

ORDINANCE NO. 2016-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT TO CHANGE THE DESIGNATION OF THE PROJECT SITE FROM GENERAL COMMERCIAL (GC) TO PLANNED COMMERCIAL (PC) AND TO ALLOW A BUILDING HEIGHT OF FOUR STORIES IN THE PLANNED COMMERCIAL (PC) DESIGNATION; A ZONE CHANGE OF THE PROJECT SITE FROM GENERAL COMMERCIAL (CG) TO PLANNED DEVELOPMENT- COMMERCIAL (PD-C); AND A MASTER AND PRECISE DEVELOPMENT PLAN FOR A 102,774-SF COMMERCIAL BUILDING, ON APPROXIMATELY 1.57 ACRES OF LAND ADDRESSED AS 222 WEST MISSION AVENUE (APN: 229-120-76)

Planning Case Nos.: PHG 16-0006 and ENV 16-0002

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

SECTION 1. That proper notice of public hearings have been given and public hearings have been held before the Planning Commission and City Council on this issue.

SECTION 2. That on August 9, 2016, the Planning Commission recommended approval of the proposed General Plan Amendment to change the allowed building height in the Planned Commercial (PC) land use designation from three stories to four stories, and to change the designation of the 1.57-acre subject property at 222 West Mission Avenue from General Commercial (GC) to Planned Commercial (PC). The Planning Commission also recommended approval of the Zone Change of the same property from CG (General Commercial) to PD-C (Planned Development- Commercial),

and the Master and Precise Development Plan to develop a 102,774-SF commercial building containing a self-storage facility and retail/restaurant space on the same property (Resolution No. 6072). The property at 222 West Mission Avenue is further described in Exhibit "A," attached and incorporated by this reference.

SECTION 3. That the City Council has reviewed and considered the Mitigated Negative Declaration prepared for this project (City File No. ENV16-0002) and has determined the project would not have any significant impacts to the environment because all project-related impacts have been mitigated, and adopts the Final Mitigated Negative Declaration as reflected on documents filed in the offices of the City Clerk and Planning Division, and incorporated by this reference.

SECTION 4. That upon consideration of the Findings/Factors to be Considered, attached as Exhibit "B" 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 General Plan Amendment, Zone Change, and Master and Precise Development Plan are consistent with the General Plan and all applicable specific plans of the City of Escondido.

SECTION 5. That the General Plan is hereby amended to change the allowed building height in the Planned Commercial (PC) land use designation from one to three stories to one to four stories, as depicted in Exhibit "C," attached and incorporated by this reference.

SECTION 6. That the General Plan is hereby amended to change the designation of the subject property on the Land-Use Map from General Commercial

(GC) to Planned Commercial (PC), and to establish Planned Commercial Site #16, as depicted in Exhibit "D," attached and incorporated by this reference.

SECTION 7. That the Zone District Map is hereby amended to change the zoning of the subject property described in Exhibit "A" and depicted on Exhibit "E," which is attached and incorporated by this reference, from General Commercial (CG) to Planned Development- Commercial (PD-C).

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 subject to the Conditions of Approval attached as Exhibit "F," which is attached to this Ordinance and 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 28th day of September, 2016 by the following vote to wit:

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

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. 2016-11 passed at a regular meeting of the City Council of the City of Escondido held on the 28th day of September, 2016, after having been read at the regular meeting of said City Council held on the 14th day of September, 2016.



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

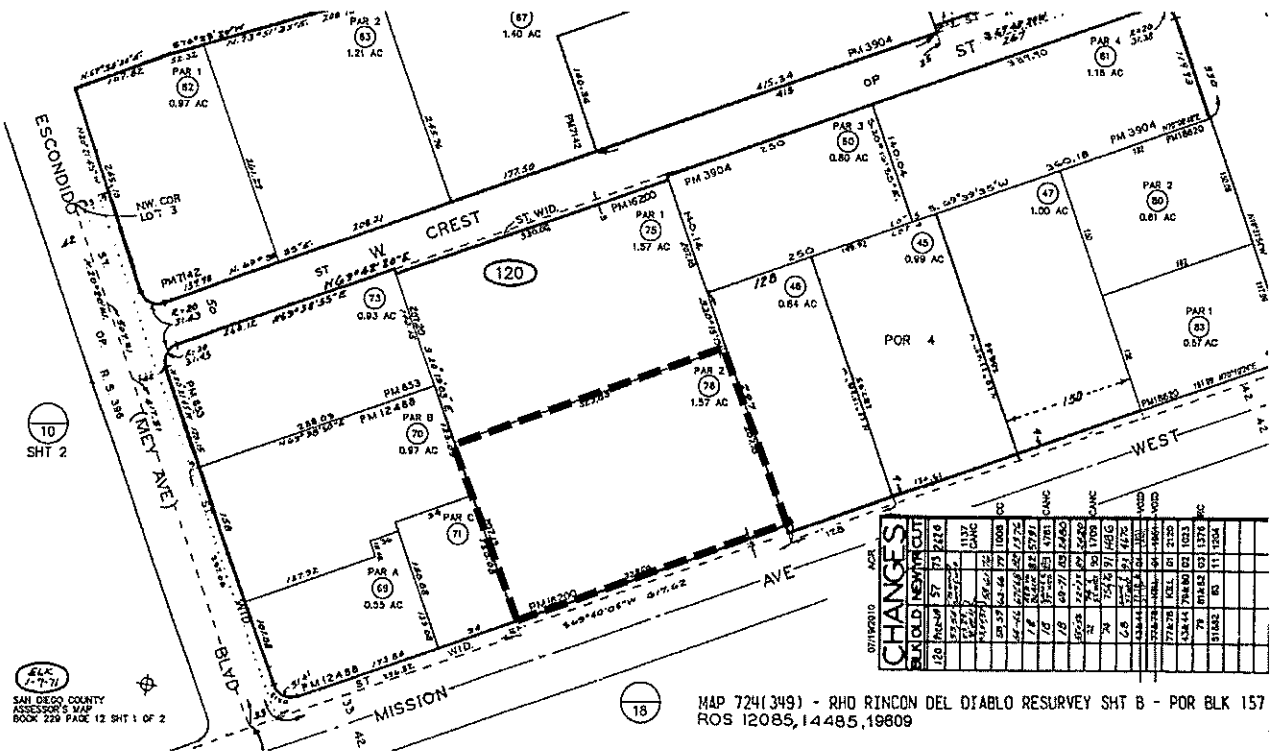
ORDINANCE NO. 2016-11

PROPERTY DESCRIPTION
 PHG 16-0006

All that certain real property situated in the County of San Diego, State of California, described as follows:

Parcel 2 of Parcel Map No. 16200, in the City of Escondido, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, August 29, 1990, as File No. 90-473086 of Official Records.

APN: 229-120-76



MAP 724(349) - RHO RINCON DEL DIABLO RESURVEY SHT B - POR BLK 157
 ROS 12085, 14485, 19609

FINDINGS OF FACT/FACTORS TO BE CONSIDERED
PHG 16-0006

Master and Precise Development Plan

1. The project proposes to construct a four-story, 102,774-SF commercial building on a property located within the General Commercial (CG) zone on the City's zoning maps, and the General Commercial (GC) designation of the General Plan. The uses proposed for the building would normally be allowed in the CG zone, but the floor area ratio (FAR) and height of the building exceed GC standards as described in the General Plan. The approval of the proposed Rezone would change the zoning of the property from General Commercial to Planned Development- Commercial. Similarly, approval of the proposed General Plan Amendment would change the designation of the property from General Commercial to Planned Commercial, and change the maximum building height for the Planned Commercial zone to four stories. The proposed building would have an FAR of 1.5, which is the maximum allowed for the Planned Commercial designation. With this General Plan Amendment and Rezone, the project as designed would conform to General Plan and Zoning Code standards.
2. The proposed commercial building would be well integrated with its surroundings since the project site is located within an established commercial area with General Commercial zoning, and since the proposed building would be comparable in height to the office building to the direct north. Surrounding uses include retail, restaurants, medical services, professional services (tax, insurance, etc.), tool rental services, and automotive services. The proposed uses (self-storage, retail, and/or restaurant) would be compatible with these existing neighboring uses.
3. The proposed project location would be adequately served by existing public facilities since sewer and water service is available from existing mains in Mission Avenue, and the proposal would not adversely impact these facilities nor require significant upgrades to the existing infrastructure.
4. The overall design of the project would produce an attractive, efficient, and stable environment for working, shopping, and dining. The proposed structure would incorporate a contemporary design, with neutral wall colors, red canopies, and low-e glass doors and windows. Landscaping would be provided throughout the property, particularly along the Mission Avenue frontage, and would incorporate sculptural materials (gabion planters/pedestals and planter pots) along with water-efficient vegetation. A parking supply of 33 spaces and six loading spaces has been proposed, which is sufficient for the project as described in the parking analysis prepared by LLG on June 6, 2016, and further explained in this staff report. Twenty of the parking spaces would be located at the front of the building, and angled for one-way access (in an east-to-west configuration) for use by any customer of the building. The remaining parking spaces and all of the loading spaces would be located at the rear of the building and will have 24/7 gated access, so they would be available only to building employees (who would be required to park in the rear per the proposed conditions of approval) and customers of the self-storage facility.
5. A Mitigated Negative Declaration (MND) was prepared for this project and issued for a 20-day public review beginning July 14, 2016, and ending August 2, 2016, in accordance with the California Environmental Quality Act (CEQA). The MND identified potential project-related impacts to tribal cultural resources. Mitigation measures have been proposed to reduce these impacts to a less than significant level, and these mitigation measures have been incorporated into the project's conditions of approval.

General Plan Amendment

1. The public health, safety and welfare will not be adversely affected by the proposed General Plan Amendment from General Commercial (GC) to Planned Commercial (PC). An Initial Study and Mitigated Negative Declaration were prepared for the project and circulated for public review from July 14 to August 2, 2016, as required under CEQA. This environmental review document found that

development of the property could have potentially significant impacts related to tribal cultural resources, and mitigation measures were proposed to reduce these impacts to a less than significant level. No other potentially significant impacts to the environment were found.

2. The proposed General Plan Amendment for the subject site would be compatible with existing development patterns in the surrounding areas. Uses allowed within a particular Planned Commercial development are determined on a case-by-case basis through the Master Development Plan application process. The uses proposed for this particular site are compatible with allowed uses in the General Commercial land use designation (which surrounds the project site). The proposed project includes retail and/or restaurant use, which already exists on surrounding properties.
3. The proposed General Plan Amendment from General Commercial (GC) to Planned Commercial (PC) would be consistent with the goals and policies of the General Plan as a whole. The project would provide a new source of employment within a building that incorporates an attractive design, water-efficient landscaping, and sufficient parking. The General Plan states that Planned Commercial areas are ideally located along major thoroughfares and in higher-intensity urban nodes served by transit, which is true of the surrounding neighborhood. The General Plan Amendment would not change the types of uses allowed on this property, since self-storage and retail/restaurant uses are already permitted on the site under the existing General Commercial designation.
4. The proposed General Plan Amendment is suitable and will not affect the allowed land uses in any zones. The purpose of the proposed General Plan Amendment is to change the land use designation of the property to Planned Commercial to allow a larger FAR, and also to change the Planned Commercial development standards to allow a four-story building. The specific uses proposed for the site would still be allowed under the existing General Commercial land use designation, if the building were designed to the General Commercial development standards.

Zone Change

1. The public health, safety and welfare will not be adversely affected by the proposed Zone Change from General Commercial (CG) to Planned Development- Commercial (PD-C). An Initial Study and Mitigated Negative Declaration were prepared for the project and circulated for public review from July 14 to August 2, 2016, as required under CEQA. This environmental review document found potentially significant impacts related to tribal cultural resources, and mitigation measures were proposed to reduce these impacts to a less than significant level. No other potentially significant impacts to the environment were found.
2. Permitted uses in the Planned Development zones are identified on a case-by-case basis for each Master Plan approval. The uses requested by the applicant include a self-storage facility with leasable area for one or more retail or restaurant businesses. The project site is suitable for these uses because they would be allowed even if the property remained in the General Commercial zone (retail and restaurant uses would require a Plot Plan, while a self-storage facility would require a Conditional Use Permit). The project has been designed to be compatible with the surrounding commercial development through the use of landscaping, fencing, and building setbacks.
3. The uses proposed for the project site would not be detrimental to surrounding properties since the site is located in an established commercial area containing a range of similar businesses. The self-storage, retail, and restaurant uses would be entirely contained within the proposed structure, and the applicant has demonstrated that the project would provide sufficient on-site parking for these uses. A traffic impact analysis has concluded that the project would not create any significant traffic-related impacts that would affect neighboring properties.
4. The change of zone is proposed in conjunction with a General Plan Amendment that would change the land use designation from General Commercial (GC) to Planned Commercial (PC). Approval of the General Plan Amendment alongside the Rezone would keep the project in conformance with Figure II-

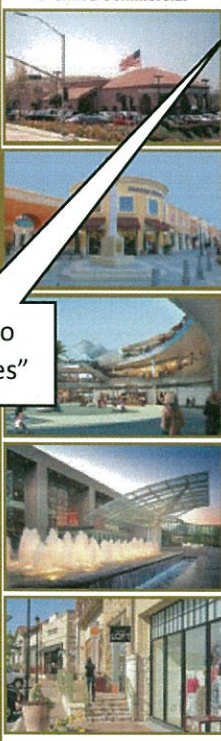
32 under Land Use Zoning Policy 2.3 in the General Plan, which matches General Plan land uses to their corresponding zoning categories.

5. The proposed change of zone would not impact any specific plans, since this property is not located within a specific plan area.

**GENERAL PLAN AMENDMENT:
PLANNED COMMERCIAL HEIGHT STANDARD
PHG 16-0006**

Page II-24, Figure II-6: Building height for Planned Commercial to be changed from 1-3 stories to 1-4 stories (under "Required Standards" column).

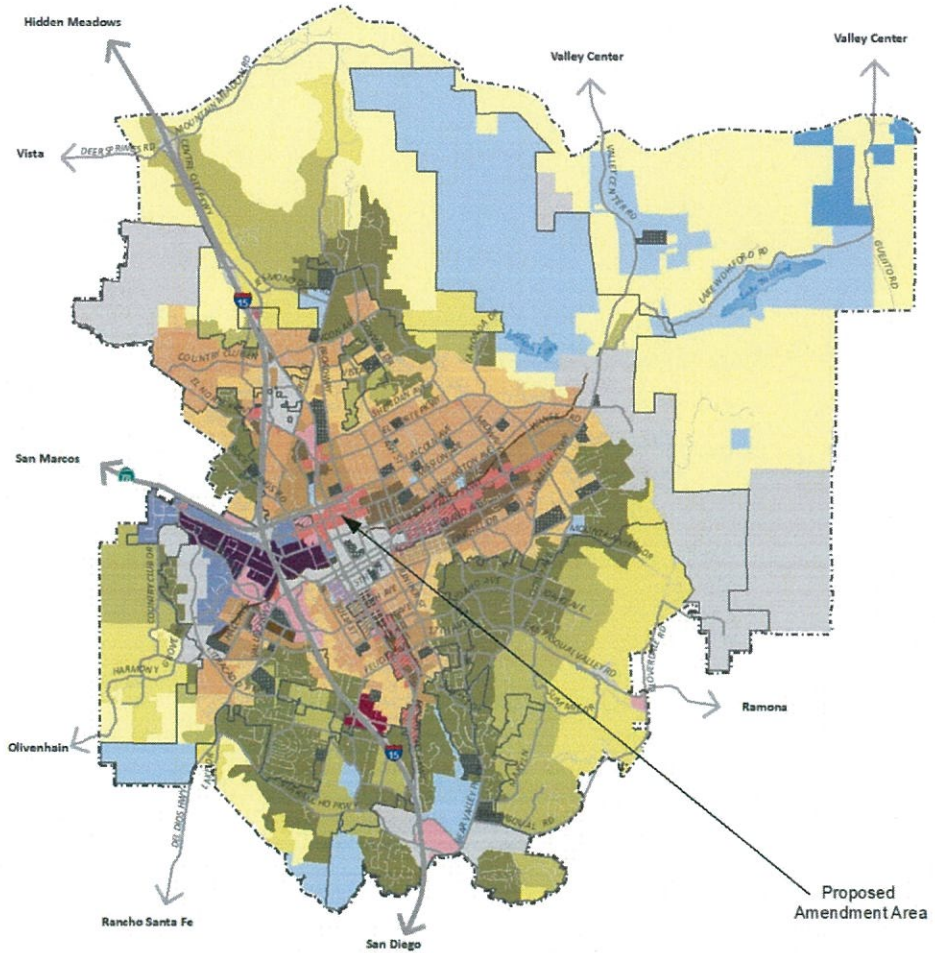
Figure II-6
General Plan Land Use Designations

Land Use Designation	Required Standards: <i>Density and Design</i> <i>Minimum Lot Size</i> <i>Maximum Building Height</i> <i>(Also refer to policies)</i>	General Description of Uses	Recommended Urban Form Characteristics
Commercial			
Planned Commercial This designation accommodates a variety of commercial activities within a self-contained comprehensively planned development.			
<p>Planned Commercial</p> 	<p>Maximum Intensity: 1.5 FAR Building Height: 1-3 stories Maximum Lot Size: None Location: At city gateways, along major thoroughfares, at major roadway intersections and in higher intensity urban nodes served by transit. Design: Details regarding businesses, location of all buildings, height, architecture and building materials, landscaping, development features, scale, intensity, orientation for light and air, circulation and parking patterns, signage, lighting, land uses, buffers, open space, market analysis shall be provided during application. Zoning: Planned Development (P-D)</p>	<p>A variety of commercial activities within a unified planned commercial center. Appropriate uses may include general and professional offices, tourist serving facilities, specialty and automobile retail, and similar retail/service businesses.</p> <p>Refer to Planned Commercial Section of this Element for details on specific properties designated Planned Commercial.</p>	<ul style="list-style-type: none"> ▪ Designed to integrate multiple buildings and uses to be identifiable as a distinct place ▪ Unified framework of pedestrian walkways, public plazas, open spaces, courtyards, and other elements are developed ▪ Designed to promote pedestrian activity characterized by "store front" window displays and extensive landscaping ▪ Public and internal right-of-ways developed with landscaping, street trees, and amenities to enhance character and identity ▪ Site specific improvements may be required to preserve unique qualities and ensure compatibility with surrounding areas ▪ Parking areas heavily landscaped to reduce radiant heat effects

Change to
"1-4 stories"

**GENERAL PLAN AMENDMENT:
 CHANGE OF LAND USE DESIGNATION AND ESTABLISHMENT OF PLANNED COMMERCIAL
 AREA #16 AT 222 WEST MISSION AVENUE (APN: 229-120-76)
 PHG 16-0006**

1. Page II-3, Figure II-1: Color of project site to be changed from coral (General Commercial) to light pink (Planned Commercial) as follows:



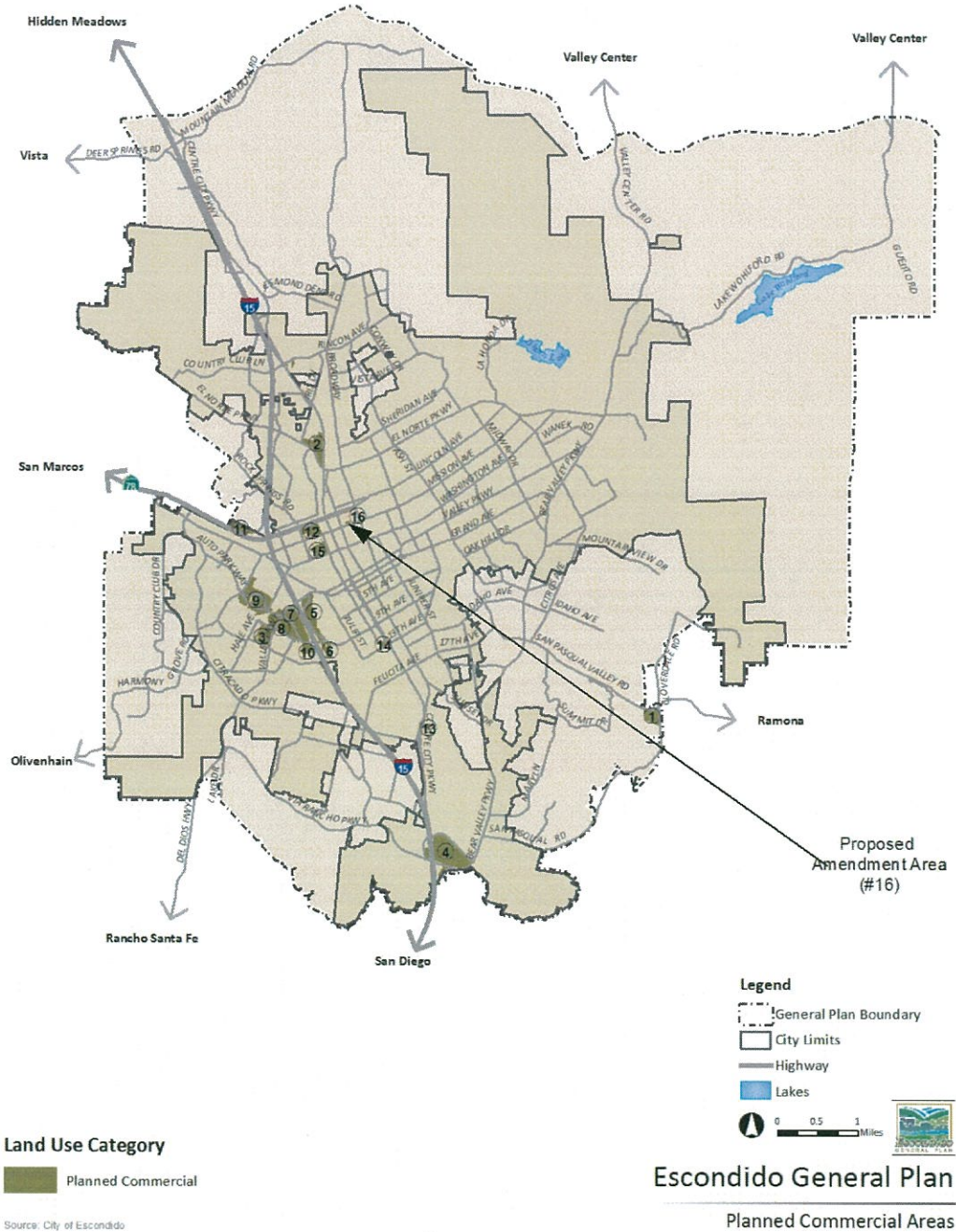
- GENERAL PLAN LAND USES**
- RESIDENTIAL**
- Rural I: 1 du/ 4, 8, 20 acres
 - Rural II: 1 du/ 2, 4, 20 acres
 - Estate I: 1 du/ 1, 2, 4, 20 acres
 - Estate II: 1 du/ 0.5, 1, 20 acres
 - Suburban: Up to 3.3 du/acre
 - Urban I: Up to 5.5 du/acre
 - Urban II: Up to 12 du/acre
 - Urban III: Up to 18 du/acre
 - Urban IV: Up to 24 du/acre
 - Urban V: Up to 30 du/acre

- COMMERCIAL**
- General Commercial
 - Neighborhood Commercial
 - Office
 - Planned Commercial
 - Planned Office
- INDUSTRIAL**
- Light Industrial
 - General Industrial
 - Industrial Office

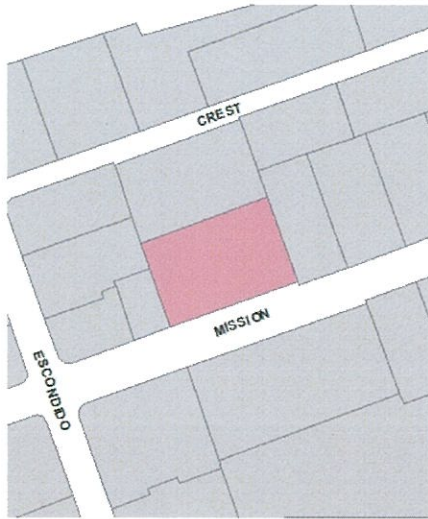
- OTHER**
- Public Land/Open Space
 - Tribal Lands
 - Specific Plan Area
 - Mixed Use Overlay
 - Public Facilities Overlay
 - Highway
 - General Plan Boundary
 - City Limits
 - Lakes

Escondido General Plan
 Land Uses

2. Page II-31, Figure II-7: Project site to be labelled as Planned Commercial Site #16, as follows:



3. Page II-36: Graphic and text to be inserted for new Planned Commercial Area #16, as follows:



16. Mission Avenue

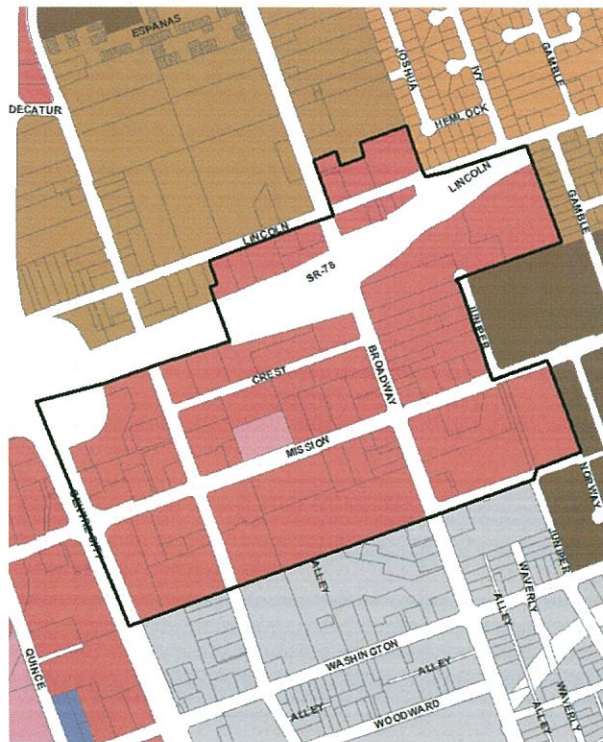
Location: Northern side of Mission Avenue, east of Escondido Boulevard

Size: Approximately 1.57 acres (Figure II-7, Area #16).

General Plan Designation: Planned Commercial

Planned Commercial Development 16 Guiding Principles: Refer to Target Area 'b' in Section J

4. Page II-65, Figure II-21: Color of project site to be changed from coral (General Commercial) to light pink (Planned Commercial), as follows:



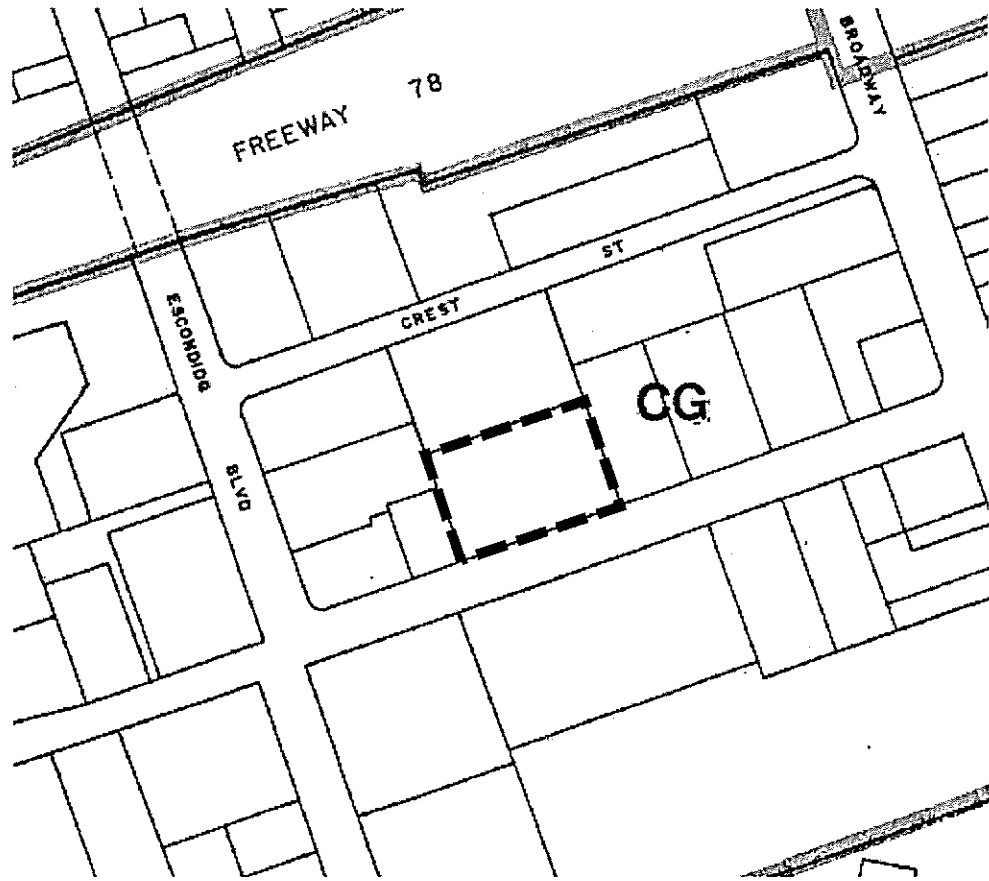
Additionally, new text to be inserted after the Target Area 2 Guiding Principles, as follows:

Guiding Principles for Mission Avenue (Planned Commercial #16):

Land uses planned for this site include a self-storage facility up to four stories in height with limited retail/restaurant tenant area on the ground floor of the structure. Development standards shall include

a Floor Area Ratio of 1.5 and building setbacks approximately 30 feet in width on all sides. On-site parking requirements for the various land uses shall be established through a site-specific parking study reviewed as part of a proposed Master Development Plan for the project.

**ZONE CHANGE
PHG 16-0006**



Subject property (222 West Mission; APN 229-120-76)
Zoning Map to be changed from General Commercial (CG) to Planned
Development-Commercial (PD-C)

CONDITIONS OF APPROVAL
PHG 16-0006

Ordinance No. 2016-11
Exhibit F
Page 1 of 8

Mitigation Measures

CUL-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.

CUL-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.

CUL-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.

CUL-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.

CUL-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.

CUL-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.

CUL-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.

CUL-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.

CUL-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 Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

CUL-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.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading or building permits, along with the applicable plan check fee, and shall be equivalent or superior to the concept plan attached as an exhibit to the satisfaction of the Planning Division. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in the 2015 Model Water Efficient Landscape Ordinance Update. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
2. All landscaping shall be installed prior to occupancy. 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.
3. In compliance with Article 62 (Landscape Standards), Section 1327 (Slope Planting) of the zoning code, all manufactured slopes over three feet high shall be irrigated and planted with landscape materials as follows: Each one thousand (1,000) SF of fill slope shall contain a minimum of six (6) trees, fifteen gallon in size; ten (10) shrubs, five gallon in size; and groundcover to provide one hundred (100) percent coverage within one year of installation. Each one thousand (1,000) SF of cut slope shall contain a minimum of six (6) trees, five gallon in size; ten (10) shrubs, one gallon in size; and groundcover to provide one hundred (100) percent coverage within one year of installation.
4. 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.

5. All manufactured slopes or slopes cleared of vegetation shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then an interim landscaping solution may be acceptable. The type of plant material, irrigation and the method of application shall be to the satisfaction of the Planning Department and City Engineer.
6. Street trees shall be provided and/or maintained along the Mission Avenue frontage in conformance with the Landscape Ordinance and the City of Escondido Street Tree List.
7. A 6'-tall wrought-iron fence or similar shall be installed above the proposed CMU retaining wall along the rear property line, and screened with vines or other landscaping as indicated on the approved landscape plan.

General

1. 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 the Fire Department.
2. 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.
3. 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.
4. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Community Development Director.
5. All requirements of the Public Arts 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 building permit issuance for the purpose of participating in the City Public Art Program.
6. Colors, materials, and design of the project shall conform to the exhibits and references in the staff report to the satisfaction of the Planning Division.
7. Trash enclosures must be designed and built per City standards.
8. Signage will be subject to a separate permit and must comply with the approved Master Sign Plan.
9. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting Ordinance (Ordinance No. 2014-20).
10. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
11. All project-generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
12. All new utilities shall be underground.
13. Per Section 33-339 of the Zoning Code, storage of goods or products which are hazardous, toxic, or obnoxious shall be prohibited in the self-storage facility. No outdoor storage of any goods or products is permitted.
14. The project shall provide 20 parking spaces in the front lot, and 13 parking spaces and six loading/unloading spaces in the rear lot, as indicated on the proposed site plan.
15. All employees of the proposed building shall park in the rear parking lot. Employee parking in the front parking lot shall be allowed only when the rear lot is full.

16. The project shall be limited to no more than 1,375 SF of restaurant use (50% of the 2,750 SF retail area). Expansion of restaurant use beyond the 50% limitation shall require a subsequent analysis demonstrating adequate parking can be provided to the satisfaction of the Director of Community Development.
17. Any conference space located within the self-storage main office, and made available for the use of non-staff (i.e., self-storage customers and/or the general public), shall be limited to an area of 300 SF, unless additional analysis is obtained demonstrating adequate parking can be provided for this purpose, to the satisfaction of the Director of Community Development.
18. Company-owned vehicles or moving trucks shall not be stored on-site unless additional analysis is obtained demonstrating adequate parking can be provided for this purpose, to the satisfaction of the Director of Community Development.
19. Use of storage units shall be limited to storage only. Storage units may not be used as residential units, and business operations may not be conducted from the units.
20. A separate sign permit shall be required prior to the installation of any signs. All proposed signage must comply with the Master Sign Program approved as part of this project.
21. An inspection by the Planning Division will be required prior to operation of the project. 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.
22. 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 check payable to the "County Clerk," in the amount of \$2,260.25 for a project with a Mitigated Negative Declaration, which includes an additional authorized County administrative handling fee of \$50.00 (\$2,210.25 + \$50). Failure to remit the required fees in full within the specified time noted 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. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Game Code provide that no project shall be operative, vested, or final until all the required filing fees are paid. If the fee increase after the date of this approval, the applicant shall be responsible for the increase.
23. This Precise Development Plan shall become null and void unless utilized within twenty-four (24) months of the effective date of approval.

Fire

1. The final project design for the proposed development shall be in accordance with the Fire notes on the approved plans, to the satisfaction of the Fire Marshal.
2. Grading plan submittal shall demonstrate that trash enclosure doors will not open into the fire access roadway (as indicated on the proposed site plan and landscape plan).

ENGINEERING CONDITIONS OF APPROVAL

GENERAL

1. Improvement plans prepared by a Civil Engineer are required for all public street and sewer 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.
2. 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 Grading Bond and Cash Clean Up deposit for all grading, private Improvements and onsite drainage improvements prior to approval of Grading Plans and issuance of Grading Permit. Grading bond amount shall be 10% the total cost of the project private improvements, drainage and landscaping minus the cash clean up deposit. The project owner is required to provide Performance (100% of total public improvement cost estimate), Labor and Material (50% of total public improvement cost estimate) and Guarantee and Warrantee (10 % of total public improvement cost estimate) bonds for all public improvements prior to approval Improvement Plans and issuance of Building Permit. All improvements shall be completed prior to issuance of Occupancy Permit.
3. 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.
4. No construction permits will be issued until 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.
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 project owner shall submit to the Planning Department 3 copies of the approved Plot Plan certified by the Planning Department and must be included in the first submittal for final plans 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. Onsite private access drive 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. Mission Avenue is classified as a Major Street in City's Circulation Element, however, it is constructed to Collector Street standards. The project owner is obligated for future improvements of Mission Avenue through a previously executed Lien Contract Agreement. The project owner may provide the City with cash contribution for the current amount of Lien contract to relieve the project obligation from future improvements on Mission Avenue.
3. The project owner shall be responsible to construct two 24 foot wide, Alley-Type driveway approaches on Mission Avenue and remove and reconstruct all damaged sections of sidewalk and curb and gutter along property frontage. The project owner shall also repair Mission Avenue and to the satisfaction of City Engineer for all utilities trenches to provide services to the project.
4. The project owner shall extend the existing median curb easterly to along the front of the project's westerly driveway to prevent left turns in and out of the project's westerly driveway. Extent of median curb extension shall be to the requirement of City Engineer.
5. Project's westerly driveway shall be signed and striped as exit only with signage and pavement legend for no left-turns and easterly driveway shall be signed and with pavement legend for entrance only.
6. The project owner will be required to provide a detailed detour and traffic control plan, for all construction within existing right-of-way, to the satisfaction of the City 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 onsite parking and access drives are private and shall be designed and constructed to the requirements of Fire Marshal, Planning Director and City Engineer. All proposed onsite project improvements shall be included in Grading Plans subject to review and approval by the City Engineer, Fire Marshall and Planning Director.
3. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.

4. 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 prior to issuance of Grading Permit.
6. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

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 and required offsite 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.
2. The project owner will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement to the City Engineer. The maintenance agreement shall indicate property owner's responsibility for maintenance of all proposed frontage Green Street landscaping, onsite drainage system, storm water treatment and hydro-modification facilities and their drainage systems.

WATER SUPPLY

1. The project owner shall be responsible to design and construct an onsite looped public water system to connect to exiting water main on Mission Avenue at two points to the requirements of Utilities Engineer.
2. All onsite detector checks and fire hydrants shall be designed to be located as determined by the Fire Marshal and approved by the Utilities Engineer.

SEWER

1. The developer shall be required to construct sewer service to the project to the requirements of the Utilities Engineer and Building Director.
2. Private sewer lateral is private and shall be maintained by the property owner.

EASEMENTS AND DEDICATIONS

1. The project owner shall grant a minimum 20 foot wide public utilities easements for the onsite water main to the City of Escondido. The project owner shall provide the City Engineer with legal description and plat map, together with an updated title report for preparation of easement document to be executed by the property owner.
2. All easements, both private and public, affecting subject property shall be shown and delineated on the plot plan.

3. The project owner is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to issuance of building permit, unless approved by the easement owner.

REPAYMENTS, FEES AND CASH SECURITIES

1. The project owner shall be required to pay all development fees, including any repayments in effect prior to issuance of the Building Permit for the project. All development impact fees are paid at the time of Building Permit or as determined by the Building Official.
2. 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 project owner 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 deposit for the project shall be at 10% of total estimate of site improvements with maximum cap of \$50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All new dry utilities to serve the project shall be constructed underground.
2. 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.