

# Council Meeting Agenda

May 9, 2012

CITY COUNCIL CHAMBERS

2:30 p.m. Special Meeting; 4:30 p.m. Regular Session  
201 N. Broadway, Escondido, CA 92025

MAYOR	<b>Sam Abed</b>
DEPUTY MAYOR	<b>Marie Waldron</b>
COUNCIL MEMBERS	<b>Olga Diaz</b> <b>Ed Gallo</b> <b>Michael Morasco</b>
CITY MANAGER	<b>Clay Phillips</b>
CITY CLERK	<b>Diane Halverson</b>
CITY ATTORNEY	<b>Jeffrey Epp</b>
DIRECTOR OF COMMUNITY DEVELOPMENT	<b>Barbara Redlitz</b>
DIRECTOR OF ENGINEERING SERVICES	<b>Ed Domingue</b>

**ELECTRONIC MEDIA:**

Electronic media which members of the public wish to be used during any public comment period should be submitted to the City Clerk's Office at least 24 hours prior to the Council meeting at which it is to be shown.

The electronic media will be subject to a virus scan and must be compatible with the City's existing system. The media must be labeled with the name of the speaker, the comment period during which the media is to be played and contact information for the person presenting the media.

The time necessary to present any electronic media is considered part of the maximum time limit provided to speakers. City staff will queue the electronic information when the public member is called upon to speak. Materials shown to the Council during the meeting are part of the public record and may be retained by the Clerk.

The City of Escondido is not responsible for the content of any material presented, and the presentation and content of electronic media shall be subject to the same responsibilities regarding decorum and presentation as are applicable to live presentations.



# Council Meeting Agenda

May 9, 2012  
2:30 p.m. Special Meeting  
Closed Session

Escondido City Council

## CALL TO ORDER

**ROLL CALL:** Diaz, Gallo, Morasco, Waldron, Abed

## ORAL COMMUNICATIONS

The public may address the Council on any item that is not on the agenda and that is within the subject matter jurisdiction of the legislative body. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.)

## CLOSED SESSION: (COUNCIL/CDC/RRB)

- I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
  - a. Agency negotiator: Sheryl Bennett, Clay Phillips  
Employee organization: Police Officers' Association
  - b. Agency negotiator: Sheryl Bennett, Clay Phillips  
Employee organization: Escondido City Employee Association: Administrative/Clerical Engineering (ACE) Bargaining Unit
  - c. Agency negotiator: Sheryl Bennett, Clay Phillips  
Employee organization: Escondido City Employee Association: Supervisory (SUP) Bargaining Unit
  - d. Agency negotiator: Sheryl Bennett, Clay Phillips  
Employee organization: Non-Sworn Police Bargaining Unit
  - e. Agency negotiator: Sheryl Bennett, Clay Phillips  
Employee organization: Teamsters Bargaining Unit
  
- II. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Government Code §54956.9(a))**  
DEMETRIO GOMEZ, ET AL. V. CITY OF ESCONDIDO, ET AL  
CASE NO. 37-2011-00060480-CU-CR-NC

**CLOSED SESSION: (COUNCIL/CDC/RRB) CONTINUED**

**III. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**

- a. Property: 620 North Ash Street
- City Negotiator: Debra Lundy, Real Property Negotiator
- Negotiating parties: R.I. Properties Development, Inc.
- Under negotiation: Price and Terms of Sale

**ADJOURNMENT**





# Council Meeting Agenda

May 9, 2012  
4:30 p.m. Meeting

Escondido City Council  
Escondido Joint Powers Financing Authority  
Mobile Home Rent Review Board

## CALL TO ORDER

### MOMENT OF REFLECTION:

*City Council agendas allow an opportunity for a moment of silence and reflection at the beginning of the evening meeting. The City does not participate in the selection of speakers for this portion of the agenda, and does not endorse or sanction any remarks made by individuals during this time. If you wish to be recognized during this portion of the agenda, please notify the City Clerk in advance.*

### FLAG SALUTE

**ROLL CALL:** Diaz, Gallo, Morasco, Waldron, Abed

**PRESENTATIONS:** Del Mar Fair

**PROCLAMATIONS:** Public Art Recognition  
Water Awareness Month and Drinking Water Week

## ORAL COMMUNICATIONS

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## CONSENT CALENDAR

Items on the Consent Calendar are not discussed individually and are approved in a single motion. However, Council members always have the option to have an item considered separately, either on their own request or at the request of staff or a member of the public.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/CDC)**
3. **APPROVAL OF MINUTES: None Scheduled**
  
4. **PRIMARY TREATMENT AND ODOR CONTROL SYSTEM MODIFICATIONS AT HARRF** – Request Council authorize the Mayor and City Clerk to execute a Consulting Agreement with Tran Consulting Engineers in the amount of \$402, 240 for engineering services.

Staff Recommendation: Approval **(Utilities: Christopher McKinney)**

RESOLUTION NO. 2012-65

5. **AUTHORIZATION OF THE ESCONDIDO JOINT POWERS FINANCING AUTHORITY (EJPFA) TO INVESTMENT MONIES IN THE LOCAL AGENCY INVESTMENT FUND (LAIF)** – Request Escondido Joint Powers Financing Authority invest Authority related monies into the LAIF, which is administrated by the State Treasury in accordance with section 16429.1 of the California Government Code.

Staff Recommendation: Adopt and file **(Finance: Gilbert Rojas)**

RESOLUTION NO. EJPFA 2012-04

6. **REVISED FEATHER SIGN ORDINANCE, CASE NO. AZ 12-0001** – Request Council amend the Sign Ordinance, Zoning Code Article 66 to add provisions for temporary portable signs, including feather flags and sandwich signs, and other minor cleanup changes.

Staff Recommendation: Approval **(Community Development/Planning: Barbara Redlitz)**

ORDINANCE NO. 2012-08 (Introduction and First Reading)

7. **“IT’S UP TO US” PEDESTRIAN SAFETY PUBLIC EDUCATION GRANT AND BUDGET ADJUSTMENT** – Request Council authorize the Neighborhood Services Department to accept Pedestrian Safety Public Education Grant funds in the amount of \$4,999 from the California Department of Public Health; authorize the Neighborhood Services Manager to submit grant documents on behalf of the City; and approve budget adjustments needed for part-time salaries.

Staff Recommendation: Approval **(Community Services/Housing: Jerry Van Leeuwen)**

## CONSENT CALENDAR CONTINUED

8. **DETERMINATION TO CONTINUE WORK UNDER EMERGENCY CONTRACTS ISSUED FOR SODIUM HYDROXIDE CLEANUP AND TANK REPAIRS** – Request Council reaffirm the persistence of the public emergency contracts with Daniel Mechanical for tank repair and with NRC Environmental for chemical cleanup.

Staff Recommendation: Approval (**Utilities: Christopher McKinney**)

## PUBLIC HEARINGS

9. **MODIFICATION TO THE MASTER AND PRECISE DEVELOPMENT PLAN FOR WESTFIELD NORTH COUNTY (PHG 12-0005)** – Request Council approve a modification to the Master and Precise Development Plan for Westfield North County to implement an exterior revitalization program, add restaurant and retail floor area, demolish three freestanding buildings in the former “duck pond” area and convert to additional parking, and modify the list of permitted uses, parking ratio and the sign program.

Staff Recommendation: Approval (**Community Development/Planning: Barbara Redlitz**)

ORDINANCE NO. 2012-10 (Introduction and First Reading)

10. **SHORT-FORM RENT REVIEW BOARD HEARING FOR CITY-OWNED SPACES IN ESCONDIDO VIEWS MOBILE HOME PARK** – Request Council consider the short-form rent increase application submitted for City-owned spaces in Escondido Views Mobile Home Park and if approved grant an increase of 75% of the change in the Consumer Price Index (an average of \$11.38), or 2.989% for the period of December 31, 2009, through December 31, 2011.

Staff Recommendation: Approval (**Community Services/ Housing: Jerry Van Leeuwen**)

RESOLUTION NO. RRB 2012-03

11. **SHORT-FORM RENT REVIEW BOARD HEARING FOR CITY-OWNED SPACES IN MOUNTAIN SHADOWS MOBILE HOME PARK** – Request Council consider the short-form rent increase application submitted for City-owned spaces in Mountain Shadow Mobile Home Park and if approved grant an increase of 75% of the change in the Consumer Price Index (an average of \$9.64), or 2.989% for the period of December 31, 2009, through December 31, 2011.

Staff Recommendation: Approval (**Community Services/ Housing: Jerry Van Leeuwen**)

RESOLUTION NO. RRB 2012-02

## PUBLIC HEARINGS CONTINUED

12. **LANDSCAPE MAINTENANCE DISTRICT ZONES 1-37** – Request Council receive input from the property owners in Zones 1-37 of the City of Escondido Landscape Maintenance District (LMD) on the proposed budget and assessments for FY 2012/2013.

Staff Recommendation: Receive public input **(Engineering: Ed Domingue)**

## CURRENT BUSINESS

13. **RECREATION BUDGET AND PROGRAM FEE APPROVAL** – Request Council approve the Recreation Program Fee Schedule and authorize the Director of Community Services to adjust fees lower if necessary.

Staff Recommendation: Approval **(Community Services: Jerry Van Leeuwen)**

RESOLUTION NO. 2012-75

14. **APPROVAL OF A LINE OF CREDIT WITH ESCONDIDO EDUCATION COMPACT (EEC)** - Request Council establish a Line of Credit between the City of Escondido and Escondido Education Compact.

Staff Recommendation: Approval **(Finance: Gilbert Rojas)**

RESOLUTION NO. 2012-71

## FUTURE AGENDA

15. **FUTURE AGENDA ITEMS** - The purpose of this item is to identify issues presently known to staff or which members of the Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: None **(City Clerk's Office: Diane Halverson)**

## ORAL COMMUNICATIONS

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**COUNCIL MEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING**

**ADJOURNMENT**

<b>UPCOMING MEETING SCHEDULE</b>				
<b>Date</b>	<b>Day</b>	<b>Time</b>	<b>Meeting Type</b>	<b>Location</b>
May 16	-	-	No Meeting	-
May 23	Wednesday	3:30 & 4:30pm	Council Meeting	Council Chambers
May 30	-	-	No Meeting	-
June 6	-	-	No Meeting	-

## TO ADDRESS THE COUNCIL

The public may address the City Council on any agenda item. Please complete a Speaker's form and give it to the City Clerk. Comments are generally limited to 3 minutes.

If you wish to speak concerning an item *not* on the agenda, you may do so under "Oral Communications." Please complete a Speaker's form as noted above.

Handouts for the City Council should be given to the City Clerk. To address the Council, use the podium in the center of the Chambers, STATE YOUR NAME FOR THE RECORD and speak directly into the microphone.

## AGENDA, STAFF REPORTS AND BACK-UP MATERIALS ARE AVAILABLE:

- Online at <http://www.ci.escondido.ca.us/government/agendas/PublishedMeetings.htm>
- In the City Clerk's Office at City Hall
- In the Library (239 S. Kalmia) during regular business hours and
- Placed in the Council Chambers (See: City Clerk/Minutes Clerk) immediately before and during the Council meeting.

**AVAILABILITY OF SUPPLEMENTAL MATERIALS AFTER AGENDA POSTING:** Any supplemental writings or documents provided to the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

## LIVE BROADCAST

Council meetings are broadcast live on Cox Cable Channel 19 and U-verse Channel 99 – Escondido Gov TV. They can also be viewed the following Sunday and Monday evenings at 6:00 p.m. on those same channels. The Council meetings are also available live via the Internet by accessing the City's website at [www.escondido.org](http://www.escondido.org), and selecting: City Council/broadcasts of City Council Meetings/live video streaming.

**Please turn off all cellular phones and pagers while the meeting is in session.**

**The City Council is scheduled to meet the first four Wednesdays  
of the month at 3:30 in Closed Session and 4:30 in Open Session.  
(Verify schedule with City Clerk's Office)**

**Members of the Council also sit as the Community Development Commission  
and the Mobilehome Rent Review Board.**

**CITY HALL HOURS OF OPERATION  
Monday-Thursday 7:30 a.m. to 5:30 p.m.**



*If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 839-4641. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.*

*Listening devices are available for the hearing impaired – please see the City Clerk.*



# CITY COUNCIL

For City Clerk's Use:

APPROVED  DENIED

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

Agenda Item No.: 4  
Date: May 9, 2012

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Christopher W. McKinney, Director of Utilities  
**SUBJECT:** Primary Treatment and Odor Control System Modifications at HARRF

RECOMMENDATION:

The Utilities Department requests that the City Council adopt Resolution No. 2012-65 authorizing the Mayor and City Clerk to execute a Consulting Agreement with Tran Consulting Engineers in the amount of \$402,240 for engineering services. These services are needed for design and specifications for upgrades to the Primary Treatment and Odor Control Systems at the Hale Avenue Resource Recovery Facility.

FISCAL ANALYSIS:

Sufficient funds are available in the Primary Building Upgrade CIP (801101).

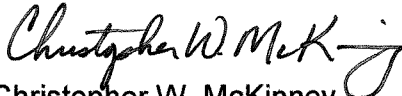
PREVIOUS ACTION: None

BACKGROUND:

A Preliminary Design Report recommends the following upgrades and modifications: (1) replace sludge and scum removal equipment which has reached the end of its serviceable life, (2) replace the roof structure over the Primary Treatment System which has deteriorated under exposure to foul air within the Primary Treatment System, (3) remove the building enclosing the Primary Treatment System and replace it with sedimentation basin covers to reduce the foul-air volume and to improve system efficiency, and (4) replace Odor Control mechanical equipment with more efficient, current technology to ensure continued regulatory compliance. The Consulting Agreement under consideration here will provide designs and specifications to accomplish these upgrades and modifications.

The Odor Control System presently processes 66,000 cubic feet per minute of foul air. The Primary Treatment System processes 13 million gallons of wastewater per day. The Primary Treatment and Odor Control facilities were last upgraded in 1973.

Respectfully submitted,

  
Christopher W. McKinney  
Director of Utilities

RESOLUTION NO. 2012-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY, A CONSULTING AGREEMENT FOR DESIGN PROFESSIONALS WITH TRAN CONSULTING ENGINEERS FOR THE DESIGN OF MODIFICATIONS TO THE PRIMARY TREATMENT SYSTEM AND ODOR CONTROL SYSTEM AT HARRF

WHEREAS, the City of Escondido desires to have the construction drawings and specifications prepared for Primary Treatment and Odor Control Systems Modifications at HARRF, (the "Project"); and

WHEREAS, the City entered into an agreement with Tran Consulting Engineers on July 12, 2011, for a Preliminary Design Report; and

WHEREAS, the Preliminary Design Report has been completed; and

WHEREAS, Design and Construction Specifications are required to implement the recommendations of the Preliminary Design Report; and

WHEREAS, City of Escondido staff have completed negotiations with Tran Consulting Engineers for design and engineering services and the Director of Utilities recommends that the Consulting Agreement ("Agreement") be approved; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Agreement in an amount not to exceed \$402,240; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.



2. That the Mayor and City Clerk are authorized to execute, on behalf of the City, an Agreement with Tran Consulting Engineers. A copy of the Agreement is attached as Exhibit "A" and is incorporated by this reference.



CITY OF ESCONDIDO  
CONSULTING AGREEMENT FOR DESIGN PROFESSIONALS

(ONLY for licensed architects, landscape architects, professional engineers, and professional land surveyors who are performing design services for the City)

This Agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Between: CITY OF ESCONDIDO  
a Municipal Corporation  
201 N. Broadway  
Escondido, California 92025  
Attn: Craig Whittemore  
760-839-4038  
("CITY")

And: Tran Consulting Group  
4444 El Cajon Blvd. #15  
San Diego CA 92112  
Attn: John Austin, P.E.  
619 563-7650  
("CONSULTANT")

Witness that whereas:

- A. It has been determined to be in the CITY's best interest to retain the professional services of a consultant to design modifications to the Primary Treatment Building and Odor Control System at HARRF; and
- B. The CONSULTANT is considered competent to perform the necessary professional services for CITY;

NOW, THEREFORE, it is mutually agreed by and between CITY and CONSULTANT as follows:

- 1. Services. The CONSULTANT will furnish all of the services as described in "Attachment A" which is attached and incorporated by this reference.
- 2. Compensation. The CITY will pay the CONSULTANT in accordance with the conditions specified in "Attachment A," in the sum of \$402,240. Any breach of this Agreement will relieve CITY from the obligation to pay CONSULTANT, if CONSULTANT has not corrected the breach after CITY provides notice and a reasonable time to correct it.
- 3. Scope of Compensation. The CONSULTANT will be compensated for performance of tasks specified in "Attachment A" only. No compensation will be provided for any other tasks without specific prior written consent from the CITY.

4. Duties. CONSULTANT will be responsible for the professional quality, technical accuracy, timely completion, and coordination of all reports and other services furnished by the CONSULTANT under this Agreement, except that the CONSULTANT will not be responsible for the accuracy of information supplied by the CITY.
5. Personnel. The performance of services under this Agreement by certain professionals is significant to the CITY. CONSULTANT will assign the persons listed on "Attachment B," which is attached and incorporated by this reference, to perform the Services described in Paragraph 1, and will not add or remove persons from the list without the prior written consent of the CITY. CONSULTANT will not subcontract any tasks under this Agreement without obtaining the advance written consent of the CITY.
6. Termination. Either CONSULTANT or the CITY may terminate this Agreement with thirty (30) days advance written notice.
7. City Property. All original documents, drawings, electronic media, and other material prepared by CONSULTANT under this Agreement immediately becomes the exclusive property of the CITY, and may not be used by CONSULTANT for any other purpose without prior written consent of the CITY.
8. Insurance.
  - a. The CONSULTANT shall secure and maintain at its own costs, for all operations, the following insurance coverage, unless reduced by the City Attorney:
    - (1) General liability insurance. Occurrence basis with minimum limits of \$1,000,000 each occurrence, \$2,000,000 General Aggregate, and \$1,000,000 Products/Completed Operations Aggregate; and
    - (2) Automobile liability insurance of \$1,000,000 combined single-limit per accident for bodily injury and property damage, unless waived as provided in 8(b) below; and
    - (3) Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship; and
    - (4) Errors and Omissions professional liability insurance with minimum coverage of \$1,000,000.
  - b. It is the parties' understanding that the use of a motor vehicle is not a primary subject of this Agreement. CONSULTANT acknowledges that operating a motor vehicle is outside the scope of this Agreement and occurs only at the convenience of the CONSULTANT. A waiver of automobile liability insurance is only effective if both sets of initials appear below, otherwise such insurance is required.

Acknowledged by CONSULTANT \_\_\_\_\_

Waiver appropriate by CITY \_\_\_\_\_

- c. Each insurance policy required above must be acceptable to the City Attorney:
  - (1) Each policy must provide for written notice within no more than thirty (30) days if cancellation or termination of the policy occurs. Insurance coverage must be provided by an A.M. Best's A- rated, class V carrier or better, admitted in California, or if non-admitted, a company that is not on the Department of Insurance list of unacceptable carriers.
  - (2) All non-admitted carriers will be required to provide a service of suit endorsement in addition to the additional insured endorsement.

- (3) Both the General Liability and the Automotive Liability policies must name the CITY specifically as an additional insured under the policy on a separate endorsement page. The endorsement must be ISO Form CG2010 11/85 edition or its equivalent for General Liability endorsements and CA 20-01 for Automobile Liability endorsements.
        - (4) The General Liability policy must include coverage for bodily injury and property damage arising from CONSULTANT's work including its ongoing operations and products-completed operations hazard.
        - (5) The General Liability policy must be primary and noncontributory and any insurance maintained by CITY is excess.
      - d. In executing this Agreement, CONSULTANT agrees to have completed insurance documents on file with the CITY within fourteen (14) days after the date of execution. Failure to comply with insurance requirements under this Agreement will be a material breach of this Agreement, resulting in immediate termination at CITY's option.
9. Indemnification. CONSULTANT (which in this paragraph 9 includes its agents, employees and subcontractors, if any) agrees to indemnify, defend, and hold harmless the CITY from all claims, lawsuits, damages, judgments, loss, liability, or expenses, including attorneys' fees, for any of the following:
  - a. Any claim of liability arising out of, pertaining to, or relating to the negligence, recklessness, or willful misconduct of CONSULTANT in the performance of this Agreement, excepting only those claims resulting from the sole negligence, active negligence or intentional misconduct of CITY, its employees, officials, or agents, not including CONSULTANT;
  - b. Any personal injuries, property damage or death that CONSULTANT may sustain while using CITY-controlled property or equipment, while participating in any activity sponsored by the CITY, or from any dangerous condition of property; or
  - c. Any injury or death which results or increases by any action taken to medically treat CONSULTANT.
10. Anti-Assignment Clause. The CONSULTANT may not assign, delegate or transfer any interest or duty under this Agreement without advance written approval of the CITY, and any attempt to do so will immediately render this entire Agreement null and void.
11. Costs and Attorney's Fees. In the event that legal action is required to enforce the terms and conditions of this Agreement, the prevailing party will be entitled to reasonable attorneys' fees and costs.
12. Independent Contractor. CONSULTANT is an independent contractor and no agency or employment relationship, either express or implied, is created by the execution of this Agreement.
13. Merger Clause. This Agreement and its Attachments, if any, are the entire understanding of the parties, and there are no other terms or conditions, written or oral, controlling this matter. In the event of any conflict between the provisions of this Agreement and any of its Attachments, the provisions of this Agreement must prevail.
14. Anti-Waiver Clause. None of the provisions in this Agreement will be waived by CITY because of previous failure to insist upon strict performance, nor will any provision be waived by CITY because any other provision has been waived, in whole or in part.

15. Severability. The invalidity in whole or in part of any provision of this Agreement will not void or affect the validity of any other provisions of this Agreement.
16. Choice of Law. This Agreement is governed by the laws of the State of California. Venue for all actions arising from this Agreement must be exclusively in the state or federal courts located in San Diego County, California.
17. Multiple Copies of Agreement/Counterparts. Multiple copies and/or counterparts of this Agreement may be executed, including duplication by photocopy or by computerized scanning device. Each duplicate will be deemed an original with the same effect as if all the signatures were on the same instrument. However, the parties agree that the Agreement on file in the office of the Escondido City Clerk is the copy of the Agreement that shall take precedence should any differences exist among copies or counterparts of the document.
18. Provisions Cumulative. The foregoing provisions are cumulative and in addition to and not in limitation of any other rights or remedies available to the CITY.
19. Notices to Parties. Any statements, communications or notices to be provided pursuant to this Agreement must be sent to the attention of the persons indicated below. Each party agrees to promptly send notice of any changes of this information to the other party, at the address first above written.
20. Business License. The CONSULTANT is required to obtain a City of Escondido Business License prior to execution of this Agreement.
21. Compliance with Applicable Laws, Permits and Licenses. CONSULTANT shall keep itself informed of and comply with all applicable federal, state, and local laws, statutes, codes, ordinances, regulations, and rules in effect during the term of this Agreement. CONSULTANT shall obtain any and all licenses, permits, and authorizations necessary to perform services set forth in this Agreement. Neither CITY, nor any elected nor appointed boards, officers, officials, employees, or agents of CITY shall be liable, at law or in equity, as a result of any failure of CONSULTANT to comply with this section.
22. Immigration Reform and Control Act of 1986. CONSULTANT shall keep itself informed of and comply with the Immigration Reform and Control Act of 1986. CONSULTANT affirms that as an employer in the State of California, all new employees must produce proof of eligibility to work in the United States within the first three days of employment and that only employees legally eligible to work in the United States will be employed on this public project. CONSULTANT agrees to comply with such provisions before commencing and continuously throughout the performance of this Agreement.

IN WITNESS WHEREOF, the parties below are authorized to act on behalf of their organizations, and have executed this Agreement as of the date set forth below.

CITY OF ESCONDIDO

Date: \_\_\_\_\_

\_\_\_\_\_  
Sam Abed  
Mayor

Date: \_\_\_\_\_

\_\_\_\_\_  
Diane Halverson  
City Clerk

Date: \_\_\_\_\_

\_\_\_\_\_  
(Contractor signature)

\_\_\_\_\_  
Title

*(The above signature must be notarized)*

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY  
JEFFREY R. EPP, City Attorney

By: \_\_\_\_\_

THE CITY OF ESCONDIDO DOES NOT DISCRIMINATE AGAINST QUALIFIED PERSONS WITH DISABILITIES.

**CITY OF ESCONDIDO**  
**Design for Primary Treatment Building and Odor Control Modifications**

**SCOPE OF WORK - PHASE 2: DETAILED DESIGN**

All facilities will be kept in operation throughout the construction of the improvements. Therefore mechanical, electrical equipment, structures supporting piping, etc will continue to perform their functions until new units or elements are in place and ready to take over the function.

**1.1. SITEWORK**

Sitework plans and specifications will include the following:

- Ground survey services will only verify TCE selected survey points for the design. Previous Consultant's civil AutoCAD or Microstation digital files will be provided by City to TCE for the project
- Prepare civil plans to show routing of foul air ducts from the influent pump station above ground on the forcemain support rack to the new primary odor control facility and from the existing ducts for the headworks to the new primary odor control facility. The odor duct from the influent pump station will cross the road north of the primary sedimentation building below grade and the headworks duct will also be placed underground.
- Provide electrical plans and specifications to reconfigure fiber optic routing from existing operations building to a pull box at a designated location near the new operations building. 10 existing fiber optic feeds will be replaced throughout the plant with 12 strand fiber. Additional conduit for fiber will be placed as necessary from existing control building to control box (in vicinity of CB-6 on MW plan sheet GE-8).
- Provide grading, drainage and surface improvements at the location of the existing operations building that will be demolished
- Provide plans to demolish two existing odor control systems at the influent pump station and headworks
- Revise plans of drainage systems of affected areas as required

**1.2. PRIMARY SEDIMENTATION BUILDING, ODOR CONTROL & ASSOCIATED FACILITIES**

Demolition plans and specifications will describe the following:

- First, demolish east wall and curtain for odor containment until tanks are structurally reconfigured, covered and odor control system modifications are completed (see below)
- Demolish north wall down to parapet level, demolish south wall to floor level or other level suitable for tank cover support, most of west wall to remain and be reinforced to support piping and roof of new blower building. Demolish roof and support columns
- Demolish center wall each basin for reconstruction to support tank covers and convey scum
- Demolish mechanical scum and sludge collection equipment in primary basins for reequipping with new mechanical and electrical equipment and piping
- Demolition of the scum trough on the influent end of the basin
- Demolition of the CMU electrical room over the west pump room

Structural plans and specifications will describe modifications for:

- Support of mechanical equipment at both ends of the primary tanks, modifications to the middle wall of each tank to support the covers, and a trench to convey the scum pipe from

**CITY OF ESCONDIDO**  
**Design for Primary Treatment Building and Odor Control Modifications**

the primary launder area to the influent end of the tank and connection to the existing scum collection system. Modifications of sludge and scum collector drive platform as necessary

- Placement of parapet railing on the north wall and at various locations for operator safety
- Coating of the concrete above the water surface with a Raven or similar overall performance product would be specified to protect concrete in the high H<sub>2</sub>S environment and is compatible with the flat cover
- Temporary and permanent support of the existing aeration duct that is currently supported on the south wall of the primary building.
- The old grit chambers, distribution channel, scum box, and access to pump rooms would be covered to contain odors and prevent rainwater accumulation

Electrical and Controls & Instrumentation plans and specifications will describe modifications for:

- New power and electrical service to drive new mechanical equipment including power distribution panels, MCCs, conduit and wire, etc. for:
  - scum skimmers
  - sludge collectors
  - odor control fans
  - recirculation pumps
  - control valves for new processes
  - control dampers for new odor control system
- Electrical layout for new lighting and outlets
- Modifications and relocation of affected power panels to increase service life by replacement and in some cases relocation such as panels serving the existing primary odor control system
- Instrumentation and controls and control panels for new equipment control and monitoring

Mechanical plans and specifications will describe the following

- Plan layouts of tank and channel flat cover layouts with duct connections, backdraft damper sizes, observation openings
- Helical scum skimmer, scum collection piping and spray water piping layouts. New scum piping will connect in existing gallery to existing scum header
- Sludge and scum collector and driven equipment for each basin
- Bio-trickling filter Odor Control Facility with associated ducts, piping and support equipment
- Connections of ducts from influent pump station and headworks entering the bio-trickling filter odor control system
- Specification for suggested construction sequence for odor control system, structural demolition and construction. San Diego APCD permitting requirements will be addressed as required

**New Primary Covers and Coating Concrete**

Flat panel aluminum covers will enclose the sludge and scum collection equipment within the tank. Some raised areas will be necessary near the scum collection and effluent launders in the basins. The duct connection location where foul air is removed from under the covers should also be raised to reduce air velocities and provide space between the water surface and the duct to avoid drawing excessive moisture. Hinged covers will be provided at the scum collection area and the launders to observe operation of the primary tanks and the scum collection system when it operates to assure that scum is being properly removed.



**CITY OF ESCONDIDO**

**Design for Primary Treatment Building and Odor Control Modifications**

With containment of the odorous compounds in a smaller area it is required to coat the walls of the exposed concrete surfaces of the tank above the water surface with a corrosion resistant coating. Short periods in humid highly corrosive environments cause rapid disintegration of the cement, exposure of concrete aggregates and reinforcement followed by eventual concrete structure failure. A Raven type coating or equal would protect the concrete from this occurring. The material must be compatible with installation of the tank covers.

**Replacing Primary Sludge & Scum Collection Equipment**

Removal of the collectors must be performed basin by basin to allow for continued operation of the process. The new sludge and scum collector mechanisms will be chain and flight systems that collect sludge into the influent end of the basin and skim scum to the helical skimmer mechanisms near the basin launders. Mid-basin beams will be demolished and structurally reconstructed to provide a walkway, support for the covers, pipe chase for scum piping to convey scum back to the influent end of the basins. Partial support for the chain and flight collector mechanism will be provided on this wall. TCE will design for helical scum collection systems in these basins. Structural calculations will be provided for structural modifications such as this.

**Replacement of Existing Odor Control System**

TCE will endeavor to design for construction staging without temporary odor control facilities. However, if a temporary scrubber system is required during construction TCE will provide a performance specification with specific criteria for the temporary system and will show the proposed site for the temporary system meeting APCD requirements for a temporary system.

**1.3. EXISTING OPERATIONS BUILDING AND NEW BLOWER ROOM**

The operations building must be carefully sequentially demolished to keep the aeration blowers operating throughout construction. Before the operations building can be demolished, all control functions must be transferred to the administration building, offices and related equipment must be relocated out of the building. When the building is demolished care must be taken to protect the blower room. The new blower room will be extended north to allow for installation of a future blower in the room and adjacent the blower room will be a room to house relocated electrical and controls equipment. The west wall of the blower building will be modified to support the roof of the blower building and the City wants blower access through this west wall.

Demolition plans and specifications will describe the following:

- Protection of blower room mechanical and electrical equipment and ventilation system
- Careful selective demolition of the building's first and second floors with the exception of the existing blower room

Structural plans and specifications will describe the following:

- Construction sequencing of the new blower room and demolition of the operations building to protect existing blowers and electrical equipment contained within the blower room
- Design of new bearing walls for roof support of the new blower room and access to the blowers for maintenance from the west side of the new building
- Support for east common wall between blower room and primary treatment tanks

**CITY OF ESCONDIDO**  
**Design for Primary Treatment Building and Odor Control Modifications**

- Structural design new north and south walls and an attached electrical room to the blower room to house electrical and controls equipment for adjacent processes and mechanical equipment as necessary

Mechanical plans and specifications will describe the following:

- Revise blowers ventilation to prevent blower over-heating
- Ventilation for new rooms
- Sound attenuation panels layouts in blower room
- Revise plumbing in blower room as necessary

Electrical, instrumentation and control plans and specifications will describe the following:

- Power plans showing revised single line diagrams, MCC, panel board and control panel with conduit and wiring routing
- Lighting layouts
- Controls conduit layouts for fiber optics passing through the new rooms as necessary
- Building services power layouts, panel locations, control logic etc. for ventilation systems

#### **1.4. GRIT STORAGE FACILITIES**

The Grit Storage Building will be demolished and modifications will be made to the grit collection area beneath the grit classifier units. These modifications include enclosing the area to contain odors, prevent water overflow from the above into the roll-off bin, reduce corrosion of the existing structure and modifications to foul air collection system serving the area.

#### **1.5. QA/QC**

Practically, TCE will conduct the daily QA/QC of all employees' work and production. QA/QC for each deliverable will also be conducted as follows:

1. Process review to insure the ultimate goal of the project will be met.
2. Constructability review to insure the design can be practically implemented
3. Coordination review, this phase of review includes two tasks:
  - Interdisciplinary coordination to insure the structural, electrical, process, mechanical engineering design is well matched. This phase of review also insures all codes and requirements are followed
  - Practical coordination review to insure the construction sequence and timing are set to minimize disturbance of operations as well as interferences with other City projects
4. Structural Review to insure safety of the finished project.

Items 1 and 2 above will be implemented by independent reviewers which are recognized experts in their specific fields. TCE utilizes the services of Dr. Madan Arora for Item 1, and Mr. Allen Higdon for Item 2, Item 3 will be conducted by the project manager, Dr. Tran and Item 4 will be performed by Sandro Pincini of TCE with 35 years experience as a Licensed Structural Engineer.

#### **1.6. PERMITS**

TCE will contact the Air Pollution Control District; prepare the application for the odor removal. Coordinate with the District and address questions about the odor treatment process during design. TCE will include City staff on all correspondence between the APCD and TCE. TCE will advise

**CITY OF ESCONDIDO**  
**Design for Primary Treatment Building and Odor Control Modifications**

and take direction from the City for this task. TCE will perform coordination with APCD related to completing applications and discussions or responding to comments through receipt of a permit to operate the new system. All sampling and testing will be performed by the City. Permit fees will be paid by the City.

**1.7. DELIVERABLES**

TCE will prepare and submit 30%, 70%, 100% and Final plans, and specifications and cost estimates of improvements at each submittal stage. The City will transmit comments to TCE upon completion of submittal reviews. TCE will address comments and submit responses to comments. Upon agreement on the resolution of the comments TCE will proceed with the next level of design. Submittals will be made electronically by PDF. At submittal of final design, all mechanical, electrical, structural, etc. calculations will be submitted, or for City Building Department review as required. City Building Department reviews are assumed to be performed after 100% design for incorporation of comments into Final plans. When resubmittals of plans to Building Dept. are required they are assumed to be on a sheet by sheet basis to verify a comment has been incorporated. For all submittals, drawing PDF files will be created for full size printing (files will allow for 11 by 17 reduced scale prints). Specifications will be CSI format or GREENBOOK format for sitework items. TCE will perform in-house QA/QC of plans, see section 1.5 above.

Attached is a proposed drawing list for this project.

**1.8. MEETINGS**

TCE/Simon Wong will prepare responses to comments and attend comments meetings as necessary to discuss comments and responses. We will provide the City with meeting minutes within 5 working days. A total of 4 meetings with the City are budgeted for detailed design.

**1.9. ADDITIONAL ENGINEERING SERVICES**

Additional engineering services costs will cover additional scope and unforeseen costs arising during design. The additional services will be performed and associated costs billed when authorized by the City.

**1.10. ASSET MANAGEMENT SERVICES**

Asset management services will be carried out by an Asset Management Specialist to assist operations and maintenance staff as directed by the City. The effort for these services will be limited by the "Asset Management" fee.

**1.11. ENGINEERING SERVICES DURING BIDDING AND POST-CONSTRUCTION CLOSEOUT**

**Bid Assistance**

TCE will support the City during the bidding period to address up to 10 contractor questions and assist in preparing up to 2 addenda.

**CITY OF ESCONDIDO**  
**Design for Primary Treatment Building and Odor Control Modifications**

**As-Built Plans**

TCE will provide as-built drawings for the project from the Contractor's redline drawings. TCE will provide only bond plans for bidding and as-built plans will be submitted on Mylar. AutoCAD files will be submitted with as-built drawings upon request.

**1.12.SCHEDULE & FEE**

TCE anticipates detailed design with 30%, 70% and 100% submittals can be performed in approximately 20 weeks from City's notice to proceed, assuming two week City reviews following 30%, 70% and 100% submittals.

**1.13.ASSUMPTIONS**

This scope of work and fee assumes the following:

- TCE's detailed design will proceed in accordance with preliminary design recommendations as recommended at the time of this scope of work
- The City will provide all CADD files for previous HARRF improvements in 1998 and 1999
- Geotechnical Report from previous projects will be provided by the City
- Consultant's structural engineer providing complete building designs including architectural features on structural drawings is acceptable to City
- Ventilation designs for new rooms by TCE
- TCE will prepare all permit applications but all permit fees will be paid by the City. Any sampling or testing for the permit will be performed by the City.
- Plans submitted to Building Department at 100% submittal by City staff. Resubmitted plans to Building Department for modified sheets only to show compliance with Building Dept. comments and requirements. Consultant will respond to the Building Dept. comments.
- Attendance by Consultant at Contractor's Pre-bid meeting not required
- Existing approach to controls, such as local vs. remote control by SCADA, will be maintained for equipment being replaced such as sludge collectors, odor control system, valves and gates for hydraulic processes
- This scope of work excludes engineering services during construction involving review of shop drawings, submittals and responding to RFIs submitted by the Contractor. It also excludes any meetings during construction activities.

**HARRF Phase III Primary Treatment Building Odor Control Modifications Project**

<u>List of Drawings</u>		<u>List of Drawings</u>	<u>List of Drawings</u>
<u>General</u>		<u>Electrical</u>	<u>Structural</u>
1 Cover & Key Map		1 Electrical Notes, Legend and Abbreviations	1 Notes
2 List of Drawings, Abbreviations & Symbols		2 Demolition Electrical Site Plan - 1	2 Notes
		3 Demolition Electrical Site Plan - 2	3 Notes
		4 Demolition Electrical Site Plan - 3	4 Concrete Typical Details
<u>Civil</u>		5 Electrical Site Plan - 1	5 Steel Typical Details
1 Civil Standard Details		6 Electrical Site Plan - 2	6 Demo Plan - Primary Clarifier
2 Site Plan - 1		7 Electrical Site Plan - 3	7 Demo Plan - OAC Building I
3 Site Plan - 2		8 Demolition OAC Building Single Line Diagram	8 Demo Plan - OAC Building II
4 Yard Piping Plan - 1		9 Blower Building Single Line Diagram	9 Primary Clarifier Plan
5 Yard Piping Plan - 2		10 Demolition - Existing OAC Building First Floor Power	10 Primary Clarifier Sections & Details
6 Piping Profiles		11 Demolition - Existing OAC Building Second Floor Power	11 Blower Building Roof Plan
7 Piping Details		12 Blower Building Power Layout	12 Blower Building Roof Plan
		13 Blower Building Lighting Layout	13 Blower Building Sections
<u>Mechanical</u>		14 Site Lighting Layout; Light Fixture Schedule	14 Blower Building Details
1 Mechanical Notes, Legend, Abbreviations		15 Demolition Panel Schedules	15 Pipe Support Details
2 Mechanical Symbols, and Equipment Schedules		16 Existing Panel Schedules Modifications	16 Miscellaneous Details I
3 Mechanical Standard Details - 1		17 New Panel Schedules	17 Miscellaneous Details II
4 Mechanical Standard Details - 2		18 Title 24 forms - sheet 1	18 Miscellaneous Details III
5 Mechanical Standard Details - 3		19 Title 24 forms - sheet 2	
6 Demolition Grit Storage Building		20 Demolition Odor Control System Control Diagrams	
7 Demolition Primary Odor Control Facilities - 1		21 Odor Control System Control Diagrams	
8 Demolition Primary Odor Control Facilities - 2		22 Electrical Details	
9 Demolition Primary Building Plan			
10 Demolition Primary Building Sections & Details - 1		<u>Instrumentation</u>	
11 Demolition Influent Pump Station & Headworks Odor Control		1 Instrumentation Symbols and Abbreviations - 1	
12 Headworks Plan & Sections		2 Control System Block Diagram	
13 Headworks Sections and Details		3 PLC Panel Layouts - 1	
14 Primary Sedimentation Lower Plan		4 Odor Control P&ID	
15 Primary Sedimentation Upper Plan		5 Sludge & Scum Collection System P&ID	
16 Primary Sedimentation Sections and Details - 1		6 Instrument Installation Details - 1	
17 Primary Sedimentation Sections and Details - 2		7 Instrument Installation Details - 2	
18 Primary sedimentation Sections and Details - 3			
19 Odor Control Facility Plan			
20 Odor Control Facility Sections and Details			
21 Odor Control Facility Sections and Details			
22 Aeration Blower Building Plumbing Plan			
23 Aeration Blower Building HVAC Plan			
24 Aeration Blower Building HVAC Sections and Details			

**80 Total Sheets**

City of Escondido HARRF Phase III, Primary Treatment Building & Odor Control Modifications

TASK TITLE	HOURS							TOTAL HOURS	Subconsultant (Bare Costs)	TOTAL COST
	QA/QC \$160	Project Manager \$135	Project/Principal Engineer \$120	Senior Engineer \$100	Staff/Associate Engineer \$85	CADD \$55	Project Admin \$40			
<b>DETAILED DESIGN</b>										
<b>30% Design</b>										
Pothing Utilities (up to 10)									\$7,000	\$7,700
Surveying (ground survey only)									\$3,000	\$3,300
Plans		36	70	50	112	188			\$42,500	\$84,870
Outline Specifications		6	24		16					\$5,050
Construction Cost Estimate		2	16		16	4				\$3,770
Progress Review Meetings (2)		12	16				8			\$3,860
<b>70% Design</b>										
Plans		40	72	50	112	188			\$42,500	\$85,650
Specifications		6	72		16					\$10,810
Construction Cost Estimate		2	16		16	4				\$3,770
Progress Review Meeting		6	8				4			\$1,930
<b>100% Design</b>										
Plans		32	64	52	102	154			\$15,000	\$50,840
Specifications		6	48		16					\$7,930
Construction Cost Estimate		2	16		16	4				\$3,770
Progress Review Meeting		6	8				4			\$1,930
<b>Final Design</b>										
Bid Documents		20	36	40	80	140	5		\$5,000	\$31,220
<b>Independent QA/QC Review</b>										
Independent QA/QC Review	120	6	4							\$20,490
<b>Permitting</b>										
Permitting interim & final odor control system		16	32		60					\$11,100
<b>Design Grand Total</b>	120	198	502	192	562	682	21		\$115,000	\$337,990

City of Escondido HARRF Phase III, Primary Treatment Building & Odor Control Modifications

TASK TITLE	HOURS						TOTAL HOURS	Subconsultant (Bare Costs)	TOTAL COST
	QA/QC \$160	Project Manager \$135	Project/Principal Engineer \$120	Senior Engineer \$100	Staff/Associate Engineer \$85	CADD \$55			
Asset Management Services								\$15,000	
Add'l. Eng. Services (City PM approval reqd)								\$35,000	
Engineering Svcs During Bid & Construction									
Bidding Assistance		2	8		32		42	\$2,000	\$6,150
As-Builts (per redlines)		8	16		60		84		\$8,100
<b>Total</b>	0	10	24	0	92	0	126	\$2,000	\$14,250
<b>Grand Total</b>	120	208	526	192	654	682	2295	\$117,000	\$402,240

Assumptions:  
 Subconsultants Markup 10%



# CITY COUNCIL

For City Clerk's Use:

APPROVED  DENIED

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 5**  
**Date: May 9, 2012**

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Gilbert Rojas, Director of Finance  
**SUBJECT:** Adopt Resolution No. EJPFA 2012-4 of the Escondido Joint Powers Financing Authority (EJPFA), Authorizing the EJPFA to Invest Monies in the Local Agency Investment Fund (LAIF)

RECOMMENDATION:

It is requested that the Escondido Joint Powers Financing Authority (EJPFA, the "Authority") adopt Resolution No. EJPFA 2012-4 to authorize the Authority to invest Authority related monies into the LAIF, which is administered by the State Treasury in accordance with Section 16429.1 of the California Government Code.

PREVIOUS ACTION:

Council adopted Resolution No. 1977-23 on February 2, 1977, to authorize the City to participate in LAIF for the investment of surplus City funds. Council adopted Resolution No. 2006-195 on August 9, 2006, to authorize the City to participate in LAIF for the investment of various types of City indebtedness funds. The City's Community Development Commission adopted Resolution No. 1986-4 on February 12, 1986, to authorize the Community Development Commission to participate in LAIF for the investment of redevelopment-related Commission funds.

BACKGROUND:

The Local Agency Investment Fund (LAIF) is a voluntary program created by State statute as an investment alternative for California's local governments. This program is administered by the State Treasurer's Office with monies from the LAIF invested with State monies through the Pooled Money Investment Account (PMIA). This program offers local agencies the opportunity to participate in a major portfolio that invests hundreds of millions of dollars using the investment expertise of the State Treasurer's Office investment staff. The LAIF has grown from 293 participants and \$468 million in 1977 to 2,736 participants and \$21 billion as of March 31, 2012.



Resolution EJPFA 2012-4

May 9, 2012

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At the end of each calendar quarter, all interest earned in the Fund is distributed by LAIF to the participating governmental agencies directly in proportion to their respective amounts deposited in the Fund and the length of time such amounts have remained therein. An amount equal to reasonable costs incurred to carry out the provisions of the Fund, not to exceed 5% of the earnings of the Fund, shall be deducted from the earnings. A monthly statement of activity is sent to all fund participants.

LAIF is an authorized investment as per the City's Investment Policy and meets the investment objective of safety. Under Federal Law, the State of California cannot declare bankruptcy, thereby allowing the Government Code Section 16429.3 to stand. This Section states that monies placed with the Treasurer for deposit in the LAIF shall not be subject to impoundment or seizure by any state official or state agency. In addition, the State cannot withhold deposited LAIF monies in the event of the state's failure to adopt a State Budget by July 1.

Staff is recommending that EJPFA acquisition fund bond proceeds be authorized to be deposited into LAIF. Bond Proceeds accounts consist of one deposit, have no maximum amount, and are maintained on thirty day increments. Bond proceeds may be withdrawn at the end of each 30 day period subsequent to initial deposit. The LAIF is a permitted investment option of the EJPFA Revenue Bonds Series 2012. Due to the safety and liquidity requirements for bond proceeds, staff considers the LAIF to be suitable investment option.

Respectfully submitted,



Gilbert Rojas  
Director of Finance

RESOLUTION NO. EJPFA 2012-04

RESOLUTION OF THE ESCONDIDO JOINT  
POWERS FINANCING AUTHORITY  
AUTHORIZING INVESTMENT OF  
AUTHORITY MONIES IN THE LOCAL  
AGENCY INVESTMENT FUND

WHEREAS, Pursuant to Chapter 730 of the Statutes of 1976, Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, in 1977 by Resolution No. 1977-23, the City Council authorized the City's participation in the LAIF for investment of surplus City funds designated for various purposes; and in 1986 by Resolution No. 1986-4, and in 2009, by Resolution 2009-10, the City's Community Development Commission authorized the Commission to participate in the LAIF for investment of redevelopment-related Commission funds; and by Resolution No. 2006-195, and in 2009, by Resolution No. 2009-129, the City Council authorized the City's participation in the LAIF for investment of City funds designated for the various types of City indebtedness, including general obligation bonds, notes, certificates of participation and other forms of indebtedness proceeds; and

WHEREAS, the Escondido Joint Powers Financing Authority does hereby find that the deposit and withdrawal of monies in the Local Agency Investment fund in accordance with the provisions of Section 16429.1 of the Government Code for the

purposes of investment as stated therein as in the best interests of the Escondido Joint Powers Financing Authority;

NOW, THEREFORE, BE IT RESOLVED, by the Escondido Joint Powers Financing Authority as follows:

1. That the above recitations are true.
2. That the Escondido Joint Powers Financing Authority does hereby authorize the deposit and withdrawal of Authority related monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.
3. That the following trustee or fiscal agent of the Escondido Joint Powers Financing Authority or their designee shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund: Gilbert Rojas, Director of Finance, or Kenneth Hugins, City Treasurer, or Renee Bojorquez, Investment Officer, or Joan Ryan, Finance Manager, until the City of Escondido notifies the Local Agency Investment Fund in writing of any change in writing of any change in the trustee or fiscal agent.

# CITY COUNCIL

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 6**

**Date: May 9, 2012**

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Barbara J. Redlitz, Director of Community Development  
**SUBJECT:** REVISED FEATHER SIGN ORDINANCE, CASE NO. AZ 12-0001

**DESCRIPTION:**

An amendment to the Sign Ordinance, Zoning Code Article 66, to add provisions for temporary portable signs, including feather flags and sandwich signs, and other minor cleanup changes.

**RECOMMENDATION:**

It is requested that Council adopt Ordinance 2012-08 incorporating Council's revisions to the new provisions for temporary portable signs.

**PREVIOUS ACTION:**

On April 18, 2012, the Council held a public hearing to consider the proposed code provisions for feather flags and sandwich signs. The Chamber of Commerce submitted written comments and public comments were received. After Council discussion, staff was directed to return with revisions to the code amendment regarding the lengths of the sunset clause and display time, and type of permit to use. Council also asked staff to evaluate the need for adding provisions regarding sign twirlers.

**REVISED REGULATIONS:**

This table summarizes the revised provisions for feather flags and sandwich signs that would apply citywide, except in the Downtown Specific Plan Area that has its own sign regulations.

	<b>FEATHER FLAGS</b>	<b>SANDWICH SIGNS</b>
<b>Types</b>	Free-standing feather flags (including but not limited to flutter, bow, teardrop, rectangular, blade, shark and U- shaped flags)	Self-supporting A-frame, pedestal or footed portable signs.
<b>Number</b>	One per business establishment*	Same
<b>Size</b>	Up to 12-feet high and 36" wide	Up to 42" high, 30" wide, with a base width of 24" and maximum sign area of 7.5 SF

SIGN CODE AMENDMENT, AZ 2012-0001

May 9, 2012

Page 2

	<b>FEATHER FLAGS - cont.</b>	<b>SANDWICH SIGNS -cont.</b>
<b>Zones</b>	<p>All commercial zones.</p> <p>Industrial zones for motor vehicle dealers, lumberyards, restaurants and other permitted uses of similar retail nature.</p> <p>PD-C Planned Development-Commercial.</p> <p>SP- Specific Plan (except the Downtown Specific Plan Area.)</p>	Same
<b>Location</b>	<p>Anywhere on the parcel of the business establishment* or anywhere within the commonly managed shopping center.</p> <p>Allowed adjacent to Centre City Parkway (CCP) only for centers/business sites with direct access to CCP.</p> <p>Prohibited within or overhanging the public Right-of-Way and on roofs</p>	Same
<b>Duration</b>	One year	Same
<b>Materials</b>	Professional grade signs of durable materials capable of withstanding inclement weather and resisting fading in sunlight.	Same and no paper, cardboard, poster board, foam core board or the like permitted. Prohibits glass and other breakable materials.
<b>Maintenance</b>	Any cracked, faded, torn, ripped, broken or otherwise damaged portable sign shall be immediately removed from public view until repaired or replaced.	Same
<b>Other</b>	The business establishment* must have a valid business license and permanent business signs prior to displaying temporary portable signs.	Same

\*Business establishment is intended to be the primary business that owns or leases a building or suite. In situations like hair salons or indoor swap meets, one feather flag and one sandwich sign would be allowed for the primary salon or swap meet business; not for each sub-tenant or independent operator renting a space within the salon or swap meet.

DISCUSSION:

Sunset Clause and Permit - The sunset clause has been changed to one year as has the display time as recommended by the Chamber of Commerce, per council direction. In light of the one year trial period, the fact that the signs can be displayed for the entire year, and Council's discussion regarding simplifying the permit process, staff re-evaluated the need for a permit, took a more business friendly approach, and suggests that a permit is not needed at this time. In lieu of requiring a permit, an informational handout listing the standards and regulations for feather flags and sandwich signs would be made available at city hall, the library and on the City's web site, and would be distributed to business groups. Enforcement would remain on a complaint basis. Staff recognizes that without a permit, detailed statistics regarding the number and type of permits will not be available; however, staff will keep track of complaints related to feather flags and sandwich signs during the year for evaluation at the end of the trial period. At this time, should Council extend the ordinance on a longer term basis, staff recommends reinstating a simplified permit process.

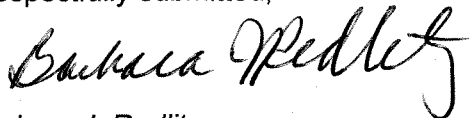
Should Council want a permit for feather flags and sandwich signs at this time, staff would recommend a simple, no-fee permit form listing the regulations, which the applicant would sign acknowledging that they understand and will meet the requirements.

Sign Twirlers - After consultation with the City Attorney's office, staff believes that animated, moving, revolving or rotating signs, signs within the public right-of-way, or signs that may confuse or disorient vehicular or pedestrian traffic can be addressed using existing provisions in the Escondido Municipal and Zoning Codes. Use of existing code sections would enable enforcement to address particular situations on an as-needed basis. Both Planning and the Attorney's staff feel this would be the more prudent approach as opposed to an outright citywide ban or more detailed and complicated regulations for these types of signs.

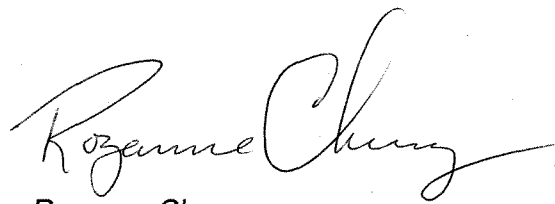
COMMENTS RECEIVED:

The attached email from Fred Baranowski, Chair of the Chamber of Commerce Economic Development Subcommittee, was received April 26, 2012. In it he suggests that up to two feather flags be permitted for businesses with storefronts longer than 36-feet and one feather flag for storefronts less than 36-feet long. If this were to be approved, there would need to be a permit review process to confirm the storefront length, or at minimum a method for identifying the business to which each feather flag belonged for potential enforcement purposes. Staff would recommend keeping the one year trial period simple by allowing one feather flag per business establishment and not requiring a permit.

Respectfully submitted,



Barbara J. Redlitz  
Director of Community Development



Rozanne Cherry  
Principal Planner

## Rozanne Cherry

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**From:** Fred Baranowski <fred.baranowski@awbank.net>  
**Sent:** Thursday, April 26, 2012 2:36 PM  
**To:** Rozanne Cherry  
**Cc:** johnmasson@masson-assoc.com  
**Subject:** Feather flag quantities

Hi Rozanne...here's our thoughts on additional feather signs...

Feather flags are an inexpensive and effective means to draw attention to and promote retail store fronts and businesses. It is proposed to allow up to two feather flags be permitted per store front depending on the linear front footage of the business. Two flags may be permitted for stores with linear frontage of 36 feet or greater. One flag may be permitted for store fronts with less than 36' frontage. These limitations will prevent excessive feather flag use along retail strip type centers.

Let me know what you think and thanks!

Fred Baranowski  
Escondido Market Manager  
AmericanWest Bank  
200 West Grand Avenue  
Escondido, CA 92025  
760-520-0409  
760-520-0430 fax  
[www.awbank.net](http://www.awbank.net)

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ORDINANCE NO. 2012-08

AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF ESCONDIDO, CALIFORNIA,  
APPROVING AN AMENDMENT TO THE  
ESCONDIDO ZONING CODE ARTICLE 66  
REGARDING FEATHER FLAGS AND OTHER  
TEMPORARY PORTABLE SIGNS

Case No. AZ 12-0001

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 public hearings have been held before the Planning Commission and City Council on this issue.

SECTION 2. That the City council has reviewed and considered the Notice of Exemption prepared on February 23, 2012, for this project in conformance with CEQA Section 15061 (b) (3), "General Rule" and has determined that all environmental issues have been addressed and no significant environmental impacts will result from approving this code amendment.

SECTION 3. That upon consideration of the staff report; Planning Commission recommendation; Factors to be Considered, attached as Exhibit "A" to this Ordinance and incorporated by this reference; and all public testimony presented at the hearings held on this project, this City council finds the Zoning Code Amendments to be consistent with the General Plan and all applicable specific plans of the City of Escondido.



SECTION 4. That Sections 33-1391, 33-1393, 33-1394 and 33-1396 of the Escondido Zoning Code are amended to read as outlined in Exhibit "B," which is attached to this Ordinance and incorporated by this reference.

SECTION 5. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 6. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

**EXHIBIT "A"**

**FACTORS TO BE CONSIDERED**

**AZ 2012-0001**

1. The public health, safety and welfare will not be adversely affected since this item is only a code amendment to revise the sign code to allow temporary portable signs, no physical improvements are involved, it would not modify any permitted uses or development standards, and it includes provisions that restrict the numbers of and locations for temporary portable signs so as not to conflict with disabled access and vehicle sight distance at driveways and intersections.
2. The proposed Zoning Code amendment would not be detrimental to surrounding properties, since it would not change any permitted uses or development standards, and it would be evaluated at the end of one year.
3. The proposed code amendment would be consistent with the General Plan, since no land uses or policies would be modified or impacted, and the General Plan Community Design Policy C1.2 authorizes the development of standards and guidelines for signage within the city.

**EXHIBIT "B"**

**REVISED TEXT  
AZ 12-0001**

**Section 33-1391. Definitions.**

The following are definitions of terms contained in this article:

- (1) *Abandoned sign* means a sign, or portion thereof, advertising or identifying a business, use or activity which has not been in operation for one hundred eighty (180) calendar days or more.
- (2) *Advertise* means any notice to the public for the purpose of increasing sales or business, announcing the availability of a service or product, or making claims as to the value or quality of any service or product.
- (3) *Animated sign*. See flashing or moving signs.
- (4) *Area of sign and area of super-graphic sign* mean the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure or character, together with any other material or color forming an integral part of the display or used to differentiate such sign from the background on which it is placed. The area of a sign or a super-graphic sign having no such perimeter shall be computed in a reasonable manner by enclosing the entire integral parts of the sign copy area within trapezoids, triangles and/or circles in sizes sufficient to cover the entire area and computing the size of such area. In the case of a double-faced sign where the two (2) faces are of equal size, are parallel to each other, and are not separated more than thirty-six (36) inches, the total area shall be computed as the area of a single display face. In the case of a sign with more than two (2) sign faces where each face contains identical copy, the total area of the sign shall be computed by dividing the total number of sign faces by two (2) (resulting fractional numbers shall be rounded up to the next whole number), and multiplying this number by the sign area of a single face. The supports or uprights of a freestanding sign, the support structure of a monument sign, and other significant architectural features around the copy shall not be included in the sign area. In the case of any cylindrical sign, the total area shall be computed on the total area of the surface of the sign. For multi-shingle/panel signs, the sign area may be calculated by totaling only the area of the individual panels, along with any other copy area.
- (5) *Awning* means a shelter projecting from and supported by an exterior wall of a building and constructed of non-rigid materials on a supporting framework.

(6) *Banner, flag, pennant, balloon or other attention-getting devices* means any cloth, bunting, plastic, paper or similar flexible material used for advertising purposes or to attract attention, which is attached to or pinned on any structure, staff, pole, line, framing or vehicle, but not including flags as described in section 33-1393(a)(12) or temporary portable signs as described in section 33-1396(j).

(7) *Billboard* means a sign structure advertising an establishment, merchandise, service or entertainment which is not sold, produced, manufactured or furnished at the property on which the sign is located (e.g., off-premise signs or outdoor advertising).

(8) *Building face and/or frontage* means the area of the front building elevation in which the business is located and which faces a street or parking lot excluding driveways. If more than one (1) business is located in a single building, then such area shall be limited to that front portion which is occupied by each individual business.

(9) *Building floor area* means the total gross leasable space occupied by the business or tenant.

(10) *Bulletin sign* means any sign erected by the City of Escondido, other public body, theater owner, or other use authorized by this chapter, which is erected upon the same property as the institution for the purpose of announcing events which are held on the premises.

(11) *Cabinet sign* means an advertising display which is constructed like a box to enclose the source of illumination (internally illuminated) so that the light shines through the translucent portions of the signs copy panel(s).

(12) *Canopy/Marquee* means a permanent roof-like structure extending from part or all of a building face and constructed of durable rigid material.

(13) *Canopy/Marquee sign* means a wall sign attached to the face of a canopy or marquee, but not projecting above the top of the canopy or marquee.

(14) *Center* means a commercial or industrial development which includes two (2) or more tenant spaces in which businesses, structures and parking/circulation are designed as an architecturally integrated and interrelated development. Such design is independent of the number of structures, lots or parcels making up the center.

(15) *Changeable copy sign* means a sign whose informational content can be changed or altered regardless of the method of attachment or change, or materials of construction.

(16) *Commercial, industrial, or professional center* means a development which is located on more than one (1) legal lot, but which constitutes a comprehensively designed complex through common or shared use arrangements.

(17) *Comprehensive sign program* means a sign program for commercial and industrial centers consisting of two (2) or more tenant spaces, which establishes design criteria for all signs in the center and integrates them with building and landscaping design, and achieves architectural compatibility.

(18) *Construction or contractor sign* means a temporary sign which states the names of the individuals and/or firms connected with the construction of a project. Such signs shall be located at the project site and may include, but are not limited to, the name of the project, the address of the business, and the telephone numbers.

(19) *Copy* means any words, letters, numbers, figures, designs or other symbolic representations incorporated into the graphic content of a sign.

(20) Repealed.

(21) *Directional/Informational sign* means an on-premises sign which contains words such as "entrance," "in," "out," "rest rooms," "no parking" or other similar words, or a sign containing arrows or characters indicating traffic directions used either in conjunction with such words or separately. The sign area shall not be greater than two (2) square feet and the sign not higher than three (3) feet. No directional/informational sign shall contain any advertising or trade name information, although minor business identification, not exceeding twenty (20) percent of the sign area, is allowed for directional purposes. Real estate kiosk and directional signs as defined in sections 33-1396(c) and (d) shall not be included in this category.

(22) *Director* means the director of community development, or a designated representative, whose responsibility it is to administer and enforce the provisions of this article.

(22-1) *Districts* mean designated areas of the community approved by city council resolution or ordinance, including overlay, area and neighborhood plans, historic sections, and specific planning areas.

(23) *Double-faced sign* means a freestanding, hanging or projecting sign where two (2) copy faces of equal size are mounted back-to-back. The two (2) faces shall be parallel to each other and not separated by more than thirty-six (36) inches. One (1) face only will be charged against the permitted sign area.

(23-1) *Feather sign* means a type of freestanding temporary portable sign of flexible material that is plain or includes copy and/or graphics and is supported by a horizontal or vertical pole, including but not limited to feather, flutter, bow, and tear drop flag signs,

(24) *Flashing sign* means any sign which contains or is illuminated by lights which are intermittently on and off, which change intensity or color, or which create the illusion of motion in any manner, including animated signs which manifest a physical movement or rotation in one

(1) or more planes or the optical illusion of action or motion. Time and temperature signs where all advertising is excluded are not included in this category.

(25) *Freestanding sign* means a sign which is permanently supported on the ground by one (1) or more uprights, braces, poles, or other similar structural components that is not attached to any building. This category includes both monument and pole-type signs.

(26) *Freeway-oriented sign*. For the purposes of this regulation, a freeway oriented sign means any structure, housing, device, figure, statuary, painting, display, message placard or other contrivance, including a wall sign or freestanding sign, which provides information in the nature of advertising and which has been designed and located adjacent to the right-of-way on Interstate 15 freeway or portions of Highway 78, with the intention that it be viewed and/or read primarily by motorists traveling on Interstate 15 or portions of Highway 78.

(27) *Future tenant identification sign* means a temporary sign which identifies a future use of a site or a future tenant for a building.

(28) *Glazing area sign* means temporary or permanent signs painted on, attached, glued or otherwise affixed to glass windows, doors, or other glass structures, and oriented to the exterior of the building and public view.

(29) *Grand opening sign* means a temporary special event sign used by newly established businesses to inform the public of their location and service available to the community. A grand opening sign may only be installed within sixty (60) days after the business initially opens, and shall not be displayed for more than thirty (30) consecutive calendar days. "Grand opening" does not mean an annual or occasional promotion of retail sales by a business.

(30) *Halo-lit letters* means individual, dimensional letters or symbols with solid opaque faces which are indirectly illuminated by a light source contained within each letter or symbol, where the light is directed upon the wall or background surface behind the letters creating silhouettes of the letters or symbols against the reflected light.

(31) *Height of sign* means the greatest vertical distance measured from the top of the sign, including decorative embellishments, to the finish grade at the point the sign supports intersect the ground.

(32) *Historic sign* means a sign or advertising structure that possesses historic, cultural, architectural, or community interest or value associated with the development, heritage or history of the city.

(33) *Historic site sign* means signage as necessary to identify a historic landmark or a local register property as designated by the City of Escondido.

(34) *Illegal signs* means any advertising display erected without first complying with all ordinances and regulations in effect at the time of its construction and erection or use, as well as, signs which have expired permits due to the lack of having had the required inspections per the Uniform Building Code and National Electric Code.

(35) *Illumination.*

(A) *External illumination* means the illumination of a sign by an external light source that is not a component part of the sign.

(B) *Internal illumination* means the brightening of a sign by a light source that is a component part of the sign and enclosed within the advertising structure.

(36) *Incidental sign* means a small sign, emblem or decal informing the public of facilities or services available on the premises (e.g., a credit card sign or sign indicating business hours, health rating or licensing).

(37) *Inflatable displays* means any three (3) dimensional ambient air-filled object depicting a container, figure, product or product trade dress.

(38) *Inoperative activity* means a business or activity that has ceased operation at any given location for a continuous period of at least one hundred eighty (180) calendar days.

(39) *Interior sign* means a sign inside any business that is not intended to be seen from outside the building in which the business is located.

(40) *Legal* means authorized or permitted in accordance with procedures defined by ordinance or law.

(41) *Logo* means a trademark or symbol used to identify a business.

(42) *Menu sign* means a sign, located adjacent to a drive-through lane of a food service facility, which lists the products available and the prices, and is designed to be read by the occupants of a vehicle.

(42-1) *Message center, electronic*, means a sign which has a changeable message which may be changed by electronic processes or by remote control and which exposes its message for not less than eight (8) seconds with the interval between messages not less than one (1) second.

(43) *Monument sign* means a low-profile freestanding sign.

(44) *Moving sign* means a sign whose entirety or components rotate or move in any manner to attract attention.

(45) *Multi-shingle (multi-panel) sign* means a freestanding sign composed, in whole or in part, of individual tenant panels without an attached background, typically hung from each other from a cross member supported by posts, and generally separated by a gap not greater than six (6) inches.

(46) *Nonconforming sign* means a sign that does not presently comply with the provisions of this article. A sign that was lawfully erected prior to the enactment of the ordinance codified herein, but now fails to meet any of the standards contained herein shall be considered a legal nonconforming sign.

(47) *Pole sign* means a permanently mounted, freestanding sign which is supported above the ground by one (1) or more uprights, braces, poles, or other similar structural components.

(48) *Portable sign* means a sign which is not permanently attached to a structure or to the ground and is designed to be moved easily.

(49) *Projecting sign* means any sign other than a wall or canopy sign which is attached to and hangs or projects from a structure or any portion of a building.

(50) *Public right-of-way* means a strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be or is presently occupied by a road, sidewalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, bikeway, pedestrian walkway or other public use.

(50-1) *Real estate kiosk sign*—See (60) "Subdivision sign kiosk."

(51) *Real estate sign* means a temporary sign advertising the sale, rent, lease or open house of the property upon which it is located and the identification of the firm handling such sale, lease, rent or open house.

(51-1) *Regional market group* means a defined group of related commercial uses where a marketing or advertising association has been established for the benefit of the regional market group members who are located in a single approved Escondido planned development of more than forty (40) acres with limited visibility from Interstate 15 freeway, and whose market area extends beyond the city limits throughout a larger regional area.

(52) *Regional market sign* means a freeway-oriented sign for a regional market group or affiliated business organization consisting of members of the regional market group, which may include an electronic message center.

(53) *Roof* means the external covering of a building or structure above or covering any exterior or interior vertical wall or other portion of the site.



(54) *Roofline* means the top edge of the roof or top of the parapet, whichever forms the top line of the building silhouette.

(55) *Roof sign* means a sign erected, constructed or placed upon or over a roof of a building, except a mansard roof or canopy which is below the roof of the primary structure which is wholly or partly supported by such buildings.

(56) *Sandwich sign* means a type of portable sign of A-frame construction.

(57) *Sign* means any mark or painted character on any card, cloth, paper, metal, wood, plastic, or any other material visible from outside a structure, mounted to the ground or any tree, wall, bush, rock, fence or structure, either privately or publicly owned. Sign shall also mean any graphic announcement, declaration, demonstration, display, illustration, statuary or insignia used to promote the interest of any person, product, activity or service when the same is placed outdoors in view of the general public.

(58) *Special event sign* means a temporary sign which advertises special events and activities such as, but not limited to, grand openings, charitable events, promotional sales, and Christmas tree sales. Such signs are limited to the provisions listed in this article, Section 33-1396(a).

(59) *Statuary* means statues or sculptures or similar figures that depict products, features, items or logos of a business, excluding those items that are considered design features or complements of the overall site such as wagons, benches, equipment sold or rented on the premises, hand water pumps, troughs, and other like items.

(60) *Subdivision sign kiosk—Real estate kiosk sign* means a city designated sign in the public right-of-way or on private property containing directional panels for residential developments.

(61) *Super-graphic sign* means a wall sign displaying a large graphic image with or without text. The graphic image extends beyond the perimeter of the sign text.

(62) *Temporary sign* means any sign that is displayed for a limited period of time as defined in this article.

(63) *Time and temperature sign* means an electronically or electrically controlled changeable copy sign which conveys only information such as the time, date, temperature or atmospheric conditions, where different alternating copy changes are shown on the same copy area. Each message remains displayed for a specific minimum period of time with a total blackout between message changes. The copy shall not travel or appear to travel in any direction. Time and temperature signs shall be included in the permitted wall or freestanding sign area and shall not include any advertising within the changeable copy area.

(64) *Use* means the purpose for which a property, lot, building, sign or other structure is arranged, intended, designed, occupied or maintained as established by the authorized legislative body.

(65) *Vehicle sight distance* means the area through which a driver has a clear view of oncoming vehicle and pedestrian traffic when waiting to proceed at a street corner or driveway. The sight distance at driveways should be at least ten (10) feet on each side of the driveway. At non-signalized corners, the clear view area is typically established by measuring twenty-five (25) feet along the street fronts from each curb return point and drawing a line across the two (2) back points to form a triangular area. Generally, no sign in excess of three (3) feet above the curb grade, or support pole larger than twelve (12) inches in diameter may be installed in this clear view area unless approved by the engineering division.

(66) *Vehicle sign* means a sign which is attached to or affixed in any fashion, painted on, or resting in or on any type of vehicle which is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or an activity or business located on such property as determined by the director.

(67) *Wall sign* means a sign painted on, attached to, or erected against the wall of a building or structure with the exposed face of the sign parallel to the plane of such wall. A parapet, mansard, or canopy/marquee sign shall be considered a wall sign provided it is architecturally integrated with the building and does not project above the roof line.

(68) *Window sign*. See "glazing area sign."

### **Section 33-1393. Exempt and prohibited signs.**

(a) Exempt signs. The following signs shall be exempt from the application and sign permit requirements, but must be in conformance with all other requirements of this chapter. A building permit and/or encroachment permit may be required. No sign shall obstruct the vehicle sight distance area at intersections and driveways pursuant to section 33-1391(65).

(1) Glazing area signs.

(A) Internal signs affixed to glazing areas and oriented to the exterior and public view, not exceeding twenty (20) percent of the area of glazing on which it is located. Temporary signs may be of expendable materials such as cloth, paper, paint, etc. Permanent signs shall be of nonfading materials permanently applied in a professional manner. Permanent glazing area signs may include incidental signs, and information such as hours of operation or a proprietor's name,

(B) Any window sign used as permanent identification of the business name or logo shall be considered a wall sign and the sign area shall be included in the total wall sign area allowed for the building or tenant space. A sign permit is required for such business sign;

(2) Real estate signs for single and multiple residential rental and sales. One (1) on-site sign per street frontage, up to two (2), not exceeding four (4) square feet in area, provided it is unlit and is removed within fifteen (15) calendar days after the close of escrow or the rental or lease has been accomplished. Up to two (2) riders identifying the agent and/or special feature of the property may be added to the signs. Sign height not to exceed five (5) feet including riders. One (1) on-site and up to three (3) off-site open house signs, not exceeding four (4) square feet in area and five (5) feet in height, are also permitted for the purpose of selling a single house or condominium. Up to three (3) balloons, each not exceeding twenty-four (24) inches in any dimension, may be attached to on-site real estate/open house signs. Other attention-getting devices are not permitted;

(3) Contractor or construction signs.

(A) Residential projects consisting of five (5) units or more and commercial and industrial projects shall be allowed, one (1) wall or freestanding sign on the construction site for all contractors (may include financial institutions, real estate agents, subcontractors, etc.). The sign area may not exceed fifty (50) square feet unless legally required by government contracts to be larger. No freestanding sign shall exceed fifteen (15) feet in overall height. Such sign shall be removed by the contractor(s) upon the granting of occupancy by the city,

(B) Residential projects involving four (4) or less units shall be allowed two (2) wall or freestanding signs. Each sign shall not exceed four (4) square feet in area. Freestanding signs shall not exceed five (5) feet in height. Such signs shall be removed by the contractor(s) upon the granting of occupancy by the city;

(4) Real estate signs for commercial and industrial premises. One (1) sign per street frontage is allowed, up to two (2) signs which advertise the sale, lease or rent of the premises. These signs shall not exceed twenty-four (24) square feet in area for lots/centers three (3) acres or less in size, or forty-eight (48) square feet for lots/centers over three (3) acres in size. These signs may be freestanding signs, wall signs or banners. No such freestanding sign shall exceed eight (8) feet in overall height. Freestanding signs may be double-sided if the panels are of equal size and are mounted back-to-back (parallel) or in a "V" shape if the interior angle does not exceed ninety (90) degrees. The area of only one (1) side of a double-sided sign shall be calculated to determine the area of the sign. Such real estate signs shall be removed within five (5) calendar days after the property to which they refer has been rented, leased or sold;

(5) Interior signs. Devices or displays which are entirely inside a building or in a display space of a lawful show window and are not affixed to the window pane;

(6) Historic site signs, on-premises memorial tablets or plaques. These include those installed by the City of Escondido, a city-recognized historical society, or civic organization, or other displays which do not advertise goods or services;

(7) Directional/informational signs as defined in section 33-1391. Such signs shall not exceed two (2) square feet in area. Freestanding signs shall not be higher than three (3) feet. No directional/informational sign shall contain any advertising or trade name information, although minor business identification, not exceeding twenty (20) percent of the sign area, is allowed for directional purposes. Real estate directional and kiosk signs shall not be included in this category;

(8) Future tenant identification signs may be placed on vacant or developing property or on a vacant tenant space to advertise the future use of an approved project or the future tenant of the suite. One (1) such sign is permitted which shall not exceed twenty (20) square feet in area for a future tenant, or thirty-two (32) square feet for a vacant or developing property. Freestanding signs shall not be higher than eight (8) feet. Any future tenant identification sign shall be removed upon granting of occupancy by the city;

(9) Residence identification signs used to identify individual names and/or addresses of individual residences. Such signs shall not exceed two (2) square feet in area. A maximum of two (2) signs or name plates are allowed per dwelling unit;

(10) Official and legal notices issued by the court, public body, person or officer in performance of his public duty or in giving any legal notice;

(11) Signs providing notice of public hearing, direction, warning, or informational signs or structures required or authorized by law or by federal, state, county or city authority;

(12) Official flags. Up to three (3) official flags of the United States, the State of California, or other states of the nation, counties, municipalities, and official flags of foreign nations. Proposals for more than three (3) flags require a sign permit and design review. If flags are to be displayed on vertical flagpoles, these poles shall be permanently installed with appropriate building permits. Flags of nationally or internationally recognized organizations and corporate or business flags are only permitted if displayed in conjunction with a United States flag. The Flag Code of the United States shall be observed at all times;

(13) Seasonal decorations displayed during a holiday or announcing a community event which do not advertise a specific product or service and are removed within ten (10) working days after the holiday or community event, except as otherwise permitted for temporary window signs;

(14) Signs of public utility companies indicating danger, serving as an aid to public safety, showing the location of underground facilities or public telephones;

- (15) Safety signs on construction sites;
- (16) No trespassing, no parking, and similar warning signs not exceeding four (4) square feet in area;
- (17) Signs on public transportation vehicles including, but not limited to, buses and taxicabs;
- (18) Signs on licensed vehicles; provided, that such vehicles are not used or intended for use as portable signs or as otherwise prohibited in section 33-1393(b);
- (19) Incidental signs for automobile repair stores, gasoline service stations, automobile dealers with service repairs, motels and hotels showing notices of services provided as required by law, trade affiliations, credit cards accepted, and the like, attached to the structure or building; provided, that all the following conditions exist:
  - (A) The signs number not more than four (4) unless required by state law,
  - (B) No such sign projects beyond any property line,
  - (C) No such sign shall exceed an area per face of four (4) square feet per face. Signs may be double-faced;
- (20) Copy attached to fuel pumps or dispensers such as fuel identification, station logo, and other signs as required by law;
- (21) Bill of fare signs for restaurants. Such signs shall not exceed four (4) square feet in area and may be displayed in the window or on the exterior wall in an appropriate manner;
- (22) Agricultural signs, either wall or freestanding types, and nonilluminated to only identify the premise as being associated with a trade organization, or as producing products under registered trade names, or to identify the business name and agricultural products grown on the premises. Such signs shall not exceed four (4) square feet for lots two (2) acres or less and sixteen (16) square feet for lots greater than two (2) acres. One (1) sign per street frontage is allowed with a maximum of two (2) signs per lot. Wall signs shall be located below the roofline. Freestanding signs shall not be higher than six (6) feet, and if higher than three (3) feet shall not be located within twenty-five (25) feet of any property line abutting a street;
- (23) Model unit signs. One (1) feature sign, one (1) model sign and two (2) flags or pennants for each model home may be placed on the model home lots, at the sales office, or in the parking lot area of the subdivision. Such signs and flags shall not exceed four (4) square feet in area and may be double-sided;

(24) Public signs. Signs placed on public property by federal, state or local agencies designed to provide identification or benefit to the public. This exemption does not apply to freestanding, wall, or bulletin signs proposed for public facilities of the City of Escondido;

(25) Scoreboards placed on athletic fields;

(26) Barber poles outside a barbershop;

(27) Commemorative plaques;

(28) Garage and yard-sale signs as permitted by the Escondido Municipal Code section 16-119.

(b) Prohibited signs. Any sign not specifically authorized by this article shall be prohibited unless required by law or otherwise exempted by a local agency pursuant to the Government Code, sections 53090 et seq., of the State of California. The following signs are expressly prohibited:

(1) Roof signs, except a roof-type sign, where permitted by the planning commission as a freeway-oriented sign pursuant to section 33-1395(a)(3);

(2) Flashing signs, including time and temperature signs (unless all advertising is excluded);

(3) Inflatable advertising devices of a temporary or permanent nature, including hot air balloons, unless approved as a special event sign pursuant to section 33-1396(a);

(4) Animated and moving signs;

(5) Searchlights and beacons except as permitted per section 33-1396(a);

(6) Revolving or rotating signs;

(7) Vehicle signs (when parked or stored on property or street for the purpose of identifying a business or advertising a product or service);

(8) Signs without an approved sign permit, unless exempt from the provisions of this chapter;

(9) Portable signs and banners except where permitted by this chapter;

(10) Signs within the public right-of-way, except where required by a government agency or otherwise permitted by section 33-1396(c);

- (11) Signs blocking doors or fire escapes;
- (12) Outside light bulb strings, except for temporary uses such as holiday sales, Christmas tree lots, carnivals and other similar events as defined in section 33-1391(58);
- (13) Readerboard/changeable copy signs, either electric or nonelectric, except time and temperature signs as defined in section 33-1391(63), and other signs permitted pursuant to sections 33-1395.2(b)(3) and (4), 33-1395.10, and 33-1396(e);
- (14) Pennants, streamers, whirligigs, balloons, and other attention-getting devices except as permitted by section 33-1396 of this chapter;
- (15) Signs which purport to be, imitate or resemble official traffic warning devices or signs that by color, location or lighting may confuse or disorient vehicular or pedestrian traffic. This does not include traffic or directional signs installed on private property to control on-site traffic, which do not confuse or disorient vehicular or pedestrian traffic on a public road or right-of-way;
- (16) Off-site real estate and yard sale directional signs other than those permitted by sections 33-1393(a)(2), 33-1396(c) and (d) and Municipal Code section 16-119.
- (17) Billboards and signs that advertise a product, person, business or service not available on the property where the sign is located (off-site signs), and signs placed adjacent to a sign-controlled freeway (see Article 52 of the Escondido zoning code).

**Sec. 33-1394. Construction and maintenance of signs.**

- (a) Construction standards. Every sign and all parts, portions and materials comprising the sign, together with the frame, background, supports or anchorage, shall be manufactured, assembled and erected in compliance with all applicable state, federal and city regulations and the Uniform Building Code.
- (b) Maintenance of signs. Every sign and all parts, portions and materials comprising the sign, together with the frame, background, support or anchorage, including those signs otherwise exempt from this chapter, shall be maintained and kept in proper repair. The display surface of all signs shall be kept clean, neatly painted and free from rust or corrosion. Any crack, broken surface, malfunctioning light, missing sign copy or other unmaintained or damaged portion of a sign shall be repaired or replaced within thirty (30) calendar days following notification by the city. Any cracked, faded, torn, ripped, broken or otherwise damaged temporary portable or feather sign shall be immediately removed from public view until repaired

or replaced. Any sign not properly maintained shall constitute a public nuisance and may be abated per section 33-1398.

**Sec. 33-1396. General use signs.**

Sign permits may be issued for signs included under this section in any zone in the city unless otherwise designated. Applications for permits for general use signs shall be made as provided in section 33-1392 or as otherwise indicated by this section. These signs are in addition to those signs expressly permitted in particular zones and are subject to the following provisions:

(a) Special event signs. Commercial grand opening and similar signs may be approved by the director for a limited period of time in the CG (general commercial) and CN (neighborhood commercial zones) and for specific uses in the M-1 (light industrial) and M-2 (general industrial) zones, as a means of publicizing grand openings and special events such as new management and promotional sales. In addition, special event signs are also allowed for private schools, day care centers and churches regardless of the zoning. The regulation and limitation of the signs shall be as follows:

(1) In advance of a special event, the business owner shall submit a Temporary Sign application, which includes the dates of the special event and the types of signs to be used. The sizes and locations of the signs shall also be indicated.

(2) Special event signs shall be limited to a maximum of sixty (60) days per calendar year per business, not exceeding thirty (30) consecutive days at any time.

(3) Special event signs may be approved in the M-1 and M-2 zones for motor vehicle dealers, lumberyards, restaurants, and other permitted uses of similar retail nature, as determined by the director.

(4) Special event signs may include balloons, flags, searchlights, beacons, pennants and streamers, banners, portable signs, or other similar devices. Balloons may not exceed twenty-four (24) inches in any dimension.

(5) One (1) special event banner is allowed for each street frontage, except for individual in-line shops in commercial centers where one (1) banner is allowed for each building face fronting on a parking lot or a street.

(6) Each special event banner shall not exceed seventy-two (72) square feet in area.



(7) Large balloons and other inflatable displays may be allowed for a maximum of fourteen (14) days per calendar year. If these balloons and displays are to be ground-mounted, they may not exceed thirty (30) feet in height and, if located in the parking lot, not more than ten (10) percent of the required number of parking spaces may be utilized for the installation of the device, including the required tethering area around it. Roof-mounted inflatable displays shall not extend above the height limit of the zone. A sign permit and nominal fee is required. All requests shall be reviewed by the planning, building and fire departments for compliance with all fire and building codes.

(8) No special event signage (of any type) may be displayed on or attached to any public property including telephone or utility poles, traffic control signs or devices, street lights or other structures located on public property.

(9) No special event signage of any type shall interfere with or restrict vehicular or pedestrian access or visibility.

(10) Automobile sales businesses that sell new vehicle inventory, which are located outside the Escondido Auto Park and in zones other than PD (planned development), shall utilize the Escondido Auto Park standards listed below:

(A) Large, roof-top balloons are permitted for four (4), ten (10) day periods per calendar year.

(B) Helium filled balloons, not exceeding twenty-four (24) inches in any dimension, are permitted on Saturdays, Sundays and for special events. They shall be removed at the close of business each day.

(C) Each dealership shall be permitted to display banners for a maximum of thirty (30) consecutive days for special events, not exceeding one hundred (100) square feet in size per banner.

(D) Window banners, antenna mast flags, wind-driven propellers, streamers, windshield sunshades, stuffed animals and inflatable characters are prohibited.

(E) Temporary twenty-five (25) foot by fifty (50) foot shade tents are permitted in display areas (not customer parking areas) for thirty (30) day periods, or the length of a promotion/event, whichever is less. All requests shall be reviewed by the building division and fire department for compliance with all building and fire codes.

(b) On-site subdivision signs.

(1) One (1) temporary on-site subdivision sign is permitted on each street frontage of the property to be subdivided not to exceed two (2) such signs for any subdivision. Each sign shall not exceed fifty (50) square feet in area and shall not exceed a height of twelve (12) feet.

(2) One (1) feature sign, one (1) model sign and two (2) flags or pennants for each model home may be placed on the model home lots, at the sales office, or in the parking lot of the subdivision. Such signs and flags shall not exceed four (4) square feet in area and may be double-sided.

(3) Signs shall observe a minimum five (5) foot setback from all property lines and shall not interfere with vehicle sight distance requirements.

(4) Such sign shall be for the identification of a subdivision, price information, and the developer's name, address and telephone number. Signs may be either single-faced or double-faced provided the faces are not more than twelve (12) inches apart and are mounted along parallel planes.

(5) Such signs shall be removed within thirty (30) calendar days from the date of the close of escrow for the final sale of the land or last residence for the first time. The director may grant a written extension of the period for which signs, flags, or pennants may be maintained after the final sale up to a maximum of six (6) months.

(6) Signs shall be maintained in good repair at all times pursuant to section 33-4.

(c) Real estate kiosk signs. Sign panels on a city-approved kiosk structure may be authorized for the purpose of providing directional information to residential developments with units for sale, lease, or exchange (including assisted living developments) located within Escondido's general plan area.

(1) Number. The maximum number of single-faced sign panels allowed shall be ten (10) per development.

(2) Area and dimensions. Sign panels shall be five (5) square feet in total area and shall measure five (5) feet horizontal length by one (1) foot vertical height.

(3) Height. Maximum sign height for a single sign structure (kiosk) shall be eleven (11) feet.

(4) Kiosk structures. All sign panels shall be located on a city-approved kiosk structure.

(5) Permitted locations. Signs shall be located on designated city kiosk structures within the public right-of-way. If, in the opinion of the director, available city kiosk structures will not permit adequate directional information, kiosk structures may be approved by the director on private property with the written permission of the property owner. A kiosk location plan shall be prepared showing the site of each kiosk and shall be submitted to and approved by the planning division prior to the acceptance of a sign permit application.

(6) Sign copy. Each kiosk panel shall contain only the name of the subdivision or residential development, or developer, or development logo, and a logo(s) regarding an award, special certification, or "green" development, and a directional arrow. Community directional panels (city hall, library, parks, districts, historic sites, etc.), at the discretion of the city, may also be allowed on kiosk structures.

(7) Spacing. No real estate kiosk sign shall be placed within three hundred (300) feet of another except when they are across the street from one another. A maximum of seven (7) temporary real estate directional sign panels for different developments may be grouped on a single kiosk structure face. Only one (1) panel per development may be placed on a single kiosk structure face.

(8) Colors. Directional signs shall conform to colors and design standards approved by the director.

(9) Right of entry. All kiosks which are placed on private property must have prior written consent of the property owners to allow the city, in the event of noncompliance, to enter said property and remove the sign. A copy of said consent shall be filed with the planning division prior to the acceptance of a sign permit application.

(10) Changes. Any sign approved for a particular development project within the city shall not be changed to another project without prior approval of the director of community development.

(11) Time period. Permits for sign panels shall be issued for a limited period of time, not to exceed twenty-four (24) months. Following the twenty-four (24) month period, the permittee may apply for one (1) year extensions or all sign panels shall be removed.

(12) Cash deposit. A cash deposit or bond in the amount necessary to remove such sign and an administration fee as may be established by resolution of the city council may be required to be deposited with the city to ensure compliance with the stipulations of this chapter and removal of signs in a timely fashion. Upon confirmation that the sign has been removed, the deposit will be refunded or the bond released. In the event the city removes a sign, due to noncompliance with the permit or these regulations, the full amount of the bond or cash deposit shall be due the city in order to defray enforcement costs.

(13) Unauthorized alterations. There shall be no additions, tag signs, attention-getting devices, or other appurtenances added to the sign as approved.

(14) Lighting. Artificial illumination of real estate kiosk signs by any means is prohibited.

(d) Temporary real estate directional signs. In addition to the approved kiosk sign panels, major subdivisions located within the general plan area of Escondido may also request temporary real estate directional signs.

- (1) Number. Up to ten (10) single-faced or double-faced signs per development;
- (2) Area. Temporary directional signs shall not exceed four (4) square feet per face nor dimensions of two (2) feet by two (2) feet;
- (3) Height. Maximum sign height shall be five (5) feet;
- (4) Location. Temporary directional signs shall not be placed within any public right-of-way or be attached to utility poles, nor shall they interfere with vehicle sight distance requirements. Written approval of the property owner(s) is required to be submitted with the application;
- (5) Spacing. Each temporary directional sign shall be placed a distance of not less than one hundred (100) feet from any other temporary directional sign or real estate kiosk sign of the same development, except when they are across the street from one another;
- (6) Right of entry. All temporary directional signs must have prior written consent of the property owners to allow the city, in the event of noncompliance, to enter said property and remove the sign. A copy of said consent shall be filed with the planning division in conjunction with the sign permit application;
- (7) Time periods. Permits for temporary directional signs shall be issued for a limited period of time, not to exceed one (1) year, or until each unit is sold for the first time, whichever occurs first. Following the one (1) year period, the permittee shall apply for a six (6) month extension or all signs shall be removed. The total permitted time period shall not exceed thirty-six (36) months and each application for an extension shall include a right-of-entry consent form from any new property owners involved;
- (8) Cash deposit and fee. A cash deposit or bond in the amount necessary to remove such signs and an administrative fee as may be established by resolution of the city council may be required to be deposited with the city to ensure compliance with the stipulations of this chapter and removal of signs in a timely manner. Upon confirmation that the signs have been removed, the deposit will be refunded or the bond released. In the event the city removes a sign, due to noncompliance with the permit or these regulations, the full amount of the bond or cash deposit shall be due the city in order to defray enforcement costs;
- (9) Unauthorized alterations. There shall be no additions, tag signs, attention-getting devices or other appurtenances added to the sign as approved;

(10) Lighting. Artificial illumination of temporary real estate directional signs by any means is prohibited.

(e) Bulletin signs.

(1) Any allowable wall or freestanding sign may be a changeable copy sign announcing cultural activities, events or programs to be held on the premises, for the following uses only:

(A) Amphitheaters;

(B) Theaters;

(C) Churches;

(D) Convention/conference centers;

(E) Private schools (including day care centers);

(F) Museums;

(G) Youth centers;

(H) City of Escondido or other public body;

(I) Establishments which offer live entertainment.

(2) All requests for the construction of electronic changeable copy signs shall be considered by the Planning Commission. Requests for manually-changed bulletin signs shall be reviewed by planning staff.

(f) Signs for nonresidential uses in residential zones. Nonresidential facilities and uses located in residential zones subject to a conditional use permit, are allowed one (1) wall sign, a maximum of twenty (20) square feet in area and one (1) freestanding sign, a maximum of twenty-four (24) square feet in area. A freestanding sign three (3) feet high may be located anywhere on the site. A taller sign up to a maximum of six (6) feet high shall maintain the required setback of the zone. For properties with more than five (5) acres and frontage on more than one (1) street, one (1) freestanding sign per street frontage may be allowed. Only one (1) sign per property/use may be a changeable copy sign pursuant to Section 33-1396(e).

(g) Public facilities signs of the City of Escondido. Freestanding signs, wall signs, and bulletin signs for public facilities of the City of Escondido shall be reviewed by the Director for appropriate design and scale for the site pursuant to the design guidelines, but in no event shall any sign exceed the sizes and heights permitted in commercial zones.

(h) Off-site directional signs for approved historical points of interest. In the case of approved historical points of interest, off-site directional signs of a content, size, height above ground, and location acceptable to the city may be approved by the director and the city engineer. To be considered approved, a place or point of interest must be recorded in the national register of historical places, the local register of historic places, or at the California Department of Parks and Recreation as a point of historical interest.

(i) Pole-mounted banners. Pole-mounted banners for the purpose of providing business identification shall be permitted on poles within HP (hospital professional), CG (general commercial), CP (office professional) and PD-C (Planned development—commercial) zones. All proposals for pole-mounted banners shall be reviewed by the planning division for conformance with the following standards:

(1) Banners shall be constructed of vinyl, cloth or similar durable material. Each banner may be double-faced and shall be permitted a maximum area of sixteen (16) square feet. A maximum of two (2) banners shall be permitted on each pole. Each banner shall be hung on the pole so that the lowest portion of the banner is at least eight (8) feet above the ground.

(2) Banners shall be kept in good condition and may be exhibited year-round. For commercial centers or properties less than three (3) acres in size, the aggregate total of all banners shall not exceed seventy-two (72) square feet.

(3) All banners shall feature color backgrounds and/or graphic images. Text shall be limited to no more than one-half (1/2) of the banner area. All text shall be limited to identifying the business or enterprise on the property only and shall not be used to display products, services or promotions.

(j) Temporary portable signs.

(1) Sunset Clause. This Sub-section 33-1396(j) shall automatically expire one year from the effective date of Ordinance 2012-08, unless extended by the City Council.

(2) Allowable Zones. Temporary portable signs may be placed in:

(A) All commercial zones;

(B) All industrial zones for motor vehicle dealers, lumberyard, restaurants, and other permitted uses of similar retail nature, as determined by the director; and

(C) PD-C (Planned Development-Commercial) zones, and commercial centers in specific planning areas outside of the Downtown Specific Plan Area.

(3) Comprehensive Sign Programs/Sign Standards. A modification of an approved comprehensive sign program or approved sign standards in a planned development and specific plan area are not required.

(4) Location.

(A) Feather signs and sandwich signs may be located anywhere on the parcel of the respective business or within the commonly managed center, and may be located adjacent to Centre City Parkway only for centers and business sites that have direct access to Centre City Parkway.

(B) Temporary portable signs are prohibited on roofs and shall be located so as not to interfere with vehicle sight distance as defined in this article, visibility at driveways, or disabled access, and shall not be located in, or overhang, the public right-of-way, as determined by the City Engineer.

(5) Quantity. One temporary feather sign and/or one temporary sandwich sign may be permitted for each business establishment with a current business license.

(6) Size.

(A) Feather signs shall not exceed 12-feet in height above adjacent grade and 36-inches in width.

(B) Sandwich signs shall be no more than 3'-6" high, 2'-6" wide, and the base width shall not exceed 2'-0". Each face shall not contain more than 7.5 square feet of sign area.

(7) Sign Materials and Construction. All temporary portable signs shall be professional grade signs conforming to the following criteria:

(A) Materials. Temporary portable signs shall be constructed of durable materials, sufficient to withstand inclement weather, as well as color fading due to sunlight. Metal, wood, plastic and UV-coated nylon are typical materials used. Glass and other breakable materials are prohibited. No paper, cardboard, poster board, foam core board or the like will be permitted.

(B) Self-supporting. Temporary portable signs shall be self-supporting and weighted to withstand wind or being overturned by contact. Weights, if required, should be incorporated in the sign construction, not applied.

(C) Sandwich Signs.

(i) Changeable signs shall use slate or plastic with chalk or grease pencil.

(ii) There shall be no projections other than raised carved letters, which shall not project greater than ½" from sign face.

(iii) Signs shall contain no sharp edges or corners.

(iv) Signs shall not have copy or parts that move in a controlled or uncontrolled manner.

(v) Temporary posters, letters, flyers, balloons, pennants, or other attention-getting devices shall not be attached.

(8) Maintenance. Feather and sandwich signs shall be maintained in good condition pursuant to Section 33-1394.

(9) Other. The business establishment must have a valid business license and existing permanent business signs prior to placing temporary portable signs on the site.



**CITY COUNCIL**

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.:** 7  
**Date:** May 9, 2012

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Rich Buquet, Neighborhood Services Manager  
**SUBJECT:** "IT'S UP TO US" PEDESTRIAN SAFETY PUBLIC EDUCATION GRANT

RECOMMENDATION:

It is requested that Council authorize the Neighborhood Services Division to accept Pedestrian Safety Public Education Grant funds in the amount of \$4,999 from the California Department of Public Health, authorizing the Neighborhood Services Manager to submit grant documents on behalf of the City and approve budget adjustments needed for part-time salaries.

FISCAL ANALYSIS:

This action will have no impact on the General Fund Budget. The requested grant will provide \$4,999 to be used for public outreach and materials for distribution to neighborhood and community groups regarding the importance of pedestrian safety. No match is required.

BACKGROUND:

The Neighborhood Services Division has received an "It's Up to Us" Pedestrian Safety Public Education Campaign Grant in the amount of \$4,999 from the California Department of Public Health (CDPH). "It's Up to Us" is a new public education campaign that seeks to reduce pedestrian injury and death containing a universal call to action plus targeted messages.

Grant funds will be used over a two-month period to support outreach to neighborhood and community groups about the importance of pedestrian safety and the dissemination of educational materials. The target audiences include pedestrians, drivers and communities, with a particular emphasis on youth. Funds will be used to pay for staff time and reproduction of education and safety materials. These will complement current City efforts with neighborhood groups and the Escondido Safe Walk to Schools Program.

Respectfully submitted,



Rich Buquet  
Neighborhood Services Manager



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: 4/17/12
Department: Community Services
Division: Neighborhood Services
Project/Budget Manager: Rich Buquet 4579
Name Extension
Council Date (if applicable): 5/9/12
(attach copy of staff report)

For Finance Use Only
Log #
Fiscal Year
Budget Balances
General Fund Accts
Revenue
Interfund Transfers
Fund Balance

Table with 4 columns: Project/Account Description, Account Number, Amount of Increase, Amount of Decrease. Contains two entries for 'IT'S UP TO US' grant with a \$4,999.00 increase each.

Explanation of Request:

Budget adjustment to fund a mini-grant in the amount of \$4999.00 to be used for outreach to neighborhood and community groups regarding the importance of pedestrian safety.

APPROVALS

Department Head signature and date 4/20/12
Finance signature and date 5/1/12
City Manager signature and date
City Clerk signature and date

Distribution (after approval): Original: Finance

# CITY COUNCIL

For City Clerk's Use:

APPROVED  DENIED

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 8**  
**Date: May 9, 2012**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Christopher W. McKinney, Director of Utilities

**SUBJECT:** Determination to Continue Work Under Emergency Contracts Issued for Sodium Hydroxide Cleanup and Tank Repairs

RECOMMENDATION:

The Utilities Department requests that the City Council adopt Resolution No. 2012-74 reaffirming the persistence of the public emergency resulting from the sodium hydroxide release at the Water Treatment Plant on March 26, 2012. Prompt tank repair and chemical cleanup are necessary to continue protecting lives, safety, and property. This protection would be undermined by the time necessary to complete a bid process. Two contracts – one with Daniel Mechanical for tank repair and one with NRC Environmental for chemical cleanup – were awarded as result of the emergency and should be continued to completion.

FISCAL ANALYSIS:

No additional fiscal impacts from this resolution beyond that of the two contracts already awarded.

PREVIOUS ACTION:

The Daniel Mechanical contract was awarded by the City Manager pursuant to Escondido Municipal Code Section 10-131 on April 16, 2012; the NRC Environmental contract was awarded by City Council on April 25, 2012. Work under both contracts began immediately following the event on March 26, 2012, due to emergency condition.

BACKGROUND:

The failure of a sodium hydroxide tank at the Water Treatment Plant on March 26, 2012, created a public emergency that required awarding two contracts without a bid process under provisions of Public Contract Code (PCC) Section 22050.

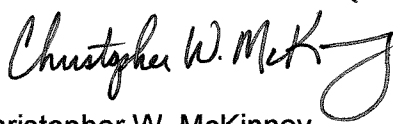
The first contract was awarded by the City Manager on April 16, 2012, to Daniel Mechanical for repair of the failed tank and containment area. These tanks supply the chemical scrubber system, a critical safety system at the plant. Restoring this system quickly is critical to employee safety, thus time is not available for a bid process. The second contract was awarded to NRC Environmental on April 25, 2012, by the City

Primary and Odor Control Design  
May 9, 2012  
Page 2

Council for cleanup and environmental mitigation of the spill. This work is extremely time sensitive to protect adjacent property, critical habitat, wildlife, and human safety.

PCC Section 22050 requires periodic review by the City Council to determine, by four-fifths vote, that there is a need to continue work under these emergency contracts. Resolution No. 2012-74 makes that determination, if approved.

Respectfully submitted,

A handwritten signature in black ink that reads "Christopher W. McKinney". The signature is written in a cursive style with a large, looping final letter.

Christopher W. McKinney  
Director of Utilities

RESOLUTION NO. 2012-74

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF ESCONDIDO, CALIFORNIA,  
AUTHORIZING CONTINUED ACTION  
UNDER THE EMERGENCY CONTRACTS  
AWARDED TO NRC ENVIRONMENTAL AND  
DANIEL MECHANICAL FOR WORK  
RELATED TO THE SODIUM HYDROXIDE  
CHEMICAL SPILL

WHEREAS, a storage tank for sodium hydroxide at the Water Treatment Plant suddenly and catastrophically failed on March 26, 2012; and

WHEREAS, this failure led to the uncontrolled release of sodium hydroxide and contamination of the area surrounding the tank, a portion of the plant access road, a hillside to the north of the plant access road, and a dry creek bed; and

WHEREAS, the City Manager, pursuant to Escondido Municipal Code Section 10-131, appropriately used his authority to award emergency contracts to NRC Environmental and Daniel Mechanical for environmental mitigation of the uncontrolled release and to repair the failed tank and return it to service, respectively; and

WHEREAS, California Public Contract Code ("PCC") Section 22050 authorizes awarding contracts without bids in the case of a public emergency; and

WHEREAS, PCC Section 22050 requires the City Council's periodic review of the emergency action to determine that there is an ongoing need to continue such action initially authorized by the City Manager or City Council; and

WHEREAS, the City Council, pursuant to Resolution No. 2012-69, awarded an emergency contract to NRC Environmental and determined there was a need for

continued emergency action under said contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the Mayor and the City Council determine that continued work under the emergency contracts with NRC Environmental and Daniel Mechanical, previously authorized by the City Manager, is necessary to avoid unacceptable risk to life, safety, and property.
3. That the Mayor and the City Council hereby authorize the continuation of such emergency work in accordance with PCC Section 22050.

# CITY COUNCIL

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 9**

**Date: May 9, 2012**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Barbara J. Redlitz, Director of Community Development

**SUBJECT:** Modification to the Master and Precise Development Plan for Westfield North County (PHG 12-0005)

STAFF RECOMMENDATION:

It is requested that Council introduce Ordinance No. 2012-10 approving a modification to the Master and Precise Development Plan for Westfield North County to implement an exterior revitalization program, add restaurant and retail floor area, demolish three freestanding buildings in the former "duck pond" area and convert to additional parking, and modify the list of permitted uses, parking ratio and the sign program.

ECONOMIC DEVELOPMENT SUBCOMMITTEE RECOMMENDATION:

On March 28, 2012, the Council's Economic Development Subcommittee approved a request from the applicant for expedited processing directly to the City Council. No other Business Enhancement Zone (BEZ) incentives were requested by the applicant.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission did not schedule a hearing for the proposed project, pursuant to the BEZ incentives policy.

PROJECT DESCRIPTION:

A BEZ project consisting of a request to modify the Master and Precise Development Plan for the Westfield North County regional shopping center. The proposed modification would implement an exterior revitalization program that includes approximately 20,000 SF of new restaurant and retail floor area, a reface of all eight mall entries and a complete re-paint of the mall exterior. Exterior changes would include a new 7,500 SF restaurant addition to the front of the mall between Macy's and the new Target, another restaurant pad in the parking lot just south of On the Border, demolition of the Onami building and two vacant bank buildings in the back of the mall and converting this and the former "duck pond" area to new parking. The proposal also includes a new sign program for all wall and freestanding signs including a new freeway pylon sign up to 93'-high and an increased number of wall signs to include advertisement panels. Other aspects of the proposal include

broadening the list of permitted uses to include more non-retail related businesses and temporary parking lot uses, and a request to reduce the parking ratio for the shopping center from the current 4.6 spaces per 1,000 SF to 4.0 spaces per 1,000 SF.

LOCATION:

The 83-acre site is located on the northern side of Via Rancho Parkway, east of Interstate 15, and addressed as 200 E. Via Rancho Parkway.

FISCAL ANALYSIS:

Westfield is proposing a renovation project for the regional shopping center that they estimate will cost approximately \$55.8 million in return for the 15-year lease extension granted by the City Council last January. The financial analysis of the lease amendment estimated the City will receive an economic benefit of approximately \$81.2 million (present value terms) in the form of ground rent, property reversion and sales tax for the period of 2011-2053, inclusive of the approved term extension.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the Council's Action Plan regarding Economic Development and Image and Appearance.

GENERAL PLAN ANALYSIS:

General Plan Policy B4.1(b)(11) identifies the project site as an 83-acre shopping mall anchored by large department stores and other diverse commercial uses. The proposed project would be in conformance with General Plan Economic Policies (page II-23) which encourage economic activities to expand or locate in Escondido that are clean and nonpolluting; provide additional employment opportunities; reduce the need for Escondido residents to commute out of the area; maintain the City's fiscal stability; and are aesthetically superior.

ENVIRONMENTAL REVIEW:

The proposal is categorically exempt from the California Environmental Quality Act in conformance with CEQA Section 15301(e) "Existing Facilities and Additions." A Notice of Exemption was issued on April 30, 2012.

PREVIOUS ACTION:

On January 11, 2012, the City Council voted 5-0 to authorize the Mayor and City Clerk to execute a Lease Amendment and related documents to provide an option to extend the ground lease for Westfield North County for an additional 15 years.



## BACKGROUND:

Westfield and the City of Escondido have recently concluded negotiations on a lease extension for the Westfield North County Shopping Center. The agreement obligates Westfield to invest in significant interior and exterior upgrades to the shopping center. Enhancements to the mall interior including new floor finishes, paint, lighting, material accents, handrails, common area furniture, and a complete remodel of the food court with additional seating and new bathrooms will be ready to commence soon. Construction is already underway on a related project to refurbish one of the vacant major tenant spaces into a new, three-story Target store. This proposal focuses on the remaining exterior renovations and proposed revisions to the development standards for the project.

Westfield hopes to complete construction of all improvements prior to the Christmas season. While this proposal would typically be reviewed by the Planning Commission for a recommendation to the City Council, Westfield included a request for expedited processing as permitted under the BEZ process. On March 28, 2012, the City Council Economic Development Subcommittee reviewed the Westfield proposal and granted the request for expedited processing. Although this allows the proposal to proceed directly to the City Council for a final decision, the Council subcommittee asked staff to distribute plans to the Planning Commissioners to provide an opportunity for informal review and comment directly to staff. None of the commissioners provided any comments to staff.

## PUBLIC COMMENT:

One resident, Patricia Borchmann, corresponded with staff prior to the March 28, 2012, Council Economic Development Subcommittee meeting and made a presentation at the meeting. Ms. Borchmann's presentation focused on the proposed renovations for the mall entries and she suggested an alternative approach with bolder architectural features similar to photos she provided of other commercial buildings in the area. There was no direction from the subcommittee to change the architecture; and the applicant eventually decided to continue to focus on their original proposal. No other comments from the public have been received on any aspect of the proposal.

## ANALYSIS OF PROPOSED MODIFICATIONS:

The existing mall was designed to complement and blend with its surrounding environment incorporating a low profile complex emphasizing a more horizontal character situated in a park-like atmosphere. The architecture of the mall generally utilizes a common design theme reflected in the use of similar forms, color, landscaping and the sloped standing seam metal roof. The Master Plan also provides for individually designed outbuildings to suit the needs of the various tenants and community uses.

The proposal for exterior renovations has multiple components that include a complete re-paint of the mall exterior, a new 7,500 SF restaurant addition to the front of the mall between Macy's and the new Target, another restaurant pad in the parking lot just south of On the Border, demolition of the Onami building and two vacant bank buildings in the back of the mall and converting this and the "duck pond" area to new parking, and a reface of all eight mall entries. The proposal also includes a new sign program for all wall and freestanding signs including a new freeway pylon sign up to 93'-high and an increased number of wall signs to include advertisement panels. Other aspects of the proposal

include broadening the list of permitted uses to include more non-retail related businesses and temporary parking lot uses, and a request to reduce the parking ratio for the shopping center from the current 4.6 spaces per 1,000 SF to 4.0 spaces per 1,000 SF.

### Exterior Renovations, Building Additions, and New Parking Lot

Several proposed building additions and one new restaurant pad would add approximately 20,134 SF of leasable floor area to the shopping center. The additions include 1,000 SF of retail space on the front side of the center at Entry 1 on the lower floor between Macy's and the new Target, a 7,500 SF restaurant addition directly above the new retail on Level 2 (Entry 2), a 4,634 SF retail addition to the former Rob May North building on the back side of the mall, and a new pad for a 7,000 SF restaurant building adjacent to Via Rancho Parkway just south of the On the Border Restaurant. Other renovations include a reface at each of the eight primary entries to the mall that will include new storefronts, additional stucco facade work in some locations, and a metal cladding system to accent each entry and provide a surface for new signage. The entire exterior of the shopping center also will be painted with two primary colors and five accent colors that are all in an earth-tone range from beige to brown. New landscaping in large pots also will be provided at each entry.

While a total of 20,134 SF of new floor area will be added to the mall, the proposed demolition of the freestanding 10,428 Onami building in the former "duck pond" area will result in a net increase of 9,706 SF of gross leasable area. The two vacant bank buildings in this area will also be demolished and were already subtracted from previous floor area calculations in 2005 when the City Council approved a new 160-space parking lot to replace the duck pond. The parking lot was never constructed and the bank buildings were not demolished. The current plan would demolish all three buildings and build a larger 207-space parking lot in this area. The proposed restaurant pad and driveway modifications near Entries 1 and 2 would remove 72 existing parking spaces resulting in a net increase of 135 parking spaces for the shopping center from the proposed development. This will effectively increase the number of available parking spaces at Westfield North County from 5,640 spaces to 5,775 spaces.

A short section of sidewalk will be provided on the south side of Beethoven Drive adjacent to the new parking lot area, leaving a gap between the new improvements and the park-and-ride facility across the bridge on the western side of I-15. Construction of the remaining section of sidewalk to the park-and-ride would facilitate pedestrian traffic from the park-and-ride and adjacent neighborhoods to the shopping center. However, Westfield has indicated that this improvement is not warranted because their customers drive vehicles to the mall and the cost was not anticipated and factored into lease negotiations. Therefore, construction of the additional sidewalk has not been included in the conditions, but the opportunity to build the sidewalk exists as part of any future expansion in this underutilized area of the site.

The proposed building additions and areas where exterior renovations will occur are important to the revitalization of the shopping center but are relatively small compared to the enormity of the structure that contains approximately 1.2 million square feet of leasable floor area. These modifications will be consistent with the contemporary design of the building and will not affect the major features or overall height of the building. The proposed entry modifications will add visual interest in the form of new accent materials and color with new signage opportunities; and the new paint scheme will be

more consistent with the original Master Plan direction for an earth-tone palette than the current light pastel scheme. The proposed pad building will provide additional dining opportunities adjacent to another popular restaurant building and the new parking lot revitalizes an area that has been virtually abandoned with vacant buildings and provides additional parking that was anticipated at the time previous restaurant pads were developed in other areas of the site. Staff feels the proposed exterior renovations and building additions are consistent with what was anticipated at the time the lease extension was approved.

### Modification to Sign Program

The original sign program developed for the North County Fair shopping center in 1985 was very limited and established sign allowances only for the anchor tenants, mall entries, and the freestanding sign adjacent to I-15. Over the years as some of the anchor tenant buildings were leased to multiple tenants or pad buildings were added to the parking lot, different interpretations of the original standards were utilized to allow signs for the new tenants. Exterior signs on the mall building were generally limited to anchor and major tenants, with a few additional signs permitted for tenants that had exterior entries. The proposed modification to the sign program represents the first comprehensive update of the sign standards for the shopping center since it was constructed.

The proposed Master Sign Program provides eight types of exterior signs for the shopping center including four for tenants of various sizes, and four others for the parking lots and mall entries. Tenant sign allowances are established for anchor tenants (greater than 50,000 SF), major tenants (greater than 10,000 SF), in-line shops (with exterior storefront), and pad tenants. The types of tenant signs are similar to what was previously permitted with a requirement for internally illuminated or halo-lit channel letters, or externally illuminated dimensional letters. A new method of signage calculation is introduced that results in additional sign area; and letter and logo heights are increased over what is currently permitted. The proposed allowable sign area is based on a calculation that allows a range of sign area for every lineal foot of building store frontage. Anchor tenants are at the high end of the range with an allowance of two square feet of signage per lineal foot of building, with pads being at the low end of the range with an allowance of ½ square foot per lineal foot. Letter and logo heights for anchor tenants are increased up to eight-feet high and 14-feet high respectively. Maximum sign area for each sign is also increased with an allowance of 400 SF for anchor tenants, 300 SF for major tenants and 200 SF for in-line shops.

Sign allowances would significantly increase over what was originally permitted. An anchor tenant would now be allowed multiple signs up to 400 SF each with letter heights up to eight feet. For comparison, the original Robinson's anchor tenant was allowed three signs with a total aggregate area of 390 SF and maximum letter height of five feet. This already exceeds the standard Sign Ordinance allowance for commercial tenants where a maximum aggregate sign area of 300 SF is permitted with no sign larger than 100 SF. While the proposal represents a significant increase in overall sign allowances for all mall tenants, the mass and volume of the building is substantial and includes large wall planes where larger signs could be more in scale with building features.

The proposed Master Sign Program also includes revisions to directional signs, monument signs at the driveway entries, mall entry signs, and the freeway sign adjacent to I-15. The signs would all be changed to incorporate the painted metal cladding feature that will be installed at all mall entries as

part of the exterior renovations. There are two significant changes including the addition of advertising panels adjacent to wall signs at all of the mall entries except for the food court and the entry directly below it. The other is a significant increase in size for the freeway pylon sign. Six advertising panels would be permitted at six mall entries with sizes ranging from 39 SF (Entries 3 and 8) to 672 SF (Entry 1). The Entry 1 panel would be by far the largest with the next largest being 168 SF nearby at Entry 2. Westfield originally proposed no limits on the use of the advertising space indicating it would be offered to on-premise or off-premise businesses or services. The City of Escondido does not allow off-premise signs and indicated an unfavorable precedent could be set if the Westfield request was granted. Therefore a condition has been developed to limit the use of the advertising panels to businesses, products, services or events available on the premises.

The proposed freeway pylon sign would be located in approximately the same area as the existing freeway sign but would be substantially increased in size. The existing freeway sign is 49-feet high and 22-feet wide. The existing sign only identifies Westfield and does not include any tenant panels. The proposed freeway sign is 93-feet high and 28-feet wide. The increase in width is not as substantial as the increase in height, which is needed to enhance visibility to motorists on northbound and southbound I-15 and also to include room for tenant panels. A visual analysis consisting of photo simulations provided by the applicant indicates the proposed sign would be much more visible to motorists than the existing sign, particularly to southbound motorists where there is limited opportunity to see the existing sign due to the obstruction caused by the Del Lago bridge and the new I-15 direct access ramps. Although the proposed sign is nearly twice the height of the existing sign, the photo-simulations appear to indicate the height is appropriate from nearby vantage points and the inclusion of tenant panels on the sign provides balance and scale to a sign that serves as the primary means of identification for an 83-acre regional shopping center.

#### Revision to List of Permitted Uses

Every commercial planned development in the City has been developed for a particular use, or when multiple uses are permitted, includes a list of permitted uses. In the case of Westfield North County, the list of permitted uses dates back to the original 1981 approval for North County Fair. This list has been unchanged since with the only modification being one approved by the City Council in 2002 to clarify outdoor temporary uses. The proposed revision would change the list of permitted uses to provide direction on the types of businesses permitted in the mall and allowable outdoor uses in the parking lots.

The original list of permitted uses includes 24 business types/land uses that are allowed in the mall. The majority of uses are retail related but also include restaurants, financial and professional offices, cinemas, community uses, galleries, and beauty/barber services. The proposed list of permitted uses classifies land uses by category and includes a retail category with various retail and restaurant uses permitted within that category. Other proposed land use categories include cultural, entertainment and recreation, education, medical, dental and related health services, services, offices, public and semi-public uses, and accessory uses. Various types of businesses are listed under each category similar to the retail category.

The most notable difference between the existing and proposed revision to the list of permitted uses is the inclusion of a broad range of non-retail related uses. The mall was designed as a shopping

center and retail has always been one of the preferred uses, not only to provide a variety of goods to local residents, but because of the sales tax revenue that accrues to the City.

During the Economic Development Subcommittee meeting on the proposal, there was discussion about the types of non-retail uses that would now be permitted and there was concern about a possible proliferation of non-retail uses and the related loss of tax revenue. It was suggested that this should be closely monitored and that a cap of 25,000 SF should be established for some newly permitted non-retail uses. Staff has since proposed making 12 of the proposed non-retail uses subject to a Conditional Use Permit with five of those uses subject to the 25,000 SF cap. The applicant was concerned about staff's proposed limitation, particularly regarding the ability to lease long-term vacant space that does not seem well-suited to retail uses. The applicant has suggested the cap be raised to 50,000 SF, which translates to a maximum of 3.9% of the total 1,279,485 SF of gross leasable area. Staff feels this is a fair compromise as the discussion during the Economic Development Subcommittee meeting suggested 25,000 SF when only clubs and lodges and charitable organizations were discussed. Since that time, staff has added educational facilities, medical/dental offices, and child care centers into the non-retail cap restriction.

Temporary events and uses in the parking lot have been regulated closely since 2002 in order to maintain aesthetic quality and promote an upscale shopping experience. Five types of temporary outdoor uses including car sales, concerts, health fairs, and promotional events were permitted at that time subject to the issuance of a Temporary Use Permit. The Temporary Use Permit is a no-fee permit that allows an opportunity for the Fire Department to review proposals and ensure there is adequate vehicle circulation and public safety measures for each event.

The applicant is proposing to increase the number and types of events and uses that could be permitted in the parking lots. They have indicated that the ability to offer more events in the parking lots helps to drive more customers into the shopping center and increase sales. Additional temporary events include a farmer's market, art shows, ice skating rink, seasonal garden center, outdoor adventure events (climbing wall), and wine and food festivals among others. All events except for seasonal pumpkin and Christmas tree sales, would be limited to a maximum duration of 15 days. A Temporary Use Permit would still be required and guidelines have been included to address temporary signs and business licenses for the events. Staff has reviewed and modified the list to remove items of concern to the Economic Development Subcommittee, such as RV sales and spa sales. Staff recommends approval of the proposed list of permitted temporary uses.

### Reducing the Parking Ratio

Westfield North County currently has 1,269,779 SF of gross leasable area and 5,640 parking spaces, a parking ratio of 4.44 spaces per 1,000 SF of gross leasable area when all available mall space is occupied. At the time the Westfield North County project was developed, a parking ratio of 4.6 parking spaces per 1,000 SF of gross leasable area was established as the minimum requirement. The ratio has been slightly reduced recently from the addition of three restaurant buildings in the parking lots and the delay in constructing the new parking lot in the former "duck pond" area. This has been deemed temporarily acceptable for the last few years while more than 200,000 SF of tenant space in the mall has remained vacant.

The proposed project would increase the overall size of the mall to 1,279,485 SF of gross leasable area and increase the number of parking spaces to 5,775. This would result in a parking ratio of 4.51 parking spaces per 1,000 SF of gross leasable area. As part of the project, Westfield is proposing to change the parking ratio from the currently required 4.6 spaces per 1,000 SF to 4.0 spaces per 1,000 SF. The new parking lot in the former "duck pond" area would still be constructed, but the overall number of required parking spaces would drop from the 5,775 spaces that are proposed to be available post-construction, to a minimum of 5,118 parking spaces, a potential decrease of 657 parking spaces on the site. The applicant insists that this is necessary to facilitate additional expansion in the future and has provided a shared parking analysis to support the request. Any future building additions or expansions would be subject to approval of a modification to the Master and Precise Development Plan.

According to the Shared Parking Analysis for the Westfield North County Regional Shopping Center Expansion, prepared by Gibson Transportation Consulting, Inc., dated April 2012, the City's current 4.6 per 1,000 SF parking ratio is already higher than the ratios recommended for regional shopping centers by the Urban Land Institute (ULI) and the International Council of Shopping Centers (ICSC). The ULI/ICSC recommended peak parking demand ratio for a regional shopping center is 4.0 spaces per 1,000 SF on weekdays and 4.5 spaces per 1,000 SF on weekends (i.e. Saturday). These rates apply to any shopping center greater than 600,000 SF that has 0-20% non-retail uses. Westfield North County falls within these specifications based on the size of the center and the proposed mix of approximately 11% of non-retail (includes restaurants) uses. The ULI/ICSC standards would require 5,118 parking spaces to meet peak weekday demand and 5,758 parking spaces to meet peak Saturday demand.

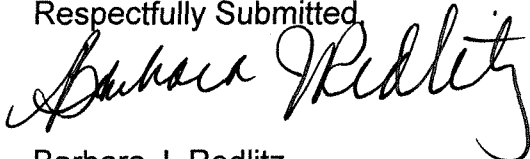
The parking analysis includes a shared parking calculation utilizing ULI methodology that treats Westfield North County as a mixed-use development and calculates the peak parking demand based on the parking patterns of the individual land uses within the development. Parking counts were taken at the center during the busiest hours of the day on a weekday and a Saturday during the week before Christmas 2011. These days represent the busiest days of the year for parking demand. A shared parking model was then calibrated based on the mix of land uses and the size of each individual use. The model was then compared against the actual parking counts and accurately predicted the amount of parking that was experienced during those days. The model was then utilized to predict peak parking demand for the expanded shopping center proposal.

The shared parking calculation indicates a maximum of 3,910 parking spaces would be needed on the busiest weekday of the year occurring in December. A total of 5,898 parking spaces would be needed to accommodate peak demand on the busiest weekend of the year, also in December. This means the 5,775 parking spaces that will be available on the site are more than adequate to meet the parking demand on every weekday of the year. The proposed 4.0 parking ratio supply of 5,118 parking spaces would still accommodate peak parking demand for every weekday of the year. The on-site parking supply would also accommodate parking demand for every weekend of the year except for December. Under both the post construction (5,775 spaces) and proposed 4.0 ratio (5,118 spaces) scenarios, off-site parking will be required on weekends during the holiday season. On weekend days from Thanksgiving to New Year's, the shopping center will need to have an off-site parking program for employees from approximately 1:00 P.M. to 5:00 P.M. The number of off-site spaces needed will vary based on the number of parking spaces that exist on the site. For Christmas

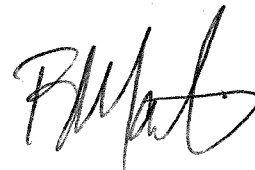
2012 it is estimated that 125 employee vehicles will need to park off-site during holiday weekends based on the expected number of 5,775 parking spaces on-site. This off-site number increases to compensate for the number of on-site spaces that are utilized for the sale of Christmas trees. The base number will increase over time if the 4.0 per 1,000 SF parking ratio is adopted and existing parking spaces are removed to accommodate new growth. Using a worst case scenario under the proposed 4.0 ratio that assumes 5,118 parking spaces remain on the site, a total of 780 offsite employee parking spaces (plus additional to compensate for on-site Christmas tree sales) would be needed on weekends during the holiday season. This represents approximately 75% of the total 1,042 mall employees.

Westfield has a history of using off-site parking for employees during the holidays at many of their shopping centers including Westfield North County. According to the Westfield North County Holiday Off-Site Parking Program, there are approximately 800 parking spaces at San Pasqual High School that have been used previously on holiday weekends and another 215 parking spaces at the Del Lago Park and Ride facility that may be available on holiday weekends. The program indicates that Westfield will secure the off-site location, contract with a bus company for shuttles and drivers, provide security in the off-site location, and notify all mall employees about the program with rewards given out to employees who ride the shuttles. Shuttle hours and a route map with established stops throughout the shopping center are also provided to the employees. This is a system that Westfield has used for a number of years and is comfortable with. Staff feels the applicant's request to reduce the parking ratio to 4.0 spaces per 1,000 SF of gross leasable area can be supported in light of the established off-site parking program that has been developed for the approximately eight days each year when the parking lot is over capacity.

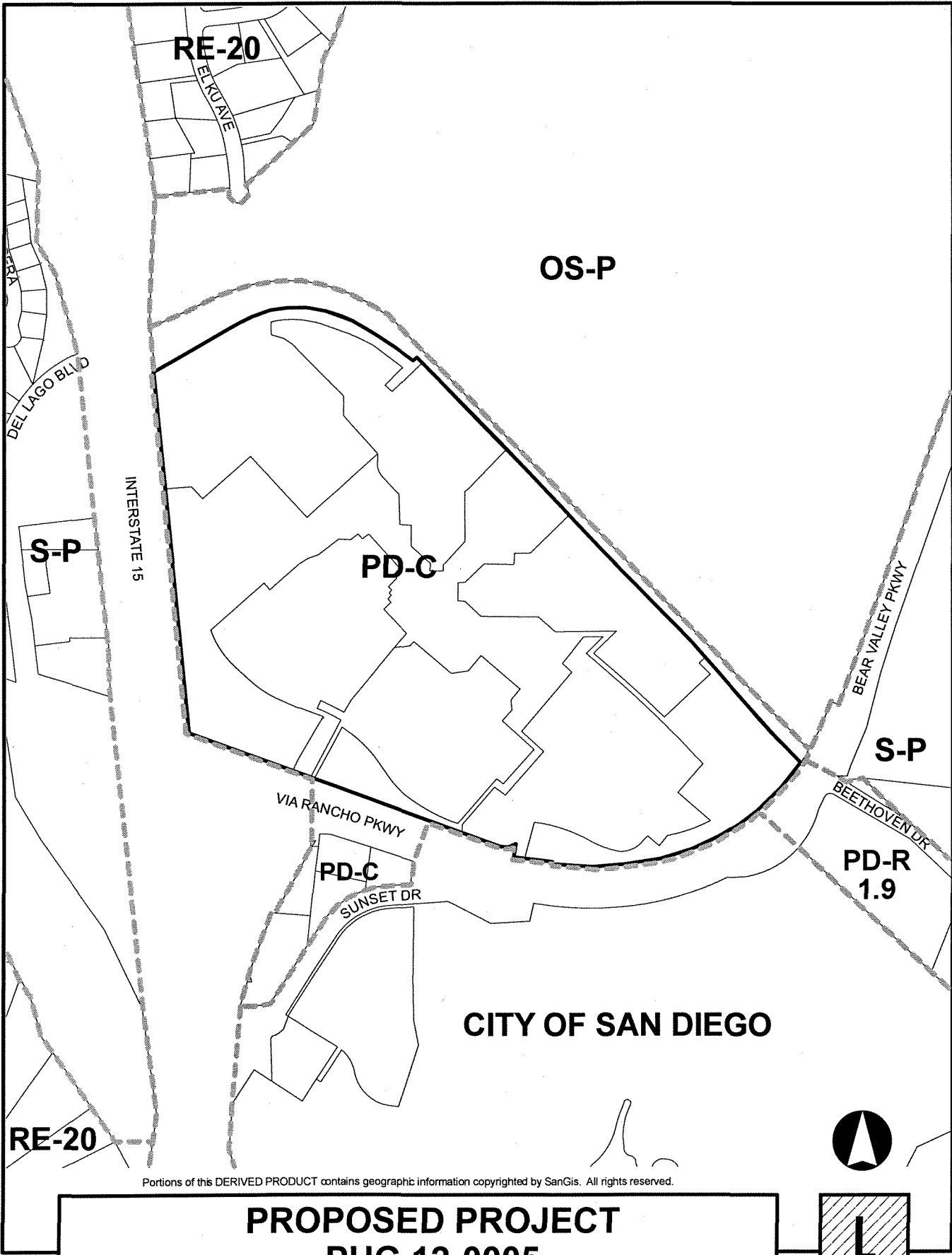
Respectfully Submitted



Barbara J. Redlitz  
Director of Community Development



Bill Martin  
Principal Planner



**RE-20**

**OS-P**

**S-P**

INTERSTATE 15

**PD-C**

**S-P**

VIA RANCHO PKWY

BEETHOVEN DR

**PD-R  
1.9**

**PD-C**

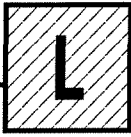
SUNSET DR

**CITY OF SAN DIEGO**

**RE-20**

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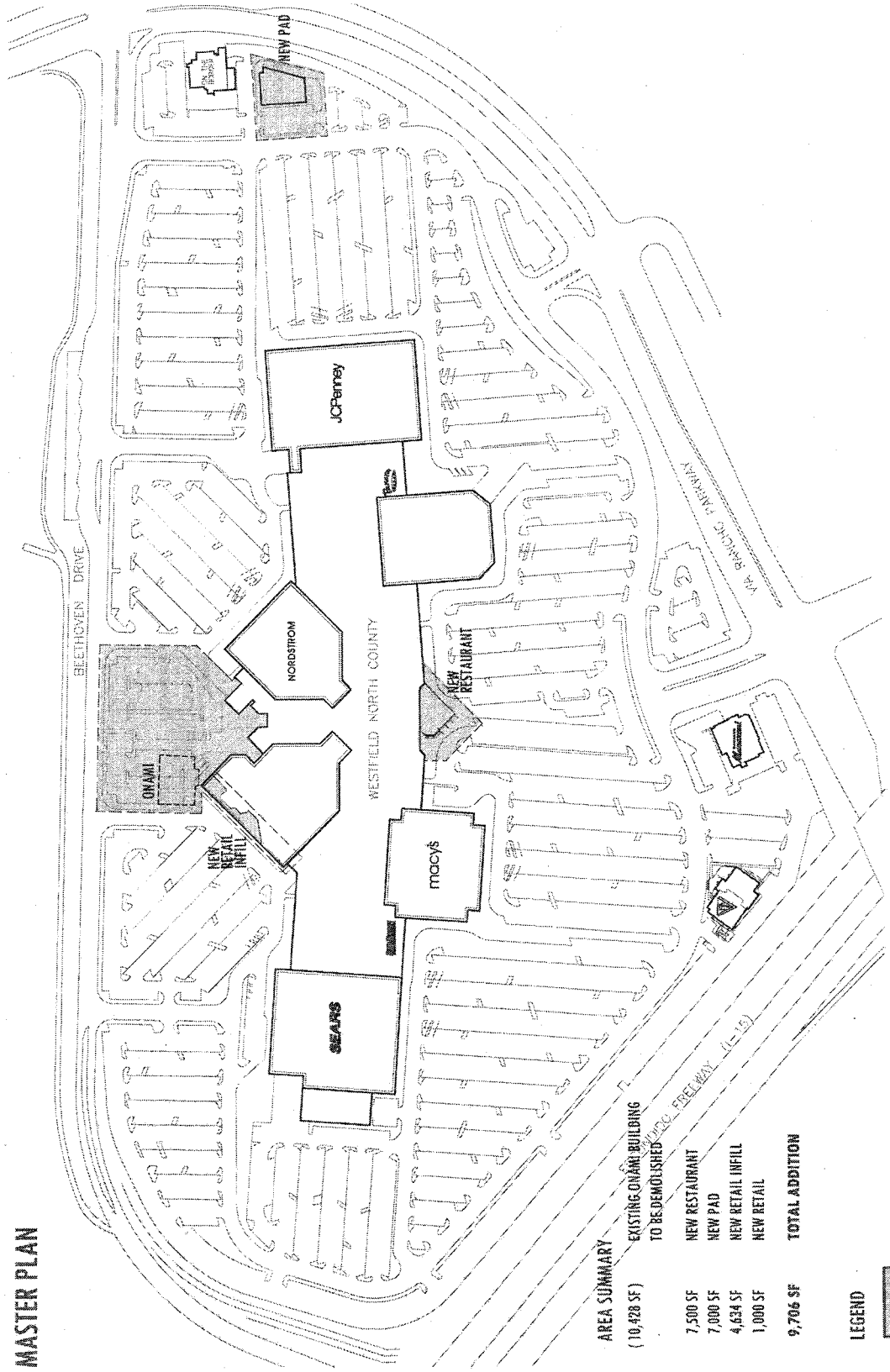
**PROPOSED PROJECT  
PHG 12-0005**



LOCATION/ZONING





**MASTER PLAN**



**AREA SUMMARY**  
(10,428 SF)

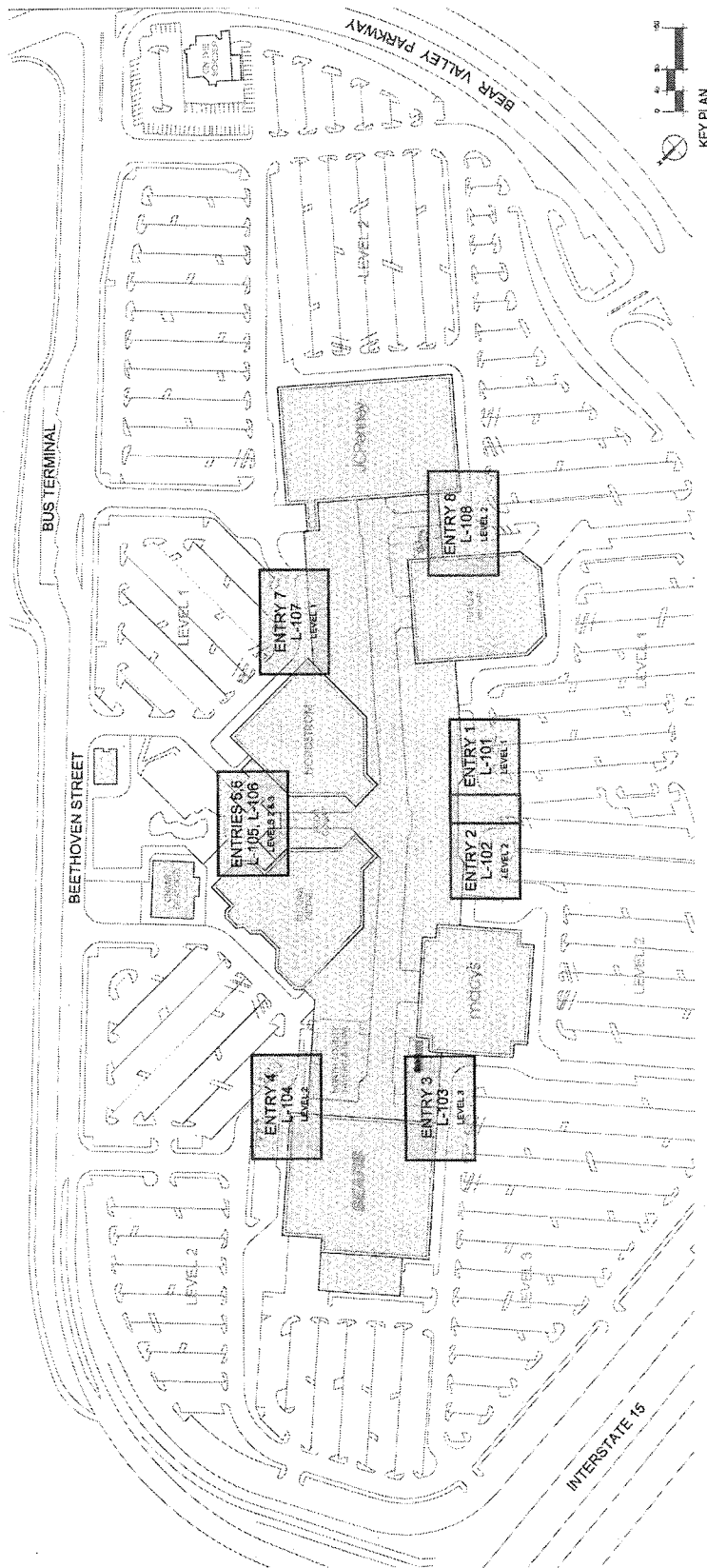
	EXISTING ON-PAVING TO BE DEMOLISHED	NEW RESTAURANT	NEW PAD	NEW RETAIL INFILL	NEW RETAIL	TOTAL ADDITION
	7,500 SF	7,000 SF	4,634 SF	1,000 SF	9,706 SF	

- LEGEND**
-  SCOPE OF WORK
  -  BUILDING TO BE DEMOLISHED



**PROPOSED PROJECT  
PHG 12-0005**

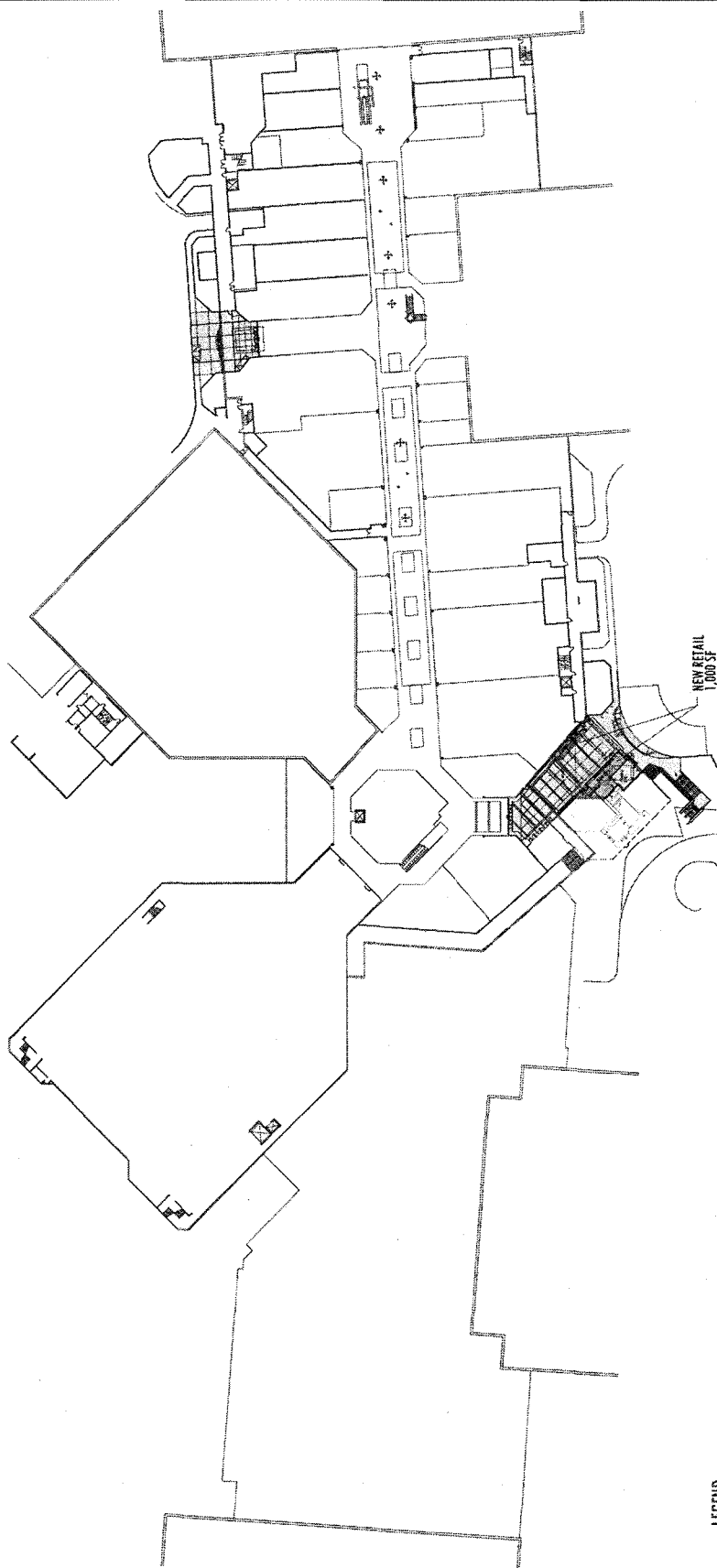




**PROPOSED PROJECT  
PHG 12-0005**



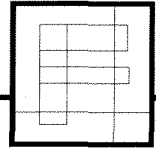
SITE PLAN



- LEGEND
- SCOPE OF WORK
  - NEW RETAIL / RESTAURANT

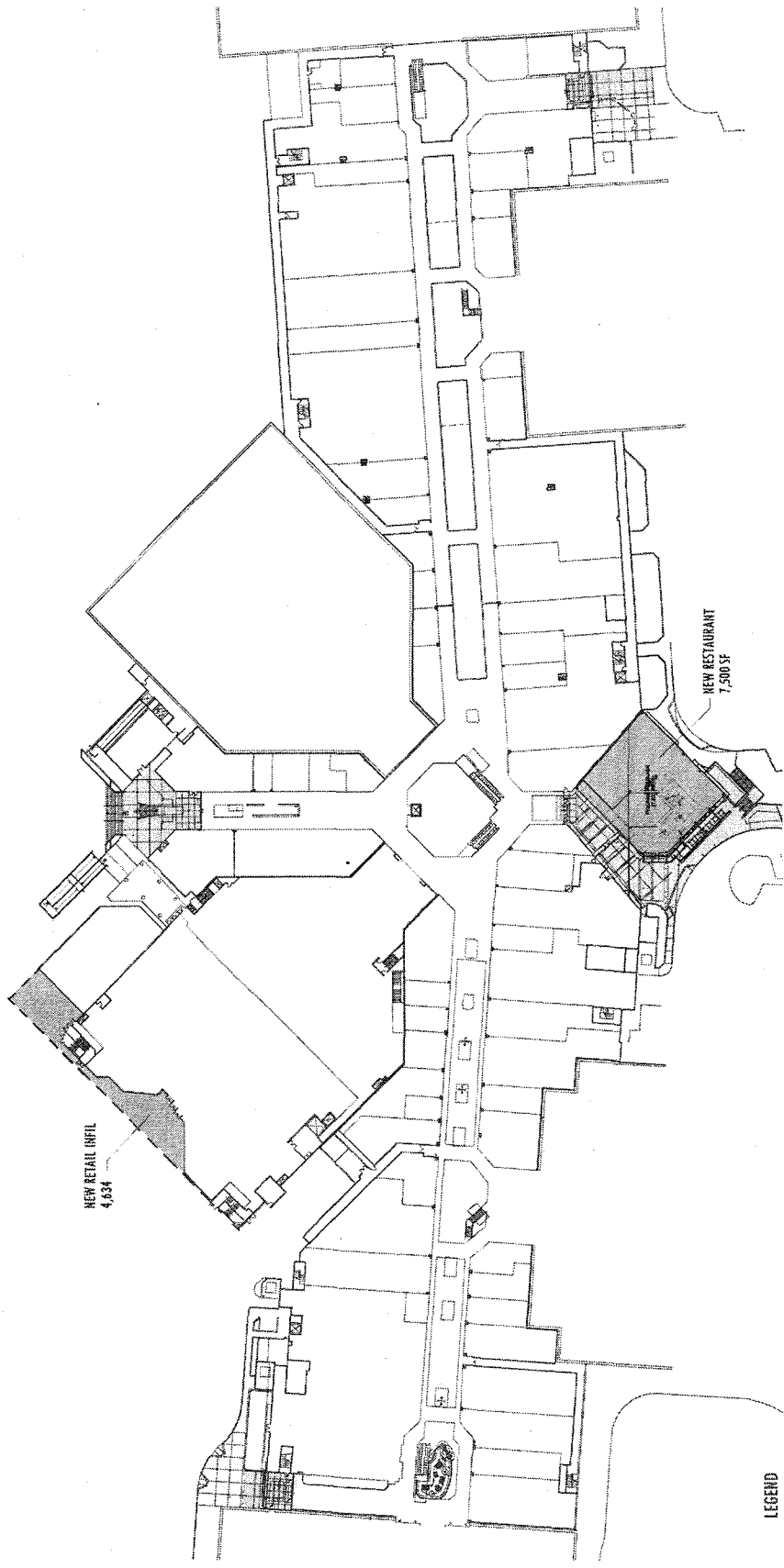
# Floor Plan—Level 1

**PROPOSED PROJECT  
PHG 12-0005**

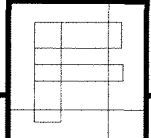


FLOOR PLAN

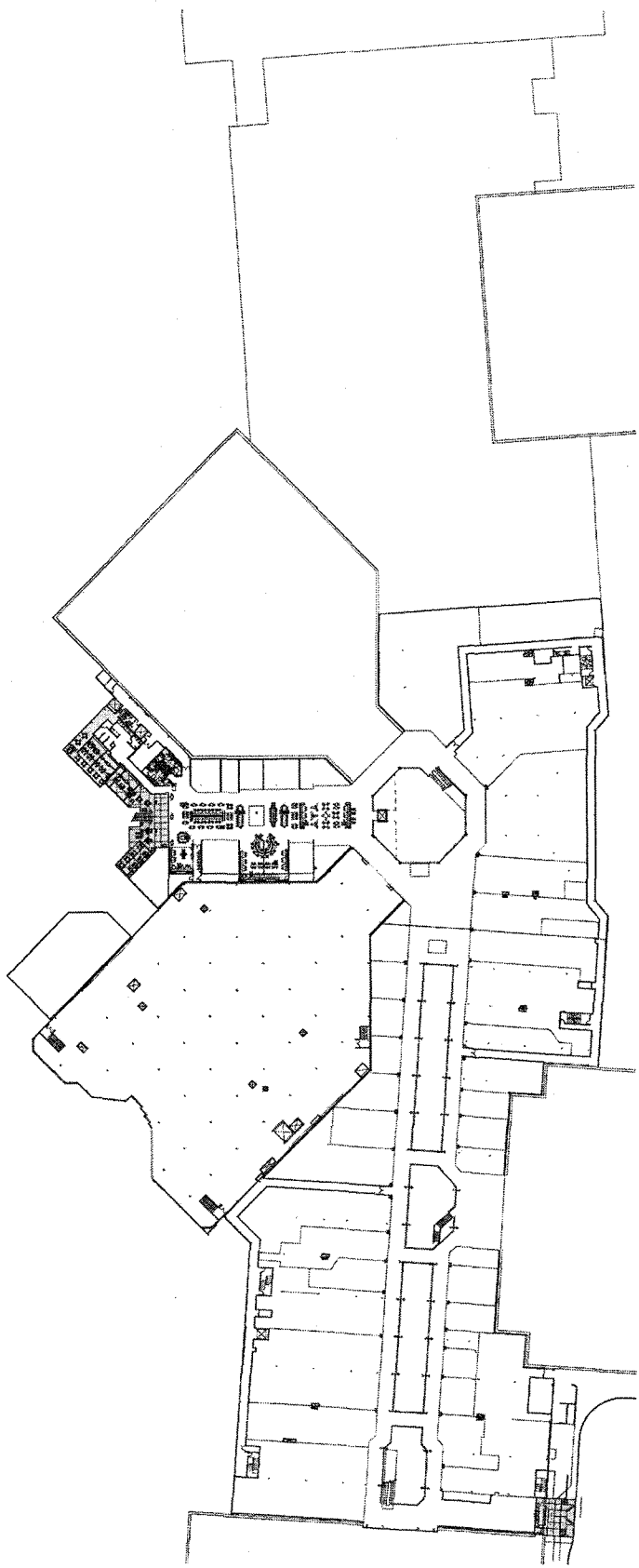
# Floor Plan—Level 2



**PROPOSED PROJECT  
PHG 12-0005**



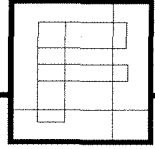
FLOOR PLAN



# Floor Plan—Level 3

- LEGEND
- SCOPE OF WORK
  - NEW RETAIL / RESTAURANT

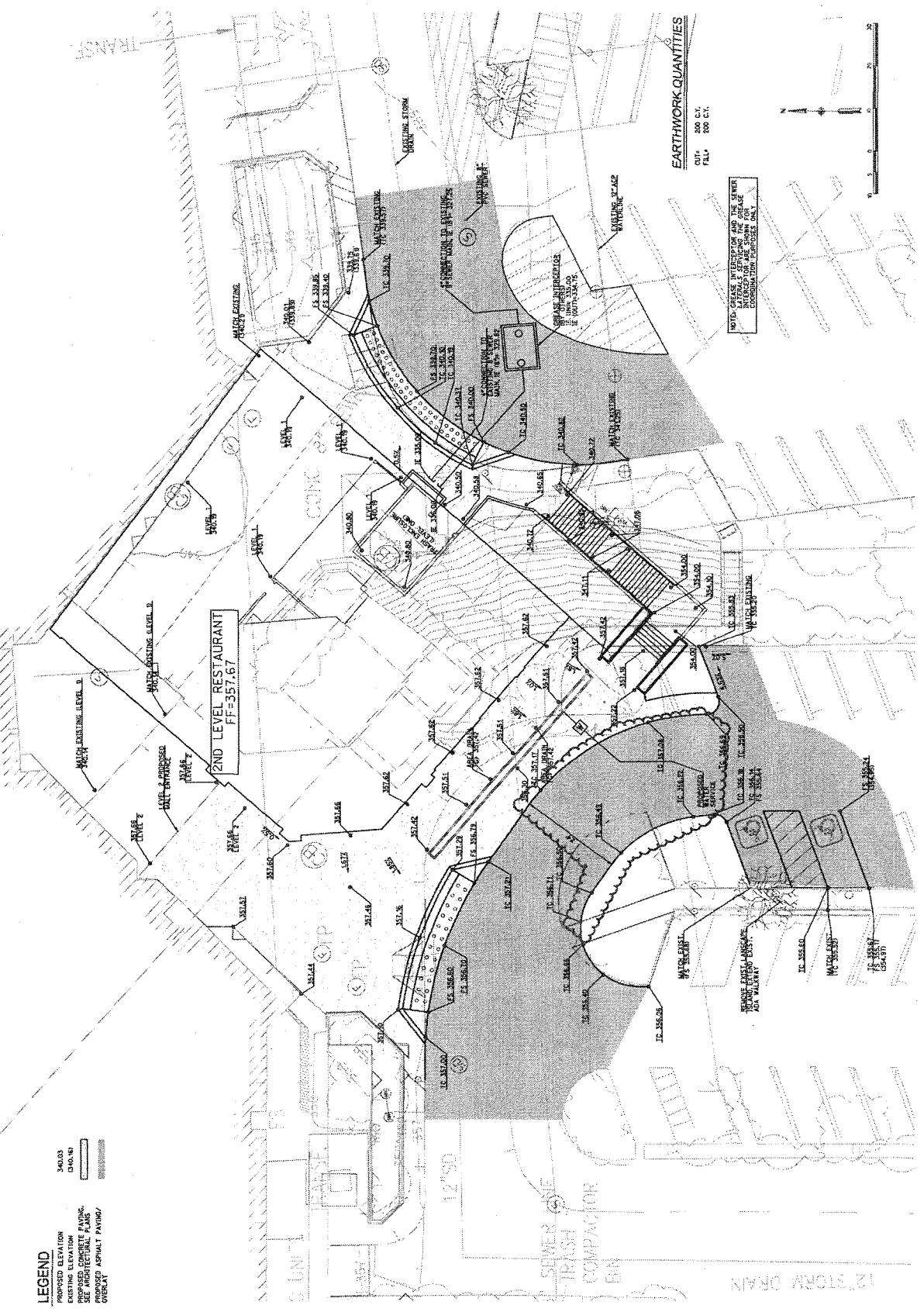
**PROPOSED PROJECT  
PHG 12-0005**



FLOOR PLAN

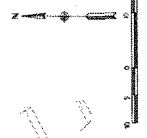
FFE (LEVEL 1)= 340.26  
FFE (LEVEL 2)= 357.67

**LEGEND**  
 FINISHED ELEVATION  
 EXISTING  
 PROPOSED CONCRETE PAVING  
 SEE ARCHITECTURAL PLANS  
 PROPOSED ASPHALT PAVING/  
 DRIVEWAY



**EARTHWORK QUANTITIES**  
 CUT= 200 C.Y.  
 FILL= 100 C.Y.

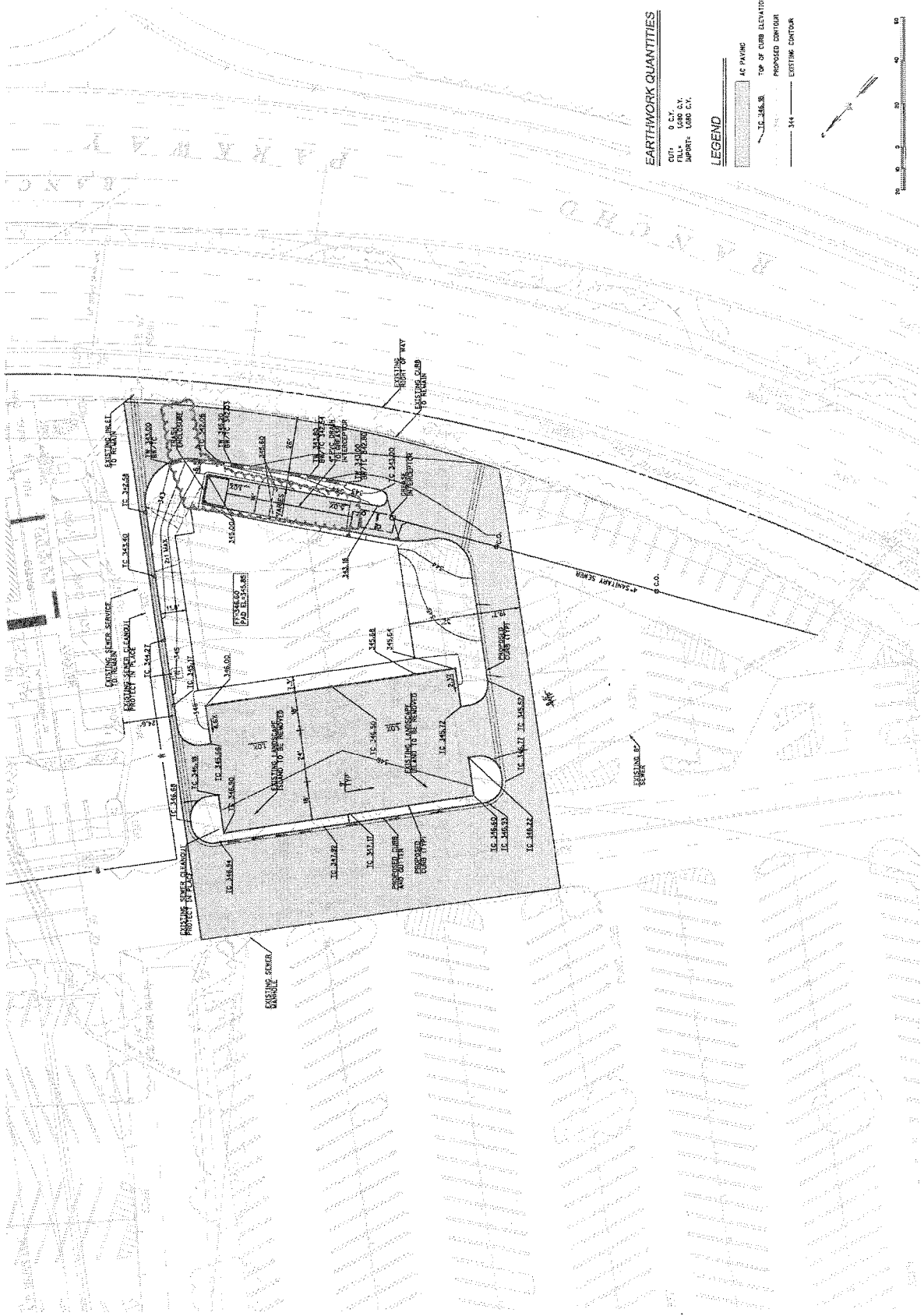
NOTE: CHECK ALL ELEVATIONS AND THE SEWER INFORMATION FOR THE SITES FOR ALL CONSTRUCTION PURPOSES ONLY.



**PROPOSED PROJECT  
 PHG 12-0005**



GRADING PLAN



**EARTHWORK QUANTITIES**

0 C.Y.  
 CUT: 1.000 C.Y.  
 FILL: 1.000 C.Y.  
 IMPORT: 0.000 C.Y.

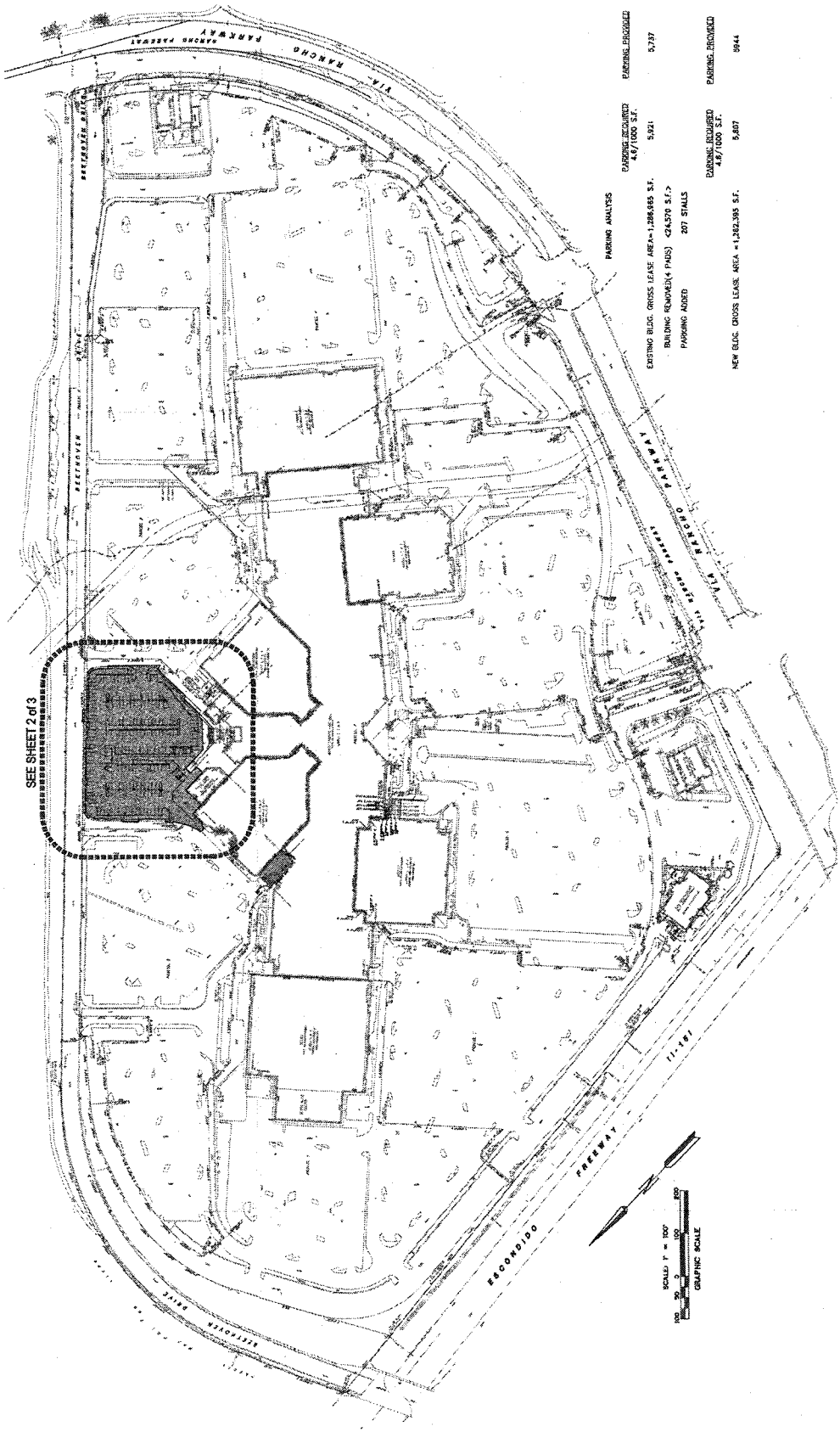
**LEGEND**

- AC PAVING
- TOP OF CURB ELEVATION
- PROPOSED CONTOUR
- EXISTING CONTOUR



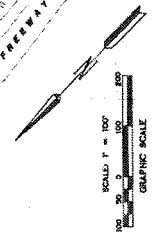
**PROPOSED PROJECT  
 PHG 12-0005**





PARKING ANALYSIS  
 EXISTING BLDG. GROSS LEASE AREA = 1,288,695 S.F.  
 BUILDING REQUIREMENT (PHAS) = 2,45,370 S.F. >  
 PARKING ADDED 207 STALLS  
 PARKING PROVIDED 5,737  
 NEW BLDG. GROSS LEASE AREA = 1,282,385 S.F.  
 PARKING PROVIDED 5,807  
 9944

SEE SHEET 2 of 3

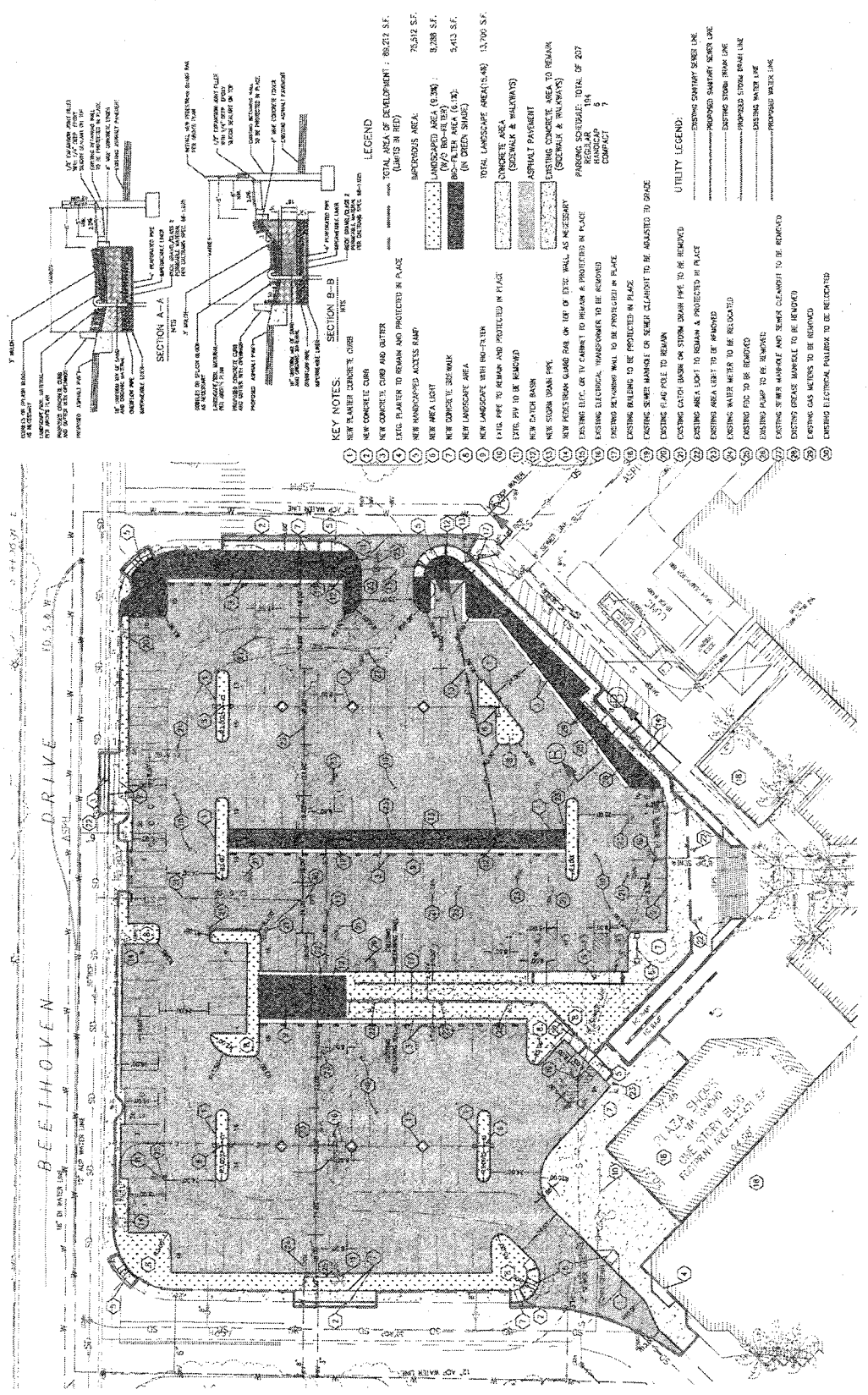


**PROPOSED PROJECT  
PHG 12-0005**



SITE PLAN





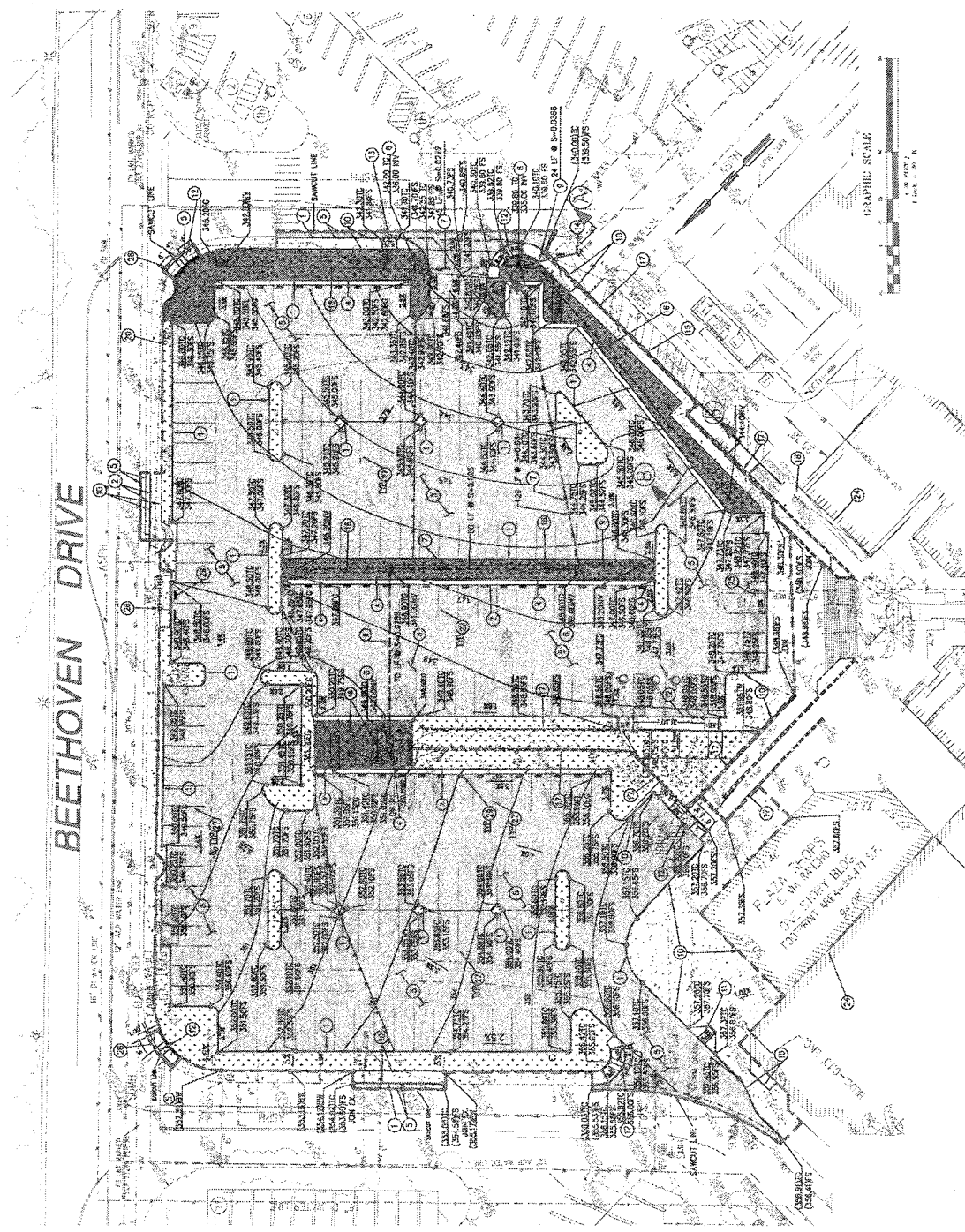
- KEY NOTES:**
- 1 NEW FLANKER CONCRETE CURB
  - 2 NEW CONCRETE CURB AND GUTTER
  - 3 EXIST. FLANKER TO REMAIN AND PROTECTED IN PLACE
  - 4 NEW HANDICAPPED ACCESS RAMP
  - 5 NEW AREA LIGHT
  - 6 NEW CONCRETE SIDEWALK
  - 7 NEW LANDSCAPE AREA
  - 8 NEW LANDSCAPE WITH HO-HOLE
  - 9 EXIST. PIPE TO REMAIN AND PROTECTED IN PLACE
  - 10 EXIST. PIPE TO BE REMOVED
  - 11 NEW CATCH BASIN
  - 12 NEW STORM DRAIN PIPE
  - 13 NEW FIBERGLASS GUARD RAIL ON TOP OF EXIST. WALL AS NECESSARY
  - 14 EXISTING ELEC. OR TV CABLE TO REMAIN & PROTECTED IN PLACE
  - 15 EXISTING ELECTRICAL TRANSFORMER TO BE REMOVED
  - 16 EXISTING FOUNDATION WALL TO BE PROTECTED IN PLACE
  - 17 EXISTING WALKING TO BE PROTECTED IN PLACE
  - 18 EXISTING SIGNAGE OR SIGNER CLEARANCE TO BE ADJUSTED TO PHASE
  - 19 EXISTING LEAD PIPE TO REMAIN
  - 20 EXISTING CATCH BASIN ON STORM DRAIN PIPE TO BE REMOVED
  - 21 EXISTING AREA LIGHT TO REMAIN & PROTECTED IN PLACE
  - 22 EXISTING AREA LIGHT TO BE REMOVED
  - 23 EXISTING WATER METERS TO BE RELOCATED
  - 24 EXISTING FOG TO BE REMOVED
  - 25 EXISTING PUMP TO BE REMOVED
  - 26 EXISTING SIGNAGE AND SIGNER CLEARANCE TO BE REMOVED
  - 27 EXISTING GAS METERS TO BE REMOVED
  - 28 EXISTING ELECTRICAL PANELBOX TO BE RELOCATED
- LEGEND**
- TOTAL AREA OF DEVELOPMENT: 80,272 SF.  
(LANDS IN RED)
- IMPONDUS AREA: 76,512 SF.
  - LANDSCAPED AREA (8.3%): 6,760 SF.
  - (7.7% BIOMIMETIC): 6,000 SF.
  - (.6% GREEN SHADES): 5,443 SF.
  - TOTAL LANDSCAPE AREA (LAND): 13,703 SF.
- CONCRETE AREA**  
(SIDEWALK & WALKWAYS)
- ASPHALT PAVEMENT**  
(SIDEWALK & WALKWAYS)
- EXISTING CONCRETE AREA TO REMAIN**  
(SIDEWALK & WALKWAYS)
- FINISH ESTIMATES: TOTAL OF 237**
- RELOCATE 5  
HANDICAP 6  
COMPACT 7
- UTILITY LEGEND:**
- EXISTING SANITARY SEWER LINE
  - PROPOSED SANITARY SEWER LINE
  - EXISTING STORM DRAIN LINE
  - PROPOSED STORM DRAIN LINE
  - EXISTING WATER LINE
  - PROPOSED WATER LINE

# PROPOSED PROJECT PHG 12-0005



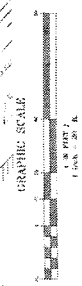
SITE PLAN

BEETHOVEN DRIVE



**LEGEND**

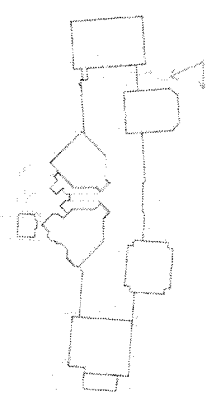
	TOTAL AREA OF DEVELOPMENT : 89,112 S.F.
	(PARTS IN RED)
	IMPERVIOUS AREA:
	LANDSCAPED AREA (9.3%) : 75,512 S.F.
	(1/2" BO-FILTER) : 8,268 S.F.
	BO-FILTER AREA (6.1%) : 5,413 S.F.
	(IN GREEN SHADES)
	TOTAL LANDSCAPE AREA(15.4%) : 13,700 S.F.
	CONCRETE AREA:
	(SIDEWALK & WALKWAYS)
	ASPHALT PAVEMENT
	EXISTING CONCRETE AREA TO REMAIN
	(SIDEWALK & WALKWAYS)
	PARKING SPACES - TOTAL OF 237
	REGULAR
	HANDICAP
	COMPACT



**PROPOSED PROJECT  
PHG 12-0005**

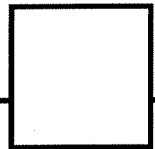


SITE PLAN

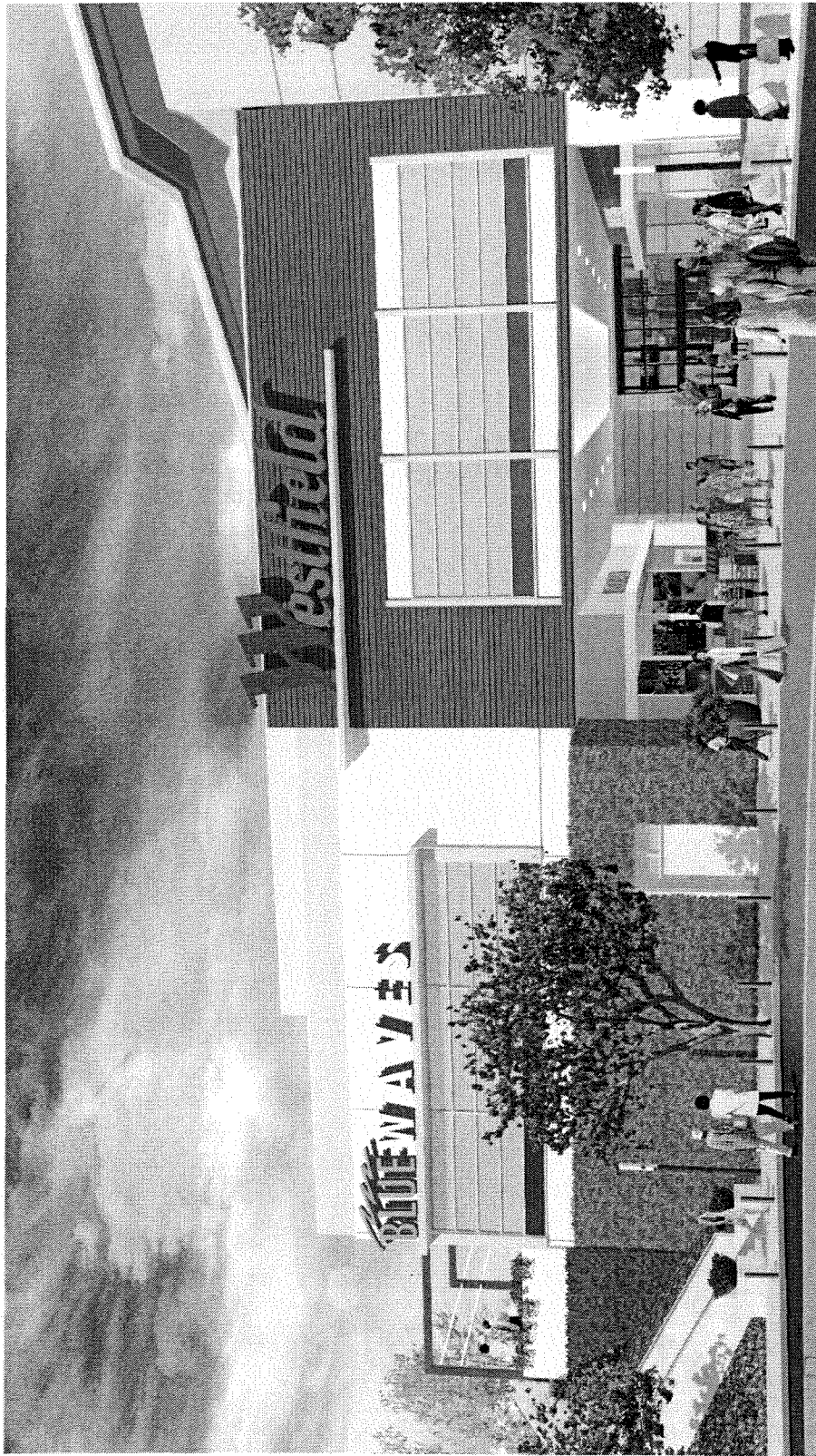


Aerial View of Remodel

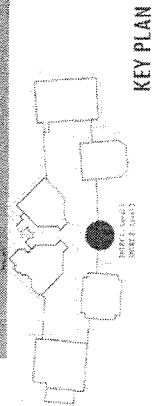
**PROPOSED PROJECT  
PHG 12-0005**







View of Proposed Entry 1 - Level 1

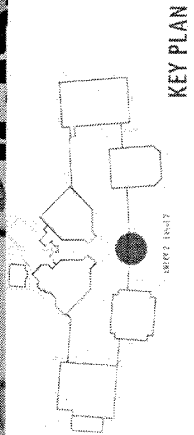


**PROPOSED PROJECT  
PHG 12-0005**



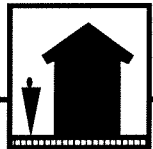


View of Proposed Entry 2 - Level 2



KEY PLAN

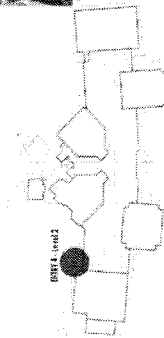
**PROPOSED PROJECT  
PHG 12-0005**



ELEVATIONS

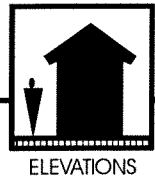


View of Proposed Entry 4 - Level 2  
Entry 7 - Level 1 Similar



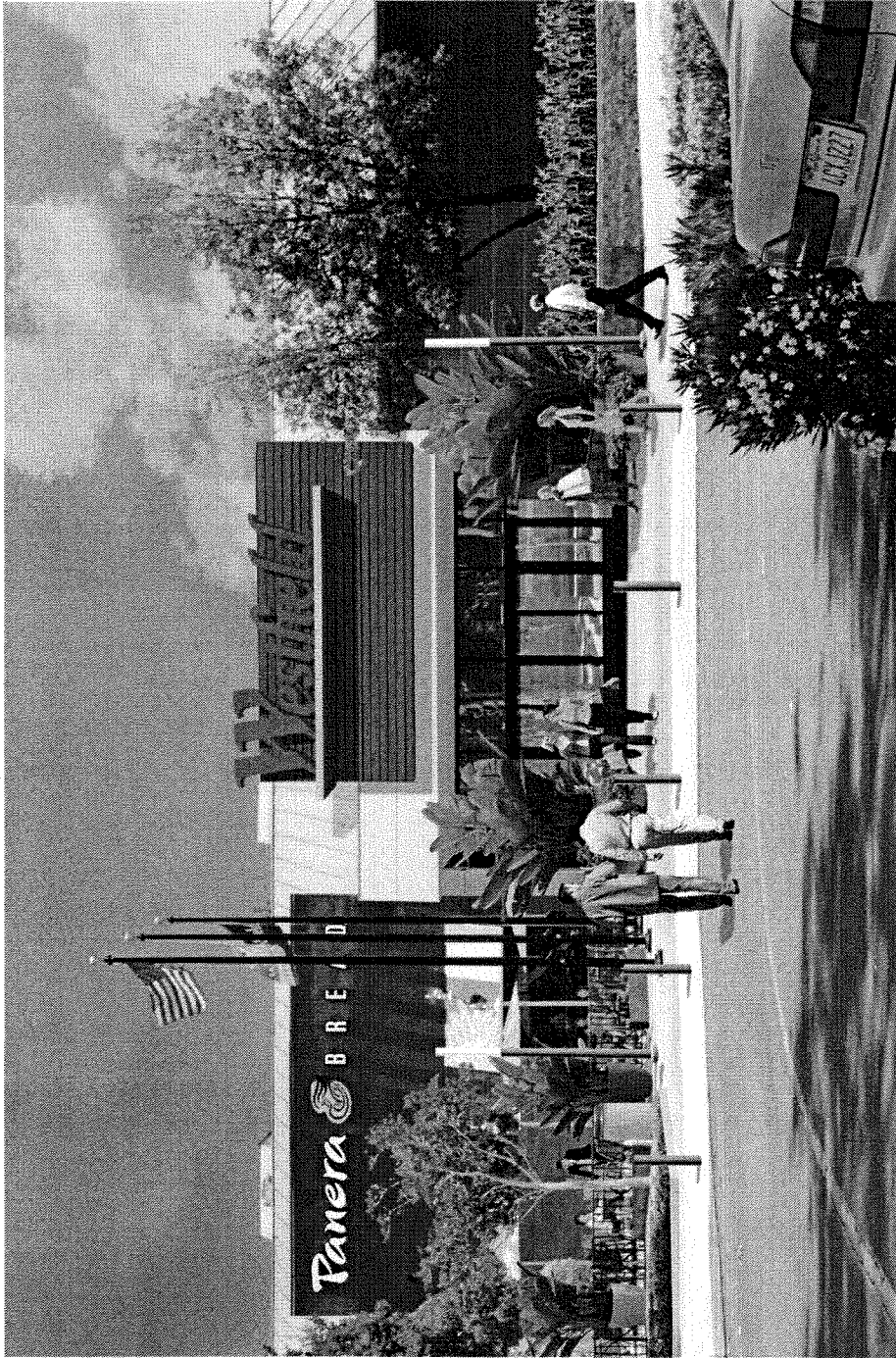
KEY PLAN

**PROPOSED PROJECT  
PHG 12-0005**

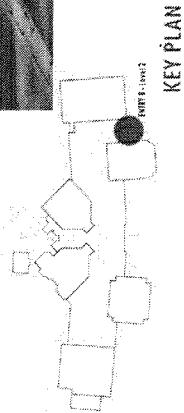


ELEVATIONS





View of Proposed Entry 8 - Level 2  
Entry 3 - Level 3 Similar

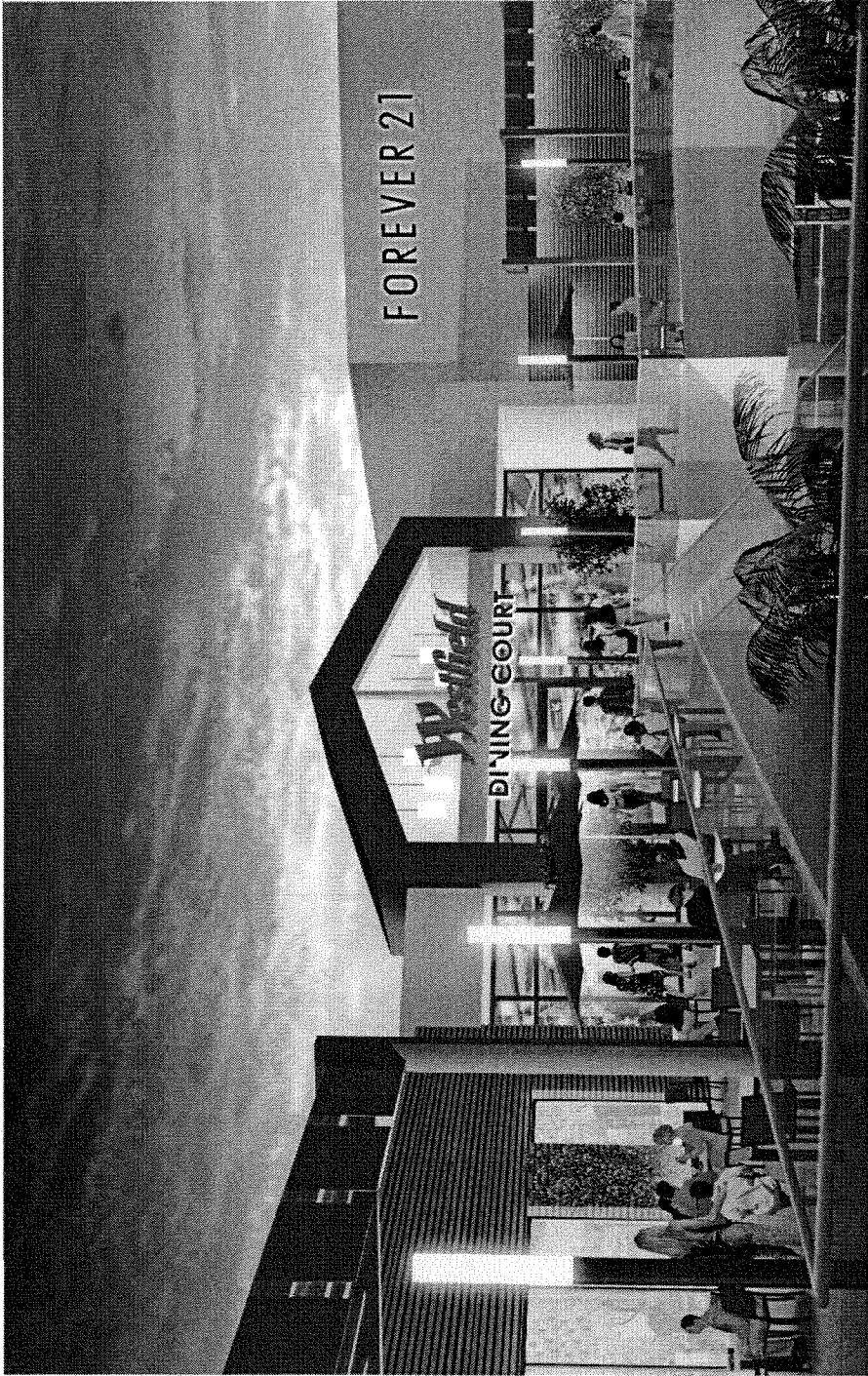


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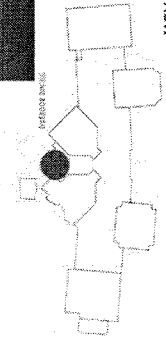
**PROPOSED PROJECT  
PHG 12-0005**



ELEVATIONS



View of Proposed Outdoor Dining - Level 3



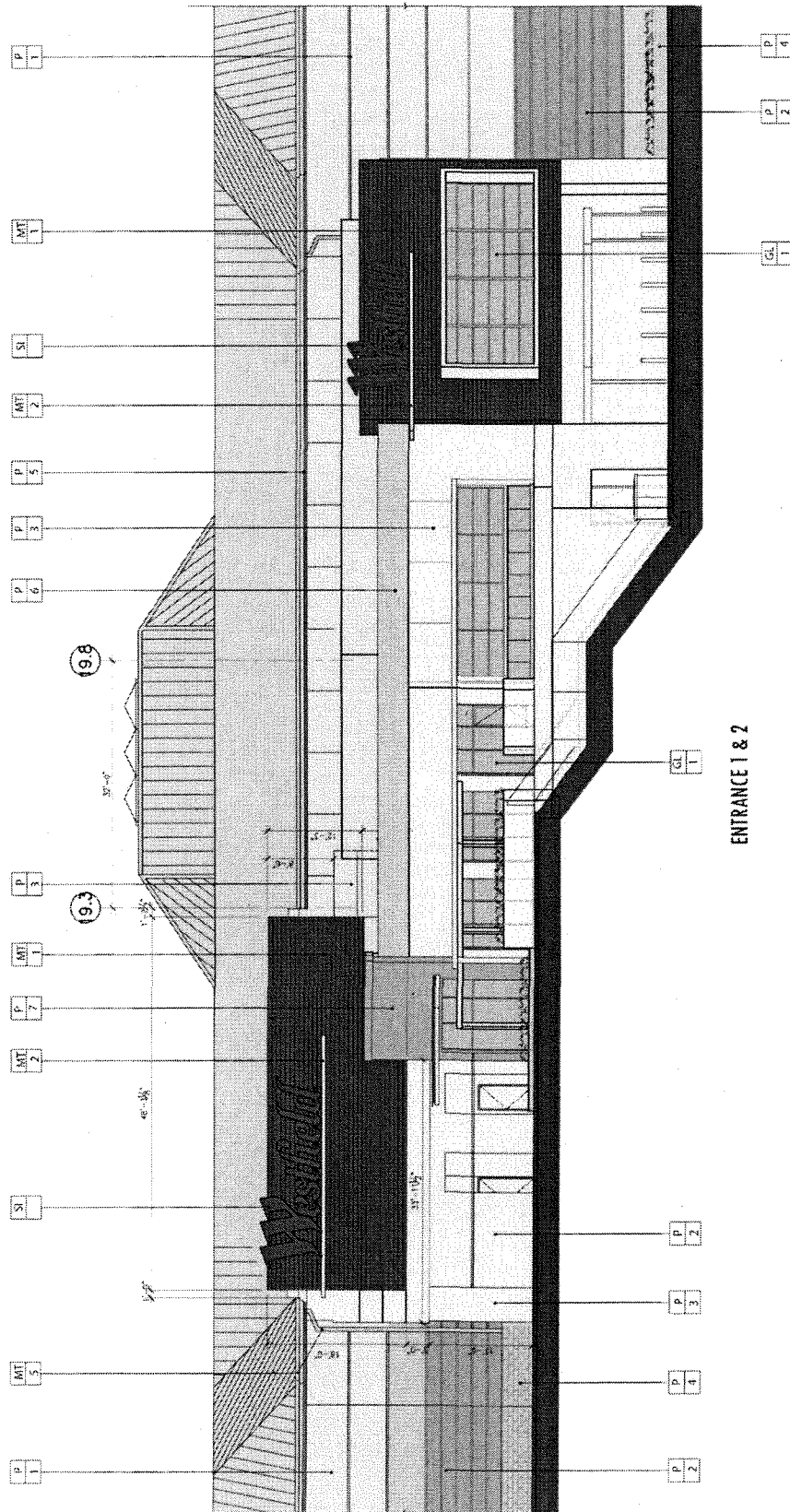
KEY PLAN

**PROPOSED PROJECT  
PHG 12-0005**



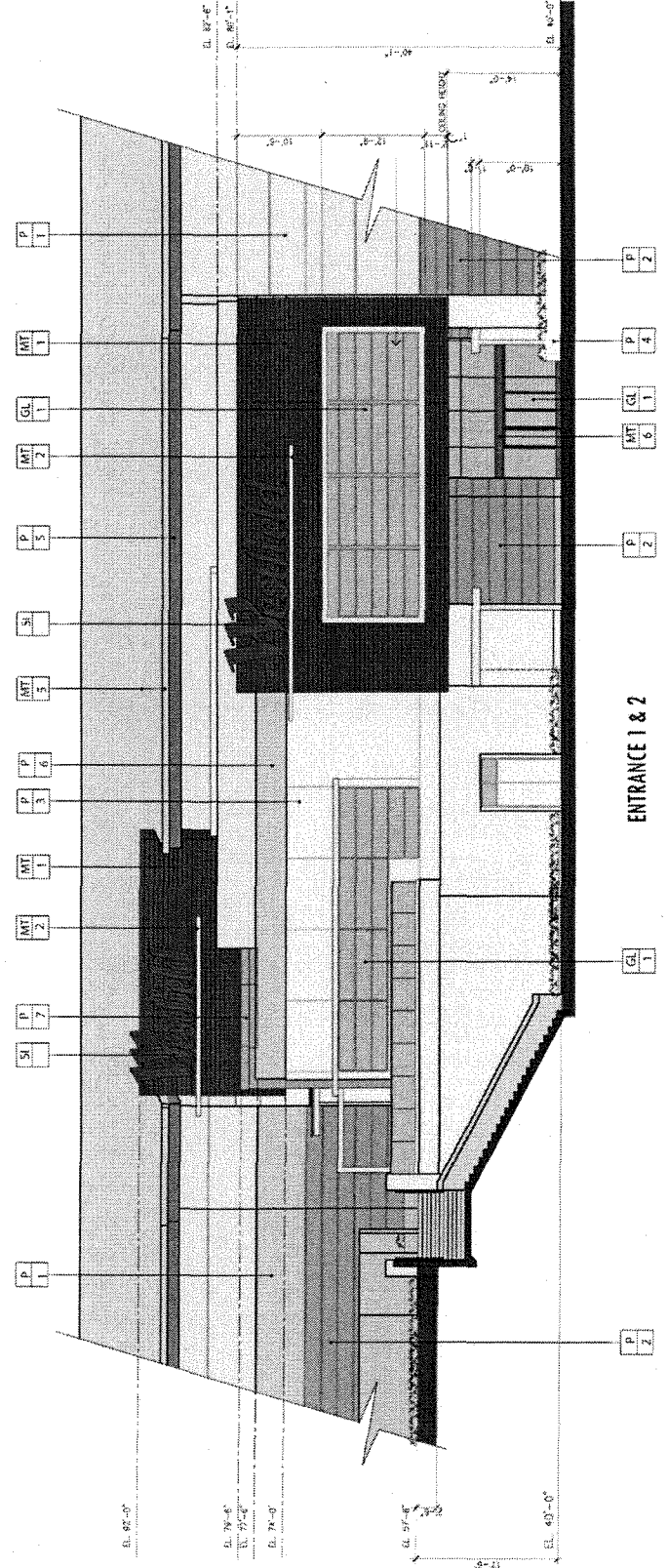
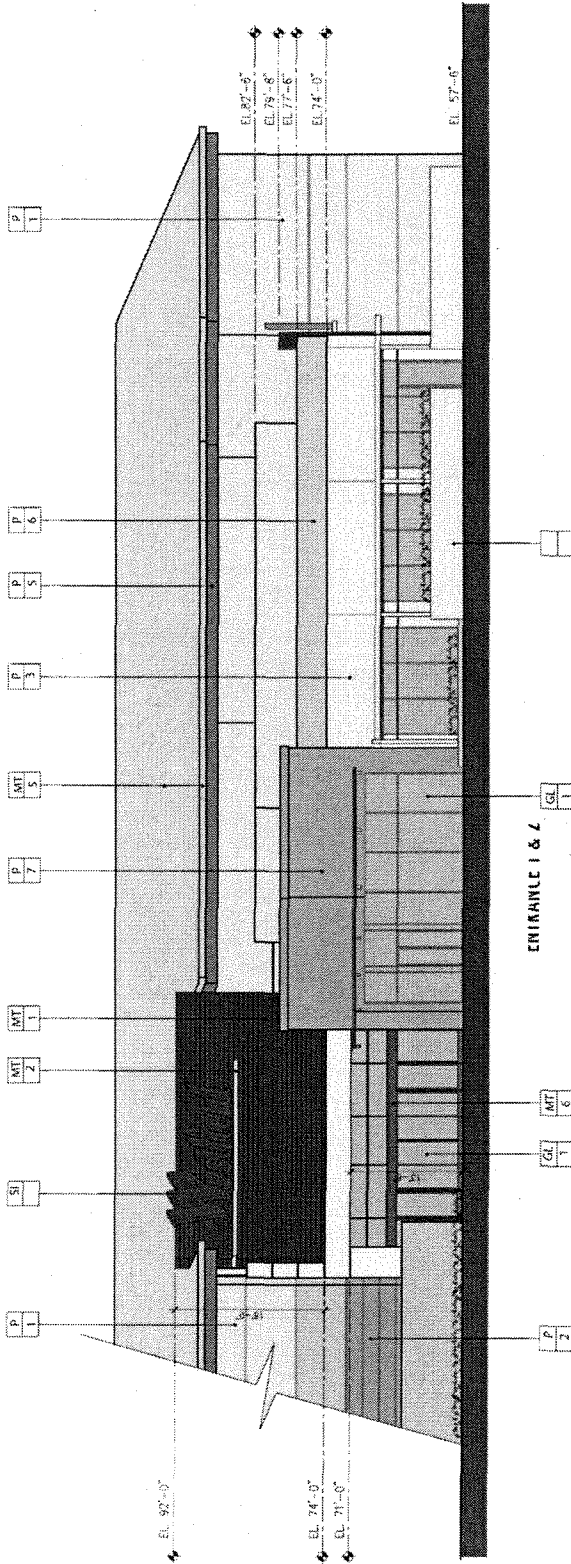
ELEVATIONS





**PROPOSED PROJECT  
PHG 12-0005**

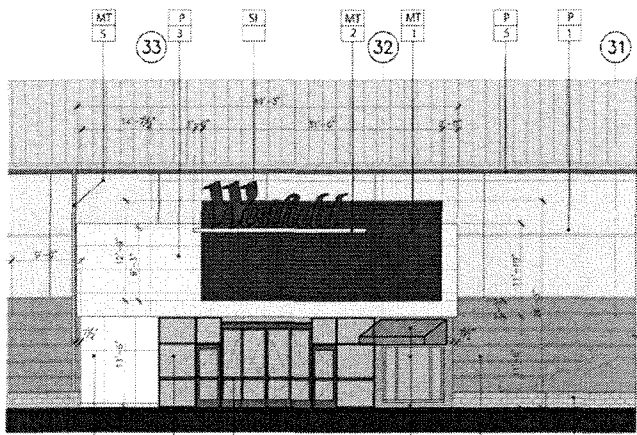




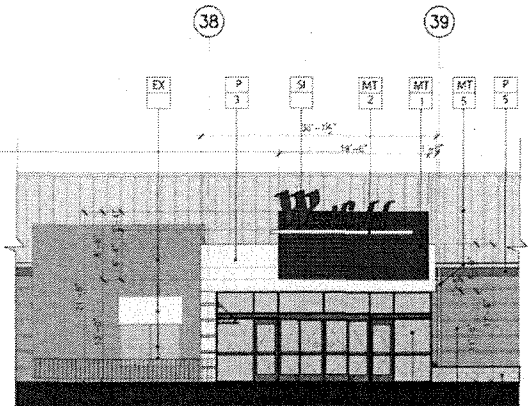
**PROPOSED PROJECT  
PHG 12-0005**



ELEVATIONS



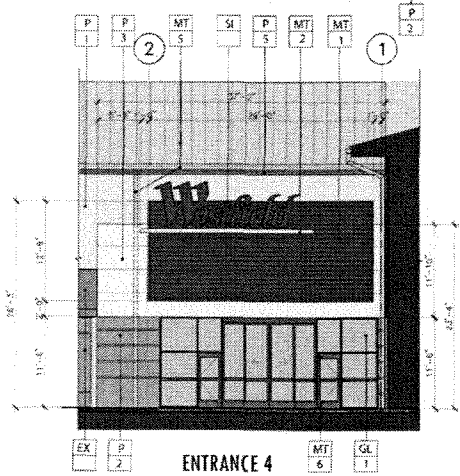
ENTRANCE 7



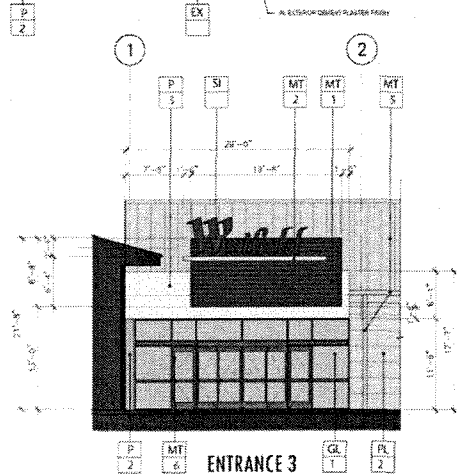
ENTRANCE 8



ENTRANCE 5 & 6



ENTRANCE 4



ENTRANCE 3

**PROPOSED PROJECT  
PHG 12-0005**



ELEVATIONS

## SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

### A. PHYSICAL CHARACTERISTICS

The irregular shaped 83+-acre site is comprised of eight parcels (which includes the loop road parcel) and developed with a regional shopping center, parking lots and landscaping. The shopping center is comprised of five major department stores, a combination of various other retail uses and restaurants. The shopping center is a three story, enclosed mall, with several restaurant pad buildings located throughout the project site.

### B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 83 acres (approximate)
2. Shopping Center Size:
  - Existing: 1,269,779 SF of gross leasable area (GLA)
  - Proposed: 1,279,485 SF of gross leasable area (GLA)
3. New Building Floor Area:
  - Addition to Rob May North Building: 4,634 SF
  - New Restaurant near Macy's: 7,500 SF
  - New Retail near Macy's: 1,000 SF
  - Restaurant Pad Building: 7,000 SF
  - TOTAL New GLA: 20,134 SF
  - Subtract Onami Building Demolition: (10,428 SF)
  - NET New GLA: 9,706 SF
4. Parking Ratio:
  - Existing: 4.6 parking spaces per 1,000 SF of GLA
  - Proposed: 4.0 parking spaces per 1,000 SF of GLA
5. Number of Parking Spaces:
  - Existing: 5,640 spaces
  - New Parking Lot (North Side): 207 spaces
  - Less Spaces Lost to Pad/Driveway Mods.: (72 spaces)
  - TOTAL Proposed Parking Spaces: 5,775 spaces
  
  - TOTAL Required Spaces (Proposed GLA): 5,118 parking spaces based on 4.0/1,000 ratio
6. Signage (Master Sign Program):
  - Wall Signs:
    - Anchor Tenants (+50,000 SF): 2 SF of sign area for every lineal foot of exterior building store frontage. Maximum letter height of 8'.

Maximum logo height of 14'. Maximum area of 400 SF. Maximum length not to exceed 80% of store frontage length.

Major Tenants (+10,000 SF): 1.5 SF of sign area for every lineal foot of exterior building store frontage. Maximum letter height of 6'. Maximum logo height of 10'. Maximum area of 300 SF. Maximum length not to exceed 80% of store frontage length.

In-Line Tenants (with storefront): 1 SF of sign area for every lineal foot of exterior building store frontage. Maximum letter height of 3'. Maximum logo height of 6'. Maximum area of 200 SF. Maximum length not to exceed 80% of store frontage length.

Pad Buildings: 0.5 SF of sign area for every lineal foot of exterior building store frontage. Maximum letter height of 3'. Maximum logo height of 6'. Maximum area of 200 SF.

Wall Advertising Panel Signs: A total of six advertising sign panels with exterior illumination are permitted at six of the eight mall entries as described in the Master Sign Program and below:

- Entry 1 – 672 SF
- Entry 2 – 168 SF
- Entry 3 – 39 SF
- Entry 4 – 80 SF
- Entry 7 – 80 SF
- Entry 8 – 39 SF

Freeway Pylon Sign: One freeway pylon sign permitted up to 93' high. Tenant panels (3'-10" x 17'-3") to be located within a 49'-high area. Sign design and dimensions to be consistent with Master Sign Program.

**FINDINGS OF FACT  
PHG 12-0005  
EXHIBIT "A"**

Modification to a Master and Precise Development Plan

1. The proposed modification to the Master and Precise Development Plan to implement an exterior revitalization program, add restaurant and retail floor area, demolish three freestanding buildings in the former "duck pond" area and convert to additional parking, and modify the list of permitted uses, parking ratio and the sign program would be in conformance with General Plan Policy B4.1(b)(11) which identifies the project site as an 83-acre shopping mall anchored by large department stores and other diverse general commercial uses, including restaurants. Development of new floor area and the revision to the list of permitted uses, sign standards, parking ratio is consistent with the Planned Development zoning on the site that was established for the regional shopping center. The proposed project would be in conformance with General Plan Economic Policies (page II-23) which encourage economic activities to expand or locate in Escondido that are clean and nonpolluting, provide additional employment opportunities, reduce the need for Escondido resident to commute out of the area, will maintain the City's fiscal stability, and are aesthetically superior. The proposed building additions would introduce new features into the center that are aesthetically pleasing and consistent with the existing mall architecture. 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 parking, circulation and public services can be provided to the site as discussed in the staff report.
2. The approval of the proposed modification to the Master and Precise Development Plan would be based on sound principles of land use since adequate parking, circulation, utilities and access would be provided for the development. The proposed building additions would not conflict with the design of the existing shopping center due to their low profile designs and compatible architectural features. The proposed revision to the list of permitted uses adds additional business opportunities to create a lifestyle center that meets the commercial needs of local residents. The reduction in the parking ratio to 4.0 parking spaces per 1,000 SF of gross leasable area will still ensure adequate parking on the site except for approximately eight days during the Christmas holiday season when an appropriate amount of off-site parking will be provided for employees. The proposed modification to the Master Sign Program provides clarity on sign allowances and ensures an appropriate amount of exterior signage is available for tenant needs.
3. The proposed modification to the Master and Precise Development Plan would not cause deterioration of bordering land uses since the site is zoned for commercial development and is developed with an approximately 1.2 million SF (GLA) regional shopping mall. The proposed project area is adjacent to Interstate 15 to the west, Via Rancho Parkway and commercial development on the south, and is buffered from Kit Carson Park to the north by a large earthen berm. The proposed building additions will add less than 10,000 SF of net floor area to the mall and will be designed to be consistent with the existing architecture. The new parking lot addition will eliminate three vacant commercial buildings on the site and improve the appearance of the

northern side of the shopping center. The exterior renovation program will enhance the appearance of the mall property by adding new entry elements to the building, painting the entire exterior of the building and resurfacing the entire parking lot.

4. The proposed development is well-integrated with the surrounding properties since the site will continue to function as a regional shopping center and the new architectural elements and additions are relatively minor considering the scale of the mall and would be consistent with existing commercial structures. Additional on-site landscaping would be provided in the new parking lot area on the north side of the property.
5. The overall design of the proposed planned development would produce an attractive commercial facility due to its location, the architectural features provided, and landscape design.
6. The development will not require excessive grading since the site has been previously developed and is relatively level.

**CONDITIONS OF APPROVAL  
PHG 12-0005  
EXHIBIT "B"**

**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 new 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. Parking shall be provided at a ratio of 4.0 parking spaces per 1,000 SF of gross leasable area. The proposed project would result in 1,279,485 SF of gross leasable area and a minimum requirement of 5,118 parking spaces. Said 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. The applicant shall be required to implement an off-site parking program for employees during peak shopping days and hours between Thanksgiving and the end of December. The number of off-site spaces secured by the applicant shall correspond to the need established by the Shared Parking Analysis submitted as part of this project.
9. 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.

10. 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.
11. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including existing 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 must be screened by landscaping as specified in the Landscape Ordinance. 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.
12. Colors, materials and design of the project shall be in substantial conformance with the plans/exhibits approved by the City Council on May 9, 2012, and the exhibits and details in the staff report to the satisfaction of the Planning Division.
13. 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 shopping center must comply with the Master Sign Program approved as part of this project.
14. Signs designated for advertising will be used to advertise a business or service located on the site, a product or any goods produced or available for purchase on the site, or an event that will occur on the site. To the extent property owner wishes to have exterior advertising different from, or beyond the criteria set forth above, approval may be obtained on a case by case basis from the Director of Community Development following an application in writing. The Director shall promptly act on any such requests, but such approval or disapproval shall not exceed 10 business days after a request is submitted (or such request is otherwise deemed approved), and property owner may appeal the decision as provided by the Escondido Zoning Code. Off-premise advertising is prohibited. Developer acknowledges that City reserves the right to reject any exterior signs that do not meet the criteria set forth herein that it considers to be inconsistent with the operation of a first class regional mall and the image of the shopping center and its retailers, and shall not include matters any violent, sexually explicit or obscene matters, or any matters which promote or encourage activity which is in violation of law.
15. Individual sign panels located below the Westfield logo on the freeway pylon shall be limited to on-site tenant names only.
16. All new utilities shall be underground.

17. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
18. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable), a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.
19. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
20. All vegetation (including existing vegetation required as part of previous project approvals) 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.
21. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading permit for the new parking lot in the former "duck pond" area. 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
22. Street trees shall be maintained along each of the site's street frontages, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. New trees within five feet of the pavement shall be provided with root barriers.
23. Permitted businesses, land uses and tenants on the mall site shall be regulated by the Master Plan List of Permitted Uses approved as part of this project.
24. Temporary parking lot events/uses shall be regulated by the Master Plan List of Permitted Temporary Uses approved as part of this project and shall be subject to the guidelines for Temporary Use Permits described therein. No temporary parking lot events (except Christmas tree sales) shall be permitted between Thanksgiving and Christmas.
25. The maximum size of the freestanding restaurant pad building approved as part of this project shall be limited to 7,000 SF. Architectural and grading plans for the restaurant building shall be

consistent with this Master Plan approval and shall be subject to an administrative review process (Plot Plan) by the Director of Community Development prior to issuance of grading or building permits.

26. The new 207-space parking lot in the vicinity of the Onami building and former "duck pond" area shall be completed prior to issuance of a Certificate of Occupancy for the mall exterior renovation program (Building Permit B12-0245).
27. All conditions of previous Master and Precise Development Plans approved on the site shall remain in full force and effect unless expressly modified herein.

### **Engineering Division Conditions**

#### **STREET IMPROVEMENTS AND TRAFFIC**

1. All 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 Director of Engineering Services.
2. The developer's engineer shall prepare a complete signing and striping plan for the proposed parking lot improvements. Developer's contractor shall complete any necessary removal of existing striping and shall install all new signing and striping.
3. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

#### **GRADING**

1. A site grading and erosion control plan prepared by a Registered Civil Engineer shall be approved by the Engineering Department prior to issuance of building permits. The site grading and erosion control plan will not be forwarded from the Building Department, but shall be submitted separately to the Engineering Department.
2. The proposed parking lot shall be paved with a minimum of 4" AC over 6" of AB or 6" PCC over 6" AB or an alternative approved by the Director of Engineering Services. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC. Parking areas with slopes between 0.5% and 3% may be paved with decomposed granite with the review and approval of the City Engineer.
3. Erosion control, including riprap, interim sloping planting, gravel bags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.

4. 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 retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Dept. plan review and permit process.
5. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Director of Engineering Services.
6. A General Construction Activity Storm Water 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 1 or more acres.
7. After the approval of the site grading and erosion control plan, and prior to the start of construction of the grading and street improvements, the developer will be required to sign a Storm Water Management Plan form, and then obtain a Grading Permit and Encroachment Permit from the Engineering Field Office.

#### **DRAINAGE**

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the Engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The project shall limit drainage flows to their pre-construction rates. Details and calculations for the detention basin shall be submitted and approved as part of the grading plan check.
3. A Final Water Quality Technical Report together with Hydro-Modification Calculations in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted for approval by the City Engineer together with the grading plans. The Water Quality Technical Report shall include post construction storm water treatment and HMP measures and maintenance requirements.
4. All on-site storm drains, detention basins, and all other post-construction BMP facilities are private. The responsibility for maintenance of these storm drains shall be that of the property owner or property owner's association.
5. The developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement.

#### **WATER SUPPLY**

1. Fire hydrants and detector checks shall be installed at locations approved by the Fire Marshal. All water improvements shall be designed and constructed to the satisfaction of the Utilities Director.

2. No deep rooted plants or trees shall be planted within 15 feet of any existing or proposed public water lines.
3. A portion of the proposed stairway is being built on top of the existing 12 inch public water line. The project engineer shall propose relocation of the 12 inch water line or propose a special design for the stairways to avoid impact to the 12 inch water line, subject to review and approval by the Utilities Director.

### **SEWER**

1. All sewer improvements shall be subject to design and construction to the satisfaction of the Utilities Director.
2. A portion of the proposed restaurant is being built on top of the existing public sewer main. The project engineer shall relocate the existing sewer line or propose a special design foundation subject to review and approval by the Utilities Director.
3. No deep rooted plants or trees shall be planted within 15 feet of any existing or proposed public sewer lines.

### **EASEMENTS AND DEDICATIONS**

1. All easements, both private and public, affecting subject property shall be delineated and labeled on the grading plans.
2. The developer shall make arrangements to remove from title all existing easements which conflict with the proposed grading and parking improvements on the site.

### **CASH SECURITY AND FEES**

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the Director of Engineering Services.
2. The developer will be required to pay all development and plan check fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

### **Fire Department Conditions**

1. All tenant improvement work shall require separate submittals for fire protection systems and fire alarms to the Fire Department.

2. All construction and demolition shall comply with Chapter 14 of the California Fire Code.
3. All fabric awnings must contain fire retardant materials certified by the State Fire Marshal.
4. All driveway modifications shall have a minimum inside turning radius of 28' with curbs marked as fire lanes to the satisfaction of the Fire Department.



CITY OF ESCONDIDO
PLANNING DIVISION
201 NORTH BROADWAY
ESCONDIDO, CA 92025-2798
(760) 839-4671

Notice of Exemption

To: San Diego County Recorder's Office
Attn: Vanessa Esquivel
P.O. Box 121750
San Diego, CA 92112-1750

From: City of Escondido
Planning Division
201 North Broadway
Escondido, CA 92025

Project Title/Case No.: Modification to the Master and Precise Plan for Westfield North County – PHG 12-0005

Project Applicant: Architects Orange

Project Location - Specific: The 83-acre site is located on the northern side of Via Rancho Parkway, east of Interstate 15, and addressed as 200 E. Via Rancho Parkway.

Project Location - City: Escondido

Project Location - County: San Diego

Description of Nature, Purpose and Beneficiaries of Project: A modification to the Master and Precise Development Plan for Westfield North County to implement an exterior revitalization program, add restaurant and retail floor area, demolish three freestanding buildings in the former "duck pond" area and convert to additional parking, and modify the list of permitted uses, parking ratio and the sign program.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Rob Budetti, Architects Orange

Telephone: (714) 639-9860

Address: 144 North Orange Street, Orange, CA 92866

Private entity School district Local public agency State agency Other special district

Exempt Status:

Categorical Exemption. CEQA Section 15301, "Existing Facilities".

Reasons why project is exempt:

- 1. The proposed modifications are consistent with the Planned Commercial General Plan designation and will result in a net increase of less than 10,000 square feet of new floor area.
2. The proposal would refine existing land use regulations within an established commercial development. All services and access to the property are available or can be provided to local standards. The proposed development will not cause the removal of any sensitive habitat or affect any cultural or historic resources.
3. The project will not create any significant increase in vehicle trips, nor impact vehicular circulation on or around the site. Adequate parking will be provided on the site to accommodate all uses and a parking management program has been developed to ensure adequate parking during peak holiday times.
4. In staff's opinion the proposed development would not have the potential to cause an adverse impact on the environment. Therefore, the proposal is not subject to further CEQA review.

Lead Agency Contact Person: Bill Martin, Planning Division Area Code/Telephone/Extension (760) 839-4557

Signature: [Handwritten Signature]
Bill Martin, Principal Planner

APRIL 30, 2012
Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

**Westfield North County  
Master Plan List of Permitted Uses  
(PHG 12-0005)**

**Cultural, Entertainment and Recreation**

Digital/multi-media and interactive	Facilities for the enjoyment of digital, multi-media and interactive entertainment, such as cinemas (permitted accessory use of theater – to lease out for religious assembly on Sunday mornings), and minor amusement rides (e.g. carousels and indoor/outdoor toddler track and trackless trains)	P
	Arcade (more than four amusement machines)	CUP
Live entertainment	Indoor facilities for comedy, theater, live action shows	P
Recreation	Indoor and outdoor facilities for court sports, health fitness, dance studios, martial arts, body building and outdoor adventure events (climbing wall, etc.)	P
	Billiards, bowling alley, indoor and outdoor skating facilities and batting cages	CUP

**Educational**

Educational facilities and schools	Public or private facilities and institutions for educational purposes with a curriculum comparable to that required in public schools in the State of California, or business and trade schools (pre-professional and professional). Other training including art, music, drama, dance, language, special needs education, etc.	CUP (1)
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**Medical, Dental and Related Health Services**

Healing arts practitioners	Doctors, dentists, and chiropractors or others whether practiced during typical business hours primarily by appointment or by urgent as-needed out-patient basis. Blood bank.	CUP (1)
	Optometrists (can include optical laboratories)	P

**Office and Business Services**

Professional/General business offices	Offices of organizations providing professional, executive, management or administrative services such as law, investment, title company, real estate, engineering, planning, architectural, travel services, etc.	P
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**Public and Semi-Public**

Clubs and lodges	Meeting, recreational, or social facilities of a private profit or non-profit organization for use primarily by members or guests, including social clubs, and youth and senior centers.	CUP (1)
Governmental offices	Administrative, clerical or public contract offices of a government agency.	P
Museums	Building or institution that houses art or artifacts for public viewing.	P
Philanthropic/Charitable organizations	Institutions or organizations organized for and carrying out philanthropic and/or charitable purposes.	CUP (1)
Community rooms	Meeting or display space designated for occasional use by employees or the public.	P

**Retail**

Animal sales and services	Shops and facilities for animal care products, services and medical care, such as pet sitting, pet supplies, veterinary care, grooming, and pet sales.	P
Artist studios	Work, display and selling space for artists and artisans practicing applied arts/crafts	P
Home Improvement	Retailing of building/materials/equipment/tools, and retailing of goods/products to be used for home improvement and/or the furnishing of homes.	P
Eating and drinking establishments	Businesses providing for the preparation and service of food and beverages for consumption on or off-site, including off-site catering	P
	Bars and cocktail lounges	CUP
Food and beverage sales	Retail sale of food, groceries, beverages, and sundries for on or off-site preparation and consumption, including alcoholic beverages.	P
Retail sales	Retail sale of merchandise, products and goods whether new or re-sale (thrift stores and estate sales not permitted), including clothing, shoes, furniture, consumer packaged goods, toys, candy, hobby, tobacco, jewelry, consumer electronics, home wares, sporting goods, hardware, appliances, office supplies, accessories, musical instruments and supplies, cards, gifts, beauty and health products, books, stationary, photographic services and supplies, flowers, luggage, arts and crafts, fabric, autos (displayed indoors only), pharmaceutical, sundries, seasonal and others determined by the Director of Community Development to be consistent with this category.	P

**Services**

Business center	Businesses providing general business support services, such as shipping, computing, and printing.	P
Child care	Child day care center	CUP (1)
Personal finance institutions	Banks, credit unions and other institutions/organizations providing personal financial services (check cashing and payday loan businesses not permitted)	
Personal services	Businesses providing a variety of personal services, such as laundromat, dry cleaners, locksmith, auto hand-wash/detailing (subject to storm water requirements), tailor, day spa (less than 10% of floor area may be utilized for massage), tanning, shoe repair, health and beauty services (excluding tattoo and piercing studios).	P
Massage	Businesses offering massage services as the principal use, or when greater than 10% of the floor area in a day spa.	CUP
Visitor accommodations	Hotels and motels	CUP
Valet	Car parking service	P



## Transportation

Transit passenger terminal	Outdoor or indoor facilities for passenger loading/unloading for mass transit systems.	P
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## Accessory Uses and Structures

Drive-in or drive-thru services	Drive-in or drive-thru services complimentary to and in support of a permitted principal use.	CUP
Outdoor dining	Outdoor dining incidental to an eating establishment/restaurant.	P
Gas stations	Automobile service stations including the sale of auto fuel and convenience items when associated with another permitted retailer greater than 10,000 square feet.	CUP
Rental equipment	Rental of equipment and tools (stored indoors only) common to building trades and homeowner projects only when associated with a Home Improvement store greater than 50,000 square feet.	P
Vending	Vending machines	P
Wireless communications facilities	Primarily unmanned facilities and structures providing infrastructure for wireless communications networks and antennas.	P (2)

**P = Permitted**

**CUP = Conditional Use Permit**

- (1) Total floor area for all uses subject to this note shall not exceed 25,000 square feet. Applicant shall be responsible to provide an aggregate floor area calculation at the time of each request for a Conditional Use Permit.
- (2) Per City of Escondido Zoning Code (Article 34) standards for CG zoned properties.

**Westfield North County**  
**Master Plan List of Permitted Temporary Uses**  
**(PHG 12-0005)**

**Temporary Parking Lot Events and Uses**

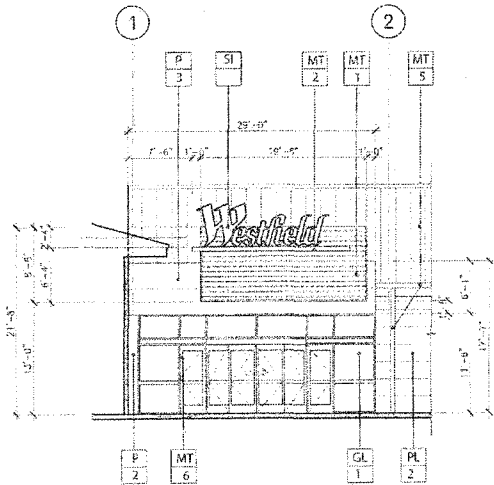
The following temporary parking lot events and uses may be allowed with approval of a Temporary Use Permit by the Director of Community Development or designee, subject to specific conditions provided in each permit.

- Automotive demonstration/test events/sales for a recognized local Escondido auto dealers association with auto sales facilities in Escondido, or a group of at least three Escondido auto dealers that maintain auto sales facilities in Escondido
- Bike/skate demonstrations or show
- Christmas tree lot
- City-wide events
- Farmer's market
- July 4<sup>th</sup> celebration – Fireworks
- Pumpkin patch
- Filming
- Outdoor concerts
- Movies in the parking lot
- Art shows
- Ice skating rink
- Skate park
- Outdoor adventure events (i.e. climbing wall)
- Wine and food festivals
- Circus
- Carnivals
- Seasonal garden center
- Special events/Fundraising events (i.e. Cheerleading competition, battle of the bands, marathon start/finish, etc.)
- Health screening events
- V.I.P. appearances
- Promotional and marketing events for tenants located within the center

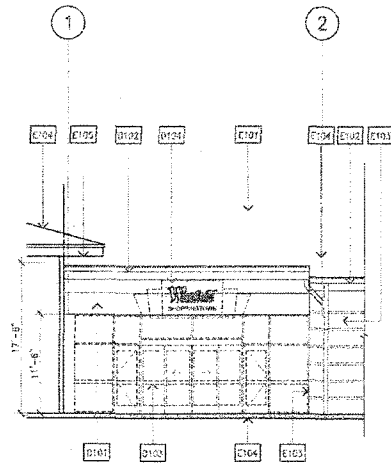
**Guidelines for Temporary Use Permits**

Review of requests for a Temporary Use Permit shall be based on, but not limited to the following guidelines.

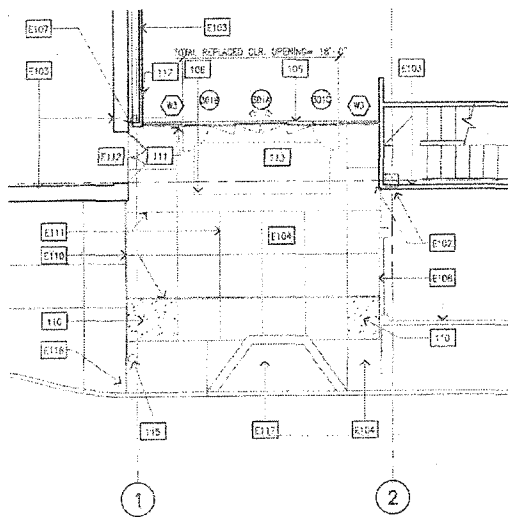
1. The applicant shall be responsible to submit a completed application no less than 21 days prior to the start of the event.
2. The application shall include the following information:
  - a. Event duration from initial opening to closing
  - b. Event location
  - c. Number and size of event signage/banners
  - d. Event days/hours of operation
  - e. Event security (if deemed necessary)
  - f. Event traffic control (if deemed necessary)
3. Applicants for a Temporary Use Permit shall be subject to the following additional limitations and requirements:
  - a. Total duration of seasonal events such as Christmas tree sales and pumpkin patches shall not exceed 60 days.
  - b. All other events limited to a maximum duration of 15 days.
  - c. No Parking lot events (except Christmas tree sales) may occur between Thanksgiving and Christmas.
  - d. No more than three banners/temporary signs up to 40 square feet each may be permitted.
  - e. Each vendor shall be responsible for obtaining a business license from the City of Escondido.
  - f. The proposed event shall not adversely affect traffic and circulation through the parking lot, nor affect the ability to provide sufficient parking spaces for the existing facilities/uses.



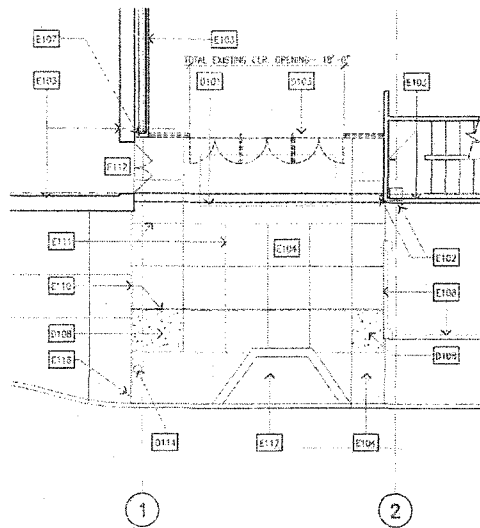
ENTRANCE 3 NEW ELEVATION



ENTRANCE 3 DEMOLITION ELEVATION



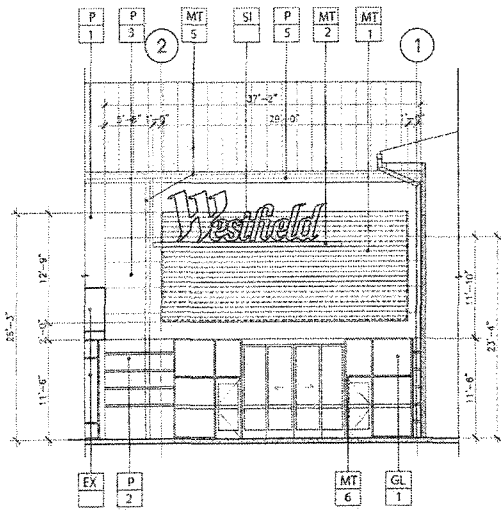
ENTRANCE 3 NEW FLOOR PLAN



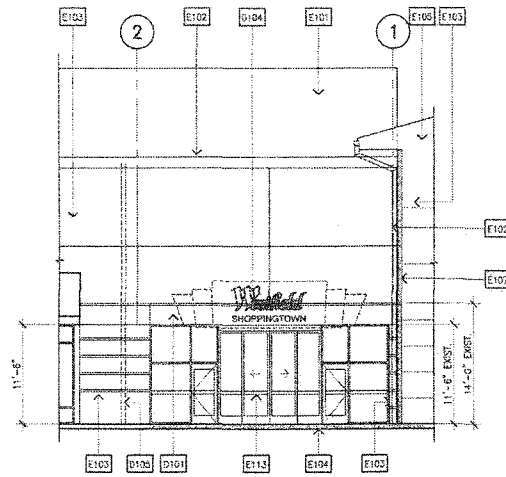
ENTRANCE 3 DEMOLITION PLAN

**PROPOSED PROJECT  
PHG 12-0005**

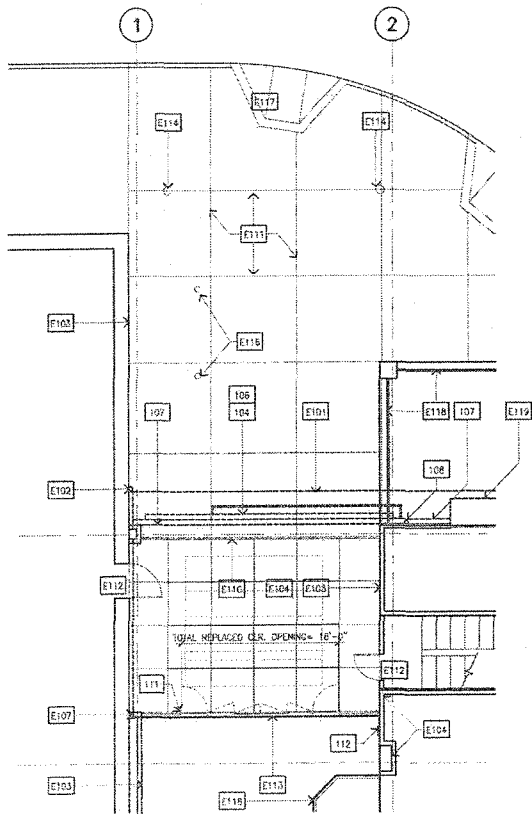
DETAILS



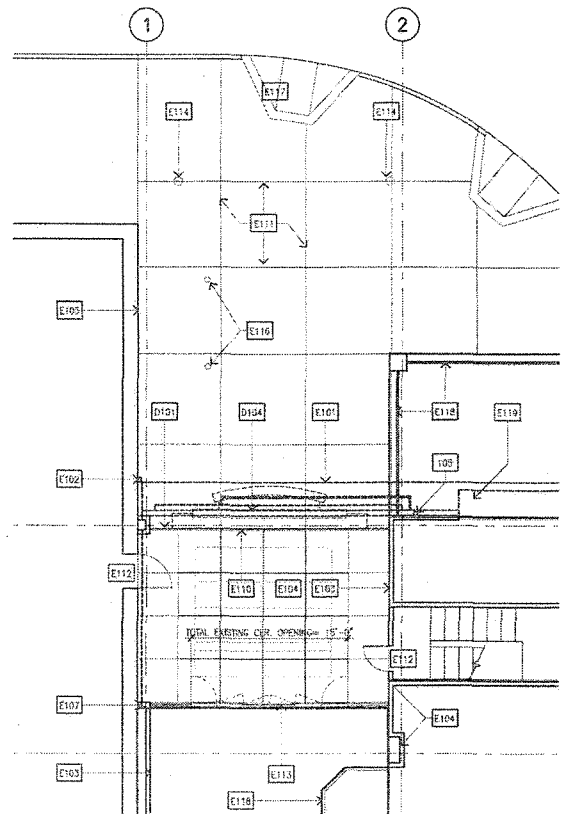
ENTRANCE 4 NEW ELEVATION



ENTRANCE 4 DEMOLITION ELEVATION



ENTRANCE 4 NEW FLOOR PLAN

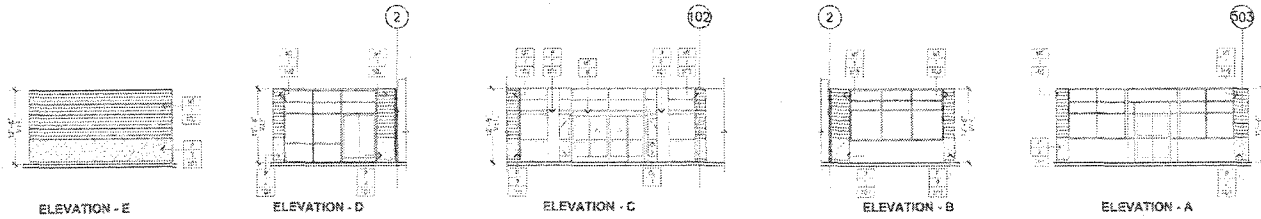


ENTRANCE 4 DEMOLITION PLAN



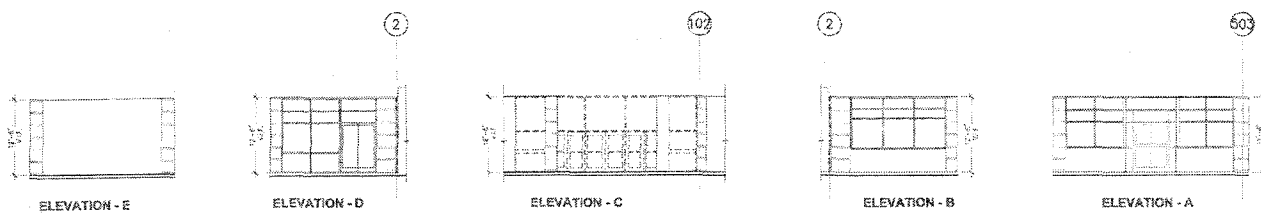
**PROPOSED PROJECT  
PHG 12-0005**

DETAILS



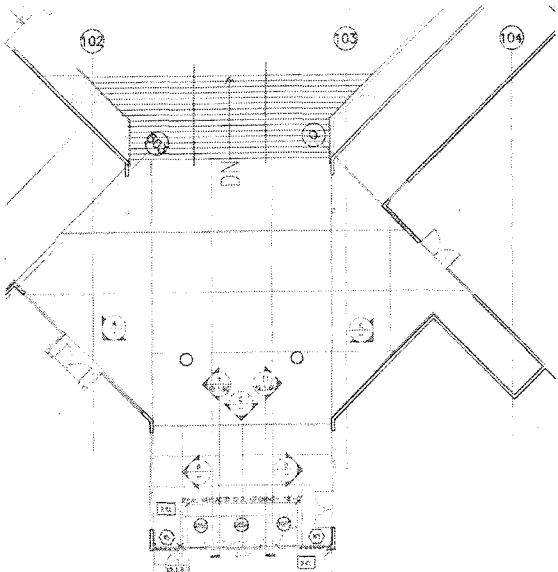
ELEVATION - E      ELEVATION - D      ELEVATION - C      ELEVATION - B      ELEVATION - A

LEVEL 2 - ENTRANCE 5 NEW ELEVATIONS

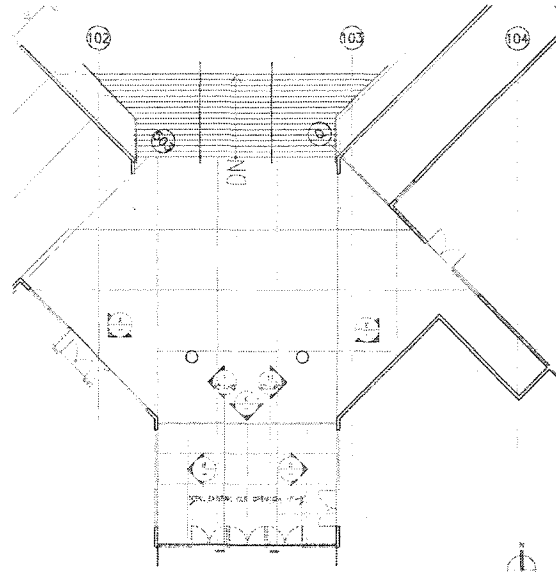


ELEVATION - E      ELEVATION - D      ELEVATION - C      ELEVATION - B      ELEVATION - A

LEVEL 2 - ENTRANCE 5 DEMOLITION ELEVATIONS



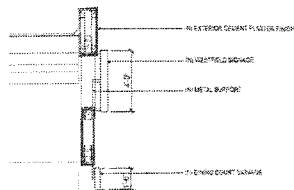
LEVEL 2 - ENTRANCE 5 NEW FLOOR PLAN



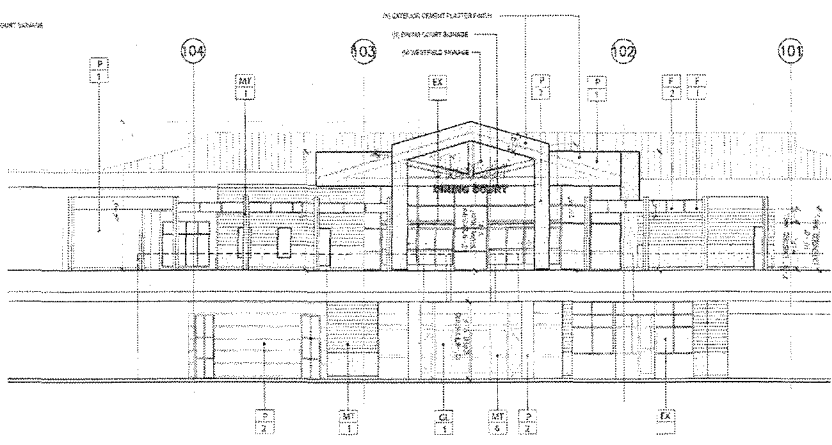
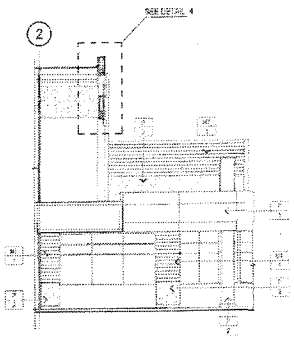
LEVEL 2 - ENTRANCE 5 DEMOLITION PLAN

**PROPOSED PROJECT  
PHG 12-0005**

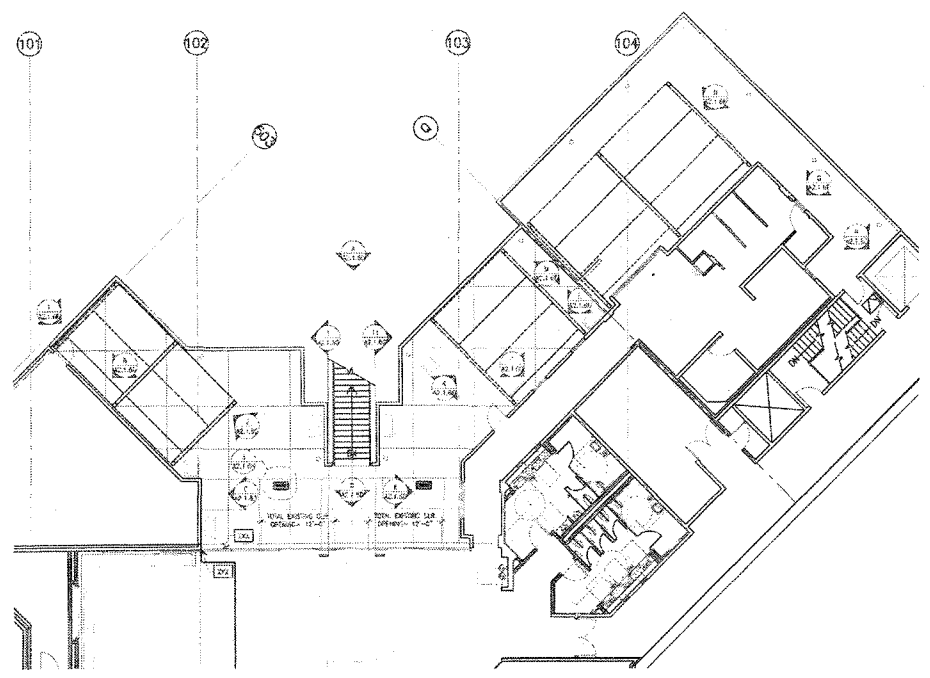
DETAILS



DETAIL 4



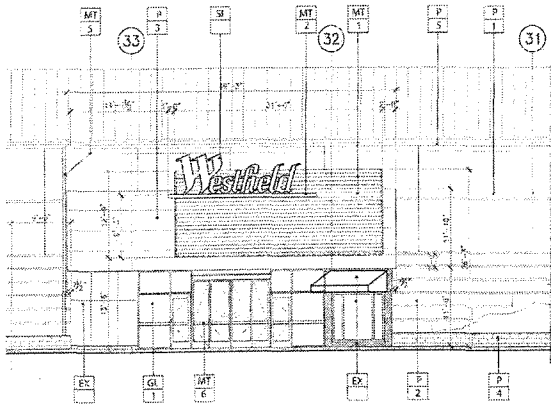
ENTRANCE 5 AND 6 NEW ELEVATION AND SECTION



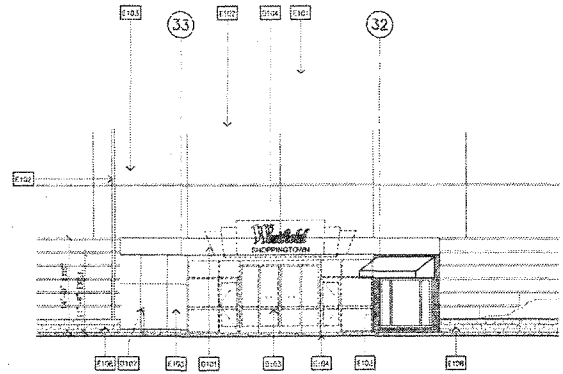
LEVEL 3 - ENTRANCE 6 NEW FLOOR PLAN

**PROPOSED PROJECT  
PHG 12-0005**

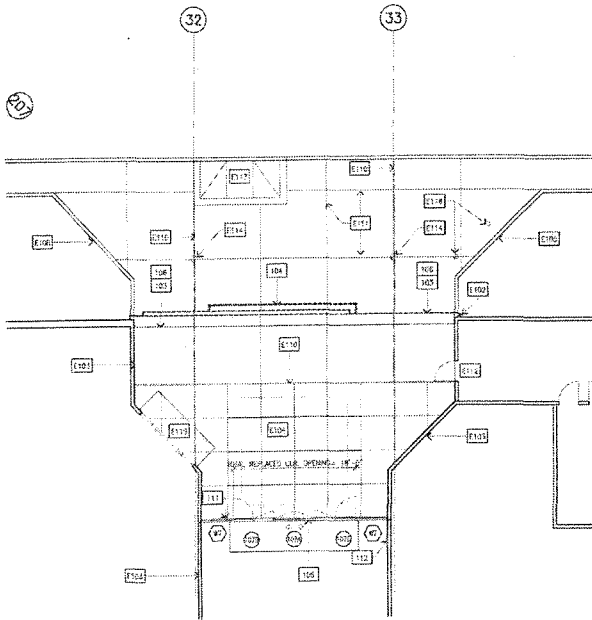




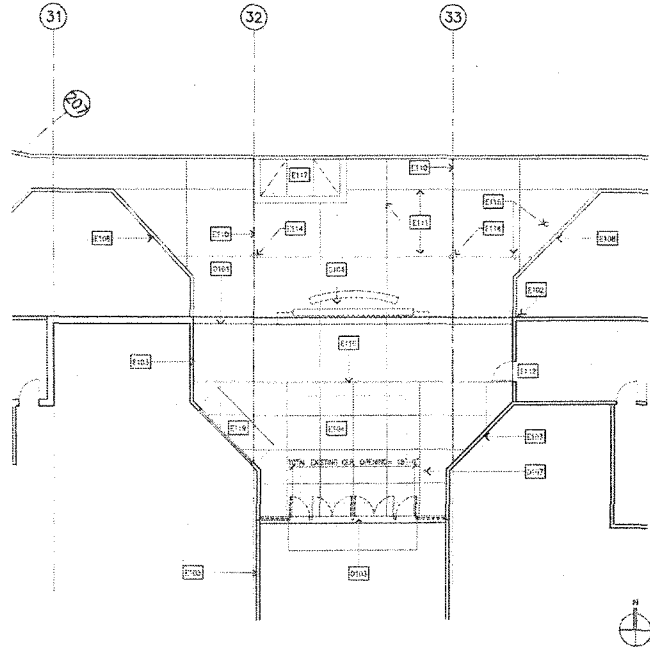
ENTRANCE 7 NEW ELEVATION



ENTRANCE 7 DEMOLITION ELEVATION



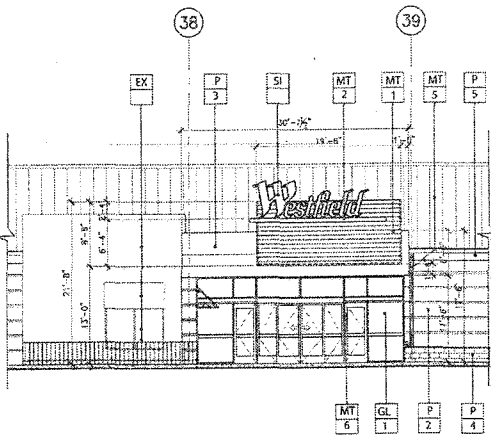
ENTRANCE 7 NEW FLOOR PLAN



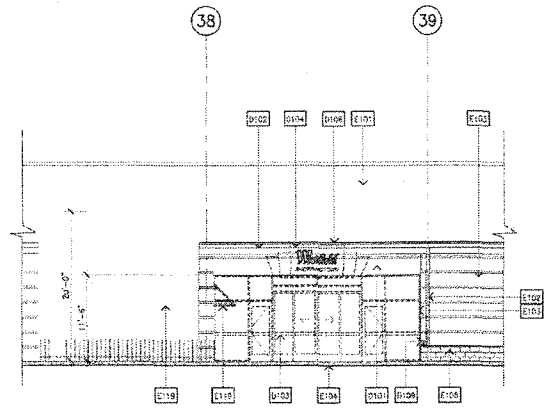
ENTRANCE 7 DEMOLITION PLAN

**PROPOSED PROJECT  
PHG 12-0005**

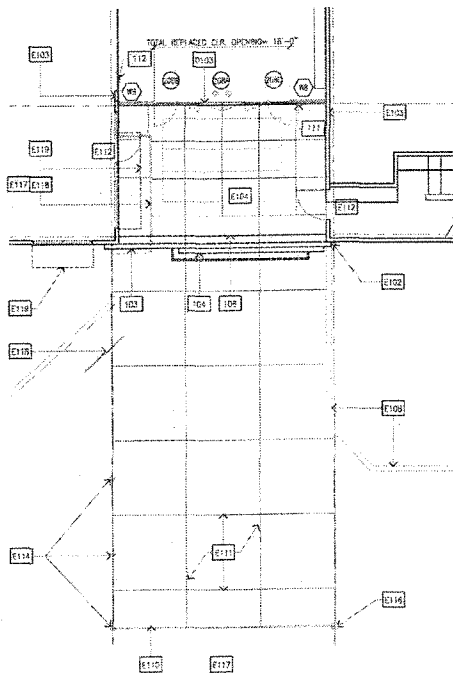
DETAILS



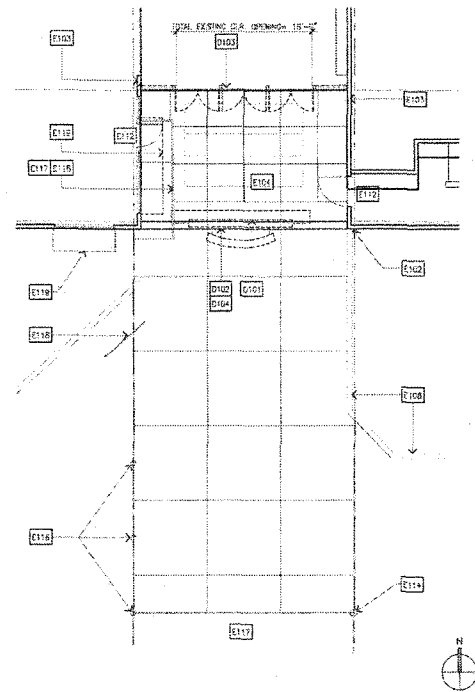
ENTRANCE 8 NEW ELEVATION



ENTRANCE 8 DEMOLITION ELEVATION



ENTRANCE 8 NEW FLOOR PLAN

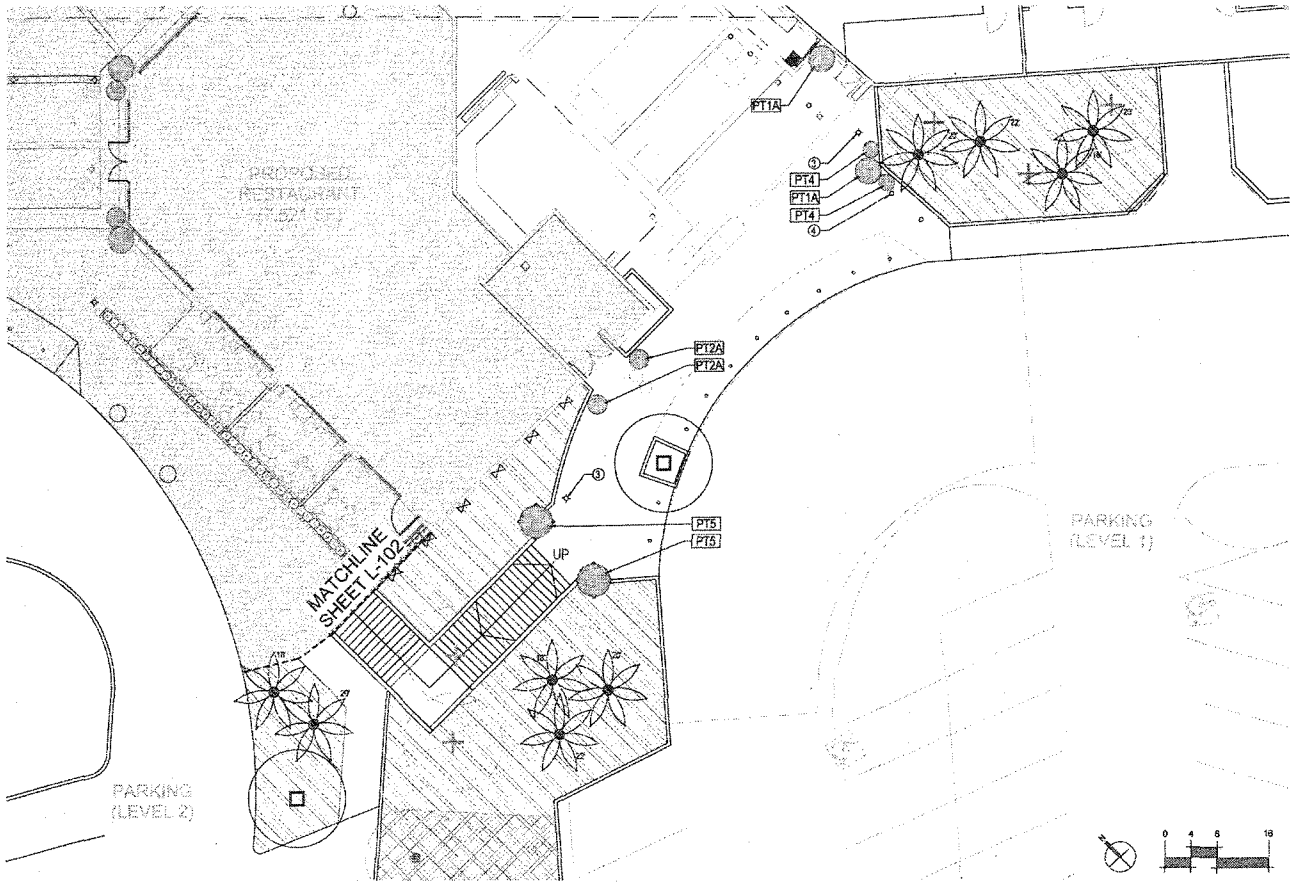


ENTRANCE 8 DEMOLITION PLAN

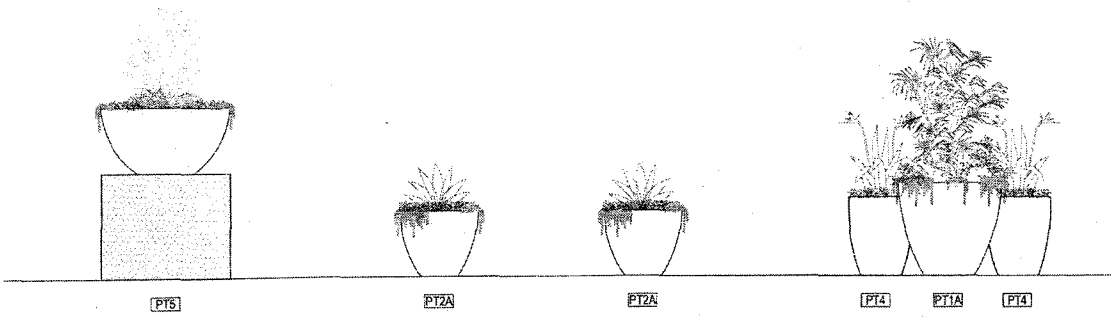
**PROPOSED PROJECT  
PHG 12-0005**

DETAILS





ENTRY 1 - PLAN



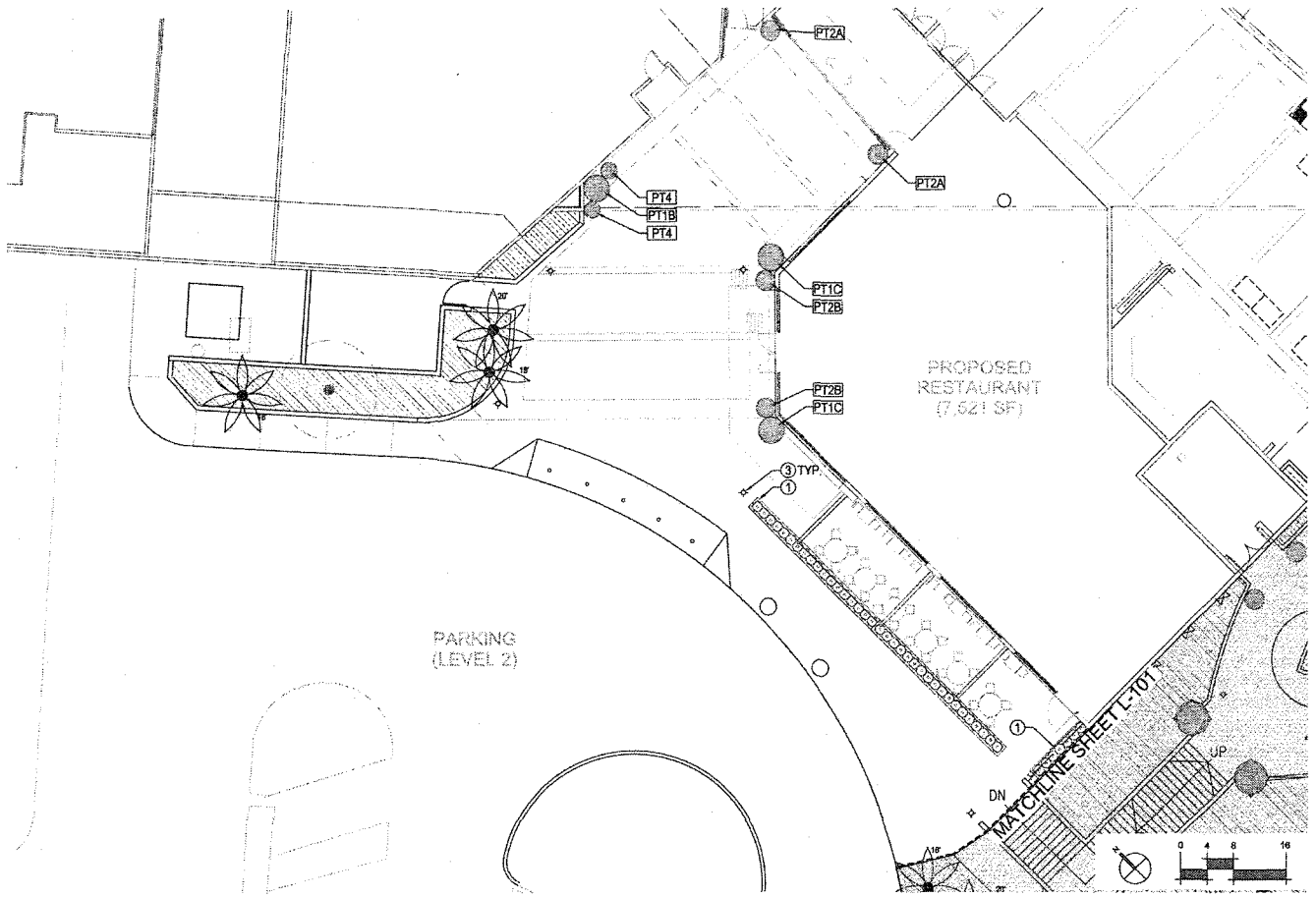
NOTE:  
REFER TO ENTRY 1 PLAN DETAIL FOR POT LOCATION.

ENTRY 1 - PLANTER GROUP PROFILES

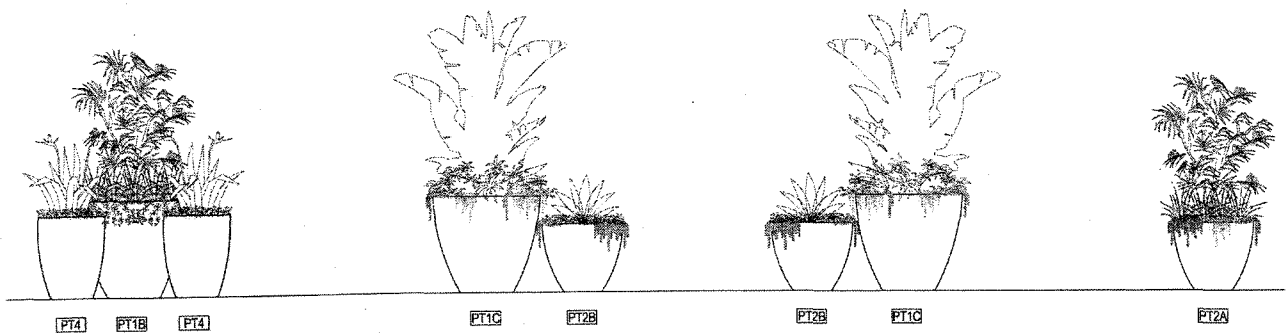
**PROPOSED PROJECT  
PHG 12-0005**



SITE PLAN



ENTRY 2 - PLAN



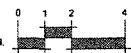
PT1A PT1B PT1A

PT1C PT2B

PT2B PT1C

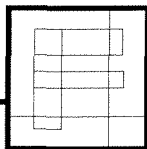
PT2A

NOTE:  
REFER TO ENTRY 2 PLAN DETAIL FOR POT LOCATION.

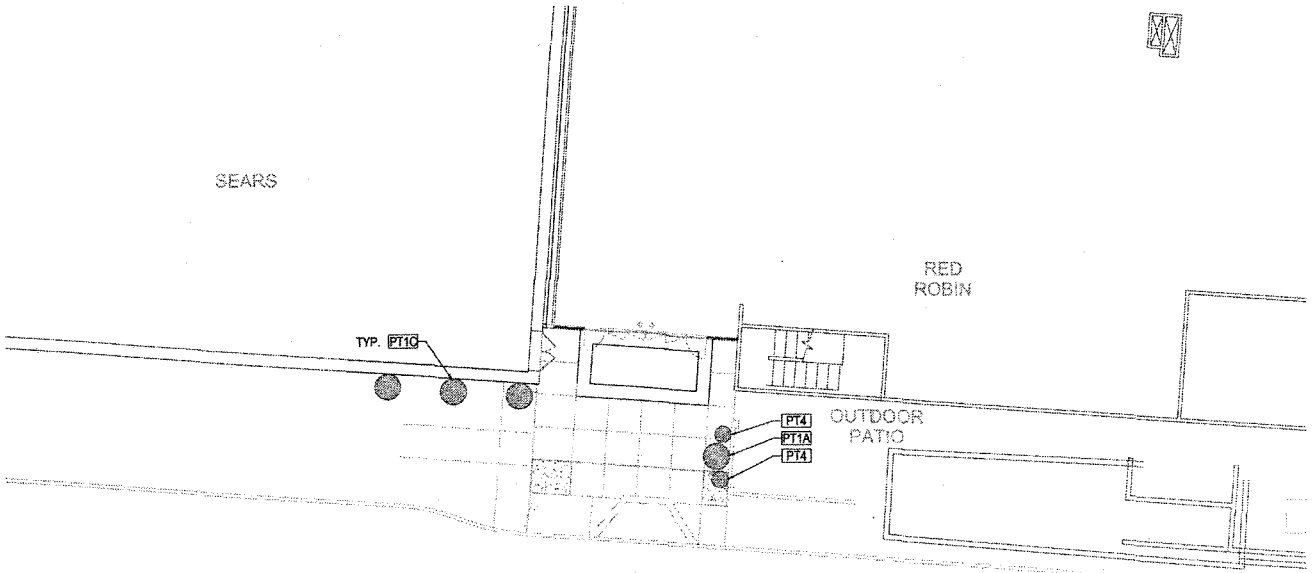


ENTRY 2 - PLANTER GROUP PROFILES

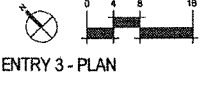
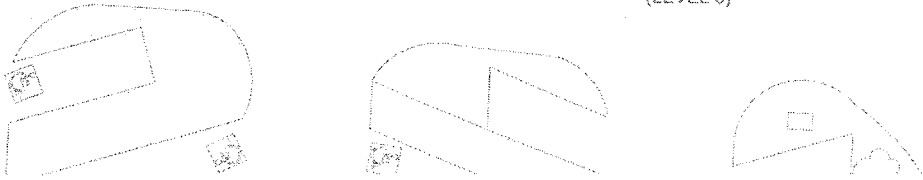
**PROPOSED PROJECT  
PHG 12-0005**



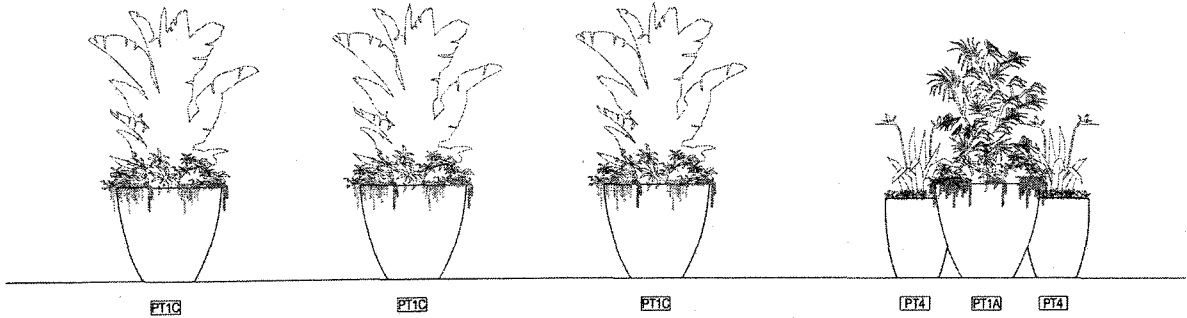
FLOOR PLAN



PARKING  
(LEVEL 3)



ENTRY 3 - PLAN



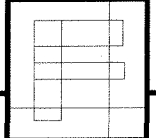
PT1C      PT1C      PT1C      PT4    PT1A    PT4



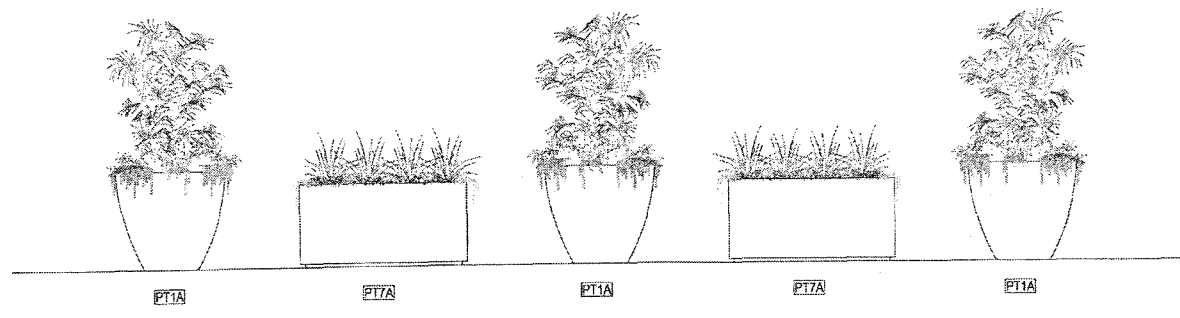
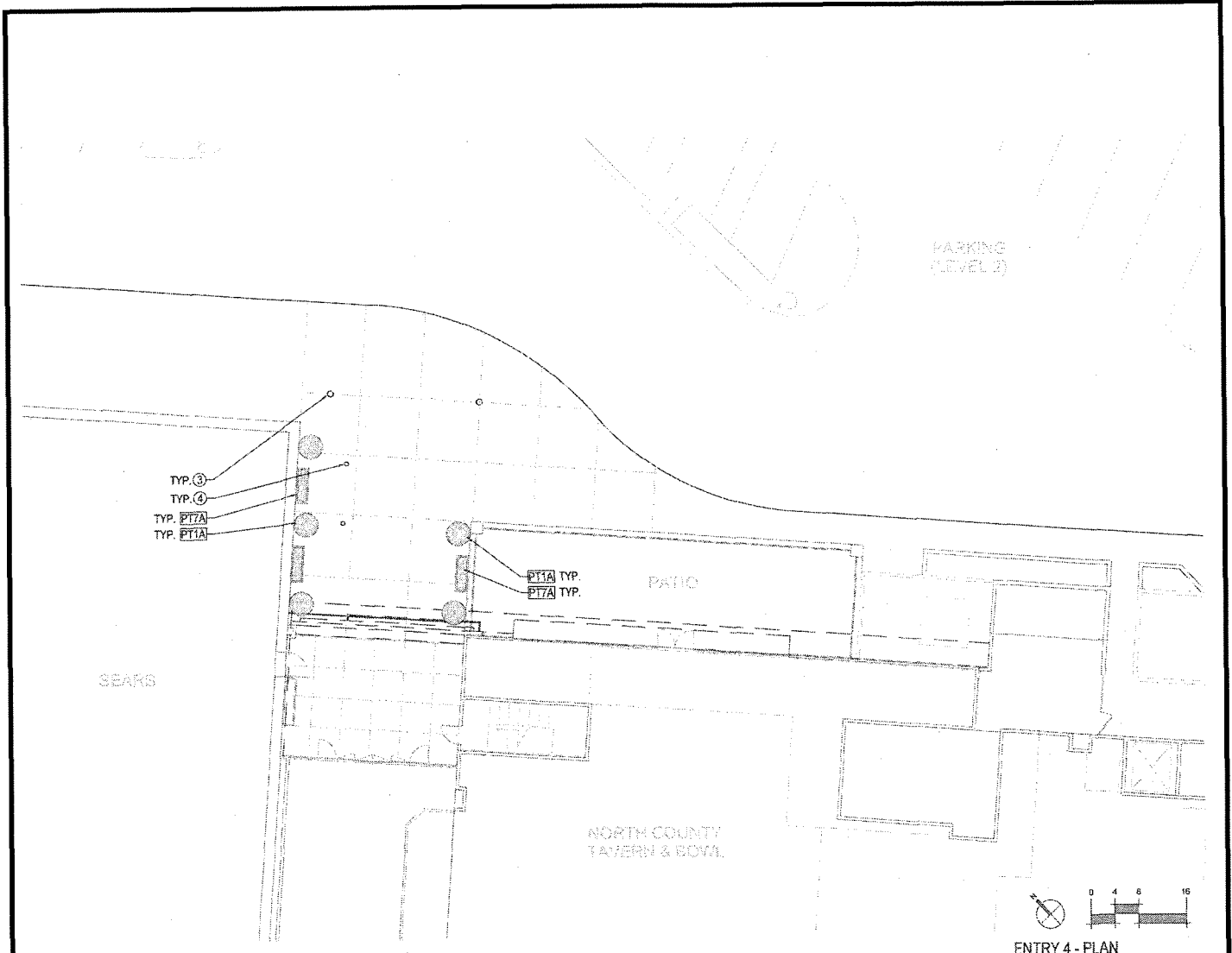
NOTE:  
REFER TO ENTRY 3 PLAN DETAIL FOR POT LOCATION.

ENTRY 3 - PLANTER GROUP PROFILES

**PROPOSED PROJECT  
PHG 12-0005**



FLOOR PLAN

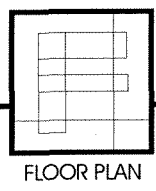


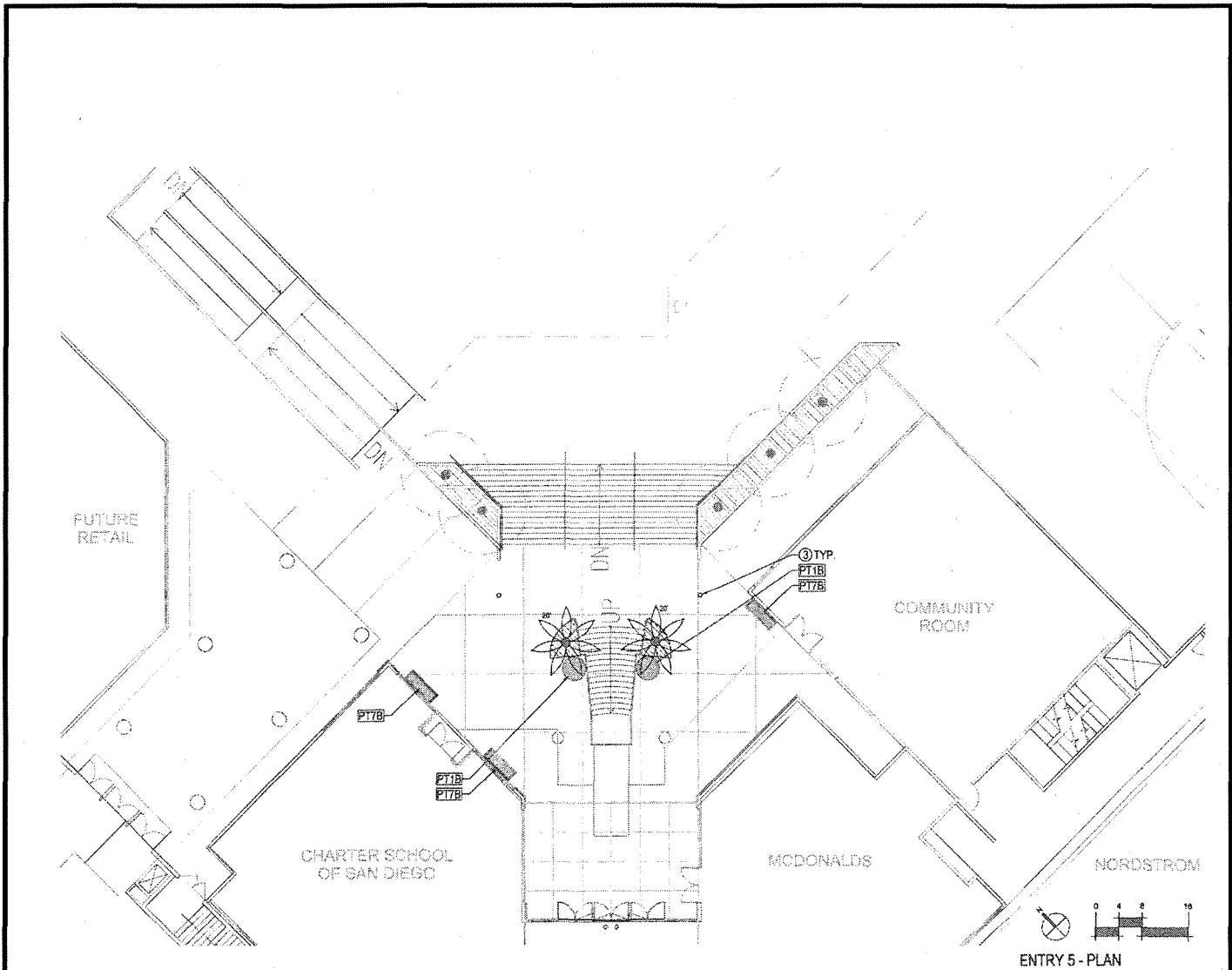
NOTE:  
REFER TO ENTRY 4 PLAN DETAIL FOR POT LOCATION

0 1 2 4

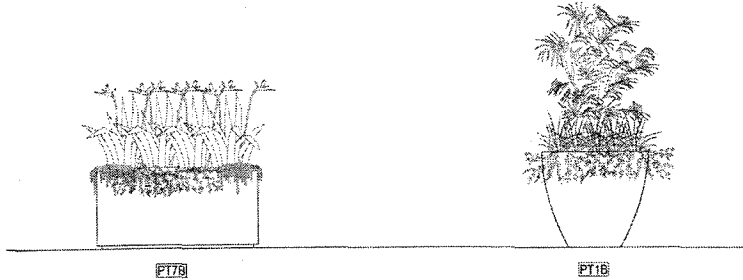
ENTRY 4 - PLANTER GROUP PROFILES

**PROPOSED PROJECT  
PHG 12-0005**





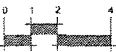
ENTRY 5 - PLAN



PT7B

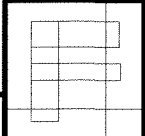
PT1B

NOTE: REFER TO ENTRY 5 PLAN DETAIL FOR POT LOCATION.

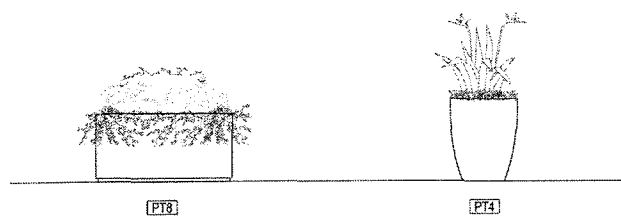
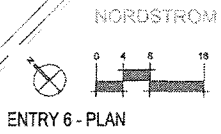
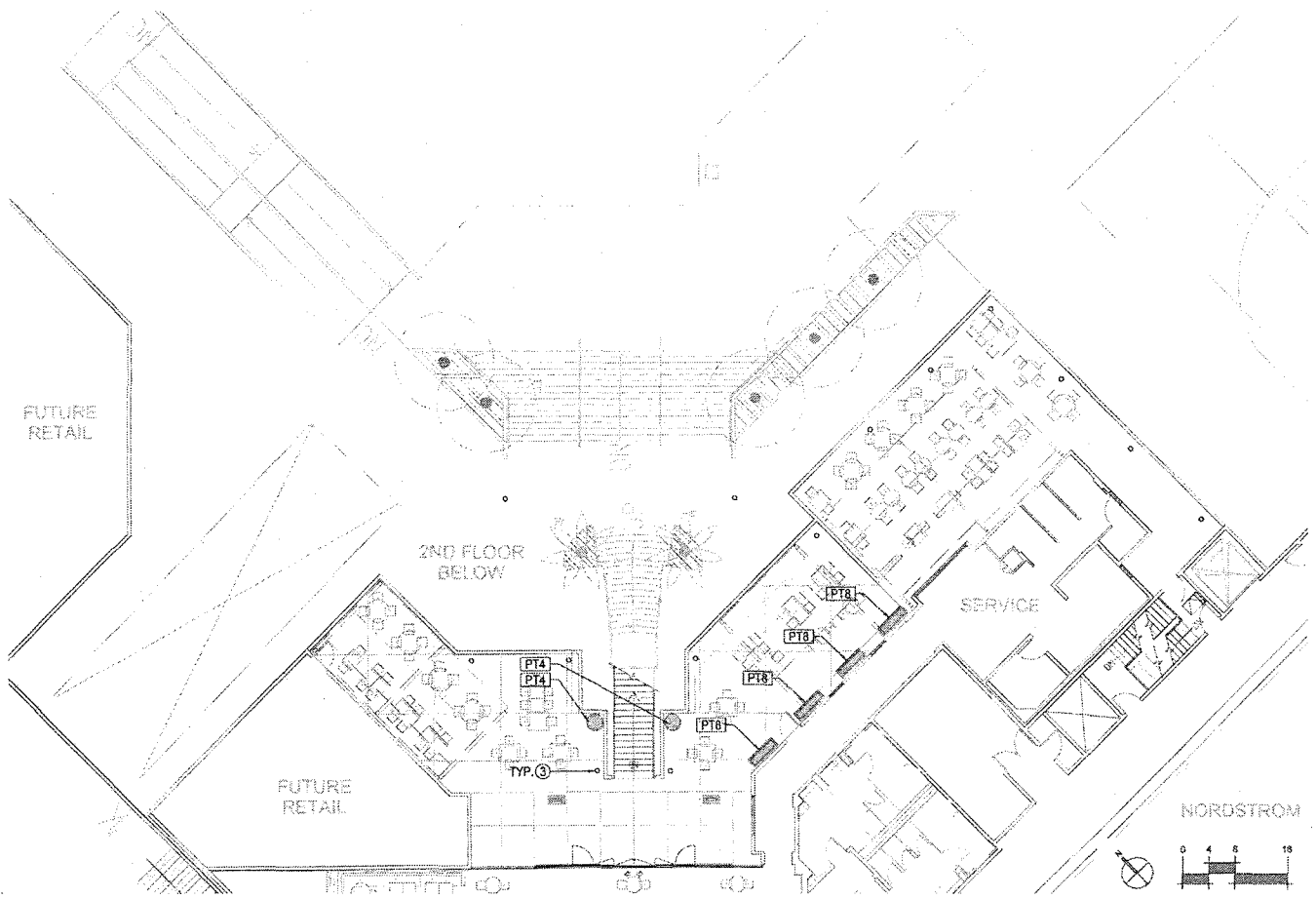


ENTRY 5 - PLANTER GROUP PROFILES

**PROPOSED PROJECT  
PHG 12-005**



FLOOR PLAN

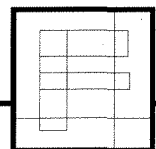


NOTE:  
REFER TO ENTRY 6 PLAN DETAIL FOR POT LOCATION.

0 1 2 4

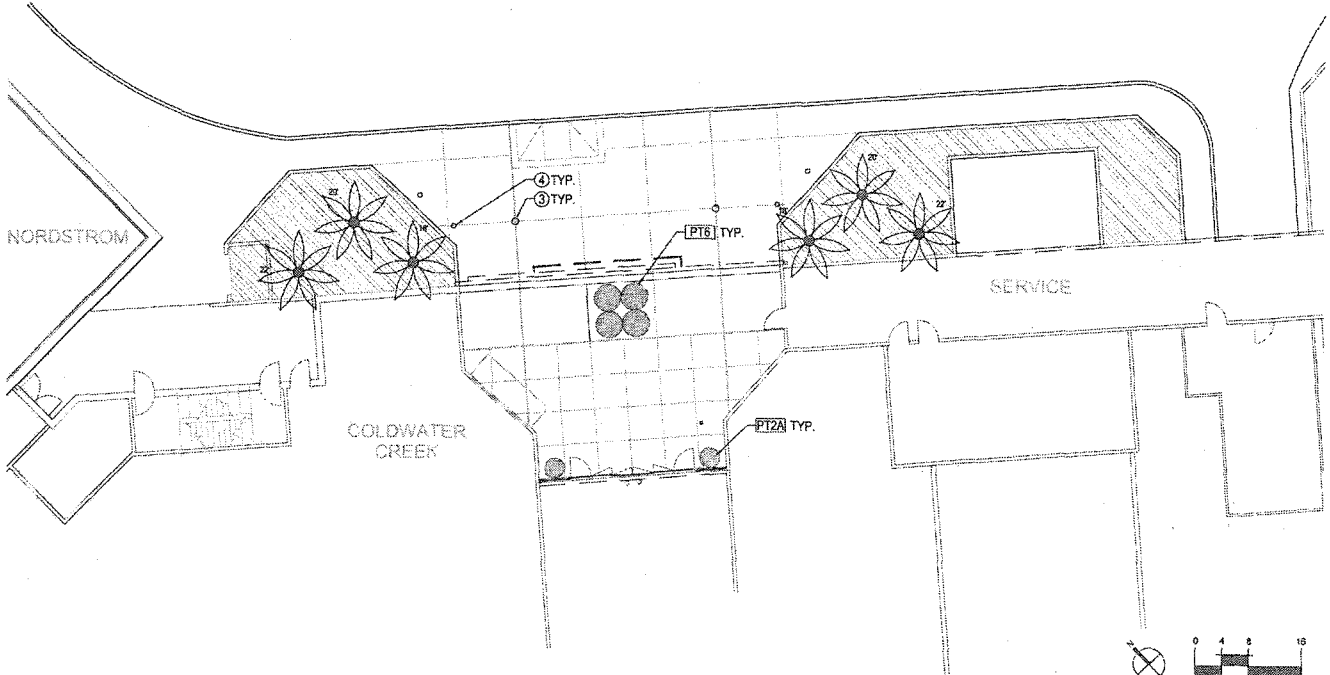
ENTRY 6 - PLANTER GROUP PROFILES

**PROPOSED PROJECT  
PHG 12-0005**

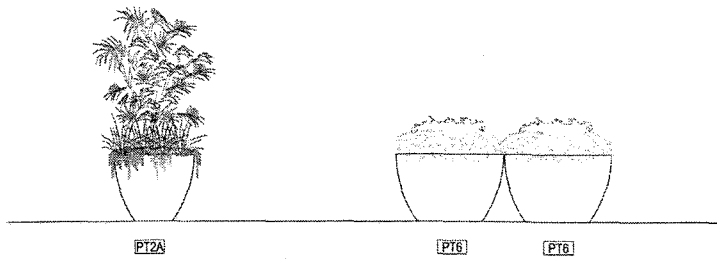


FLOOR PLAN

PARKING  
(LEVEL 1)



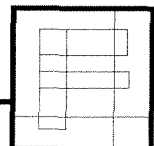
ENTRY 7 - PLAN



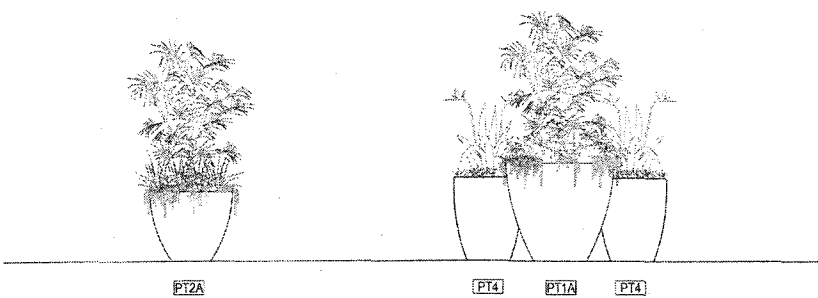
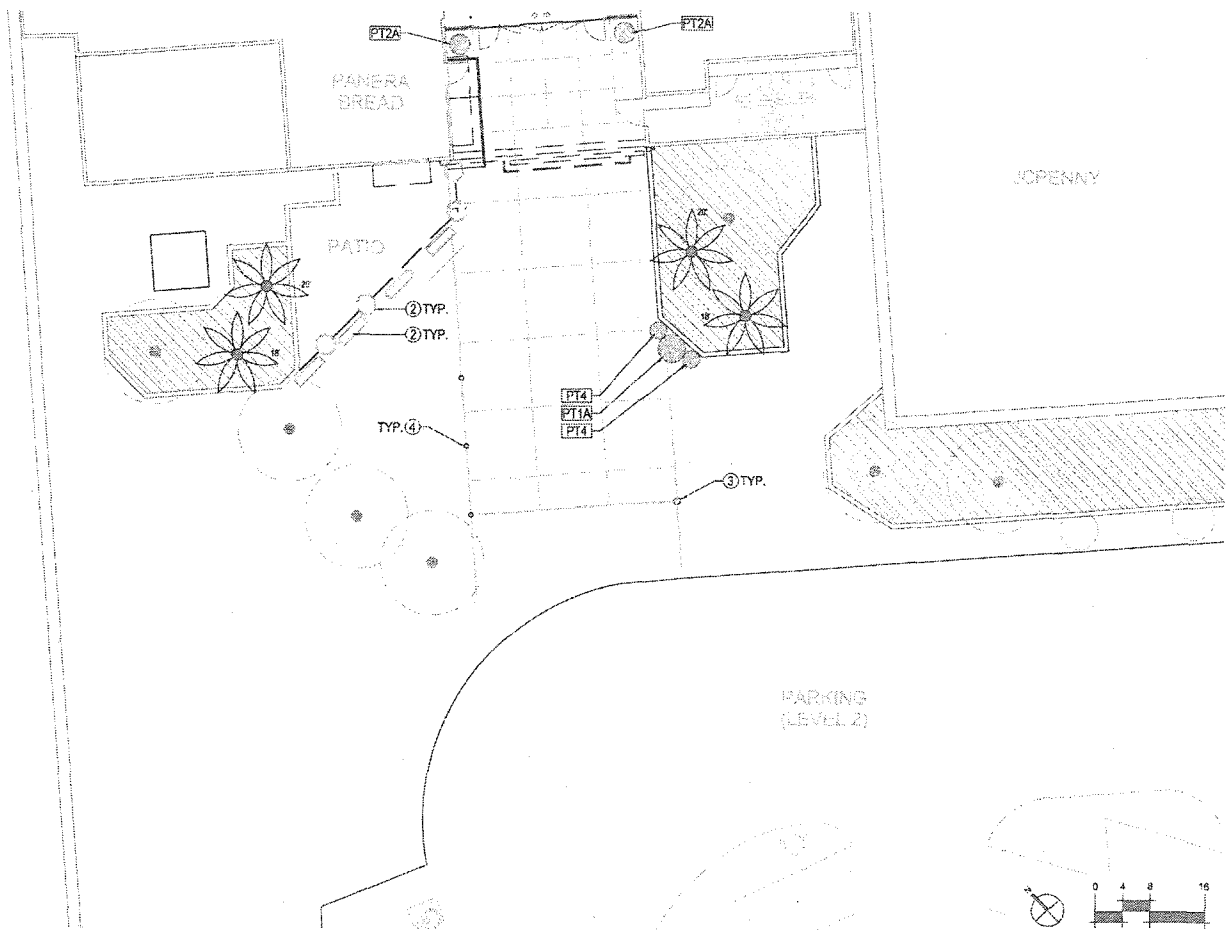
NOTE:  
REFER TO ENTRY 7 PLAN DETAIL FOR POT LOCATION

ENTRY 7 - PLANTER GROUP PROFILES

**PROPOSED PROJECT  
PHG 12-0005**



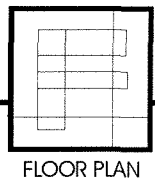
FLOOR PLAN



NOTE:  
REFER TO ENTRY 8 PLAN DETAIL FOR POT LOCATION.

ENTRY 8 - PLANTER GROUP PROFILES

**PROPOSED PROJECT  
PHG 12-0005**





**Westfield**

10'-0"

PYLON

**Westfield**

8'-0"

ENTRIES: 1 & 2

**Westfield**

6'-0"

ENTRIES: 4 & 7

**Westfield**

5'-0"

ENTRIES: 3, 6 & 8

2'-0" **Westfield**

ENTRY: 5

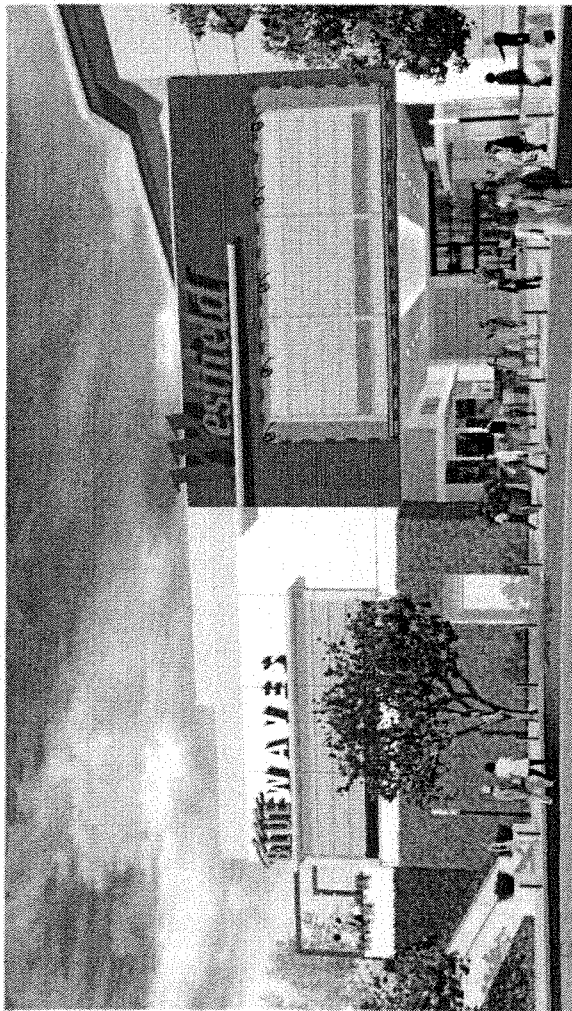
1'-0" **DINING COURT**

ENTRY: 6

MALL ENTRY SIGN DETAIL

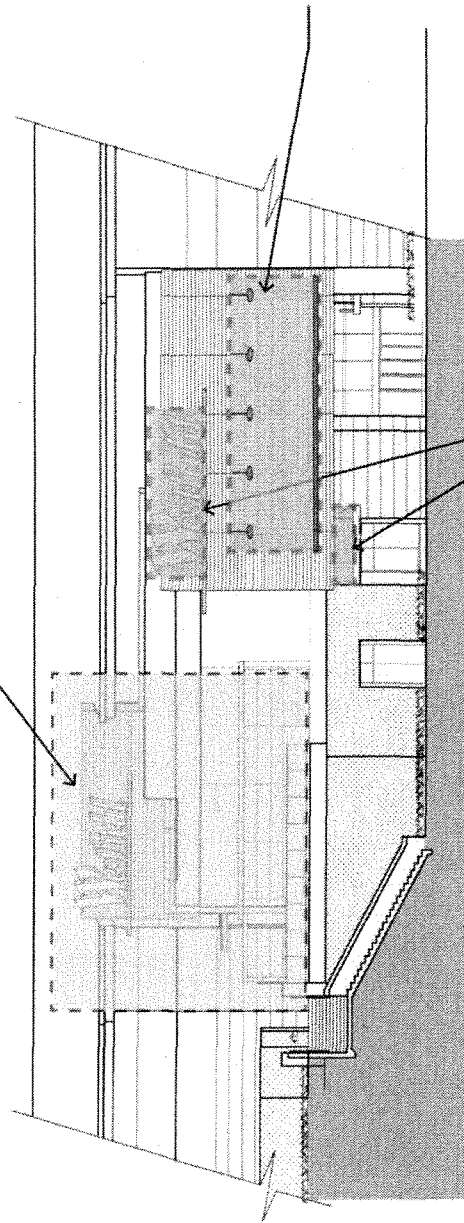
**PROPOSED PROJECT  
PHG 12-0005**

DETAILS



PROPOSED ENTRY

SEE SHEET 18 FOR  
ENTRY 2 INFO



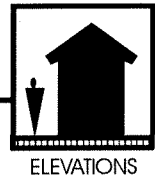
ENTRY 1 - SOUTH WEST  
SCALE: 3/32"=1'-0"

POTENTIAL ADVERTISING  
PANEL 48' W X 14' H  
672SF, EXTERNALLY LIT W/  
GOOSE NECK LIGHTS &  
UPLIGHTS TYP.

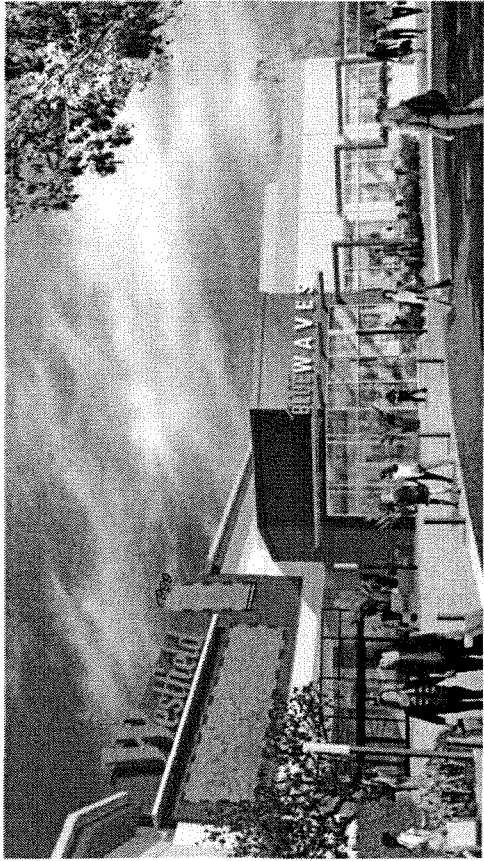
WESTFIELD SIGNAGE AREA  
POTENTIAL IN-LINE TENANT  
SIGNAGE AREA

ENTRY 1

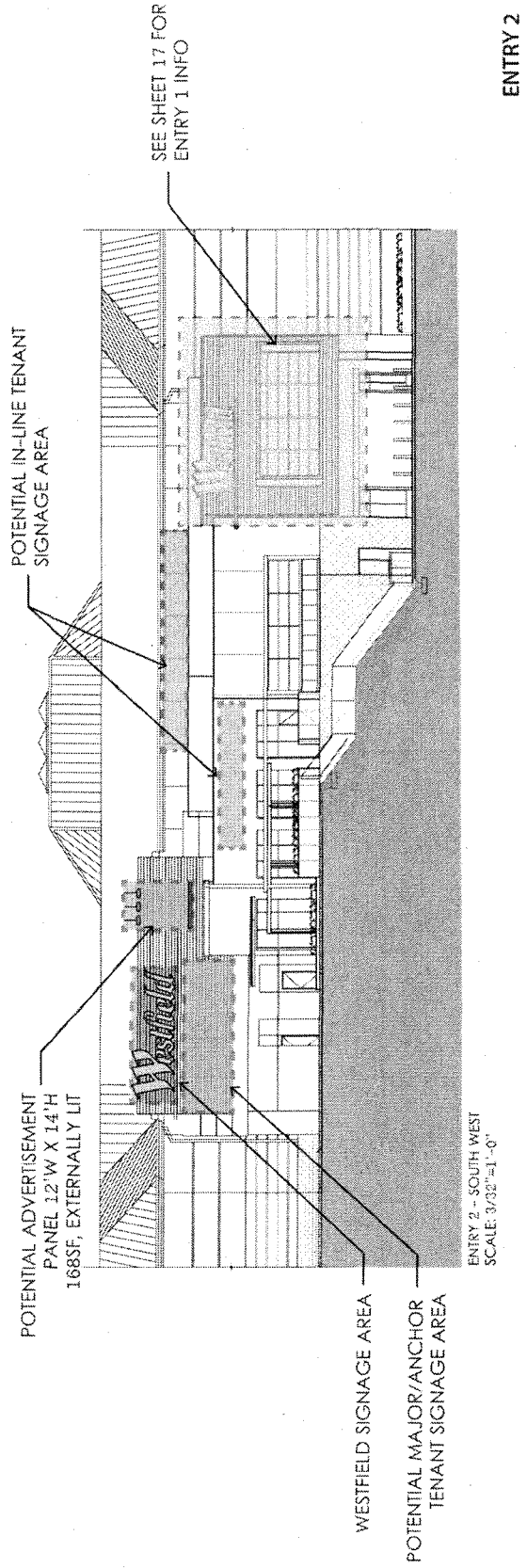
**PROPOSED PROJECT  
PHG 12-0005**



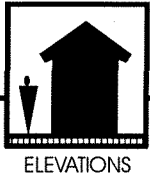
ELEVATIONS

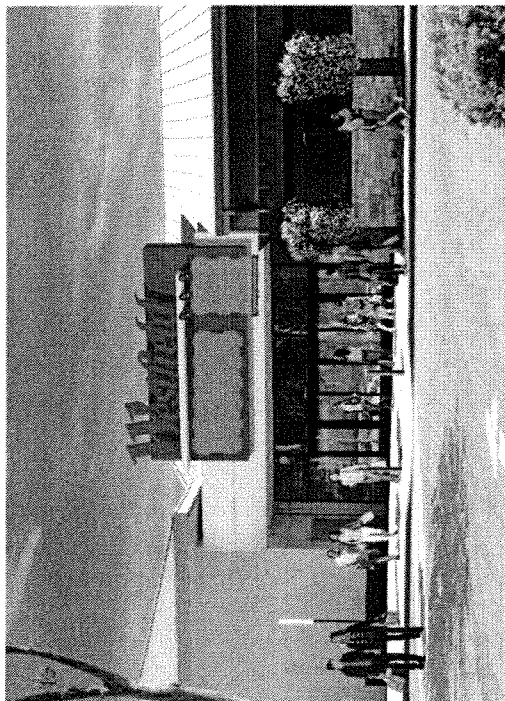


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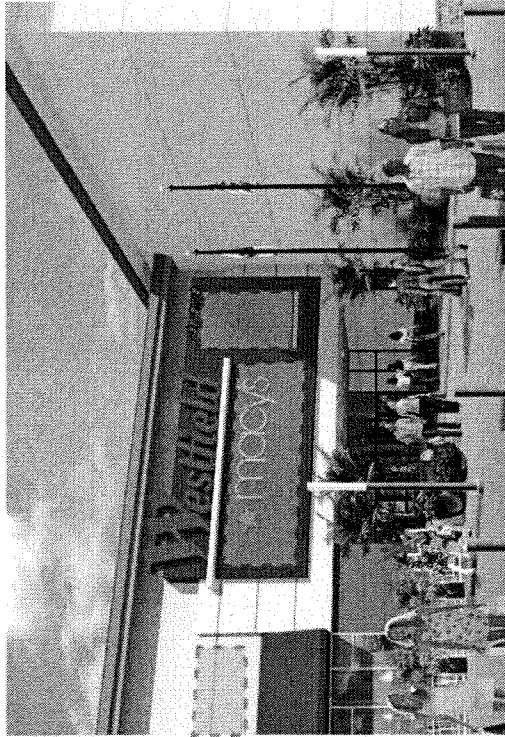


**PROPOSED PROJECT  
PHG 12-0005**

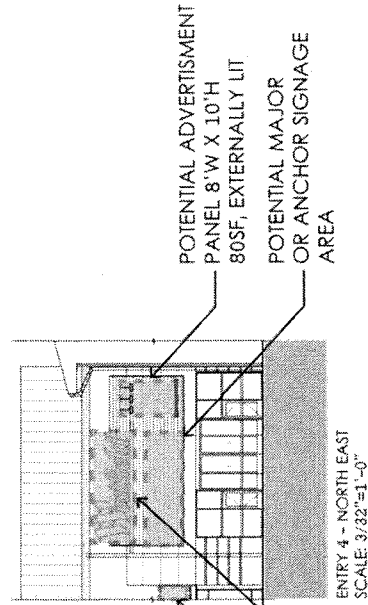
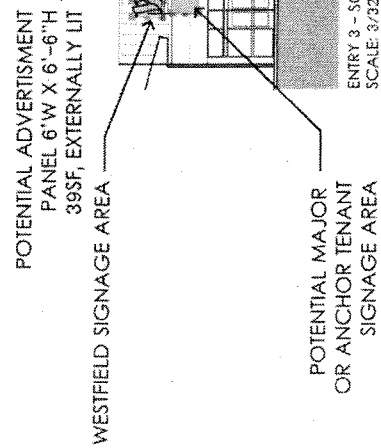




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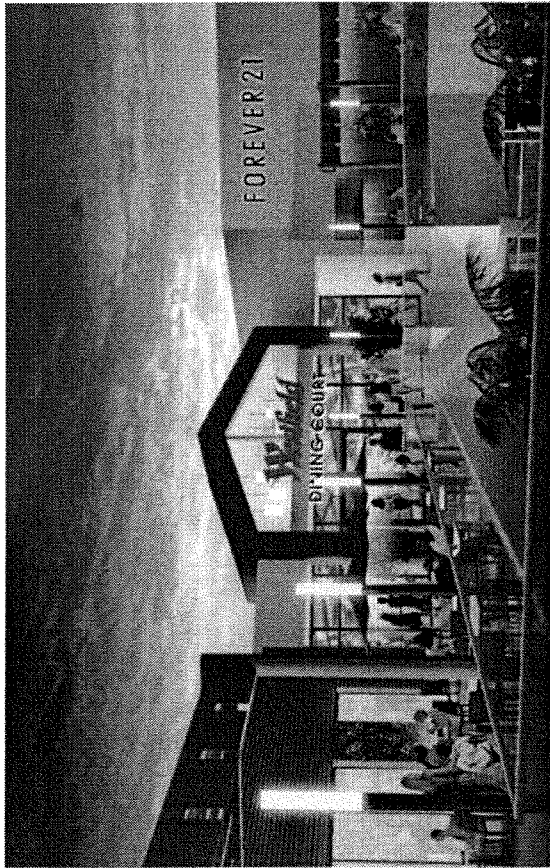
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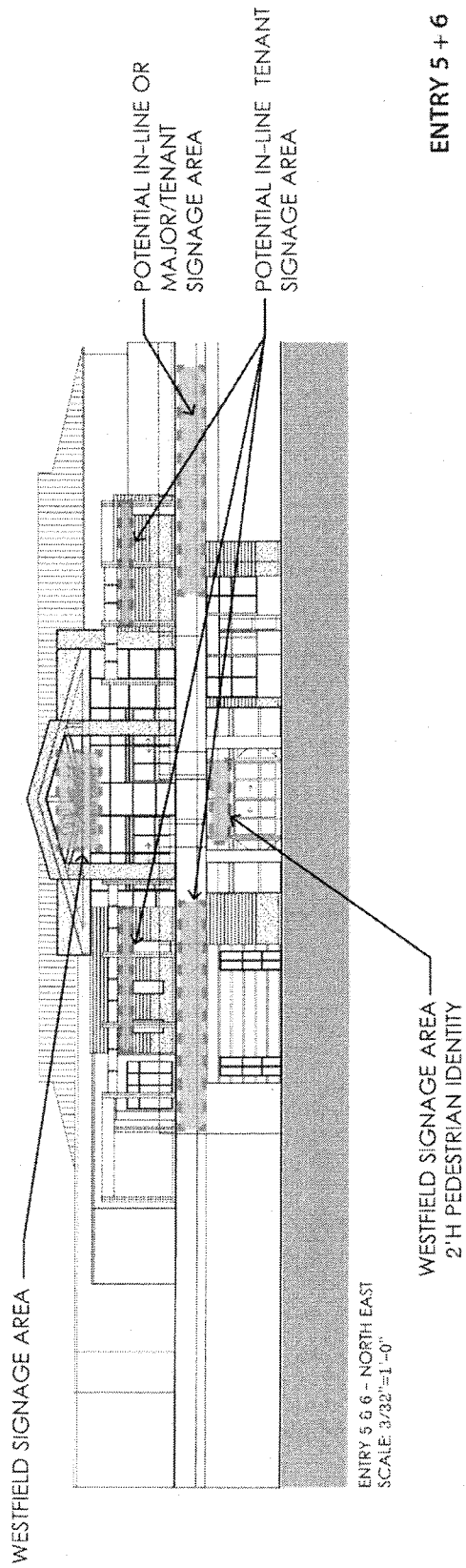
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**PROPOSED PROJECT  
PHG 12-0005**





PROPOSED ENTRY

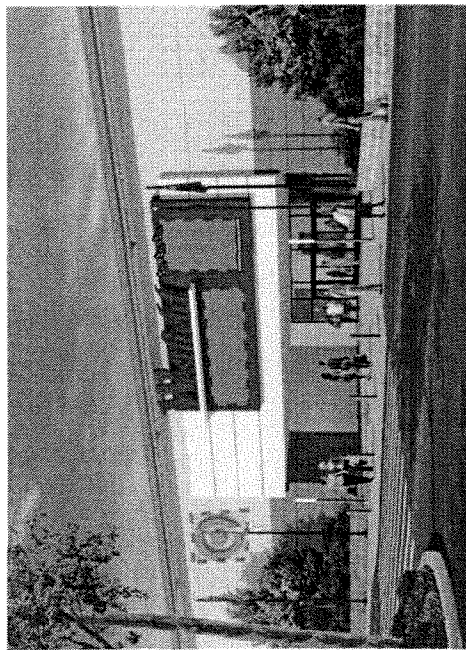
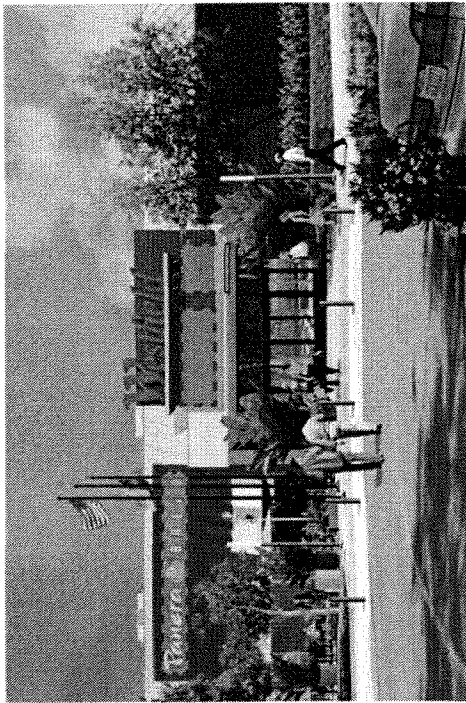


ENTRY 5 + 6

**PROPOSED PROJECT  
PHG 12-0005**







PROPOSED ENTRY

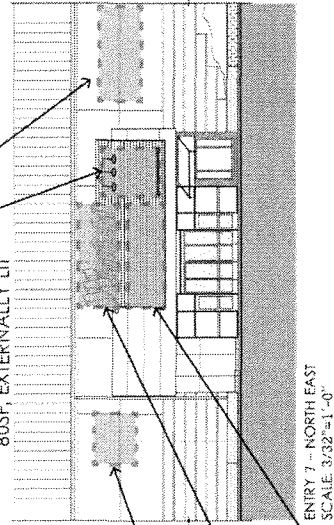
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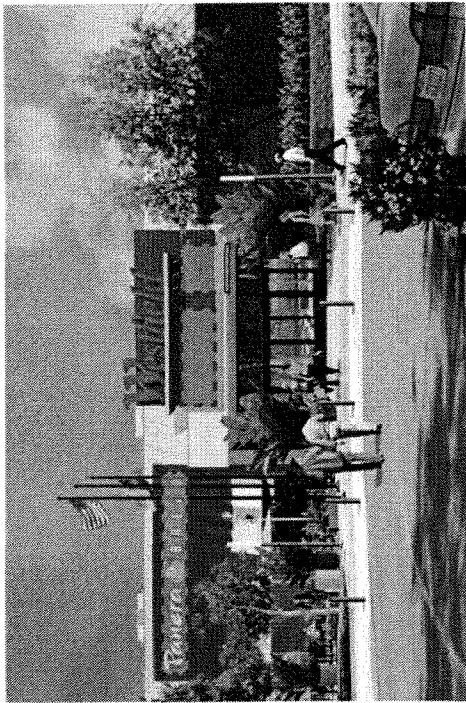
ANCHOR SIGNAGE AREA

WESTFIELD SIGNAGE AREA

POTENTIAL ANCHOR OR MAJOR TENANT SIGNAGE AREA



ENTRY 7 - NORTH EAST  
SCALE: 3/32"=1'-0"



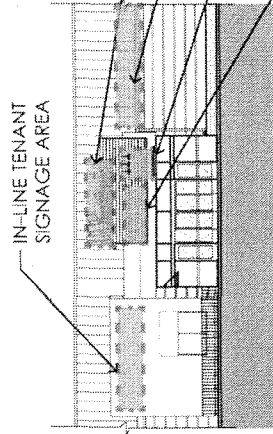
IN-LINE TENANT SIGNAGE AREA

WESTFIELD SIGNAGE AREA

POTENTIAL IN-LINE TENANT SIGNAGE AREA

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POTENTIAL ANCHOR OR MAJOR TENANT SIGNAGE AREA



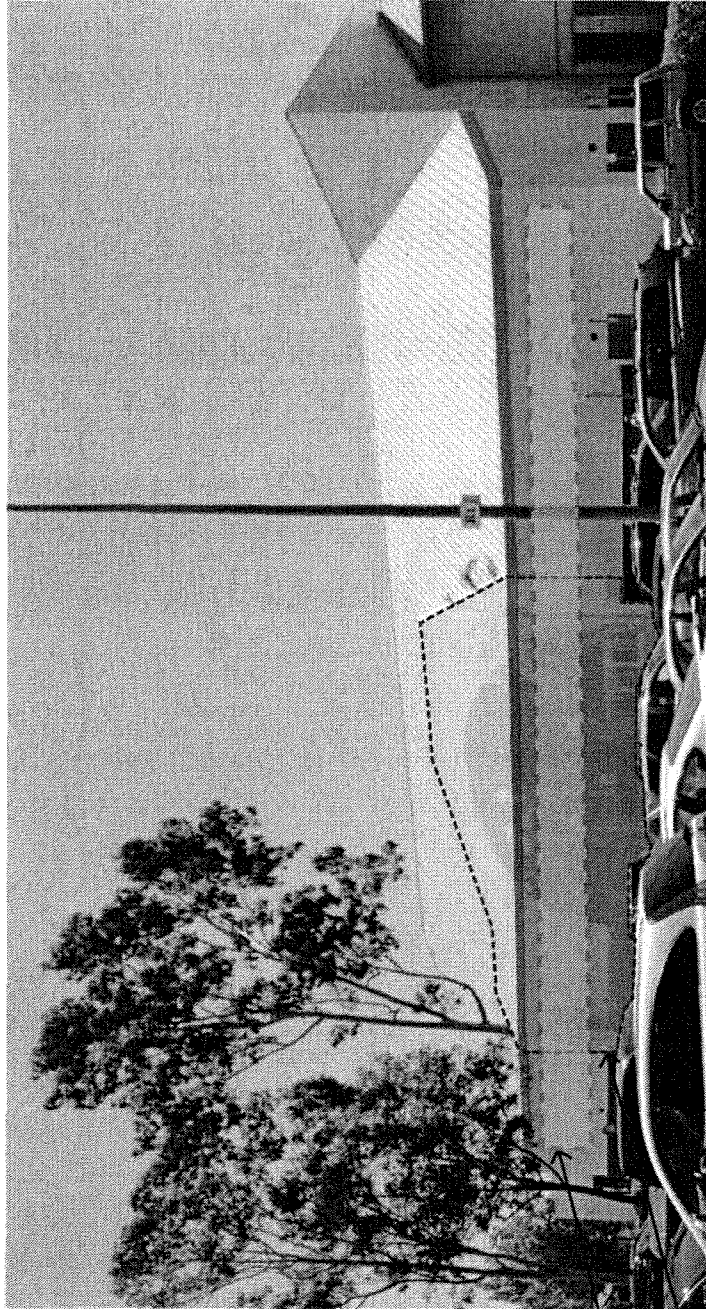
ENTRY 8 - SOUTH WEST  
SCALE: 3/32"=1'-0"

ENTRY 7 + 8

**PROPOSED PROJECT  
PHG 12-0005**



ELEVATIONS



POTENTIAL IN-LINE OR  
MAJOR/ANCHOR  
TENANT SIGNAGE AREA  
INFILL AREA AS SHOWN  
ON PROPOSED SITE PLAN

PROPOSED STOREFRONT INFILL - NORTH ELEVATION

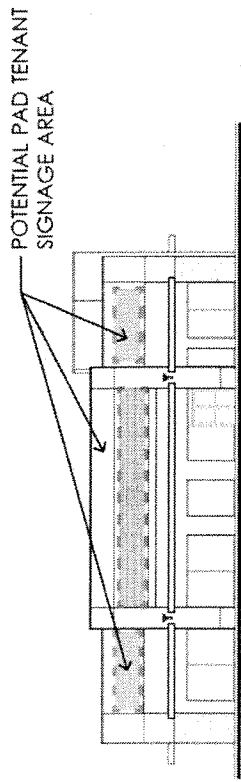
PROPOSED IN LINE TENANT SIGN LOCATIONS

**PROPOSED PROJECT  
PHG 12-0005**

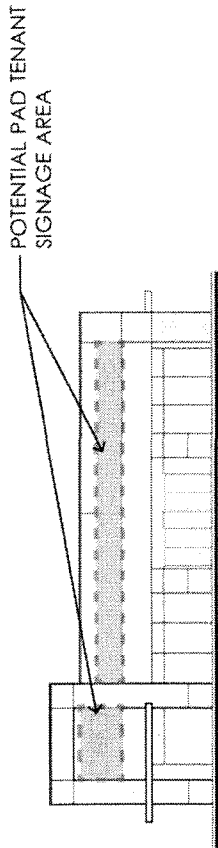


ELEVATIONS

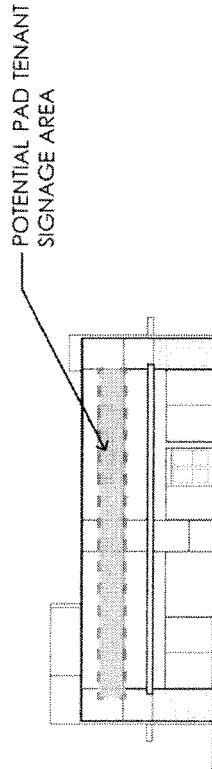
**PROPOSED PROJECT  
PHG 12-0005**



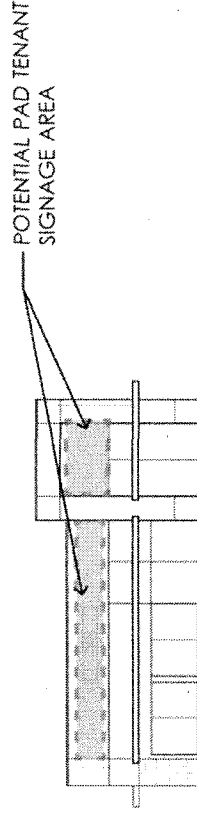
NORTH WEST  
SCALE: 3/32"=1'-0"



SOUTH EAST  
SCALE: 3/32"=1'-0"



NORTH EAST  
SCALE: 3/32"=1'-0"



SOUTH WEST  
SCALE: 3/32"=1'-0"

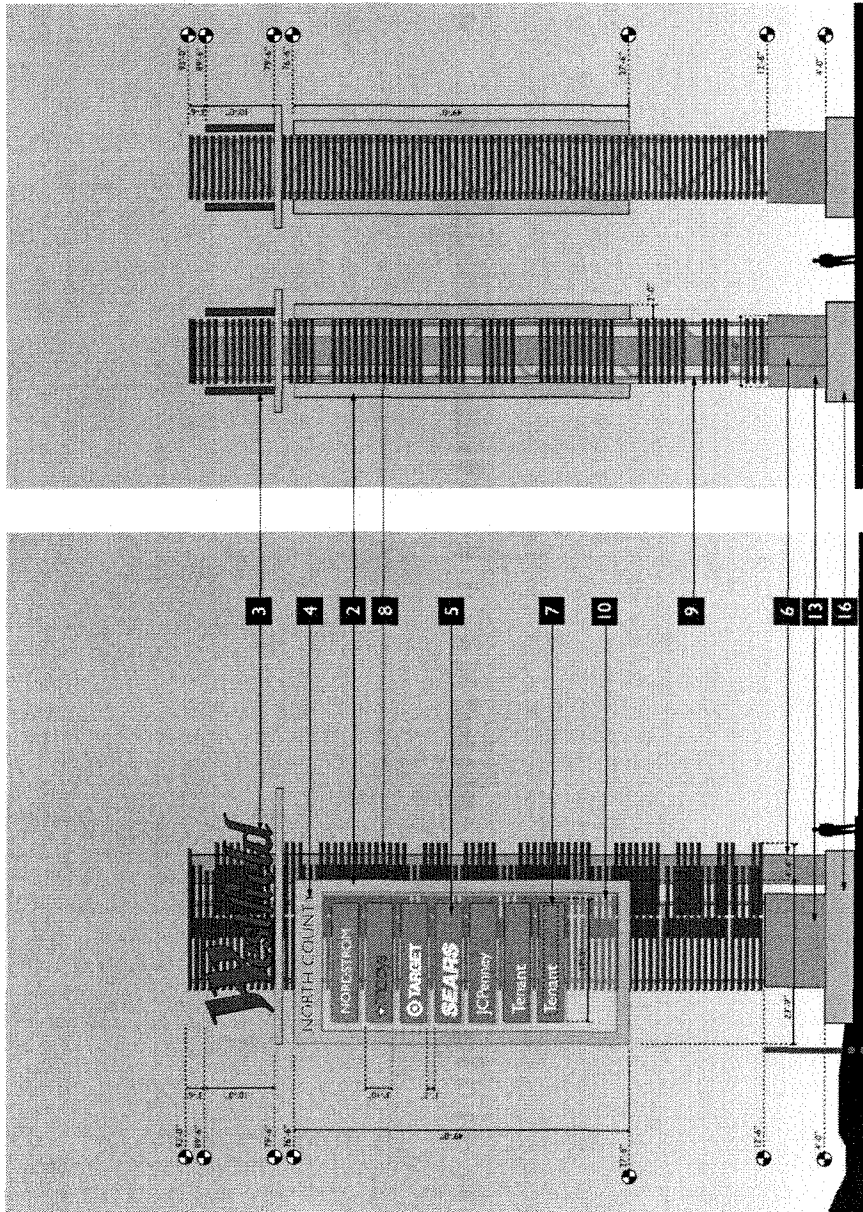
**PROPOSED PAD TENANT SIGN LOCATIONS**



ELEVATIONS



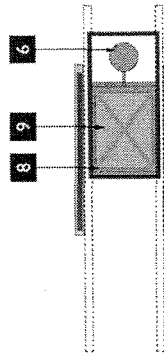
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1. NOT USED
  2. PAINTED METAL FRAME
  3. INTERNALLY ILLUMINATED CHANNEL LETTERS OR SOLID NON-ILLUMINATED.
  4. INTERNALLY ILLUMINATED CHANNEL LETTERS WITH DAY/NIGHT FACES
  5. TENANT SIGN CABINET/W/ INTERNALLY ILLUMINATED PUSH THRU ACRYLIC LETTERS
  6. PAINTED ROUND MAIN STEEL SUPPORT PIPE
  7. 1" H X 7" W MAXIMUM TENANT PYLON SIGN AREA
  8. 6" X 6" ALUMINUM PAINTED TUBES
  9. PAINTED STEEL RECTANGULAR TUBE TOWER
  10. PAINTED PERFORATED METAL SCREEN
  11. PAINTED METAL LEDGE
  12. PAINTED METAL CLADDING TO MATCH BUILDING
  13. PLASTER FINISH
  14. FINISHED METAL PANEL
  15. 6" CAP HEIGHT PUSH THRU LETTERS (INTERNALLY ILLUMINATED OR SOLID NON-ILLUMINATED).
  16. CONCRETE BASE



PLAN  
SCALE: 1/16"=1'-0"

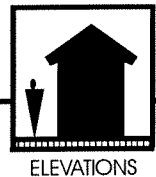
ELEVATIONS  
SCALE: 1/16"=1'-0"

PYLON SIGN  
SCALE: 1/16"=1'-0"

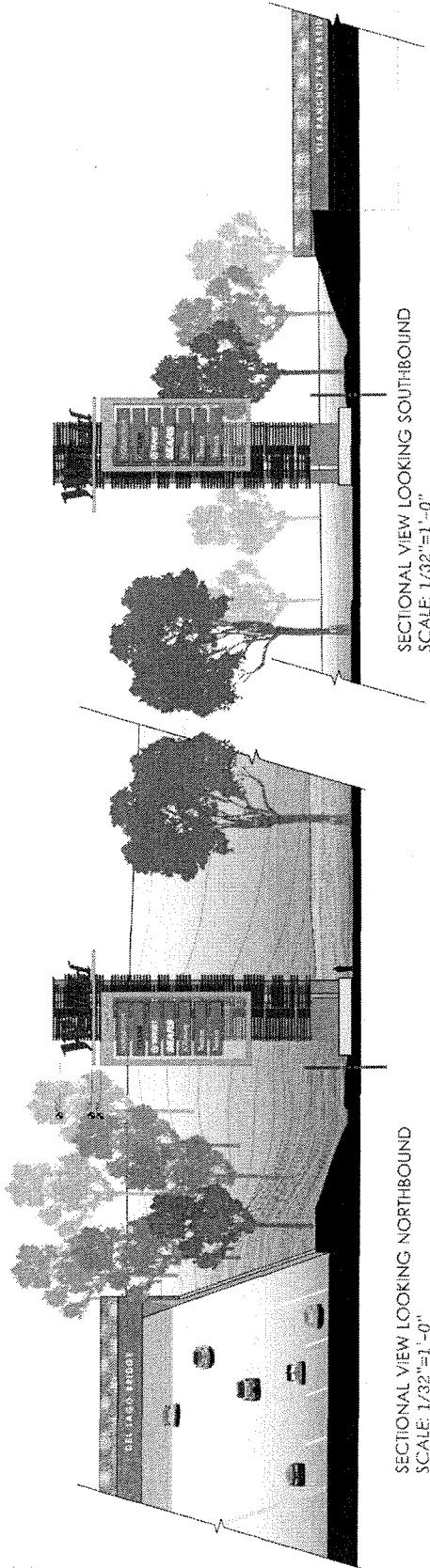


PYLON SIGN

**PROPOSED PROJECT  
PHG 12-005**



ELEVATIONS

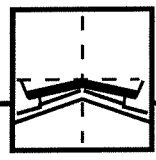


SECTIONAL VIEW LOOKING SOUTHBOUND  
SCALE: 1/32"=1'-0"

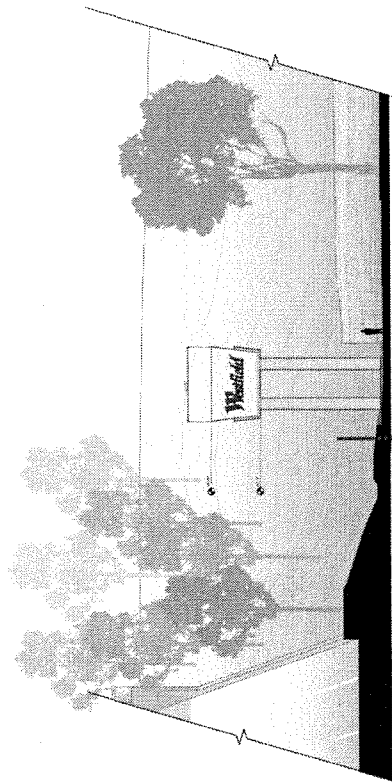
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SCALE: 1/32"=1'-0"

LONGITUDINAL SECTIONS - PROPOSED

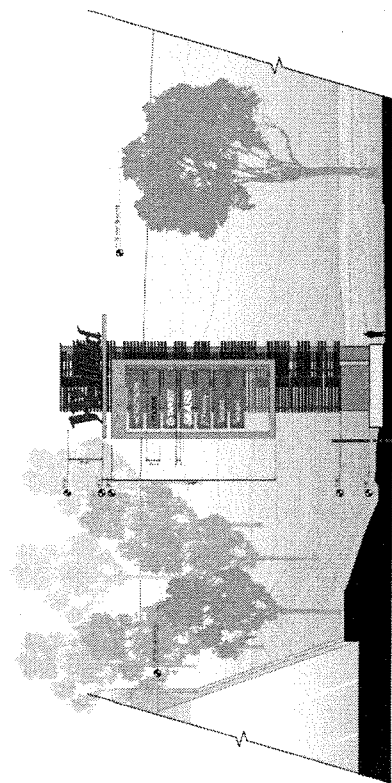
**PROPOSED PROJECT  
PHG 12-005**



SECTIONS



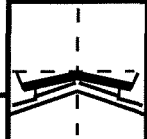
SECTIONAL VIEW LOOKING NORTHBOUND - EXISTING  
SCALE: 1/32"=1'-0"



SECTIONAL VIEW LOOKING NORTHBOUND - PROPOSED  
SCALE: 1/32"=1'-0"

LONGITUDINAL SECTION COMPARISON

**PROPOSED PROJECT  
PHG 12-0005**



SECTIONS

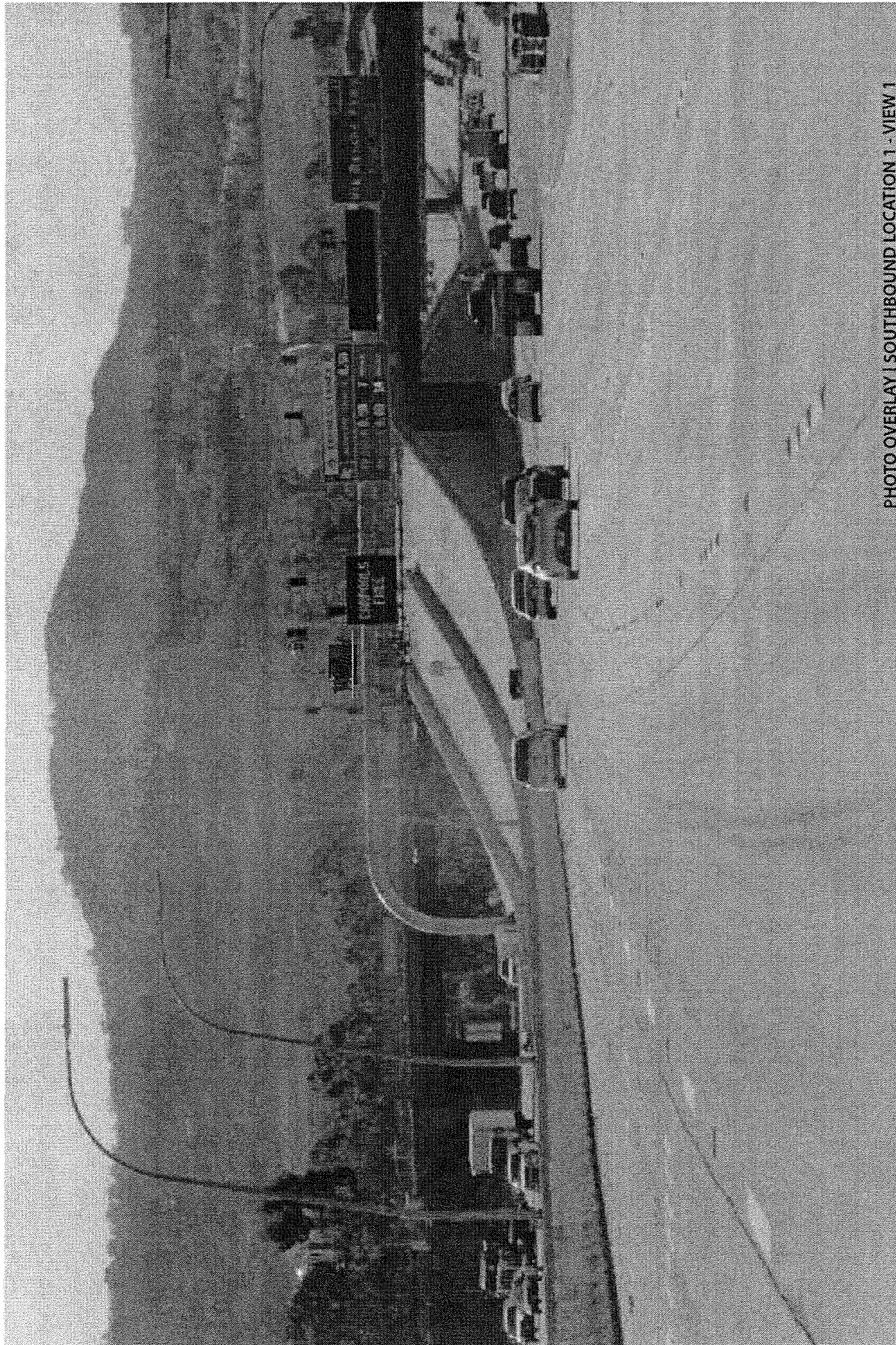
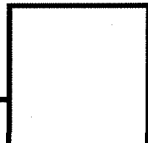
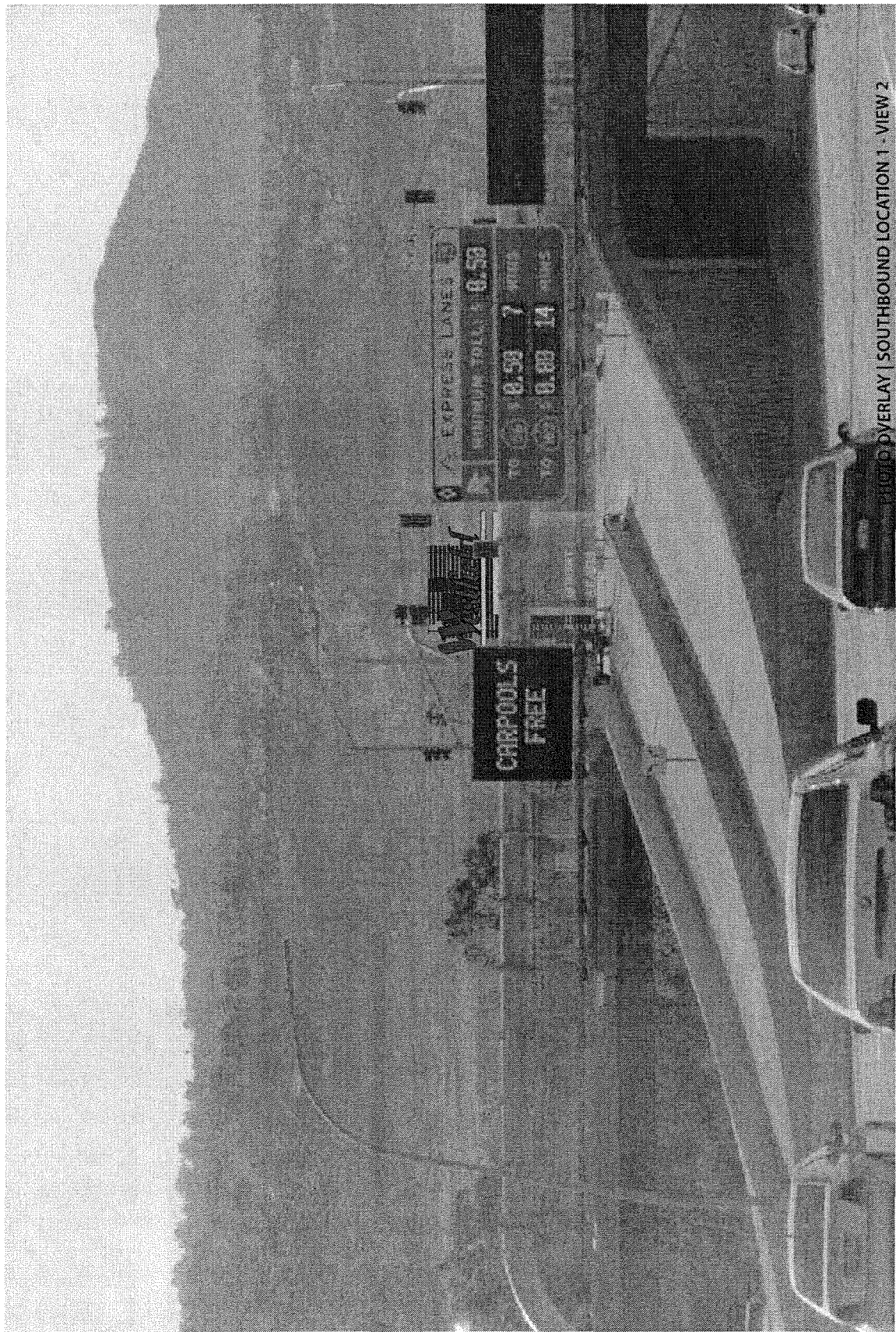


PHOTO OVERLAY | SOUTHBOUND LOCATION 1 - VIEW 1

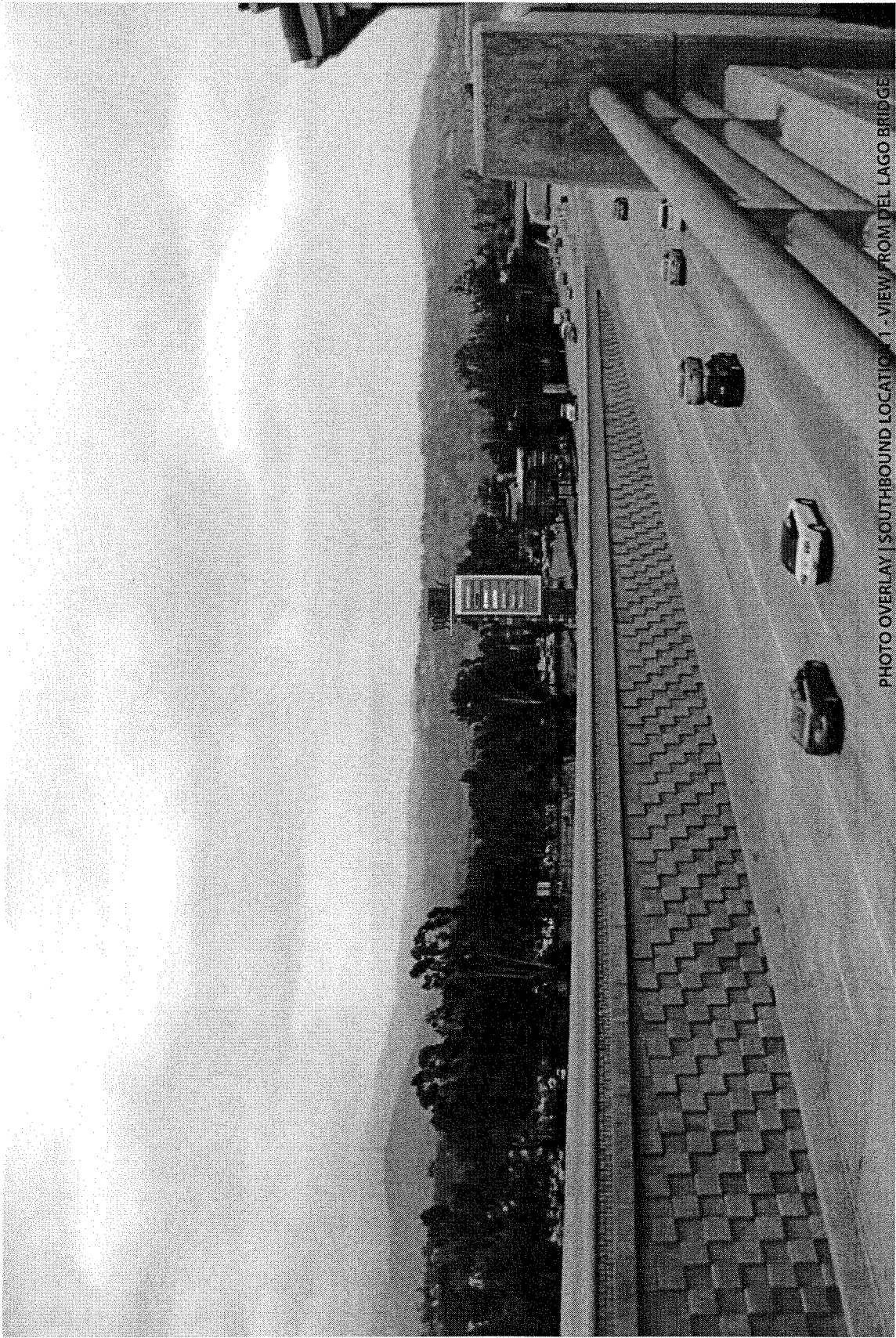
**PROPOSED PROJECT  
PHG 12-0005**





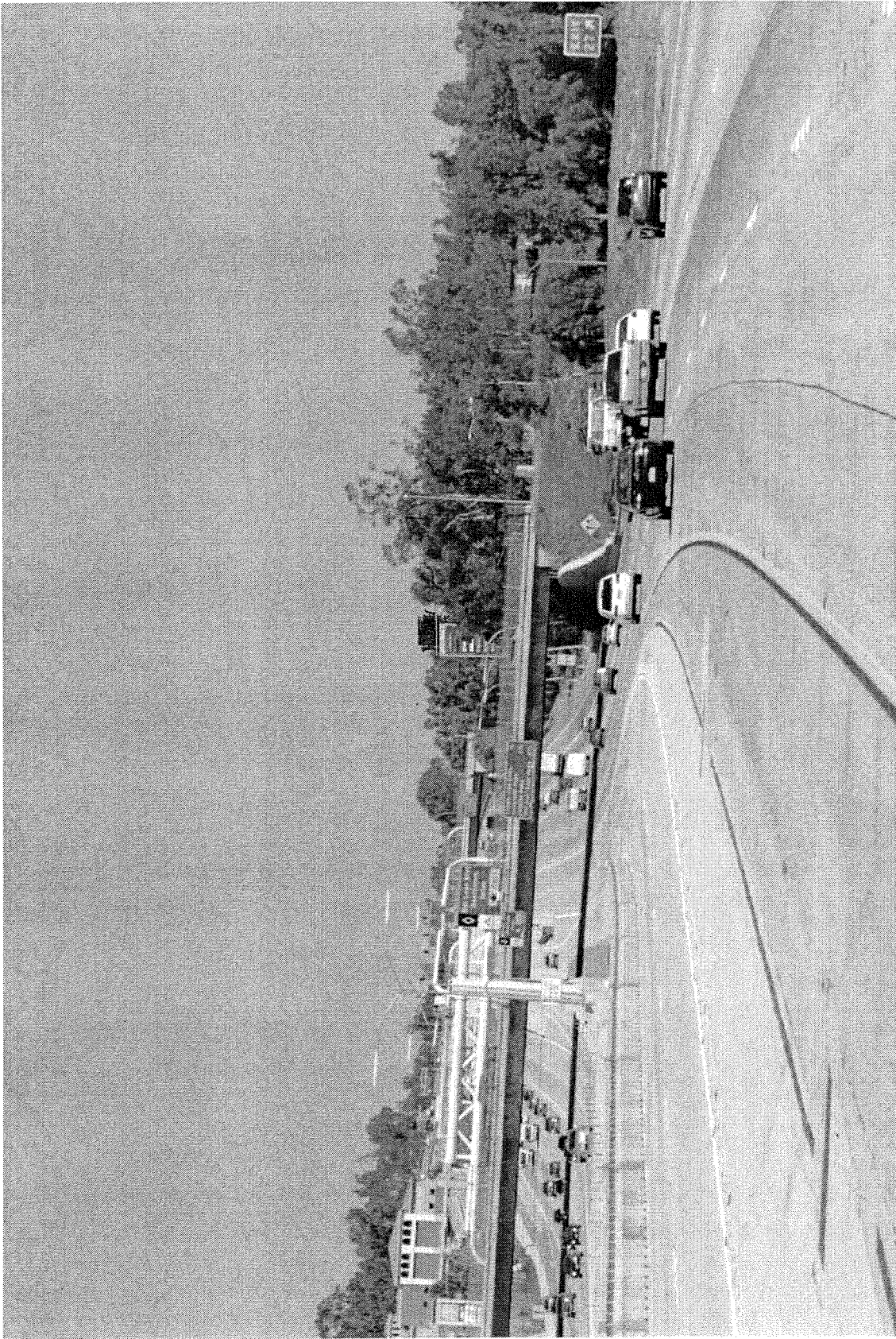


**PROPOSED PROJECT  
PHG 12-0005**



**PROPOSED PROJECT  
PHG 12-0005**





**PROPOSED PROJECT  
PHG 12-0005**

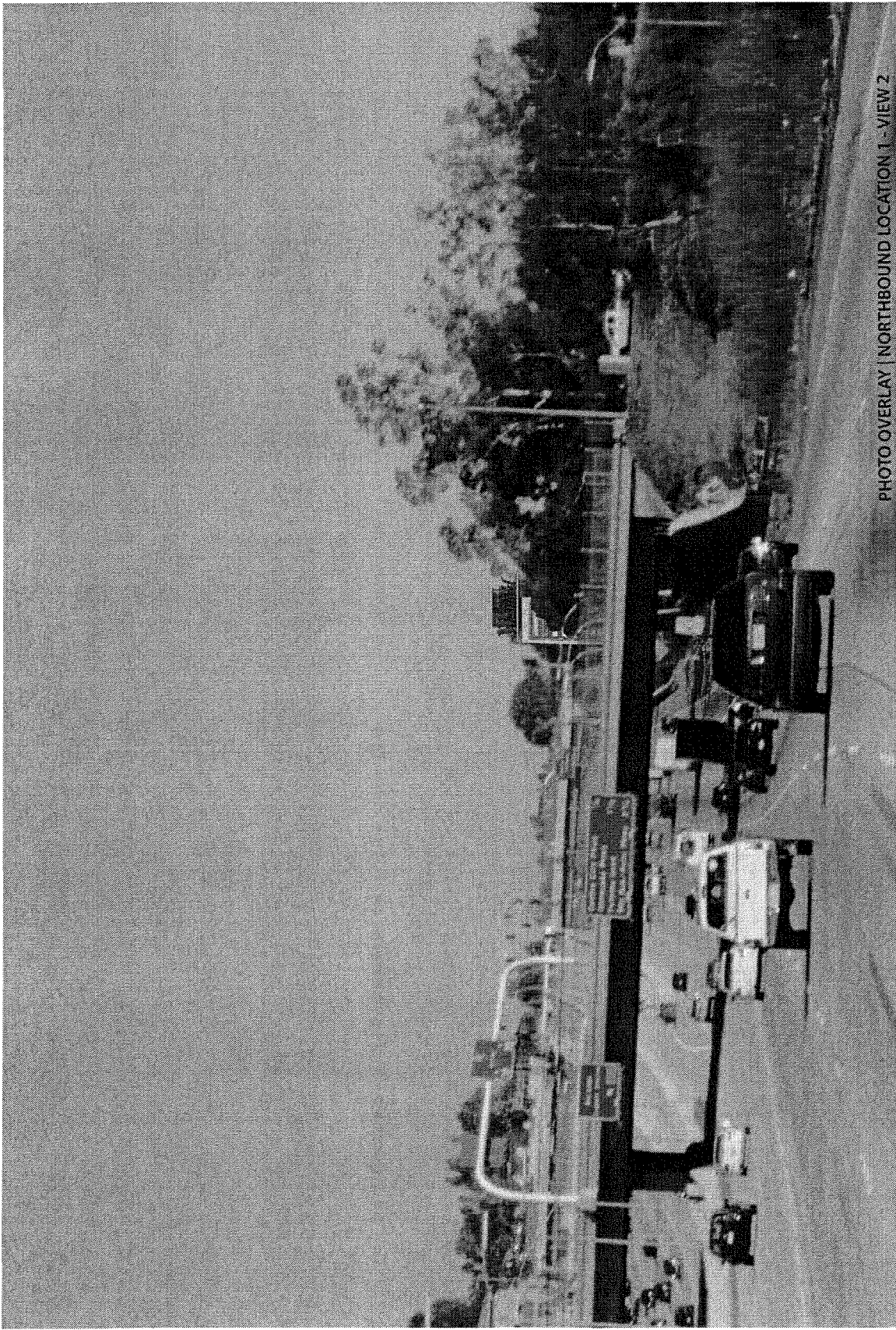


PHOTO OVERLAY | NORTHBOUND LOCATION 1 - VIEW 2

**PROPOSED PROJECT  
PHG 12-0005**

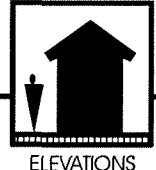




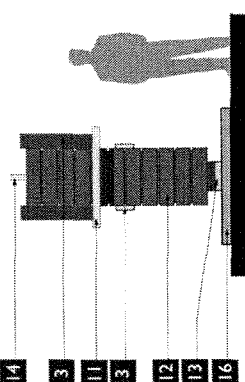
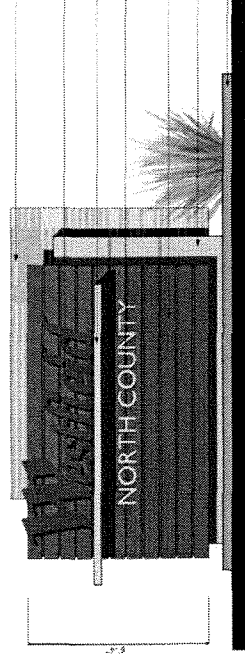
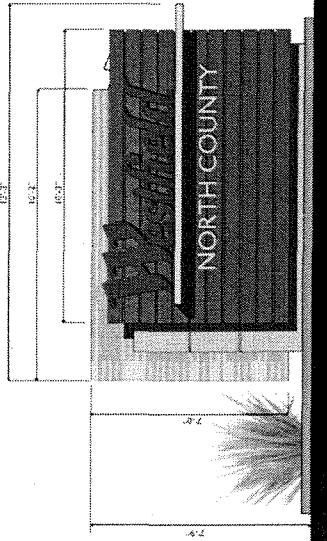
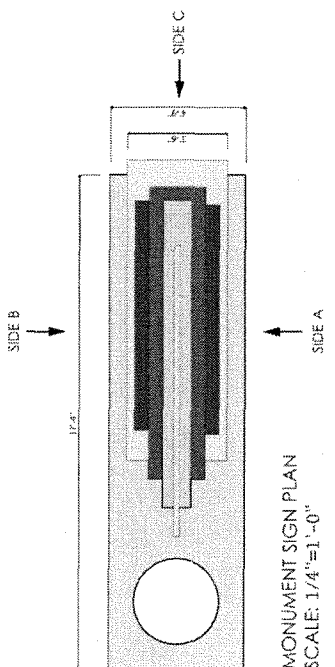
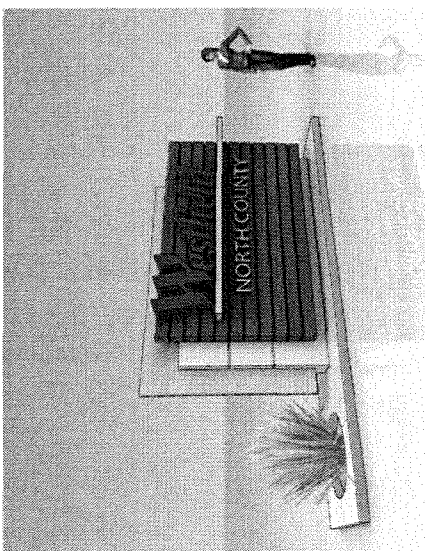
PHOTO OVERLAY | VIEW FROM DEL LAGO LOOKING EAST TOWARDS LOCATION 1

**PROPOSED PROJECT  
PHG 12-0005**

# PROPOSED PROJECT PHG 12-0005



- KEYNOTE LEGEND (ALL SIGNS):**
1. NOT USED
  2. PAINTED METAL FRAME
  3. INTERNALLY ILLUMINATED CHANNEL LETTERS OR SOLID NON-ILLUMINATED.
  4. INTERNALLY ILLUMINATED CHANNEL LETTERS WITH DAY/NIGHT FACES
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  16. CONCRETE BASE



MONUMENT SIGN ELEVATIONS  
SCALE: 1/4"=1'-0"

SIDE A      SIDE B      SIDE C

## MONUMENT SIGN





**SHARED PARKING ANALYSIS  
FOR THE  
WESTFIELD NORTH COUNTY  
REGIONAL SHOPPING CENTER EXPANSION  
ESCONDIDO, CALIFORNIA**

February 2012  
Revised April 2012

Prepared for

**WESTFIELD LLC**

Prepared by



**SHARED PARKING ANALYSIS  
FOR THE  
WESTFIELD NORTH COUNTY  
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February 2012  
Revised April 2012

Prepared for:

**WESTFIELD, LLC**

Prepared by:

**GIBSON TRANSPORTATION CONSULTING, INC.**  
523 W. 6<sup>th</sup> Street, Suite 1234  
Los Angeles, California 90014  
(213) 683-0088

Ref: J1101

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Appendix B: Excerpt from *Shared Parking, 2<sup>nd</sup> Edition*  
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## **1. Introduction**

Gibson Transportation Consulting, Inc. (GTC) prepared this shared parking analysis for Westfield LLC's proposed renovation and expansion of the Westfield North County regional shopping center development in the City of Escondido in San Diego County, California (the Project). The shared parking analysis is based on the shared parking evaluation methodology outlined in *Shared Parking, 2<sup>nd</sup> Edition* (Urban Land Institute [ULI] and the International Council of Shopping Centers [ICSC], 2005) to determine the recommended shared parking supply for the Project.

### **ORGANIZATION OF REPORT**

This report is divided into four chapters, including this introduction. Chapter 2 presents the municipal code parking analysis as well as the national parking standard for regional shopping centers recommended by ULI/ICSC. Chapter 3 presents the shared parking analysis. Chapter 4 summarizes the analyses and the study conclusions.

### **PROJECT DESCRIPTION**

Westfield North County is bounded by Beethoven Drive on the north and east, Via Rancho Parkway on the south, and Interstate 15 on the west. Access to the Project is provided via driveways on Via Rancho Parkway and Beethoven Drive. Figure 1 shows the location of the Project with respect to the surrounding street system.

The site currently includes approximately 1,269,779 square feet (sf) of gross leasable area (GLA) of development including department stores, retail shops, and restaurants. In December 2011, an existing parking occupancy survey was conducted to determine the peak parking demand occurring during the holiday shopping season. During the December 2011 surveys, approximately 234,346 sf GLA was vacant. Thus, the analysis of existing conditions is based



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on the remaining occupied leasable area of 991,127 sf GLA of retail and 44,306 sf GLA of restaurant, for a total occupied leasable area of 1,035,433 sf.

The existing parking supply at the site is adequate to meet the parking demand at the center during all times of the year, including the weekends immediately before Christmas, given its current occupied leasable area of 1,035,433 sf. Similar to most regional retail centers, the busiest times of the year for traffic and parking occur between Thanksgiving and Christmas when holiday shopping peaks. Even during these busiest weeks of the year, parking occupancy counts at Westfield North County indicated that the parking supply is adequate to meet the weekday and weekend parking demand.

During all times of the year, the parking supply adequately accommodates the full parking demand of the center for both employees and customers. The busiest times of the week are on Saturday afternoons when the shopping activity peaks. On weekdays, the peak parking activity occurs in the early afternoon (shopping activity).

The site is currently served by a 5,640-space parking supply provided in surface parking lots, a parking ratio of 4.44 spaces per 1,000 sf of development when all the available sf GLA is occupied. Under December 2011 conditions of 1,035,433 sf of occupied leasable area, the site provided a parking supply of 5.45 spaces per occupied 1,000 sf GLA.

### **Proposed Project – Land Use**

The expanded and renovated Westfield North County may contain department stores, retail shops, restaurants, a health club, and a grocery store. The table below shows the proposed land uses under consideration for the site:

<b>Land Use</b>	<b>Size (sf)</b>
Retail	1,134,767
Family Restaurant	58,806
Gym/Health Club	51,089
Grocery	34,823
<b>Total</b>	<b>1,279,485</b>

---

The proposed renovation will add approximately 9,706 net new sf GLA to the existing center, after the construction of approximately 20,134 sf GLA of new space and the demolition of the currently vacant 10,428 sf GLA Onami pad building.

New facilities to be constructed include 5,634 sf GLA of retail and 14,500 sf GLA of restaurant. Various combinations of health club (50,000 sf GLA) and grocery (35,000 sf GLA) could be added to the Project in the form of reoccupation of existing vacant facilities.

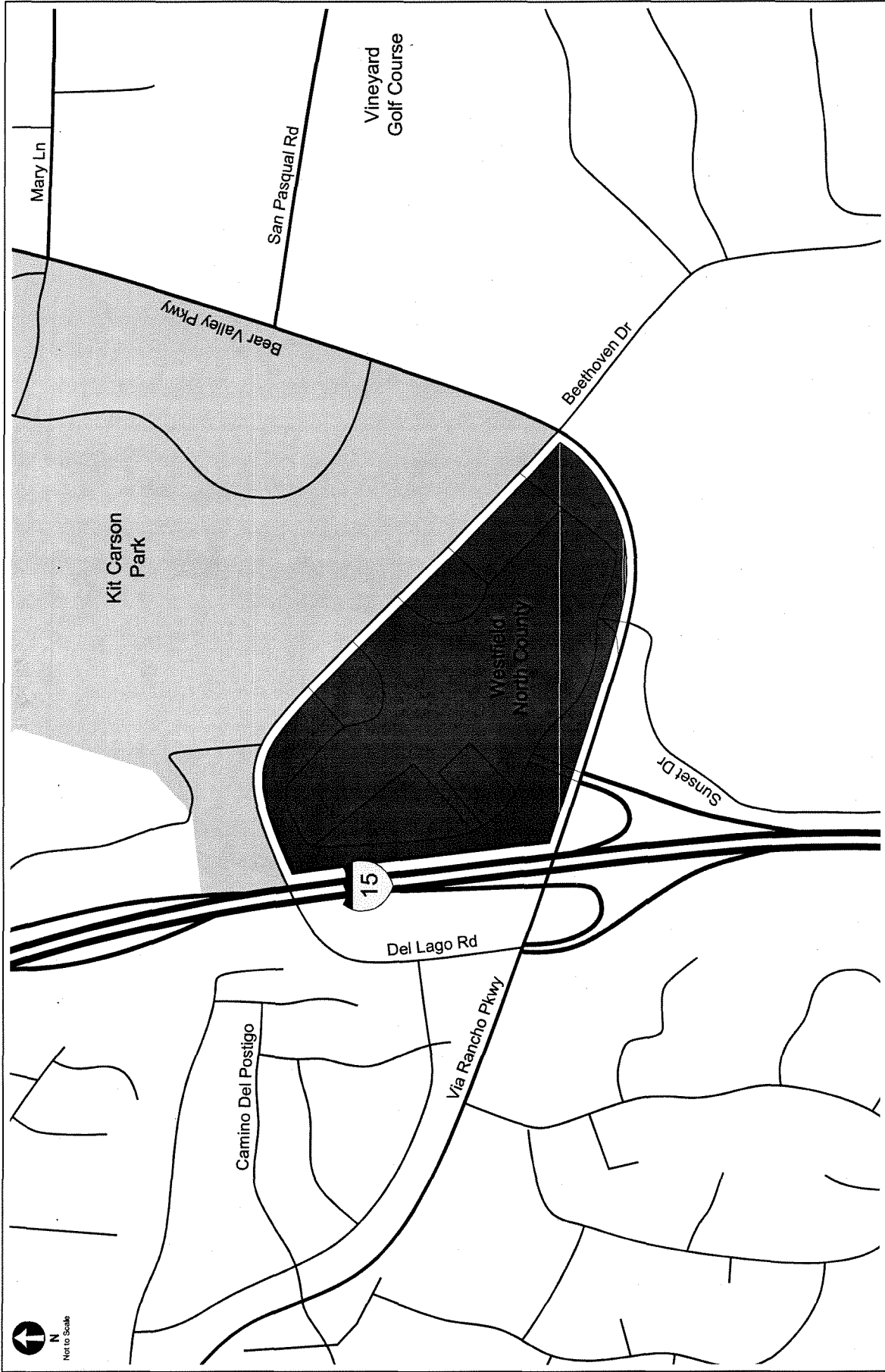
Figure 2 shows a site plan of the proposed Project.

### **Proposed Project – Parking Supply**

Reconfiguration of the existing parking supply would be necessary with the physical expansion of the new stores into the current surface parking lots. With this expansion, the parking supply would be increased by 135 spaces to 5,775 total parking spaces, resulting in a parking ratio of 4.51 spaces per 1,000 sf GLA.

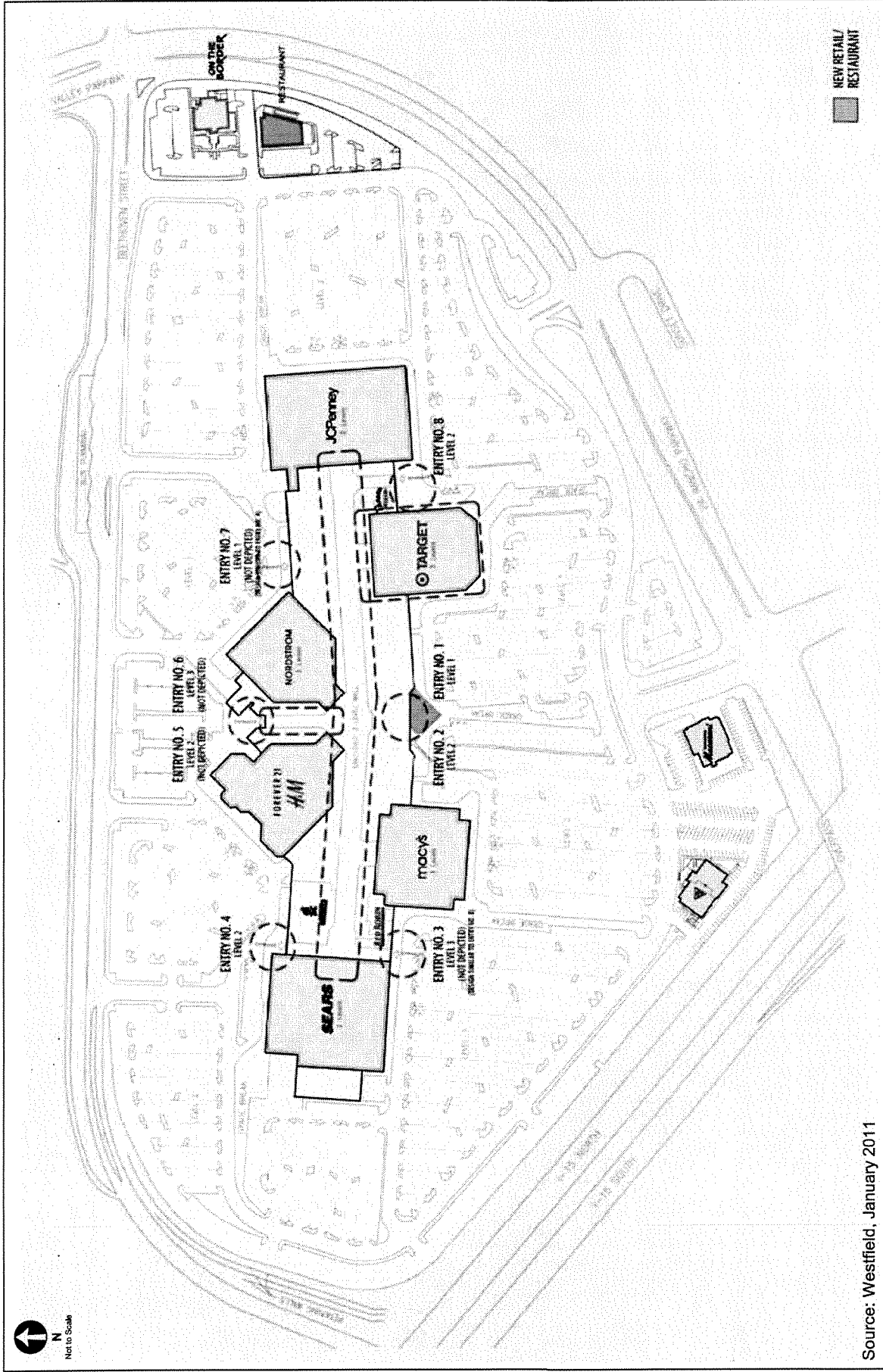
As proposed, the development would not meet the City of Escondido's current parking requirements of one space per 200 sf GLA under the Escondido Municipal Code. The center's original Master Development Plan allowed for a parking ratio of 4.6 spaces per 1,000 sf GLA. The currently proposed rate of 4.51 spaces per 1,000 sf GLA is within 0.09 spaces per 1,000 sf of the originally approved rate. The Escondido Municipal Code does, however, allow joint-use or shared parking agreements if they are approved by the City Planning Commission.

As part of the Project, Westfield is proposing to change the project parking ratio from the currently-allowed 4.6 spaces per 1,000 sf GLA to 4.0 spaces per 1,000 sf GLA. Part of the purpose of this analysis is to check the viability of the proposed 4.0 spaces per 1,000 sf GLA parking ratio to see if the resulting parking supply adequately serves the estimated peak parking demand of the Project.



PROJECT SITE

FIGURE  
1



SITE PLAN

FIGURE 2

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## 2. *Municipal Code Parking Analysis*

This chapter presents the analysis of the required parking supply for the proposed expansion of the Project as calculated according to the Escondido Municipal Code. Also discussed is the national parking standard for regional shopping centers recommended by ULI and ICSC.

### ESCONDIDO MUNICIPAL CODE REQUIREMENTS

The Escondido Municipal Code requires that a specific amount of parking be provided for a new or expanded development based on the amount and the type of land uses in that development. Under the Escondido Municipal Code, the Project is treated as a shopping center with a minimum lot size of three acres and requires 1.0 parking space per 200 sf GLA (or 5.0 spaces per 1,000 sf GLA). For the land use components at Westfield North County, the Escondido Municipal Code requirements are as follows:

<u>Land Use</u>	<u>Escondido Municipal Code Parking Requirement</u>
Shopping Center	1.0 space per 200 sf

Based on the Escondido Municipal Code, the 1,279,485 sf GLA Project would require a parking supply of 6,398 spaces:

#### Parking Required by the City of Escondido Municipal Code

Land Use	Size (sf GLA)	Parking Rate	Required Spaces
Shopping Center	1,279,485	1 space/200 sf GLA	6,398

---

## ORIGINAL MASTER DEVELOPMENT PLAN

The center's original Master Development Plan modified the basic Escondido Municipal Code requirements and allowed the center to provide parking at a rate of 4.6 spaces per 1,000 sf GLA. For the proposed development, that would translate into 5,886 parking spaces, or 512 fewer spaces than required by the current Escondido Municipal Code.

## ULI/ICSC RATES

ULI and ICSC have conducted parking studies at regional shopping centers across the nation and have developed parking ratio recommendations for regional shopping centers.

As detailed in *Parking Requirements for Shopping Centers, 2<sup>nd</sup> Edition* (ULI and ICSC, 1999), it was determined that a regional shopping center could be treated as a single land use as long as the non-retail portion of the development is less than 20% of the total floor area. This document is based on data from 490 shopping centers across the nation and detailed parking occupancy counts at 169 regional shopping centers during the Christmas peak. The conclusion of this extensive analysis is that the regional shopping center parking demand is represented by a stable rate as long as the amount of non-retail (i.e., restaurant, cinema, entertainment, health club, etc.) totals less than 20% of the total floor area of the center<sup>1</sup>. Thus, the national parking standards recommended by ULI and ICSC already take into account developments that have up to 20% non-retail uses included in their land use mix.

In the case of the Westfield North County renovation, the restaurant, grocery and health club uses total 144,718 sf, or 11% of the total project. Thus, under ULI/ICSC standards, the Project is eligible to calculate its total parking demand using the recommended ULI/ICSC national parking ratio with the entire development considered as one unified regional shopping center.

The recommended peak parking demand ratio for a regional shopping center is 4.0 spaces per 1,000 sf GLA on a weekday and 4.5 spaces per 1,000 sf GLA on a weekend (i.e., Saturday). These rates apply to any center greater than 600,000 sf GLA that has 0-20% non-retail uses<sup>2</sup>.

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<sup>1</sup> *Parking Requirements for Shopping Centers, 2<sup>nd</sup> Edition*, Urban Land Institute and International Council of Shopping Centers, 1999, page 3.

<sup>2</sup> *Shared Parking, 2<sup>nd</sup> Edition*, Urban Land Institute and International Council of Shopping Centers, 2005, page 11.

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Since the Project will have 11% non-retail uses, the basic national standard rates apply. For Westfield North County, the ULI/ICSC recommended parking ratio would be:

Weekday	4.0 spaces per 1,000 sf GLA
Weekend	4.5 spaces per 1,000 sf GLA

The resulting parking supply needed for the proposed expanded center would be:

Weekday	$4.0 \text{ sp}/1000 \text{ sf GLA} \times 1,279,485 \text{ sf GLA} = 5,118 \text{ spaces}$
Weekend	$4.5 \text{ sp}/1000 \text{ sf GLA} \times 1,279,485 \text{ sf GLA} = 5,758 \text{ spaces}$

Thus, to meet national industry standards for the busiest Saturday of the year, the expanded center should provide 5,758 spaces to accommodate peak parking demand during holiday shopping weekends as compared to the proposed parking supply of 5,775 spaces utilizing the current parking supply or 5,118 spaces at the proposed parking ratio of 4.0 spaces per 1,000 sf GLA.

Appendix A contains excerpts from *Parking Requirements for Shopping Centers, 2<sup>nd</sup> Edition*. Staff from GTC worked on the development of this publication.

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### 3. Shared Parking Analysis

Section 33-733 of the Escondido Municipal Code allows the Planning Commission to authorize the joint use of parking facilities under certain conditions. As such, the shared parking requirements of Westfield North County were calculated per *Shared Parking, 2<sup>nd</sup> Edition*, which allows for a reduction in required parking provisions through the use of a shared parking analysis when multiple land uses are located on one parcel.

The analysis presented in this chapter treats Westfield North County as a mixed-use development and calculates the peak parking demand based on the parking patterns of the individual land uses within that development.

Shared parking recognizes that parking spaces can be used to serve two or more individual land uses without conflict or encroachment. The shared parking phenomenon has long been observed in central business districts, suburban commercial districts, and other areas where land uses are combined. Shared parking is really the result of two conditions:

1. Variations of the peak accumulation of parked vehicles occur because of time differences in the activity patterns of adjacent or nearby land uses (by hour, by day, and by season). For example, a parking facility can be used by office employees during the day and serve patrons of an adjacent cinema at night.
2. Relationships among the land uses that result in people being attracted to two or more land uses on a single automobile trip to a given area or mixed-use development.

Appendix B presents a detailed discussion of the shared parking phenomenon and a description of the *Shared Parking, 2<sup>nd</sup> Edition* study, which GTC staff co-authored. Data on the hourly and seasonal fluctuation of parking demand by land use and data on peak parking demand ratios are presented and discussed.



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## SHARED PARKING MODEL CALIBRATION

### Existing Peak Parking Demand Counts

The shared parking model can be calibrated to represent existing parking patterns at an existing facility. In the case of Westfield North County, parking occupancy counts at the existing center were conducted during the busiest hours of the day on a weekday and a Saturday during the week before Christmas 2011. These days represent the busiest days of the year for parking demand.

Using the parking conditions in the month of December (when the retail activity is at its highest level), Table 1 shows that the peak weekday parking occupancy levels occurred at 1 PM when 3,167 spaces (56.15% of the available supply) were occupied. On the Saturday before Christmas, 5,066 spaces were occupied (89.82% of the available supply) during the busiest hour at 2 PM.

Appendix C contains the details of the December 2011 parking occupancy counts.

### Shared Parking Model Parameters

In order to evaluate the number of spaces needed under shared parking conditions, a number of characteristics regarding a particular development must be known. The most important of these characteristics are the mix of land uses within the Project and the size of each individual land use.

Other parking-related factors must be estimated in order to determine peak parking demand by hour. This discussion explains the shared parking model adjustments used in the Westfield North County analysis in order to calibrate the national model to reflect local conditions.

### Parking Ratio

Appendix B shows the peak parking demand ratios found during the *Shared Parking, 2<sup>nd</sup> Edition* study. These figures represent the 2005 national averages for individual land uses.

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GTC and other consulting firms have conducted numerous parking occupancy studies in California in order to adjust the national parking demand factors to represent California conditions. The following peak parking ratios are the shared parking national rates:

<u>Land Use</u>	<u>Weekday Ratio</u>	<u>Weekend Ratio</u>
Retail	4.0 sp/1,000 sf	4.5 sp/1,000 sf
Restaurant		
Family Dining	10.5 sp/1,000 sf	15 sp/1,000 sf

To calibrate the model to reflect existing peak parking conditions, the above ratios were utilized as the starting point. To calibrate the model to reflect existing conditions, the weekday parking ratio was reduced to 2.95 spaces per 1,000 sf GLA and the weekend ratio was increased to 4.72 spaces per 1,000 sf GLA. With these adjustments, the shared parking model calibrated to replicate existing conditions. The current parking patterns at Westfield North County demonstrate a parking demand rate lower than national standards for weekday conditions, but higher for weekend conditions. The restaurant parking ratios shown above were used in the calibrated model.

### **Mode Split**

One factor that affects the overall parking demand at a particular development is the number of visitors and employees that arrive by automobile. In the case of Westfield North County, it was assumed that all of the retail customers would arrive at the Project by automobile. Only 5% of the employees of the center were assumed to use the transit system, and then only in the daytime. Nighttime automobile travel by employees was assumed to be 100%. With transit service available nearby, these are conservative assumptions from a parking demand perspective, resulting in a high estimate of parking demand.

### **Captive Market**

*Shared Parking, 2<sup>nd</sup> Edition* found that 20%-50% of the trips within mixed-use development (depending on the mix of land uses within the Project) were trips moving between/among the land

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uses on site, i.e., they were internally captured within the site. Retail/entertainment projects have even higher internal capture rates.

In the case of Westfield North County, many of the patrons of the restaurants are likely to come from the retail shoppers. The shared parking analysis for the Project assumed that 50% of patrons of restaurants would be captured from the retail uses on site. Internal capture rates of 50-60% are not unusual for restaurants within regional shopping centers.

In terms of the future land use plan, it was assumed that 20% of the proposed health club patrons would also visit one of the other land uses on site during their trip to the Project.

These low internal capture assumptions result in a conservative (i.e., high) estimate of the parking demand on site.

### **Seasonal Variations**

The shared parking analysis summarized in this report was based on peak month of the year. Every month of the year was tested and it was found that December conditions represent the busiest month of the year for this development. This occurs because of the dominance of the retail use in the Project.

### **Weekday vs. Weekend**

Each shared parking analysis measured the parking demand on a weekday as well as on a Saturday. The primary variation on weekday vs. weekend parking demand occurs because of the lower weekday parking activity for retail – the major land use within the Project.

### **Model Calibration Results**

Tables 2 and 3 show the results of the model calibration. With the assumptions described above, the model accurately predicts the amount of peak parking for the three weekday and three

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weekend peak parking hours that were surveyed in December of 2011. Figures 3 and 4 show graphically the results of the "model vs. actual" parking demand comparison.

The model accurately predicts the amount of parking that was experienced at the Westfield North County shopping center and thus will be used to test the peak parking demands under the expanded center land use plan.

## **PROJECT SHARED PARKING DEMAND**

In order to determine the supply of parking actually needed to accommodate the peak demand for the proposed development, the parking demand patterns of the various land uses on the site have to be investigated. The evaluation of the parking demand for the mixed-use site is accomplished through the calculation of the shared parking demand for the site.

Table 4 presents a summary of the shared parking analysis results for the proposed expansion. Tables 5 and 6 show the summary of the parking demand by land use for the peak weekday and the peak Saturday in December, indicating that the expanded center would experience a peak parking demand of 3,910 spaces on a December weekday and 5,998 spaces on a December weekend.

Figures 5-7 show the results of the parking projections graphically. Figure 5 shows the busiest hour for weekday parking during each month of the year and that the proposed on-site supply of 5,775 spaces is more than adequate to accommodate the parking demand on every weekday of the year. Even if the parking supply were based on the proposed 4.0 spaces per 1,000 sf GLA, the 5,118-space parking supply would still be able to accommodate the weekday parking demand on every weekday of the year.

Figure 6 shows the same information for weekend conditions. Again the on-site parking supply would be adequate to accommodate the parking demand for all weekends of the year except for December. The proposed 4.0 ratio parking supply of 5,118 spaces would also be able to accommodate the peak weekend parking demand for all weekends of the year except those between Thanksgiving and New Year's Day.

With a peak weekday parking demand of 3,910 parking spaces, the center would be generating parking demand at a rate of 3.06 parking spaces per 1,000 sf GLA. It is important to note that 3.06 parking spaces per 1,000 sf GLA is the peak parking demand the center will experience on the busiest weekday of the year.

Parking activity at the Project is busier on weekends as is shown in the table below. Outside of the Christmas peak, the busiest weekend occurs in August (back-to-school sales) when 4,287 occupied spaces are projected. This represents a parking ratio of 3.35 spaces/1,000 sf GLA.

Peak Parking Demand by Month

Month	Maximum Parking Weekday	Maximum Parking Weekend
January	2,608	3,679
February	2,622	3,716
March	2,804	4,058
April	2,742	3,996
May	2,828	4,160
June	2,852	4,204
July	2,777	4,064
August	2,909	4,287
September	2,774	4,027
October	2,857	4,151
November	3,090	4,510
December	3,910	5,898
Late December	3,315	4,885

Figure 7 shows the hourly parking demand patterns for December weekdays and December weekend days. As shown, December weekdays will have sufficient parking during all hours of the day. On weekend days between Thanksgiving and New Year's, the Project will need to have an off-site parking program in place from approximately 1 PM to 5 PM to serve approximately 125 employee vehicles if the on-site supply is based on the current 5,775-space supply. If the parking

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ratio is reduced to 4.0 spaces per 1,000 sf GLA as proposed, the of-site parking program on Christmas holiday weekends would have to increase to 780 spaces (5,898 – 5,118 = 780 spaces).

## **SHARED PARKING SUMMARY**

Table 7 shows the summary for the shared parking analyses for the Project using the calibrated shared parking model rates. Shown are the land use components of the plan, the peak parking demands calculated in the calibrated model, and the amount of anticipated off-site parking demand during December weekends.

The 5,775-space parking supply for the Project provides sufficient spaces to meet the peak parking demand at all times of the year except during Christmas holiday weekends. The same conclusion can be drawn for the parking supply based on the proposed 4.0 spaces per 1,000 sf GLA. The 5,118-space supply would meet the parking demand for all weekdays of the year, including December. It would also meet the weekend parking demand for all weekends of the year except for those between Thanksgiving and New Year's.

Based on the shared parking summary, it is arguable that the Project could qualify for a parking space requirement as low as 4,287 spaces (3.35 parking spaces per 1,000 sf GLA) provided it supplied an adequate offsite supply for employees during the 8-10 days during each year (weekends between Thanksgiving and New Year's) that the demand exceeded the projected supply.

During December weekends, the shared parking analyses indicate that the Project would have to provide an off-site employee parking program so that more of the on-site parking supply could be made available to customers. The parking program would need to serve approximately 125 employees from approximately 1 PM to 5 PM on December weekends. There are a number of potential off-site parking lots in the vicinity of the Project including park-and-ride, school, and office parking supplies, so it is reasonable to assume 125 available parking spaces can be found on December weekends. Table 7 shows that December weekends would generate the demand for 1,042 employee spaces during the peak parking hours, so the relocation of only 12% of the total employee population is achievable. Many centers in Southern California move 30-50% of their employees off-site on weekends between Thanksgiving and Christmas.

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If the parking ratio for the Project were set at the proposed 4.0 parking spaces per 1,000 sf GLA, the center would be required to supply 5,118 on-site parking spaces in addition to a 780-space off-site employee lot during holiday weekends.

### **SPECIAL EVENTS (TEMPORARY EVENTS IN THE PARKING LOTS)**

On occasion, Westfield North County would like to hold special events in the parking lots to help generate customers to site. The types of events considered include functions such as art shows, farmers markets, outdoor concerts, and fireworks shows. Any customer-generating event or function could be considered as long as it fits within the available parking supply. Large events would not occur during the peak shopping periods of late November and December when there would not be adequate excess parking supply to accommodate a special event. Small losses of parking spaces during the December peak weekends (e.g., a Christmas Tree lot) would require that the off-site employee parking program be expanded to replace the lost parking.

During all other times of the year, there will be an adequate surplus of parking supply to accommodate both the loss of parking spaces from the event and the increase in parking demand associated with the event. Below is a summary of the number of surplus parking spaces during various times of the year that could be used for special events in the parking lots. The shared parking model presented in this report suggests that the peak parking activity at the site occurs during the middle of the day. Thus, the parking limits below apply to events and functions that occur during these peak parking hours. Many times of the year there is more parking available during the evening hours when shopping activity decreases, so the shared parking model could be used to help plan the size of nighttime activities that could be accommodated within the Project site.

All of the analyses shown below are based on an on-site parking supply of 5,775 spaces. As the project moves nearer to a parking supply of 5,118 spaces (based on the proposed 4.0 parking ratio), the flexibility to hold special events would diminish and the available parking supplies described below would decrease by approximately 655 spaces.

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### **January through May and September through Early November**

On weekdays during these months, the peak parking demand is 2,857 vehicles at 1 PM in October, leaving 2,918 parking spaces available for special parking lot events. The temporary physical loss of spaces from any special parking lot event combined with the peak parking demand of the special parking lot event must not exceed 2,918 parking spaces on weekdays in January through May and September through early November.

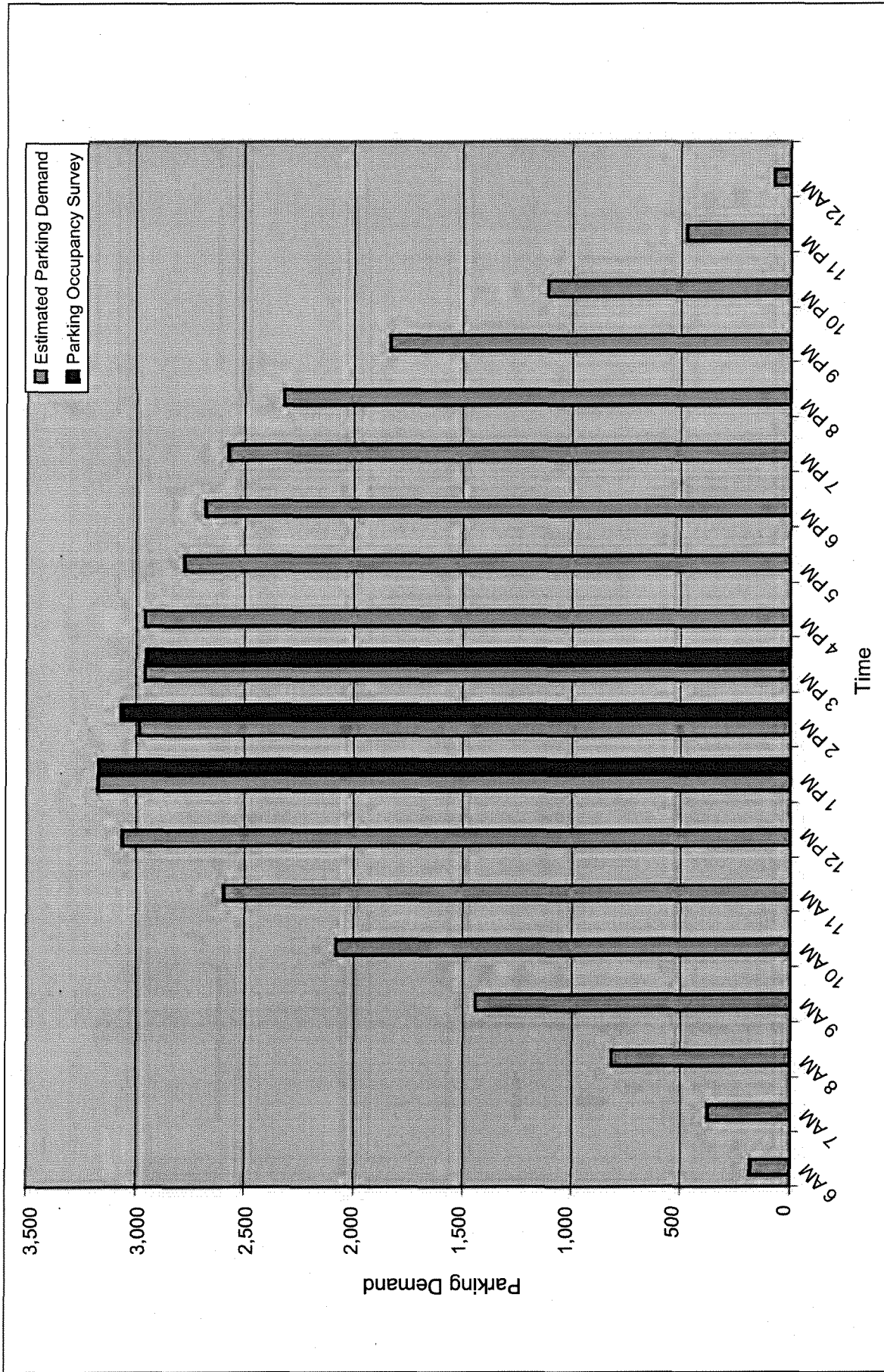
On weekends during these months, the peak parking demand is 4,160 vehicles at 2 PM in May, leaving 1,615 parking spaces available for special parking lot events. The temporary physical loss of spaces from any special parking lot event combined with the peak parking demand of the special parking lot event must not exceed 1,615 available daytime parking spaces on weekends in January through May and September through early November.

### **Summer Months (June, July and August)**

On weekdays during summer months, the peak parking demand is 2,909 vehicles at 1 PM in August, leaving 2,866 daytime parking spaces available for special parking lot events.

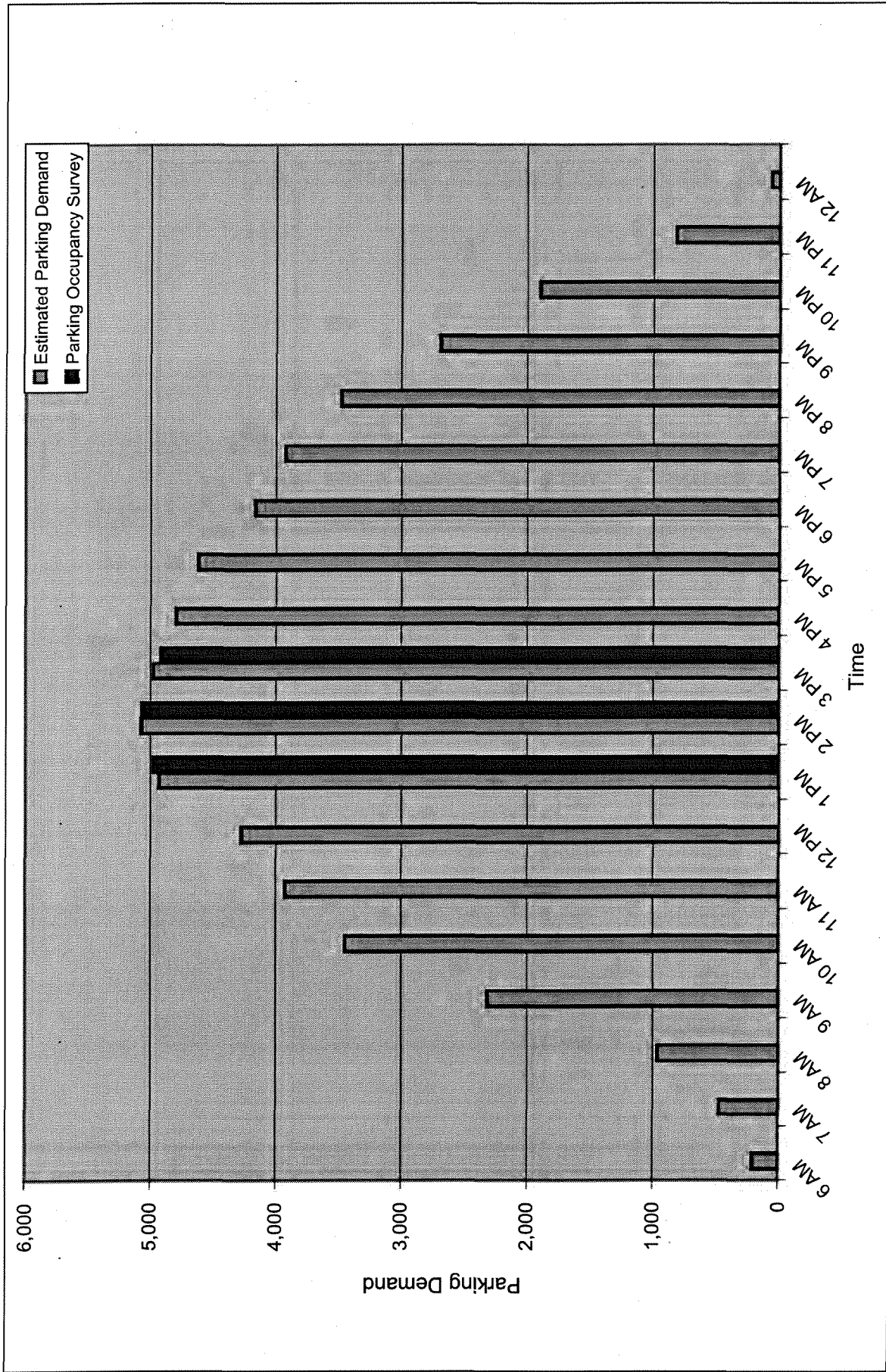
On weekends during these months, the peak parking demand is 4,287 vehicles at 2 PM in August, leaving 1,488 daytime parking spaces available for special parking lot events. The temporary physical loss of spaces from any special parking lot event combined with the peak parking demand of the special parking lot event must not exceed these levels.





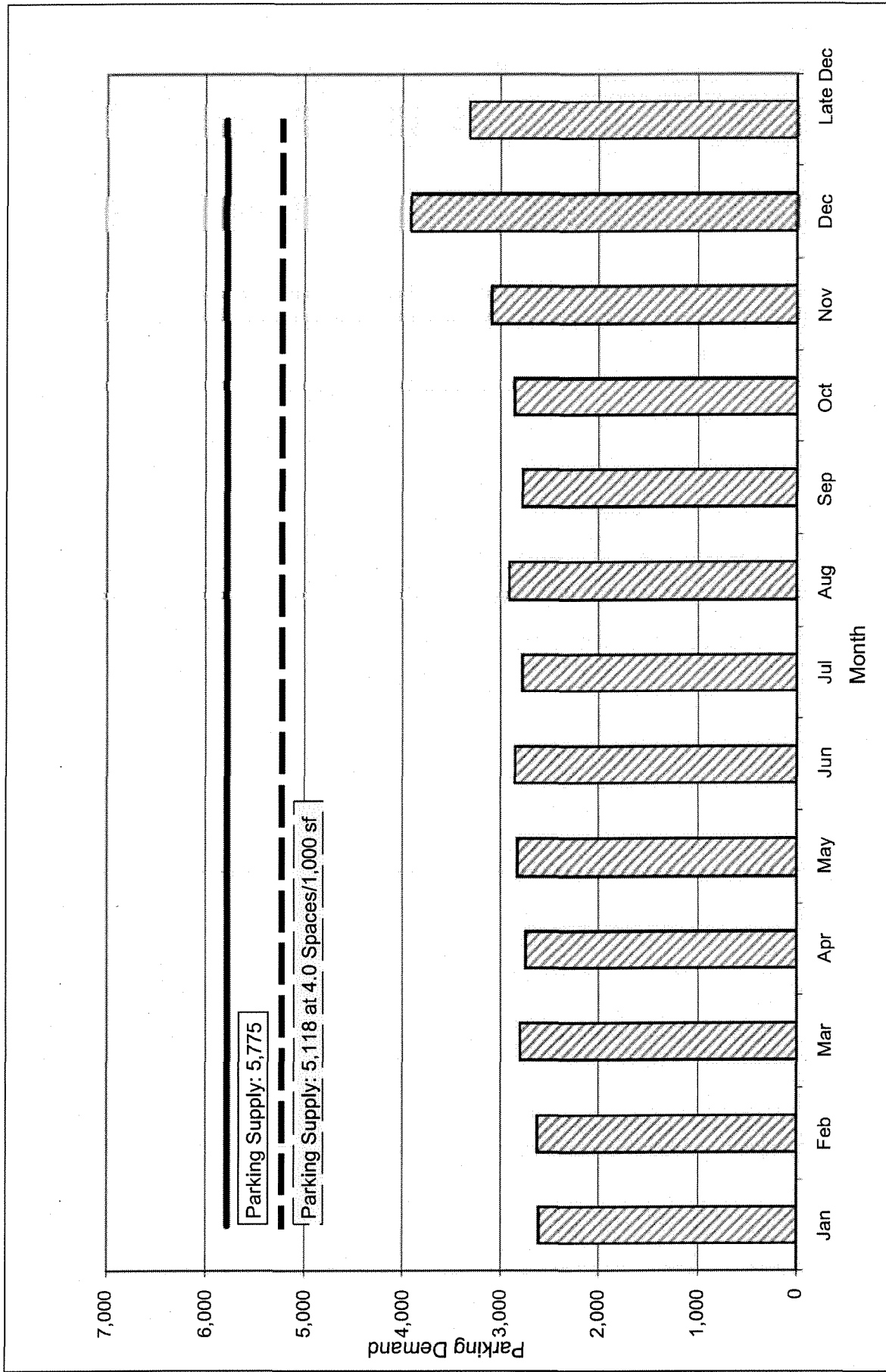
WEEKDAY MODEL VS. ACTUAL PARKING DEMAND

FIGURE 3



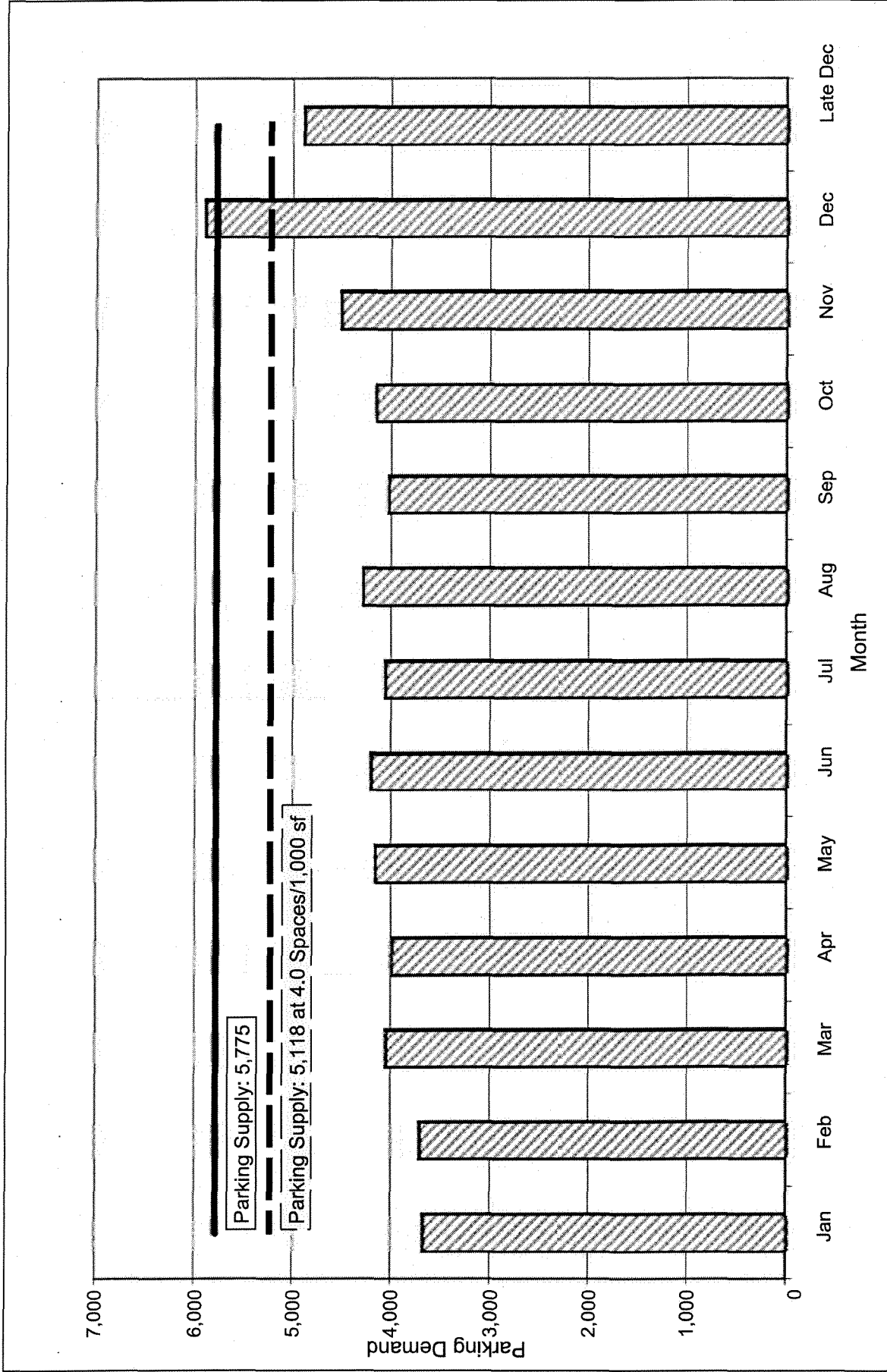
WEEKEND MODEL VS. ACTUAL PARKING DEMAND

FIGURE 4



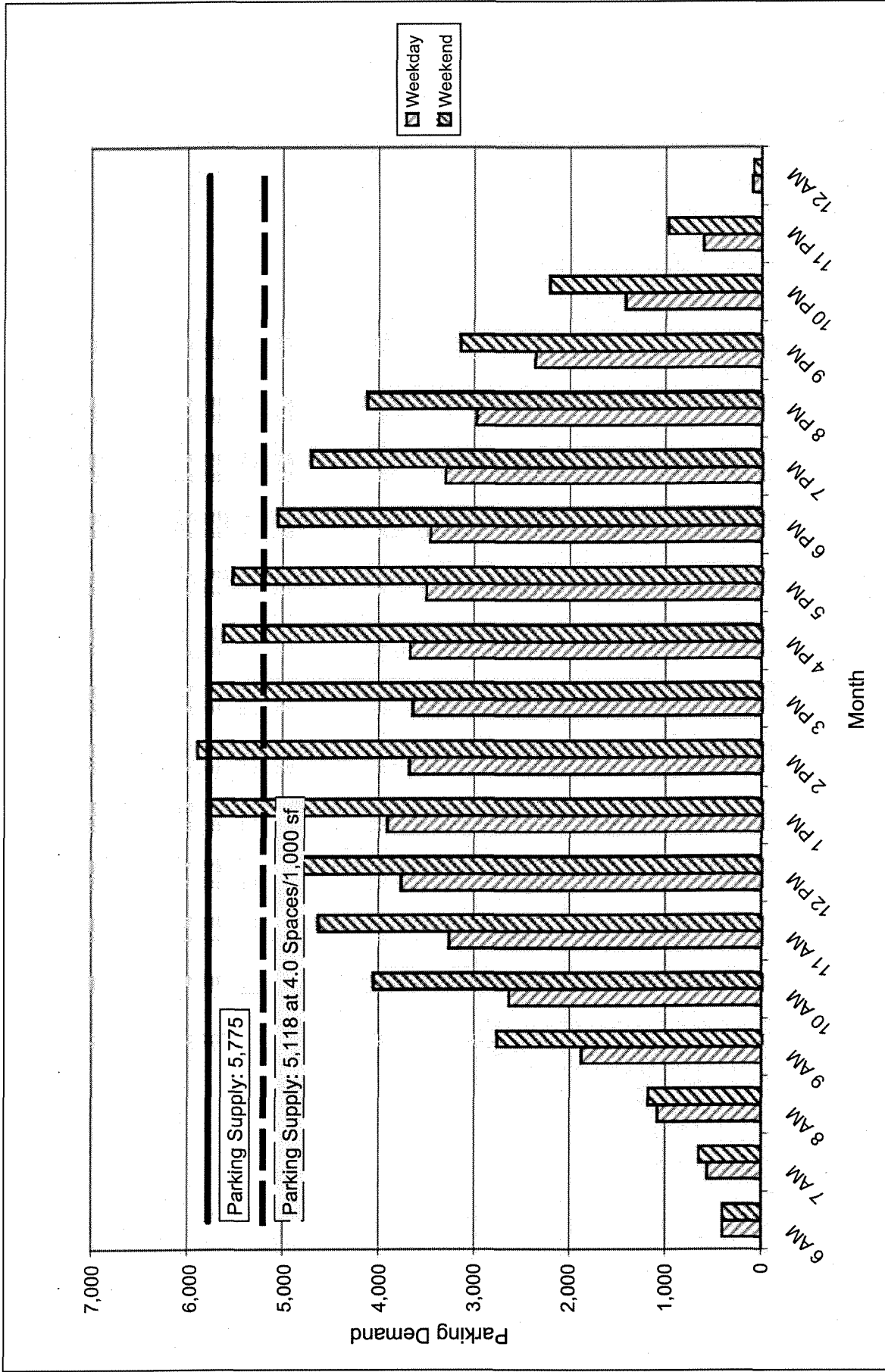
WEEKDAY MONTH-BY-MONTH PARKING DEMAND

FIGURE 5



WEEKEND MONTH-BY-MONTH PARKING DEMAND

FIGURE 6



DECEMBER DAILY PARKING DEMAND BY HOUR

FIGURE 7



**TABLE 1  
WESTFIELD NORTH COUNTY PARKING OCCUPANCY SURVEY**

Thursday - 12/15/2011							
Lot # (1)	Available Spaces	1:00 PM		2:00 PM		3:00PM	
		Spaces Occupied	% Occupied	Spaces Occupied	% Occupied	Spaces Occupied	% Occupied
1	349	86	24.64%	78	22.35%	61	17.48%
2	344	57	16.57%	60	17.44%	59	17.15%
3	381	258	67.72%	267	70.08%	256	67.19%
4	360	340	94.44%	345	95.83%	336	93.33%
5	544	326	59.93%	304	55.88%	300	55.15%
6	252	47	18.65%	33	13.10%	38	15.08%
7	322	2	0.62%	2	0.62%	2	0.62%
8	439	126	28.70%	130	29.61%	105	23.92%
9	730	374	51.23%	374	51.23%	349	47.81%
10	622	573	92.12%	542	87.14%	521	83.76%
11	494	415	84.01%	408	82.59%	408	82.59%
12	439	281	64.01%	282	64.24%	282	64.24%
13	28	1	3.57%	0	0.00%	1	3.57%
14	245	215	87.76%	180	73.47%	175	71.43%
15	91	66	72.53%	60	65.93%	57	62.64%
<b>Totals</b>	<b>5640</b>	<b>3167</b>	<b>56.15%</b>	<b>3065</b>	<b>54.34%</b>	<b>2950</b>	<b>52.30%</b>

Saturday - 12/17/2011							
Lot # (1)	Available Spaces	1:00 PM		2:00 PM		3:00PM	
		Spaces Occupied	% Occupied	Spaces Occupied	% Occupied	Spaces Occupied	% Occupied
1	349	141	40.40%	173	49.57%	155	44.41%
2	344	232	67.44%	251	72.97%	244	70.93%
3	381	351	92.13%	351	92.13%	350	91.86%
4	360	361	100.28%	361	100.28%	361	100.28%
5	544	506	93.01%	508	93.38%	507	93.20%
6	252	210	83.33%	254	100.79%	257	101.98%
7	322	92	28.57%	127	39.44%	97	30.12%
8	439	440	100.23%	438	99.77%	439	100.00%
9	730	730	100.00%	720	98.63%	648	88.77%
10	622	630	101.29%	609	97.91%	605	97.27%
11	494	487	98.58%	487	98.58%	485	98.18%
12	439	433	98.63%	431	98.18%	433	98.63%
13	28	27	96.43%	28	100.00%	28	100.00%
14	245	247	100.82%	238	97.14%	218	88.98%
15	91	91	100.00%	90	98.90%	91	100.00%
<b>Totals</b>	<b>5640</b>	<b>4978</b>	<b>88.26%</b>	<b>5066</b>	<b>89.82%</b>	<b>4918</b>	<b>87.20%</b>

NOTE: See Appendix C for a map identifying the individual lots.

TABLE 2  
 WESTFIELD NORTH COUNTY  
 MODEL CALIBRATION RESULTS FOR EXISTING CONDITIONS - DECEMBER 2011 WEEKDAY

Parking Supply: 5640 Stalls	December																							
	Weekday Estimated Peak-Hour Parking Demand																							
	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM	Overall PK 1 PM	AM Peak HR 11 AM	PM Peak HR 1 PM	Even Peak HR 6 PM	
Super Regional Shopping Center (>600 ksf)	21	107	320	639	1,172	1,598	2,003	2,131	2,024	2,024	2,024	1,811	1,705	1,598	1,385	1,066	639	213	-	2,131	1,598	2,131	1,705	
Employee	79	119	317	595	674	753	793	793	793	793	793	753	753	714	595	317	119	-	793	753	793	753		
Family Restaurant	50	100	120	150	170	180	200	180	100	90	90	150	160	160	120	110	100	50	180	160	180	160		
Employee	33	50	59	59	66	66	66	66	66	50	50	63	63	63	53	43	23	66	66	66	66	66		
Customer	17	207	440	789	1,342	1,778	2,203	2,311	2,124	2,114	2,114	1,961	1,865	1,758	1,545	1,186	749	313	50	2,311	1,778	2,311	1,865	
Employee	112	169	376	654	740	819	859	859	843	843	816	816	816	777	648	360	162	23	859	819	859	816		
Reserved	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
TOTAL DEMAND	183	376	816	1,443	2,082	2,567	3,062	3,170	2,983	2,957	2,957	2,777	2,681	2,574	2,322	1,834	1,109	475	73	3,170	2,587	3,170	2,681	

U.I. base data have been modified from default values.  
 Footnote(s):

TABLE 3  
WESTFIELD NORTH COUNTY  
MODEL CALIBRATION RESULTS FOR EXISTING CONDITIONS - DECEMBER 2011 WEEKEND

	December																							
	Weekend Estimated Peak Hour Parking Demand																							
	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 AM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM	Overall PK 2 PM	AM Peak H 11 AM	PM Peak H 2 PM	Even Peak H 6 PM	
Super Regional Shopping Center (600 lot)	39	195	390	1,383	2,337	2,727	2,899	3,700	3,895	3,895	3,700	3,506	3,116	2,921	2,532	1,948	1,363	594	-	3,895	2,727	3,895	3,116	
Employee	89	134	357	669	758	847	892	892	892	892	892	847	758	714	669	560	401	134	-	892	847	892	758	
Family Restaurant	28	71	127	198	254	254	283	240	184	113	127	170	198	198	184	85	71	42	28	184	254	184	198	
Employee	50	75	90	90	100	100	100	100	100	75	75	85	95	95	80	65	65	35	35	100	100	100	95	
TOTAL DEMAND	67	266	517	1,561	2,591	2,981	3,282	3,940	4,079	4,008	3,627	3,676	3,314	3,119	2,716	2,033	1,434	626	28	4,079	2,981	4,079	3,314	
Employee	139	209	447	759	856	847	892	892	862	867	867	842	853	809	764	660	466	199	35	862	847	862	853	
Reserved	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	206	475	964	2,320	3,449	3,928	4,274	4,932	5,071	4,975	4,794	4,618	4,167	3,928	3,480	2,693	1,900	625	63	5,071	3,928	5,071	4,167	



TABLE 4  
WESTFIELD NORTH COUNTY  
FUTURE CONDITIONS – MIXED USE DEVELOPMENT  
SHARED PARKING DEMAND SUMMARY

Land Use	Project Data Quantity	Unit	5775 Stalls										Weekday		Weekend							
			Non-Captive		Mode		Base		Project		Non-Captive		Mode		Base		Project		Peak Hr	Estimated		
			Ratio	Adj	Rate	Unit	Rate	Unit	Rate	Unit	Ratio	Adj	Rate	Unit	Rate	Unit	Rate	Unit	1 PM	Demand	Peak Mo	Estimated
Super Regional Shopping Center (>600 ksf) Employee	1,169,590	sf GLA	1.00	1.00	2.15	/ksf GLA	3.90	1.00	3.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	December	2,515	4,561
Family Restaurant Employee	58,806	sf GLA	1.00	0.95	0.76	/ksf GLA	0.82	1.00	0.78	1.00	0.50	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	December	889	911
Health Club Employee	51,089	sf GLA	1.00	0.95	1.43	/ksf GLA	2.25	1.00	2.14	1.00	0.80	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	December	84	244
			0.40	1.00	5.28	/ksf GLA	5.90	1.00	4.40	1.00	0.80	1.00	1.00	1.00	1.00	1.00	0.75	0.25	0.90	Customer	170	51
			0.40	0.95	0.38	/ksf GLA	0.25	1.00	0.24	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.50	0.50	1.00	Employee	14	6
ULI base data have been modified from default values.																						
																			Customer	2923	4856	
																			Employee	987	1042	
																			Reserved	0	0	
																			Total	3910	5898	

**TABLE 5**  
**WESTFIELD NORTH COUNTY**  
**FUTURE CONDITIONS -- MIXED USE DEVELOPMENT**  
**DECEMBER WEEKDAY PEAK**

		December													
		Weekday Estimated Peak-Hour Parking Demand													
Projected Parking Supply: 5775 Stalls	Monthly Adj.	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM
		Super Regional Shopping Center (>600 ksf)	100%	25	126	377	755	1,383	1,886	2,364	2,515	2,389	2,389	2,389	2,138
Employee	100%	89	133	356	667	756	845	889	889	889	889	889	845	889	889
Family Restaurant	100%	66	132	159	198	225	238	265	238	132	119	119	198	212	212
Employee	100%	42	63	75	75	84	84	84	84	84	63	63	79	84	84
Health Club	90%	170	97	97	170	170	194	146	170	170	170	194	218	243	218
Employee	100%	14	14	14	14	14	14	14	14	14	14	14	19	20	15
TOTAL DEMAND	Customer	261	355	633	1,123	1,778	2,318	2,775	2,923	2,691	2,678	2,702	2,554	2,467	2,316
	Employee	145	210	445	756	854	943	987	987	987	966	966	943	993	988
	Reserved	-	-	-	-	-	-	-	-	-	-	-	-	-	-
		406	565	1,078	1,879	2,632	3,261	3,762	3,910	3,678	3,644	3,668	3,497	3,460	3,304

ULI base data have been modified from default values.

**TABLE 6**  
**WESTFIELD NORTH COUNTY**  
**FUTURE CONDITIONS -- MIXED USE DEVELOPMENT**  
**DECEMBER WEEKEND PEAK**

		December													
		Weekend Estimated Peak-Hour Parking Demand													
Projected Parking Supply: 5775 Stalls	Monthly Adj.	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM
		Super Regional Shopping Center (>600 ksf)	100%	46	228	456	1,596	2,737	3,193	3,512	4,333	4,561	4,561	4,333	4,105
Employee	100%	91	137	364	683	774	865	911	911	911	911	911	865	815	767
Family Restaurant	100%	38	94	169	263	338	338	375	319	244	150	169	225	263	263
Employee	100%	63	94	113	113	125	125	125	125	125	94	94	119	125	125
Health Club	90%	162	91	71	101	71	101	101	61	51	61	111	202	192	121
Employee	100%	6	6	6	6	6	6	6	6	6	6	9	12	13	10
TOTAL DEMAND	Customer	246	413	696	1,960	3,146	3,632	3,988	4,713	4,856	4,772	4,613	4,532	4,104	3,805
	Employee	160	237	483	802	905	996	1,042	1,042	1,011	1,011	1,014	996	953	902
	Reserved	-	-	-	-	-	-	-	-	-	-	-	-	-	-
		406	650	1,179	2,762	4,051	4,628	5,030	5,755	5,898	5,783	5,627	5,528	5,057	4,707

ULI base data have been modified from default values.

**TABLE 7  
SHARED PARKING SUMMARY**

**With 5,775 On-Site Spaces**

LAND USE	PEAK JULY DEMAND (Typical Month)		PEAK DECEMBER DEMAND (Peak Month)	
	Weekday	Weekend	Weekday	Weekend
	Retail	2,326	3,658	3,404
Restaurant	317	364	322	369
Health Club	134	42	184	57
<b>Peak Demand</b>	<b>2,777</b>	<b>4,064</b>	<b>3,910</b>	<b>5,898</b>
Customer	1,971	3,205	2,923	4,856
Employee	806	859	987	1,042
<b>Peak Demand</b>	<b>2,777</b>	<b>4,064</b>	<b>3,910</b>	<b>5,898</b>
Proposed Supply	5,775	5,775	5,775	5,775
Available Parking	2,998	1,711	1,865	0
<b>Amount of Off-site Parking Needed</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>123</b>

**With 5,118 On-Site Spaces**

LAND USE	PEAK JULY DEMAND (Typical Month)		PEAK DECEMBER DEMAND (Peak Month)	
	Weekday	Weekend	Weekday	Weekend
	Retail	2,326	3,658	3,404
Restaurant	317	364	322	369
Health Club	134	42	184	57
<b>Peak Demand</b>	<b>2,777</b>	<b>4,064</b>	<b>3,910</b>	<b>5,898</b>
Customer	1,971	3,205	2,923	4,856
Employee	806	859	987	1,042
<b>Peak Demand</b>	<b>2,777</b>	<b>4,064</b>	<b>3,910</b>	<b>5,898</b>
Proposed Supply	5,118	5,118	5,118	5,118
Available Parking	2,341	1,054	1,208	0
<b>Amount of Off-site Parking Needed</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>780</b>

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## 4. Summary and Conclusions

- Westfield LLC is proposing a renovation of its North County center that will add approximately 9,706 net new sf GLA to the existing center, after the construction of approximately 20,134 sf GLA of new space and the demolition of 10,428 sf GLA.
- As part of the renovation project, Westfield LLC is proposing to reduce the overall parking ratio at the center from the existing 4.51 spaces per 1,000 sf GLA to a ratio of 4.0 spaces per 1,000 sf GLA.
- The Westfield North County expansion would result in the parking supply being increased by 135 spaces to 5,775 total parking spaces. If the center moves to a parking ratio of 4.0 spaces per 1,000 sf GLA, this on-site parking supply would be reduced to 5,118 spaces to support the proposed 1,279,485 sf of development.
- Based on the Escondido Municipal Code, the Project would require a parking supply of 6,398 spaces without any consideration of shared parking among the land uses on the site.
- Based on the center's original Master Development Plan, the Project would require a parking supply of 5,886 spaces.
- Applying the national ULI and ICSC national rates, the Project would require a parking supply of 5,118 spaces on December weekdays and 5,758 on December weekends.
- Detailed parking occupancy counts were conducted at Westfield North County during the week before Christmas 2011. The parking occupancy data from these counts was used to calibrate the national ULI shared parking model so that it accurately replicates the parking patterns at Westfield North County.
- Using the calibrated shared parking model, the shared parking analysis shows that the expanded center would require a parking supply of 3,910 spaces on a December weekday and 5,898 spaces on a December weekend.
- When the effects of shared parking are taken into account, the 5,775-space parking supply for the Project provides sufficient spaces to meet the peak parking demand of the expanded center on all but approximately eight days of each year (peak weekends between Thanksgiving and New Year's).
- On those eight days (Christmas holiday weekend days), the Project would have to operate an off-site employee parking program that would serve approximately 125 employee vehicles during the midday time period so that the on-site parking supply could be made available to customers. This represents approximately 12% of the total employee parking supply on the peak December weekends.

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- Based on the shared parking summary, it is arguable that the Project could qualify for a parking space requirement as low as 3.35 parking spaces per 1,000 sf GLA provided it supplied an adequate offsite supply during the busiest eight-to-10 days during each year (Christmas holiday weekends).
  - For this Project, a required parking ratio of 4.0 parking spaces per 1,000 sf GLA would result in an on-site supply of 5,118. This on-site supply would need to be supplemented by an offsite employee lot during Christmas holiday weekends that would need to accommodate 780 vehicles.
  - Westfield would like to retain the ability to stage special events in the parking lots of Westfield North County during times of the year when parking demand is low. The temporary physical loss of spaces from any special event held in the parking lots combined with the peak parking demand generated by the special event must not exceed the following parking spaces during the indicated time frame:
    - January to May and September to Early November
      - Weekdays – 2,918 parking spaces
      - Weekends – 1,615 parking spaces
    - Summer Months (June, July & August)
      - Weekdays – 2,866 parking spaces
      - Weekends – 1,488 parking spaces

These numbers are based on an on-site supply of 5,775 spaces. If the on-site parking supply is reduced to 5,118 spaces, the parking availability estimates above would be reduced by approximately 655 spaces, thus reducing the size of the allowable special events.

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## **References**

*Escondido Municipal Code*, City of Escondido, March 2010.

*Parking Requirements for Shopping Centers, 2<sup>nd</sup> Edition*, Urban Land Institute and the International Council of Shopping Centers, 1999.

*Shared Parking, 2<sup>nd</sup> Edition*, Urban Land Institute and the International Council of Shopping Centers, 2005.

## ***WESTFIELD NORTH COUNTY HOLIDAY OFF-SITE PARKING PROGRAM***

### PROGRAM:

To meet the holiday shopping demand for vehicular traffic, Westfield will be implementing when necessary an off-site holiday employee parking program. Shuttles will run from the shopping center to one or more adjacent locations on the critical 8-10 peak shopping days between Thanksgiving and Christmas.

- Westfield will organize an offsite location to park the vehicles in advance of the holiday season. Potential locations are San Pasqual High School and the Park and Ride Facility. San Pasqual High School has 800 available stalls for use and the Park and Ride Facility has 215 parking stalls.
- Westfield will contract with a bus company who will provide shuttles and drivers to transport employees between the off-site parking facility and the shopping center. Depending the time of day, there will be multiple shuttles running. We will provide multiple shuttle stops around the mall.
- Westfield will communicate the program to all mall employees verbally as well as in writing and security will assist in enforcing the policy on a daily basis in the parking lot.
- Westfield provides security in the off-site parking location to ensure the utmost safety.
- Westfield Marketing will implement an awareness program with rewards given out to employees who ride the shuttle.

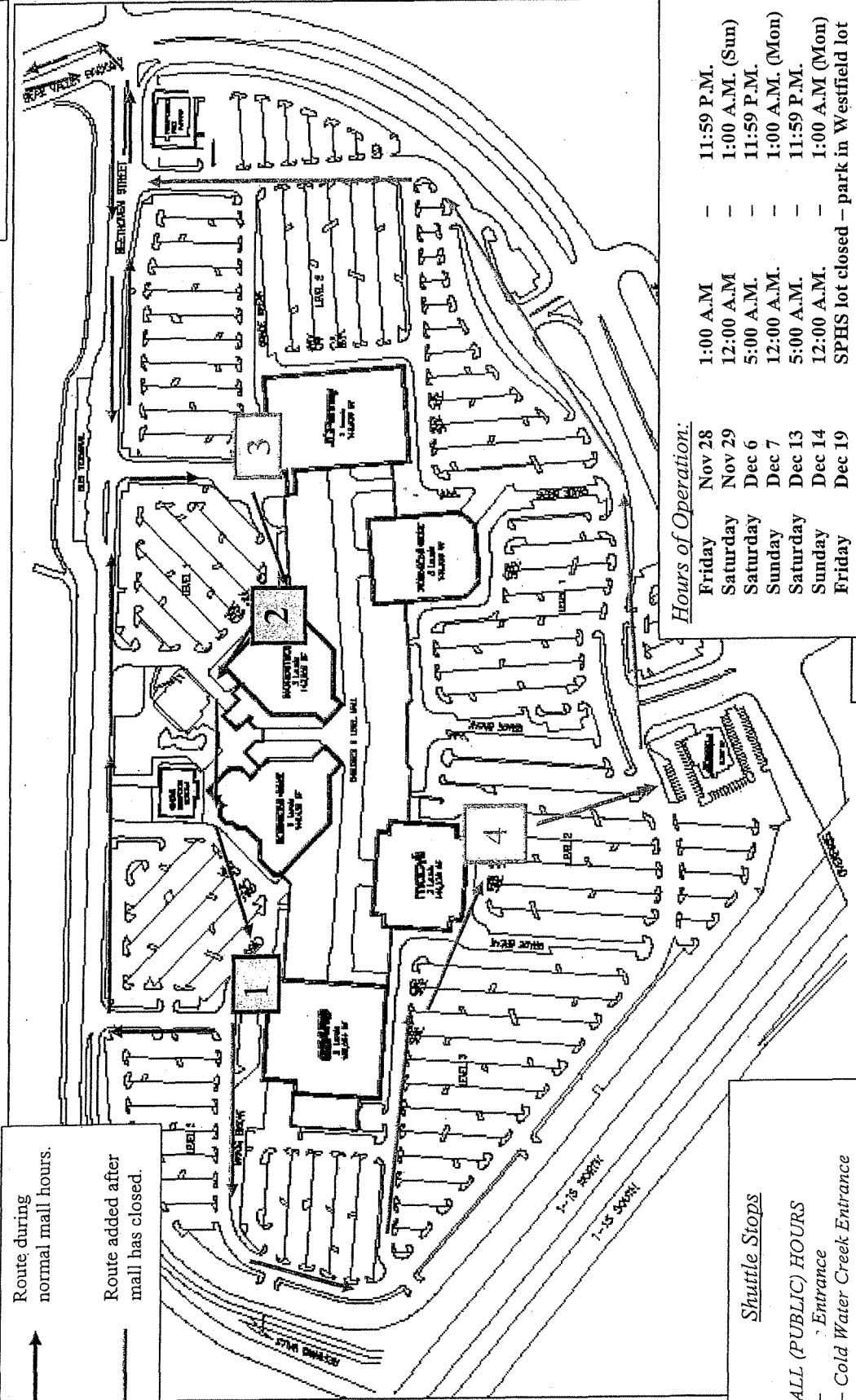
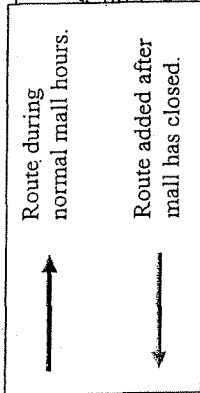
Attached you will see a sample of the proposed shuttle hours and route map. Shuttle buses will operate at regular intervals from the off-site location. Buses will pick up employees at the off-site location and transport them to any of the possible five designated stops at the center. Shuttle stops for example would be as follows:

- Stop #1 – JCPenney's north side, first level
- Stop #2 – Nordstrom north side, first level, at Coldwater Creek entrance
- Stop #3 – Sears, north side, second level, at North County Tavern and Bowl
- Stop #4 – Macy's, south side, second level
- Stop #5 – Panera Bread, south side, second level

The shuttle bus will run this route into the evening. However, late at night for more personalized service, we would recommend the individual contact the shuttle bus by calling security rather than waiting outdoors at the shuttle stop.

# Westfield North County Holiday Shuttle Program Schedule, Route & Map

Employee Parking:  
San Pasqual  
High School



**Shuttle Stops**

**MALL (PUBLIC) HOURS**

1 - Entrance

2 - Cold Water Creek Entrance

**AFTER HOURS (additional stops):**

3 - JC Penney Entrance

4 - Macy's Entrance

### Hours of Operation:

Friday	Nov 28	1:00 A.M.	-	11:59 P.M.
Saturday	Nov 29	12:00 A.M.	-	1:00 A.M. (Sun)
Saturday	Dec 6	5:00 A.M.	-	11:59 P.M.
Sunday	Dec 7	12:00 A.M.	-	1:00 A.M. (Mon)
Saturday	Dec 13	5:00 A.M.	-	11:59 P.M.
Sunday	Dec 14	12:00 A.M.	-	1:00 A.M. (Mon)
Friday	Dec 19	SPHS lot closed - park in Westfield lot		
Saturday	Dec 20	12:00 A.M.	-	11:59 P.M.
Sunday	Dec 21	12:00 A.M.	-	1:00 A.M. (Mon)
Monday	Dec 22	12:00 A.M.	-	8:00 P.M.
Tuesday	Dec 23	1:00 A.M.	-	1:00 A.M. (Wed)
Wednesday	Dec 24	12:00 A.M.	-	10:00 P.M.

West



**CALL SECURITY FOR AFTER-HOURS TRANSPORTATION TO SPHS PARKING LOT  
760-489-2359**

<b>CENTER HOLIDAY HOURS</b>							
November	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		24	25	26	27	28	29
SHOPPING CENTER SPHS Parking Lot Employee Shuttle	11:00 - 6:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	CLOSED THANKSGIVING DAY	7:00 - 10:00 ALL DAY & NIGHT YES	9:00 - 10:00 ALL DAY & NIGHT YES
NOV - DEC	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	30-Nov	1-Dec	2	3	4	5	6
SHOPPING CENTER SPHS Parking Lot Employee Shuttle	10:00 - 6:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 ALL DAY & NIGHT YES
Dec-	7	8	9	10	11	12	13
SHOPPING CENTER SPHS Parking Lot Employee Shuttle	11:00 - 8:00 ALL DAY & NIGHT YES	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	9:00 - 10:00 ALL DAY & NIGHT YES
Dec-	14	15	16	17	18	19	20
SHOPPING CENTER SPHS Parking Lot Employee Shuttle	9:00 - 10:00 ALL DAY & NIGHT YES	9:00 - 10:00 --- ---	9:00 - 10:00 --- ---	9:00 - 10:00 --- ---	9:00 - 10:00 --- ---	8:00 - 11:00 CLOSED NO Park in Westfield lot	8:00 - 11:00 ALL DAY & NIGHT YES
Dec-	21	22	23	24	25	26	27
SHOPPING CENTER SPHS Parking Lot Employee Shuttle	8:00 - 11:00 ALL DAY & NIGHT YES	8:00 - 11:00 ALL DAY & NIGHT YES	8:00 - 11:00 ALL DAY & NIGHT YES	8:00 - 6:00 ALL DAY TILL 10 pm YES	CLOSED CHRISTMAS DAY	7:00 - 9:00 CLOSED NO	10:00 - 9:00 --- ---
DEC - JAN	28	29	30	31	1-Jan	2	3
SHOPPING CENTER SPHS Parking Lot Employee Shuttle	10:00 - 7:00 --- ---	10:00 - 9:00 --- ---	10:00 - 9:00 --- ---	10:00 - 7:00 --- ---	10:00 - 7:00 --- ---	10:00 - 9:00 --- ---	10:00 - 8:00 --- ---

ORDINANCE NO. 2012-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MODIFICATION TO THE MASTER AND PRECISE DEVELOPMENT PLAN FOR WESTFIELD NORTH COUNTY TO IMPLEMENT AN EXTERIOR REVITALIZATION PROGRAM, ADD RESTAURANT AND RETAIL FLOOR AREA, CONSTRUCT A NEW PARKING AREA, MODIFY THE LIST OF PERMITTED USES, REDUCE THE PARKING RATIO AND INITIATE A NEW SIGN PROGRAM

PLANNING CASE NO. PHG 12-0005

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

SECTION 1. That proper notice of a public hearing has been given and a public hearing has been held before the City Council on this issue and that the City Council has considered the proposal, the staff report, the Notice of Exemption, and any public testimony presented at the hearing.

SECTION 2. That pursuant to the provisions of the Business Enhancement Zone, Article 69 of the Escondido Zoning Code, the City Council Economic Development Subcommittee approved a request for expedited processing of the proposed modification to a Master and Precise Development Plan on November March 28, 2012.

SECTION 3. That the City Council has reviewed the Statement of Exemption prepared for the project in conformance with CEQA Section 15301, Class 1, "Existing

Facilities,” and has determined that all environmental issues associated with the project have been addressed and no significant environmental impacts will result from approving this modification to the Master and Precise Development Plan.

SECTION 4. That upon consideration of the staff report and all public testimony presented at the hearing held to consider the proposed modification, this City Council finds that the proposed modification to the Master and Precise Development Plan is consistent with the General Plan and all applicable specific plans of the City of Escondido.

SECTION 5. That the Findings of Fact, attached as Exhibit “A,” and incorporated by this reference, were adopted by the City Council.

SECTION 6. That the City Council desires at this time and deems it to be in the best public interest to approve the requested modification to the Master and Precise Development Plan to for Westfield North County to implement an exterior revitalization program, add restaurant and retail floor area, demolish three freestanding buildings in the former "duck pond" area and convert to additional parking, and modify the list of permitted uses, parking ratio and the sign program, subject to the conditions of approval set forth in Exhibit “B,” attached to this Ordinance and incorporated by this reference. The subject 83-acre site is located on the northern side of Via Rancho Parkway, east of Interstate 15, and addressed as 200 E. Via Rancho Parkway.

SECTION 7. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct

and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 8. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

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 published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the City of Escondido.

**FINDINGS OF FACT  
PHG 12-0005  
EXHIBIT "A"**

Modification to a Master and Precise Development Plan

1. The proposed modification to the Master and Precise Development Plan to implement an exterior revitalization program, add restaurant and retail floor area, demolish three freestanding buildings in the former "duck pond" area and convert to additional parking, and modify the list of permitted uses, parking ratio and the sign program would be in conformance with General Plan Policy B4.1(b)(11) which identifies the project site as an 83-acre shopping mall anchored by large department stores and other diverse general commercial uses, including restaurants. Development of new floor area and the revision to the list of permitted uses, sign standards, parking ratio is consistent with the Planned Development zoning on the site that was established for the regional shopping center. The proposed project would be in conformance with General Plan Economic Policies (page II-23) which encourage economic activities to expand or locate in Escondido that are clean and nonpolluting, provide additional employment opportunities, reduce the need for Escondido resident to commute out of the area, will maintain the City's fiscal stability, and are aesthetically superior. The proposed building additions would introduce new features into the center that are aesthetically pleasing and consistent with the existing mall architecture. 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 parking, circulation and public services can be provided to the site as discussed in the staff report.
2. The approval of the proposed modification to the Master and Precise Development Plan would be based on sound principles of land use since adequate parking, circulation, utilities and access would be provided for the development. The proposed building additions would not conflict with the design of the existing shopping center due to their low profile designs and compatible architectural features. The proposed revision to the list of permitted uses adds additional business opportunities to create a lifestyle center that meets the commercial needs of local residents. The reduction in the parking ratio to 4.0 parking spaces per 1,000 SF of gross leasable area will still ensure adequate parking on the site except for approximately eight days during the Christmas holiday season when an appropriate amount of off-site parking will be provided for employees. The proposed modification to the Master Sign Program provides clarity on sign allowances and ensures an appropriate amount of exterior signage is available for tenant needs.
3. The proposed modification to the Master and Precise Development Plan would not cause deterioration of bordering land uses since the site is zoned for commercial development and is developed with an approximately 1.2 million SF (GLA) regional shopping mall. The proposed project area is adjacent to Interstate 15 to the west, Via Rancho Parkway and commercial development on the south, and is buffered from Kit Carson Park to the north by a large earthen berm. The proposed building additions will add less than 10,000 SF of net floor area to the mall and will be designed to be consistent with the existing architecture. The new parking lot addition will eliminate three vacant commercial buildings on the site and improve the appearance of the

northern side of the shopping center. The exterior renovation program will enhance the appearance of the mall property by adding new entry elements to the building, painting the entire exterior of the building and resurfacing the entire parking lot.

4. The proposed development is well-integrated with the surrounding properties since the site will continue to function as a regional shopping center and the new architectural elements and additions are relatively minor considering the scale of the mall and would be consistent with existing commercial structures. Additional on-site landscaping would be provided in the new parking lot area on the north side of the property.
5. The overall design of the proposed planned development would produce an attractive commercial facility due to its location, the architectural features provided, and landscape design.
6. The development will not require excessive grading since the site has been previously developed and is relatively level.

**CONDITIONS OF APPROVAL  
PHG 12-0005  
EXHIBIT "B"**

**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 new 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. Parking shall be provided at a ratio of 4.0 parking spaces per 1,000 SF of gross leasable area. The proposed project would result in 1,279,485 SF of gross leasable area and a minimum requirement of 5,118 parking spaces. Said 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. The applicant shall be required to implement an off-site parking program for employees during peak shopping days and hours between Thanksgiving and the end of December. The number of off-site spaces secured by the applicant shall correspond to the need established by the Shared Parking Analysis submitted as part of this project.
9. 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.

10. 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.
11. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including existing 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 must be screened by landscaping as specified in the Landscape Ordinance. 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.
12. Colors, materials and design of the project shall be in substantial conformance with the plans/exhibits approved by the City Council on May 9, 2012, and the exhibits and details in the staff report to the satisfaction of the Planning Division.
13. 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 shopping center must comply with the Master Sign Program approved as part of this project.
14. Signs designated for advertising will be used to advertise a business or service located on the site, a product or any goods produced or available for purchase on the site, or an event that will occur on the site. To the extent property owner wishes to have exterior advertising different from, or beyond the criteria set forth above, approval may be obtained on a case by case basis from the Director of Community Development following an application in writing. The Director shall promptly act on any such requests, but such approval or disapproval shall not exceed 10 business days after a request is submitted (or such request is otherwise deemed approved), and property owner may appeal the decision as provided by the Escondido Zoning Code. Off-premise advertising is prohibited. Developer acknowledges that City reserves the right to reject any exterior signs that do not meet the criteria set forth herein that it considers to be inconsistent with the operation of a first class regional mall and the image of the shopping center and its retailers, and shall not include matters any violent, sexually explicit or obscene matters, or any matters which promote or encourage activity which is in violation of law.
15. Individual sign panels located below the Westfield logo on the freeway pylon shall be limited to on-site tenant names only.
16. All new utilities shall be underground.



17. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
18. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable), a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.
19. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
20. All vegetation (including existing vegetation required as part of previous project approvals) 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.
21. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading permit for the new parking lot in the former "duck pond" area. 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
22. Street trees shall be maintained along each of the site's street frontages, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. New trees within five feet of the pavement shall be provided with root barriers.
23. Permitted businesses, land uses and tenants on the mall site shall be regulated by the Master Plan List of Permitted Uses approved as part of this project.
24. Temporary parking lot events/uses shall be regulated by the Master Plan List of Permitted Temporary Uses approved as part of this project and shall be subject to the guidelines for Temporary Use Permits described therein. No temporary parking lot events (except Christmas tree sales) shall be permitted between Thanksgiving and Christmas.
25. The maximum size of the freestanding restaurant pad building approved as part of this project shall be limited to 7,000 SF. Architectural and grading plans for the restaurant building shall be

consistent with this Master Plan approval and shall be subject to an administrative review process (Plot Plan) by the Director of Community Development prior to issuance of grading or building permits.

26. The new 207-space parking lot in the vicinity of the Onami building and former "duck pond" area shall be completed prior to issuance of a Certificate of Occupancy for the mall exterior renovation program (Building Permit B12-0245).
27. All conditions of previous Master and Precise Development Plans approved on the site shall remain in full force and effect unless expressly modified herein.

### **Engineering Division Conditions**

#### **STREET IMPROVEMENTS AND TRAFFIC**

1. All 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 Director of Engineering Services.
2. The developer's engineer shall prepare a complete signing and striping plan for the proposed parking lot improvements. Developer's contractor shall complete any necessary removal of existing striping and shall install all new signing and striping.
3. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

#### **GRADING**

1. A site grading and erosion control plan prepared by a Registered Civil Engineer shall be approved by the Engineering Department prior to issuance of building permits. The site grading and erosion control plan will not be forwarded from the Building Department, but shall be submitted separately to the Engineering Department.
2. The proposed parking lot shall be paved with a minimum of 4" AC over 6" of AB or 6" PCC over 6" AB or an alternative approved by the Director of Engineering Services. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC. Parking areas with slopes between 0.5% and 3% may be paved with decomposed granite with the review and approval of the City Engineer.
3. Erosion control, including riprap, interim sloping planting, gravel bags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.

4. 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 retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Dept. plan review and permit process.
5. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Director of Engineering Services.
6. A General Construction Activity Storm Water 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 1 or more acres.
7. After the approval of the site grading and erosion control plan, and prior to the start of construction of the grading and street improvements, the developer will be required to sign a Storm Water Management Plan form, and then obtain a Grading Permit and Encroachment Permit from the Engineering Field Office.

#### DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the Engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The project shall limit drainage flows to their pre-construction rates. Details and calculations for the detention basin shall be submitted and approved as part of the grading plan check.
3. A Final Water Quality Technical Report together with Hydro-Modification Calculations in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted for approval by the City Engineer together with the grading plans. The Water Quality Technical Report shall include post construction storm water treatment and HMP measures and maintenance requirements.
4. All on-site storm drains, detention basins, and all other post-construction BMP facilities are private. The responsibility for maintenance of these storm drains shall be that of the property owner or property owner's association.
5. The developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement.

#### WATER SUPPLY

1. Fire hydrants and detector checks shall be installed at locations approved by the Fire Marshal. All water improvements shall be designed and constructed to the satisfaction of the Utilities Director.

2. No deep rooted plants or trees shall be planted within 15 feet of any existing or proposed public water lines.
3. A portion of the proposed stairway is being built on top of the existing 12 inch public water line. The project engineer shall propose relocation of the 12 inch water line or propose a special design for the stairways to avoid impact to the 12 inch water line, subject to review and approval by the Utilities Director.

### SEWER

1. All sewer improvements shall be subject to design and construction to the satisfaction of the Utilities Director.
2. A portion of the proposed restaurant is being built on top of the existing public sewer main. The project engineer shall relocate the existing sewer line or propose a special design foundation subject to review and approval by the Utilities Director.
3. No deep rooted plants or trees shall be planted within 15 feet of any existing or proposed public sewer lines.

### EASEMENTS AND DEDICATIONS

1. All easements, both private and public, affecting subject property shall be delineated and labeled on the grading plans.
2. The developer shall make arrangements to remove from title all existing easements which conflict with the proposed grading and parking improvements on the site.

### CASH SECURITY AND FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the Director of Engineering Services.
2. The developer will be required to pay all development and plan check fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

### Fire Department Conditions

1. All tenant improvement work shall require separate submittals for fire protection systems and fire alarms to the Fire Department.

2. All construction and demolition shall comply with Chapter 14 of the California Fire Code.
3. All fabric awnings must contain fire retardant materials certified by the State Fire Marshal.
4. All driveway modifications shall have a minimum inside turning radius of 28' with curbs marked as fire lanes to the satisfaction of the Fire Department.



# RENT REVIEW BOARD

For City Clerk's Use:

APPROVED  DENIED

Reso No. RRB \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. RRB \_\_\_\_\_

**Agenda Item No.: 10**  
**Date: May 9, 2012**

**TO:** Honorable Chairman and Members of the Rent Review Board

**FROM:** Jerry Van Leeuwen, Director of Community Services

**SUBJECT:** Short-Form Rent Review Board Hearing for City-Owned Spaces in the Escondido Views Mobilehome Park

## STAFF RECOMMENDATION:

- Consider the short-form rent increase application submitted for the City-owned spaces in Escondido Views Mobilehome Park.
- If approved, adopt Rent Review Board Resolution No. 2012-03, granting an increase of seventy-five percent (75%) of the change in the Consumer Price Index, or 2.989% (an average of \$11.38) for the period of December 31, 2009 to December 31, 2011. The application meets the eligibility criteria for submittal of a short-form rent increase application.

## INTRODUCTION:

The City of Escondido (the "City"), the owner of rental spaces in the Escondido Views Mobilehome Park ("Park"), has filed a short-form rental increase application for five of the nine rental spaces it owns in the Park. The remaining spaces are vacant and not subject to this rent increase.

The Board is asked to accept the staff report, hear public testimony, and make a determination concerning the request in accordance with the Escondido Rent Protection Ordinance and the short-form procedures as outlined in the Rent Review Board Guidelines. The application and the staff report have been made available to the Board for review and consideration prior to the hearing.

## OWNERSHIP BACKGROUND:

In 1991, at the urging of residents who wished to purchase their mobilehome park, the City purchased the Park, at 2400 W. Valley Parkway. The Park was purchased with the intent to immediately transfer all spaces to individual resident ownership.

By late 1991, the conversion to an air space condominium structure was completed, the Homeowner's Association ("HOA") had been formed, and sales of lots to residents began. Although many residents had committed to purchasing their lot, the number of sales was less than expected. Even considerable State and City low-income housing loan assistance did not increase sales significantly. Declining economic conditions and property values also hurt lot sales. The Housing Division continues in its responsibility for the management and sale of the remaining City-owned lots.

### **THE RENT INCREASE APPLICATION**

The Escondido Views Mobilehome Park is located at 2400 W. Valley Parkway. The Park contains 152 spaces and eight of those spaces are City-owned. Five spaces are subject to the rent increase, and the average monthly space rent for the five occupied spaces is \$380.79. The three remaining spaces are vacant.

Unlike most other applications heard by the Board, the City makes this application as owner of specific spaces, rather than as a Park owner. The HOA for the Park is not a party to the application.

The common areas controlled by the HOA include a clubhouse with a kitchen and pool tables, a swimming pool, indoor and outdoor spas, and laundry facilities. The Park also has a large children's playground and picnic area. The tenants of the City-owned rental spaces have full access to the community areas of the Park. A portion of the rent collected from the rental spaces goes to pay the HOA fees each month which are currently \$175.00. The Park is a family park, although many seniors live in the Park as well.

In accordance with the short-form policy guidelines, the City is requesting an increase of seventy-five percent (75%) of the change in the San Diego Consumer Price Index (CPI) for the period of December 31, 2009 to December 31, 2011. A seventy-five percent (75%) change in the CPI amounts to 2.989% for the 24-month period of consideration. The average increase requested is approximately \$11.38 per space, per month based on an average base rent of \$380.79.

The previous increase was granted by the Board in September of 2010. Seventy-five percent (75%) of the change in the CPI for the previous application was 2.837%, or an average increase of \$10.50 per space, per month.

### **RESIDENT MEETING AND COMMENTS:**

Individual notices were sent to each affected tenant notifying them of the increase application and the hearing date. In the past, staff scheduled a meeting for the residents

affected by the short-form application to discuss the process and answer questions. Because there were typically no residents in attendance at these meetings, for the sixth time, staff did not schedule a meeting in the Park. Staff sent out the customary letters, the first giving the residents a 30-day notice of the May 9, 2012, hearing, and the second as a 10-day reminder of the upcoming hearing. Staff also encouraged residents with questions or comments to call or write, and staff volunteered to meet in person with anyone in the Park who might be interested. Staff has not received any phone calls or correspondence regarding the rent increase request.

**HEALTH AND SAFETY CODE INSPECTION:**

Due to the unique structure of the City's ownership of the individual spaces, the Code Enforcement Division conducted an inspection for health and safety issues of only the spaces owned by the City. The inspection report of the City-owned spaces is attached as Exhibit "A." The City, as owner of the spaces, has received a copy of the Code Inspection Report. There were two violations noted on the inspection; the City has received a copy of the report and is aware that no increase, if granted, may be implemented until the health and safety code violations have been cleared.

**ADDITIONAL FACTORS AFFECTING THE APPLICATION:**

In conformance with the Rent Review Board Guidelines, the decision of the Board will be finalized by adoption of the Resolution confirming the findings of the Public Hearing. The Notice of Determination will be mailed to the applicant and residents immediately upon adoption of the Resolution. The 90-day notice of any rent increase granted may be sent to the residents upon the adoption of the Resolution.

Respectfully submitted,

  
Jerry Van Leeuwen  
Director of Community Services



April 19, 2012

**MOBILEHOME PARK RENT CONTROL**  
**CODE ENFORCEMENT INSPECTION REPORT**

**Park Name:** Escondido Views

**Lot Owner:** City of Escondido  
201 N. Broadway  
Escondido, CA 92025  
(760) 839-4518

**Park Manager:** Kristina Owens      **Phone:** (760) 839-4356

**Inspection Date:** 04/18/12      **Inspectors:** S. Moore

The following report is based on the inspection of each individual mobile home lot owned by the City of Escondido conducted under provisions outlined in the California Health & Safety Code, Division 13, Part 2.1. This inspection report only addresses health and safety issues that are related to areas for which maintenance, repair and operations is the responsibility of the owner of the lots.

**General Violations:**

1. Trim the trees and other overgrown vegetation which have extended over, or are touching the roofs of the patio/mobile home units on lots 20 and 64. **25 CCR 1120 (b)**
2. Repair the driveway area which is uneven, cracked and deteriorated on lot 135. **25 CCR 1102 (a), 25 CCR 1116 (b)**

RESOLUTION NO. RRB 2012-03

A RESOLUTION OF THE ESCONDIDO  
MOBILEHOME RENT REVIEW BOARD  
MAKING FINDINGS AND GRANTING A RENT  
INCREASE FOR ESCONDIDO VIEWS  
MOBILEHOME PARK

WHEREAS, Article V of Chapter 29 of the Escondido Municipal Code is a codification of the Escondido Mobilehome Rent Protection Ordinance ("Ordinance") and provides for mobilehome space rent regulation; and

WHEREAS, the City of Escondido Mobilehome Park Rental Review Board ("Board") is charged with the responsibility of considering applications for rent increases; and

WHEREAS, a short-form rent increase application pursuant to Section 12 of the Rent Review Board Guidelines was filed on February 23, 2012, by the City of Escondido ("City"), the owner of the eight rental spaces in the Escondido Views Mobilehome Park located at 2400 W. Valley Parkway in Escondido. The Application applies to five of the eight City-owned spaces. The remaining spaces are vacant and not subject to this rent increase; and

WHEREAS, this is the thirteenth (13th) rent increase application filed since the Ordinance became effective in 1988. The last rent increase was granted by the Board through Rent Review Board Resolution No. 2010-04 on September 1, 2010, for approximately \$10.50 per space per month; and

WHEREAS, at the time of the current application, the average monthly space rent was \$380.79 for the five spaces affected by the rent increase request. The owner

requested a rent increase in the amount of seventy-five (75%) of the change in the Consumer Price Index ("CPI") for the period December 31, 2009, through December 31, 2011, in accordance with the Rent Review Board short-form policy guidelines. The application estimated this amount to be an average of \$11.38 (2.989%) per space, per month; and

WHEREAS, a notice of the Community Development Commission ("CDC") Rent Increase Application was sent to all affected homeowners. All parties were given notice of the time, date and place of the rent hearing before the Board; and

WHEREAS, on April 18, 2012, a Mobilehome Park Rent Control Code Enforcement Inspection Report ("Inspection Report") was completed for the City-owned spaces and is attached as Exhibit "A" to this Resolution and is incorporated by this reference; and

WHEREAS, on May 9, 2012, the Board held its public hearing and after an initial staff presentation, the Board invited testimony from the City, residents of the City spaces and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was closed. Following an opportunity for discussion among the Board members and clarifying questions to the parties and Staff, the Board voted to grant an average rent increase of \$11.38 per space, per month for the five spaces subject to rent control.

NOW, THEREFORE, BE IT RESOLVED by the Rent Review Board of the City of Escondido, as follows:

1. That the above recitations are true.
2. That the Board has heard and considered all of the reports and testimony

presented, and has considered the facts as outlined in the Short-form Guidelines (Guidelines”).

3. That following the Guidelines, an increase based on seventy-five percent (75%) of the change in the CPI for San Diego County from December 31, 2009, through December 31, 2011, would amount to 2.989%, which averages \$11.38 per space, per month, for the five spaces that are subject to rent control.

4. That the Board concluded that an increase of 2.989%, an average of \$11.38 per space, per month, is consistent with the Guidelines and is a fair, just, and reasonable increase in light of the information presented by all parties.

5. That the increase may be implemented upon the expiration of the required 90-day notice to the residents, which may be issued upon the adoption of this Resolution.



April 19, 2012

**MOBILEHOME PARK RENT CONTROL**  
**CODE ENFORCEMENT INSPECTION REPORT**

**Park Name:** Escondido Views

**Lot Owner:** City of Escondido  
201 N. Broadway  
Escondido, CA 92025  
(760) 839-4518

**Park Manager:** Kristina Owens      **Phone:** (760) 839-4356

**Inspection Date:** 04/18/12      **Inspectors:** S. Moore

The following report is based on the inspection of each individual mobile home lot owned by the City of Escondido conducted under provisions outlined in the California Health & Safety Code, Division 13, Part 2.1. This inspection report only addresses health and safety issues that are related to areas for which maintenance, repair and operations is the responsibility of the owner of the lots.

**General Violations:**

1. Trim the trees and other overgrown vegetation which have extended over, or are touching the roofs of the patio/mobile home units on lots 20 and 64. **25 CCR 1120 (b)**
2. Repair the driveway area which is uneven, cracked and deteriorated on lot 135. **25 CCR 1102 (a), 25 CCR 1116 (b)**

## RENT REVIEW BOARD

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. RRB \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. RRB \_\_\_\_\_

**Agenda Item No.: 11**  
**Date: May 9, 2012**

**TO:** Honorable Chairman and Members of the Rent Review Board

**FROM:** Jerry Van Leeuwen, Director of Community Services

**SUBJECT:** Short-Form Rent Review Board Hearing for City-Owned Spaces in Mountain Shadows Mobilehome Park

### STAFF RECOMMENDATION:

- Consider the short-form rent increase application submitted for the City-owned spaces in Mountain Shadows Mobile Home Park.
- If accepted, adopt Rent Review Board Resolution No. 2012-02, granting an increase of seventy-five percent (75%) of the change in the Consumer Price Index, or 2.989% (an average of \$9.64) for the period of December 31, 2009 to December 31, 2011. The application meets the eligibility criteria for submittal of a short-form rent increase application.

### INTRODUCTION:

The City of Escondido ("City"), the owner of rental spaces in the Mountain Shadows Mobilehome Park ("Park"), has filed a short-form rental increase application for 29 of the 31 rental spaces it owns in the Park. Two spaces are vacant and not subject to this rent increase.

The Board is asked to accept the staff report, hear public testimony, and make a determination concerning the request in accordance with the Escondido Rent Protection Ordinance and the short-form procedures as outlined in the Rent Review Board Guidelines. The application and the staff report have been made available to the Board for review and consideration prior to the hearing.

### OWNERSHIP BACKGROUND:

In 1991, at the urging of residents who wished to purchase their mobilehome park, the City of Escondido purchased the Mountain Shadows Mobile Home Park at 1750 W. Citracado Parkway. The Park was purchased with the intent to immediately transfer it to resident ownership.

By late 1991, the conversion to air space condominium structure was completed, the Homeowner's Association ("HOA") had been formed, and sales of lots to residents began. At that time, although many residents had committed to purchasing their lot, the number of sales was less than expected. Even considerable State and City low-income housing loan assistance did not increase sales significantly. The City currently owns 31 of the lots in the Park, two lots are vacant, and therefore only 29 spaces are subject to rent control.

**THE RENT INCREASE APPLICATION:**

Mountain Shadows Mobilehome Park is located at 1750 W. Citracado Parkway. The Park contains 209 spaces and 31 of those spaces are City-owned. The average space rent for those spaces subject to rent control is \$322.58.

Unlike other applications heard by the Board, the City makes this application as owner of specific spaces, rather than as a Park owner. The HOA for the Park is responsible for the common areas and is not a party to the application.

In accordance with the short-form policy guidelines, the City is requesting an increase of seventy-five percent (75%) of the change in the San Diego Consumer Price Index (CPI) for the period of December 31, 2009, to December 31, 2011. A seventy-five percent (75%) change in CPI amounts to 2.989% for the 24-month period of consideration. The average increase requested is approximately \$9.64 per space, per month based on an average base rent of \$322.58.

The common areas controlled by the HOA include a clubhouse with pool tables, ping-pong table and library, a swimming pool and a spa, basketball and tennis courts and picnic areas, and laundry facility. The tenants of the City-owned rental spaces have full access to the community areas of the Park. A portion of the rent collected from the rental spaces goes to pay the HOA fees currently set at \$189.00 per month. Although Mountain Shadows is a family Park, many seniors live in the Park as well.

The Park last came before the Board in September 2010, when the Board approved a short-form rent increase of 2.837%, an average of \$8.91 per space per month. The period of consideration for the previous request was December 31, 2007, to December 31, 2009.

**RESIDENT MEETING AND COMMENTS:**

Individual notices were sent to each affected resident notifying them of the increase application and the hearing date. Additionally, residents were invited to a meeting held in

the Park on April 16, 2012, at 4:00 p.m. One resident attended the meeting with staff. The resident said she had no issues or concerns about the short-form rent increase application and had not heard any concerns from other residents. She opted not to act as a tenant representative.

**HEALTH AND SAFETY CODE INSPECTION:**

The inspection report only addresses health and safety issues that are related to areas for which maintenance and repair is the responsibility of the City as owner of the spaces. There were two violations noted on the inspection; the City has received a copy of the report and is aware that no increase, if granted, may be implemented until the health and safety code violations have been cleared. The Code Enforcement Inspection Report is attached as Exhibit "A".

**ADDITIONAL FACTORS AFFECTING THE APPLICATION:**

In conformance with the Rent Review Board Guidelines, the decision of the Board will be finalized by adoption of the Resolution confirming the findings of the Public Hearing, and the Notice of Determination will be mailed to the applicant and residents immediately upon adoption of the Resolution. The 90-day notice of any rent increase granted may be sent to the residents upon the adoption of the Resolution.

Respectfully submitted,

  
Jerry Van Leeuwen  
Director of Community Services



April 18, 2012

**MOBILEHOME PARK RENT CONTROL**  
**CODE ENFORCEMENT INSPECTION REPORT**

**Park Name:** Mountain Shadows Mobile Home Park

**Lot Owner:** City of Escondido  
201 N. Broadway  
Escondido, CA 92025  
(760) 839-4518

**Park Manager:** Kristina Owens      **Phone:** (760) 839-4356

**Inspection Date:** 04/17/12      **Inspector:** S. Moore

The following report is based on the inspection of each individual mobile home lot owned by the City of Escondido conducted under provisions outlined in the California Health & Safety Code, Division 13, Part 2.1; the California Code of Regulations, Title 25. This inspection report only addresses health and safety issues that are related to areas for which maintenance, repair and operations is the responsibility of the owner of the lots.

**General Violations:**

1. The driveways at the front of the carports are uneven, cracked and/or deteriorated on lots 99 and 118. **25 CCR 1102 (a), 25 CCR 1116 (b)**
2. Trees or overgrown vegetation have extended over and onto the roofs of the patio or the homes on lots 73 and 160 **25 CCR 1120 (b)**

RESOLUTION NO. RRB 2012-02

A RESOLUTION OF THE ESCONDIDO  
MOBILEHOME RENT REVIEW BOARD  
MAKING FINDINGS AND GRANTING A RENT  
INCREASE FOR MOUNTAIN SHADOWS  
MOBILEHOME PARK

WHEREAS, Article V of Chapter 29 of the Escondido Municipal Code is a codification of the Escondido Mobilehome Rent Protection Ordinance ("Ordinance") and provides for mobilehome space rent regulation; and

WHEREAS, the City of Escondido Mobilehome Park Rental Review Board ("Board") is charged with the responsibility of considering applications for rent increases; and

WHEREAS, a Short-form Rent Increase Application ("Application") was filed pursuant to Section 12 of the Rent Review Board Guidelines on February 23, 2012, by the City of Escondido, the owner of 31 rental spaces in Mountain Shadows MobileHome Park located at 1750 W. Citracado Parkway in Escondido. Currently, two rental spaces are vacant, therefore 29 spaces are subject to rent control and a space rent increase; and

WHEREAS, this is the twelfth (12th) Application filed by the Park since the Ordinance became effective in 1988. The last short-form rent increase ("Increase") for 2.837%, or approximately \$8.91 per space, per month was granted by the board at a Rent Review Board Hearing held on September 1, 2010, and formally adopted by Rent Review Board Resolution 2010-05; and

WHEREAS, at the time of the current Application, the average monthly space rent was \$322.58 for the 29 spaces subject to rent control. The City of Escondido, Community Development Commission ("CDC") requested a rent increase in the amount of seventy-five percent (75%) of the change in the Consumer Price Index (CPI) for the period of December 31, 2009, through December 31, 2011, in accordance with the Rent Review Board short-form policy guidelines. The Application estimated this amount to be an average of \$9.64 (2.989%) per space, per month; and

WHEREAS, a notice of the Park's Application was sent to all affected homeowners. All parties were given notice of the time, date and place of the rent hearing before the Board; and

WHEREAS, on April 17, 2012, a Mobilehome Park Rent Review Code Enforcement Inspection Report ("Inspection Report") was completed for the City-owned spaces and is attached as Exhibit "A" to this Resolution and is incorporated by this reference; and

WHEREAS, on May 9, 2012, the Board held its public hearing and after an initial staff presentation, the Board invited testimony from Park ownership, residents of the Park, and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was closed. Following an opportunity for discussion among the Board members and clarifying questions to the parties and Staff, the Board voted to grant an average rent increase of \$9.64 per space, per month for the 29 spaces that are subject to rent control.

NOW, THEREFORE, BE IT RESOLVED by the Rent Review Board of the City of Escondido, as follows:

1. That the above recitations are true.
2. That the Board has heard and considered all of the reports and testimony presented, and has considered the facts as outlined in the Short-form Guidelines ("Guidelines").
3. That following the Guidelines, an increase based on seventy-five percent (75%) of the change in the CPI for San Diego County from December 31, 2009, through December 31, 2011, would amount to 2.989%, which averages \$9.64 per space, per month, for the 29 spaces that are subject to rent control.
4. That the Board concluded that an increase of \$9.64 per space, per month is consistent with the Guidelines and is fair, just, and a reasonable increase in light of the information presented by all parties.
5. That the increase may be implemented upon the expiration of the required 90-day notice to the residents, which may be issued upon the adoption of this Resolution.

April 18, 2012

**MOBILEHOME PARK RENT CONTROL**  
**CODE ENFORCEMENT INSPECTION REPORT**

**Park Name:** Mountain Shadows Mobile Home Park

**Lot Owner:** City of Escondido  
201 N. Broadway  
Escondido, CA 92025  
(760) 839-4518

**Park Manager:** Kristina Owens      **Phone:** (760) 839-4356

**Inspection Date:** 04/17/12      **Inspector:** S. Moore

The following report is based on the inspection of each individual mobile home lot owned by the City of Escondido conducted under provisions outlined in the California Health & Safety Code, Division 13, Part 2.1; the California Code of Regulations, Title 25. This inspection report only addresses health and safety issues that are related to areas for which maintenance, repair and operations is the responsibility of the owner of the lots.

**General Violations:**

1. The driveways at the front of the carports are uneven, cracked and/or deteriorated on lots 99 and 118. **25 CCR 1102 (a), 25 CCR 1116 (b)**
2. Trees or overgrown vegetation have extended over and onto the roofs of the patio or the homes on lots 73 and 160 **25 CCR 1120 (b)**

# CITY COUNCIL

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 12**

**Date: May 9, 2012**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Edward N. Domingue, Director of Engineering Services  
Frank P. Schmitz, Parks and Open Space Administrator

**SUBJECT:** City of Escondido Landscape Maintenance District Zones 1-37 Public Hearing

RECOMMENDATION:

It is requested that the City Council receive input from the property owners in Zones 1-37 of the City of Escondido Landscape Maintenance District (LMD) (map attached) on the proposed budget and assessments for FY 2012/2013.

FISCAL ANALYSIS:

The LMD reimburses all costs incurred by the City in all zones except Zone 12 and Zone 13. The City of Escondido purchased property adjacent to the Reidy Creek environmental channel that lies within Zone 12 and therefore assumed the assessment assigned to this property. The Escondido Police and Fire Headquarters building is located on this property. Zone 13 was formed to pay for the maintenance of the median landscaping in Centre City Parkway south of Felicita Avenue and north of Montview Drive. The City shares the cost of the maintenance in Zone 13 with the two shopping centers on either side of the parkway.

PREVIOUS ACTION:

The City Council approved the formation of the LMD in 1986. The City Council approved the FY 2012/2013 preliminary LMD Engineer's report for Zones 1-37 on March 21, 2012.

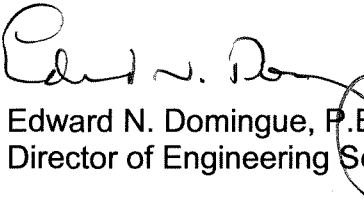
BACKGROUND:

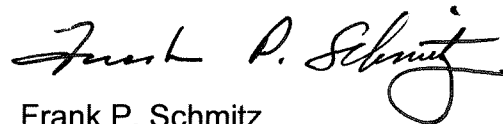
Each year the City Council reviews and approves the next year's budget and assessments for each zone within the LMD. As part of the approval process a public hearing is held to give the property owners within each zone of the LMD the opportunity to comment on the proposed LMD budget and assessments. This is the purpose of the public hearing today. The LMD budget and assessments addressed in this public hearing are for LMD Zones 1-37. No City Council action is required. Staff

May 9, 2012  
LMD Zones 1-37 Public Hearing  
Page 2

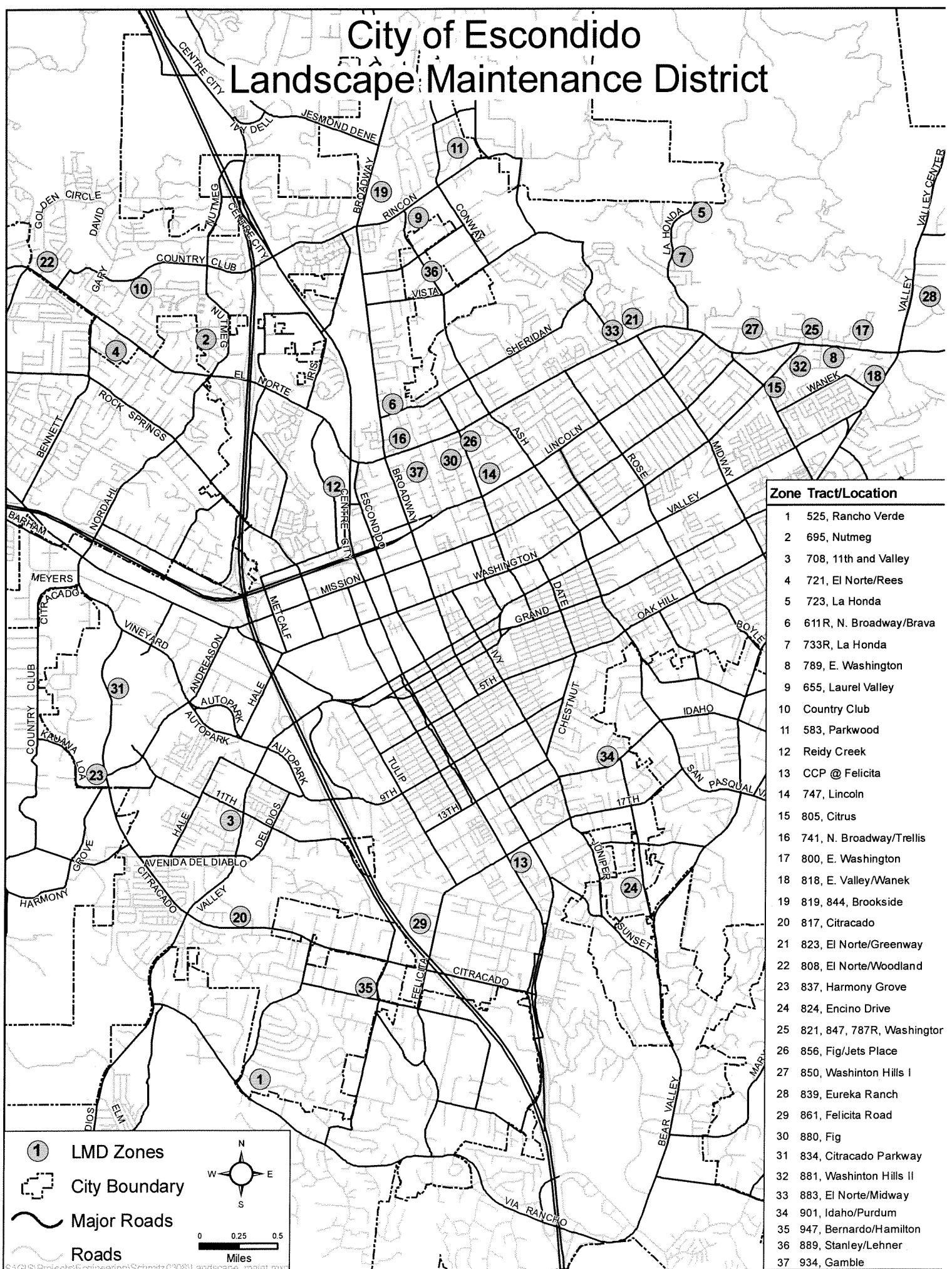
will be requesting City Council approval of the final LMD Engineer's report and the setting of assessments for fiscal year 2012/2013 for LMD Zones 1-37 at the June 20, 2012 City Council meeting.

Respectfully submitted,

  
Edward N. Domingue, P.E.  
Director of Engineering Services

  
Frank P. Schmitz  
Parks and Open Space Administrator

# City of Escondido Landscape Maintenance District



Zone	Tract/Location
1	525, Rancho Verde
2	695, Nutmeg
3	708, 11th and Valley
4	721, El Norte/Rees
5	723, La Honda
6	611R, N. Broadway/Brava
7	733R, La Honda
8	789, E. Washington
9	655, Laurel Valley
10	Country Club
11	583, Parkwood
12	Reidy Creek
13	CCP @ Felicita
14	747, Lincoln
15	805, Citrus
16	741, N. Broadway/Trellis
17	800, E. Washington
18	818, E. Valley/Wanek
19	819, 844, Brookside
20	817, Citracado
21	823, El Norte/Greenway
22	808, El Norte/Woodland
23	837, Harmony Grove
24	824, Encino Drive
25	821, 847, 787R, Washngtor
26	856, Fig/Jets Place
27	850, Washinton Hills I
28	839, Eureka Ranch
29	861, Felicita Road
30	880, Fig
31	834, Citracado Parkway
32	881, Washinton Hills II
33	883, El Norte/Midway
34	901, Idaho/Purdum
35	947, Bernardo/Hamilton
36	889, Stanley/Lehner
37	934, Gamble



# CITY COUNCIL

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 13**

**Date: May 9, 2012**

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Jerry H. Van Leeuwen, Director of Community Services  
**SUBJECT:** Recreation Budget and Program Fee Approval

**RECOMMENDATION:**

It is requested that Council adopt Resolution 2012-75 approving the Recreation Program Fee Schedule and authorizing the Director of Community Services to adjust fees lower if necessary.

**FISCAL ANALYSIS:**

City Council has directed staff to operate recreation programs on a cost recovery basis. Significant progress has been made in this regard in the past two years and especially in the past year; however, increased revenue is required to continue the past level of service and to further achieve the self-sustaining goal. Staff has analyzed the various programs and has prepared suggested adjustments to the fees as shown on Attachment "A" of this report. The budget presented does not anticipate nor require support from the City general fund.

**PREVIOUS ACTION:**

On January 11, 2012, Council approved the Facility Use Policy.

**BACKGROUND:**

Staff has prepared a financial analysis of the programs offered to the community at various City facilities. The analysis was done to move the Recreation Division closer to a full cost recovery model of operation and to determine the maximum fee allowable. The outcome requires potential adjustments ranging from a 2% decrease (adult softball) up to a 134% increase (Escondido Skate Park). In past years, Council had authorized the use of specific revenues to off-set the cost of the programs. These resources have been reduced over the past years due to budget concerns. However, staff has identified other revenue sources to assist in meeting the self-sustaining goal, including facility rentals and sponsorships.

Last year, staff was able to make progress on shifting program costs to the participants in certain programs without a significant loss in participation. In addition, some programs were able to increase

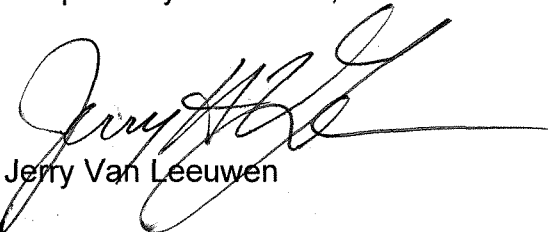
participation and thereby increase revenue. However, in some cases with higher overhead costs, such as local pools, it is necessary to use revenues other than program fees to offset costs.

A significant constraint on setting fees is competition from surrounding communities and private and not for profit organizations that also offer programs and facilities. These organizations effectively establish the market for the programs. In some cases, City programs have a cost to the consumer below market value and in some cases above. Staff is requesting flexibility to adjust fees to sustain program activity.

Based on fiscal analysis and on the cost recovery goal, staff is recommending the attached fee schedule. The suggested fees are the maximum fee to be charged. Staff is also recommending that the Director of Community Services be given authority to lower fees, if necessary, to meet market conditions and/or periodic demand cycles.

The budget submitted for FY2012-2013 is based on the adjusted fee schedule and is balanced using program fees, rental income and sponsorships. The budget does not anticipate nor require support from the City general fund.

Respectfully Submitted,



Jerry Van Leeuwen

**ATTACHMENT "A"**

<u>Program</u>	<u>Current Fee</u>	<u>Maximum Adjustment</u>	<u>Maximum Fee</u>
Aquatics	\$50.00	18%	\$59.00
ACES	\$250.00	64%	\$410.00
Classes (EVCC)	\$10-88.00	96%	\$19.50-172.50
Classes (Mathes)	\$15-100.00	46%	\$22.00-146.00
<u>Sports Center</u>			
Hockey	\$85.00	34%	\$114.00
Soccer	\$79-85.00	16%	\$91.50-98.50
Skate Park	\$ 5.00	134%	\$11.50
Tiny Tots (EVCC)	\$129-194.00	16%	\$149.50-225.00
Tiny Tots (DEA)	\$129-194.00	8%	\$139.50-209.50
Camps	\$98-200.00	20%	\$117.50-240.00
Adult Softball	\$ 425.00	(2%)	\$ 416.50
On Track	\$ 0-\$10.00/day	39%	\$ 0-\$14.00/day

RESOLUTION NO. 2012-75

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF ESCONDIDO, CALIFORNIA,  
APPROVING FEES FOR RECREATION  
PROGRAMS AND AUTHORIZING THE  
DIRECTOR OF COMMUNITY SERVICES TO  
ADJUST FEES

WHEREAS, the City has offered recreation programs for over 50 years for the purpose of benefiting the health and welfare of the residents of the community; and

WHEREAS, the City has facilities appropriate and available to offer programs for community residents; and

WHEREAS, the City Council has directed that all recreation programs be conducted to seek full cost recovery by means of fees which are charged to participants in the program; and

WHEREAS, a financial analysis has determined the maximum fee which should be charged for programs based on actual costs; and

WHEREAS, market conditions also impact and are one of the factors to be taken into account to determine reasonable fees to be charged and sometimes warrant a fee lower than would be justified by a pure cost recovery analysis; and

WHEREAS, the City Council desires at this time, and deems it to be in the best public interest, to adopt the maximum fees, attached as Exhibit "A" to this Resolution and incorporated by this reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That based on the information presented at the City Council meeting on May 9, 2012, and in the staff report, the City Council finds that the fees set forth on Exhibit "A" are justified by the costs necessary to provide the programs for which the fees are charged and that such fees are reasonable in light of the benefits associated with the recreation programs.
3. That the City Council hereby adopts those fees as set forth on Exhibit "A," which is attached and incorporated by this reference.
4. That the City Council authorizes the Director of Community Services to adjust the fees set forth on Exhibit "A" to amounts less than set forth on the Exhibit, based upon local market and competitive factors which he determines are reasonably appropriate. Such adjustment shall not exceed the percentage deviation set forth on Exhibit "A," and shall only occur pursuant to a uniform written schedule after being placed on file with the City Clerk and prominently posted and made available in those locations where recreation services are provided.

PROGRAM	CURRENT FEE	MAXIMUM ADJUSTMENT	MAXIMUM FEE
Aquatics	\$50.00	18%	\$59.00
ACES	\$250.00	64%	\$410.00
Classes (EVCC)	\$10.00-88.00	96%	\$19.50-172.50
Classes (Mathes)	\$15.00-100.00	46%	\$22.00-146.00
<u>Sports Center:</u>			
Hockey	\$85.00	34%	\$114.00
Soccer	\$79.00-85.00	16%	\$91.50-98.50
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Adult Softball	\$425.00	(2%)	\$416.50
On Track	\$0.00-10.00/day	39%	\$0.00-\$14.00/day

**CITY COUNCIL**

For City Clerk's Use:

**APPROVED**       **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.:** 14  
**Date:** **May 9, 2012**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Gilbert Rojas, Director of Finance

**SUBJECT:** Approval of a Line of Credit with Escondido Education Compact (EEC)

**RECOMMENDATION:**

It is requested that Council adopt Resolution No. 2012-71.

**FISCAL ANALYSIS:**

This agreement has no financial impact on the City due to Escondido Education Compact paying portfolio interest rates.

**BACKGROUND:**

This agreement renews a Line of Credit that has been in place since January 3, 2001. It has been renewed on October 23, 2002, July 14, 2004, May 24, 2006, October 1, 2008, and May 19, 2010. The City funds are used by EEC as cash flow since all grant reimbursements received by the agency are on a cost reimbursement basis.

Respectfully submitted,



Gilbert Rojas,  
Director of Finance

RESOLUTION NO. 2012-71

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF ESCONDIDO, CALIFORNIA,  
ESTABLISHING A LINE OF CREDIT FOR  
ESCONDIDO EDUCATION COMPACT

WHEREAS, the City Council co-founded Escondido Education Compact ("EEC") with the Chamber of Commerce, school districts, and area businesses in 1989; and

WHEREAS, EEC is a non-profit organization chartered by a partnership of community groups to support the transition of young people from school to careers; and

WHEREAS, EEC was awarded a grant of \$488,480 for a one-year period that is cost reimbursable; and

WHEREAS, EEC desires a Line of Credit to cover expenditures incurred before receiving reimbursements from the San Diego Workforce Partnership Grant; and

WHEREAS, the City Council desires to provide a Line of Credit to EEC for its financial obligations, up to the amount of thirty thousand dollars (\$30,000), and has authorized the City Manager to enter into this Line of Credit Agreement ("Agreement") on behalf of the City;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the City Manager is authorized to execute, on behalf of the City, an Agreement establishing a Line of Credit in an amount not to exceed \$30,000 with EEC. A copy of the Agreement is attached to this Resolution as Exhibit "A" and is incorporated by this reference.



**LINE OF CREDIT AGREEMENT**

This Agreement is made as of this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Between: City of Escondido  
201 North Broadway  
Escondido, CA 92025  
("City")

And: Escondido Education COMPACT  
2247 East Valley Parkway  
Escondido, CA 92027  
("EEC")

**WHEREAS:**

- A) The City Council co-founded EEC with the Chamber of Commerce, school districts and area businesses in 1989;
- B) EEC is a non-profit organization chartered by a partnership of community groups to support the transition of young people from school to careers;
- C) EEC was awarded a grant of \$488,480 for a one-year period that is cost reimbursable;
- D) EEC requested a Line of Credit to cover expenditures before receiving reimbursement from the San Diego Workforce Partnership Grant;
- E) On May 19, 2010, the City Council approved Resolution 2010-80 for a line of credit for this same purpose (the "Original Line of Credit"); and
- F) The City Council desires to extend the Original Line of Credit to EEC for its financial obligations, up to the amount of thirty thousand dollars (\$30,000), and has authorized the City Manager to enter into this Agreement on behalf of the City.

**NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

- 1) City agrees to provide a Line of Credit up to a maximum amount of thirty thousand dollars (\$30,000) to aid EEC to fulfill its financial obligations.

- 2) EEC may make a draw under this Line of Credit by submitting a letter request ("Draw") to the City Director of Finance, Gilbert Rojas, specifying the desired amount of the Draw.
- 3) Upon payment by the City of any amount requested in a Draw by EEC under this Agreement, EEC will become indebted by that amount to the City. Such indebtedness shall bear interest at the City's average portfolio rate, which shall be reviewed quarterly.
- 4) Interest will be paid at the time of principal payment or semi-annually if no principal payment is made within 6 months. Repayment is based on interest due first, then on oldest principal draw.
- 5) Any payment made by the City to EEC as a Draw under this Agreement, shall be accompanied by a letter from the City's Director of Finance, Gilbert Rojas, stating the amount of the current Draw, the total amount of outstanding principal owed by EEC under this Agreement to the City of Escondido, and the amount of remaining credit available to EEC. A copy of each such letter shall be attached to this Agreement, and shall be incorporated by reference.
- 6) The City may terminate this Agreement at any time for any reason with fourteen (14) days advance written notice to EEC.
- 7) If this Agreement has not terminated pursuant to the paragraph above, the Agreement will automatically terminate on June 30, 2014.
- 8) Full repayment of all interest and principal shall be made on the earliest of June 30, 2014, upon termination of this Agreement or in the event of discontinued funding from Grantors.
- 9) After June 30, 2014, any unpaid principal and interest owed by EEC under this Agreement shall be deemed a "Delinquent Balance." The Delinquent Balance shall begin accruing interest on July 1, 2014, at the rate of ten percent (10%) per annum until paid in full.
- 10) This Agreement is between the City and EEC exclusively, and the parties do not intend there to be any third party beneficiaries to the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year noted below.

CITY OF ESCONDIDO

Date: \_\_\_\_\_

\_\_\_\_\_  
Clay Phillips  
City Manager

Escondido Education COMPACT

Date: \_\_\_\_\_

\_\_\_\_\_  
Jack Anderson  
Chairman

*(The above signature must be notarized)*

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY  
JEFFREY R. EPP, City Attorney

By: \_\_\_\_\_

**FUTURE CITY COUNCIL AGENDA ITEMS**  
**May 03, 2012**

AGENDA ITEMS AND COUNCIL MEETING DATES ARE SUBJECT TO CHANGE.  
CHECK WITH THE CITY CLERK'S OFFICE AT 839-4617

**MAY 16, 2012**  
**No Meeting**

Green Sheet Due by Noon on Monday 5/7/12  
Staff Reports/Resos due by Noon on Tuesday 5/15/12

**MAY 23, 2012**  
**4:30 p.m.**

**CONSENT CALENDAR**

**Utilities Department CIP Budget Adjustment**  
(C. McKinney)

*This budget adjustment has a net zero impact on the CIP Water budget.*

**Reaffirm Emergency Contracts Issued without a Bid Process for Repairs and Cleanup after the Sodium Hydroxide Spill at the WTP**  
(C. McKinney)

*Reaffirm emergency contracts related to the sodium hydroxide Spill*

**Authorize the Purchase of Mobile and Portable Radios**  
(M. Lowry)

*The Fire Department has been awarded federal funding to purchase P-25 compliant portable and mobile radios. Since Escondido is an integral part of San Diego County's Regional Communications Contract, we will be utilizing a cooperative contract for the purchase of the Motorola equipment.*

**FY 2011 State Homeland Security Grant Program (SHSGP)**  
(M. Lowry)

*The FY11 SHSGP is a continuation of Federal funding from the DHS. The City began receiving DHS grant funds in 2003; funding has continued each subsequent year at varying levels. Funds will be used to continue strengthening and sustaining the City's emergency preparedness capabilities through both the Police and Fire Departments.*

**MAY 23, 2012**  
**Continued**

**CONSENT CALENDAR Continued**

**Conflict of Interest Code Update**  
(J. McCain)

*(Need Green Sheet)*

**Notice of Completion for 715 Mission Grove Road**  
(E. Domingue)

*Mission Grove is a five building, 55 unit, low income apartment complex located off Mission Avenue on Mission Grove Place. The public improvements included street improvements, curb, gutter, sidewalk, water line, sewer line, streetlights and underground dry utilities.*

**Notice of Completion for Tract 947**  
(E. Domingue)

*Tract 947 was developed by Galey Homes. It is a seven lot subdivision located at Hamilton and Bernardo and the public improvements made include street, curb, gutter, sidewalk, sewer, water (Rincon) and streetlights.*

**PUBLIC HEARINGS:**

**Charter City – 2<sup>nd</sup> Public Hearing (6:00 p.m.)**  
(J. McCain)

*(Need Green Sheet)*

**CURRENT BUSINESS**

**Contract with JC Resort- Reidy Creek**  
(G. Rojas)

*(Need Green Sheet)*

**WORKSHOP**

**Future Agenda Items (D. Halverson)**