically Section 33-1395.9 (Sign Standards-Residential Uses).
13. All new utilities shall be underground.
14. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building. The final building plans shall clearly indicate that any proposed rooftop equipment is properly screened. A cross section and roof plan shall be included (which details the location and height of all rooftop equipment) to demonstrate that the height of the parapet is sufficient to screen the mechanical equipment.
15. 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 Game. 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 \$2,260.25 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 Game 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 Game 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).
16. A Final Map shall be recorded prior to the issuance of building permits for the site.
17. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
18. 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 and landscape plans and the final map.
19. The project has not been designed to allow for the installation of vehicular access gates for residential use. Any future proposal to install vehicular access gates will require sufficient site modifications to provide on-site stacking and turnaround capabilities to the satisfaction of the Planning and Engineering Divisions and the Fire Department.
20. No street names are part of this approval. A separate request shall be submitted prior to final map if new street names are proposed.
21. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform with the conceptual grading as shown on the Tentative Map.

22. Prior to recordation of the final map, 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, open space, recreation areas, walls, common drainage facilities, etc. to the satisfaction of the Planning and Engineering Divisions. A review fee established in the current fee schedule shall be collected at the time of submittal.
23. Copies of the CC&Rs shall be submitted to the Planning Division for review and approval prior to Final Map. The CC&Rs shall detail the responsibility for the maintenance of any parkway landscaping, landscape easements, bio-retention basins, exterior walls/fencing, slopes/landscaping, utility easements, driveways, roads, parking areas, structures, and any common drainage facilities. Any storage shall not restrict the parking of vehicles within the garage. A homeowners' association shall be established in accordance with Department of Real Estate requirements.
24. Permitted animals/pets shall be allowed in conformance with the R-4 standards, unless CC&Rs are more restrictive.
25. Balconies and patios shall be kept in a neat and orderly manner. Items stored on balconies should be kept out of view or properly screened. Items shall not be hung over, across or on balconies or patios (such a towels, clothing, etc.). This condition shall be included in the CC&Rs.
26. The proposed garages for each unit shall provide clear interior dimensions of at least 19.5-feet wide by 20-feet deep. Storage shall not impede the ability to park two vehicles within each garage and the CC&Rs shall contain a provision indicating the garages shall be maintained to accommodate two vehicles.
27. A minimum of 80 cubic feet of private storage shall be provided in each residential unit or garage. Said storage shall be in addition to typical cabinets and closets and shall be clearly depicted on the building plans.
28. This Tentative Subdivision Map 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. All other entitlements granted in conjunction with the Tentative Map shall have expiration dates consistent with that of the Tentative Map.

Landscaping Conditions

1. Prior to occupancy, all perimeter, common area and parking lot landscaping shall be installed. All vegetation 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.
2. Seven 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 concept 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.
3. The installation of the 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 Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.
5. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.
6. Landscaping along the southern property line shall incorporate vertical planting materials capable of quick growth (such as bamboo) to assist in providing screening of overlooking from the second and third floor of the units in Buildings 9-11 into the outdoor seating and events area of the adjacent restaurant to the south.

Fire Department Conditions

The following conditions shall be completed to the satisfaction of the Fire Department.

1. Identify all fencing and gates on the landscape plans.
2. Firefighter/emergency egress shall be provided from the end of each alley driveway as shown on the Master Plan.
3. Show all rescue windows on the landscape plans. Rescue windows shall not be obstructed by landscaping.
4. Identify walkways on the landscape plans.
5. Landscaping shall not obstruct fire access roadway clearances to include 24ft horizontal clearance and 13'6" vertical clearance.
6. Landscaping shall not obstruct fire protection equipment at maturity. Provide clearance to the roadway and a three-foot circumference around all fire protection equipment. Show this on the landscape plan.
7. Impervious pavers and fire access roadway shall be rated to 75,000lbs. Provide a note on the grading plans.
8. Provide Post Indicator Valves adjacent to all FDC to isolate the buildings.
9. Provide sprinkler systems for all buildings in accordance with NFPA13 or 13R.
10. All fencing within five feet of buildings shall be constructed of non-flammable materials.
11. Several FDC's shown on the plans need to be relocated to meet operation requirements of the Fire Department. A redline plan for FDC and PIV placement has been provided to the applicant.

Engineering Conditions

General

1. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Grading/Private Improvement plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a landscape Architect. The developer shall post securities in accordance with the City prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The project owner is required to provide performance, labor and material and guarantee

and warrantee bonds for all public improvements and a Grading bond for all grading, landscaping and private improvements (Not including the buildings) prior to approval of the Grading/Private Improvement plan, Final Map, and Improvement Plans. All improvements shall be completed prior to issuance of Occupancy Permit.

2. As surety for the construction of required off-site and 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 Grading Permit and/or Final Subdivision Map.
3. No construction permits will be issued prior to recordation of Final Map, unless Final Map review has been completed, Final Plans and Storm Water Quality Management Plan (SWQMP) have been approved and appropriate securities are deposited and agreements executed to the requirements of the City Engineer and City Attorney.
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 project owner shall submit to the Planning Department 3 copies of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be certified 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, together with a final Storm Water Quality Management Plan (SWQMP) to the Engineering Department.

Street Improvements and Traffic

1. Public streets improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer. Private Street improvements shall be designed in accordance with the requirements of the City Engineer, Fire Marshal and Planning Director and shall be shown on the Grading/Private Improvement Plans.
2. The project owner shall construct public and private street improvements for the following streets:

<u>STREET</u>	<u>CLASSIFICATION</u>
Escondido Boulevard	Local Collector
Cranston Drive	Residential

3. The project owner shall be responsible for construction of frontage improvements along Escondido Blvd to provide for frontage improvements to Local Collector Street standards with minimum 38 feet of paved roadway (Half width plus accommodate for one lane of traffic in each direction and a left-turn pocket for the project entrance). A curb shall be installed along the westerly edge of the roadway. Pavement and striping transition along centerline and east side of the roadway shall be designed to City standards. The project owner is required to stabilize all disturbed areas along westerly side of Escondido Boulevard to the requirements of City Engineer.
4. The project owner shall be responsible to construct frontage improvements along Cranston Drive to provide for frontage improvements to Residential Street Standards with 30 feet of roadway (Half width plus 12'). A.C. berm or redwood header shall be installed along the easterly edge of pavement. The required improvements along the east side of Cranston is planned to be constructed within the existing right-of-way, with potential impact to existing front yard landscaping of APN 236-160-20. The project

owner is required to coordinate improvements with the easterly property owner and replace landscaping to Planning requirements and stabilize all disturbed areas to the requirements of City Engineer.

5. City standard Street Lights shall be installed at project entrances on Escondido Boulevard and Cranston Drive.
6. The project owner's engineer shall prepare and submit for approval by the City Engineer a complete final Signing and Striping plan for Escondido Boulevard. 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.
7. All onsite streets are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. Homeowners association will be responsible for the maintenance of all onsite streets.
8. The project owner shall be required to design an onsite signing and striping plan that includes signage and striping at the project accesses on Escondido Boulevard and Cranston Drive.
9. The project owner 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 project owner 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. Prior to approval of final plans, the project owner will be required to obtain permission from adjoining property owners for any off-site improvements, grading and slopes necessary to construct the project and/or the required improvements.

Drainage

1. A Final Storm Water Quality Management Plan (SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements. All onsite cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.
2. All proposed onsite drainage system, storm water treatment and hydro-modification facilities and their drains shall be maintained by home owners' association. Provisions stating this shall be included in the CC&Rs.
3. All frontages landscaping along Escondido Boulevard and Cranston 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 to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

Water Supply

1. The project owner is required to design and construct an eight (8) inch public water main within project's main access drive between Escondido Boulevard and Cranston Drive. The proposed 8-inch water line shall be connected to the existing main water lines with a tees, gate valves, blow off valves and air release valves to the requirements of Utilities Engineer. The final location of onsite proposed water main location will be determined by the Utilities Engineer based on the maintaining adequate separation between water main and buildings foundations.
2. All onsite public and private water facilities such as valves, meters, detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and Utilities Engineer.

Sewer

1. The project owner is required to design and construct an onsite public sewer system in accordance with the City of Escondido Design Standards and to the requirements of Utilities Engineer. An onsite sewer shall be designed with sewer manholes at Cranston Drive and at the end of the onsite sewer main.
2. The project owner shall be required to protect in place and secure access to existing active public sewer line along southerly property line that currently serves a property to the south. Prior to approval of the final plans or final map, the developer shall obtain Utilities Engineer's approval for relocation of the sewer line with new easement or protection in place by granting adequate easement width. All surface improvements over the sewer line and future easement shall accommodate for future access for maintenance to the requirements of Utilities Engineer.
3. All sewer laterals within the project are private and shall be maintained by the homeowners association.

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 project owner 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 of frontage landscaping, irrigation, fencing, retaining walls along project frontages on Escondido Boulevard and Cranston Drive by the home owners' association.
4. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.
5. The CC&R's must state that the homeowners association assumes liability for damage and repair to City utilities in the event that damage is caused by the Home 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 or within public utilities easements for repair or replacement of an existing utilities.

Final Map – Easements and Dedications

1. The project owner 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>
Escondido Boulevard	Local Collector
Cranston Drive	Residential

All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.

2. The project owner is required to dedicate 6 feet of combination of right-of-way or public utilities easement along Escondido Boulevard and dedicate 8 feet of right-of-way or combination of right-of-way and public utilities easement along Cranston Drive. Additional right-of-way shall be provided at the project entrance to include the curb ramps along Escondido Boulevard and Cranston Drive.
3. Necessary public utilities easements (for sewer, water and storm drain) shall be granted to the City. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.
4. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.
5. The project owner 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.
6. The project owner shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

Repayments, Fees and Cash Securities

1. The project owner 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.
2. The Developer shall pay the existing South Escondido Sewer Repayment per Resolution 85-28 (File No. 113) in the amount of \$3,302.93 prior to Final Map recordation.
3. 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 \$50,000.

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 project owner will be required to pay In Lieu fee if chooses not to underground the overhead utilities along Cranston Drive. The developer shall underground the existing overhead lines within the project site and along frontage on Escondido Boulevard.
2. All new dry utilities to serve the project shall be constructed underground.
3. The project owner 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.

City of Escondido

Citracado South Project

Final Mitigation and Monitoring Report

March 2016

Mitigation Monitoring and Reporting Program

Citracado South Project

Prepared by:

City of Escondido
201 North Broadway
Escondido, CA 92025
(760) 839-4880

Contact: Bill Martin, Assistant Planning Director
(760) 839-4557

Prepared with the assistance of:

Rincon Consultants, Inc.
180 North Ashwood Avenue
Ventura, California 93003

March 2016

Mitigation Monitoring and Reporting Program

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Citracado South Project, proposed in the City of Escondido. The purpose of the MMRP is to ensure that the required mitigation measures identified in the Initial Study – Mitigated Negative Declaration (IS-MND) are implemented as part of the overall project implementation. In addition to ensuring implementation of mitigation measures, the MMRP provides feedback to agency staff and decision-makers during project implementation, and identifies the need for enforcement action before irreversible environmental damage occurs.

The following table summarizes the mitigation measures for each issue area identified in the IS-MND for the proposed project. The table identifies each mitigation measure; the action required for the measure to be implemented; the time at which the monitoring is to occur; the monitoring frequency; and the agency or party responsible for ensuring that the monitoring is performed. In addition, the table includes columns for compliance verification. These columns will be filled out by the monitoring agency or party and would document monitoring compliance. Where an impact was identified to be less than significant, no mitigation measures were required.

This MMRP will be used by City staff or the City's consultant to determine compliance with permit conditions. Violations of these conditions may cause the City to revoke the operating permit.



Citracado South Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
BIOLOGICAL RESOURCES						
BIO-1 To avoid disturbance of nesting and special-status birds, including raptorial species protected by the MBTA and CFGC, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 30). If construction must begin within the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 3 days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted within the Project Boundary, including a 300-foot buffer (500-foot for raptors), on foot, and within inaccessible areas (i.e., private lands) afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California coastal communities. If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathes, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.	Verification that a qualified biologist has performed a nesting bird survey with results submitted to the City and CDFW if initial ground disturbing activities occur during the breeding bird nesting season. If active bird nests are located during the pre-construction survey and could be impacted, field verification of buffer zones.	Survey prior to issuance of grading permits; Field verification prior to grading.	Survey once prior to issuance of grading permits; Field verification periodically during construction.	Project Applicant, City of Escondido Community Development Department, and CDFW.		
CULTURAL RESOURCES						
CR-1 The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location	Verification that a qualified archaeologist and Native American Tribal monitor has prepared a Cultural	Verification prior to issuance of grading permit; Monitoring during ground disturbing	Verification prior to issuance of grading permit; Monitoring	City of Escondido Community Development Department.		

Citracado South Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p>("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.</p>	<p>Resources Treatment and Monitoring and Reporting Program for implementation.</p>	<p>activities.</p>	<p>throughout construction period when ground disturbing activities occur.</p>	<p>qualified archaeologist, Native American monitor, and project applicant.</p>		
<p>CR-2 Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.</p>	<p>Verification that a qualified archaeologist and Native American monitor has been retained.</p>	<p>Verification prior to issuance of grading permit; Monitoring during ground disturbing activities.</p>	<p>Verification prior to issuance of grading permit; Monitoring throughout construction period when ground disturbing activities occur.</p>	<p>City of Escondido Community Development Department, qualified archaeologist, Native American monitor, and project applicant.</p>		
<p>CR-3 The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.</p>	<p>Verification that a qualified archaeologist and Native American monitor has been retained and attended the pre-grading meeting with the grading contractors.</p>	<p>Prior to ground disturbing activities.</p>	<p>Once prior to ground disturbing activities.</p>	<p>City of Escondido Community Development Department, project applicant, qualified archaeologist, Native American monitor, and the NAHC (if necessary). City of</p>		
<p>CR-4 During the initial grubbing, site grading, excavation or</p>	<p>Verification that on-site</p>	<p>During the initial</p>	<p>Throughout</p>			

Citracado South Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p>disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. 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 qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.</p> <p>CR-5 In the event that previously unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor, shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.</p>	<p>monitors are present during specified activities.</p> <p>Halt work in the immediate area if any archaeological or cultural resources are encountered during ground disturbing activities and archaeologist and/or Native American monitor to evaluate the find.</p>	<p>grubbing, site grading, excavation or disturbance of the ground surface.</p> <p>As necessary during ground disturbing activities.</p>	<p>initial grubbing, site grading, excavation or disturbance of the ground surface.</p> <p>As necessary throughout construction period when ground disturbing activities occur.</p>	<p>Escondido Community Development Department, qualified archaeologist, Native American monitor, and project applicant.</p> <p>City of Escondido Community Development Department, project applicant, San Diego County Coroner, qualified archaeologist, Native American monitor, and the NAHC (if necessary).</p>		
<p>CR-6 If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.</p>	<p>Halt work in the immediate area if any archaeological or cultural resources are encountered during ground disturbing activities, determine the significance of the discovered resource, and make a recommendation for the tribal cultural resource's treatment and disposition.</p>	<p>As necessary during ground disturbing activities.</p>	<p>As necessary throughout ground disturbing activities.</p>	<p>City of Escondido Community Development Department, project applicant, San Diego County Coroner, qualified archaeologist, Native American</p>		

Citracado South Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p>CR-7 The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant tribal cultural resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.</p>	<p>Halt work in the immediate area and avoid and/or preserve any significant tribal cultural resources and/or unique archaeological resource as feasible. Where avoidance and/or preservation is deemed infeasible by the City, a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist</p>	<p>As necessary during ground disturbing activities.</p>	<p>As necessary throughout ground disturbing activities</p>	<p>monitor, and the NAHC (if necessary). City of Escondido Community Development Department, qualified archaeologist, Native American monitor, project applicant, Native American community, and the San Diego Archaeological Institute of America (if necessary).</p>		
<p>CR-8 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and</p>	<p>Halt work in the immediate area if any human remains are encountered during ground disturbing activities and the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the site or any nearby area reasonably</p>	<p>As necessary during ground disturbing activities.</p>	<p>As necessary throughout ground disturbing activities.</p>	<p>City of Escondido Community Development Department, project applicant, San Diego County Coroner, qualified archaeologist, Native American monitor, and the NAHC (if necessary).</p>		

Citracado South Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p>treatment could occur as prescribed by law. 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 in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.</p> <p>CR-9 If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.</p>	<p>suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition.</p> <p>Verification that any potentially significant tribal cultural resources uncovered are treated appropriately in consultation with tribal representatives.</p>	<p>At completion of ground disturbing activities.</p>	<p>Prior to the release of the grading bond.</p>	<p>City of Escondido Community Development Department, qualified archaeologist, Native American monitor, and project applicant.</p>		
<p>CR-10 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered</p>	<p>Verification that a Final archaeological monitoring program and any data recovery program on the project site is submitted by the qualified archaeologist to the City Planning Division.</p>	<p>At completion of ground disturbing activities.</p>	<p>Prior to the release of the grading bond.</p>	<p>City of Escondido Community Development Department, qualified archaeologist, Native American monitor, and project</p>		

Citracado South Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
resources.				applicant.		
Noise						
N-1 Noise and groundborne vibration construction activities whose specific location on the project site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses to the north. In addition, the use of vibratory rollers and packers should be avoided, as feasible, near sensitive areas	Field verification that activities generating high levels of noise and vibration are as far as possible from noise-sensitive areas.	During grading and construction	Periodically throughout grading and construction.	Project Applicant and City of Escondido Department of Public Works		
N-2 The operation of construction equipment that generates high levels of vibration, such as large bulldozers and loaded trucks, shall be prohibited between the hours of 6:00 PM and 7:00 AM Monday through Friday, 5:00 PM and 9:00 AM on Saturday, and all day on Sunday.	Field verification that operation of construction equipment that generates high levels of vibration is prohibited between the hours of 6:00 PM and 7:00 AM Monday through Friday, 5:00 PM and 9:00 AM on Saturday, and all day on Sunday.	During grading and construction	Periodically throughout grading and construction.	Project Applicant and City of Escondido Department of Public Works		
N-3 The project Applicant and/or contractor shall ensure that all construction equipment has properly operating mufflers.	Field verification that all equipment has properly operating mufflers.	During grading and construction	Periodically throughout grading and construction.	Project Applicant and City of Escondido Department of Public Works		
N-4 Construction activities associated with the proposed project shall, to the extent feasible, be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. When the use of impact tools are necessary, they shall be hydraulically or electrically powered when feasible to minimize noise associated with compressed air exhaust from pneumatically powered tools.	Field verification of compliance.	During grading and construction	Periodically throughout grading and construction.	Project Applicant and City of Escondido Department of Public Works		
N-5 The Applicant shall locate stationary construction noise sources away from adjacent receptors to the extent feasible, and ensure that they are muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.	Field verification that stationary construction noise sources are located away from adjacent receptors to the extent	During grading and construction	Periodically throughout grading and construction.	Project Applicant and City of Escondido Department of		

Citracado South Project
 Mitigation Monitoring and Reporting Program

Ordinance No. 2016-04
 Exhibit B
 22 of 23

Mitigation Measure	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
	feasible, and that they are muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.			Public Works		
N-6 The Applicant shall designate a construction relations officer to serve as a liaison with surrounding residents and property owners who is responsible for responding to any concerns regarding construction noise and vibration. The liaison's telephone number(s) shall be prominently displayed at the project site. Signs shall be posted at the project site that include permitted construction days and hours.	Verification that a construction relations officer has been designated to serve as a liaison with surrounding residents and property owners who is responsible for responding to any concerns regarding construction noise and vibration.	Verification that a relations officer has been designated prior to grading permit issuance; field verification that required signs are posted during construction	Once prior to issuance of grading permit; periodically throughout grading and construction.	Project Applicant and City of Escondido Department of Public Works		
N-7 Construction activities shall be limited to between the hours of 7:00 AM and 6:00 PM from Monday through Friday, and between the hours of 9:00 AM and 5:00 PM on Saturdays. Further, no construction activity shall be undertaken on Sundays and recognized City holidays (Section 17-234 of the City's Municipal Code).	Field verification of compliance with applicable construction hours.	During grading and construction	Periodically throughout grading and construction.	Project Applicant and City of Escondido Department of Public Works		
N-8 Prior to the issuance of a certificate of occupancy, the Applicant shall ensure that all exterior windows associated with the proposed residential uses at the project site shall be constructed to provide a sufficient amount of sound insulation to ensure that interior noise levels would be below an Ldn or CNEL of 45 dB in any room.	Verification that interior noise levels meet the 45 dB standard.	Prior to the issuance of a certificate of occupancy	Once prior to issuance of certificate of occupancy	Project Applicant and City of Escondido Department of Public Works and City of Escondido Department of City Planning		

Citracado South Project
 Mitigation Monitoring and Reporting Program

Mitigation Measure	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date Comments
PALEONTOLOGICAL RESOURCES						
PR-1 If paleontological resources are encountered during construction or land modification, the construction manager shall ensure that all ground disturbance activities are stopped, and shall notify the Community Development Department immediately and arrange for a qualified paleontologist to assess the nature, extent, and potential significance of any fossils. If such fossils are determined to be significant, appropriate actions to mitigate impacts to the fossils shall be identified in consultation with a qualified paleontologist. Depending upon the nature of the find, actions could involve avoidance, documentation, or other appropriate actions, to be determined by the qualified paleontologist.	Halt work in the immediate area if any paleontological resources are encountered during ground disturbing activities and the construction manager shall notify the Community Development Department immediately to arrange for a qualified paleontologist to assess the nature, extent, and potential significance of any fossils.	As necessary during ground disturbing activities.	As necessary throughout ground disturbing activities.	Project Applicant City of Escondido Department of Public Works		

LEGAL DESCRIPTION
SUB 14-0014
AZ 14-0006

Real property in the City of Escondido, County of San Diego, State of California, described as follows:

PARCEL 1:

ALL THAT PORTION OF LOT "B" IN THE RE-SUBDIVISION OF LOTS 9, 10, 11, 12 AND 13 IN BLOCK 30 AND LOTS 2, 3, 6, 17, 18, 19, 20 AND 21 IN BLOCK 32 OF HOME LAND ACRES ADDITION TO ESCONDIDO NO. 2, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1721, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 18, 1921, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID LOT "B", FROM WHICH THE SOUTHEAST CORNER THEREOF BEARS NORTH 77 DEG. 48' EAST 200.5 FEET; THENCE NORTH 77 DEG. 48' WEST ALONG SAID SOUTH LINE 285.45 FEET, MORE OR LESS, TO THE WESTERLY LINE OF SAID LOT "B"; THENCE NORTH 10 DEG. 52' WEST ALONG THE WESTERLY LINE OF SAID LOT 233.68 FEET; THENCE SOUTH 77 DEG. 48' EAST 377.19 FEET; THENCE SOUTH 12 DEG. 12' WEST 215.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF THE SOUTH 215 FEET OF LOT "B" IN THE RE-SUBDIVISION OF BLOCK 30 OF HOMELAND ACRES ADDITION TO ESCONDIDO NO. 2, ACCORDING TO MAP THEREOF NO. 1721, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID DIEGO COUNTY, ON JULY 18, 1921, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT "B" DISTANT THEREON NORTH 77 DEG. 55' 00" WEST, 422.65 FEET FROM A 5/8 INCH IRON PIPE SET FOR THE SOUTHEAST CORNER OF SAID LOT "B"; THENCE NORTH 10 DEG. 28' 58" WEST 180.63 FEET; THENCE FROM A TANGENT WHICH BEARS NORTH 10 DEG. 59' 35" WEST ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 455 FEET THROUGH AN ANGLE OF 20 DEG. 57' 35" A DISTANCE OF 166.45 FEET; THENCE NORTH 9 DEG. 58' 00" EAST 105.99 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 545 FEET THROUGH AN ANGLE OF 4 DEG. 49' 57" A DISTANCE OF 45.97 FEET; THENCE NORTH 74 DEG. 05' 38" EAST 42.14 FEE TO A POINT ON THE NORTHERLY LINE OF SAID LOT "B"; THENCE NORTH 77 DEG. 53' 02" WEST, 498.67 FEET FROM A 2 INCH CONCRETE MONUMENT SET FOR THE NORTHEAST CORNER OF SAID LOT "B".

PARCEL 2:

ALL THAT PORTION OF LOT "B" IN THE RE-SUBDIVISION OF LOTS 9, 10, 11, 12 AND 13 IN BLOCK 30 AND LOTS 2, 3, 6, 17, 18, 19, 20 AND 21 IN BLOCK 32 OF HOME LAND ACRES ADDITION TO ESCONDIDO NO. 2, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1721, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 18, 1921, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID LOT "B" FROM WHICH THE SOUTHEAST CORNER THEREOF BEARS SOUTH 77 DEG. 48' EAST 200.5 FEET, SAID POINT BEING THE SOUTHEAST CORNER OF A PARCEL OF LAND CONVEYED TO CHARLES O. MORRIS, ET AL, BY DEED DATED AUGUST 20, 1946 AND RECORDED IN BOOK 2237, PAGE 228 OF OFFICIAL RECORDS; THENCE SOUTH 77 DEG. 48' EAST ALONG SAID SOUTH LINE 135 FEET; THENCE

NORTHERLY IN A STRAIGHT LINE TO AN INTERSECTION WITH THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID MORRIS LAND, SAID POINT OF INTERSECTION BEING DISTANT THEREON SOUTH 77 DEG. 48 EAST 105 FEET FROM THE NORTHEAST CORNER OF SAID MORRIS LAND; THENCE NORTH 77 DEG. 48' WEST ALONG SAID EASTERLY PROLONGATION 105 FEET TO THE NORTHEAST CORNER OF SAID LAND; THENCE SOUTH 12 DEG. 12' WEST ALONG THE EASTERLY LINE OF MORRIS LAND 215 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THAT PORTION OF LOT "B" OF THE RE-SUBDIVISION OF LOTS 9, 10, 11, 12 AND 13 IN BLOCK 30 AND LOTS 2, 3, 8, 17, 18, 19, 20 AND 21 IN BLOCK 32 OF HOMELAND ACRES ADDITION TO ESCONDIDO NO. 2, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1721, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 18, 1921, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT "B"; THENCE NORTH 77 DEG. 48' WEST ALONG THE SOUTH LINE OF SAID LOT 65.5 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND CONVEYED TO CHARLES O. MORRIS, ET AL, BY DEED RECORDED OCTOBER 11, 1948, IN BOOK 2977, PAGE 63 OF OFFICIAL RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID MORRIS LAND, NORTHERLY IN A STRAIGHT LINE TO THE NORTHEAST CORNER OF SAID MORRIS LAND; THENCE SOUTH 77 DEG. 48' EAST TO THE EAST LINE OF SAID LOT; THENCE ALONG SAID EAST LINE SOUTH 12 DEG. 12' WEST TO THE POINT OF BEGINNING.

APN: 238-152-20-00