



Council Meeting Agenda

MARCH 4, 2015
CITY COUNCIL CHAMBERS
3:30 P.M. Closed Session; 4:30 P.M. Regular Session
201 N. Broadway, Escondido, CA 92025

- | | |
|-----------------------------------|---|
| MAYOR | Sam Abed |
| DEPUTY MAYOR | Michael Morasco |
| COUNCIL MEMBERS | Olga Diaz
Ed Gallo
John Masson |
| CITY MANAGER | Clay Phillips |
| CITY CLERK | Diane Halverson |
| CITY ATTORNEY | Jeffrey Epp |
| DIRECTOR OF COMMUNITY DEVELOPMENT | Barbara Redlitz |
| DIRECTOR OF PUBLIC WORKS | Ed Domingue |

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

March 4, 2015
3:30 P.M. Meeting

Escondido City Council

CALL TO ORDER

ROLL CALL: Diaz, Gallo, Masson, Morasco, Abed

ORAL COMMUNICATIONS

In addition to speaking during particular agenda items, the public may address the Council on any item which is not on the agenda provided the item is within the subject matter jurisdiction of the City Council. 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.) Speakers are limited to only one opportunity to address the Council under Oral Communications.

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

- I. **CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
 - a. **Agency Negotiator:** Sheryl Bennett & Clay Phillips
Employee Organization: Maintenance & Operations, Teamsters Local 911
 - b. **Agency Negotiator:** Sheryl Bennett & Clay Phillips
Employee Organization: Escondido City Employee Association: Supervisory Bargaining Unit
 - c. **Agency Negotiator:** Sheryl Bennett & Clay Phillips
Employee Organization: Escondido City Employee Association: Administrative/Clerical/Engineering Bargaining Unit
- II. **CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))**

Case Name: Wise v. City of Escondido
Case No: 37-2014-00083252-CU-WM-NC

Case Name: Stuck in the Rough, LLC v. City of Escondido, et al.
Case No: 37-2013-00074375-CU-WM-NC

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

- a. **Property:** 165 E. Lincoln Parkway
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: San Diego Auto Thrift
Under Negotiation: Price and Terms of Agreement

- b. **Property:** 700 West Grand Avenue
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: Integral Communities
Under Negotiation: Price and Terms of Agreement

ADJOURNMENT



Council Meeting Agenda

**March 4, 2015
4:30 P.M. Meeting**

**Escondido City Council
and as Successor Agency to the CDC**

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, Masson, Morasco, Abed

PRESENTATIONS:

PROCLAMATIONS: Native Plant Week

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.) NOTE: Depending on the number of requests, comments may be reduced to less than 3 minutes per speaker and limited to a total of 15 minutes. Any remaining speakers will be heard during Oral Communications at the end of the meeting.

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/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: Regular Meeting of February 4, 2015**

4. **TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2014 -**
Request Council receive and file the October through December 2014 Quarterly Investment Report.

Staff Recommendation: **Receive and File (City Treasurer's Office: Kenneth C. Hugins)**

5. **LEASE AGREEMENT WITH CUSTOM BLOW MOLDING AT 480 NORTH SPRUCE STREET AND BUDGET ADJUSTMENT -**

Request Council approve authorizing the Real Property Manager and City Clerk to execute a Lease Agreement with Custom Blow Molding at 480 N. Spruce Street; approve a Budget Adjustment; and approve a decrease to the Successor Agency Available Fund Balance by \$28,547.56 and an increase to the Successor Agency Professional Services budget by \$28,547.56 to pay brokerage commissions associated with this lease.

Staff Recommendation: **Approval (City Manager's Office: Debra Lundy)**

RESOLUTION NO. 2015-29

6. **AUTHORIZATION TO APPLY FOR A \$30,000 CALIFORNIA PUBLIC LIBRARY BROADBAND GRANT AND APPROVAL OF A BUDGET ADJUSTMENT OF LIBRARY TRUST FUND MONIES -**

Request Council approve authorizing a grant application to the California State Library for a \$30,000 California Public Library Broadband Grant Program and approve a budget adjustment of \$30,000 from the Library Trust Fund to the Library Trust Special Projects account for the purchase of the required equipment to implement the broadband upgrade.

Staff Recommendation: **Approval (Community Services Department: Loretta McKinney)**

7. **FINAL CITY COUNCIL ACTION PLAN REPORT FOR 2013-2014 -**

Request Council receive and file the final status report of the two-year City Council Action Plan for 2013 and 2014.

Staff Recommendation: **Receive and File (City Manager's Office: Joyce Masterson)**

8. **SOUTH ESCONDIDO BOULEVARD / QUINCE STREET AREA PLAN (PHG 15-0003) -**

Request Council approve authorizing the Mayor and City Clerk to execute a consulting agreement and scope of services with CityPlace Planning for a fixed fee not to exceed \$156,230 to prepare an Area Plan for the combined South Quince Street, South Escondido Boulevard and Centre City Parkway Target Areas.

Staff Recommendation: **Approval (Community Development Department: Barbara Redlitz)**

RESOLUTION NO. 2015-25

CONSENT – RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/Successor Agency/RRB at a previous City Council/Successor Agency/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

9. [ZONING CODE AMENDMENT AND CONDITIONAL USE PERMIT REGARDING DOG BOARDING \(AZ 14-0003 AND PHG 14-0029\) -](#)

Approved on February 4, 2015 with a vote of 5/0

ORDINANCE NO. 2015-04 (Second Reading and Adoption)

PUBLIC HEARINGS

10. [OAK CREEK PROJECT ANNEXATION, TENTATIVE SUBDIVISION MAP, PRELIMINARY, MASTER AND PRECISE DEVELOPMENT PLAN, PRE-ZONE, GRADING EXEMPTIONS, SPECIFIC ALIGNMENT PLAN AND FINAL ENVIRONMENTAL IMPACT REPORT \(SUB 13-0002, PHG 13-0017, ENV 13-0006\) -](#)

Request Council approve a Tentative Subdivision Map for 65 single-family residential lots on a 37.59-acre property in conjunction with annexation of the development site and three additional parcels. The project would prezone the residential development site to Planned Development - Residential 1.75 (1.75 dwelling units/acre) while the remaining annexation area on the eastern side of Miller Avenue would be rezoned RE-20 (Residential Estates - 20,000 SF minimum lot size). A Preliminary, Master and Precise Development Plan has been included for the development site to implement residential lot clustering and residential lot sizes ranging from approximately 10,000 SF to 22,500 SF with the average residential lot size being 12,585 SF. Two Grading Exemptions are requested for a 2:1 cut slope up to 35 feet high and a 2:1 fill slope up to 17 feet high. The project also proposes a Specific Alignment Plan for both Felicita Road and Hamilton Lane to establish modified pavement widths and improvements for both streets in conjunction with a traffic calming plan for the portion of Felicita Road that generally extends from Hamilton Lane south to Clarence Lane.

Staff Recommendation: **Approval (Community Development Department: Barbara Redlitz)**

A) RESOLUTION NO. 2015-27 B) ORDINANCE NO. 2015-07 (Introduction and First Reading)

CURRENT BUSINESS

11. [APPOINTMENT TO PLANNING COMMISSION -](#)

Request Council ratify the Mayor's appointment to fill an unscheduled vacancy on the Planning Commission, term to expire March 31, 2016.

Staff Recommendation: **Ratify the Mayor's Appointment (City Clerk's Office: Diane Halverson)**

FUTURE AGENDA

12. [FUTURE AGENDA -](#)

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)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

CITY MANAGER'S UPDATE/BRIEFING

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.

- [CITY MANAGER'S UPDATE -](#)

ORAL COMMUNICATIONS

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ADJOURNMENT

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
March 11	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers
March 18	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers
March 25	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers
April 1	-	-	No Regular 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. Submission of Speaker forms prior to the discussion of an item is highly encouraged. 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.

Nomination forms for Community Awards are available at the Escondido City Clerk's Office or at <http://www.escondido.org/city-clerks-office.aspx>

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.escondido.org/meeting-agendas.aspx>
- 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, and clicking the "Live Streaming –City Council Meeting now in progress" button on the home page.

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 Successor Agency to the CDC, Escondido Joint Powers
Financing Authority and the Mobilehome Rent Review Board.**

**CITY HALL HOURS OF OPERATION
Monday-Friday 8:00 a.m. to 5:00 p.m.**



If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 839-4643. 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 OF ESCONDIDO
February 4, 2015
3:30 P.M. DRAFT Meeting Minutes
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 3:30 p.m. on Wednesday, February 4, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE:

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, Deputy Mayor Michael Morasco, and Mayor Sam Abed. Quorum present.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to recess to Closed Session. Motion carried unanimously.

I. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))

Case Name: Donald Tulimero v. City of Escondido
Case No: ADJ9462224
Claim Nos.: 14552089; 04018128

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

a. **Property:** 480 N. Spruce Street
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: Custom Blow Molding
Under Negotiation: Price and Terms of Agreement

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:05 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
February 4, 2015
4:30 P.M. DRAFT Meeting Minutes

Escondido City Council
and as Successor Agency to the CDC

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:31 p.m. on Wednesday, February 4, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:

Michael Lutsch led the Moment of Reflection.

FLAG SALUTE:

Mayor Abed led the Flag Salute.

PRESENTATIONS:

Mayor Abed introduced Juanita Hayes, Public Affairs Manager for San Diego Gas & Electric, and Carl LePeter, Plant Manager at the Palomar Energy Center, who presented a donation to the City.

ATTENDANCE:

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, Deputy Mayor Michael Morasco, and Mayor Sam Abed. Quorum present.

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Public Works Director; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

ORAL COMMUNICATIONS

CONSENT CALENDAR

Deputy Mayor Morasco removed items 9 and 11, Councilmember Masson removed item 10, and Mayor Abed removed item 12 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo that the following Consent Calendar items be approved with the exception of items 9, 10, 11 and 12. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: A) Regular Meeting of January 7, 2015 B) Regular Meeting of January 14, 2015**

4. **AUTHORIZATION TO PURCHASE ONE (1) ADDITIONAL AMBULANCE -**
Request Council approve the sole source purchase of one (1) 2015 Ford E-450 Type III Lifeline Superliner Module Ambulance built to the Escondido Fire Department specifications from the Emergency Vehicle Group (EVG). (File No. 0470-35)

Staff Recommendation: **Approval (Fire Department: Michael Lowry)**

5. **DISPOSITION OF PROPERTY: 1751 CITRACADO PARKWAY, LOT #196 AT MOUNTAIN SHADOWS MOBILE HOME PARK -**
Request Council approve authorizing the Real Property Manager and City Clerk to execute a grant deed and documents necessary to complete the sale of 1751 Citracado Parkway, Lot #196 at Mountain Shadows Mobile Home Park. (File No. 0690-20)

Staff Recommendation: **Approval (City Manager's Office: Debra Lundy)**

RESOLUTION NO. 2015-22

6. **BID AWARD OF A DUMP TRUCK -**
Request Council approve awarding the bid for a dump truck to San Diego Freightliner in the amount of \$129,870.22 which includes sales tax, documentation and California State Tire Recycling fees. Unit number 3591, 1993 GMC Topkick, 10-yard dump truck, 38,610 miles, is being replaced due to exceeding the standard service life expectancy, mechanical failures, and severe cab and body corrosion. The standard life expectancy on this type of unit is fifteen years; however, this unit was extended an additional six years due to budgetary reasons. (File No. 0470-35)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

RESOLUTION NO. 2015-09

7. **ADOPTION OF RESOLUTION NO. 2015-20 APPROVING RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 15-16A) FOR JULY 2015 THRU DECEMBER 2015 -**
Request Council approve adopting the Recognized Obligation Payment Schedule (ROPS 15-16A) so that the Successor Agency may continue to make payments due for enforceable obligations. (File No. 0440-35)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

RESOLUTION NO. 2015-20

8. **APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR THOMAS ALBERGO -**
Request Council approve the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Police Lieutenant Thomas Albergo. (File No. 0170-57)

Staff Recommendation: **Approval (Human Resources Department: Sheryl Bennett)**

RESOLUTION NO. 2015-21

9. **ESTABLISH ENGINEERING AND TRAFFIC SURVEYS AT THIRTEEN (13) LOCATIONS CITYWIDE -**
Request Council approve establishing Engineering and Traffic Surveys (speed surveys) at thirteen (13) locations Citywide. (File No. 1050-45)

Staff Recommendation: **Approval (Public Works Department/Engineering: Ed Domingue)**

RESOLUTION NO. 2015-18

Deputy Mayor Morasco requested clarification about the survey.

Rachael Kassebaum, Engineering, presented information about speed surveys for Bear Valley Parkway and Lincoln Parkway from Broadway to Fig.

MOTION: Moved by Councilmember Gallo and seconded by Deputy Mayor Morasco to approve establishing Engineering and Traffic Surveys (speed surveys) at thirteen (13) locations Citywide and adopt Resolution No. 2015-18. Motion carried unanimously.

10. FINAL MAP, ESCONDIDO TRACT SUB 13-0009, LOCATED AT 2412-2418 SOUTH ESCONDIDO BOULEVARD -

Request Council approve the Final Map for Tract SUB 13-0009, a One Lot, 76 Unit Residential Condominium Subdivision located at 2412-2418 South Escondido Boulevard. (File No. 0800-10)

Staff Recommendation: **Approval (Public Works Department/Engineering: Ed Domingue)**

Councilmember Masson abstained from vote.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve the Final Map for Tract SUB 13-0009, a One Lot, 76 Unit Residential Condominium Subdivision located at 2412-2418 South Escondido Boulevard. Ayes: Abed, Diaz, Morasco and Gallo. Noes: None. Abstained: Masson. Motion carried.

11. ALL-WAY STOP CONTROL REQUEST FOR THE INTERSECTION OF BEETHOVEN DRIVE AND INSPIRATION LANE -

Request Council approve amending the City's schedule of stop signs to add two (2) new stop signs for the intersection of Beethoven Drive and Inspiration Lane. (File No. 1050-50)

Staff Recommendation: **Approval (Public Works Department/Engineering: Ed Domingue)**

RESOLUTION NO. 2015-23

Deputy Mayor Morasco requested a presentation on the intersection.

Abraham Bandegan, Engineering, presented the staff report, utilizing a PowerPoint presentation.

MOTION: Moved by Councilmember Masson and seconded by Deputy Mayor Morasco to approve amending the City's schedule of stop signs to add two (2) new stop signs for the intersection of Beethoven Drive and Inspiration Lane and adopt Resolution No. 2015-23. Motion carried unanimously.

12. AWARD CONTRACT FOR LED STREET LIGHT RETROFIT PROJECT -

Request Council approve authorizing the purchase and installation of two hundred and seventy nine (279) LED street lights pursuant to Escondido Municipal Code Section 10-90 for the Street Light Retrofit Project. The LED street lights are to be purchased from and installed by Southern Contracting Company, San Marcos, California through cooperative purchasing with the City of San Diego in the total amount of \$125,157.34. (File No. 0470-35)

Staff Recommendation: **Approval (Public Works Department/Engineering: Ed Domingue)**

RESOLUTION NO. 2015-24

Mayor Abed spoke on the Light Retrofit Project.

Abraham Bandegan, Engineering, presented a visual display of the project.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve authorizing the purchase and installation of two hundred and seventy nine (279) LED street lights pursuant to Escondido Municipal Code Section 10-90 for the Street Light Retrofit Project. The LED street lights are to be purchased from and installed by Southern Contracting Company, San Marcos, California through cooperative purchasing with the City of San Diego in the total amount of \$125,157.34 and adopt Resolution No. 2015-24. Motion carried unanimously.

CONSENT – RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/Successor Agency/RRB at a previous City Council/Successor Agency/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

PUBLIC HEARINGS

13. TAX EQUITY AND FISCAL RESPONSIBILITY ACT HEARING FOR CYPRESS COVE APARTMENTS -

Request Council approve the issuance by California Statewide Communities Development Authority (CSCDA) of Multifamily Housing Revenue Bonds for Cypress Cove Apartments located at 260 North Midway Drive, Escondido, California 92027 in an amount not to exceed \$35,000,000. (File No. 0440-65)

Staff Recommendation: **Approval (Community Development Department: Barbara Redlitz)**

RESOLUTION NO. 2015-03R

Karen Youel, Housing Department, presented the staff report, utilizing a PowerPoint presentation.

Sylvia Martinez, Community Housing Works, was available to answer questions.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve the issuance by California Statewide Communities Development Authority (CSCDA) of Multifamily Housing Revenue Bonds for Cypress Cove Apartments located at 260 North Midway Drive, Escondido, California 92027 in an amount not to exceed \$35,000,000 and adopt Resolution No. 2015-03R. Motion carried unanimously.

14. ZONING CODE AMENDMENT AND CONDITIONAL USE PERMIT REGARDING DOG BOARDING (AZ 14-0003 AND PHG 14-0029) -

Request Council approve introducing Ordinance No. 2015-04 pertaining to Article 26 of the Escondido Zoning Code to allow dog and cat boarding as a conditional use within M-1 and M-2 zones and approve a Conditional Use Permit to allow dog and cat boarding within an approximately 3,600 SF industrial suite in the M-2 zone, located at 2750 Auto Park Way. (File No. 0810-20)

Staff Recommendation: **Approval (Community Development Department: Barbara Redlitz)**

A) RESOLUTION NO. 2015-07 B) ORDINANCE 2015-04 (First Reading and Introduction)

Bill Martin, Deputy Director of Planning, presented the staff report, utilizing a PowerPoint Presentation.

Penny DiLoreto, Escondido, answered questions and explained the service her business provides.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to introduce Ordinance No. 2015-04 pertaining to Article 26 of the Escondido Zoning Code to allow dog and cat boarding as a conditional use within M-1 and M-2 zones and approve a Conditional Use Permit to allow dog and cat boarding within an approximately 3,600 SF industrial suite in the M-2 zone, located at 2750 Auto Park Way and adopt Resolution No. 2015-07. Motion carried unanimously.

15. WATER AND WASTEWATER RATE ADJUSTMENTS FOR 2015 AND 2016 -

Request Council approve Utility rate adjustments, effective March 1, 2015, to increase Water Fund revenue by 5.5% and Wastewater Fund revenue by 6.0%; approve Utility rate adjustments, effective March 1, 2016, to increase Water Fund revenue by an additional 5.5% and Wastewater Fund revenue by an additional 6.0%; approve annual increases through 2019 for two "pass-through" charges: (1) the Infrastructure Access Charge levied by the San Diego County Water Authority, and (2) the Readiness-to-Serve Charge levied by the Metropolitan Water District of Southern California; and

approve a reduction of the letter fee charged to customers with delinquent accounts from \$15.00 to \$1.50. (File No. 1320-65)

Staff Recommendation: **Approval (Utilities Department: Christopher W. McKinney)**

RESOLUTION NO. 2015-17 (R)

Chris McKinney, Director of Utilities, presented the Staff Report, utilizing a PowerPoint presentation.

Sally Roney, Escondido, spoke to the Council about overcharges.

Richard Kolb, Escondido, questioned the Council about water rates, what percentage of the output from the Poseidon Plant Escondido will receive, and if there are other water sources that the City can use during a drought.

Edward Grangetto, Escondido, presented a video about the water drought in California and expressed his support for Option 1-AG.

Phil Henry, Escondido, spoke in support of the Recycled Water Project and encouraged the Council to vote on Option 1-AG.

Bernard Rubin, Escondido, stated that water and wastewater rates are too high.

Rosana Miani, Escondido, expressed concern about rates and that the tier system is unfair.

Chris Splane, Escondido, expressed concerns about tier levels.

Martin Wascher, Escondido, questioned staff about charges on his utilities account.

MOTION: Moved by Councilmember Masson and seconded by Deputy Mayor Morasco to approve Utility rate adjustment Option 1-AG for two years, effective March 1, 2015, to increase Water Fund revenue by 5.5% and Wastewater Fund revenue by 6.0%; approve Utility rate adjustments, effective March 1, 2016, to increase Water Fund revenue by an additional 5.5% and Wastewater Fund revenue by an additional 6.0%; approve annual increases through 2019 for two "pass-through" charges: (1) the Infrastructure Access Charge levied by the San Diego County Water Authority, and (2) the Readiness-to-Serve Charge levied by the Metropolitan Water District of Southern California; and approve a reduction of the letter fee charged to customers with delinquent accounts from \$15.00 to \$1.50 and adopt Resolution No. 2015-17 (R). Motion carried unanimously.

CURRENT BUSINESS

16. GRAPE DAY PARK CONCEPTUAL MASTER PLAN AND PLAYGROUND DESIGN (PHG 13-0029)

Request Council approve accepting the conceptual Grape Day Park Master Plan; provide staff direction regarding preparation of an environmental review required prior to formally adopting the Master Plan; provide staff direction to proceed with the purchase of the play equipment, environmental review, design and construction of the Grape Day Park playground. (File No. 0915-10)

Staff Recommendation: **Approval (Community Services Department: Loretta McKinney)**

Loretta McKinney, Director of Library and Community Services, presented the staff report, utilizing a PowerPoint presentation.

Doug Grove, Architect, presented the Draft Master Plan.

Wendy Barker, Escondido History Center, stated her support for the Master Plan, and expressed the need for a new restroom facility.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve accepting the conceptual Grape Day Park Master Plan; provide staff direction regarding preparation of an environmental

review required prior to formally adopting the Master Plan; provide staff direction to proceed with the purchase of the play equipment, environmental review, design and construction of the Grape Day Park playground. Motion carried unanimously.

17. APPOINTMENTS TO BUILDING ADVISORY & APPEALS BOARD AND PLANNING COMMISSION -

Request Council ratify the Mayor's appointment to (1) fill an unscheduled vacancy on the Building Advisory & Appeals Board, term to expire March 31, 2018; and (2) fill an unscheduled vacancy on the Planning Commission, term to expire March 31, 2016. (File No. 0120-10)

Staff Recommendation: **Ratify the Mayor's Appointments (City Clerk's Office: Diane Halverson)**

Mayor Abed stated that he would like to extend the deadline for Planning Commission Applications.

Mayor Abed nominated Robert McCollough to the Building Advisory and Appeals Board.

Robert McCollough, applicant, addressed the Council with regards to his qualifications.

MOTION: Moved by Councilmember Abed and seconded by Deputy Mayor Morasco to ratify the Mayor's appointment to (1) fill an unscheduled vacancy on the Building Advisory & Appeals Board, term to expire March 31, 2018. Motion carried unanimously.

No appointments were made to the Planning Commission.

FUTURE AGENDA

18. FUTURE AGENDA -

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)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Gallo reported on the North County Transit Committee meeting and the signing of a fuel contract for the next year. Mark Packard was nominated as chairman of the North County Transit District and Rebecca Jones as Vice Chair. Councilmember Gallo was selected as the chairman of the Marketing Service Planning and Business Development Committee (MSPBD); He also noted that the San Diego County Water Authority is accepting applications for the Citizens Water Academy.

Councilmember Diaz reported on the San Dieguito River Park meeting; an Executive Director Search Committee was established; Reported on the Escondido Creek Watershed Alliance, meetings to be held quarterly.

Deputy Mayor Morasco reported on the Annual City Awards Subcommittee meeting; Reported on the Regional Solid Waste Meeting.

Councilmember Masson reported on The Housing Committee and Economic Development Policy Committee meeting in Sacramento.

Mayor Abed reported on the SANDAG retreat and stated the overall message was that the public needs options for transportation in the future; he referenced the TransNet 2 Report and the Quality of Life Tax.

Mayor Abed shared a compliment from the public regarding Officer Paul Smyth and his exceptional job performance during a burglary investigation.

CITY MANAGER'S UPDATE/BRIEFING

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.

- **CITY MANAGER'S UPDATE –**

ORAL COMMUNICATIONS

ADJOURNMENT

Mayor Abed adjourned the meeting at 8:34 p.m.

MAYOR

CITY CLERK

MINUTES CLERK



CITY COUNCIL

For City Clerk's Use:

APPROVED DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 4

Date: March 4, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Kenneth C. Hugins, City Treasurer

SUBJECT: Treasurer's Investment Report for the Quarter Ended December 31, 2014

RECOMMENDATION:

It is requested that Council receive and file the Quarterly Investment Report

PREVIOUS ACTION:

The Investment Report for the quarter ended September 30, 2014, was filed with the City Clerk's Office on October 31, 2014, and presented to the City Council on December 10, 2014.

BACKGROUND:

From October 1, 2014, to December 31, 2014, the City's investment portfolio decreased from \$112.1 million to \$111.0 million. The adjusted average annual yield increased from 1.071 % to 1.11%. An excess of cash payment outflows over cash receipt inflows for the quarter resulted in a decrease of \$1.1 million in the book value of the investment portfolio. Major components of the net \$1.1 million decrease are:

		<u>IN MILLIONS</u>
County Property Tax Allocations	\$	6.7
Sales Tax Allocations		6.3
Project Reimbursements		1.5
State Highway Users Tax Allocations		1.2
Franchise Fee Receipts		.8
Interest Receipts		.4
HUD Receipts		.3
County Water Authority Payments		(6.4)
CALPERS Contributions		(5.3)
Employee Health and Benefit Payments		(2.4)
Change in Operational Account Balance		(4.2)
		<hr/>
NET Decrease to Investment Portfolio	\$	<u>(1.1)</u>

Details of the City's investment portfolio are included in the attached reports that are listed below:

- Summary of Investment Allocation Graph as of December 31, 2014
- Summary of Investment Portfolio Yield for the last 12 months
- Summary and Detailed Reports of Investment Portfolio – October 2014 through December 2014
- Schedule of Investments Matured and Sold – October 2014 through December 2014
- Schedule of Funds Managed by Outside Parties as of December 31, 2014

There are adequate funds to meet the next six month's expected expenditures. The Bank of New York Mellon Trust's monthly statement is the source for the market valuation. At December 31, the current portfolio investments balance exceeded the City's \$22.1 million investment policy requirement by over \$16 million. As of December 31, 2014, the City is in compliance with all requirements of the City Investment Policy.

Investment transactions are executed in compliance with the City of Escondido's Investment Policy. Investment purchases have been made in accordance with the City's prioritized Investment Policy objectives of safety of principal, sufficiency of liquidity and maximization of yield. The City's investment portfolio has therefore historically been comprised of United States Treasury Notes, obligations issued by United States Government Agencies, Money Market accounts and investments in the Local Agency Investment fund (LAIF) established by the State Treasurer. Over the past 5 years, a decline in the City's monthly investment portfolio yield has been realized, decreasing from 2.72% at December 2009 to 1.23% at December 2014. This decline is representative of the continuous decline in investment interest rates and the portfolio's maturing, higher yielding investments being replaced with newer, lower yielding investments.

The Investment Committee will continue to monitor the City's portfolio trends and will investigate the feasibility of other allowable investment options that are consistent with the City's investment strategy and objectives. Additional information on these options and recommendations will continue to be communicated to council by the Investment Committee.

Respectfully submitted,



Kenneth C. Hugins
City Treasurer

**City of Escondido
Summary of Investment Allocation
as of December 31, 2014**

Investment Type	Book Value	Market Value	Percent of Portfolio at Market
Federal Farm Credit Bank Notes	\$ 9,885,879.18	\$ 9,943,302.00	8.90%
Federal Home Loan Bank Notes	24,410,587.90	24,553,037.60	21.99%
Federal Home Loan Mortgage Corp. Notes (FreddieMac)	20,512,282.13	20,811,255.00	18.64%
Federal National Mortgage Assoc. Notes (FannieMae)	26,566,097.79	26,724,124.05	23.93%
US Treasury Notes	1,000,574.18	1,008,200.00	0.90%
Local Agency Investment Fund(LAIF): US Gov't Investment portion	9,599,905.61	9,599,905.61	8.60%
Local Agency Investment Fund (LAIF): Other investment portion	10,631,718.44	10,631,718.44	9.52%
Negotiable Certificates of Deposit	5,438,000.00	5,478,297.25	4.91%
Money Market	2,921,770.29	2,921,770.29	2.62%

Reported Total Investments - December 2014	\$ 110,966,815.52	\$ 111,671,610.24	100%
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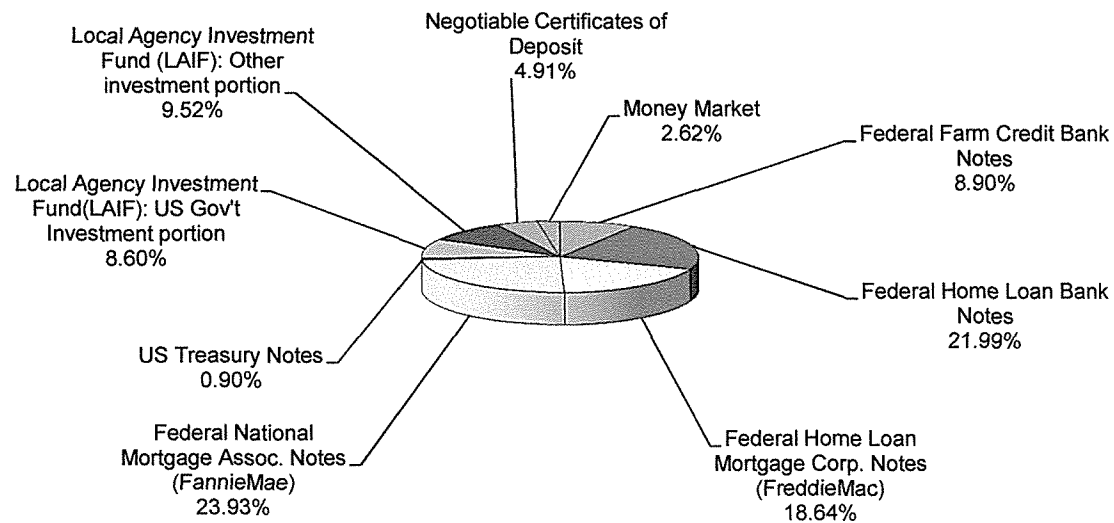
Reported Total Investments- September 2014	\$ 112,065,953.91	\$ 112,754,726.67	
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Change from Prior Quarter	\$ (1,099,138.39)	\$ (1,083,116.43)	
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Portfolio Effective Duration	1.750
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Portfolio Effective Duration - (Excluding LAIF and Money Market)	2.210
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Summary of Investment Allocation as of December 31, 2014



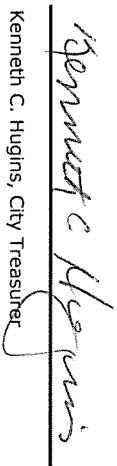
**CITY OF ESCONDIDO
SUMMARY OF INVESTMENT PORTFOLIO YIELDS
FOR THE LAST 12 MONTHS
As of December 31, 2014**

Date	Book Value	Yield
Dec-14	\$ 110,966,815.52	1.2290%
Nov-14	\$ 103,251,314.27	1.2810%
Oct-14	\$ 107,292,664.27	1.1550%
Sep-14	\$ 112,065,953.91	1.1210%
Aug-14	\$ 110,355,902.69	1.1510%
Jul-14	\$ 128,445,700.94	1.0050%
Jun-14	\$ 128,230,772.07	1.0610%
May-14	\$ 123,818,973.90	1.0320%
Apr-14	\$ 115,865,261.67	1.0890%
Mar-14	\$ 113,898,134.22	1.1060%
Feb-14	\$ 116,190,926.23	1.0880%
Jan-14	\$ 119,387,994.05	1.0060%

Average Annual Investment Portfolio Yield 1.1103%

Tracker
 City of Escondido
 Portfolio Holdings
 Investment Portfolio - by Asset Class, Summary
 Report Format: By Totals
 Group By: Asset Class
 Average By: Face Amount / Shares
 Portfolio / Report Group: All Portfolios
 As of 10/31/2014

Description	Face Amount/Shares	Cost Value	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund	27,231,624.05	27,231,624.05	27,231,624.05	27,231,624.05	1	0.261
Federal Agency Coupon Securities	72,705,000.00	74,684,896.59	74,244,364.26	73,441,064.52	788	1.480
Money Market Account	921,169.56	921,169.56	921,169.56	921,169.56	1	0.200
Negotiable Certificate of Deposit	4,698,000.00	4,698,000.00	4,731,387.06	4,698,000.00	1222	1.334
Treasury Coupon Securities	1,000,000.00	1,006,875.00	1,011,480.00	1,000,806.14	212	1.978
Total / Average	106,555,793.61	108,542,565.20	108,140,024.93	107,292,664.27	594	1.155


 Kenneth C. Huggins, City Treasurer

Tracker
City of Escondido
Portfolio Holdings
Investment Portfolio - by Asset Class
Report Format: By Transaction
Group By: Asset Class
Average By: Face Amount / Shares
Portfolio / Report Group: All Portfolios
As of 10/31/2014

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund								
LAI F LGIP	LGIP7282	LAI F	5/31/2011	27,231,624.05	27,231,624.05	27,231,624.05	1	0.261
Sub Total / Average				27,231,624.05	27,231,624.05	27,231,624.05	1	0.261
Federal Agency Coupon Securities								
FFCB 1.61 8/1/2018	3133ECW75	FFCB	2/3/2014	1,000,000.00	1,016,740.00	1,006,158.32	1370	1.440
FFCB 2.4 3/15/2016	31331KEK2	FFCB	3/24/2011	1,000,000.00	1,023,990.00	1,001,740.00	501	2.265
FFCB 4.55 3/4/2015	31331SNP4	FFCB	6/18/2010	1,000,000.00	1,014,680.00	1,007,336.91	124	2.260
FFCB 4.75 9/30/2015	31331GCR8	FFCB	9/30/2010	1,000,000.00	1,041,330.00	1,028,340.61	334	1.520
FFCB 5.125 11/15/2018	31331YEI5	FFCB	12/26/2013	760,000.00	870,564.80	855,522.42	1476	1.856
FHLB 0.7 12/19/2016	3130A0HC71	FHLB	12/19/2013	1,455,000.00	1,456,746.00	1,455,000.00	780	0.700
FHLB 1.375 12/11/2015	313371NW2	FHLB	12/29/2010	1,000,000.00	1,012,670.00	989,717.51	406	2.360
FHLB 1.375 3/9/2018	313378A43	FHLB	3/28/2013	3,000,000.00	3,005,250.00	3,048,342.42	1225	0.883
FHLB 1.375 3/9/2018	313378A43	FHLB	12/26/2013	2,000,000.00	2,003,500.00	1,990,848.44	1225	1.516
FHLB 1.625 12/11/2015	313371VF0	FHLB	12/29/2010	1,000,000.00	1,014,970.00	992,378.52	406	2.355
FHLB 1.625 12/9/2016	313371PV2	FHLB	12/29/2011	1,500,000.00	1,530,690.00	1,514,240.31	770	1.160
FHLB 1.625 6/14/2019	313379EE5	FHLB	6/16/2014	3,000,000.00	2,985,240.00	2,978,218.83	1687	1.790
FHLB 1.625 9/28/2015	3133716Z4	FHLB	9/30/2010	1,000,000.00	1,012,550.00	1,000,731.71	332	1.541
FHLB 1.63 8/20/2015	313370NE4	FHLB	3/24/2011	1,000,000.00	1,011,230.00	997,550.45	293	1.950
FHLB 1.75 12/14/2018	313376BR5	FHLB	12/26/2013	895,000.00	900,244.70	891,807.06	1505	1.841
FHLB 1.75 9/11/2015	313370B5	FHLB	9/30/2010	1,000,000.00	1,013,460.00	1,001,860.02	315	1.525

Tracker
City of Esccondido
Portfolio Holdings
Investment Portfolio - by Asset Class
Report Format: By Transaction
Group By: Asset Class
Average By: Face Amount / Shares
Portfolio / Report Group: All Portfolios
As of 10/31/2014

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
FHLB 2.3 12/8/2016	313371ZU3	FHLB	12/29/2011	500,000.00	516,340.00	511,098.13	769	1.210
FHLB 3.125 3/11/2016	3133XXP43	FHLB	3/24/2011	3,000,000.00	3,111,330.00	3,031,989.92	497	2.291
FHLB 4.6/16/2015	3133XTYD2	FHLB	9/30/2010	1,000,000.00	1,024,020.00	1,015,111.63	228	1.485
FHLMC 1.7/28/2017	3137EAD15	FHLMC	12/20/2013	1,500,000.00	1,502,578.13	1,497,581.17	1001	1.060
FHLMC 2.8/25/2016	3137EACW7	FHLMC	8/31/2011	3,000,000.00	3,076,875.00	3,042,369.87	664	1.197
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	5,000,000.00	5,160,100.00	5,033,000.34	574	2.055
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	3,000,000.00	3,096,060.00	3,019,856.19	574	2.054
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	6/1/2011	2,500,000.00	2,580,050.00	2,522,365.36	574	1.900
FHLMC 5.2/16/2017	3137EAM11	FHLMC	2/16/2012	5,000,000.00	5,487,600.00	5,440,904.37	839	1.048
FNMA 0.5 5/27/2015	3135GOKM4	FNMA	6/29/2012	3,000,000.00	3,006,360.00	3,000,169.22	208	0.490
FNMA 0.875 5/21/2018	3135GOWJ8	FNMA	12/20/2013	1,500,000.00	1,476,690.00	1,466,564.23	1298	1.526
FNMA 0.875 8/28/2017	3135GOMZ3	FNMA	6/13/2014	2,000,000.00	1,995,100.00	1,989,697.61	1032	1.061
FNMA 0.875 8/28/2017	3135GOMZ3	FNMA	2/3/2014	2,000,000.00	1,995,100.00	1,989,743.41	1032	1.060
FNMA 1.06 5/29/2018	3136G05G2	FNMA	12/20/2013	500,000.00	494,250.00	491,725.71	1306	1.540
FNMA 1.125 4/27/2017	3135G0JA2	FNMA	5/31/2012	2,000,000.00	2,016,460.00	2,007,172.58	909	0.977
FNMA 1.25 1/30/2017	3135G0GY3	FNMA	1/24/2012	3,000,000.00	3,034,860.00	3,002,125.63	822	1.217
FNMA 1.25 9/28/2016	3135G0CM3	FNMA	9/29/2011	5,000,000.00	5,067,968.75	4,995,850.61	698	1.295
FNMA 1.375 11/15/2016	3135G0ES8	FNMA	12/29/2011	2,000,000.00	2,030,180.00	2,007,112.73	746	1.195
FNMA 1.75 1/30/2019	3136FTZZ5	FNMA	2/3/2014	2,595,000.00	2,609,596.88	2,604,489.47	1552	1.660
FNMA 2.375 7/28/2015	31398AU34	FNMA	9/30/2010	1,000,000.00	1,016,330.00	1,006,365.38	270	1.480

Tracker
City of Escondido
Portfolio Holdings
Investment Portfolio - by Asset Class
Report Format: By Transaction
Group By: Asset Class
Average By: Face Amount / Shares
Portfolio / Report Group: All Portfolios
As of 10/31/2014

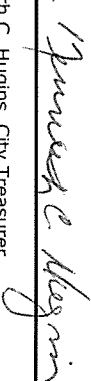
Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
FNMA 2.375 7/28/2015	31398AU34	FNMA	3/24/2011	2,000,000.00	2,032,660.00	2,005,977.43	270	1.951
Sub Total / Average				72,705,000.00	74,244,364.26	73,441,064.52	788	1.480
Money Market Account								
Bank of America MM	MM0555	Bank of America	5/31/2011	921,169.56	921,169.56	921,169.56	1	0.200
Sub Total / Average				921,169.56	921,169.56	921,169.56	1	0.200
Negotiable Certificates of Deposit								
American Express BK 2 7/24/2019	02587CAJ9	American Express BK	7/24/2014	247,000.00	250,394.55	247,000.00	1727	2.000
Barclays Bank 2.099 7/23/2019	06740KHK6	Barclays Bank	7/28/2014	247,000.00	251,525.09	247,000.00	1726	2.099
BMW 1.95 6/20/2019	05580AAL8	BMW	6/20/2014	247,000.00	250,021.85	247,000.00	1693	1.950
Capital One Bank 0.6 10/30/2015	140420NCO	Capital One Bank	10/30/2013	246,000.00	246,339.90	246,000.00	364	0.600
Celtic Bank 1.25 12/20/2017	15118RL2	Celtic Bank	12/20/2013	246,000.00	246,373.50	246,000.00	1146	1.250
Charter Bank Eau claire 1.5 8/6/2018	16116PHH7	Charter Bank Eau claire	8/5/2014	248,000.00	248,000.00	248,000.00	1375	1.500
Discover FS 2 6/18/2019	254671W48	Discover FS	6/18/2014	247,000.00	250,574.02	247,000.00	1691	2.000
Enerbank USA 0.021 8/28/2019	29266N830	Enerbank USA	8/28/2014	247,000.00	250,770.55	247,000.00	1762	0.021
Enterprise B & T 0.2 12/22/2014	29367SEU4	Enterprise B & T	6/20/2014	249,000.00	249,010.73	249,000.00	52	0.200
G E Capital 1.85 2/7/2019	36157PW81	G E Capital	2/7/2014	246,000.00	248,684.18	246,000.00	1560	1.850
GMATBK ALLY 1.1 6/19/2017	02006FD0	GMATBK ALLY	6/18/2014	248,000.00	248,000.00	248,000.00	962	1.100
Gold Coast Bank 1.2 10/30/2017	38058KCS3	Gold Coast Bank	12/30/2013	246,000.00	246,213.06	246,000.00	1095	1.200
Goldman Sachs 1.1 6/19/2017	38147JH96	Goldman Sachs	6/18/2014	248,000.00	248,000.00	248,000.00	962	1.100
Leader Bank NA 1.05 4/21/2017	52168UCU4	Leader Bank NA	10/23/2014	248,000.00	248,000.00	248,000.00	903	1.050

Trader
 City of Escondido
 Portfolio Holdings
 Investment Portfolio - by Asset Class
 Report Format: By Transaction
 Group By: Asset Class
 Average By: Face Amount / Shares
 Portfolio / Report Group: All Portfolios
 As of 10/31/2014

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
Live Oak Banking Co. 1.85 7/30/2019	538036CA0	Live Oak Banking Co.	10/30/2014	247,000.00	248,448.11	247,000.00	1733	1.850
MERRICK 0.3 3/20/2015	590131AF6	MERRICK	6/20/2014	249,000.00	249,067.48	249,000.00	140	0.300
Park National Bank 2.1 3/26/2019	700654AV8	Park National Bank	9/26/2014	247,000.00	252,209.58	247,000.00	1607	2.100
Private Bank 1.1 7/21/2017	74267GUT2	Private Bank	7/21/2014	248,000.00	248,442.63	248,000.00	994	1.100
Sallie Mae Bank 2.1 8/13/2019	795450S15	Sallie Mae Bank	8/13/2014	247,000.00	251,311.83	247,000.00	1747	2.100
Sub Total / Average				4,698,000.00	4,731,387.06	4,698,000.00	1222	1.334
Treasury Coupon Securities								
T-Bond 2.125 5/31/2015	912828NF3	Treasury	6/18/2010	1,000,000.00	1,011,480.00	1,000,806.14	212	1.978
Sub Total / Average				1,000,000.00	1,011,480.00	1,000,806.14	212	1.978
Total / Average				106,555,793.61	108,140,024.93	107,292,664.27	594	1.155

Tracker
 City of Escondido
 Portfolio Holdings
 Investment Portfolio - by Asset Class, Summary
 Report Format: By Totals
 Group By: Asset Class
 Average By: Face Amount / Shares
 Portfolio / Report Group: All Portfolios
 As of 11/28/2014

Description	Face Amount/Shares	Cost Value	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund	17,231,624.05	17,231,624.05	17,231,624.05	17,231,624.05	1	0.261
Federal Agency Coupon Securities	77,705,000.00	79,684,896.59	79,318,533.95	78,410,669.57	858	1.500
Money Market Account	921,320.98	921,320.98	921,320.98	921,320.98	1	0.200
Negotiable Certificate of Deposit	5,687,000.00	5,687,000.00	5,745,788.59	5,687,000.00	1555	1.424
Treasury Coupon Securities	1,000,000.00	1,006,875.00	1,010,312.50	1,000,699.67	184	1.978
Total / Average	102,544,945.03	104,531,716.62	104,227,580.07	103,251,314.27	699	1.281


 Kenneth C. Huggins, City Treasurer

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund								
LAIF LGIP	LGIP7782	LAIF	5/31/2011	17,231,624.05	17,231,624.05	17,231,624.05	1	0.261
Sub Total / Average				17,231,624.05	17,231,624.05	17,231,624.05	1	0.261
Federal Agency Coupon Securities								
FFCB 1.61 8/1/2018	3133ECW75	FFCB	2/3/2014	1,000,000.00	1,019,560.00	1,006,032.45	1342	1.440
FFCB 1.8 11/12/2019	3133EBN9	FFCB	11/12/2014	5,000,000.00	5,021,650.00	5,000,000.00	1810	1.800
FFCB 2.4 3/15/2016	31331KEK2	FFCB	3/24/2011	1,000,000.00	1,023,410.00	1,001,642.75	473	2.265
FFCB 4.55 3/4/2015	31331SNP4	FFCB	6/18/2010	1,000,000.00	1,011,300.00	1,005,680.19	96	2.260
FFCB 4.75 9/30/2015	31331GCR8	FFCB	9/30/2010	1,000,000.00	1,037,800.00	1,025,964.75	306	1.520
FFCB 5.125 11/15/2018	31331VE5	FFCB	12/26/2013	760,000.00	872,616.80	853,710.34	1448	1.856
FHLB 0.7 12/19/2016	3130AHC71	FHLB	12/19/2013	1,455,000.00	1,458,113.70	1,455,000.00	752	0.700
FHLB 1.375 12/11/2015	313371NW2	FHLB	12/29/2010	1,000,000.00	1,011,620.00	990,426.65	378	2.360
FHLB 1.375 3/9/2018	313378A43	FHLB	12/26/2013	2,000,000.00	2,008,920.00	1,991,057.61	1197	1.516
FHLB 1.375 3/9/2018	313378A43	FHLB	3/28/2013	3,000,000.00	3,013,380.00	3,047,237.45	1197	0.883
FHLB 1.625 12/11/2015	313371VF0	FHLB	12/29/2010	1,000,000.00	1,013,990.00	992,904.14	378	2.355
FHLB 1.625 12/9/2016	313371PV2	FHLB	12/29/2011	1,500,000.00	1,531,515.00	1,513,722.48	742	1.160
FHLB 1.625 6/14/2019	313379EE5	FHLB	6/16/2014	3,000,000.00	2,997,240.00	2,978,580.35	1659	1.790
FHLB 1.625 9/28/2015	313371GZ4	FHLB	9/30/2010	1,000,000.00	1,011,400.00	1,000,670.00	304	1.541
FHLB 1.63 8/20/2015	313370NE4	FHLB	3/24/2011	1,000,000.00	1,010,000.00	997,784.53	265	1.950
FHLB 1.75 12/14/2018	313376BR5	FHLB	12/26/2013	895,000.00	906,617.10	891,866.46	1477	1.841
FHLB 1.75 9/11/2015	313370IB5	FHLB	9/30/2010	1,000,000.00	1,011,990.00	1,001,694.68	287	1.525
FHLB 2.3 12/8/2016	313371ZU3	FHLB	12/29/2011	500,000.00	516,245.00	510,694.03	741	1.210

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
FHLB 3.125 3/11/2016	3133XP43	FHLB	3/24/2011	3,000,000.00	3,106,875.00	3,030,187.67	469	2.291
FHLB 4.6/16/2015	3133XTD2	FHLB	9/30/2010	1,000,000.00	1,020,950.00	1,013,255.81	200	1.485
FHLMC 1.7/28/2017	3137EAD15	FHLMC	12/20/2013	1,500,000.00	1,506,405.00	1,497,648.83	973	1.060
FHLMC 2.8/25/2016	3137EACW7	FHLMC	8/31/2011	3,000,000.00	3,080,310.00	3,040,583.19	636	1.197
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	3,000,000.00	3,096,780.00	3,018,887.60	546	2.054
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	5,000,000.00	5,161,300.00	5,031,390.57	546	2.055
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	6/1/2011	2,500,000.00	2,580,650.00	2,521,274.37	546	1.900
FHLMC 5.2/16/2017	3137EAMM1	FHLMC	2/16/2012	5,000,000.00	5,469,950.00	5,426,190.04	811	1.048
FNMA 0.5 5/27/2015	3135G0KM4	FNMA	6/29/2012	3,000,000.00	3,004,830.00	3,000,146.44	180	0.490
FNMA 0.875 5/21/2018	3135G0WJ8	FNMA	12/20/2013	1,500,000.00	1,485,375.00	1,467,285.49	1270	1.526
FNMA 0.875 8/28/2017	3135G0WZ3	FNMA	6/13/2014	2,000,000.00	2,000,460.00	1,989,977.13	1004	1.061
FNMA 0.875 8/28/2017	3135G0MZ3	FNMA	2/3/2014	2,000,000.00	2,000,460.00	1,990,021.69	1004	1.060
FNMA 1.06 5/29/2018	3136G0SG2	FNMA	12/20/2013	500,000.00	496,020.00	491,903.11	1278	1.540
FNMA 1.125 4/27/2017	3135G0IA2	FNMA	5/31/2012	2,000,000.00	2,017,700.00	2,006,951.64	881	0.977
FNMA 1.25 1/30/2017	3135G0GV3	FNMA	1/24/2012	3,000,000.00	3,043,080.00	3,002,053.22	794	1.217
FNMA 1.25 9/28/2016	3135G0CW3	FNMA	9/29/2011	5,000,000.00	5,070,750.00	4,996,017.06	670	1.295
FNMA 1.375 11/15/2016	3135G0ES8	FNMA	12/29/2011	2,000,000.00	2,031,100.00	2,006,845.77	718	1.195
FNMA 1.75 1/30/2019	3136FTZ5	FNMA	2/3/2014	2,595,000.00	2,624,401.35	2,604,318.26	1524	1.660
FNMA 2.375 7/28/2015	31398AU34	FNMA	9/30/2010	1,000,000.00	1,014,590.00	1,005,705.27	242	1.480
FNMA 2.375 7/28/2015	31398AU34	FNMA	3/24/2011	2,000,000.00	2,029,180.00	2,005,357.55	242	1.951
Sub Total / Average				77,705,000.00	79,318,533.95	78,410,669.57	828	1.500


Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
Money Market Account								
Bank of America MM	MM0555	Bank of America	5/31/2011	921,320.98	921,320.98	921,320.98	1	0.200
Sub Total / Average				921,320.98	921,320.98	921,320.98	1	0.200
Negotiable Certificates of Deposit								
American Express Bk 2/24/2019	02587CAJ9	American Express Bk	7/24/2014	247,000.00	251,729.78	247,000.00	1699	2.000
AmEx Centurion 2 11/28/2018	02587DWJ3	AmEx Centurion	11/28/2014	247,000.00	252,679.12	247,000.00	1461	2.000
Barclays Bank 2.099 7/23/2019	06740KHK6	Barclays Bank	7/28/2014	247,000.00	252,845.45	247,000.00	1698	2.099
BMW 1.95 6/20/2019	05580AAL8	BMW	6/20/2014	247,000.00	251,313.44	247,000.00	1665	1.950
Capital One Bank 0.6 10/30/2015	140420NC0	Capital One Bank	10/30/2013	246,000.00	246,412.39	246,000.00	336	0.600
Celtic Bank 1.25 12/20/2017	15118RL2	Celtic Bank	12/20/2013	246,000.00	246,957.46	246,000.00	1118	1.250
Charter Bank Eau claire 1.5 8/6/2018	16116PHH7	Charter Bank Eau claire	8/5/2014	248,000.00	248,000.00	248,000.00	1347	1.500
Cit Bank 2.2 11/26/2019	17284CAL5	Cit Bank	11/26/2014	247,000.00	253,479.55	247,000.00	1824	2.200
Discover FS 2 6/18/2019	254671W48	Discover FS	6/18/2014	247,000.00	251,856.93	247,000.00	1663	2.000
Enerbank USA 0.021 8/28/2019	29266NB30	Enerbank USA	8/28/2014	247,000.00	252,162.52	247,000.00	1734	0.021
Enterprise B & T 0.2 12/22/2014	29367SEU4	Enterprise B & T	6/20/2014	249,000.00	249,006.62	249,000.00	24	0.200
G E Capital 1.85 2/7/2019	36157PWB1	G E Capital	2/7/2014	246,000.00	249,777.40	246,000.00	1532	1.850
GMATBK ALLY 1.1 6/19/2017	02006LFD0	GMATBK ALLY	6/18/2014	248,000.00	248,000.00	248,000.00	934	1.100
Gold Coast Bank 1.2 10/30/2017	38058KCS3	Gold Coast Bank	12/30/2013	246,000.00	246,752.93	246,000.00	1067	1.200
Goldman Sachs 1.1 6/19/2017	38147JH96	Goldman Sachs	6/18/2014	248,000.00	248,000.00	248,000.00	934	1.100
Leader Bank NA 1.05 4/21/2017	52168UCU4	Leader Bank NA	10/23/2014	248,000.00	248,000.00	248,000.00	875	1.050
Live Oak Banking Co. 1.85 7/30/2019	538036CA0	Live Oak Banking Co.	10/30/2014	247,000.00	249,848.60	247,000.00	1705	1.850
MERRICK 0.3 3/20/2015	59013JAF6	MERRICK	6/20/2014	249,000.00	249,061.70	249,000.00	112	0.300

Tracker
 City of Escondido
 Portfolio Holdings
 Investment Portfolio - by Asset Class
 Report Format: By Transaction
 Group By: Asset Class
 Average By: Face Amount / Shares
 Portfolio / Report Group: All Portfolios
 As of 11/28/2014

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
Park National Bank 2.1 3/26/2019	70065AAV8	Park National Bank	9/26/2014	247,000.00	253,329.60	247,000.00	1579	2.100
Private Bank 1.1 7/21/2017	74267GUT2	Private Bank	7/21/2014	248,000.00	248,889.95	248,000.00	966	1.100
Sallie Mae Bank 2.1 8/13/2019	795450S15	Sallie Mae Bank	8/13/2014	247,000.00	252,685.15	247,000.00	1719	2.100
SYNOUVUS 1.2 11/6/2017	87164DFW5	SYNOUVUS	11/5/2014	248,000.00	248,000.00	248,000.00	1074	1.200
Third Fed S & L 2 11/25/2019	88413QAW8	Third Fed S & L	11/24/2014	247,000.00	247,000.00	247,000.00	1823	2.000
Sub Total / Average				5,687,000.00	5,745,788.59	5,687,000.00	1255	1.424
Treasury Coupon Securities								
T-Bond 2.125 5/31/2015	912828NF3	Treasury	6/18/2010	1,000,000.00	1,010,312.50	1,000,699.67	184	1.978
Sub Total / Average				1,000,000.00	1,010,312.50	1,000,699.67	184	1.978
Total / Average				102,544,945.03	104,227,580.07	103,251,314.27	699	1.281

Tracker
 City of Escondido
 Portfolio Holdings
 Investment Portfolio - by Asset Class, Summary
 Report Format: By Totals
 Group By: Asset Class
 Average By: Face Amount / Shares
 Portfolio / Report Group: All Portfolios
 As of 12/31/2014

Description	Face Amount/Shares	Cost Value	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund	20,231,624.05	20,231,624.05	20,231,624.05	20,231,624.05	1	0.267
Federal Agency Coupon Securities	80,705,000.00	82,684,896.59	82,031,718.65	81,374,847.00	806	1.484
Money Market Account	2,921,770.29	2,921,770.29	2,921,770.29	2,921,770.29	1	0.140
Negotiable Certificate of Deposit	5,438,000.00	5,438,000.00	5,478,297.25	5,438,000.00	1279	1.480
Treasury Coupon Securities	1,000,000.00	1,006,875.00	1,008,200.00	1,000,574.18	151	1.978
Total / Average	110,296,394.34	112,283,165.93	111,671,610.24	110,966,815.52	654	1.229


 Kenneth C. Huggins, City Treasurer

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
California Local Agency Investment Fund								
LAI F LGIP	LGIP7282	LAI F	5/31/2011	20,231,624.05	20,231,624.05	20,231,624.05	1	0.267
Sub Total / Average				20,231,624.05	20,231,624.05	20,231,624.05	1	0.267
Federal Agency Coupon Securities								
FHCB 1.61 8/1/2018	3133ECW75	FHCB	2/3/2014	1,000,000.00	1,012,560.00	1,005,884.11	1309	1.44
FHCB 1.8 11/12/2019	3133EBN9	FHCB	11/12/2014	5,000,000.00	5,003,500.00	5,000,000.00	1777	1.8
FHCB 2.4 3/15/2016	31331KEK2	FHCB	3/24/2011	1,000,000.00	1,020,910.00	1,001,528.14	440	2.265
FHCB 4.55 3/4/2015	31331SNP4	FHCB	6/18/2010	1,000,000.00	1,007,490.00	1,003,727.62	63	2.26
FHCB 4.75 9/30/2015	31331GCR8	FHCB	9/30/2010	1,000,000.00	1,033,240.00	1,023,164.63	273	1.52
FHCB 5.125 11/15/2018	31331VE5	FHCB	12/26/2013	760,000.00	865,602.00	851,574.68	1415	1.856
FHLB 0.7 12/19/2016	3130AHC71	FHLB	12/19/2013	1,455,000.00	1,453,457.70	1,455,000.00	719	0.7
FHLB 1.05 12/29/2017	3130A3N83	FHLB	12/29/2014	3,000,000.00	2,990,730.00	3,000,000.00	1094	1.05
FHLB 1.375 12/11/2015	313371NW2	FHLB	12/29/2010	1,000,000.00	1,009,190.00	991,262.42	345	2.36
FHLB 1.375 3/9/2018	313378A43	FHLB	12/26/2013	2,000,000.00	2,004,860.00	1,991,304.15	1164	1.516
FHLB 1.375 3/9/2018	313378A43	FHLB	3/28/2013	3,000,000.00	3,007,290.00	3,045,935.16	1164	0.883
FHLB 1.625 12/11/2015	313371VF0	FHLB	12/29/2010	1,000,000.00	1,012,140.00	993,523.62	345	2.355
FHLB 1.625 12/9/2016	313371PV2	FHLB	12/29/2011	1,500,000.00	1,524,345.00	1,513,112.18	709	1.16
FHLB 1.625 6/14/2019	313379EE5	FHLB	6/16/2014	3,000,000.00	2,993,310.00	2,979,006.41	1626	1.79
FHLB 1.625 9/28/2015	3133716Z4	FHLB	9/30/2010	1,000,000.00	1,009,260.00	1,000,597.27	271	1.541
FHLB 1.63 8/20/2015	313370NE4	FHLB	3/24/2011	1,000,000.00	1,008,760.00	998,060.42	232	1.95
FHLB 1.75 12/14/2018	313376BR5	FHLB	12/26/2013	895,000.00	903,609.90	891,936.48	1444	1.841
FHLB 1.75 9/11/2015	313370IB5	FHLB	9/30/2010	1,000,000.00	1,010,220.00	1,001,499.82	254	1.525

Description	CUSIP/Tracker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
FHLB 2.3 12/8/2016	313371ZU3	FHLB	12/29/2011	500,000.00	513,945.00	510,217.78	708	1.21
FHLB 3.125 3/11/2016	3133XNP43	FHLB	3/24/2011	3,000,000.00	3,094,440.00	3,028,063.59	436	2.291
FHLB 4.6/16/2015	3133XTVD2	FHLB	9/30/2010	1,000,000.00	1,017,480.00	1,011,068.60	167	1.485
FHLMC 1.7/28/2017	3137EAD15	FHLMC	12/20/2013	1,500,000.00	1,499,430.00	1,497,728.57	940	1.06
FHLMC 2.8/25/2016	3137EACW7	FHLMC	8/31/2011	3,000,000.00	3,071,640.00	3,038,477.46	603	1.197
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	3,000,000.00	3,084,810.00	3,017,746.04	513	2.054
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	5/25/2011	5,000,000.00	5,141,350.00	5,029,493.34	513	2.055
FHLMC 2.5 5/27/2016	3137EACT4	FHLMC	6/1/2011	2,500,000.00	2,570,675.00	2,519,988.56	513	1.9
FHLMC 5.2/16/2017	3137EAAM1	FHLMC	2/16/2012	5,000,000.00	5,443,350.00	5,408,848.16	778	1.048
FNMA 0.5 5/27/2015	3135GOKM4	FNMA	6/29/2012	3,000,000.00	3,003,360.00	3,000,119.59	147	0.49
FNMA 0.875 5/21/2018	3135GOW18	FNMA	12/20/2013	1,500,000.00	1,475,055.00	1,468,135.55	1237	1.526
FNMA 0.875 8/28/2017	3135GOMZ3	FNMA	6/13/2014	2,000,000.00	1,993,020.00	1,990,306.57	971	1.061
FNMA 0.875 8/28/2017	3135GOMZ3	FNMA	2/3/2014	2,000,000.00	1,993,020.00	1,990,349.66	971	1.06
FNMA 1.06 5/29/2018	3136G05G2	FNMA	12/20/2013	500,000.00	493,250.00	492,112.18	1245	1.54
FNMA 1.125 4/27/2017	3135G0IA2	FNMA	5/31/2012	2,000,000.00	2,011,160.00	2,006,691.25	848	0.977
FNMA 1.25 1/30/2017	3135G0GY3	FNMA	1/24/2012	3,000,000.00	3,026,880.00	3,001,967.89	761	1.217
FNMA 1.25 9/28/2016	3135G0CM3	FNMA	9/29/2011	5,000,000.00	5,051,050.00	4,996,213.23	637	1.295
FNMA 1.375 11/15/2016	3135G0ES8	FNMA	12/29/2011	2,000,000.00	2,026,960.00	2,006,531.13	685	1.195
FNMA 1.75 1/30/2019	3136FTZZ5	FNMA	2/3/2014	2,595,000.00	2,613,139.05	2,604,116.49	1491	1.66
FNMA 2.375 7/28/2015	31398AU34	FNMA	9/30/2010	1,000,000.00	1,012,410.00	1,004,927.28	209	1.48
FNMA 2.375 7/28/2015	31398AU34	FNMA	3/24/2011	2,000,000.00	2,024,820.00	2,004,626.97	209	1.951
Sub Total / Average				80,705,000.00	82,031,718.65	81,374,847.00	806	1.484

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
Money Market Account								
Bank of America MM	MM0555	Bank of America	5/31/2011	2,921,770.29	2,921,770.29	2,921,770.29	1	0.14
Sub Total / Average				2,921,770.29	2,921,770.29	2,921,770.29	1	0.14
Negotiable Certificates of Deposit								
American Express Bk 2 7/24/2019	02587CAJ9	American Express Bk	7/24/2014	247,000.00	250,370.14	247,000.00	1666	2
AmEx Centurion 2 11/28/2018	02587DWJ3	AmEx Centurion	11/28/2014	247,000.00	251,266.93	247,000.00	1428	2
Barclays Bank 2.099 7/23/2019	06740KHK6	Barclays Bank	7/28/2014	247,000.00	251,462.52	247,000.00	1665	2.099
BMW 1.95 6/20/2019	05580AAL8	BMW	6/20/2014	247,000.00	249,952.12	247,000.00	1632	1.95
Capital One Bank 0.6 10/30/2015	140420NC0	Capital One Bank	10/30/2013	246,000.00	246,386.44	246,000.00	303	0.6
Celtic Bank 1.25 12/20/2017	15118RL2	Celtic Bank	12/20/2013	246,000.00	245,731.20	246,000.00	1085	1.25
Charter Bank Eau claire 1.5 8/6/2018	16116PHH7	Charter Bank Eau claire	8/5/2014	248,000.00	248,000.00	248,000.00	1314	1.5
Cit Bank 2 11/26/2019	17284CAL5	Cit Bank	11/26/2014	247,000.00	252,151.48	247,000.00	1791	2.2
Discover FS 2 6/18/2019	254671W48	Discover FS	6/18/2014	247,000.00	250,484.75	247,000.00	1630	2
Enerbank USA 0.021 8/28/2019	29266NB30	Enerbank USA	8/28/2014	247,000.00	250,802.94	247,000.00	1701	0.021
G E Capital 1.85 2/7/2019	36157PW81	G E Capital	2/7/2014	246,000.00	248,395.25	246,000.00	1499	1.85
GMATBK ALLY 1.1 6/19/2017	02006LFD0	GMATBK ALLY	6/18/2014	248,000.00	248,000.00	248,000.00	901	1.1
Gold Coast Bank 1.2 10/30/2017	38058KCS3	Gold Coast Bank	12/30/2013	246,000.00	245,625.44	246,000.00	1034	1.2
Goldman Sachs 1.1 6/19/2017	38147JH96	Goldman Sachs	6/18/2014	248,000.00	248,000.00	248,000.00	901	1.1
Leader Bank NA 1.05 4/21/2017	52168UCU4	Leader Bank NA	10/23/2014	248,000.00	248,000.00	248,000.00	842	1.05
Live Oak Banking Co. 1.85 7/30/2019	538036CA0	Live Oak Banking Co.	10/30/2014	247,000.00	248,553.90	247,000.00	1672	1.85
MERICK 0.3 3/20/2015	59013JAF6	MERICK	6/20/2014	249,000.00	249,048.98	249,000.00	79	0.3
Park National Bank 2.1 3/26/2019	700654AV8	Park National Bank	9/26/2014	247,000.00	251,873.71	247,000.00	1546	2.1

Tracker
 City of Escondido
 Portfolio Holdings
 Investment Portfolio - By Asset Class
 Report Format: By Transaction
 Group By: Asset Class
 Average By: Face Amount / Shares
 Portfolio / Report Group: All Portfolios
 As of 12/31/2014

Description	CUSIP/Ticker	Issuer	Settlement Date	Face Amount/Shares	Market Value	Book Value	Days To Maturity	YTM @ Cost
Private Bank 1.1 7/21/2017	74267GUT2	Private Bank	7/21/2014	248,000.00	247,866.53	248,000.00	933	1.1
Sallie Mae Bank 2.1 8/13/2019	795450S15	Sallie Mae Bank	8/13/2014	247,000.00	251,324.92	247,000.00	1686	2.1
SYNOUVUS 1.2 11/6/2017	87164DFW5	SYNOUVUS	11/5/2014	248,000.00	248,000.00	248,000.00	1041	1.2
Third Fed S & L 2 11/25/2019	88413QAW8	Third Fed S & L	11/24/2014	247,000.00	247,000.00	247,000.00	1790	2
Sub Total / Average				5,438,000.00	5,478,297.25	5,438,000.00	1279	1.48
Treasury Coupon Securities								
T-Bond 2.125 5/31/2015	912828NF3	Treasury	6/18/2010	1,000,000.00	1,008,200.00	1,000,574.18	151	1.978
Sub Total / Average				1,000,000.00	1,008,200.00	1,000,574.18	151	1.978
Total / Average				110,296,394.34	111,671,610.24	110,966,815.52	654	1.229

Tracker
City of Escondido
Transactions Summary
Transaction Summary Report - by Action Investments Matured
Group By: Action
Portfolio / Report Group: All Portfolios
From 10/1/2014 To 12/31/2014

Description	CUSIP/Ticker	Settlement Date	Face Amount/Shares	Principal	Total
Matured					
FNMA 4.625 10/15/2014	31359MWJ8	10/15/2014	1,000,000.00	1,000,000.00	1,000,000.00
SYNOVUS 0.2 10/14/2014	87164DDV9	10/14/2014	249,000.00	249,000.00	249,000.00
Enterprise B & T 0.2 12/22/2014	29367SEU4	12/22/2014	249,000.00	249,000.00	249,000.00
Sub Total / Average			<u>1,498,000.00</u>	<u>1,498,000.00</u>	<u>1,498,000.00</u>

CITY OF ESCONDIDO
 FUNDS MANAGED BY OUTSIDE PARTIES
 December 31, 2014

Type of Funds / Institution	Market Value	Interest Rate	Type of Investment
BOND FUNDS			
BANK OF NEW YORK MELLON TRUST COMPANY, N.A. :			
1993 Vineyard Golf Course Certificates of Participation	3,465	0.010%	Money Market
2007 COP - Water Project	7,179,179	0.010%	Money Market
2004A Wastewater Bond (1996 Wastewater Refunding)	2,026,595	0.103%	Money Market/ U.S. Agency Bond/ US Treas B
2004B Wastewater Bond - Brine Project	3,587,691	0.036%	Money Market/ U.S. Agency Bond/ US Treas B
2006 Community Facility District (Eureka Ranch)	1,220,332	0.109%	Money Market/ U.S. Agency Bond/ US Treas B
1986-1R/98 Auto Parkway Assessment District	336,370	0.121%	Money Market/ U.S. Agency Bond
1998-1 Rancho San Pasqual Assessment District	343,396	0.119%	Money Market/ U.S. Agency Bond
2012 JPFA Revenue Bonds (Water System Financing)	20,012,189	0.267%	LAIF/Money Market
2012 JPFA Revenue Bonds (Wastewater System Financing)	25,015,236	0.267%	LAIF/Money Market

TOTAL FUNDS MANAGED BY OUTSIDE PARTIES

59,724,453

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 5

Date: March 4, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Debra Lundy, Real Property Manager

SUBJECT: Lease Agreement with Custom Blow Molding at 480 North Spruce

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2015-29 authorizing the Real Property Manager and City Clerk to execute a Lease Agreement with Custom Blow Molding at 480 North Spruce and approve of a Budget Adjustment. It is further requested that Council approve a decrease to the Successor Agency Available Fund Balance by \$28,547.56 and an increase to the Successor Agency Professional Services budget by \$28,547.56 to pay brokerage commissions associated with this lease.

FISCAL ANALYSIS:

Rent revenue in the amount of \$18,686.80/month will be generated from this lease after an initial rent credit for tenant improvements up to \$130,807.60 (7 months) and payment of commission to the brokers. Rent revenue will be reported to the Department of Finance on the Recognized Obligation Payment Schedule as "other income" and will be utilized to pay for property management of Successor Agency properties and other financial obligations of the Successor Agency. The real estate broker's fees in the amount of \$28,547.56 will be offset by the rental revenue to be received under this proposed lease agreement.

PREVIOUS ACTION:

On January 8, 2013, via Resolution No. OB 2013-02-R, the Oversight Board approved the use of rental income collected by the Successor Agency to provide all maintenance of properties owned by the Successor Agency. City Council approved of the action in its meeting on January 16, 2014, and the Board action was ratified by the Department of Finance on January 25, 2013.

BACKGROUND:

The City of Escondido, as the Successor Agency to the Escondido Redevelopment Agency, received a Finding of Completion from the State on May 24, 2013. Thereafter, a Long Range Property Management Plan was submitted to the Department of Finance on November 18, 2013, having first been approved by the Escondido City Council acting as the Successor Agency on October 2, 2013, and the Oversight Board on October 8, 2013.

The Long Range Property Management Plan ("Plan") was subsequently revised on June 11, 2014, and is presently undergoing review by the Department of Finance. The City has received verbal initial

CUSTOM BLOW MOLDING LEASE

March 4, 2015

Page 02

approval for the subject site, 480 North Spruce Street, indicating that the Successor Agency will be permitted to hold the property for Future Development, while leasing the property in the interim in order to maintain its value. Any leasing activity at this Site will be subject to receipt of an approved Long Range Property Management Plan.

On January 7, 2015, Council directed Staff to sell or develop 901 West Washington and utilize the sales proceeds toward the acquisition of a replacement Public Works Yard to clear the way for the Business Park Redevelopment. With the relocation of the Public Works Site as a first priority, a longer lease at the subject site is now available in the interim.

The 33,976 sf M-1 building has been marketed for several months and has been leased short-term for dry storage on a couple of occasions since it was originally vacated in May of 2012. The City recently received an offer from a local company, Custom Blow Molding ("CBM"), with its headquarters in Escondido, to lease the entire property (less the \$15,000 sf metal out-structure) for a period of three (3) years, with two additional 3-year options, for warehousing of plastic products manufactured at their main facility in Escondido. The proposed use is compatible with the M-1 zoning. The proposed base rent is \$18,686.80/month (.55/psf/NNN), with annual 3% increases, which represents fair market value.

CBM facilities are subject to auditing by its pharmaceutical and nutraceutical customers and therefore, the company requires a professional and clean warehouse facility. Due to the current condition of the property, it will be necessary for certain tenant improvements to be performed in order for CBM to occupy the leased premises. CBM proposes to make all necessary improvements and to seek reimbursement via a rent credit from the City up to \$130,807.60 (7 months free rent). As of the effective date of the lease, upon lease signing, CBM would take over all utilities payments.

The parties were each represented by a broker in the proposed transaction and the Successor Agency would owe a total of \$28,547.56 in commission, based on 5.5% of first and second annual rents and 4.5% of the third year's rent. Commission is not paid for option terms.

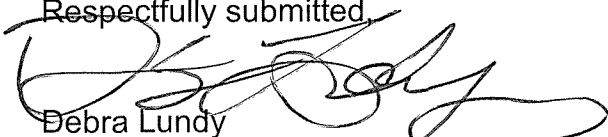
Year one of the lease would yield \$64,886.44 after commission and TI credit are paid;

Year two of the lease would yield \$230,968.85; and

Year three of the lease would yield \$237,897.91.

Once the Long Range Property Management Plan receives approval from the State Department of Finance, the City will enter into Compensation Agreements with the Taxing Entities. In the meantime, all rent revenue generated from this proposed lease will be reported on the Recognized Obligation Payment Schedule as "Other Funds" and will be used to pay for property maintenance and other financial obligations of the Successor Agency in accordance with current Council and Board policy.

Respectfully submitted,



Debra Lundy
Real Property Manager



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: 3/4/2015
 Department: City Manager's Office
 Division: Real Property
 Project/Budget Manager: Debra Lundy x4034
 Name Extension
 Council Date (if applicable): 3/4/2015
 (attach copy of staff report)

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

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Available Fund Balance	3050-791-000		28,550
Professional Services	5131-791-091	28,550	

Explanation of Request:
 Decrease in the Successor Agency Available Fund Balance of \$28,547.56 and an increase to the Professional Services Budget by same to pay for real estate broker commissions related to the leasing of 480 N. Spruce.

APPROVALS

<i>Joyce Masterson</i>	_____	_____	_____
Department Head	Date	City Manager	Date
<i>Jodi Coe</i>	2/24/15	_____	_____
Finance	Date	City Clerk	Date

Distribution (after approval): Original: Finance

RESOLUTION NO. 2015-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE REAL PROPERTY MANAGER AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY, ACTING AS THE SUCCESSOR AGENCY TO THE CITY OF ESCONDIDO REDEVELOPMENT AGENCY, A LEASE AGREEMENT WITH CUSTOM BLOW MOLDING AT 480 NORTH SPRUCE STREET

WHEREAS, the Successor Agency to the City of Escondido Redevelopment Agency owns the real property located at 480 North Spruce Street; and

WHEREAS, the property is designated in the Long Range Property Management Plan prepared in accordance with the California Health & Safety Code as "Hold for Future Development" while leasing in the interim to maintain its value; and

WHEREAS, Custom Blow Molding has requested to lease this property for interim use for the warehousing of plastic products which are manufactured at its main manufacturing headquarters at another location in Escondido; and

WHEREAS, the proposed use is acceptable in the M-1 zone; and

WHEREAS, the lease of this site will generate income in the amount of \$532,227 after an initial rent credit in the amount of \$130,807.60 equivalent to seven months of rent waiver.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, acting as the Successor Agency to the City of Escondido Redevelopment Agency, as follows:

1. That the above recitations are true.

2. That the Real Property Manager and City Clerk are authorized to execute, on behalf of the City, acting as the Successor Agency to the City of Escondido Redevelopment Agency, a Lease Agreement ("Lease") with Custom Blow Molding for the site at 480 North Spruce Street, Escondido, California, which Lease shall be in the form found at Exhibit "A," attached to this Resolution and incorporated by this reference.



480 N. Spruce Street Lease Agreement

**Lessee: Tri-Pack Enterprises, Inc. dba Custom
Blow Molding**

Term: 3 Years

Premises: 480 N. Spruce, Escondido, CA

Date:

Lease Agreement between the City of Escondido and Custom Blow Molding for use of the property at 480 N. Spruce, Escondido, CA 92025 for specific purposes as set forth below.

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CITY OF ESCONDIDO LEASE AGREEMENT

This Lease Agreement is made as of March____, 2015 between the City and Tri-Pack Enterprises, Inc. dba Custom Blow Molding, Inc.

Section 1 Definition of Terms

The following words in this Lease Agreement shall have the significance attached to them in this Section unless otherwise apparent from their context.

City. The City means the City of Escondido, a California general law City.

Effective Date. This Lease Agreement shall become effective as of the date it is signed by both parties. (Note: term and rent commencement dates differ, as described below).

Lease. Lease means this Lease Agreement.

Lease Administrator. The Lease Administrator means the City of Escondido Real Property Agent or, upon written notice to Lessee, such other person as shall be designated from time to time by City.

Lessee. Lessee means Tri-Pack Enterprises, Inc. dba Custom Blow Molding, and does not include its heirs, assigns, or successors-in-interest.

Premises. Premises means the real property commonly known as 480 North Spruce Street, Escondido, CA.

Section 2 Administration

This Lease will be administered on behalf of City by the Lease Administrator, whose address is:

City of Escondido
Real Property Manager
201 North Broadway
Escondido, CA 92025

and on behalf of Lessee by _____, whose address is:

Section 3 Term

3.1 The term of this Lease shall be **three (3) years**, commencing on completion of Tenant Improvements ("**Term Commencement Date**"), as more specifically described in the attached **Exhibit A**. Lessee shall submit all necessary applications to obtain

permits for the Tenant Improvements within **15 days** of the Effective Date of the Lease. Completion of the Tenant Improvements shall not be unreasonably delayed.

3.2 Hold Over. The occupancy of the Premises by Lessee, after the expiration of the Term shall be construed as a month to month tenancy, and all other terms and conditions of this Lease Agreement shall continue in full force and effect, on a month to month basis. The City shall have the right to terminate the month to month tenancy without cause and for any reason by giving sixty (60) days prior notice to Lessee.

Section 4 Termination of Lease

4.1 Default. If the City discovers at any time during the Lease Term that the Lessee or any other party has used, is using, or will use the Premises in an unlawful manner or for an unlawful purpose, or in any manner that is inconsistent with any provision of this Lease, City may notify Lessee of the failure to perform and terminate the Lease in accordance with this Section.

4.2 Right to Cure. Lessee must cure any failure to perform any of the terms, conditions, or covenants of this Lease to be observed or performed by Lessee within thirty (30) days after receiving notice from the City of the default. The City may grant additional time to cure any failure to perform as may be reasonably required, as determined by the City which must be in writing.

4.3 Termination upon Default. Upon the occurrence and failure to cure a default of the Lease within the time period in Section 4.2, the City may, at its option, and in addition to any and all other rights to which it may be entitled under this Lease or applicable law, elect to terminate this Lease. Any such termination will be effective as of the date specified in such election.

4.4 In the event Tenant discovers within the first sixty (60) days following the Effective Date of this Lease that the Tenant Improvements trigger additional compliance related to the upgrades which exceed anticipated expenses, Tenant shall have the right to terminate the Lease early without penalty.

Section 5 Options to Renew

Upon each expiration, and by providing the City with a written request at least three (3) months prior, upon City approval, Lessee shall have two (2) additional three-year options to renew the Lease.

Section 6 Vacation of Premises

Upon termination of this Lease for any reason, Lessee shall peaceably vacate and

deliver the Premises to City in the same condition as Lessee found them upon its acceptance of the Premises hereunder, excepting ordinary wear and tear and conditions caused by acts of God.

Upon such termination, Lessee shall immediately:

- A. Arrange and pay for the disconnection of all utilities and services ordered by Lessee;
- B. Provide a written statement to the Lease Administrator of Lessee's new address for purpose of refunding monies, if any, due Lessee under this Lease; and
- C. Deliver any keys for the Premises to the Administrator or send said keys by certified mail to the City.

Section 7 Rent

7.1 Base Rental Rate. In consideration of the possession and use of the Premises, Lessee shall deliver and pay rent to City \$18,686.80 on or prior to the first day of each month. The Rent shall commence on the first day of the month following completion of the Tenant Improvements listed in Exhibit A ("**Rent Commencement Date**"). Tenant shall notify Lease Administrator within 24 hours after Tenant Improvements have been completed. Rent shall increase by 3% annually on each anniversary of the Rent Commencement Date.

7.2 Rent Abatement. As consideration for performance of the Tenant Improvements listed in the attached Exhibit A, Tenant shall be allowed early occupancy for the Tenant Improvement work. Further, rent shall be abated for the first seven (7) months from the Rent Commencement Date, equaling a total rent credit of \$130,807.60.

7.3 Hold Over Rental Rate. The rent payments for any Hold Over will be equal to the previous year's Rental Rate plus ten percent (10%).

Section 8 Security Deposit

Lessee shall pay a security deposit in the amount of \$18,686.80 at lease signing.

Section 9 Late Payment

Rent payments received after the 5th day of any month will be charged an additional 4% late payment fee.

Section 10 Utilities Payments

As of the Effective Date of this Lease, Lessee agrees to provide and pay for all utilities and services necessary for the occupancy and use of the Premises, including, but not limited to: gas, water, electricity, sewage charges or septic service, trash and any telecommunications services.

Section 11 Taxes, Assessments and Fees

The terms of this Lease may result in the creation of a possessory interest. If such a possessory interest is vested in Lessee, Lessee may be subjected to the payment of personal property taxes levied on such interest. Lessee shall be responsible for the payment of, and shall pay before delinquent, all taxes, assessments, and fees assessed or levied upon Lessee, on said Premises or any interest therein, on any buildings, structures, machines, appliances, or other improvements of any nature whatsoever, or on any interest therein.

Lessee further agrees not to allow such taxes, assessments, or fees to become a lien against said premises or any improvement thereon. Nothing herein contained shall be deemed to prevent or prohibit Lessee from contesting the validity of amount of any such tax, assessment, or fee in any manner authorized by law.

Section 12 Acceptance and Maintenance

Lessee hereby acknowledges that Lessee has inspected the Premises, that Lessee accepts said Premises "as is" and "where is," that the Premises are in a good and sanitary order, condition, and repair and suitable for the uses as specified in this Lease.

Lessee agrees to maintain the Premises in good condition and in compliance with all applicable property maintenance and related laws. Lessee releases the City from the obligation to maintain any portion of the Premises. Said release is part of the consideration for the rental of the Premises, and Lessee therefore waives all rights it may otherwise have under Sections 1941 and 1942 of the Civil Code.

In the event Lessee fails to properly maintain the premises as required by City, City may notify Lessee in writing of said failure. In the event Lessee fails to perform said maintenance within thirty (30) days after such notice by City, City may perform such maintenance, and any costs including, but not limited to, the cost of labor, material, and equipment, shall be paid by Lessee to City within ten (10) days from receipt by Lessee of an invoice from City.

Section 13 Alterations

Other than those items expressly agreed to in the attached Exhibit A, Lessee shall not paint, alter, cut, add to, or otherwise change the appearance, structure, or condition of the Premises without the prior written consent of the Lease Administrator and only after

obtaining applicable permits. This section shall not apply to alterations that do not exceed \$10,000 and are not structural in nature.

Any tenant improvements, and additional improvements made with the consent of the Lease Administrator shall become a fixture to the realty and shall remain on and be surrendered with the Premises upon termination of this Lease.

Lessor or its representatives shall have the right to go upon and inspect the Demised Premises at all reasonable times and shall have the right to post and keep posted thereon notices of nonresponsibility, or such other notices which the Lessor may deem to be proper for the protection of the Lessor's interest in the Demised Premises.

Section 14 Use

Lessee agrees to use the Premises for warehousing of plastic products manufactured at Lessee's main facility in accordance with the provisions and requirements contained in any permits required by the City of Escondido. Lessee shall not use, nor permit the use of, the Premises other than as described. In any case where Lessee is, or should reasonably be, in doubt as to the propriety of any particular use, Lessee may request, and will not be in breach or default if Lessee abides by, the written determination of the Lease Administrator that such use is or is not permitted.

Section 15 Occupancy, Assignment and Subletting

The Premises shall only be occupied by Lessee except with prior written consent of the Lease Administrator. Lessee may not assign or sublease any interest in this Lease to any other party, at any time, including a transferee of a controlling interest in Lessee without written consent from the Lease Administrator.

Section 16 Conduct

Lessee and guests of Lessee shall at all times conduct themselves in a quiet and dignified manner so as to cause no annoyance or inconvenience to neighbors of Lessee.

Lessee shall not violate, or permit the violation of, any City or County ordinance, or state or federal law, in or about the Premises.

Noncompliance by Lessee with any provision of this Section shall allow the Lease Administrator to terminate this Lease.

Section 17 Pets

No pets or livestock of any kind may be kept on the Premises without the prior written consent of the Lease Administrator.

Section 18 Notices

Any notice required or permitted to be given by this Lease must either be personally served on the other party or served by certified mail, return receipt requested, to the addressee. Notices served by mail shall be sent to the address listed above. A change of either party's address must also be immediately served in the manner described above.

Section 19 Right of Inspection

City reserves the right for its agents or employees to enter upon and inspect the Premises at any reasonable time, upon 24 hour notice, to ascertain if Lessee is complying with the provisions of this Lease.

Section 20 Insurance

Lessee must have insurance in the following amounts at all times during this Agreement:

- A. General liability insurance with at least \$2 Million combined single-limit coverage per occurrence for bodily injury and property damage.
- B. Automobile liability insurance of \$1 Million combined single-limit per accident for bodily injury and property damage for any and all vehicles that are owned by the Lessee (if applicable).
- C. Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship.
- D. Commercial property insurance in an amount commensurate with the value of the improvements on the Premises.
- E. During the construction of Tenant Improvements, insurance in an amount no less than to cover construction risks, etc.

Each insurance policy required above must be acceptable to the City Attorney:

- F. Each policy must name the City specifically as an additional insured under the policy on a separate endorsement page, with the exception of the workers' compensation policy.
- G. 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.

- H. All non-admitted carriers will be required to provide a service of suit endorsement in addition to the additional insured endorsement.

Lessee agrees to deposit with City, on or before the effective date of this Lease, one certificate of insurance for each of the policy or policies necessary to satisfy the insurance provisions of this Lease and to keep such insurance in effect during the entire term of this Lease. This certificate must be reviewed by, and acceptable to, the City Attorney, prior to commencement of the Lease Term. Lessee will also deposit with the City within 60 days of the Effective Date of this Lease, an additional insured endorsement naming City specifically and separately as an "additional insured", with the exception of the worker's compensation policy. The appropriate endorsements described above shall follow within sixty (60) days. Noncompliance by Lessee with any provision of this Section shall allow the Lease Administrator to terminate this Lease.

City shall retain the right at any time to review the coverage, form and amount of the insurance required hereby. If, in the opinion of the Lease Administrator, the insurance provisions in this Lease do not provide adequate protection for City and for members of the public using the Premises, City may require Lessee to obtain insurance sufficient in coverage, form and amount to provide adequate protection from and against the kind and extent of risks which exist or are foreseeable at the time a change in insurance is required. City's requirements shall be reasonable, but shall be designed to assure adequate protection of the City's interests. The Lease Administrator shall notify Lessee in writing of changes in the insurance requirements and, if Lessee does not deposit with City within sixty (60) days of receipt of such notice a new Certificate of Insurance for each policy or policies of insurance incorporating such changes, this Lease shall be deemed in default without further notice to Lessee and may be forthwith terminated by the Lease Administrator.

The procuring of such required policy or policies of insurance shall not be construed to limit Lessee's liability hereunder nor to fulfill the indemnification provisions and requirements of this Lease. Notwithstanding said policy or policies of insurance, Lessee shall be obligated for the full and total amount of any damage, injury or loss attributable to any act or omission of it or its agents, customers or guests in connection with this Lease or with use or occupancy of the Premises.

Noncompliance by Lessee with any provision of this Section shall allow the Lease Administrator to terminate this Lease.

Section 21 Indemnification

Lessee shall defend, indemnify, and hold harmless City, its officers, agents, and employees from and against any and all claims, demands, and liabilities for loss of any kind or nature which City, its officers, agents, or employees may sustain or incur or which may be imposed upon them or any of them for injury to or death of persons or damage to property as a result of, arising out of, or in any manner connected with this Agreement or with the occupancy and use of the Premises by Lessee, its invitees, visitors, or any other persons whatsoever. Lessee further agrees to pay any and all costs and expenses, including, but not limited to, court costs and reasonable attorney's fees incurred by City on account of any such claims, demands, or liabilities. However, the provisions of this Agreement shall not be construed to indemnify City for claims or acts arising from City's sole negligence.

Section 22 Attorney's Fees, Costs and Expenses

In the event legal action is brought to enforce the terms of or to declare a termination of this Lease for reason of breach thereof, the unsuccessful party shall pay all of the successful party's costs of such action, together with reasonable attorney's fees, in an amount to be fixed by the court.

Section 23 Non-Discrimination

Lessee covenants that this Lease is made and accepted upon and subject to the condition that there shall be no discrimination against or segregation of any person or group of persons on account of physical or mental disabilities, race, color, creed, religion, sex, marital status, national origin or ancestry in the use, occupancy, tenure or enjoyment of the leased premises. Lessee shall not establish or permit any such practice of discrimination or segregation with reference to the selection, location, number, or use of occupancy by customers, tenants or vendees in the leased premises.

Section 24 Supersedure

This Lease, upon becoming effective, shall supersede any leases or rental agreements heretofore made or issued for the Premises between the City and Lessee.

Section 25 Hazardous and/or Contaminated Soil and Material

Lessee will not place or permit to be placed materials and/or contaminated soils on the premises which under federal, state, or local law, statute, ordinance, or regulations require special handling in collection, storage, treatment, and/or disposal. Lessee also hereby covenants and agrees that, if at any time it is determined there are materials and/or contaminated soils located on the premises which under any environmental requirement require special handling in collection, storage, treatment, or disposal, Lessee shall notify City. Within thirty (30) days after written notice to City or from City,

Lessee shall commence to take and thereafter diligently complete, at Lessee's sole expense, such actions as may be necessary to comply with environmental requirements.

Section 26 Law to Govern; Venue

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 North County Division of the San Diego County Superior Court or federal courts located in San Diego County, California.

Section 27 Special Provisions

Lessee hereby acknowledges that Lessee waives all rights to any form of relocation assistance provided for by local, state, or federal law to which Lessee may be entitled by reason of this Lease.

Section 28 Americans with Disabilities Act

It is the duty of the Lessee while operating under this Lease to comply with all local, state, and federal laws, including, but not limited to, the Americans with Disabilities Act and to indemnify City from any violation of any such law. Failure to comply with a provision of local, state, or federal law is grounds for the Lease Administrator's immediate termination of this Lease.

Section 29 Amendment

This Agreement may not be amended, modified, or supplemented except by a writing executed both Parties.

Section 30 Waiver

No waiver by a Party of any provision of this Agreement shall be considered a waiver of any other provision or any subsequent breach of the same or any other provision. The exercise by a Party of any right or remedy provided in this Agreement or provided by law shall not prevent the exercise by that Party of any other remedy provided in this Agreement or under the law.

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.

(Signatures Appear on the Following Page)



CITY OF ESCONDIDO

Date: _____

Debra Lundy, Real Property Manager

Date: _____

Diane Halverson, City Clerk

TRI-PACK ENTERPRISES, INC. DBA CUSTOM BLOW MOLDING

Date: _____

By: _____

Print Name/Title

Date: _____

By: _____

Print Name/Title

APPROVED AS TO FORM:

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

By: _____

Exhibit A

Tenant at Tenants sole cost shall make the following Tenant Improvements **with all applicable City Planning permits and approvals:**

1. Demo all mezzanine in the warehouse.
2. Enlarge 2 warehouse openings to 12 ft. high.
3. Demo the non-load bearing wall and drop ceiling in the warehouse area.
4. Demo the catwalk in the warehouse area.
5. Paint warehouse walls
6. Upgrade warehouse lighting
7. New carpet and paint in office area
8. Replace broken ceiling tiles and lighting
9. Remove cubicles
10. Add window coverings
11. Basic clean-up of landscape
12. Parking lot lighting in good working order
13. Any and all improvements required by the city as a result of the city permitting and approval process. The extent of the work is cosmetic and demolition work. No new construction.

Estimated Cost: \$132,333.78

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 6
Date: March 4, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Loretta McKinney, Director of Library and Community Services

SUBJECT: Authorization to Apply for a \$30,000 California Public Library Broadband Grant and Approval of a Budget Adjustment of Library Trust Fund Monies

RECOMMENDATION:

It is requested that Council authorize a grant application to the California State Library for a \$30,000 California Public Library Broadband Grant Program and to approve a budget adjustment of \$30,000 from the Library Trust Fund to the Library Trust Special Projects account for the purchase of the required equipment to implement the broadband upgrade.

FISCAL ANALYSIS:

This action will have no impact on the General Fund budget. The California State Library has no match requirement for Level 1 libraries (of which Escondido Public Library is Level 1). The budget adjustment of \$30,000 will be reimbursed once the grant funds are distributed.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the Council's Action Plan regarding Economic Development as such a substantial increase to the Library's high-speed broadband network significantly enhances the use of technology to improve efficiency for Library patrons many of whom are students using the Library's computers and wireless access to conduct research.

PREVIOUS ACTION:

The use of Library Trust Fund Special Projects monies to purchase the required equipment for this project was considered and approved by the Library Board of Trustees at a Special Meeting on Thursday, February 19, 2015.

BACKGROUND:

The High-speed Broadband in California Public Libraries Project responds to a charge from the California state Legislature and Governor to the California State Librarian. The charge specifically directed the State Librarian to conduct a needs assessment and spending plan to connect local public

Authorization to Apply for a \$30,000 California Public Library Broadband Grant and Approval of a Budget Adjustment of Library Trust Fund Monies

March 4, 2015

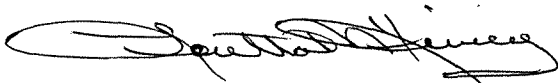
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libraries to a statewide high-speed Internet network. The spending plan that resulted from the needs assessment was approved in the 2014/2015 California Budget, which provides \$2.5 million for public library's membership in the Corporation for Education Initiatives in California (CENIC) organization and \$1.0 million for one-time grants to public libraries to implement the broadband program. The Escondido Public Library's membership in CENIC will result in a reduction of ongoing costs for Internet access for the next five years while the \$1.0 million one-time grants will cover the equipment and infrastructure costs needed by the public libraries to connect to the network. The \$30,000 Grant award will come from the \$1.0 million fund.

Given finite, one-time resources, grant maximums have been established based on the most recent available Local Income Per Capita (LIPC) divided by the Local Operating Income (per-capita spending by library jurisdiction) for 2012-2013. This formula resulted in three LIPC levels of which the Escondido Public Library falls within Level 1, requiring no local matching funds.

Specifically, the broadband upgrade in the Escondido Library will result in increased speed from 50 Mbps (Megabits per second) to 1 Gbps (Gigabit per second). The Grant is only available this fiscal year and will allow the Library to take full advantage of the State Library's initiative. Only the public access computers and wireless network in the Library will be affected by this change.

Respectfully submitted,



Loretta McKinney
Director of Library and Community Services



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: 2/23/15
Department: Library and Community Services Dept.
Division: Library
Project/Budget Manager: Loretta McKinney 4871
Name Extension
Council Date (if applicable): 3/4/15
(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. Includes entries for Library Trust Fund and Library Trust Technology Fund.

Explanation of Request:

The Library is requesting a transfer of funds from the Library Trust Fund to the Library Trust Technology account to cover expenses related to the procurement of required hardware and software to increase the Library's public bandwidth from 50 Mbps to 1Gbps.

APPROVALS

Loretta McKinney 2/23/15 Date City Manager Date
Jodi Groo 2/24/15 Date City Clerk Date

Distribution (after approval): Original: Finance

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 7

Date: March 4, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Joyce Masterson, Director of Economic Development and Community Relations

SUBJECT: Final City Council Action Plan Report for 2013-2014

RECOMMENDATION:

It is requested that the City Council receive and file the final status report of the two-year City Council Action Plan for 2013 and 2014.

FISCAL ANALYSIS:

None

PREVIOUS ACTION:

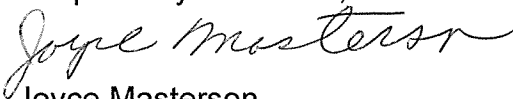
The City Council held a workshop for the development of the 2013-2014 Council Action Plan on February 27, 2013. On June 26, 2013, Council provided direction on the Economic Development element of the Action Plan. On August 14, 2013, Council provided direction on the Neighborhood Improvement element. On September 11, 2013, Council provided direction on the Public Safety element. On October 16, 2013, the Council provided direction on the Fiscal Management element of the Action Plan. The City Council approved the 2013-2014 City Council Action Plan on November 6, 2013. The City Council received and filed a status report presented on September 24, 2014.

BACKGROUND:

The City Council Action Plan represents the City Council's collective vision for Escondido's future and the key strategies that will be used to achieve that vision. It is developed biennially following a workshop where key policy goals are identified and discussed. The Final Status Report summarizes the progress made in achieving the activities outlined in the Council Action Plan.

The City Council Action Plan for 2013 and 2014 contained 77 implementation objectives that were due to be completed by the end of 2014. Of those, 60 were completed and 11 are still in the process of being completed. The remaining 6 objectives will be carried over to the 2015 and 2016 City Council Action Plan. The completion rate for the plan (including those in progress) was 92%.

Respectfully submitted,



Joyce Masterson

Director of Economic Development and Community Relations

Two-Year City Council Action Plan 2013-2014

City Council Action Plan Economic Development

Goal	Current Reality	Strategy	Evaluation Measure
<p>Implement Comprehensive Economic Development Master Plan</p>	<p>As prescribed by the Master Plan, an Economic Development Task Force (EDTF) has been formed consisting of Community members and staff. This group is currently reviewing any barriers or enhancements needed to make the new employment lands identified in the General Plan available for development, keeping in mind those which best can accommodate the plan's focus on healthcare and clean tech.</p>	<ol style="list-style-type: none"> 1) Convene EDTF to identify specific industry attraction targets and goals for two and five-year horizons. (CEDS 4a) Nov. 2013 Completed 2) Develop industry-specific marketing materials and campaigns for the initial "focus targets" identified by the EDTF in conjunction with the City's identity and image enhancement program. (CEDS 4b) November 2014 In progress. Draft materials have been developed but finalization is pending the release of the 78 Corridor Cities branding. Anticipate release is first quarter 2015. 3) Investigate implementation of formal Business Retention and Expansion survey process. Cost is anticipated at approximately \$10,000. CEDS (5b) September 2014. Completed. As an alternative to a costly survey, the Economic Development Division, in conjunction with the Chamber of Commerce, conducted the First "Annual Business Walk" in September 2014. Working in 	<ol style="list-style-type: none"> 1. Creation of list of targets and goals 2. Creation of materials 3. Completion of analysis

Goal	Current Reality	Strategy	Evaluation Measure
Integrate with regional economic development efforts	The Mayors, City Managers and Economic Development staffs of Carlsbad, Escondido, Oceanside, San Marcos and Vista have agreed to collaborate on a joint branding effort.	<p>teams of two, volunteers surveyed 53 businesses. The data from those surveys has been entered in a database and compiled into a report.</p> <p>4) Provide funding in the amount of \$21,000 to hire a consultant to create a regional brand for the North County. Funding requested in FY 2013-2014 Budget . Completed</p>	4. Creation of brand by consultant
Prepare Business Park Land and infrastructure	The type of proposed development drives preparation requirements. Water, sewer, communications, soil remediation and traffic demands are driven by development type. Acquisition of private properties to be assembled for sale would require significant investment. An RFP for development of this land is not recommended until properties are assembled. However, refinement of the vision for City-owned properties is needed to guide decisions (lease or sell) and will set the frame-work for overall development of the Business Park.	<p>5) Remove potential barriers to development including:</p> <p>a. Fund removal of dilapidated building at 525 N. Quince. (Estimated cost is \$48,974) Completed</p> <p>b. Develop a Long Range Property Management Plan (LRPMP) - Completed. Adopted by Successor Agency and Oversight Board (10/2 & 10/8); to DOF for approval by 11/24</p> <p>c. Implement LRPMP December 2014 In progress. On hold pending approval of the LRPMP by the Department of Finance.</p>	<p>5a. Completion of demolition</p> <p>5b. Adoption of a Long Range Property Management Plan.</p> <p>5c. LRPMP Implementation</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Leverage partnerships with local Chambers of Commerce, schools & universities, realtors, developers , Union Tribune, SDNEDC, wineries, breweries, Visitor’s Bureau</p>	<p>City staff currently serve on the following chamber committees:</p> <ul style="list-style-type: none"> • SDNCC economic development and workforce development • Escondido Chamber government relations and economic development <p>City staff have well-established connections with:</p> <ul style="list-style-type: none"> • Vista Brewers’ Guild • SDNEDC • Escondido wineries via Grape Day 2012 event • School district • Brokers 	<p>6) Schedule minimum of 2 editorial board meetings with UT annually. Completed. Mayor met several times with Union Tribune Board.</p> <p>7) Establish Escondido brewers/vintners guild modeled after Vista example. Request Removal. Escondido brewers and vintners are now participating in regional professional collaborations (The Vista Brewer’s Guild and the San Diego Urban Winery Association) making a separate Escondido guild redundant. A City Economic Development staff member will be included in the meetings and information sharing of both organizations.</p> <p>8) Fold “ Visit Escondido” Director into City Economic Development Division. Completed</p> <p>9) Encourage industry specific business groups (i.e. craft beer, wineries, hotels, restaurants). Completed with ongoing relationships for collaboration, networking and promotion.</p>	<p>6. Meetings held</p> <p>7. Establishment of guild</p> <p>8. Approval by Council</p> <p>9. Formation of groups</p>

Goal	Current Reality	Strategy	Evaluation Measure
Attract a Hotel	<p>In 2003 the City issued an RFP for a downtown hotel. The developer selected has been unable to secure financing for the project. Since ten years have lapsed it is appropriate to solicit new proposals for a quality hotel in Escondido, including areas outside of downtown.</p>	<p>10. Develop an RFP for a hotel. July 2014. On hold pending two proposals under consideration.</p>	<p>10. Selection of developer</p>
<p>Establish a pro-active annexation Policy for the commercial areas identified in the General Plan Update</p>	<p>LAFCO requires a development plan to accompany an annexation application. This requirement could be modified by the San Diego LAFCO Board leadership to facilitate certain annexations. General Plan Policies have been updated focused on a pro-active approach toward annexing land that addresses city goals. The City Annexation Guide has been updated and posted online at: http://www.escondido.org/Data/Sites/1/media/pdfs/Planning/AnnexationGuide.pdf</p>	<p>11. Request the Mayor, as a member of the San Diego LAFCO , to work with the Board and LAFCO staff to modify its policy which would facilitate annexation of commercial properties. December 2014 In progress. Mayor Abed is member of LAFCO.</p>	<p>11. Modification of policy</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Enhance use of Technology and Innovation to improve efficiency, services and reduce costs</p>	<p>Virtual City Hall was recently completed to provide easy public access to information. Expedited processing is available.</p>	<p>12. Improve use of City’s systems for tracking permit processing times. (CEDS 8d) This will also include customer complaints and special events permits. Completed. TRAKiT permit tracking software has been updated and CRM TRAK module has been implemented to track customer complaints.</p>	<p>12. Internal and external customer feedback</p>
<p>Make Escondido more competitive in the marketplace</p>	<p>Substantial work has taken place to accomplish this goal including creation of the Economic Development Director position to increase focus in this area; expedited permit delivery is available upon request; and the development process has been streamlined by combining Design Review Board and Planning Commission. Interdepartmental meetings are held weekly to coordinate, proactively identify and resolve issues early in the development process.</p> <p>The current focus of the Economic Development Subcommittee has primarily been only to review requests for expedited processing, rather than to update committee members on broader economic development matters.</p>	<p>13. Raise the project-size threshold for triggering CEQA requirements, subject to City’s discretionary authority (CEDS 8b.) Completed. At the December 4, 2014 meeting, the City Council adopted updated CEQA thresholds of significance based on local standards that establishes the parameters for preparing the environmental documentation required for projects (Ord. 2013-12).</p> <p>14. Continue to identify process improvements to further streamline the development review process. Completed. “Working Together to Get to Yes” program presented at City Council workshop in June 2014.</p>	<p>13. Adoption</p> <p>14. Completion</p>

Goal	Current Reality	Strategy	Evaluation Measure
		<p>15. Formalize City “red team” (Staff Development Committee) to ensure timely development processing, building on the structure of the existing interdepartmental team (CEDS 8c.) Completed</p> <p>16. Prepare appropriate zoning ordinances for Planned Office, R-5-30, Mixed Use Overlay Standards, Parking, etc. reflecting recent General Plan Update land use changes Completed/In progress. Code amendments for commercial zones including Planned Office approved in August 2014. Additional code amendments are underway with public hearings anticipated in April.</p> <p>17. Assign the Economic Development Director as the staff liaison to the Economic Development Subcommittee, and hold quarterly meetings to update subcommittee on economic development topics. Special meetings of the subcommittee will still be held as needed to review requests for expedited processing. Completed</p>	<p>15. Completion</p> <p>16. Adoption</p> <p>17. Customer feedback Establishing of quarterly Regular meetings</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Turn Escondido into an Education Hub</p>	<p>27.9% of Escondido residents over the age of 25 do not have even a high school diploma.</p> <p>Interest in improving educational opportunities is increasing as evidenced by the construction of the new public high school Del Lago Academy, the expansion of Classical Academy and Charter High School, the remodel of Palomar College and the relocation of John Paul the Great University to Grand Avenue.</p>	<p>18. Establish an Educational Task Force. (CEDS 16a) Revised and Completed. Rather than create a separate group, a City Economic Development staff member has joined the recently created San Diego North Adult Education Partnership. The Partnership is a regional consortium that includes school representatives from all levels.</p>	<p>18. Creation of Task Force</p>
		<p>19. Draft an Educational Enhancement operational plan, specifically focused on primary and secondary schools, but eventually addressing higher education within the City. The plan will be developed and continually refined in concert with education, school administrators and other stakeholders. (CEDS 16b) October 2014. Delayed. Request moving to 2015-15 Plan.</p>	<p>19. Develop plan</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Carryovers from previous Council Action Plan</p>	<p>Review of the Public Art Fee and Commission in 2011-2012 Action Plan was not completed due to work load of staff associated with AMGEN race.</p> <p>The scheduling of a Fire Prevention Staff member at City Hall one day a week for plan checks had been delayed due to staffing levels. However, based on customer feedback, this service enhancement is no longer needed. Staff recommends removing this item from the Action Plan.</p>	<p>20. Item Removed per Council direction</p> <p>21. Determine the appropriateness of retaining, reducing or eliminating the current Public Art Fee and the Public Art Commission. Completed. A recommendation by staff was given to the City Council in August 2014 recommending no changes be made to either the Public Art Fee or the Public Art Commission. There were no objections to this recommendation.</p>	<p>20. Removed per Council direction</p> <p>21. Customer Feedback</p>

City Council Action Plan Fiscal Management

Goal	Current Reality	Strategy	Evaluation Measure
<p>Improve the City's A+ Bond Rating</p>	<p>Ratings are influenced by factors beyond the city's control including regional economic factors, local unemployment, etc.</p> <p>The best Standard & Poor's ratings are AAA, AA, and A. These are sometimes supplemented with a plus (+) or a minus (-) sign to raise or lower a bond's position within the group. According to definition the "A" represents a "strong capacity to meet financial commitments, but somewhat susceptible to adverse economic conditions and changes in circumstances". The "+" indicates a standing at the top of the scale.</p> <p>The City's current bond Rating for General Obligation Bonds is A+. The City's Water and Wastewater Bond Rating is AA-.</p>	<p>1. Create a list and implementation dates of economic factors that the City can control that may assist the city in raising its bond rating. Completed. Standard & Poor's Ratings Services upgraded the City's General Obligation Bond credit rating from A+ to AA-. The Finance Department has developed a list of strategies that are within the city's control that will help maintain or improve the City's bond credit rating.</p>	<p>1. Implementation of economic factors within the city's control</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Reduce Pension Debt</p>	<p>PERS is addressing this issue by implementing increased city contribution rates over the next five years that will be dedicated to lower the unfunded liability amount. The PERS actuarial report released in November of 2013 will have more information regarding these specific rates. The City needs to address this extra retirement cost in our future projections.</p>	<p>2. Present a five year projection, adding in a new retirement cost dedicated to eliminate the unfunded liability in 30 years. Completed. On March 26, 2014 John Bartel provided the City Council with an update on CalPERS new assumption changes and newly adopted contribution policy which will modify its actuarial smoothing and amortization methods. The outcome of these changes will be a ramp up in the employer contribution rate for the next 5 years beginning in fiscal year 2015/16 along with a 20 year amortization period and then a 5 year ramp down in rates with the end goal of eliminating the unfunded liability in 30 years.</p>	<p>2. Review of PERS report</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Maintain Reserve fund at 25% of the General Fund but never lower than 25 million dollars</p>	<p>The City has had a standard policy of keeping a minimum of 15% of General Fund operating revenue in a reserve. Past year's analysis show that the General Fund should have a minimum of 15 million dollars to cover cash flow during the July to December time period. Currently the General fund reserve is \$16.5 million dollars.</p> <p>The City has a policy requiring any land sales proceeds to be placed in the Reserve Fund.</p>	<p>3. Establish a projection of how soon the City can expect to establish a \$25 million reserve under normal circumstances and have alternatives to achieve this goal faster. December 2014 Delayed.</p>	<p>3. Achieve a minimum reserve of \$25 million</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Resubmit the Charter City Proposal to voters without district language</p>	<p>The previous Charter City Proposal included language about voting districts and was not approved by voters in November 2012.</p> <p>Pending state legislation may have a significant impact on charter cities. SB 7, which is expected to be signed by the Governor, prohibits a charter city from receiving or using state funding for a construction project if the city has a charter provision or ordinance that authorizes a contractor not to comply with prevailing wage requirements on any public works contract, as specified.</p>	<p>4. Hold public hearings on a revised Charter City Proposal for possible inclusion in 2014 election ballot.</p> <p>Completed. Public Hearings were held in April and May 2014. Measure was placed on November 2014 ballot but was not approved.</p>	<p>4. Election result</p>

City Council Action Plan Neighborhood Improvement

Goal	Current Reality	Strategy	Evaluation Measure
<p>Urban Renewal to Improve Aging Neighborhoods</p>	<p>A comprehensive review of the Zoning Code was anticipated as part of the General Plan Implementation Program and a draft RFP was prepared to solicit consultants to prepare citywide Zoning Code Update. This project was originally funded through CIP budget; due to budget limitations, CIP funds have now reallocated to fund GP Project Manager position as part of the reorganization of the Housing Division. The CIP balance is insufficient to fund an outside consultant; up to an additional \$200,000 would be needed for a comprehensive update by a consultant or one-time extension of staff. The work can be done incrementally by in house staff but would not be done as quickly.</p>	<p>1. Prepare individual code amendments targeting CC priorities, in lieu of a comprehensive update; to be prepared by staff instead of a consultant. This will allow quicker implementation of priority amendments, with a focus on land use and development -related code sections and guidelines to delete outdated provisions and amend codes as necessary to better support current enforcement goals and policies December 2014. Completed/In progress. Code amendments for commercial zones including Planned Office approved in August 2014. Lighting Ordinance completed in December 2014. Additional code amendments are underway with public hearings anticipated in April 2015.</p>	<p>1. Adoption of individual code amendments and area plans</p>
	<p>There is currently no funding for an incentives program to rehabilitate residential properties. The Home Rehabilitation Program was discontinued in 2011 due to the</p>	<p>2. Explore new funding options to reinstate a Housing Rehabilitation Program and/or “curb appeal” program; options include:</p>	<p>2. Fund program</p>

Goal	Current Reality	Strategy	Evaluation Measure
	<p>Dissolution of the Redevelopment Agency. Residential projects are not eligible for Façade Improvement Program grants.</p> <p>An application was submitted for CalHome Grant Funds to reinstate the Home Rehabilitation Program. The City was notified in late June the grant was not awarded.</p>	<ul style="list-style-type: none"> • Continue to pursue grant opportunities • Designate proceeds from sale of Mercado properties (as part of long range property management planning) or other Housing repayments (such as First Time Homebuyer program) • Use Reserve Funds to establish new program similar to FIP December 2014. Completed. \$1.9M in grant funds awarded by HCD to allow reinstatement of the housing rehabilitation program for owner occupied housing units and mobile homes. 	
	<p>With the elimination of the redevelopment agency, the City must find new funding sources to redevelop blighted areas and meet goals for affordable housing. As a result of recent project repayment from the Terraces, HOME funds are available for housing projects.</p>	<p>3. Prepare an RFP for use of HOME funds directed towards rehabilitation of substandard multi-family housing in specified areas. Housing will be for income-qualified households and monitored for up to 55 years. Completed; awards made to San Diego Habitat for Humanity and Solutions for Change</p>	<p>3. Issue RFP and select developer(s)</p>
	<p>Existing street lights are not energy efficient; current lighting ordinance does not recognize new technologies to allow retrofit. Significant savings could be realized by retrofitting luminaires with energy efficient LEDs.</p>	<p>4. Amend "Dark Skies" Outdoor Lighting Ordinance to allow use of energy efficient street lights (LEDs) December 2014 Completed. Ordinance adopted December 2014</p> <p>5. Retrofit street lights by contracting a company with proven experience and success in LED switchovers. December 2014 In progress. Council approved the purchase of 279 LED lights on 2/4/15</p>	<p>4. Adopt Ordinance</p> <p>5. Quantify LED installations, energy savings and overall costs.</p>

Goal	Current Reality	Strategy	Evaluation Measure
		<p>6. Explore contracts with mobile cell providers to implement new cell technology on streetlights, and require retrofit of lights as part of contract. December 2014 In Progress. Draft Master Encroachment Agreement with Verizon under way for Small Cell Facilities on City street lights. Following preliminary negotiations regarding terms of the Agreement, item to come to City Council for approval. Carrier will then proceed with entitlements through Planning.</p>	<p>6. Number of retrofitted streetlights</p>
	<p>Existing design standards for improvement of public streets may be an impediment to the annexation of developed properties. Rural road standards may be appropriate in some circumstances; however, the previous rural standards were repealed.</p>	<p>7. Revise Engineering standards to reinstate Rural Street Standards. Completed: Rural Road standards adopted by City Council on April 2, 2014</p>	<p>7. Adoption of standards</p>
<p>Improve City Appearance by Restoring Proactive Code Enforcement</p>	<p>Current staffing in code enforcement is based on part-time (PT) positions which:</p> <ul style="list-style-type: none"> • Allows for limited weekend and flexible coverage, but no nighttime enforcement • Experience a high staff turnover, making it difficult to train officers with appropriate certifications. 	<p>8. Retain budget for 2 PT CDBG-funded positions, for proactive enforcement in eligible commercial areas, based on defined priorities. Completed</p> <p>9. Conduct a workshop with Council to discuss Council priorities for enforcement. Completed. Workshop held April 2014.</p>	<p>8. Quarterly reports</p> <p>9. Conduct workshop and establish priorities</p>

Goal	Current Reality	Strategy	Evaluation Measure
	<p>Proactive enforcement citywide cannot be accomplished until such time as additional full time positions are restored. Code enforcement is currently complaint-based (except in CDBG areas), with priority given to</p>	<p>10. Identify priority areas for targeted proactive enforcement, including downtown, gateways and transportation corridors, public spaces and other highly visible locations. Completed</p>	<p>10. Identification of target enforcement areas</p>
	<p>Health/safety violations. Priorities are as follows:</p> <ul style="list-style-type: none"> • Health and Safety violations • Building and Housing Code violations (garage conversions, non-permitted room additions, substandard dwellings) • Maintenance of abandoned & foreclosed properties • Weed and junk abatement • Mobile Home park inspections • Shopping Carts • Illegal signs • Business license violations 	<p>11. Respond to Quality of Life issues brought up by community groups as assigned by the District Area Commander. Conduct crime prevention through environmental design (CPTED) principles and develop long term solutions. Completed though the implementation of the Neighborhood Transformation Project (NTP). All CEPTED plans are now approved by the Chief of Police.</p>	<p>11. Adopt CPTED standards</p>
	<p>Additional funding is needed to reinstate proactive enforcement citywide (\$86 K per FT position, including benefits).</p>	<p>12. Coordinate with Economic Development staff to provide initial contact responding to complaints to inform and encourage voluntary compliance similar to the Project/Neat model. Completed</p>	<p>12. Establishment of protocols for EDD participation</p>

Goal	Current Reality	Strategy	Evaluation Measure
	<p>Approximately 175 vehicles are abated quarterly on public and private property under the AVA Reimbursement Program. The State Fee Authorization to fund this reimbursement program has expired.</p>	<p>13. Continue to fund PT Code Enforcement position for AVA program through FY 2013/14 FY General Fund budget for abatement on private property and direct Police Department to continue abatement on public streets. – Completed</p>	<p>13. Quarterly reports</p>
	<p>Maintenance of city property should set the standard in the community. Unfortunately it has been reduced due to diminished resources.</p> <p>“We Care” reporting program has emphasized expectation that all employees should report problems. “Report It!” App has made reporting easier. Complaints may also be submitted via website, email and phone.</p>	<p>14. Complete Code Enforcement inspection of City-owned/lease properties on annual basis, documented through Trakit. Completed and ongoing.</p>	<p>14. Annual reports</p>
	<p>Closure of former Escondido Country Club has greatly increased demand for monitoring of property maintenance issues in that area.</p>	<p>15. Establish interdepartmental team to monitor and respond to maintenance issues and coordinate efforts with property owner/manager. Completed.</p>	<p>15. Number of valid complaints resolved.</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Create a More Vibrant and Appealing Downtown</p>	<p>A comprehensive amendment to the Downtown Specific Plan implementing the adopted General Plan has been prepared for public review and the EIR is certified. Planning Commission hearings were held in July; public hearings are scheduled for Council in August 2013.</p>	<p>16. Adopt amendments to Downtown Specific Plan . Completed.</p>	<p>16. Adoption</p>
	<p>Decorative banners are an inexpensive way to create a vibrant atmosphere and enhance tourism/ economic development efforts in downtown Escondido. Economic Development staff are working on a “subway sign” style design for new banners which will be presented to the City Appearance Team for review and approval.</p>	<p>17. Install 12 decorative banners on existing polies in center medians on Grand Avenue. Completed.</p>	<p>17. Installation</p>
	<p>Sidewalk cafes and façade improvements contribute to the pedestrian environment but often encroach into the public sidewalk creating a potential liability. A mechanism is need to ensure that adequate insurance is maintained by the business/property owner.</p>	<p>18. Revise the Encroachment Permit process to streamline process and ensure adequate insurance is maintained to reduce City liability. - Completed.</p>	<p>18. Adopt revised policy and/or procedures</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Maintain Recreational Facilities, Programs and Parks</p>	<p>Budget constraints and departmental reorganizations have resulted in the fragmentation of responsibilities for oversight of new park facility planning and construction. Multiple advisory commissions (Community Services, Planning and Public Art) have oversight of design and master planning efforts yet are coordinated through different departments. Maintenance demands need to play a greater role in planning efforts.</p>	<p>19. Consolidate review by designating the City Appearance Committee (CAC) as the entity responsible to review park master plan and improvement projects and to make recommendations to Council. Project Manager will coordinate consultants and interdepartmental team as needed to prepare plans for the design, construction and maintenance of park facilities for presentation to CAC. Completed.</p>	<p>19. Designate committee</p>
	<p>Council authorized \$50,000 from Park Development funds for preparation of a master plan for the future El Caballo Park. Consultant selection is completed and scope of work is being prepared.</p>	<p>20. Execute consultant contract to prepare future El Caballo Park Master Plan Completed. Council approved the Master Plan in concept at the March 26, 2014 Council Meeting.</p>	<p>20. Complete draft Master Plan for Council action or direction.</p>
	<p>The Grape Day Park Task Force is an ad hoc committee comprised of City staff and adjacent stakeholders with a common interest in restoring Grape Day Park as a recreation destinations. The Task Force's goal is to promote a family friendly welcoming and safe environment. Council has authorized CIP funds for consultant to prepare Grape Day Park Master Plan incorporating recommendations of the task force as endorsed by Council. An RFQ has been issued and consultant selection is anticipated in late August.</p>	<p>21. Execute consultant contract to prepare Grape Day Park Master Plan – Completed. Council approved the Agreement with the Consultant at the March 19, 2014 meeting .</p>	<p>21. Complete draft Master Plan for Council action or direction</p>

Goal	Current Reality	Strategy	Evaluation Measure
	<p>Funding for construction of the Grape Day Park playground structures has been approved in the CIP. Per Council direction, the playground will incorporate the historic eucalyptus tree trunk. An RFQ has been issued and consultant selection is anticipated in late August.</p>	<p>22. Execute consultant contract to develop improvement plans for the structures. September 2014 In progress. Council consideration and approval in concept for the Grape Day Park Master Plan and direction to proceed on the design and construction of the playground is scheduled for the February 4, 2015 City council Meeting.</p>	<p>22. Complete improvement plans for bid.</p>
	<p>Partial funding for construction of Jim Stone Pool improvements has been approved in the CIP (\$219K). A draft assessment of the site by consultant is under review. The assessment will enable the City to prioritize improvement and expansion projects. Additional funding will be needed to complete the improvements. Total estimated cost if \$936K.</p>	<p>23. Prioritize improvements and expansion projects. In progress. Having been awarded unanticipated Housing Related Park grant funds in 8/14 and in coordination with the Grape Day Park Master Plan , staff is reassessing the priorities outlined by the consultant.</p>	<p>23. Complete assessment for Council action or direction</p>
	<p>Funding for an assessment of Kit Carson Park play equipment has been approved in the CIP (\$255K).</p>	<p>24. Complete assessment from park users and community; execute consultant contract to design play equipment. December 2014 Delayed. Due to the immediate need to conduct the master plan process for ball fields in the south end of KCP, the assessment for the KCP play equipment in the north end is scheduled to begin in 5/16</p>	<p>24. Complete assessment for Council action or direction</p>

Goal	Current Reality	Strategy	Evaluation Measure
	<p>Funding for installation of Jesmond Dene Park Ball Field lighting has been approved in the CIP (\$114K). Some objection to the lighting has been raised by neighbors.</p>	<p>25. Prepare improvement plans for review by City Appearance Committee. In Progress. CEQA Negative Declaration to be considered by Council on 9/24/14.</p>	<p>25. Complete improvement plans for bid.</p>
<p>Expand City Collaboration with our 17 Neighborhood Groups to Include Urban Core</p>	<p>CDBG Staff works with 17 neighborhood groups as part of Project NEAT. The program has been successful and serves as a model for other neighborhoods.</p> <p>Due to reduced CDBG funding, training is restricted to organized groups. Residents are encouraged to report all code issue and have been trained on “street appearance issues to report. Expansion to other low income areas will be on hold until funding is restored.</p>	<p>26. Continue to solicit and invite residents in the urban core who are not yet organized to formally organize into a neighborhood group. Completed and Ongoing</p> <p>27. Partner with Habitat for Humanity as part of the “A Brush with Kindness” program. - Completed</p>	<p>26. Number of neighborhood groups</p> <p>27. Number of clean up events</p>
	<p>The NEAT staff person will spend 50% of time working on NEAT activities (20 hrs./wk.). This include education, training to report violations, and attending neighborhood meetings to provide status update on the progress in individual group areas. NEAT type “sweeps” are timed in advance of the annual cleanups to provide the opportunity for violations to clean up their residence by using the cleanup. All Neighborhood Services staff continue to educate all of the respective groups and encourage reporting of all code issues.</p>	<p>28. Integrate an educational component in all neighborhood correspondence and group meetings. This will include handouts, regular NEAT reports and articles in the Neighborhood E-News. Annual cleanup and neighborhood Group smaller monthly “spot” cleanups will be encouraged in all 17 neighborhood groups. Completed and Ongoing .Neighborhood Services staff continues to provide proactive “NEAT SWEEPS” of our 17 neighborhoods groups in conjunction with our annual</p>	<p>28. Track and report NEAT projects in all groups. Continue to monitor the success of the NEAT approach in solving code cases without the need to elevate to an actual code case</p>

Goal	Current Reality	Strategy	Evaluation Measure
		<p>clean-ups. Staff provides NEAT reports and educational materials to residents with violations as well as circulating them through our neighborhood meetings and E Newsletter. In addition to the annual clean-ups Neighborhood Services promotes “spot” clean-ups and provides residents with the necessary material such as bags, vests, gloves and trash pickers. Staff has and will continue to work with the Recycling Division to promote “We Clean Escondido”, a program very similar to the Adopt-A-Lot program, throughout the neighborhoods as well.</p>	
<p>Implement Escondido Creek Master Plan as Funds Become Available</p>	<p>City Council has accepted the Escondido Creek Master Plan, however funding for improvements is limited and will be done on an incremental basis as funding become available or as part of the development of adjacent properties.</p>	<p>29. Explore grant opportunities and leverage CDBG funds to implement Master Plan. November 2014 Completed and ongoing. Seven grant applications have been submitted or are under preparation for creek-related improvements; two grants have been awarded, totaling over \$1.3M.</p>	<p>29. Number/amount of grant funds awarded</p>

Goal	Current Reality	Strategy	
		<p>30. Explore an “Adopt a Creek” program for improvement and maintenance of creek segments. December 2014 Ongoing – Staff will work with the Recycling Division to discuss “We Clean Escondido”, a program very similar to the Adopt-A-Lot program, and its implementation potential along the creek trail. Neighborhood services had worked with Escondido Education COMPACT as well as The Escondido Creek Conservancy and The Reveal Escondido Creek groups to provide clean-up supplies for ongoing creek clean-ups. No formal “Adopt a Creek” policy has been drafted at this point; staff will review the Adopt-A-Lot policy and if appropriate, incorporate the Adopt-A-Creek program.</p>	<p>30. Prepare reports and policy recommendations for City Council consideration</p>
	<p>The master plan includes design concepts that can incorporate public art into the improvements, similar to the approach used for the Maple Street Plaza; \$302,000 in Public Art (PA) funds have been designated in the CIP for functional public art along the creek. However, some of this funding may need to be reallocated for maintenance of other public art pieces.</p>	<p>31. As recommended by the Public Art Commission, use designated PA funds to hire a consultant to prepare a master concept plan for functional public art along the creek walk. Suspended. In 2013 the City Council directed staff to suspend the effort for preparing a functional art master plan and preserve funds for repairs needed at Queen Califia Magical Circle.</p>	<p>31. Complete draft master plan.</p>

Goal	Current Reality	Strategy	Evaluation Measure
Graffiti Removal	<p>Graffiti reports and incidents are responded to as best possible. Previous staffing levels could remove reported graffiti in 24-hour period. Current staffing levels do not have the ability to keep up with removals of all graffiti reported.</p> <p>Five employees currently assigned to graffiti removal (2 Full Time employees and 3 1,000 hour Temporary Department Specialists). An additional \$75K in CDBG funds was allocated for the graffiti program, which can be used for efforts on private property in CDBG-eligible areas.</p> <p>Graffiti reported by residents, City employees, and others. Historically receive in excess of 1,000 graffiti reports monthly. Focus is on education, enforcement and eradication.</p> <p>Public workshop on the Graffiti Master Plan is scheduled for 9/11/13.</p>	<p>32. Prepare a Graffiti Management Plan, to identify and address priorities, including:</p> <ul style="list-style-type: none"> • Profanity • PD requests • Targeted locations (Gateways, downtown focus area, and public property) • Repeatedly hit sites • Private property with Right to Enter (RTE) <p>Other components of the plan will include:</p> <ul style="list-style-type: none"> • Property owner responsibilities • Code enforcement actions • Investigation of electronic enforcement with EPD • CPTED design standards to discourage graffiti • Opportunities for partnerships with agencies such as schools, SDG&E and the Escondido Arts Partnership to develop programs promoting artistic expression in public settings. Completed 	<p>32. Number of reports received compared to number of locations cleaned</p> <p>Monthly reports of graffiti compared to historic data for previous months</p> <p>Track man hours, labor and material costs</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Carryovers from Previous Council Action Plan</p>	<p>33. Solicit feedback from customers on the quality of service they received from City staff.</p>	<p>33. Number of feedback forms received and quality of service measured.</p> <p>In progress. An online customer satisfaction survey developed through consultation with departments heads is up and running at www.escondido.org/feedback.aspx. Promotion will begin after the first of the year through signage in public facilities, a “please take our brief survey” message on invoices issued through departments like utilities, business licensing, etc., business cards with the URL (for field personnel), social media, Web, etc. Results (which are automatically tabulated through a third party online subscription service) will be shared with department heads on a monthly basis. The survey questions are modeled after the PureSafety customer service training City staff members are required to take and are designed to be easily measurable.</p>	<p>33. Customer Feedback</p>

City Council Action Plan Public Safety

Goal	Current Reality	Strategy	Evaluation Measure
<p>Address Police and Fire Staffing</p> <ul style="list-style-type: none"> • Need competitive compensation packages implemented over time • Need to fill police positions to the level of what we need without upending the balanced budget. 	<p>Current contracts with Police and Fire expire Dec. 31· 2013.</p> <p>PD currently has 10 officer positions open and is actively recruiting for them. While large numbers of applicants apply for the positions, only a small number actually pass the necessarily stringent screening process, making it challenging to fill positions in a timely manner.</p> <p>FD implemented new Non-Safety Fire Medic program.</p> <p>Currently FD training is a collateral responsibility for a Battalion Chief.</p>	<ol style="list-style-type: none"> 1. Work with Human Resources on creative benefit ideas and a plan to implement them within allotted budget. - Completed 2. Increase recruitment advertising and attendance at job fairs Completed and hiring is ongoing with 3 officer positions open. 3. Evaluate the change of the EMS transport methodology. Completed and Ongoing with changes implemented . 4. Explore creative staffing options and/or grants to offset increase of adding a 40 hour Training Chief Position and part time position for inspections. December 2014. Completed. Through the re-organization of the EMS Cooperative Program and Fire Prevention Bureau, FD has been given Council approval to hire an additional Division Chief to oversee Training and EMS. FD is also in the process of hiring Fire Marshal and Fire Inspector to fully staff the Fire Prevention Bureau. 	<ol style="list-style-type: none"> 1. Successful negotiation of 2014 labor contract. 2. Number of qualified candidates, applications and successful hires. 3. Completion of evaluation 4. Completion of feasibility study.

Goal	Current Reality	Strategy	Evaluation Measure
<p>Integrate advanced or non-traditional technology to improve efficiency and service</p> <ul style="list-style-type: none"> • Accomplish this through cameras, environmental design, and lighting • Must have the best training and equipment 	<p>FD currently has a backlog of mandated inspections of commercial and other businesses. A self-inspection program to train low risk business owners to inspect their own business for possible violations that can be self-corrected could reduce the backlog.</p>	<p>5. Evaluate Fire and Life Safety Self-Inspection program for businesses under 5,000 square feet. December 2014. In Progress. The Fire Department is in the process of purchasing “Firehouse Records Management System” software. A component of this new RMS software is an integrated fire inspection application. The inspection application will be used for all fire inspections including a Fire and Life Safety Self-Inspection program. We intend to get this new system operable during calendar year 2015.</p>	<p>5. Completion of evaluation.</p>
	<p>Current camera system at Grape Day Park needs to be repaired; additional camera needed at Maple Street Plaza. Funding in the amount of \$50,000 was approved by Council in April 2013.</p>	<p>6. Restore and expand camera systems at Grape Day Park, City Hall and Maple Street Plaza In Progress.</p>	<p>6. Installation of new equipment</p>

Goal	Current Reality	Strategy	Evaluation Measure
	<p>Currently beta-testing “Corona Solutions”, a new web-based application that provides historical CAD information to help with Predictive Policing</p>	<p>7. Train PD personnel on Corona Solutions and begin using it for predictive analysis and data mining. –Completed</p>	<p>7. Completion of training</p>
	<p>The RMS (Regional Management System) will move the PD to a more efficient electronic and “paperless” system; will decrease time and costs of paper, copiers, toner, etc. Ultimately will provide efficiencies by all divisions.</p>	<p>8. Train PD personnel on RMS system; anticipate going live in January 2014. Completed</p>	<p>8. Completion of training</p>
	<p>Currently EPD uses social media to enhance communication with the community and to serve as a force multiplier</p>	<p>9. Increase use of social media for daily and emergency information to community followers . Completed</p>	<p>9. Number of followers and “re-tweets” of information</p>
	<p>PD currently doesn’t make significant use of the state –of-the -art training facility at Fire Station 1</p>	<p>10. Evaluate FS 1’s training facility to incorporate police training equipment, similar to Carlsbad’s training facility – Completed. FS1 will be used for police training when appropriate.</p>	<p>10. Completion of evaluation</p>
	<p>PD does not have a dedicated area at the Police Shooting Facility to conduct realistic “non” live-fire training. This type of training is critical in preparing officers to handle real incidents in the field. This type of training is also much sought after by outside law enforcement agencies interested in using the facility.</p>	<p>11. Evaluate area and equipment needs at Escondido Range for realistic, scenario-based training . Completed. The PD is working toward moving forward with improvements.</p>	<p>11. Completion of evaluation</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Maintain and strengthen existing police and fire policies</p> <ul style="list-style-type: none"> Support Traffic safety and DUI checkpoints, gang team, code enforcement, graffiti eradication 	<p>The Fire Department RMS system is outdated and creates duplication of effort, resulting in lost hours and the inability to create desired reports.</p>	<p>12. Research various programs and vendors and obtain costs. Completed. Vendor has been chosen and procurement is in progress.</p>	<p>12. Completion of research</p>
	<p>Currently PD conducts numerous traffic-related operations including DUI checkpoints.</p>	<p>13. Continue traffic safety operations and determine efficiencies . Completed</p>	<p>13. Evaluation of traffic related collision data to determine effectiveness</p>
		<p>14. Partner with San Marcos and Valley Center Sheriff’s deputies to conduct multi-jurisdictional traffic and gang operations Completed and expanded by partnering with multiple agencies in the North County Law Enforcement Alliance (NCLEA).</p>	<p>14. Evaluation of effectiveness of multi-jurisdictional approach</p>
	<p>PD conducts curfew sweeps when needed.</p>	<p>15. Schedule regular curfew sweeps. In Progress.</p>	<p>15. Number of contacts/arrests</p>
	<p>Due to the reorganization of Investigations, currently there is no detective assigned to the North County Regional Task Force.</p>	<p>16. Fill Gang Task Force position when staffing allows – Completed</p>	<p>16. Increased presence of North County Gang Team in Escondido</p>

Goal	Current Reality	Strategy	Evaluation Measure
<p>Expand target community policing</p> <ul style="list-style-type: none"> • Grape Day Task Force • Friendly interactions with officers 	<p>By creating a task force consisting of stakeholders around Grape Day Park, the crime and blight in the park has decreased significantly. Conversely the recreational use and perception of safety has dramatically increased. This model could be expanded by PD to work with organized neighborhood groups to mitigate crime and other problems in their neighborhoods.</p>	<p>17. Introduce the Grape Day Park task force model to all 17 neighborhood groups; Adopt a neighborhood officer and sergeant program, assigning them to the various neighborhood groups - Completed</p>	<p>17. All neighborhood groups know who which officers and sergeants work in their neighborhood</p>
	<p>Positive PD interactions with the community are limited to a few special events every year, i.e, National Night Out, etc.</p>	<p>18. Reinstigate Police Community Awareness Academy; participate in neighborhood meetings. Academy planning In Progress; Neighborhood meetings completed through NTP.</p>	<p>18. Number of Academy graduates and neighborhood meetings</p>
		<p>19. Establish informal open “coffee meetings” in various areas of town to provide a forum for an open discussion Completed through NTP</p>	<p>19. Number of attendees</p>
		<p>20. Provide officers and employees who have public interaction with stickers and trading cards as giveaways to children to reinforce positive interactions . Completed</p>	<p>20. Number of cards and stickers distributed to community</p>
	<p>The PD Bike Team has been inactive for a period of two years.</p>	<p>21. Reinstigate the Bike Team with 2 officers . Completed</p>	<p>21. Deployment of Bike Team</p>

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 8

Date: March 4, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Barbara J. Redlitz, Director of Community Development

SUBJECT: South Escondido Boulevard / Quince Street Area Plan (Case No. PHG 15-0003)

RECOMMENDATION:

It is recommended that the City Council adopt Resolution 2015-25 authorizing the Mayor and the City Clerk to execute a consulting agreement and scope of services with *CityPlace Planning* for a fixed fee not to exceed \$156,230.00 to prepare an Area Plan for the combined South Quince Street, South Escondido Boulevard, and Centre City Parkway Target Areas.

FISCAL ANALYSIS:

The Strategic Growth Council has awarded \$172,754.00 for this project that will fund the consultant's efforts and city staff time assigned to the project. Available funds in the General Plan Implementation CIP account will pay for any expenditure not allowed by the grant.

ENVIRONMENTAL REVIEW:

No environmental review is required for approving the consultant contract. Upon completion of the Area Plan document, staff will prepare the necessary environmental documentation allowing for the Area Plan's adoption.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the Council's Action Plan regarding Economic Development and Neighborhood Improvement.

GENERAL PLAN ANALYSIS:

The South Quince Street Target Area, South Escondido Boulevard Target Areas and the Centre City Parkway Target Area are identified in the General Plan (Figures 11-19, "Target Areas" c, d, e, and f). These interconnected Target Areas comprise approximately 420 acres of Escondido's more established and older sectors that extend 2.25 miles along Centre City Parkway and Escondido Boulevard. The current South Escondido Boulevard Neighborhood Plan was adopted in July 1996 and requires extensive updating to include recently adopted General Plan policies promoting sustainability, smart growth principles, healthy lifestyles, and economic prosperity.

These combined Target Areas involve a variety of land uses including industrial, high density multi-family, general commercial, and residential/commercial mixed use. General Plan guiding principles for these Target Areas include:

- 1) Incorporate smart growth principles, promote increased density and intensity near transit, encourage façade improvements, property revitalization and integrate public/private recreational space.
- 2) Consider opportunities and incentives for increasing employment densities and attracting businesses with salaries that raise the city's median income and improving the jobs/housing balance.
- 3) Provide adequate infrastructure and include strategies for the development of neighborhood parks.
- 4) Create standards to facilitate the establishment of child care homes and centers.
- 5) Establish development standards and design guidelines to ensure quality architecture and landscaping, adequate off-street parking, on-site open space and recreational areas.
- 6) Develop criteria for exclusively residential development along South Escondido Boulevard.

Development applications proposing exclusively residential projects on commercially zoned properties are being processed on a case by case basis prior to the area plan update and associated development standards, through the Planned Development and Area Plan amendment process.

PREVIOUS ACTION:

On February 12, 2014, the City Council authorized an application to the Strategic Growth Council for Sustainable Communities Planning Grant and Incentive Program funds, and the acceptance of grant funds if awarded, via Resolution No. 2014-23. After notification from the state in October 2014 that Escondido was awarded the grant the City Council approved a budget adjustment to accept the funds on November 19, 2014.

CONSULTANT SELECTION:

Staff issued Request for Qualifications to four consulting firms and has selected *CityPlace Planning* to prepare the Area Plan. This firm has extensive knowledge and experience in preparing similar documents, including those involving commercial corridors and established urban neighborhoods in the San Diego north county area. The consultant understands the city's desire to expedite the project while involving public outreach to solidify support of the Area Plan and is committed to meeting the necessary deadlines to accomplish that objective.

NEXT STEPS IN THE PROCESS:

Staff has reviewed and refined the consultant's scopes of services for the preparation of the Area Plan to ensure its appropriateness. Upon approval, the consultant will commence analysis, associated technical studies and public outreach. Environmental impacts and proposed mitigation measures will be considered concurrently by staff to provide the City Council with as much information as possible in adopting the Area Plan.

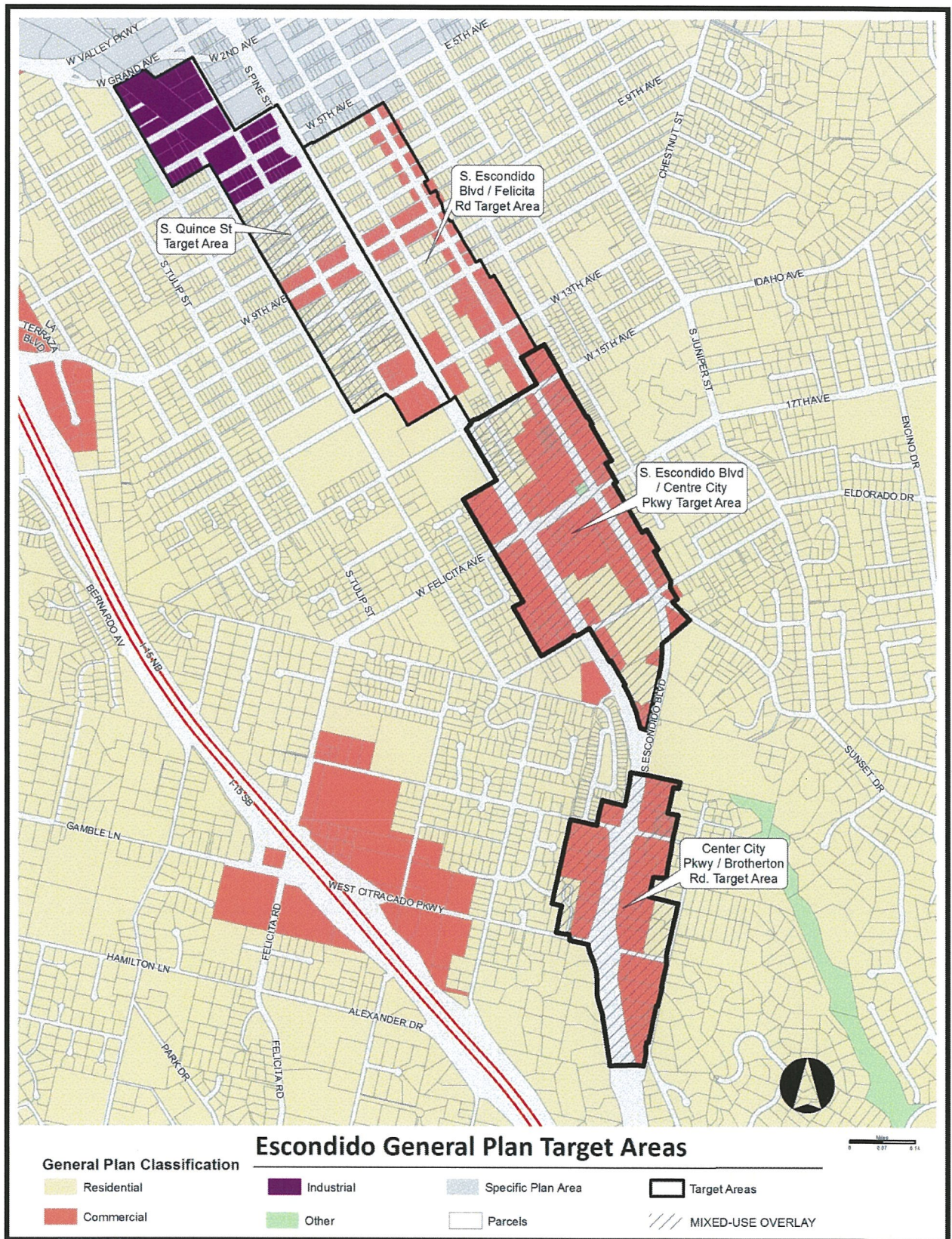
Respectfully Submitted,



Barbara J. Redlitz
Director of Community Development



Jay Petrek
Assistant Director of Planning





CITY OF ESCONDIDO
CONSULTING AGREEMENT FOR DESIGN PROFESSIONALS

This Agreement is made this _____ day of _____, 2015.

Between: CITY OF ESCONDIDO
 a Municipal Corporation
 201 N. Broadway
 Escondido, California 92025
 Attn: Jay Petrek
 760-(760) 839-4556
 ("CITY")

And: CityPlace Planning, Inc.
 501 W. Broadway, Suite A-143
 San Diego, CA 92101
 Attn: Claudia Tedford
 (858) 245-8597
 ("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 prepare a combined South Escondido Boulevard / South Quince Street Area Plan; 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 \$156,230. 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: _____

Signature

Department or Division Head Name & Title

Date: _____

[CityPlace Planning, Inc.]

Signature

Name & Title (please print)

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

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: _____

Clay Phillips
City Manager

Date: _____

Department or Division Head

Date: _____

Claudia Tedford
Digitally signed by Claudia Tedford
DN: cn=Claudia Tedford, o, ou,
email=claudiatedford@cityplaceplanning.com,
c=US
Date: 2015.02.23 15:42:08 -08'00'

(Contractor signature)

_Principal_____

Title

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.

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: _____

Digitally signed by Claudia Tedford
DN: cn=Claudia Tedford, o.ou,
email=claudia.tedford@cityplanning.com, c=US
Date: 2015.02.23 15:42:52 -0800

Claudia Tedford

(Contractor signature)

Principal
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.

ATTACHMENT A
Scope of Work – CityPlace Planning
South Escondido Boulevard and South Quince Street Area Plan
February 24, 2015

This scope of work includes nine (9) tasks to be completed no later than October, 2016. These tasks are both sequential and overlapping, due to the nature of the planning process. This scope of work describes the process that the CityPlace Planning (CPP) team will employ to achieve the goals of the Sustainable Communities Planning Grant and the objectives of the Target Area Plan. The comprehensive set of tasks necessary to complete the project are outlined, and each sub-consultants' detailed scope of work is presented.

Task 1: Project Initiation – Tour and Kick-off Meeting

- a. Project Area tour with City Staff – The City's Project Manager will provide a tour to familiarize the entire team with the project area.
- b. Kick-off meeting with Project Team and City Staff – A kick-off meeting will be conducted to signal the official start of the project, and make sure that all parties have a common understanding of the project and each team member's role. The general approach, timeline, and project management procedures will be discussed.

Task 2: Develop a Public Participation and Outreach Strategy

- a. Debrief with Neighborhood Transformation Project (NTP) staff – The Escondido Police Department has recently completed a project working with community members in the study area. CPP will collaborate with NTP staff to determine a list of potential community stakeholders to provide input into the project.
- b. Prepare list of Stakeholders – CPP will develop an inclusive list of stakeholders to engage a broad cross-section of the community, including neighborhood group representatives, business owners, property owners, faith-based groups, youth, older adults, City departments, and others as determined based on input with staff.
- c. Develop detailed participation and outreach strategy (*deliverable*) – Working closely with City staff, CPP will prepare a comprehensive strategy that is innovative, interactive, and accessible to as many participants as possible. We also recommend involving City officials and staff to ensure that the Area Plan is achievable and that its implementation becomes an integral part of the City's decision-making process.

Task 3: Existing Conditions and Needs Analysis

- a. Review existing land uses – CPP will review the existing land uses in the Target Areas and identify potential areas of change.
- b. Review existing codes, ordinances, and General Plan (GP) policies – The existing relevant codes, ordinances, and policies in the new GP will be reviewed as part of a comprehensive examination of the existing conditions analysis.
- c. Prepare an Opportunities and Constraints memo (*deliverable*) - CPP will summarize the results of the existing conditions and needs analysis and consolidate the information with the work of the sub-consultants in the following Task 3.d.
- d. Coordinate with sub-consultants to gather information on existing infrastructure conditions, existing socio-economic data, and business and employment data. See the detailed scopes of work below, (Subsections I, II, and III).

Task 4: Develop Sustainable Communities Program Goals

- a. Refine goals with staff and project team – CPP understands the City’s Sustainable Communities Planning grant application described a series of program goals to be achieved through implementation of the Target Area Plan. The CPP team will review the goals, and in collaboration with City staff, develop specific programs and methods to achieve the goals and measurements of success.
- b. Prepare a brief White Paper documenting specific program methods for measuring success with desired results (*deliverable*).

Task 5: Technical Analysis and Studies

- a. Prepare a land use matrix and definitions (*deliverable*) – A matrix will be prepared to show allowable land uses in the Target Areas, based on our analysis of existing plans, input received through the outreach process, as well as findings and recommendations from the Market Analysis. A list of land use definitions will be developed to explain terminology used in the matrix.
- b. Prepare a land use map (*deliverable*) – A land use map will be prepared to graphically depict the proposed land use pattern in the Target Areas.
- c. Conduct implementation analysis (*deliverable*) – CityPlace Planning will prepare an implementation analysis using the Implementation Program outlined in the General Plan. The implementation analysis will identify areas not covered in the General Plan where further implementation guidance is needed.
- d. Coordinate with sub-consultants to prepare each technical study (mobility plan, design guidelines and standards, market analysis) (*3 deliverables*) – See detailed Scopes of Work from RNT Architects, LLG Engineers, and HR&A Advisors, Subsections I, II, and III.

Task 6: Proposed Community Outreach Events (subject to approval of Task 2)

- a. Prepare content for City’s web site – A project page is proposed to allow interested parties to follow the progress of the plan development. Content could include background information, outreach materials, summaries of existing conditions/needs analysis, Sustainable Communities program goals, and technical studies.
- b. Stakeholder Interviews – CPP proposes to conduct interviews with people with a variety of perspectives to gain input and insight into the strengths, challenges, and opportunities of the area. Meetings with residents could be held in the project area. In-person interviews are preferred, however phone interviews may substitute if scheduling is problematic. We propose to conduct up to 16 interview sessions over the course of one to two weeks, with individuals and groups of up to 8.
- c. Focused Community Workshop #1 – The first focused workshop is proposed at a location in the project area. Those who participated in the stakeholder interviews and other interested parties will be invited to share and comment on the information gathered through preparation of technical studies and white papers. This workshop will have an emphasis on urban design and a visual preference survey of development prototypes.
- d. Focused Community Workshop #2 – The primary topic of the second proposed focused workshop is to prioritize recommendations for the mobility plan.
- e. Focused Community Workshop #3 – A third focused workshop would be held to provide the community an opportunity to review the draft Area Plan and provide

input. An open house may be the preferred forum as it would allow people to view the draft plan recommendations on a more personal level, ask questions, and provide input prior to finalizing the draft for the Public Hearing Process.

Task 7: Prepare Area Plan Document

- a. Write sections of the plan to reflect the community and staff input received through the process – CityPlace Planning will prepare a concise, graphically-rich draft of the Area Plan, incorporating input gained throughout the Community Outreach process to the extent possible.
- b. Incorporate the work of the sub-consultants – CPP will take the lead in incorporating the Mobility Plan, Urban Design Guidelines and Standards, and Market Analysis to ensure a cohesive plan.
- c. Submit Administrative Draft Area Plan (*deliverable*) – The project schedule shows the suggested timeline for the review and document refinement tasks in order to meet the project completion deadline.
- d. City Staff Review I – City staff will provide comments on the Administrative Draft.
- e. Submit Draft II for Review and Comment – CPP will respond to the first set of comments and prepare a second Draft document.
- f. City Staff Review II – City staff will provide comments on Draft II.
- g. CPP prepares and submits Public Review Draft (*deliverable*).

Task 8: Area Plan Public Review and Adoption Process

- a. Two meetings with Planning Commission – CityPlace Planning will attend up to two (2) meetings with the Planning Commission during the plan review and adoption phase.
- b. Two meetings with City Council – CPP will attend up to two (2) meetings with the City Council during the plan review and adoption phase.
- c. Revise plan if needed and prepare Final Area Plan document (*deliverable*).

Task 9: Project Management

- a. The CityPlace Planning team is committed to maintaining the project schedule and budget, and providing our services in a timely, cost-conscious manner. Regular communication with the City will be maintained throughout the project via in-person meetings, phone calls, or emails as the project progresses.

Subsection I – Urban Design Scope of Work – RNT Architects

Roesling Nakamura Terada Architects (RNT) understands the City of Escondido is preparing a combined Area Plan for South Escondido Boulevard/South Quince Street that supports the Sustainable Communities Planning Grant and Incentive Program. As a sub-consultant to CityPlace Planning (CPP), RNT services shall include assisting CPP on the planning, design and preparation of an Area Plan. The scope of work will include the development of urban design services, infill development concepts, design standards and guidelines, and design workshop participation. RNT's intent is to assist CPP and the City in creating a plan that fosters the future development of a unique, vibrant, and meaningful destination within the City. RNT's scope of services shall include the following tasks:

Task 1: Evaluation and Information Gathering

- a. RNT will assist CPP with the following tasks:
 - Review and analysis of base maps, existing reports and exhibits provided by CPP.
 - On-site design inventory of site issues, opportunities, and constraints.
 - Prepare site analysis diagrams.
 - Identify potentially significant sites or buildings.
 - Provide Opportunities/Constraints memo.

Task 2: Urban Design

- a. Concept Development
 - Develop density and land use recommendations with regards to economic studies and existing infrastructure (economic studies, utilities and traffic/street infrastructure studies provided by others).
 - Examine Planning/Design potential for neighborhood-oriented commercial uses.
 - Assist with creating provisions for conversion of specified commercial or industrial structure to be compatible with adjacent housing.
 - Develop development concepts that support the City's sustainable and equity goals.
 - Assist with determining priority projects and sites.
- b. Infill Development Prototypes – RNT will produce two infill development prototypes: one for the South Escondido Boulevard area and one for the Quince Street area. Prototype designs to include:
 - Massing and design strategies.
 - Proposed uses.
 - Sustainability concepts.
 - Public space.
 - Urban connectivity.
- c. Architectural Design Standards and Guidelines
 - RNT will work with CPP to develop design standards and guidelines urban design and prototype development.
 - Public improvements/enhancements.
 - Standards and guidelines will include the following:
 - Sustainability
 - Site/streetscape design
 - Architectural
 - Landscaping
 - Parking

Task 3: Area Plan Document

- a. RNT will support CPP with the development of the Area Plan document and will provide narratives and graphics for tasks described above.

Task 4: Meetings and Public Workshops

- a. RNT will assist CPP with the following tasks:
 - Planning Team Meetings (4 meetings), including tour and kick-off meeting.
 - Presentation to the City (1 presentation).
 - Community Task Force Urban Design Workshop (1 two-hour workshop).
 - Preparation time for meetings/workshops.

Subsection II – Mobility Plan Scope of Work – LLG Engineers

Task 1: Project Initiation/Kick-off Meeting

- a. Meet with the City to understand and discuss the Scope of Services schedule, cost, work plan, goals, and brainstorm alternative ways to expedite the project to achieve the City's objectives.

Task 2: Data Collection and Research

- a. Identify opportunities and constraints for utilization of Smart Growth principals, Complete Streets, and traffic calming features. The following tasks will be completed:
 - Conduct a field survey to obtain critical information in regards to existing infrastructure, areas of congestion and non-standard features to verify our overall understanding of conditions in the area that might affect the project.
 - Evaluate transportation and land use planning studies and plans (community, local, and regional) in the vicinity of the study area. Due to the complexities of an ever-changing urban environment, a thorough understanding of previous recommendations and studies, as well as upcoming public and private development projects, is essential to determine opportunities and challenges associated with each route. This will give our Team a full picture of upcoming changes that could impact the proposed routes, as well as previous data that may have already been collected along each route (such as pedestrian and bicycle counts).
 - Conduct a “gap” assessment
 - Obtain an inventory of the existing sidewalk/pedestrian connection network. Identify gaps in the existing sidewalk pedestrian connection network and “pedestrian dead zones.”
 - Obtain an inventory of the existing bicycle network and identify gaps.
 - Identify gaps in ADA accessibility.

Task 3: Target Area Assessment

- a. Conduct mode share assessment, collision assessment, and population distribution assessment for the following eight user groups within the South Escondido Boulevard and South Quince Street Target Areas:
 - Vehicles
 - Pedestrians
 - Bicyclists
 - Transit
 - Goods and trucks
 - Disabled
 - Seniors
 - Children

Task 4: Corridor Assessment and Recommendations

- a. Conduct assessments for South Escondido Boulevard and Centre City Parkway corridors within the Target Areas. The assessments will be completed for the eight user groups mentioned above:
 - Conduct a mode share assessment.
 - Conduct a collision assessment

- When conducting the assessments for pedestrians, evaluate the need for pedestrian connectors for Centre City Parkway and consider pedestrian safety islands.
- Based on the results of the assessments listed above, identify key intersections/segments where further evaluation is recommended.
- Determine improvements needed to correct deficiencies, such as street lights, curbs, sidewalks, connections for pedestrian and bicycle pathways, etc.
- Evaluate Centre City Parkway cross-section to provide access to all eight user groups and landscaping when it eventually expands to six (6) lanes.

Task 5: Reassess the General Plan Update Analysis

- a. Coordinate with the City to update the land use designations for the Year 2035 Proposed General Plan Circulation Element and Proposed General Plan Land Uses alternative for the following target areas:
 - S. Escondido Boulevard / Centre City Parkway
 - S. Escondido Boulevard / Felicita Avenue
 - Centre City Parkway / Brotherton Road
- b. Calculate the change in trip generation of the proposed land uses for the target areas listed above when compared to the trip generations utilized in the General Plan. No additional model runs will be conducted.
- c. Manually distribute and assign the project delta volumes to the following study intersections and segments analyzed in the General Plan Update:
 - Segments:
 - Escondido Boulevard:
 - 5th Avenue to 9th Avenue
 - 9th Avenue to 13th Avenue
 - 13th Avenue to 15th Avenue
 - 15th Avenue to Felicita Avenue
 - Felicita Avenue to Sunset Drive
 - Sunset Drive to Centre City Parkway
 - Centre City Parkway to W. Citracado Parkway
 - W. Citracado Parkway to Centre City Parkway (intersection)
 - 13th Avenue:
 - Centre City Parkway to Escondido Boulevard:
 - 9th Avenue
 - Centre City Parkway to Escondido Boulevard
 - Centre City Parkway:
 - 13th Avenue to Felicita Avenue
 - Felicita Avenue to Escondido Boulevard
 - Escondido Boulevard to W. Citracado Parkway
 - Citracado Parkway to I-15 SB On-Ramp
 - Centre City Parkway Frontage Road:
 - Brotherton Road to W. Citracado Parkway
 - W. Citracado Parkway to Clarence Lane
 - Felicita Avenue:
 - Tulip Street to Centre City Parkway
 - Centre City Parkway to Escondido Boulevard
 - Escondido Boulevard to Juniper Street

- d. Conduct daily roadway segment analyses at the study segments listed above.
- e. Determine the significant impacts associated with the redesignation of land uses. Identify mitigation measures for each significant impact, taking into account transit opportunities on Escondido Boulevard.

Task 6: Evaluate Escondido Boulevard at build out with a street profile involving a center median, one travel lane in each direction, and curbside parking

- a. Using the traffic volumes forecasted in Task 5, conduct daily roadway segment analyses at the study intersections and segments listed below. No redistribution of traffic volumes or additional traffic model runs will be conducted:
 - Segments:
 - Escondido Boulevard
 - 5th Avenue to 9th Avenue
 - 9th Avenue to 13th Avenue
 - 13th Avenue to 15th Avenue
 - 15th Avenue to Felicita Avenue
 - Felicita Avenue to Sunset Drive
 - Sunset Drive to Centre City Parkway
 - Centre City Parkway to W. Citracado Parkway
 - W. Citracado Parkway to Centre City Parkway (intersection)
- b. Prepare a table summarizing the analysis results.

Task 7: Assist with the Implementation Analysis

- a. Strategic Implementation Plan will articulate a clear strategy for implementation of the improvements through an approach that includes an incremental combination of short-term and long-term actions, such as regulatory changes, administrative changes, and capital improvements. It will also identify, prioritize, and develop conceptual plans and designs for catalyst projects to demonstrate the application of the new Complete Street policies, guidelines, and standards to specific corridor segments. We propose the following tasks to establish the Strategic Implementation Plan.
 - Identify and prioritize roadway improvement projects in coordination with the Pedestrian Master Plan, Bicycle Master Plan, current capital improvement and other relevant projects.
 - Prioritize schedule of short-term and long-term projects and programs for implementation. This will define brief scopes, schedules, implementation roles and responsibilities, and rough costs. Develop a scoring system to determine the priority of improvements needed to correct deficiencies.
 - Prepare a prioritized list of improvements needed to correct deficiencies.

Task 8: Attend a community workshop to prioritize the order of correcting deficiencies for the implementation plan

Task 9: Meet with the Team to discuss final recommendations

Task 10: Prepare the Mobility Plan and Mobility Chapter for the Area Plan

- a. Summarize all inventories, data collection, analyses and findings in a Mobility Plan report.
- b. Refine/revise the draft report based on team comments, and complete a final Mobility Plan and Mobility Chapter for the Area Plan.

Subsection III – Market Analysis Scope of Work – HR&A Advisors

Task 1: Retail Market and Retail Gap Analysis

- a. HR&A will undertake a general market reconnaissance of retail real estate market conditions in Escondido in order to determine if the market is over-built in the target area, and/or whether the built (and un-built acreage reserved for commercial development) exceeds current and future anticipated demand as has been suggested by local developers. Using a variety of third party data sources, we will estimate demand and compare it with existing levels of market supply. We will identify appropriate demand segments for consideration, and quantify existing and projected sales potential by segment and by tenant category (Food Service, Entertainment, Services, General Merchandise, Apparel, Furnishings, etc.). Specific sub-tasks include:
 - Collect appropriate retail performance data, such as inventory, occupancy, and rents.
 - Estimate market supportable retail square footage based on current retail demand.
 - Estimate current gap or over-supply in retail stock located in the City.
 - Provide a “snapshot” of non-residential market conditions (inventory, vacancy, and rent) compared to North County averages.

Task 2: Commercial to Residential Feasibility Proforma Analysis

- a. If the outcome of Task 1 confirms that commercial real estate is over-built in the City, HR&A will prepare high-level residual land value estimates for converting existing commercial building space (including undeveloped commercially zoned property) within the target area into residential units (both rental and ownership) versus keeping the buildings and vacant land reserved for commercial. In order to do this, CPP will provide up to two suggested development concepts to test. At this time, we assume that we will test financial feasibility of converting a site located within a corridor ‘node’ from commercial to mixed-use, and another location mid-corridor to test the feasibility of converting it from commercial to residential.
- b. “Residual land value” is what a developer could theoretically afford to pay for land and earn a market-responsive return on investment from development of a concept. The residual land value estimates are computer spreadsheet models that include:
 - Estimate Development Costs. This includes (1) order-of-magnitude construction costs (i.e., buildings, parking, and site development costs) based on a combination of information derived from the Marshall & Swift Commercial Cost Explorer, which is often used by the appraisal industry to estimate replacement costs, and HR&A’s experience; (2) estimated soft costs (e.g. architectural and engineering fees; public planning and permit fees); and (3) financing costs based. The estimates for soft costs and financing costs will be based on our experience and knowledge of the local development market. Converting existing commercial space into residential space will require some specialized costing and benchmarking.
 - Estimated Net Operating Income. We will then estimate the annual revenues, annual operating expenses, and annual net operating income for the development concepts and their constituent land uses.
 - Estimated Project Value. Using income capitalization rates specific to each land use in each development concept and its respective Net operating income

estimates, we will translate net operating income into an estimate of the sale value for each development concept once it has achieved stabilized operation (i.e., a stabilized level of occupancy that varies by land use).

- Estimated Residual Land Values. The final step in analyzing each development concept is to subtract total development cost, and an allowance for developer profit, from the estimated project value to determine the residual land value.
- Compare with prevailing land values. HR&A will benchmark prevailing land values in the area based on a third party. The residual land value models described above will provide a reasonable range of estimates for the amount developers could reasonably be expected to pay the opportunity to redevelop commercial property into residential units and if that amount is feasible for the market given prevailing land values.

Task 3: Briefing Memo (8-10 pages) (*deliverable*)

- a. HR&A will prepare a brief memo, including all relevant financial spreadsheets, summarizing the two tasks above. (See CPP Tasks 3 and 5).
- b. HR&A will provide the memo within four (4) weeks of notice to proceed. This schedule assumes timely responses to our requests for any project-specific information from the City of Escondido.

Subsection IV – Compensation Conditions

- a. Pursuant to Section 2 of the Agreement, the conditions of payment by CITY to CONSULTANT are as follows:
 - CONSULTANT shall bill CITY c/o Mr. Jay Petrek, Assistant Planning Director, Planning Division, 201 N. Broadway, Escondido, CA 92025, for services rendered under this Agreement. Billing shall be made monthly, commencing thirty days after the date of this Agreement on the first of the month. All invoices shall state in detail the work performed as it relates to the deliverables under this Attachment A. CONSULTANT's bill will also indicate a hold-back amount equal to ten (10) percent of the monthly fees due.
 - Upon approval by the CITY, CITY shall pay the fees [withholding from payment the ten (10) percent hold-back] and applicable reimbursable expenses due and itemized in the monthly bill within thirty (30) days of receiving the bill from CONSULTANT.
 - CITY's payment of the ten (10) percent hold-back amount is due upon CONSULTANT'S delivery to CITY of the final work product due under the Agreement.
 - If this Agreement is terminated or suspended by CITY without cause, CONSULTANT shall be paid in full for services provided by CONSULTANT up to the time of termination.



Turning policy into place

ATTACHMENT B

List of Personnel

CityPlace Planning, Inc.

Claudia Tedford, Principal

Patricia Bluman, Senior Associate

Katie Matchett, Senior Associate

Gabriela Hussong, Interpretation and Translation

RNT Architects

Rick Espana, Associate Planner/Project Manager

Brandon Martella, Designer

Victoria Guilemin, Designer

LLG Engineers

KC Yellapu, Senior Transportation Engineer

John Boarman, Principal Engineer

Charlene Sadiarin, Transportation Engineer II

Erika Carino, Transportation Engineer I

Mario Flores, Engineering Aide I

Jose Nunez, GIS Specialist

HR&A Advisors

Amitabh Barthakur, Partner-in-Charge

Remy Monteko, Project Manager

Thomas Jansen, Project Analyst

Benton Heimsath, Project Analyst

CityPlace Planning Inc. Cost Estimate for the South Escondido Boulevard and South Quince Street Area Plan

No	Description :	CityPlace Principal		CityPlace Senior Associate		CityPlace Translations		RNT Proj Associate Planner		RNT Designer		LLG Principal		LLG Senior Traffic Engineer		LLG Traffic Engineer II		LLG Traffic Engineer I		LLG Aides/GIS Specialist		HR&A Partner-in-Charge		HR&A Project Manager		HR&A Project Analyst		HR&A Project Analyst		FEE or fixed fee.
		\$140	\$110	\$100	\$125	\$165	\$197	\$225	\$163	\$122	\$105	\$50	\$295	\$150	\$150	\$250	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150		
1.0	Project initiation - Tour and Kick-off Meeting																													
a	Project Area tour with City Staff	1	1	1	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$780		
b	Kick-off meeting with Project Team and City Staff	2	2	2	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,280		
	TOTAL	3	3	3	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$2,059		
2.0	Develop a Public Participation and Outreach Strategy																													
a	Debrief with Neighborhood Transformation Project staff	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$500		
b	Prepare a list of Stakeholders	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$360		
c	Develop a detailed participation and outreach strategy	2	2	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$750		
	TOTAL	5	6	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,610		
3.0	Existing Conditions and Needs Analysis																													
a	Review existing land uses	4	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,760		
b	Review existing codes, ordinances, and General Plan (GP) policies	4	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$2,760		
c	Prepare an Opportunities and Constraints memo	2	10	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,580		
d	Coordinate with sub-consultants	12	0	12	0	10	6	10	6	6	10	18	24	85	24	24	85	24	24	85	24	24	85	10	30	32	32	\$16,148		
	TOTAL	22	30	26	0	10	6	10	6	6	10	18	24	85	24	24	85	24	24	85	10	30	32	32	32	32	32	\$22,248		
4.0	Develop Sustainable Communities Program Goals																													
a	Refine goals with staff and project team	4	0	16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$2,160		
b	Prepare a brief White Paper	4	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,760		
	TOTAL	8	0	28	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$3,920		
5.0	Technical Analysis and Studies																													
a	Prepare a land use matrix and definitions	4	0	36	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$4,160		
b	Prepare a land use map	2	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,480		
c	Conduct implementation analysis	4	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$2,960		
d	Coordinate with sub-consultants to prepare each technical study	8	0	12	0	12	0	34	65	3	12	18	24	43	10	30	32	32	32	32	32	32	32	32	32	32	32	\$47,062		
	TOTAL	18	0	84	0	34	65	3	12	18	24	43	10	30	32	32	32	32	32	32	32	32	32	32	32	32	32	\$55,682		
6.0	Proposed Community Outreach Events (subject to approval of Task 2)																													
a	Prepare content for City's web site	2	0	12	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,980		
b	Stakeholder Interviews	10	16	4	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$4,060		
c	Focused Community Workshop #1	4	6	0	4	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$3,355		
d	Focused Community Workshop #2	4	0	4	0	4	0	0	0	0	0	0	0	6.25	0	0	0	0	0	0	0	0	0	0	0	0	0	\$2,588		
e	Focused Community Workshop #3	8	8	12	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$3,700		
	TOTAL	28	30	32	20	20	6	6	6	6	6	6	6	6.25	6	6	6	6	6	6	6	6	6	6	6	6	6	\$15,683		
7.0	Prepare Area Plan Document																													
a	Write sections of the plan to reflect the community and staff input received through the process	20	40	57	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$12,900		
b	Incorporate the work of the sub-consultants	12	32	24	0	8	40	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$17,026		
c	Submit Administrative Draft Area Plan	6	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$2,040		
d	City Staff Review I	6	12	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$4,160		
e	Submit Draft II for Review and Comment	4	8	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$2,640		
f	City Staff Review II	4	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,760		
g	CPP prepares and submits Public Review Draft	4	2	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,580		
	TOTAL	56	94	145	0	8	40	0	8	40	0	5	16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$42,106		
8.0	Area Plan Public Review and Adoption Process																													
a	Two meetings with Planning Commission	4	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,160		
b	Two meetings with City Council	4	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,160		
c	Revise plan if needed and prepare Final Area Plan document	2	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$1,480		
	TOTAL	10	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$3,800		
9.0	Project Management																													
a	Regular communication with the City + administrative tasks	28	4	0	0	0	10	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$7,032		
b	Planning team meetings	4	4	0	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$2,110		
	TOTAL	32	8	0	0	0	16	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$9,142		
	TOTAL ALL TASKS																												\$156,230	

RESOLUTION NO. 2015-25

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 WITH CITYPLACE PLANNING FOR THE PREPARATION OF AN AREA PLAN FOR SOUTH ESCONDIDO BOULEVARD AND SOUTH QUINCE STREET

Case No.: PHG 15-0003

WHEREAS, this South Escondido Boulevard Target Area and South Quince Street Target Area are identified in the General Plan as interconnected Target Areas comprising approximately 420 acres of Escondido's more established and older sectors that extend 2.25 miles along Centre City Parkway and Escondido Boulevard; and

WHEREAS, the current South Escondido Boulevard Neighborhood Plan was adopted in July 1996 and requires extensive updating to include recently adopted General Plan policies promoting sustainability, smart growth principles, healthy lifestyles, and economic prosperity; and

WHEREAS, these combined Target Areas involve a variety of land uses including industrial, high density multi-family, general commercial, and residential/commercial mixed use with General Plan guiding principles that state:

- 1) Incorporate smart growth principles, promote increased density and intensity near transit, encourage façade improvements, property revitalization and integrate public/private recreational space.
- 2) Consider opportunities and incentives for increasing employment densities

and attracting businesses with salaries that raise the city's median income and improving the jobs/housing balance.

- 3) Provide adequate infrastructure and include strategies for the development of neighborhood parks.
- 4) Create standards to facilitate the establishment of child care homes and centers.
- 5) Establish development standards and design guidelines to ensure quality architecture and landscaping, adequate off-street parking, on-site open space and recreational areas.

WHEREAS, staff issued a Request for Qualifications seeking qualified consulting firms to prepare the Area Plan; and

WHEREAS, CityPlace Planning was deemed the most qualified consulting firm to prepare the Area Plan; and

WHEREAS, the Director of Community Development recommends the execution of a Consulting Agreement ("Agreement") with CityPlace Planning to complete the Area Plan; and

WHEREAS, the City Council desires at this time and deems it to be in the best public interest to approve said Agreement; 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 City Council accepts the recommendation of the Director of Community Development.

3. That the Mayor and City Clerk are authorized to execute, on behalf of the City, an Agreement with CityPlace Planning in the amount of \$156,230 for the South Escondido Boulevard / Quince Street Area Plan. A copy of the Agreement is attached as Exhibit "A" and is incorporated by this reference.



CITY OF ESCONDIDO
CONSULTING AGREEMENT FOR DESIGN PROFESSIONALS

This Agreement is made this _____ day of _____, 2015.

Between: CITY OF ESCONDIDO
 a Municipal Corporation
 201 N. Broadway
 Escondido, California 92025
 Attn: Jay Petrek
 760-(760) 839-4556
 ("CITY")

And: CityPlace Planning, Inc.
 501 W. Broadway, Suite A-143
 San Diego, CA 92101
 Attn: Claudia Tedford
 (858) 245-8597
 ("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 prepare a combined South Escondido Boulevard / South Quince Street Area Plan; 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 \$156,230. 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.

ATTACHMENT A

Scope of Work – CityPlace Planning South Escondido Boulevard and South Quince Street Area Plan March 4, 2015

This scope of work includes nine (9) tasks to be completed no later than October, 2016. These tasks are both sequential and overlapping, due to the nature of the planning process. This scope of work describes the process that the CityPlace Planning (CPP) team will employ to achieve the goals of the Sustainable Communities Planning Grant and the objectives of the Target Area Plan. The comprehensive set of tasks necessary to complete the project are outlined, and each sub-consultants' detailed scope of work is presented.

Task 1: Project Initiation – Tour and Kick-off Meeting

- a. Project Area tour with City Staff – The City's Project Manager will provide a tour to familiarize the entire team with the project area.
- b. Kick-off meeting with Project Team and City Staff – A kick-off meeting will be conducted to signal the official start of the project, and make sure that all parties have a common understanding of the project and each team member's role. The general approach, timeline, and project management procedures will be discussed.

Task 2: Develop a Public Participation and Outreach Strategy

- a. Debrief with Neighborhood Transformation Project (NTP) staff – The Escondido Police Department has recently completed a project working with community members in the study area. CPP will collaborate with NTP staff to determine a list of potential community stakeholders to provide input into the project.
- b. Prepare list of Stakeholders – CPP will develop an inclusive list of stakeholders to engage a broad cross-section of the community, including neighborhood group representatives, business owners, property owners, faith-based groups, youth, older adults, City departments, and others as determined based on input with staff.
- c. Develop detailed participation and outreach strategy (*deliverable*) – Working closely with City staff, CPP will prepare a comprehensive strategy that is innovative, interactive, and accessible to as many participants as possible. We also recommend involving City officials and staff to ensure that the Area Plan is achievable and that its implementation becomes an integral part of the City's decision-making process.

Task 3: Existing Conditions and Needs Analysis

- a. Review existing land uses – CPP will review the existing land uses in the Target Areas and identify potential areas of change.
- b. Review existing codes, ordinances, and General Plan (GP) policies – The existing relevant codes, ordinances, and policies in the new GP will be reviewed as part of a comprehensive examination of the existing conditions analysis.
- c. Prepare an Opportunities and Constraints memo (*deliverable*) - CPP will summarize the results of the existing conditions and needs analysis and consolidate the information with the work of the sub-consultants in the following Task 3.d.

- d. Coordinate with sub-consultants to gather information on existing infrastructure conditions, existing socio-economic data, and business and employment data. See the detailed scopes of work below, (Subsections I, II, and III).

Task 4: Develop Sustainable Communities Program Goals

- a. Refine goals with staff and project team – CPP understands the City’s Sustainable Communities Planning grant application described a series of program goals to be achieved through implementation of the Target Area Plan. The CPP team will review the goals, and in collaboration with City staff, develop specific programs and methods to achieve the goals and measurements of success.
- b. Prepare a brief White Paper documenting specific program methods for measuring success with desired results (*deliverable*).

Task 5: Technical Analysis and Studies

- a. Prepare a land use matrix and definitions (*deliverable*) – A matrix will be prepared to show allowable land uses in the Target Areas, based on our analysis of existing plans, input received through the outreach process, as well as findings and recommendations from the Market Analysis. A list of land use definitions will be developed to explain terminology used in the matrix.
- b. Prepare a land use map (*deliverable*) – A land use map will be prepared to graphically depict the proposed land use pattern in the Target Areas.
- c. Conduct implementation analysis (*deliverable*) – CityPlace Planning will prepare an implementation analysis using the Implementation Program outlined in the General Plan. The implementation analysis will identify areas not covered in the General Plan where further implementation guidance is needed.
- d. Coordinate with sub-consultants to prepare each technical study (mobility plan, design guidelines and standards, market analysis) (*3 deliverables*) – See detailed Scopes of Work from RNT Architects, LLG Engineers, and HR&A Advisors, Subsections I, II, and III.

Task 6: Proposed Community Outreach Events (subject to approval of Task 2)

- a. Prepare content for City’s web site – A project page is proposed to allow interested parties to follow the progress of the plan development. Content could include background information, outreach materials, summaries of existing conditions/needs analysis, Sustainable Communities program goals, and technical studies.
- b. Stakeholder Interviews – CPP proposes to conduct interviews with people with a variety of perspectives to gain input and insight into the strengths, challenges, and opportunities of the area. Meetings with residents could be held in the project area. In-person interviews are preferred, however phone interviews may substitute if scheduling is problematic. We propose to conduct up to 16 interview sessions over the course of one to two weeks, with individuals and groups of up to 8.
- c. Focused Community Workshop #1 – The first focused workshop is proposed at a location in the project area. Those who participated in the stakeholder interviews and other interested parties will be invited to share and comment on the information gathered through preparation of technical studies and white papers. This workshop will have an emphasis on urban design and a visual preference survey of development prototypes.
- d. Focused Community Workshop #2 – The primary topic of the second proposed focused workshop is to prioritize recommendations for the mobility plan.

- e. Focused Community Workshop #3 – A third focused workshop would be held to provide the community an opportunity to review the draft Area Plan and provide input. An open house may be the preferred forum as it would allow people to view the draft plan recommendations on a more personal level, ask questions, and provide input prior to finalizing the draft for the Public Hearing Process.

Task 7: Prepare Area Plan Document

- a. Write sections of the plan to reflect the community and staff input received through the process – CityPlace Planning will prepare a concise, graphically-rich draft of the Area Plan, incorporating input gained throughout the Community Outreach process to the extent possible.
- b. Incorporate the work of the sub-consultants – CPP will take the lead in incorporating the Mobility Plan, Urban Design Guidelines and Standards, and Market Analysis to ensure a cohesive plan.
- c. Submit Administrative Draft Area Plan (*deliverable*) – The project schedule shows the suggested timeline for the review and document refinement tasks in order to meet the project completion deadline.
- d. City Staff Review I – City staff will provide comments on the Administrative Draft.
- e. Submit Draft II for Review and Comment – CPP will respond to the first set of comments and prepare a second Draft document.
- f. City Staff Review II – City staff will provide comments on Draft II.
- g. CPP prepares and submits Public Review Draft (*deliverable*).

Task 8: Area Plan Public Review and Adoption Process

- a. Two meetings with Planning Commission – CityPlace Planning will attend up to two (2) meetings with the Planning Commission during the plan review and adoption phase.
- b. Two meetings with City Council – CPP will attend up to two (2) meetings with the City Council during the plan review and adoption phase.
- c. Revise plan if needed and prepare Final Area Plan document (*deliverable*).

Task 9: Project Management

- a. The CityPlace Planning team is committed to maintaining the project schedule and budget, and providing our services in a timely, cost-conscious manner. Regular communication with the City will be maintained throughout the project via in-person meetings, phone calls, or emails as the project progresses.

Subsection I – Urban Design Scope of Work – RNT Architects

Roesling Nakamura Terada Architects (RNT) understands the City of Escondido is preparing a combined Area Plan for South Escondido Boulevard/South Quince Street that supports the Sustainable Communities Planning Grant and Incentive Program. As a sub-consultant to CityPlace Planning (CPP), RNT services shall include assisting CPP on the planning, design and preparation of an Area Plan. The scope of work will include the development of urban design services, infill development concepts, design standards and guidelines, and design workshop participation. RNT's intent is to assist CPP and the City in creating a plan that fosters the future development of a unique, vibrant, and meaningful destination within the City. RNT's scope of services shall include the following tasks:

Task 1: Evaluation and Information Gathering

- a. RNT will assist CPP with the following tasks:
 - Review and analysis of base maps, existing reports and exhibits provided by CPP.
 - On-site design inventory of site issues, opportunities, and constraints.
 - Prepare site analysis diagrams.
 - Identify potentially significant sites or buildings.
 - Provide Opportunities/Constraints memo.

Task 2: Urban Design

- a. Concept Development
 - Develop density and land use recommendations with regards to economic studies and existing infrastructure (economic studies, utilities and traffic/street infrastructure studies provided by others).
 - Examine Planning/Design potential for neighborhood-oriented commercial uses.
 - Assist with creating provisions for conversion of specified commercial or industrial structure to be compatible with adjacent housing.
 - Develop development concepts that support the City's sustainable and equity goals.
 - Assist with determining priority projects and sites.
- b. Infill Development Prototypes – RNT will produce two infill development prototypes: one for the South Escondido Boulevard area and one for the Quince Street area. Prototype designs to include:
 - Massing and design strategies.
 - Proposed uses.
 - Sustainability concepts.
 - Public space.
 - Urban connectivity.
- c. Architectural Design Standards and Guidelines
 - RNT will work with CPP to develop design standards and guidelines urban design and prototype development.
 - Public improvements/enhancements.
 - Standards and guidelines will include the following:
 - Sustainability
 - Site/streetscape design
 - Architectural
 - Landscaping
 - Parking

Task 3: Area Plan Document

- a. RNT will support CPP with the development of the Area Plan document and will provide narratives and graphics for tasks described above.

Task 4: Meetings and Public Workshops

- a. RNT will assist CPP with the following tasks:
 - Planning Team Meetings (4 meetings), including tour and kick-off meeting.
 - Presentation to the City (1 presentation).
 - Community Task Force Urban Design Workshop (1 two-hour workshop).
 - Preparation time for meetings/workshops.

Subsection II – Mobility Plan Scope of Work – LLG Engineers

Task 1: Project Initiation/Kick-off Meeting

- a. Meet with the City to understand and discuss the Scope of Services schedule, cost, work plan, goals, and brainstorm alternative ways to expedite the project to achieve the City’s objectives.

Task 2: Data Collection and Research

- a. Identify opportunities and constraints for utilization of Smart Growth principals, Complete Streets, and traffic calming features. The following tasks will be completed:
Conduct a field survey to obtain critical information in regards to existing infrastructure, areas of congestion and non-standard features to verify our overall understanding of conditions in the area that might affect the project.
Evaluate transportation and land use planning studies and plans (community, local, and regional) in the vicinity of the study area. Due to the complexities of an ever-changing urban environment, a thorough understanding of previous recommendations and studies, as well as upcoming public and private development projects, is essential to determine opportunities and challenges associated with each route. This will give our Team a full picture of upcoming changes that could impact the proposed routes, as well as previous data that may have already been collected along each route (such as pedestrian and bicycle counts).

Conduct a “gap” assessment

- Obtain an inventory of the existing sidewalk/pedestrian connection network. Identify gaps in the existing sidewalk pedestrian connection network and “pedestrian dead zones.”
- Obtain an inventory of the existing bicycle network and identify gaps.
- Identify gaps in ADA accessibility.

Task 3: Target Area Assessment

- a. Conduct mode share assessment, collision assessment, and population distribution assessment for the following eight user groups within the South Escondido Boulevard and South Quince Street Target Areas:

Vehicles
Pedestrians
Bicyclists
Transit
Goods and trucks
Disabled
Seniors
Children

Task 4: Corridor Assessment and Recommendations

- a. Conduct assessments for South Escondido Boulevard and Centre City Parkway corridors within the Target Areas. The assessments will be completed for the eight user groups mentioned above:
Conduct a mode share assessment.
Conduct a collision assessment
When conducting the assessments for pedestrians, evaluate the need for pedestrian connectors for Centre City Parkway and consider pedestrian safety islands.
Based on the results of the assessments listed above, identify key intersections/segments where further evaluation is recommended.

Determine improvements needed to correct deficiencies, such as street lights, curbs, sidewalks, connections for pedestrian and bicycle pathways, etc.

Evaluate Centre City Parkway cross-section to provide access to all eight user groups and landscaping when it eventually expands to six (6) lanes.

Task 5: Reassess the General Plan Update Analysis

- a. Coordinate with the City to update the land use designations for the Year 2035 Proposed General Plan Circulation Element and Proposed General Plan Land Uses alternative for the following target areas:
 - S. Escondido Boulevard / Centre City Parkway
 - S. Escondido Boulevard / Felicita Avenue
 - Centre City Parkway / Brotherton Road
- b. Calculate the change in trip generation of the proposed land uses for the target areas listed above when compared to the trip generations utilized in the General Plan. No additional model runs will be conducted.
- c. Manually distribute and assign the project delta volumes to the following study intersections and segments analyzed in the General Plan Update:

Segments:

 - Escondido Boulevard:
 - 5th Avenue to 9th Avenue
 - 9th Avenue to 13th Avenue
 - 13th Avenue to 15th Avenue
 - 15th Avenue to Felicita Avenue
 - Felicita Avenue to Sunset Drive
 - Sunset Drive to Centre City Parkway
 - Centre City Parkway to W. Citracado Parkway
 - W. Citracado Parkway to Centre City Parkway (intersection)
 - 13th Avenue:
 - Centre City Parkway to Escondido Boulevard:
 - 9th Avenue
 - Centre City Parkway to Escondido Boulevard
 - Centre City Parkway:
 - 13th Avenue to Felicita Avenue
 - Felicita Avenue to Escondido Boulevard
 - Escondido Boulevard to W. Citracado Parkway
 - Cintricado Parkway to I-15 SB On-Ramp
 - Centre City Parkway Frontage Road:
 - Brotherton Road to W. Citracado Parkway
 - W. Citracado Parkway to Clarence Lane
 - Felicita Avenue:
 - Tulip Street to Centre City Parkway
 - Centre City Parkway to Escondido Boulevard
 - Escondido Boulevard to Juniper Street
- d. Conduct daily roadway segment analyses at the study segments listed above.
- e. Determine the significant impacts associated with the redesignation of land uses. Identify mitigation measures for each significant impact, taking into account transit opportunities on Escondido Boulevard.

Task 6: Evaluate Escondido Boulevard at build out with a street profile involving a center median, one travel lane in each direction, and curbside parking

- a. Using the traffic volumes forecasted in Task 5, conduct daily roadway segment analyses at the study intersections and segments listed below. No redistribution of traffic volumes or additional traffic model runs will be conducted:

Segments:

- Escondido Boulevard
 - 5th Avenue to 9th Avenue
 - 9th Avenue to 13th Avenue
 - 13th Avenue to 15th Avenue
 - 15th Avenue to Felicita Avenue
 - Felicita Avenue to Sunset Drive
 - Sunset Drive to Centre City Parkway
 - Centre City Parkway to W. Citracado Parkway
 - W. Citracado Parkway to Centre City Parkway (intersection)

- b. Prepare a table summarizing the analysis results.

Task 7: Assist with the Implementation Analysis

- a. Strategic Implementation Plan will articulate a clear strategy for implementation of the improvements through an approach that includes an incremental combination of short-term and long-term actions, such as regulatory changes, administrative changes, and capital improvements. It will also identify, prioritize, and develop conceptual plans and designs for catalyst projects to demonstrate the application of the new Complete Street policies, guidelines, and standards to specific corridor segments. We propose the following tasks to establish the Strategic Implementation Plan.

Identify and prioritize roadway improvement projects in coordination with the Pedestrian Master Plan, Bicycle Master Plan, current capital improvement and other relevant projects.

Prioritize schedule of short-term and long-term projects and programs for implementation. This will define brief scopes, schedules, implementation roles and responsibilities, and rough costs. Develop a scoring system to determine the priority of improvements needed to correct deficiencies.

Prepare a prioritized list of improvements needed to correct deficiencies.

Task 8: Attend a community workshop to prioritize the order of correcting deficiencies for the implementation plan

Task 9: Meet with the Team to discuss final recommendations

Task 10: Prepare the Mobility Plan and Mobility Chapter for the Area Plan

- a. Summarize all inventories, data collection, analyses and findings in a Mobility Plan report.
- b. Refine/revise the draft report based on team comments, and complete a final Mobility Plan and Mobility Chapter for the Area Plan.

Subsection III – Market Analysis Scope of Work – HR&A Advisors

Task 1: Retail Market and Retail Gap Analysis

- a. HR&A will undertake a general market reconnaissance of retail real estate market conditions in Escondido in order to determine if the market is over-built in the target area, and/or whether the built (and un-built acreage reserved for commercial development) exceeds current and future anticipated demand as has been suggested by local developers. Using a variety of third party data sources, we will estimate demand and compare it with existing levels of market supply. We will identify appropriate demand segments for consideration, and quantify existing and projected sales potential by segment and by tenant category (Food Service, Entertainment, Services, General Merchandise, Apparel, Furnishings, etc.). Specific sub-tasks include:

Collect appropriate retail performance data, such as inventory, occupancy, and rents.

Estimate market supportable retail square footage based on current retail demand.

Estimate current gap or over-supply in retail stock located in the City.

Provide a “snapshot” of non-residential market conditions (inventory, vacancy, and rent) compared to North County averages.

Task 2: Commercial to Residential Feasibility Proforma Analysis

- a. If the outcome of Task 1 confirms that commercial real estate is over-built in the City, HR&A will prepare high-level residual land value estimates for converting existing commercial building space (including undeveloped commercially zoned property) within the target area into residential units (both rental and ownership) versus keeping the buildings and vacant land reserved for commercial. In order to do this, CPP will provide up to two suggested development concepts to test. At this time, we assume that we will test financial feasibility of converting a site located within a corridor ‘node’ from commercial to mixed-use, and another location mid-corridor to test the feasibility of converting it from commercial to residential.
- b. “Residual land value” is what a developer could theoretically afford to pay for land and earn a market-responsive return on investment from development of a concept. The residual land value estimates are computer spreadsheet models that include:
 - Estimate Development Costs. This includes (1) order-of-magnitude construction costs (i.e., buildings, parking, and site development costs) based on a combination of information derived from the Marshall & Swift Commercial Cost Explorer, which is often used by the appraisal industry to estimate replacement costs, and HR&A’s experience; (2) estimated soft costs (e.g. architectural and engineering fees; public planning and permit fees); and (3) financing costs based. The estimates for soft costs and financing costs will be based on our experience and knowledge of the local development market. Converting existing commercial space into residential space will require some specialized costing and benchmarking.
 - Estimated Net Operating Income. We will then estimate the annual revenues, annual operating expenses, and annual net operating income for the development concepts and their constituent land uses.
 - Estimated Project Value. Using income capitalization rates specific to each land use in each development concept and its respective Net operating income estimates, we will translate net operating income into an estimate of the sale value for each development concept once it has achieved stabilized operation (i.e., a stabilized level of occupancy that varies by land use).

Estimated Residual Land Values. The final step in analyzing each development concept is to subtract total development cost, and an allowance for developer profit, from the estimated project value to determine the residual land value.

Compare with prevailing land values. HR&A will benchmark prevailing land values in the area based on a third party. The residual land value models described above will provide a reasonable range of estimates for the amount developers could reasonably be expected to pay the opportunity to redevelop commercial property into residential units and if that amount is feasible for the market given prevailing land values.

Task 3: Briefing Memo (8-10 pages) (deliverable)

- a. HR&A will prepare a brief memo, including all relevant financial spreadsheets, summarizing the two tasks above. (See CPP Tasks 3 and 5).
- b. HR&A will provide the memo within four (4) weeks of notice to proceed. This schedule assumes timely responses to our requests for any project-specific information from the City of Escondido.

Subsection IV – Compensation Conditions

- a. Pursuant to Section 2 of the Agreement, the conditions of payment by CITY to CONSULTANT are as follows:
CONSULTANT shall bill CITY c/o Mr. Jay Petrek, Assistant Planning Director, Planning Division, 201 N. Broadway, Escondido, CA 92025, for services rendered under this Agreement. Billing shall be made monthly, commencing thirty days after the date of this Agreement on the first of the month. All invoices shall state in detail the work performed as it relates to the deliverables under this Attachment A. CONSULTANT's bill will also indicate a hold-back amount equal to ten (10) percent of the monthly fees due.
Upon approval by the CITY, CITY shall pay the fees [withholding from payment the ten (10) percent hold-back] and applicable reimbursable expenses due and itemized in the monthly bill within thirty (30) days of receiving the bill from CONSULTANT. CITY's payment of the ten (10) percent hold-back amount is due upon CONSULTANT'S delivery to CITY of the final work product due under the Agreement.
If this Agreement is terminated or suspended by CITY without cause, CONSULTANT shall be paid in full for services provided by CONSULTANT up to the time of termination.

South Escondido Boulevard and South Quince Street Area Plan Project Schedule - assume Notice to Proceed March 2015		Mar 2015	Apr 2015	May 2015	Jun 2015	Jul 2015	Aug 2015	Sep 2015	Oct 2015	Nov 2015	Dec 2015	Jan 2016	Feb 2016	Mar 2016	Apr 2016	May 2016	Jun 2016	Jul 2016	Aug 2016	Sep 2016	Oct 2016	
Tasks																						
Task 1: Project Initiation - Tour and Kick-off Meeting																						
Project Area tour with City Staff																						
Kick-off meeting with Project Team and City Staff																						
Task 2: Develop a Public Participation and Outreach Strategy																						
Debrief with Neighborhood Transformation Project (NTP) staff																						
Prepare list of Stakeholders																						
Develop detailed participation and outreach strategy																						
Task 3: Existing Conditions and Needs Analysis																						
Review existing land uses																						
Review existing codes, ordinances, and General Plan (GP) policies																						
Prepare an Opportunities and Constraints memo																						
Coordinate with sub-consultants																						
Task 4: Develop Sustainable Communities Program Goals																						
Refine goals with staff and project team																						
Prepare a brief White Paper documenting specific program methods for measuring success with desired results																						
Task 5: Technical Analysis and Studies																						
Prepare a draft land use matrix and definitions																						
Prepare a draft land use map																						
Conduct implementation analysis																						
Coordinate with sub-consultants to prepare each technical study																						
Task 6: Proposed Community Outreach Events (subject to approval of Task 2)																						
Prepare content for City's web site																						
Stakeholder Interviews																						
Focused Community Workshop #1																						
Focused Community Workshop #2																						
Focused Community Workshop #3																						
Task 7: Prepare Area Plan Document																						
Write sections of the plan to reflect the community and staff input received through the process																						
Incorporate the work of the sub-consultants																						
Submit Administrative Draft Area Plan																						
City Staff Review I																						
Submit Draft II for Review and Comment																						
City Staff Review II																						
CPP prepares and submits Public Review Draft																						
Task 8: Area Plan Public Review and Adoption Process																						
Two meetings with Planning Commission																						
Two meetings with City Council																						
Review plan if needed to prepare final Area Plan document																						
Task 9: Project Management																						
Regular communication with the City will be maintained throughout the project																						

ATTACHMENT B

List of Personnel

CityPlace Planning, Inc.

Claudia Tedford, Principal

Patricia Bluman, Senior Associate

Katie Matchett, Senior Associate

Gabriela Hussong, Interpretation and Translation

RNT Architects

Rick Espana, Associate Planner/Project Manager

Brandon Martella, Designer

Victoria Guilemin, Designer

LLG Engineers

KC Yellapu, Senior Transportation Engineer

John Boarman, Principal Engineer

Charlene Sadiarin, Transportation Engineer II

Erika Carino, Transportation Engineer I

Mario Flores, Engineering Aide I

Jose Nunez, GIS Specialist

HR&A Advisors

Amitabh Barthakur, Partner-in-Charge

Remy Monteko, Project Manager

Thomas Jansen, Project Analyst

Benton Heimsath, Project Analyst

ORDINANCE NO. 2015-04

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING ARTICLE 26 OF THE ESCONDIDO
ZONING CODE PERTAINING TO DOG
BOARDING WITHIN THE M-1 AND M-2 ZONES

Planning Case No. AZ 14-0003

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 determined that this Zoning Code
Amendment is exempt from the California Environmental Quality Act ("CEQA") in
conformance with Section 15061(b)(3) "General Rule" and finds that no significant
environmental impact 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 hearing
held on this project, this City Council finds the Zoning Code Amendment to be
consistent with the General Plan and all applicable specific plans of the City of
Escondido.

A COMPLETE COPY OF THIS ORDINANCE IS
ON FILE IN THE OFFICE OF THE CITY
CLERK FOR YOUR REVIEW.

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 10

Date: March 4, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Barbara J. Redlitz, Director of Community Development

SUBJECT: Oak Creek Project Annexation; Tentative Subdivision Map; Preliminary, Master and Precise Development Plan; Pre-Zone; Grading Exemptions; Specific Alignment Plan and Final Environmental Impact Report (SUB 13-0002, PHG 13-0017, ENV 13-0006)

STAFF RECOMMENDATION:

It is requested that Council adopt Resolution No. 2015-27 and introduce Ordinance No. 2015-07 approving the proposed Oak Creek Project annexation and residential planned development and certifying the Oak Creek Project Final Environmental Impact Report.

PLANNING COMMISSION RECOMMENDATION:

On January 27, 2015, the Planning Commission voted unanimously (6-0) to recommend approval of the proposed Oak Creek Project annexation and residential planned development. The vote included a recommendation that the City Council certify the Oak Creek Project Final Environmental Impact Report.

PROJECT DESCRIPTION:

The proposed Oak Creek project includes a Tentative Subdivision Map for 65 single-family residential lots on a 37.59-acre property in conjunction with an annexation of the development site and three additional parcels. The proposed project would prezone the residential development site to Planned Development – Residential 1.75 (1.75 dwelling units/acre) while the remaining annexation area on the eastern side of Miller Avenue would be rezoned RE-20 (Residential Estates – 20,000 SF minimum lot size). A Preliminary, Master and Precise Development Plan has been included for the development site to implement residential lot clustering and proposed residential lot sizes range from approximately 10,000 SF to 22,500 SF with the average residential lot size being 12,585 SF. Two Grading Exemptions are requested for a 2:1 cut slope up to 35 feet high and a 2:1 fill slope up to 17 feet high. The project also proposes a Specific Alignment Plan for both Felicita Road and Hamilton Lane which would establish modified pavement widths and improvements for both of these streets in conjunction with a traffic calming plan for the portion of Felicita Road that generally extends from Hamilton Lane south to Clarence Lane.

LOCATION:

The approximately 43.73-acre project area is located within the unincorporated area of San Diego County and is contiguous to the City's boundary at the intersection of Felicita Road and Hamilton Lane. The proposed residential development site within the project area (37.59-acres) is generally bounded on the north by Hamilton Lane, the west and south by Felicita Road, and the east by Miller Avenue. The remainder of the proposed annexation area is located on the eastern side of Miller Avenue and both sides of Hamilton Lane and includes two vacant parcels not proposed for development and the Chalice Unitarian Universalist Congregation property (2324 Miller Avenue).

FISCAL ANALYSIS:

All LAFCO costs associated with the annexation will be paid by the applicant. All city permit fees to be paid by the applicant will be charged at the standard rates in effect at the time the permits are requested.

GENERAL PLAN ANALYSIS:

The County General Plan designates the property as "Village Residential (VR-2.9)". This designation allows 2.9 dwelling units per gross acre. The maximum yield based on the County General Plan would be 109 dwelling units. Actual attainment of this density would be predicated on the availability of sewer service which currently is not available to properties within this area of the County's jurisdiction.

The Escondido General Plan has adopted a lower density land use designation for the site. The Estate II designation allows up to two dwelling units per acre with the maximum development yield of a property calculated according to topography/slope categories. Based on the variable slope provisions of the Estate II land use designation contained in the City's General Plan, up to 74 dwelling units/lots would be allowed on the project site. The proposed project density of 1.75 du/acre is consistent with the Estate II designation. The project will be required to conform to the provisions of the Citywide Facilities Plan through the payment of fees to ensure that the Quality of Life Standards will continue to be met.

ENVIRONMENTAL REVIEW:

A Draft Environmental Impact Report (City Log No. ENV 13-0006) was issued for a 45-day public review on August 15, 2014. Responses to comments received on the Draft EIR have been incorporated into the Final EIR. Mitigation measures required under CEQA were developed to reduce the potential for adverse impacts with respect to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise.

Sections of the Draft EIR have been clarified or expanded in the Final EIR, but no new significant impacts have been identified, no impacts increased in severity, and no new alternatives have been identified. Several new mitigation measures have been provided for clarity in the document to address previously identified impacts, but would not constitute "significant new information" as described in CEQA Section 15088.5. As such, the Draft EIR document was not fundamentally or

basically inadequate in nature and the conclusions do not require reevaluation or recirculation. Both staff and the Planning Commission feel the Final EIR adequately addresses all project-related issues. The Oak Creek Project Final EIR can be viewed at the City of Escondido Planning Division, the Escondido Public Library, and is available in the Planning Division section of the City's website at the following link:

http://www.escondido.org/Data/Sites/1/media/pdfs/Planning/oakcreek/Volumell-Navigation_Index.pdf

BACKGROUND:

The 41.4-acre project site is located within the unincorporated area of the County, immediately south of the City of Escondido within the City's adopted Sphere of Influence. The project site and the 2.34-acre Chalice Unitarian Universalist Congregation property would be annexed to the City as part of the project. The main portion of the project site consists of an irregularly shaped property generally bounded on the north by Hamilton Lane, the west and south by Felicita Road, and the east by Miller Avenue. A small "panhandle" to the property is located adjacent to the northeast corner of the main project site. The panhandle includes vacant land along either side of Hamilton Lane east of Miller Avenue and west of I-15.

The proposed development site is a portion of a larger 63-acre site that was once proposed for annexation and development by Standard Pacific (Tract 812) starting back in 1999. A Planning Commission hearing was scheduled for that proposal in August of 2000, but the project was withdrawn at the applicant's request prior to the hearing and there were no public hearings associated with the Standard Pacific proposal. A portion of the former Standard Pacific site on the eastern side of Miller Avenue was later subdivided into residential lots under the County's jurisdiction, while the proposed development site on the western side of Miller Avenue remained as farmland or undeveloped.

New Urban West, Inc. is in the process of acquiring the project site and first approached the City approximately two years ago to discuss the possibility of annexing the site for the purpose of developing a planned residential community. In April of 2013, the City Council initiated the annexation proposal for further study; and a formal application for the annexation and development proposal was filed by New Urban West the following month. Prior to submitting the application, New Urban West began their own public outreach program in the neighborhood, and contracted with consultants to prepare the various environmental technical studies necessary to analyze the proposal. Planning staff coordinated with LAFCO early in the process to determine whether there were additional property owners in the area that were interested in annexing into the City. The Chalice Unitarian Universalist Congregation (2324 Miller Avenue) was the only other property owner interested in annexing as part of the applicant's proposal.

On April 22, 2014, staff issued a Notice of Preparation for the Oak Creek Environmental Impact Report (EIR). A total of 136 letters and emails were received by staff from agencies, organizations and individuals interested in the proposed development and the scope of the environmental analysis. A Draft EIR was issued for a 45-day public review period on August 15, 2014. The large volume of comments received during the Draft EIR public review period resulted in over 350 pages of responses to those comments being incorporated into the Final EIR for the proposal.

The Oak Creek Project EIR evaluated a development proposal that includes the construction of 65 single-family detached residences on the approximately 41.4-acre project site. Six of the proposed residential lots were located in the “panhandle” portion of site on the eastern side of Miller Avenue resulting in an overall residential density of 1.61 du/ac. As required by CEQA, the EIR includes several “Project Alternatives” (Chapter 7) that would feasibly attain most of the project objectives but would avoid or lessen any significant environmental impacts. The proposed Tentative Map reflects the applicant’s decision to develop one of the alternatives evaluated in the project EIR. The proposed residential development project is identified as the “Reduced Residential Footprint Alternative” in the Oak Creek Project Final Environmental Impact Report (Pg. 7-27). This alternative would develop the project, as proposed, except it would eliminate the six units located east of Miller Avenue along Hamilton Lane and develop all 65 units in the area bounded by Hamilton Lane, Felicita Road, and Miller Avenue resulting in an overall residential density of 1.75 du/ac. Although no residences are proposed on the two remainder lots located east of Miller Avenue, these lots would be included in the annexation to the City of Escondido and would be rezoned Residential Estate - 20 (RE-20). The proposed Tentative Map and planned development has been designed to reflect the applicant’s selection of the “Reduced Residential Footprint Alternative” identified in the Final EIR.

Prior to the Planning Commission hearing last month, three other public meetings were held to discuss the Oak Creek project with area residents. Those meetings included a neighborhood meeting held on January 23, 2014, the EIR Notice of Preparation scoping meeting on May 19, 2014, and a public meeting held in the City Council Chambers on September 22, 2014, during the public review period for the Draft EIR. Separate notices were mailed or emailed prior to the meetings and all three meetings were well attended by area residents.

PLANNING COMMISSION RECOMMENDATION AND SUMMARY:

On January 27, 2015, the Planning Commission voted unanimously (6-0) to recommend approval of the proposed Oak Creek Project annexation and residential planned development. The vote included a recommendation that the City Council certify the Oak Creek Project Final Environmental Impact Report. Discussion by the commissioners focused on the volume of information contained in the Final EIR and there was consensus that the document had adequately addressed the issues that had been raised by the public. All of the commissioners expressed support for the project and noted that the project would provide safer pedestrian and bicycle access to Felicita Park, provide needed traffic calming for the area, and would create a better situation for downstream property owners through implementation of the proposed storm water management basins.

PUBLIC INPUT:

As noted in this staff report, many area residents attended three public meetings held during the course of the project review; and there has been a lot of correspondence and sharing of information between staff and neighbors in the area. During the Planning Commission hearing held on January 27, 2015, a total of 19 speakers addressed the commission with 11 speakers favoring the proposed project and eight speakers expressing opposition. One additional attendee filled out a slip to note opposition to the project, while 42 other attendees similarly expressed support for the proposal. Speakers in opposition to the project noted they felt the project was too dense and incompatible with the surrounding neighborhood and that New Urban West should consider an alternative plan they had

provided to the commission that reduced the number of lots and amount of pavement. Others noted that the Final EIR had not adequately addressed their comments and that downstream flooding and groundwater contamination issues were still unresolved. Speakers in favor of the project mentioned other successful developments constructed by the applicant in Escondido and were in favor of bringing an upscale housing development into their neighborhood. Others pointed out the need to remedy the current degraded condition of the property and expressed enthusiasm that the project would address some long-term neighborhood issues by introducing traffic calming on Felicita Road and improving the walkability of their neighborhood while preserving and enhancing the unique creek and pond areas on the property.

ANALYSIS:

Appropriateness of Proposed Annexation and Prezones

The 41.4-acre project site is located within the unincorporated area of the County immediately south of the City of Escondido within the City's adopted Sphere of Influence. The project site shares a nominal common boundary with the City and would connect to the existing city limits at the northwestern corner of the site at the intersection of Felicita Road and Hamilton Lane. Annexation would not be required to construct a residential development on the project site. The County has designated the site as Village Residential 2.9, which would allow up to 109 homes to be constructed on the site under the County's jurisdiction. However, this density is not nearly achievable under current conditions because the County does not provide sewer service in this area, and the City does not extend sewer service outside of its boundary to serve County developments. Therefore, annexation is required to provide sewer service to the project site.

The Escondido General Plan designation for the proposed annexation area is Estate II, which allows up to two dwelling units per acre. The minimum lot size for Estate II is 20,000 square feet, unless the development is clustered in accordance with the cluster provisions contained in the General Plan. Clustering is only permitted in conjunction with a specific plan or planned development proposal for a site and requires the zoning to be changed to SP or PD-R accordingly. The project area on the western side of Miller Avenue where a clustered, planned residential development is proposed would be prezoned PD-R 1.75 (Planned Development – Residential 1.75 dwelling units per acre) to reflect the density of the proposed development. The remainder of the annexation area on the eastern side of Miller Avenue consisting of two vacant parcels of land and the Chalice Unitarian Universalist Congregation property would be prezoned RE-20 (Residential Estates – 20,000 SF minimum lot size), which is a standard residential zone consistent with the Estate II designation for both minimum lot size and density. The zoning established by the prezones would become effective upon approval and recordation of the proposed annexation.

Whether the Introduction of Additional Impervious Surfaces in the Area Would Increase the Potential for Downstream Flooding on Felicita Creek

All runoff from the site drains to Felicita Creek, then Hodges Reservoir to the south. The proposed development site would be graded to generally maintain drainage patterns toward the western and southern boundaries. On-site drainage improvements would include a storm drain system and flood attenuation/bioretention basins to safely convey runoff, clean urban runoff, provide hydromodification

management, and to mitigate increases in peak stormwater flow rates discharging from the project. Sizing for these basins assumes 50 percent impervious surfaces for each pad area. Each basin would attenuate flows and then discharge to the two existing drainages. Proposed drainage improvements would include upsizing the easterly pipeline crossing in Hamilton Lane; upsizing the pipeline at the downstream end of the site at Felicita Road; and constructing a berm adjacent to Felicita Road to contain stormwater, thereby allowing runoff to pass through the Felicita Road pipeline and alleviating current flooding conditions on that road.

The Water Quality Technical Report prepared for the proposed development utilized the San Diego County Hydrology Manual for the hydrologic calculations for the project. Based on the anticipated amount of impervious surface in the development and the number and size of detention basins proposed as part of the development project, the post-development condition of the project site would decrease overall runoff from 757 cubic feet per second (cfs) experienced in existing conditions, to an anticipated 755 cfs in developed conditions, a decrease of approximately 2 cfs. Furthermore, the proposed improvements to the culvert crossing at Felicita Road (described above) would reduce the amount of overtopping flow and increase the amount conveyed through the culvert crossing; however, there would be no net change to flow reaching the downstream properties since it would all commingle within Felicita Park upstream of Via Rancho Parkway. By using on-site detention to reduce peak flow rates discharging from the Project to equal or less than pre-Project conditions, and by maintaining existing drainage patterns through the site, the Project would not result in adverse impacts to downstream drainage facilities and/or properties.

Detailed calculations have been identified throughout the Drainage Study and Water Quality Technical Report resulting in the selection of a maximum 50% impervious factor for the proposed residential pad areas to maintain the peak flow rates described above. As is standard and part of final engineering, prior to issuance of grading and building permits, it shall be confirmed that the amount of imperviousness remains equal to or less than 50% on average, per lot. The sizing for the onsite bioretention/detention basins have been calculated based on 50% impervious surface for each lot, and 100% imperviousness for streets and fire access. The actual impervious area on each lot has been calculated to be approximately 34% average, which includes the building, driveway, and sidewalk. After all the impervious area proposed by the builder is accounted for, there is still 2,053-square feet available to the homeowner to install additional impervious hardscape, which is 16% of the lot, providing a total pad imperviousness of 50%. Mitigation measure Hydro-2 requires the builder to provide a disclosure to all homebuyers informing purchasers of this limitation. Additional project conditions will include a requirement that the CC&Rs for the project include a prohibition on any future homeowner installations of impervious area that exceed the maximum allowance. Prior to issuance of grading or building permits for improvements by a future homeowner, the landscape or architectural consultant to the HOA shall provide an area calculation of all impervious surfaces (excluding water surface area in pools) that have been installed on the property since the initial purchase date from the builder plus the additional impervious area proposed by the homeowner. This calculation will be reviewed by the Planning Division with the plans at the time of permit application to ensure consistency with the mitigation measure and the project conditions of approval.

Whether Future Residents in the Proposed Development Would Be Exposed to Groundwater or Soil Vapor Contamination Associated with the Nearby Chatham Brothers Barrel Yard Site

The Phase I Environmental Site Assessment (ENVIRON 2012) included a database review of surrounding properties that may result in contamination at the project site and identified the Chatham Brothers Barrel Yard site as a nearby source of contamination potentially affecting groundwater beneath the project. The yard is located approximately 0.3 mile northwest of the project site and up-gradient with respect to groundwater flow. The yard was historically used for waste oil and solvent recycling. As a result, groundwater beneath the barrel yard site and vicinity is known to be contaminated with trichloroethylene (TCE), which is a volatile organic compound (VOC). Remedial actions are underway at the Chatham Brothers Barrel Yard site under the oversight of the State of California Department of Toxic Substances Control (DTSC).

To evaluate potential risks posed by any chlorinated VOC concentrations in soil vapor arising from the underlying contaminant plume in groundwater (currently measured as present between 17 and 26 feet below ground surface) originating at the Chatham Barrel Yard Site, a Phase II Environmental Site Assessment (Gannett Fleming) was completed in 2013. The investigation consisted of soil and soil vapor sampling and analysis, as recommended by the Phase I Environmental Site Assessment (Final EIR Appendix H). The methodology of the investigation is detailed in the Phase II Environmental Site Assessment (Appendix I-1 and I-2 in Final EIR). The results of the recent Phase II Environmental Site Assessment indicate that no VOCs were present in soil vapor at levels above applicable regulatory thresholds (California Human Health Screening Levels, or "CHHSLs"). However, low but elevated concentrations of arsenic were detected in fill soils at the project site, and a small pocket of petroleum hydrocarbon-impacted soil was discovered. Mitigation measures Haz-3 and Haz-4 would provide remediation for the on-site arsenic and petroleum hydrocarbon-impacted soil.

To further assess groundwater contamination associated with the Chatham Brothers Barrel Yard, a *Site Assessment Report, Soil Vapor and Groundwater Results* (Tetra Tech, Inc. 2014) was prepared (Final EIR Appendix I-5), as was a *Site Assessment Report, Soil Results* (Tetra Tech, Inc. 2014; Final EIR Appendix I-6). The *Soil Vapor and Groundwater Results* report summarizes the results of groundwater and soil vapor investigation activities conducted at the project site from August through October 2014. The *Soil Results* report summarizes the results of soil investigation activities conducted on the project site from August through October 2014.

The potential environmental and human health risks posed by the Chatham Brothers Barrel Yard relate to (1) hazardous substances in groundwater, including VOCs such as tetrachloroethylene (or PCE) and trichloroethylene (or TCE), and (2) volatilization of hazardous substances from the groundwater into soil vapor migrating upward. Both of these categories of risks have been adequately investigated and analyzed by the applicant under the oversight of the California Department of Toxic Substances Control (DTSC). In September 2014, Tetra Tech, Inc., performed groundwater sampling at the project site to evaluate potential risks associated with the groundwater. The results of the groundwater sampling from seven sampling sites were "non-detect" (i.e., below the certified laboratory's method detection limits) for VOCs at six of the seven sampling locations throughout the project site. With respect to the one sampling site where VOCs were detected (sampling site TtGW-4 north of the duck pond near Felicita Road), the detected levels were 1.7 micrograms per liter for PCE and 1.8 micrograms per liter for TCE. Both levels are well below the

applicable regulatory cleanup standard (the USEPA's Maximum Contaminant Levels) of 5.0 micrograms per liter for both constituents. In addition, sampling site TtGW-4 is not within an area of the project site where residential construction would occur. Four groundwater monitoring wells currently are on the project site. The results of groundwater monitoring at the wells – since 2008 – have been “non-detect” for VOCs.

With respect to soil vapor, Gannett Fleming, Inc., and Tetra Tech, Inc. have performed three rounds of soil vapor sampling under DTSC oversight at 26 locations at depths varying from 5 feet below ground surface to 15 feet below ground surface. The extent of sampling has complied with the DTSC's requirements for characterizing the extent of impacts to soil vapor, and the results show that contaminant levels in soil vapor are below DTSC-approved screening levels for residential use. USEPA Regional Screening Levels (as modified by DTSC) combine human health toxicity values with standard exposure factors to estimate chemical concentrations that are considered to be health protective of human exposures over a lifetime through direct-contact exposure pathways (e.g., via inhalation and/or ingestion of and/or dermal contact with impacted soil). VOCs were detected at levels above Regional Screening Levels at a single on-site location outside of the development footprint (soil vapor sample location TtSV-1; located near TtGW-4). Neither groundwater nor soil vapor on the project site are impacted at levels exceeding applicable human health-protective regulatory standards, with one exception regarding soil vapor – at a location outside the development footprint. Nevertheless, DTSC has indicated that groundwater extraction will be prohibited at the project site. To ensure that groundwater will not be used in the proposed development for any purpose, the applicant will record a deed restriction on the title for the project site that will prohibit the use or extraction of groundwater beneath the project site for any purpose. In addition, a prohibition on the use of groundwater from beneath the project site will be included in the CC&Rs and included as a condition of approval.

Whether the Proposed Tree Restoration Program Adequately Compensates for the Removal of Mature Trees on the Site

Approximately one-third of the project site would be conserved as open space, the vast majority of which includes the creeks with their dense riparian forest and woodland habitats, the seasonal pond in the southwestern corner of the site, and the retention basins. The creek, including buffers, and the pond would be preserved as permanent open space. Enhancement and restoration of the open space areas would include recontouring a portion of the stream channel, removal of non-native species, and seeding/planting with a mix of native shrubs and trees. A biological resource buffer from existing native vegetation that varies in width from 0 feet to 135 feet would be provided to separate on-site open space areas from the proposed development.

A linear cluster of predominantly native oak trees that line Felicita Road contributes to the community character of the local area. A Tree Management and Preservation Plan was prepared for the project (Dudek, 2014; Final EIR Appendix C) as biological mitigation for the potential loss of native trees. The Plan identifies the location, number, and type of trees found on the site. Based on project development plans, it was estimated (conservatively) that 238 (22.9 percent) of the mature on-site trees would require removal, 92 (8.9 percent) would experience encroachment into the tree protected zone, and 706 (68.1 percent) of the on-site trees would be preserved in place with no direct impacts. Impacted trees would include those adjacent to Felicita Road for roadway and sidewalk

improvements, those adjacent to Hamilton Lane and Miller Avenue for grading and roadway improvements, and numerous trees in the interior of the project site for grading and infrastructure improvements.

The tree preservation plan to be implemented through Mitigation Measure Bio-6 includes replacement of the impacted oak trees with 453 24-inch box size tree plantings, as well as a minimum of 1,500 to 2,000 native tree plantings in the preserved woodlands/riparian areas. The larger tree plantings would be incorporated into the site's landscape plan. The smaller plantings are appropriate for the habitat. This tree planting program is a sustainable and site-customized oak restoration program. The final number of planted trees is expected to be between 1,953 and 2,453, depending on germination and establishment rates. The anticipated result is a significant increase in the number of trees over existing conditions and provision for the next generation of oaks and riparian willow, cottonwood, and sycamore trees. The planting program provides many benefits including focusing restoration on degraded riparian woodlands, providing protection measures for developing seedlings and saplings, including planting in the transition areas of the development to soften the edge between wildland and developed areas, and integrating the oak mitigation with mitigation for other plant communities, as possible. The landscape component will incorporate native oaks as a major component of the planting program.

Although numerous trees would be removed as a result of project grading and infrastructure construction/improvement activities, those trees would be replaced/replanted pursuant to the Tree Management and Preservation Plan. Potential tree removals along Felicita Road are substantially lessened by the proposed Specific Alignment Plan that minimizes street improvements on the project side to those which are essential for safety and circulation. Most of the trees in the drainage areas would remain and would form a visual backdrop for viewers along Felicita Road. The impact to the community character of the area, including that of the Felicita Road view corridor, from tree removal would be minimal because most the existing trees in this area would remain, and those residents view of the project site would be blocked by the existing trees.

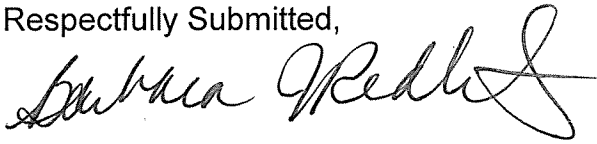
APPLICANT'S PERSPECTIVE:

The applicant is rightfully proud of the two other planned residential communities they have constructed in Escondido, including Brookside in the northern area of the city and the Ranchos at Vistamonte in the southeastern area of the city. These projects have been well-received by their homebuyers and the neighborhoods in which they are located. They feel the proposed home designs, open space amenities and extensive landscaping incorporated into Oak Creek will enhance their portfolio of quality residential developments in Escondido. The applicant has extensively studied the environmental issues raised by other agencies and the public. Both staff and the Planning Commission agree the Final EIR adequately addresses all project-related environmental issues. The applicant has accepted all of the recommended mitigation measures and understands that additional state and federal permits will be required before construction can start.

Since the date of the Planning Commission hearing, the applicant has presented three requests for City Council consideration that are intended to facilitate construction of the project. These items have been discussed with staff and documented in several proposed changes to the Engineering Division conditions of approval. The first request would allow issuance of building permits for the model

homes prior to recordation of a final map. This has been permitted for other developments through the implementation of a Development Agreement. While a Development Agreement is not proposed in this case, staff is comfortable with this proposal provided adequate bonding is in place to remedy the situation in the unlikely event the final map does not record. The second request would allow the applicant to grade the site prior to recordation of the final map provided the annexation has been completed and FEMA has issued a Conditional Letter of Map Revision. As with the previous request, staff feels this can be facilitated provided appropriate bonding is in place and landscaping and other related plans have been approved. The final request would allow future homebuyers to occupy the homes prior to completion of the FEMA process, which is the issuance of a Letter of Map Revision. Staff's initial concern that this could potentially require homebuyers to purchase flood insurance that would otherwise not be required has been satisfied by the developer's offer to pay all flood insurance premiums for their purchasers if the insurance is required by FEMA. This would likely be a short term solution needed only until FEMA issues the final Letter of Map Revision. Staff is recommending Council approve the applicant's requests as described and documented in proposed modifications to General Condition No. 2, Grading Condition No. 2 and Drainage Condition No. 2.

Respectfully Submitted,



Barbara J. Redlitz
Director of Community Development



Bill Martin
Deputy Planning Director

DRAFT

CITY OF ESCONDIDO

MINUTES OF THE REGULAR MEETING OF THE ESCONDIDO PLANNING COMMISSION

January 27, 2015

The meeting of the Escondido Planning Commission was called to order at 7:00 p.m. by Chairman Weber in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: Jeffery Weber, Chairman; Bob McQuead, Vice-chairman; Guy Winton, Commissioner; Ed Hale, Commissioner; Gregory Johns, Commissioner; and James Spann, Commissioner.

Commissioners absent: One position vacant.

Staff present: Bill Martin, Deputy Planning Director; Owen Tunnell, Principal Engineer; Jay Paul, Associate Planner; Gary McCarthy, Senior Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Spann, seconded by Commissioner Winton, to approve the minutes of the January 13, 2015, meeting. Motion carried unanimously. (6-0)

WRITTEN COMMUNICATIONS – None.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. **ANNEXATION; TENTATIVE SUBDIVISION MAP; PRELIMINARY, MASTER AND PRECISE DEVELOPMENT PLAN; PRE-ZONE; GRADING EXEMPTIONS; SPECIFIC ALIGNMENT PLAN AND FINAL ENVIRONMENTAL IMPACT REPORT – SUB 13-0002, PHG 13-0017; ENV 13-0006:**

REQUEST: The proposed “Oak Creek” project includes a Tentative Subdivision Map for 65 single-family residential lots on a 37.59-acre property in conjunction with an annexation of the development site and three additional parcels from the County of San Diego to the City of Escondido. The proposed project would prezone the residential development site to Planned Development – Residential 1.75 (1.75 dwelling units/acre) while the remaining annexation area on the

eastern side of Miller Avenue would be rezoned RE-20 (Residential Estates – 20,000 SF minimum lot size). A Preliminary, Master and Precise Development Plan has been included for the development site to implement residential lot clustering, establish development standards, and provide architectural and landscape design. Proposed residential lot sizes range from approximately 10,000 SF to 22,500 SF with the average residential lot size being 12,585 SF. Approximately 13.93 acres of open space would be provided to preserve sensitive habitat in existing creek and pond areas and off-set the reduction in residential lot sizes as required by the Escondido General Plan. Access to the proposed development would be provided via a gated, private street extending from Felicita Road near the southern boundary of the project site across from Felicita Park. Additional emergency access to Hamilton Lane would be provided from the ends of two cul-de-sacs within the project. Proposed grading would include slightly elevating a portion of the site to ensure all of the proposed home sites are above the 100-year flood inundation area as well as the construction of several bioretention/detention basins to manage the flow of storm water exiting the site. Two Grading Exemptions are requested for a 2:1 cut slope up to 35 feet high and a 2:1 fill slope up to 17 feet high. The project also proposes a Specific Alignment Plan for both Felicita Road and Hamilton Lane which would establish modified pavement widths and improvements for both of these streets in conjunction with a traffic calming plan for the portion of Felicita Road that generally extends from Hamilton Lane south to Clarence Lane. The proposal also includes certifying the Final Environmental Impact Report prepared for the project.

LOCATION: The approximately 43.73-acre project area is located within the unincorporated area of San Diego County and is contiguous to the City's boundary at the intersection of Felicita Road and Hamilton Lane. The proposed residential development site within the project area (37.59-acres) is generally bounded on the north by Hamilton Lane, the west and south by Felicita Road, and the east by Miller Avenue. The remainder of the proposed annexation area is located on the eastern side of Miller Avenue and both sides of Hamilton Lane and includes two vacant parcels not proposed for development and the Chalice Unitarian Universalist Congregation property (2324 Miller Avenue).

Bill Martin, Deputy Planning Director, referenced the staff report and noted staff issues were the appropriateness of proposed annexation and rezones, the appropriateness of the proposed residential clustering design for the planned development and the single point of residential access into the development, whether the introduction of additional impervious surfaces in the area would increase the potential for downstream flooding on Felicita Creek, whether future residents in the proposed development would be exposed to groundwater or soil vapor contamination associated with the nearby Chatham Brothers Barrel Yard site, whether the proposed tree restoration program adequately compensates for the removal of mature trees on the site, and the appropriateness of the proposed Grading Exemptions. Staff recommended the Planning Commission Approve the

proposed Annexation, Tentative Subdivision Map, Preliminary, Master and Precise Development Plan, Pre-Zone, Grading Exemptions and Specific Alignment Plan; and recommend the City Council certify the Final Environmental Impact Report based on the following: 1) The applicant first approached the City approximately two years ago with a planned development proposal that was consistent with both the County and City General Plan designations for the site. Annexation is required because the development proposal requires sewer service and the City does not extend sewer service outside of its boundary. The Escondido General Plan designation for the proposed annexation area is Estate II, which allows up to two dwelling units per acre. The project area on the western side of Miller Avenue where a clustered, planned residential development is proposed would be rezoned PD-R 1.75 (Planned Development – Residential 1.75 dwelling units per acre) to reflect the density of the proposed development. The remainder of the annexation area on the eastern side of Miller Avenue consisting of two vacant parcels of land and the Chalice Unitarian Universalist Congregation property would be rezoned RE-20 (Residential Estates – 20,000 SF minimum lot size), which is a standard residential zone consistent with the Estate II designation for both minimum lot size and density. The zoning established by the rezones would become effective upon approval and recordation of the proposed annexation. Staff feels both of the proposed rezones are appropriate and consistent with the Estate II designation of the General Plan; 2) The clustering design for the proposed development would not increase the overall density of the site, but would allow for reduced lot sizes, larger open space lots, and preservation of the on-site drainage courses and biological resources. While some area residents have expressed opposition to the proposal for a single private street access extending into the project site from Felicita Road, the applicant's proposal meets public safety needs by providing emergency access to Hamilton Lane at the end of two on-site cul-de-sacs. In addition, the Traffic Impact Analysis prepared for the development indicates the proposed development with a single point of primary access would not result in a significant impact to Felicita Road or any other roadway segments or intersections; 3) Detailed calculations have been identified throughout the Drainage Study and Water Quality Technical Report prepared for the project resulting in the implementation of five on-site detention basins and the selection of a maximum 50% impervious factor for the proposed residential pad areas to maintain the peak flow rates at or below existing conditions. Mitigation Measure Hydro-2 and conditions of approval have been crafted to manage the impervious factor. By using on-site detention to reduce peak flow rates discharging from the project to equal or less than pre-project conditions, and by maintaining existing drainage patterns through the site, the project would not result in adverse impacts to downstream drainage facilities and/or properties; 4) The potential environmental and human health risks posed by the Chatham Brothers Barrel Yard located approximately 0.3 mile northwest of the project site relate to hazardous substances in groundwater and volatilization of hazardous substances from the groundwater into soil vapor migrating upward. Both of these categories of risks have been adequately investigated and analyzed by the applicant under

the oversight of the California Department of Toxic Substances Control (DTSC). Neither groundwater nor soil vapor on the project site are impacted at levels exceeding applicable human health-protective regulatory standards, with one exception regarding soil vapor – at a location outside the development footprint; 5) Approximately 247 mature trees would be removed during construction of the proposed development. A tree preservation plan to be implemented through Mitigation Measure Bio-6 includes replacement of impacted trees with 453 landscape area tree plantings (minimum 24"-box size), as well as a minimum of 1,500 to 2,000 native tree plantings in the preserved woodlands/riparian areas. The anticipated result is a significant increase in the number of trees over existing conditions and provision for the next generation of oaks and riparian willow, cottonwood, and sycamore trees; and 6) The applicant is proposing two Grading Exemptions including a 35-foot high cut slope to create residential pads and a 17-foot high combination cut/fill slope necessary for one of the proposed detention basins. Staff feels the proposed exemptions would be appropriate given the screening that will occur from the installation of landscaping on the slopes combined with limited view opportunities from off-site residences.

Vice-chairman McQuead and Mr. Martin discussed the proposed parking for the project's 6-bedroom homes.

Commissioner Johns asked if staff was aware of the source of the onsite contamination, noting his concern for onsite contamination reoccurring. Mr. Martin replied in the negative and noted that staff did not anticipate onsite contamination reoccurring following construction of the proposed residential development.

Commissioner Winton and Mr. Martin discussed the project's proposed tree replacement program along Felicita.

Chairman Weber asked whether the flag lots would be red striped. Mr. Martin stated that only one lot would be required to provide a fire turn-around, noting that all fire lane signage and striping would be subject to the fire department's discretion.

Jason Han, New Urban West, referenced the background history for New Urban West. He stated that they had conducted over 50 meetings with the neighbors, held 3 public meetings, went door-to-door to over 130 homes, sent out mailings, and had over 150 cards in support of the project. He noted that the main concerns revolved around cleaning up the trash, keeping the duck pond, restoring the creek, creating safer streets, retaining the existing Felicita Road alignment, embracing the rustic and historic nature of the area, and being good stewards of the land. He stated that they would create over a mile of sidewalks on Felicita, Hamilton and Miller, install crosswalks to provide better linkage from the neighbors to Felicita Park, install a roundabout for traffic calming, and create bike lanes on Felicita. He indicated that one-third of the property would be designated open space as well as only constructing 65

homes which was 40% less than the County's General Plan allowance. Mr. Han noted that they would plant over 400 trees and retain over 700 existing trees. He indicated that they would bring back the duck pond and crossing, enhance downstream flow and water quality, and improve known deficiencies in the current City and County storm-drain network. He presented a video of neighbors in favor of the project. He then asked the Commission to recommend approval to City Council.

Peter Epstine, Escondido, President of Friends of Oak Creek, provided the Commission with over 150 written communications in favor of the project. He asked the audience members to stand who were in favor of the project (whereupon the majority of the audience stood). He stated that he was in favor of the project.

Eva Salazar, Escondido, Member of Escondido Neighbors United, stated she had written a comment letter for the Draft EIR outlining a number of issues associated with the project. She expressed concern with noise and dust associated with the construction, feeling that the response in the Draft EIR was unresponsive. She stated that she had requested information about the noise levels and types of equipment that would be used, noting her neighbor received said information and she did not. She indicated that the County had asked for an Air Impact Analysis, noting that the response was that this was not required in the City. She asked that this be looked into. She asked that the Final EIR not be certified. She also felt the 12-day period for reviewing the Final EIR was inappropriate.

Brian Fe Hen, Escondido, stated that he supported Escondido Neighbors United. He noted that he was a 10-year plus environmental professional and a law student. He stated that a development with impervious surfaces was never a way to improve water quality, noting that it collects and transport pollutants to the surface waters. He expressed concern with the project adding to the contamination of Felicita Creek. He felt the subject project was not fulfilling a need and suggested using the project as a restoration site. He also did not feel the project's HOA could maintain the BMPs.

Rorie Johnston, President and CEO of the Escondido Chamber of Commerce, noted that they had provided a letter in support of the Oak Creek project. She stated that the project would provide needed, well-planned housing. She indicated that they felt the City's standards would ensure a quality development.

Carin McWhorter, Escondido, was in favor of the project. She stated that the project would restore Felicita Creek and the duck pond, create traffic calming in the area, and provide needed sidewalks.

Sam McWhorter, Escondido, was in favor of the project. He stated that the project would improve the walkability of the area.

Larry Knudsen, Escondido, was in favor of the project. He stated that the project would clean up the area and provide trash collection and needed sewer and water services.

Marge Rassel, Escondido, was in favor of the project, feeling it would help with lighting, reduce the transient levels, add trees and vegetation, and be an overall great project.

Don Darrock, Escondido, noted that he lived in Brookside, which is a New Urban West development in northern Escondido. He stated that New Urban West created quality projects with many amenities to the neighborhood and the community. He stated that the representatives of New Urban West were always available to answer any questions, noting he was in favor of the project.

Fred Progner, Escondido, expressed his concern with erosion issues after the Witch Creek fires and the subject project exacerbating these issues along Felicita Creek. He stated that he was opposed to a gated project and felt it would be incompatible with Felicita Park and the area. He felt the project would add traffic in the area and create congestion. He also felt the proposed gates for the project would be subject to graffiti.

Laura Hunter, Escondido, Escondido Neighbors United, felt the time allotted to speak on this item was too limited, given the volume of the 3,600-page Final EIR, not including the staff report. She stated that Escondido Neighbors United worked hard to protect the environment of the rural and natural communities. She then referenced their letter, noting they had multiple objections to the project. She stated that they felt the project was too dense, would be incompatible with the area, and impact natural resources and wildlife. She suggested creating habitat buffers of 100 feet or more as requested by Fish and Game. She stated that Escondido Neighbors United felt the HOA could not enforce mitigation measures. She stated that the project did not address contamination issues, noting her view that the maps were conflicting and showed groundwater contamination under the subject property. She asked that the developer consider the plan they had submitted. In conclusion, she asked that the Commission deny staff's recommendation.

Andrea Seavy, Escondido, Escondido Chamber of Citizens, was opposed to the project due to feeling it would change the rural character of the area, create additional traffic, and impact circulation at the I-15 off-ramps.

Lucy Khorrey, Escondido, was opposed to the project. She noted that she wanted to give her time to someone with more expertise.

Delores McQuiston, Escondido, was opposed to the project. She noted that she wanted to give her time to someone with more expertise.

Ron Forster, Escondido, Escondido Neighbors United, was opposed to the project due to the density of the proposed project. He stated that they had provided an alternative, which reduced the amount of pavement, gates, number of lots, and impacts. He noted that New Urban West had not even purchased the property yet. He also felt the project would be out of character for the area.

Carl Skaja, Escondido, was in favor of the project, feeling New Urban West created quality projects and left the area they built better than it was.

Bill Durney, Escondido, was in favor of the project, noting they created quality projects. He stated that as a local business owner the project would bring income into the City. As a Transportation Commissioner, he felt the project would create traffic calming and bike lanes, and as a School Board member there would be no issues with additional students.

Kathy Daniels, Escondido, was in favor of the project. She felt the project would be consistent with the other upscale projects in the area and enhance the area.

David Shibley, Escondido, stated that he was in favor of annexing the subject property into the City, feeling it would help create consistency with the City's boundaries. He was in favor of bringing more upscale housing into the City. He stated that the project would also provide needed multi-generational housing.

Chairman Weber noted that he had received an opposition slip from Pamela Stahl.

Chairman Weber read the following names into the record of those present who were in favor of the project: Clifford Aelbook, Adam Browning, Arlene Shuster, Bob Shuster, Mike O'Malley, Randy Bailey, George Beitner, Philip Stevens, Karl Gailey, George Weir, Joann Epstine, Rosa Ruiz, Richard Aeling, Kitty Aeling, Brian Melonakos, Mona Durney, Dennis Snyder, Diane Snyder, Mark Baker, Jerry Carter, Kathleen Melonakos, Charles Rassel, Dick Daniels, Larry Hurt, Nancy Hurt, Robert Nelson, Michele Nelson, Deborah Coon, Nancy Bowen, Andrea Stout, Linda Thomas, Connie Criss, Anthony Criss, Richard McEachern, Margot McEachern, Cathryn Poirieir, Cathleen Knudsen, Lynn Judson, Priscilla Bozarth, Cindy Cochran, John Lane, and Henriette Lane.

Commissioner Spann expressed his enthusiasm with New Urban West creating first class developments. He stated that the project would provide safe bike routes, future multi-generational housing, and create traffic calming for the area.

Commissioner Winton felt the project would provide safer pedestrian and bicycle access to Felicita Park and the duck pond. He stated that as a civil engineer he had reviewed the EIR carefully. He referenced Mr. Progner's property and noted that the proposed project was only 42 acres out of more than 2,600 acres that drained to this property, noting his view that there would be very little difference before or after the subject project even without the project's storm water management. He stated that he was in favor of the proposed private roads for many reasons. He was in favor of the project.

Commissioner Hale stated that he was impressed with staff and the consultant addressing many items and concerns during the EIR process. He disagreed with the comments regarding the EIR not being adequately examined. He was in favor of the project.

Commissioner Johns asked Mr. Han if he could equate the financial break even to the amount of homes being sold. Mr. Han stated that they appreciated and took into account the individuals opposed to the project. He stated the project would meet all of their needs as well as the needs of the City and County.

Vice-chairman McQuead felt the process for the project was appropriate. He stated that he had expected more homes than proposed. He was in favor of the project.

Chairman Weber felt the project would create a better situation for downstream residents. He was in favor of the project.

ACTION:

Moved by Commissioner Hale, seconded by Chairman Weber, to approve staff's recommendation. Motion carried unanimously. (6-0)

2. CONDITIONAL USE PERMIT – PHG 14-0021:

REQUEST: The proposed project involves a Conditional Use Permit (CUP) for a phased master development plan for Escondido United Reformed Church to include the construction of a new, two-story approximately 12,243 SF sanctuary building to accommodate up to 578 fixed seats on the main floor and 202 fixed seats on the upper story mezzanine/balcony with up to 170 non-fixed seating for a maximum capacity of up to 950 seats; reconfigure the existing parking lot; convert the existing 5,320 SF sanctuary building into a multi-purpose social hall with an new attached 578 SF kitchen/prep building; demolish the existing social hall building and construct a new 5,250 SF two-story building to accommodate a nursery, multi-purpose room, bathrooms and classrooms for Sunday school and other associated activities; and construct an enclosed 1,835 SF central Atrium/Narthex between the buildings. The final phase would include a new two-story freestanding multi-purpose building. This would require a future

PLANNING COMMISSION

Agenda Item No.: G.1
Date: January 27, 2015

CASE NUMBERS: SUB 13-0002, PHG 13-0017, ENV 13-0006

APPLICANT: New Urban West, Inc.

LOCATION: The approximately 43.73-acre project area is located within the unincorporated area of San Diego County and is contiguous to the City's boundary at the intersection of Felicita Road and Hamilton Lane. The proposed residential development site within the project area (37.59-acres) is generally bounded on the north by Hamilton Lane, the west and south by Felicita Road, and the east by Miller Avenue. The remainder of the proposed annexation area is located on the eastern side of Miller Avenue and both sides of Hamilton Lane and includes two vacant parcels not proposed for development and the Chalice Unitarian Universalist Congregation property (2324 Miller Avenue).

TYPE OF PROJECT: Annexation; Tentative Subdivision Map; Preliminary, Master and Precise Development Plan; Pre-Zone; Grading Exemptions; Specific Alignment Plan and Final Environmental Impact Report

PROJECT DESCRIPTION: The proposed Oak Creek project includes a Tentative Subdivision Map for 65 single-family residential lots on a 37.59-acre property in conjunction with an annexation of the development site and three additional parcels from the County of San Diego to the City of Escondido. The proposed project would prezone the residential development site to Planned Development – Residential 1.75 (1.75 dwelling units/acre) while the remaining annexation area on the eastern side of Miller Avenue would be prezoned RE-20 (Residential Estates – 20,000 SF minimum lot size). A Preliminary, Master and Precise Development Plan has been included for the development site to implement residential lot clustering, establish development standards, and provide architectural and landscape design. Proposed residential lot sizes range from approximately 10,000 SF to 22,500 SF with the average residential lot size being 12,585 SF. Approximately 13.93 acres of open space would be provided to preserve sensitive habitat in existing creek and pond areas and off-set the reduction in residential lot sizes as required by the Escondido General Plan. Access to the proposed development would be provided via a gated, private street extending from Felicita Road near the southern boundary of the project site across from Felicita Park. Additional emergency access to Hamilton Lane would be provided from the ends of two cul-de-sacs within the project. Proposed grading would include slightly elevating a portion of the site to ensure all of the proposed home sites are above the 100-year flood inundation area as well as the construction of several bioretention/detention basins to manage the flow of storm water exiting the site. Two Grading Exemptions are requested for a 2:1 cut slope up to 35 feet high and a 2:1 fill slope up to 17 feet high. The project also proposes a Specific Alignment Plan for both Felicita Road and Hamilton Lane which would establish modified pavement widths and improvements for both of these streets in conjunction with a traffic calming plan for the portion of Felicita Road that generally extends from Hamilton Lane south to Clarence Lane.

STAFF RECOMMENDATION:

1. Recommend the City Council Approve the proposed Annexation, Tentative Subdivision Map, Preliminary, Master and Precise Development Plan, Pre-Zone, Grading Exemptions and Specific Alignment Plan.
2. Recommend the City Council Certify the Final Environmental Impact Report.

GENERAL PLAN DESIGNATION: County: Village Residential VR-2.9 (up to 2.9 dwelling units per acre)
City: Estate II (up to 2 dwelling units per acre)

ZONING:	Existing County:	RR (Rural Residential – 15,000 SF minimum lot size) for area west of Miller Avenue, and A-70 (Limited Agriculture) for area east of Miller Avenue.
	Proposed City Pre-Zone:	PD-R 1.75 (Planned Development – Residential, 1.75 dwelling units per acre) for proposed development area west of Miller Avenue; and RE-20 (Residential Estates, 20,000 SF minimum lot size) for remainder of annexation area east of Miller Avenue.

BACKGROUND/SUMMARY OF ISSUES: The 41.4-acre project site is located within the unincorporated area of the County, immediately south of the City of Escondido within the City's adopted Sphere of Influence. The project site and the 2.34-acre Chalice Unitarian Universalist Congregation property would be annexed to the City as part of the project. The main portion of the project site consists of an irregularly shaped property generally bounded on the north by Hamilton Lane, the west and south by Felicita Road, and the east by Miller Avenue. A small "panhandle" to the property is located adjacent to the northeast corner of the main project site. The panhandle includes vacant land along either side of Hamilton Lane east of Miller Avenue and west of I-15.

The proposed development site is a portion of a larger 63-acre site that was once proposed for annexation and development by Standard Pacific (Tract 812) starting back in 1999. A Planning Commission hearing was scheduled for that proposal in August of 2000, but the project was withdrawn at the applicant's request prior to the hearing and there were no public hearings associated with the Standard Pacific proposal. A portion of the former Standard Pacific site on the eastern side of Miller Avenue was later subdivided into residential lots under the County's jurisdiction, while the proposed development site on the western side of Miller Avenue remained as farmland or undeveloped.

New Urban West, Inc. is in the process of acquiring the project site and first approached the City approximately two years ago to discuss the possibility of annexing the site for the purpose of developing a planned residential community. In April of 2013, the City Council initiated the annexation proposal for further study; and a formal application for the annexation and development proposal was filed by New Urban West the following month. Prior to submitting the application, New Urban West began their own public outreach program in the neighborhood, and contracted with consultants to prepare the various environmental technical studies necessary to analyze the proposal. Planning staff coordinated with LAFCO early in the process to determine whether there were additional property owners in the area that were interested in annexing into the City. The Chalice Unitarian Universalist Congregation (2324 Miller Avenue) was the only other property owner interested in annexing as part of the applicant's proposal.

On April 22, 2014, staff issued a Notice of Preparation for the Oak Creek Environmental Impact Report (EIR). A total of 136 letters and emails were received by staff from agencies, organizations and individuals interested in the proposed development and the scope of the environmental analysis. A Draft EIR was issued for a 45-day public review period on August 15, 2014. The large volume of comments received during the Draft EIR public review period resulted in over 350 pages of responses to those comments being incorporated into the Final EIR for the proposal. Three public meetings have been held to discuss the Oak Creek project with area residents including a neighborhood meeting held on January 23, 2014, the EIR Notice of Preparation scoping meeting on May 19, 2014, and a public meeting held in the City Council Chambers on September 22, 2014 during the public review period for the Draft EIR. Separate notices were mailed or emailed prior to the meetings and all three meetings were well attended by area residents.

The Oak Creek Project EIR evaluated a development proposal that includes the construction of 65 single-family detached residences on the approximately 41.4-acre project site. Six of the proposed residential lots were located in the "panhandle" portion of site on the eastern side of Miller Avenue resulting in an overall residential density of 1.61 du/ac. As required by CEQA, the EIR includes several "Project Alternatives" (Chapter 7) that would feasibly attain most of the project objectives but would avoid or lessen any significant environmental impacts. The proposed Tentative Map reflects the applicant's decision to develop one of the alternatives evaluated in the project EIR. The proposed residential development project is identified as the "Reduced Residential Footprint Alternative" in the Oak Creek Project Final Environmental Impact Report (Pg. 7-27). This alternative would develop the project, as proposed, except it would eliminate the six units located east of Miller Avenue along Hamilton Lane and develop all 65 units in the area bounded by Hamilton Lane, Felicita Road, and Miller Avenue resulting in an overall residential density of 1.75 du/ac. Although no residences are proposed on the two remainder lots located east of Miller Avenue, these lots would be included in the

annexation to the City of Escondido and would be rezoned Residential Estate - 20 (RE-20). The proposed Tentative Map and planned development has been designed to reflect the applicant's selection of the "Reduced Residential Footprint Alternative" identified in the Final EIR.

Staff feels that the issues are as follow:

1. Appropriateness of proposed annexation and rezones.
2. Appropriateness of the proposed residential clustering design for the planned development and the single point of residential access into the development.
3. Whether the introduction of additional impervious surfaces in the area would increase the potential for downstream flooding on Felicita Creek.
4. Whether future residents in the proposed development would be exposed to groundwater or soil vapor contamination associated with the nearby Chatham Brothers Barrel Yard site.
5. Whether the proposed tree restoration program adequately compensates for the removal of mature trees on the site.
6. Appropriateness of the proposed Grading Exemptions.

REASONS FOR STAFF RECOMMENDATION:

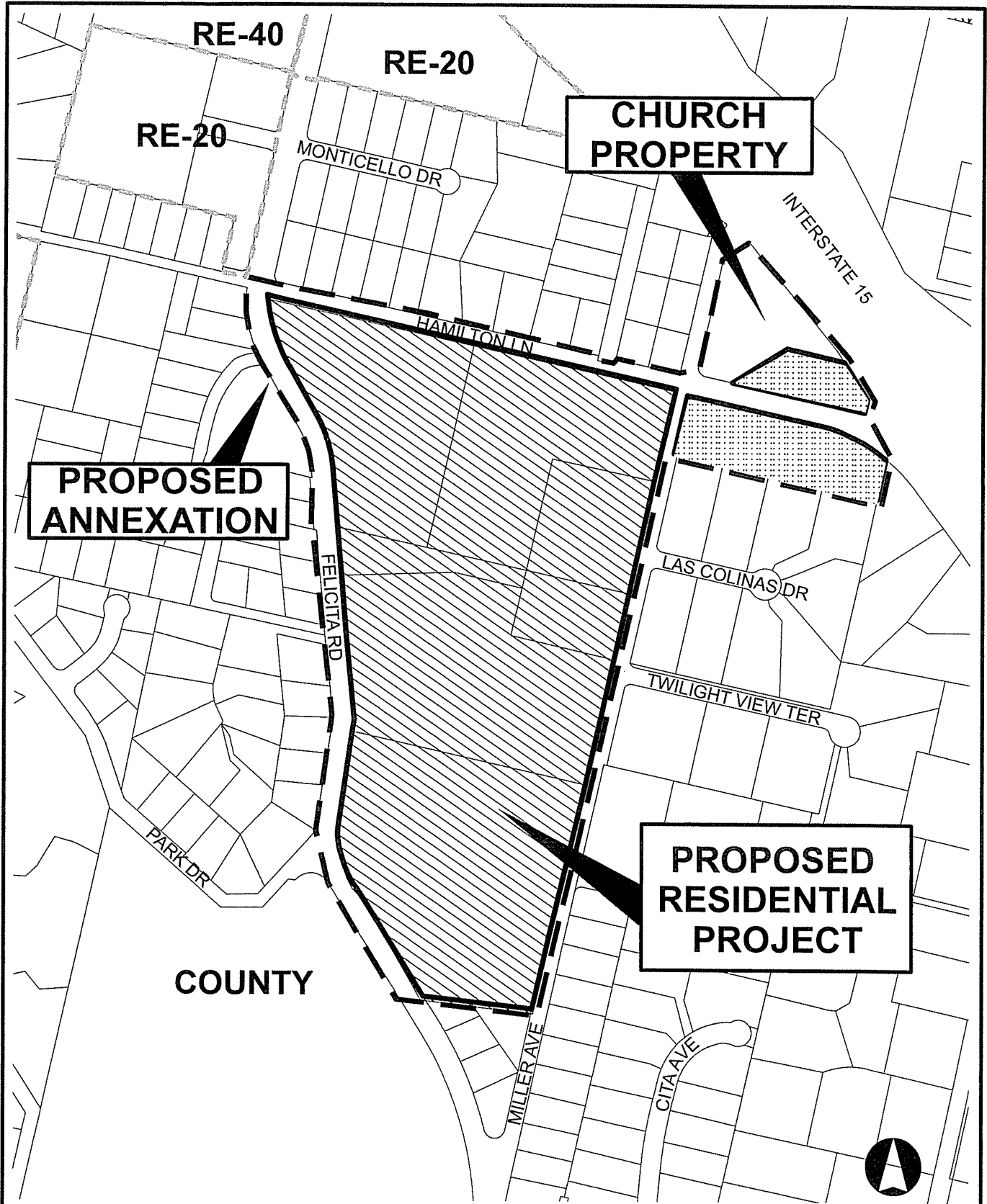
1. The applicant first approached the City approximately two years ago with a planned development proposal that was consistent with both the County and City General Plan designations for the site. Annexation is required because the development proposal requires sewer service and the City does not extend sewer service outside of its boundary. The Escondido General Plan designation for the proposed annexation area is Estate II, which allows up to two dwelling units per acre. The project area on the western side of Miller Avenue where a clustered, planned residential development is proposed would be rezoned PD-R 1.75 (Planned Development – Residential 1.75 dwelling units per acre) to reflect the density of the proposed development. The remainder of the annexation area on the eastern side of Miller Avenue consisting of two vacant parcels of land and the Chalice Unitarian Universalist Congregation property would be rezoned RE-20 (Residential Estates – 20,000 SF minimum lot size), which is a standard residential zone consistent with the Estate II designation for both minimum lot size and density. The zoning established by the rezones would become effective upon approval and recordation of the proposed annexation. Staff feels both of the proposed rezones are appropriate and consistent with the Estate II designation of the General Plan
2. The clustering design for the proposed development would not increase the overall density of the site, but would allow for reduced lot sizes, larger open space lots, and preservation of the on-site drainage courses and biological resources. While some area residents have expressed opposition to the proposal for a single private street access extending into the project site from Felicita Road, the applicant's proposal meets public safety needs by providing emergency access to Hamilton Lane at the end of two on-site cul-de-sacs. In addition, the Traffic Impact Analysis prepared for the development indicates the proposed development with a single point of primary access would not result in a significant impact to Felicita Road or any other roadway segments or intersections.
3. Detailed calculations have been identified throughout the Drainage Study and Water Quality Technical Report prepared for the project resulting in the implementation of five on-site detention basins and the selection of a maximum 50% impervious factor for the proposed residential pad areas to maintain the peak flow rates at or below existing conditions. Mitigation Measure Hydro-2 and conditions of approval have been crafted to manage the impervious factor. By using on-site detention to reduce peak flow rates discharging from the project to equal or less than pre-project conditions, and by maintaining existing drainage patterns through the site, the project would not result in adverse impacts to downstream drainage facilities and/or properties.

4. The potential environmental and human health risks posed by the Chatham Brothers Barrel Yard located approximately 0.3 mile northwest of the project site relate to hazardous substances in groundwater and volatilization of hazardous substances from the groundwater into soil vapor migrating upward. Both of these categories of risks have been adequately investigated and analyzed by the applicant under the oversight of the California Department of Toxic Substances Control (DTSC). Neither groundwater nor soil vapor on the project site are impacted at levels exceeding applicable human health-protective regulatory standards, with one exception regarding soil vapor – at a location outside the development footprint.
5. Approximately 247 mature trees would be removed during construction of the proposed development. A tree preservation plan to be implemented through Mitigation Measure Bio-6 includes replacement of impacted trees with 453 landscape area tree plantings (minimum 24"-box size), as well as a minimum of 1,500 to 2,000 native tree plantings in the preserved woodlands/riparian areas. The anticipated result is a significant increase in the number of trees over existing conditions and provision for the next generation of oaks and riparian willow, cottonwood, and sycamore trees.
6. The applicant is proposing two Grading Exemptions including a 35-foot high cut slope to create residential pads and a 17-foot high combination cut/fill slope necessary for one of the proposed detention basins. Staff feels the proposed exemptions would be appropriate given the screening that will occur from the installation of landscaping on the slopes combined with limited view opportunities from off-site residences.

Respectfully Submitted,

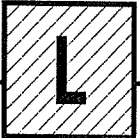


Bill Martin
Deputy Planning Director

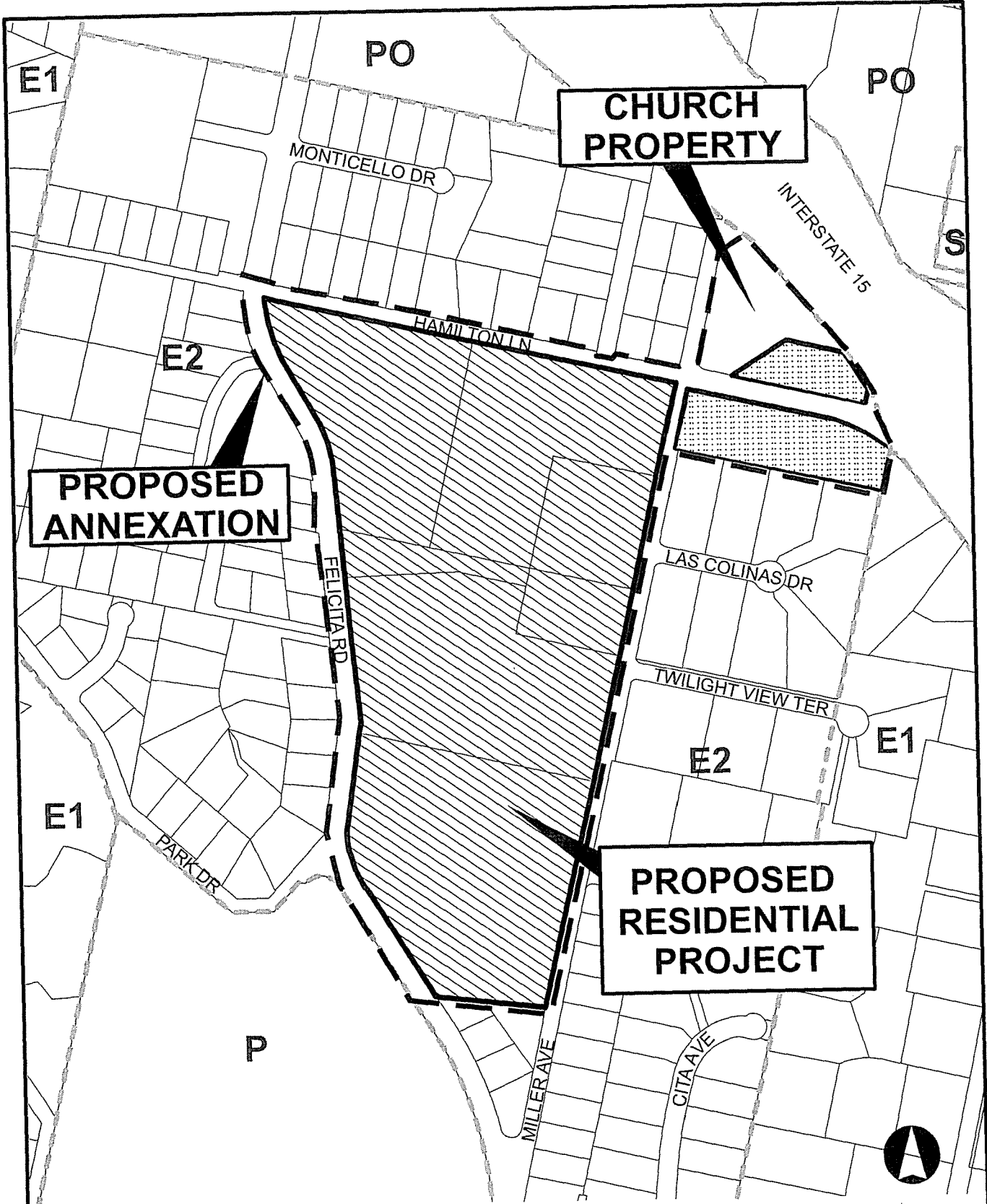


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**PROPOSED PROJECT
SUB 13-0002**



LOCATION/ZONING



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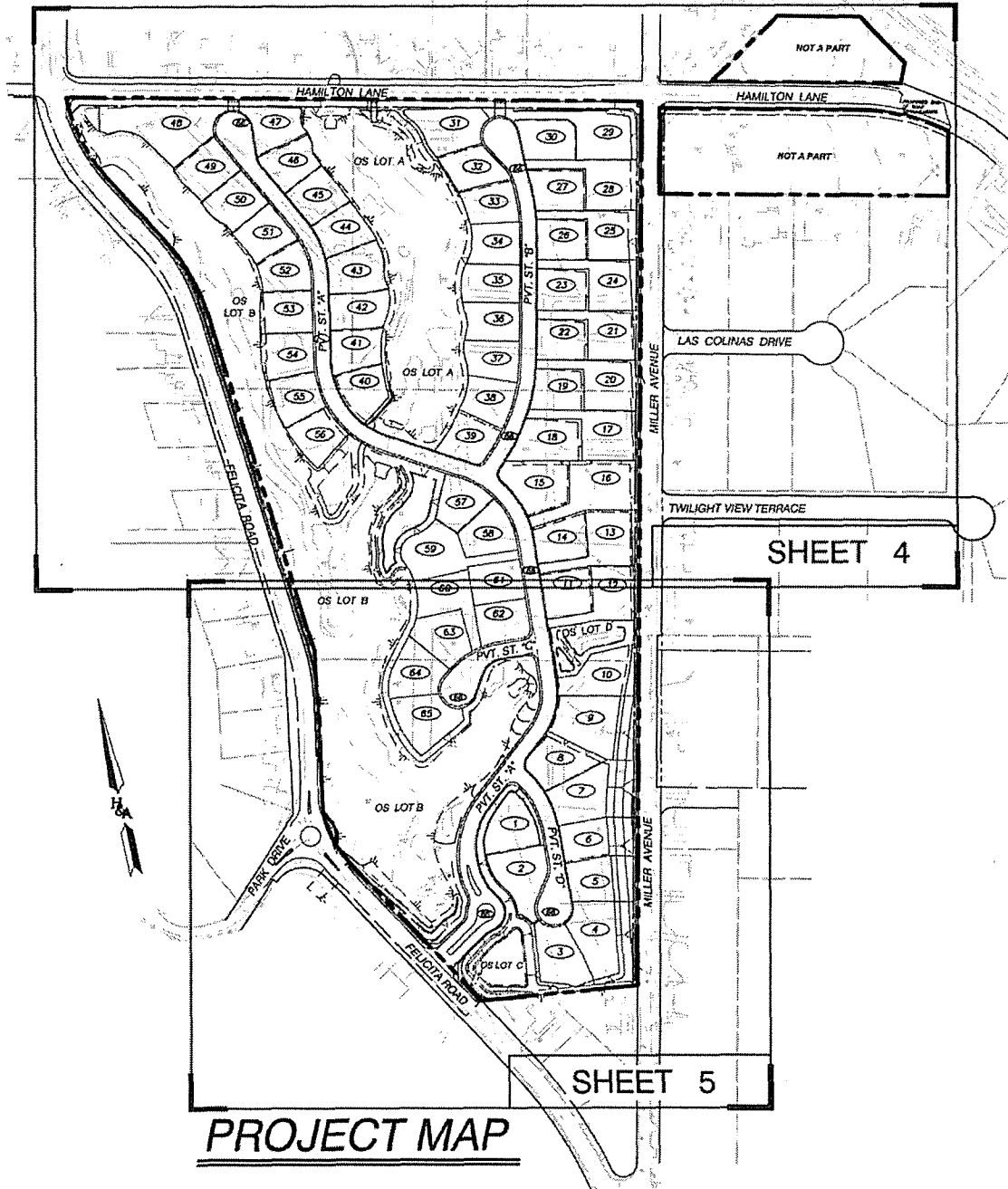
**PROPOSED PROJECT
SUB 13-0002**



TENTATIVE MAP / GRADING EXEMPTION (SUB 13-0002)

OAK CREEK

City of Escondido, California

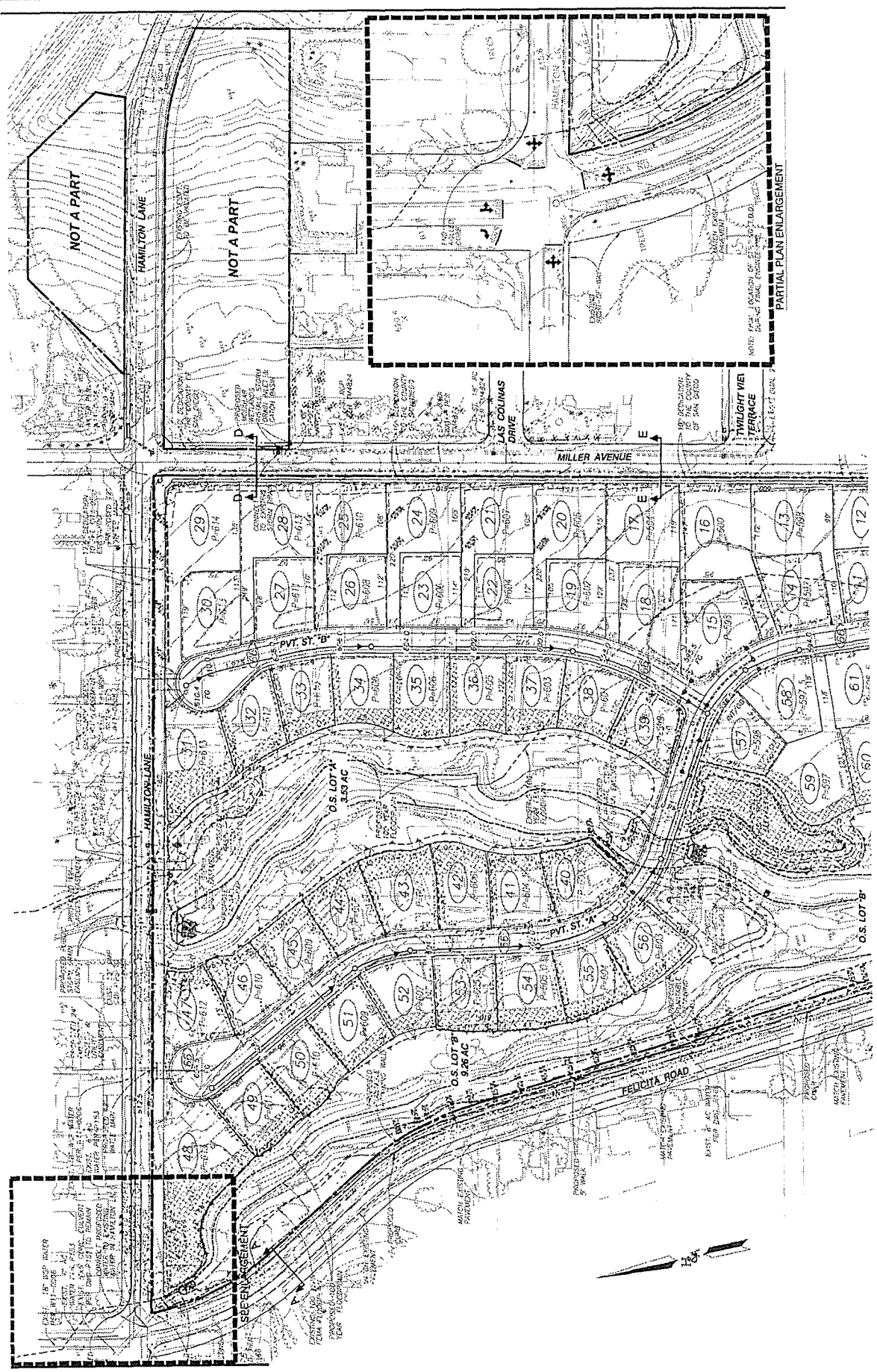


PROJECT MAP

**PROPOSED PROJECT
PHG 13-0002**

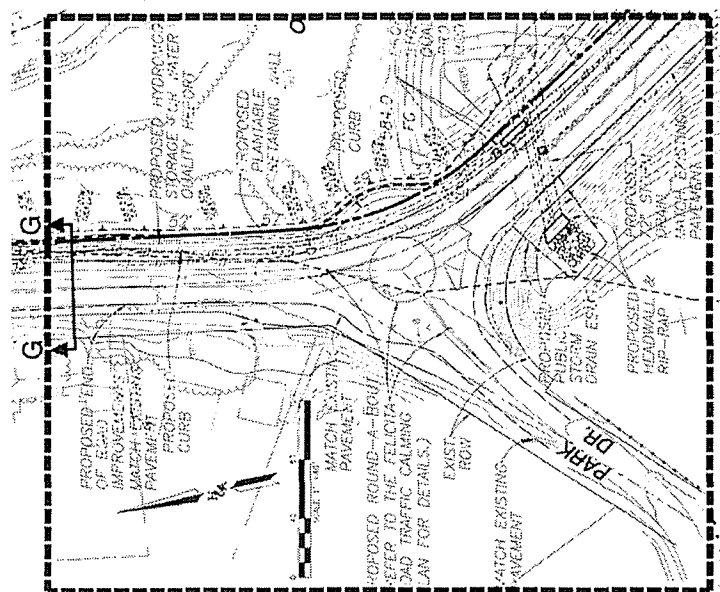
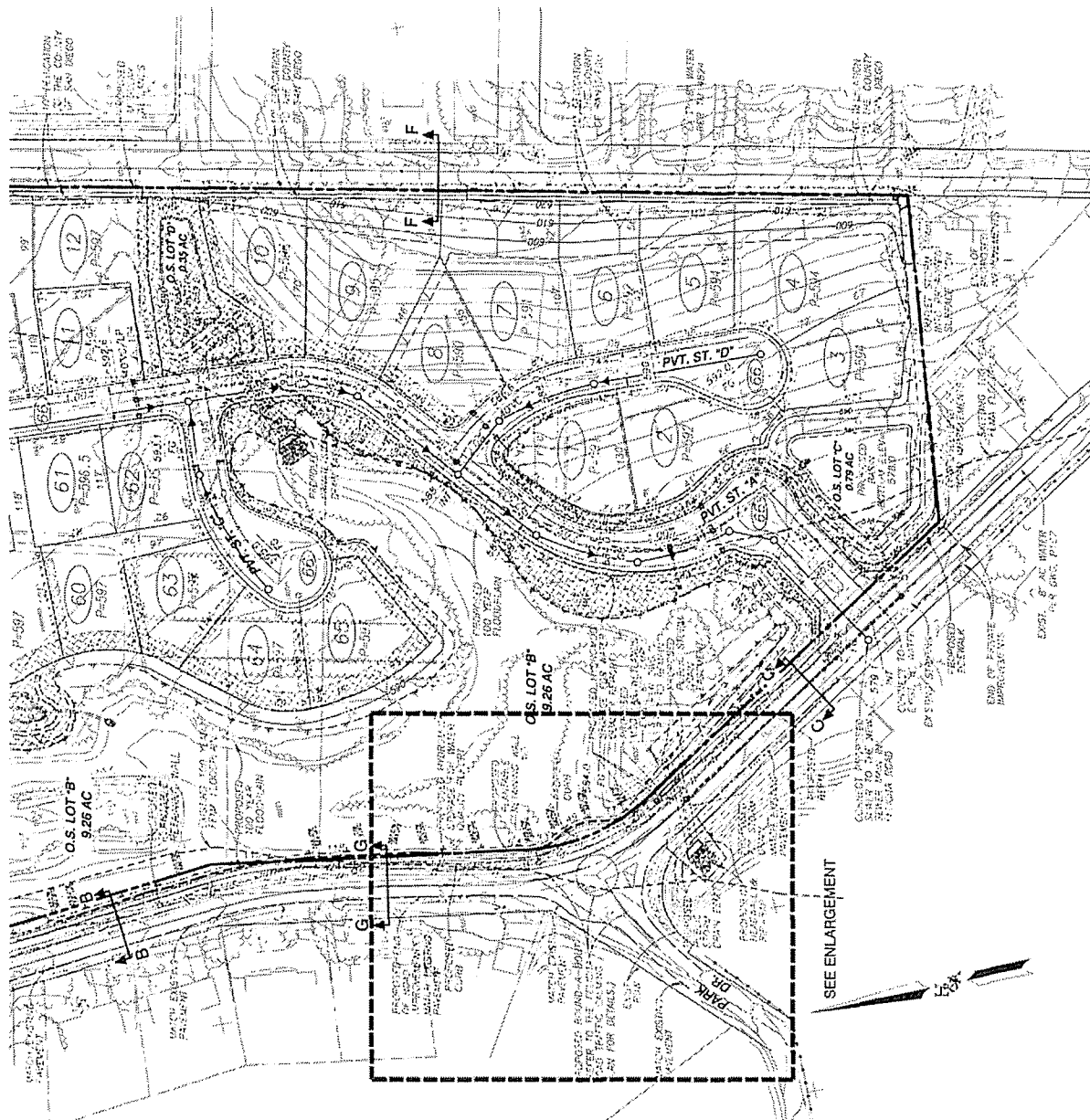


SITE PLAN



PROPOSED PROJECT
PHG 13-0002

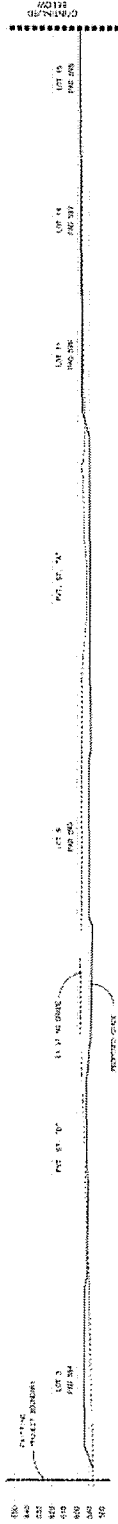




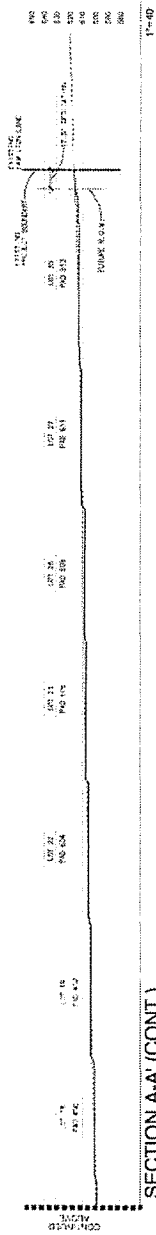
PROPOSED PROJECT
PHG 13-002



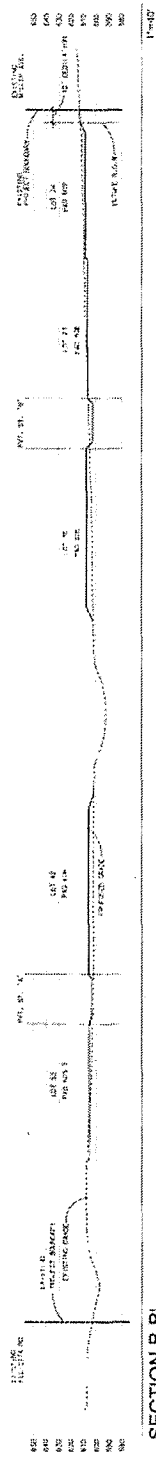
SITE PLAN



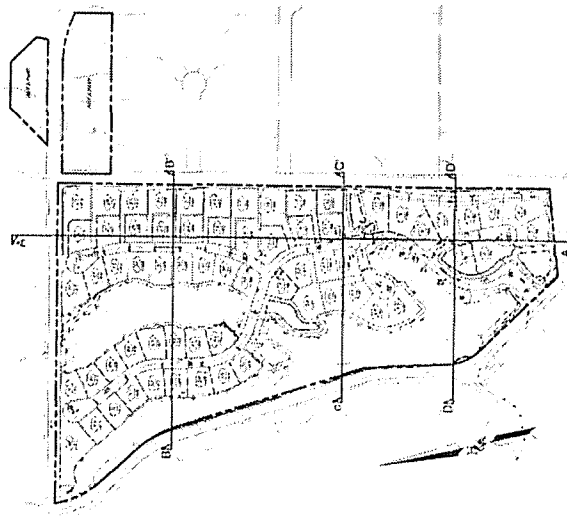
SECTION A-A'



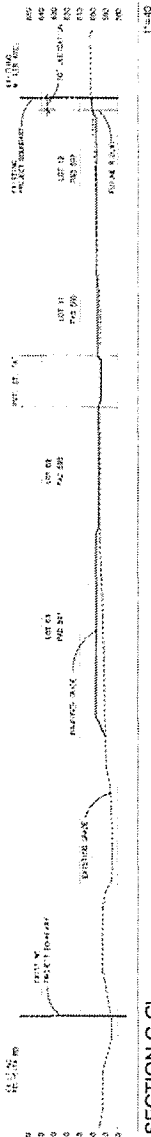
SECTION A-A' (CONT.)



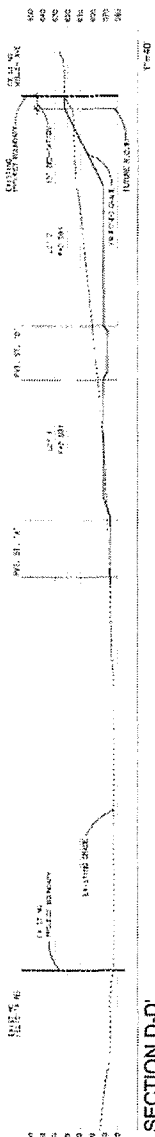
SECTION B-B'



PLAN VIEW



SECTION C-C'

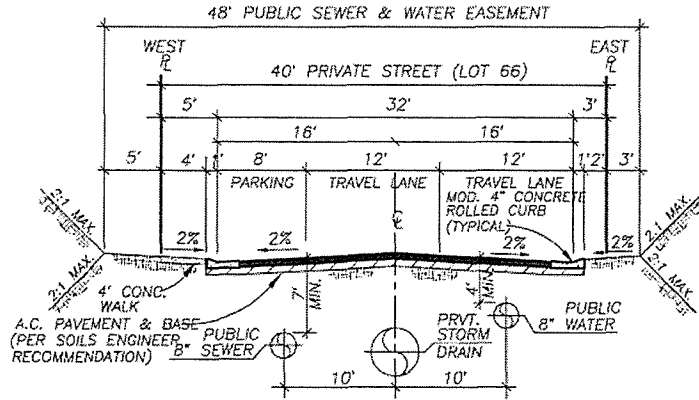


SECTION D-D'

**PROPOSED PROJECT
PHG 13-0002**

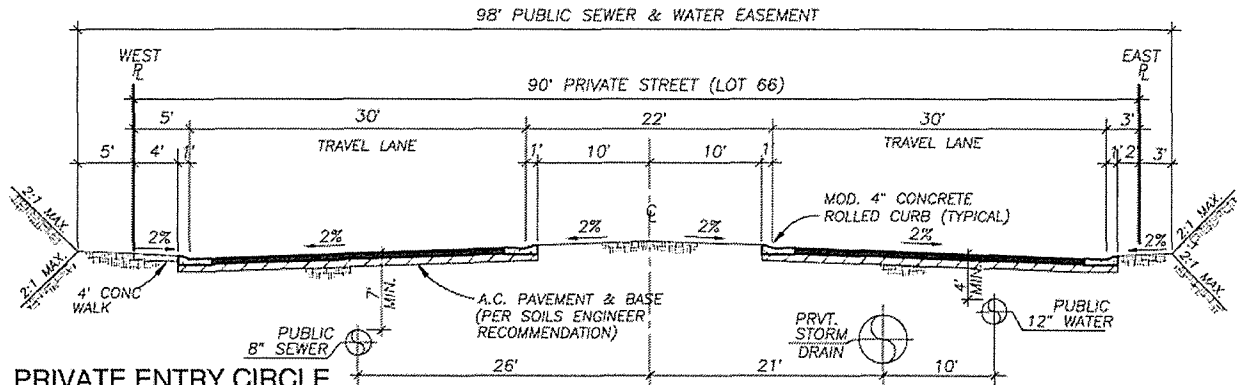


SECTION



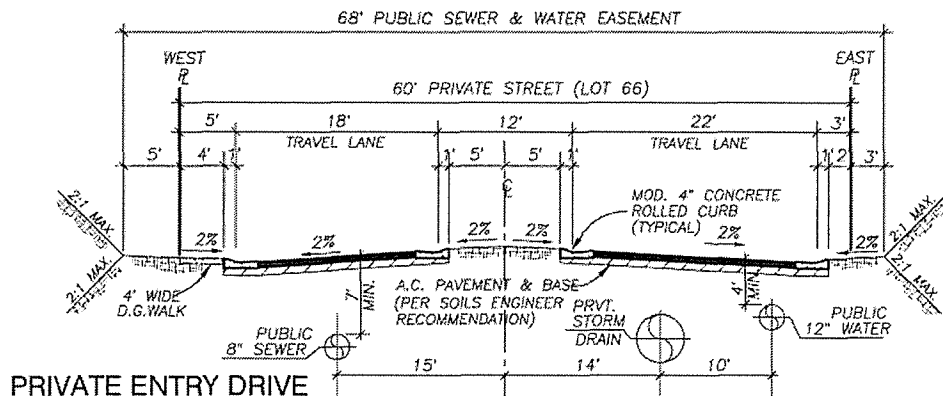
TYPICAL PRIVATE STREET
STREETS 'A' THRU 'D'

NTS



PRIVATE ENTRY CIRCLE
PORTION OF STREET 'A'

NTS



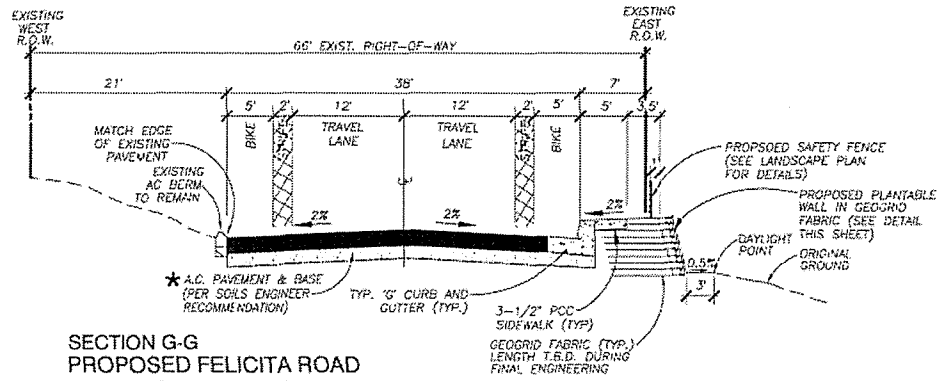
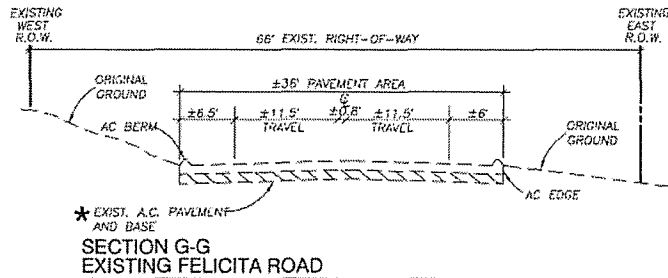
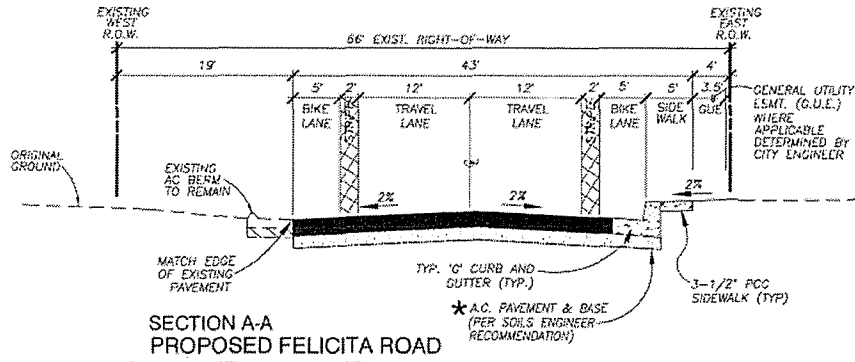
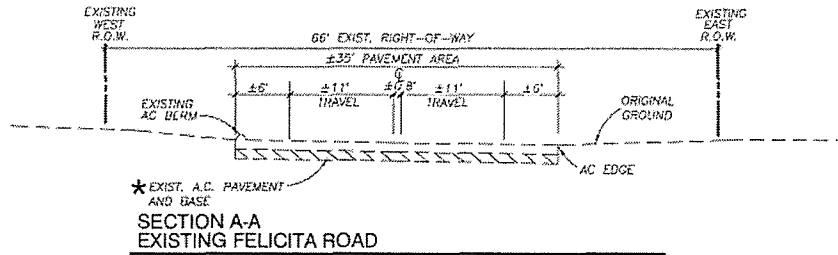
PRIVATE ENTRY DRIVE
PORTION OF STREET 'A'

NTS

PROPOSED PROJECT
PHG 13-0002

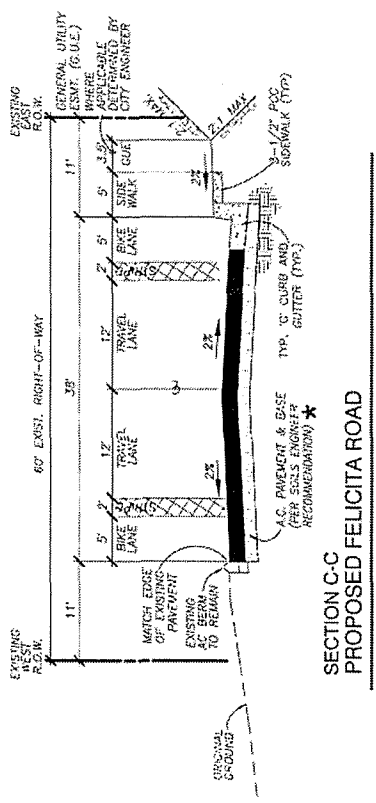
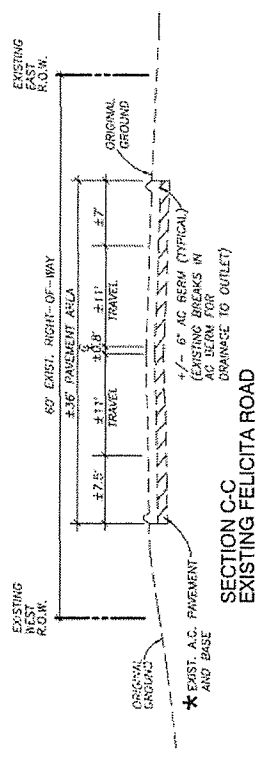
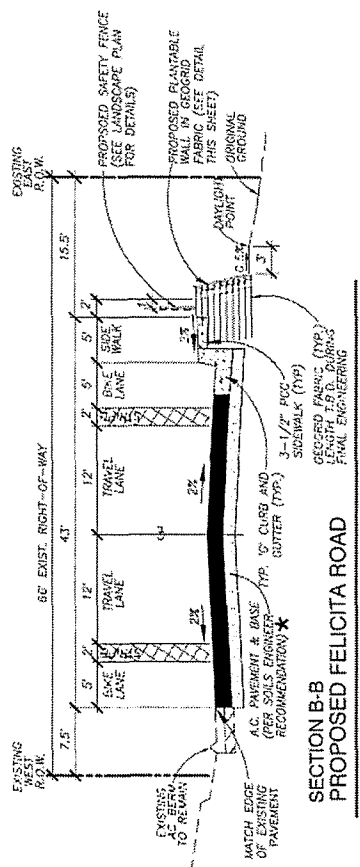
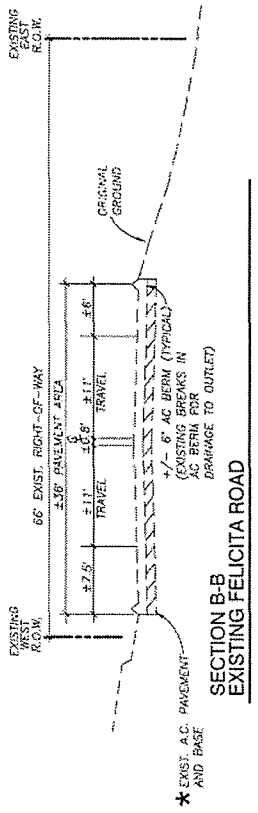


STREET SECTION



**PROPOSED PROJECT
PHG 13-0002**

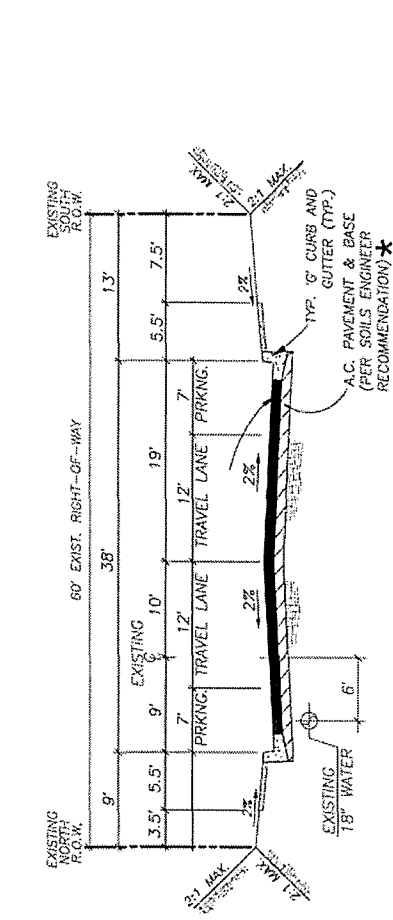
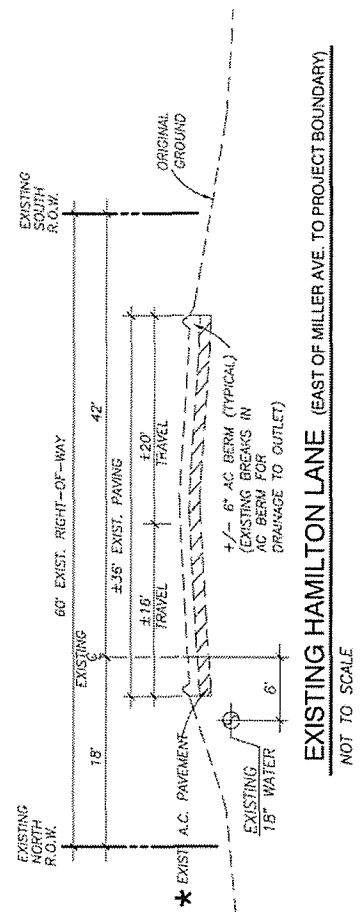
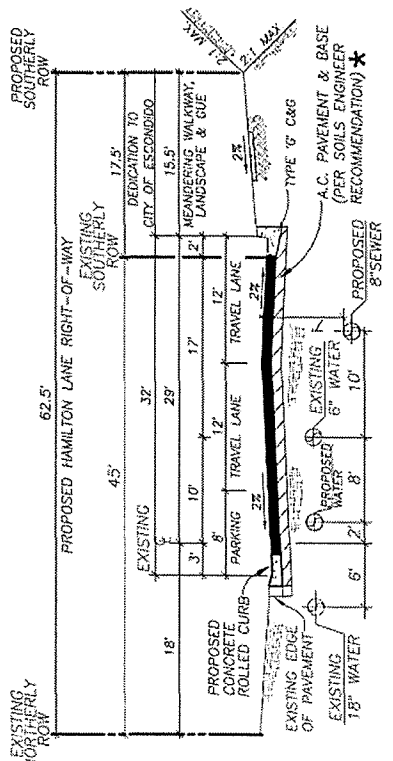
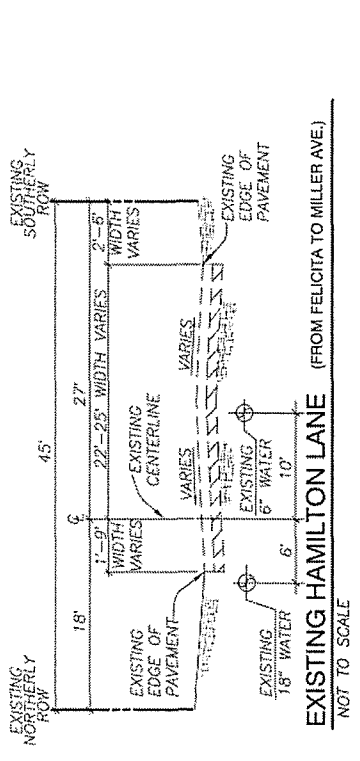




* EXISTING PAVEMENT MAY BE SAVED AND OVERLAYED IN LIEU OF REPLACEMENT, SUBJECT TO APPROVAL OF CITY ENGINEER.



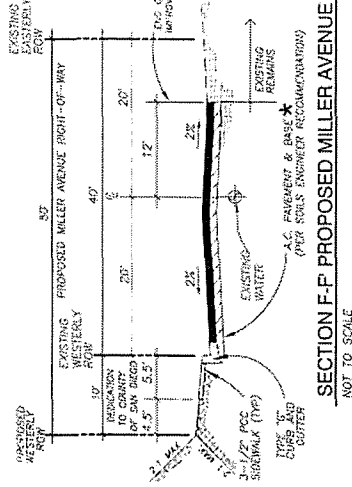
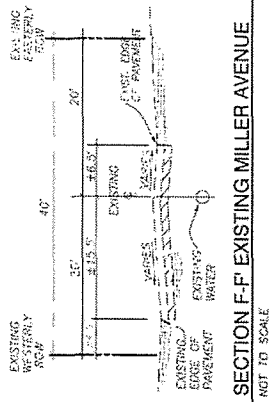
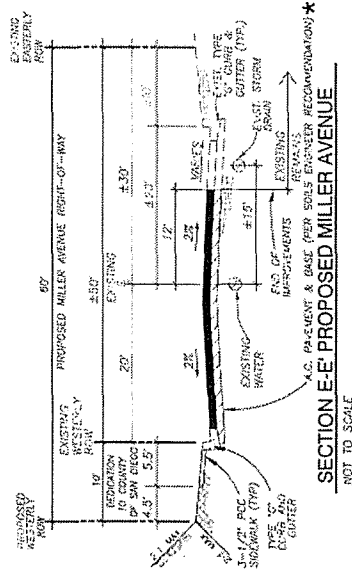
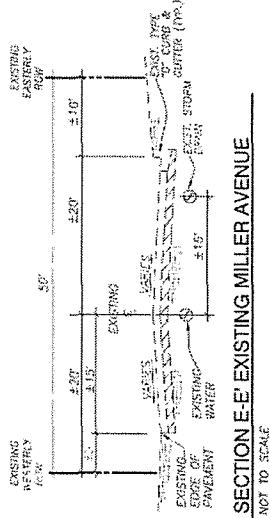
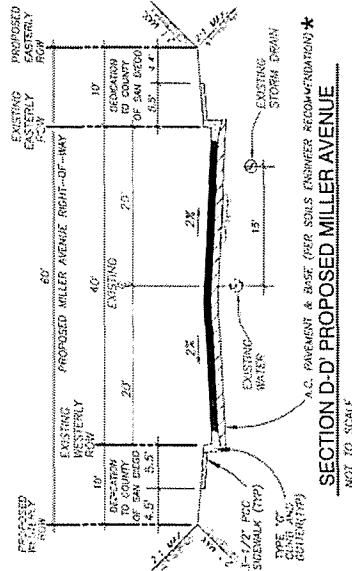
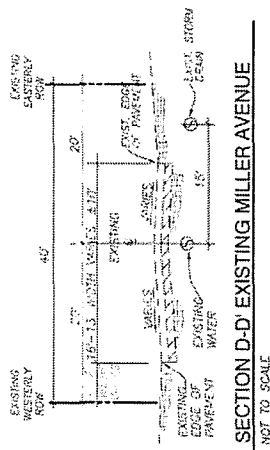
**PROPOSED PROJECT
PHG 13-0002**



*** EXISTING PAVEMENT MAY BE SAVED AND OVERLAYED IN LIEU OF REPLACEMENT, SUBJECT TO APPROVAL OF CITY ENGINEER.**



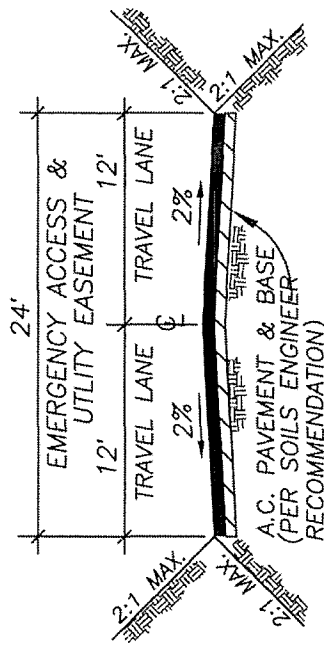
**PROPOSED PROJECT
PHG 13-002**



PROPOSED PROJECT
PHG 13-0002

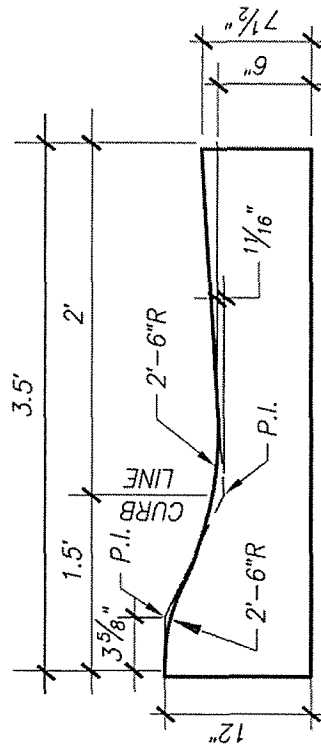


STREET SECTION



TYPICAL PRIVATE EMERGENCY ACCESS
@ PRIVATE ST. "A" & "B" CUL-DE-SAC

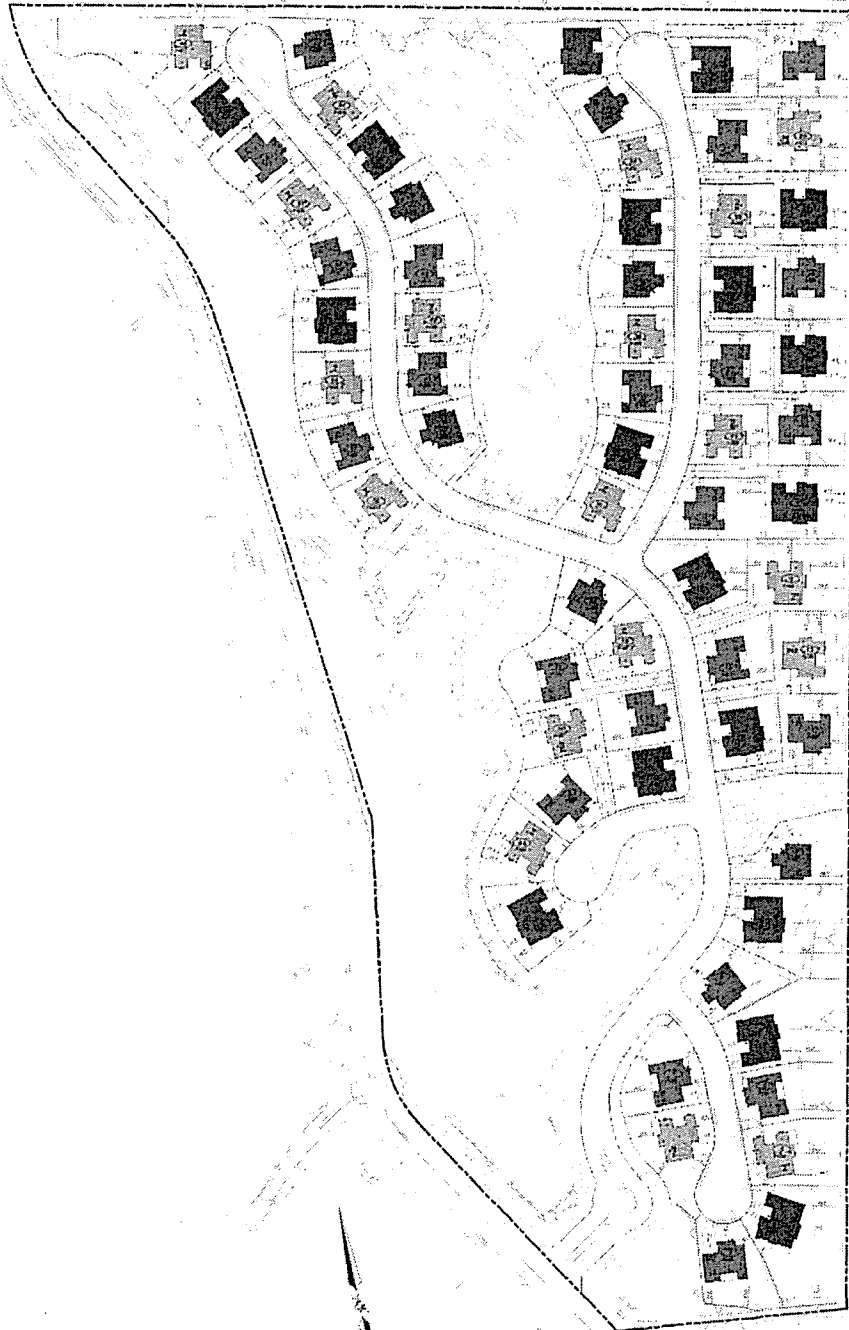
NTS



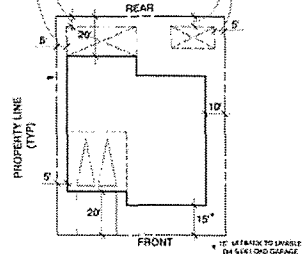
MODIFIED 4" ROLLED CURB

NOT TO SCALE

STREET SECTIONS AND DETAILS



5' Min. Setback from PL for Accessory & Patio Structures (if any portion of the structure is within Brush Management Zone, structure must be constructed of Non-Combustible Material)



NOTE: SIDEYARD SETBACKS OF 5' AND 10' MUST BE MAINTAINED UNLESS A SIDEYARD GARAGE IS CONSTRUCTED ON THE LOT OR LONG AS TOTAL SEPARATION IS MAINTAINED BETWEEN STRUCTURES

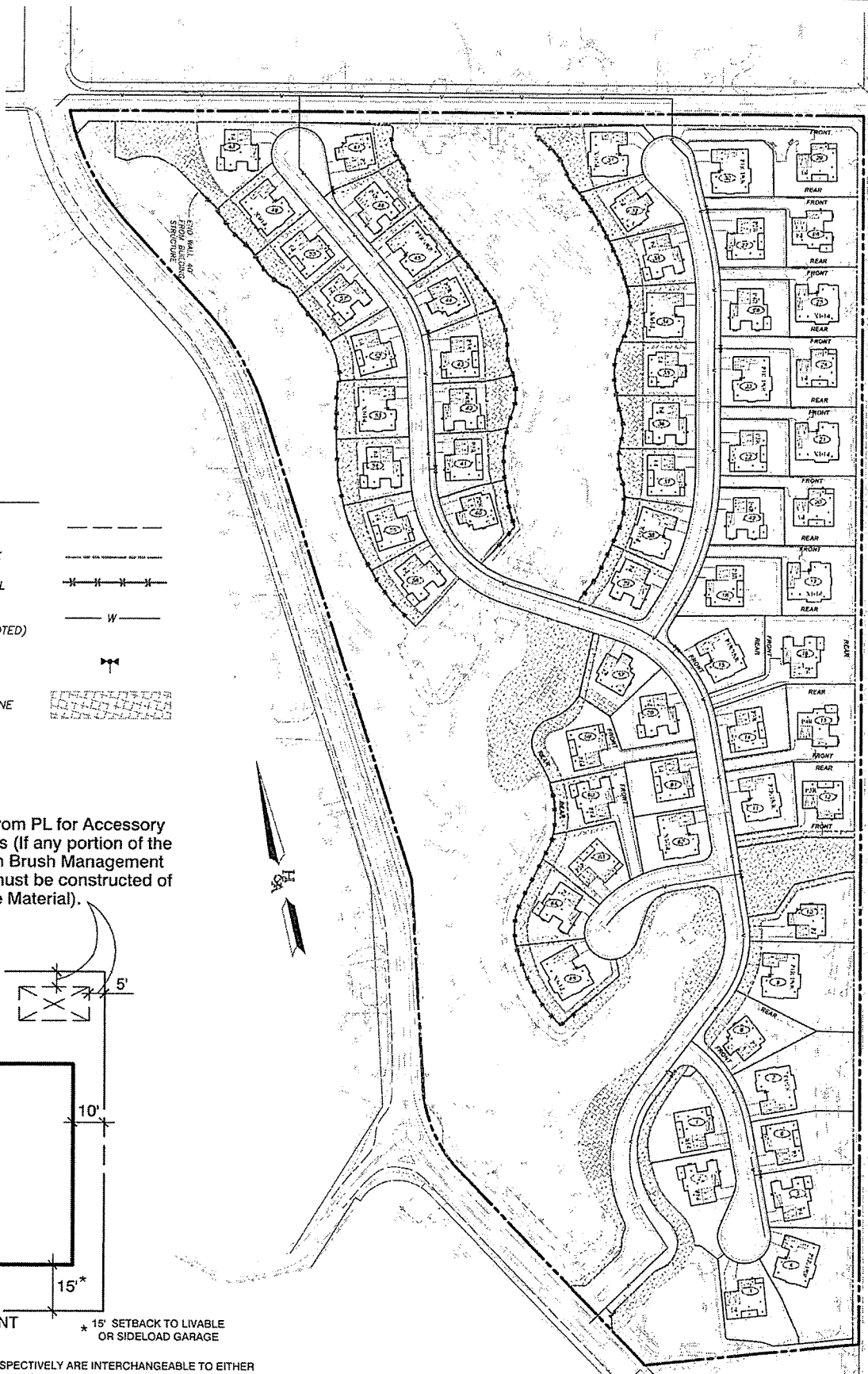
TYPICAL SETBACKS - MINIMUM REQUIRED

N.T.S.

**PROPOSED PROJECT
SUB 13-0002**



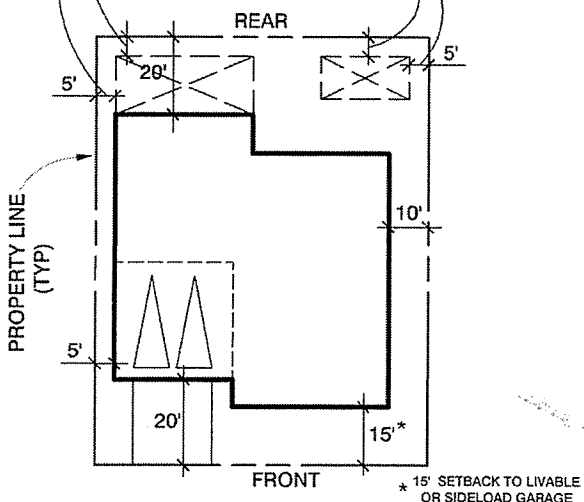
PLOT PLAN



LEGEND

- PD TYPICAL SETBACK -----
- FUEL MANAGEMENT ZONE SETBACK -----
- HEAT DEFLECTING LANDSCAPE WALL -X-X-X-X-
- PROPOSED WATER MAIN (8" PVC UNLESS OTHERWISE NOTED) — W —
- PROPOSED FIRE HYDRANT ⦿
- PROPOSED FUEL MODIFICATION ZONE [Hatched Box]

5' Min. Setback from PL for Accessory & Patio Structures (If any portion of the structure is within Brush Management Zone, structure must be constructed of Non-Combustible Material).



NOTE: SIDEYARD SETBACKS OF 5' AND 10' RESPECTIVELY ARE INTERCHANGEABLE TO EITHER SIDE OF THE LOT SO LONG AS 15' TOTAL SEPARATION IS MAINTAINED BETWEEN STRUCTURES

TYPICAL SETBACKS - MINIMUM REQUIRED

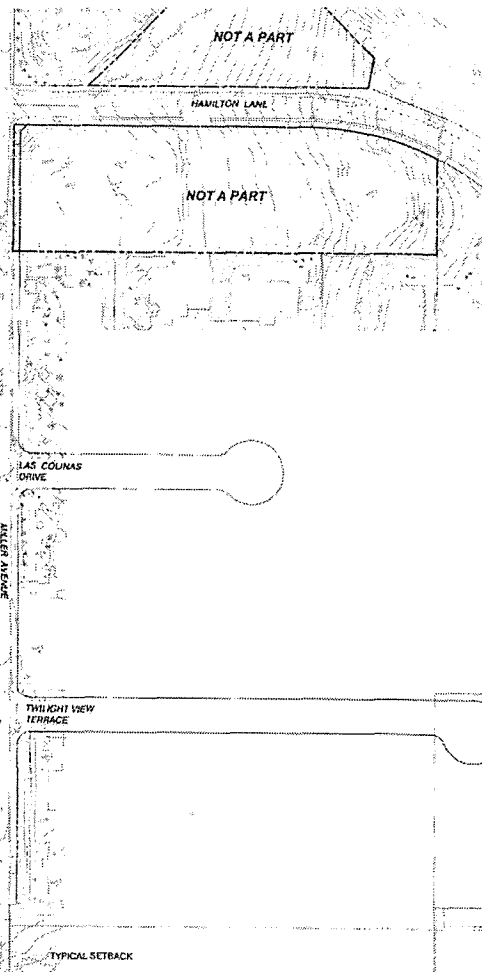
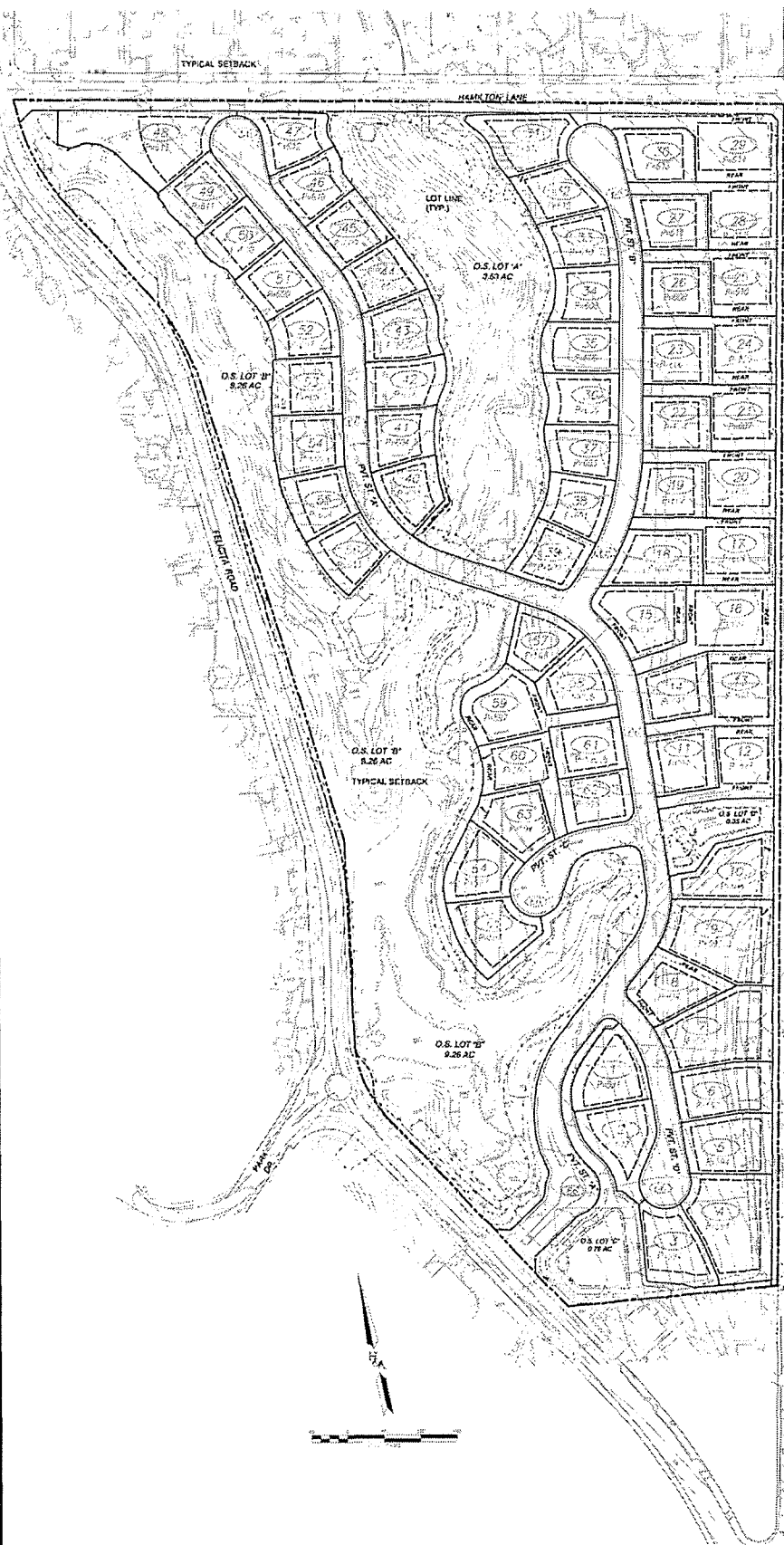


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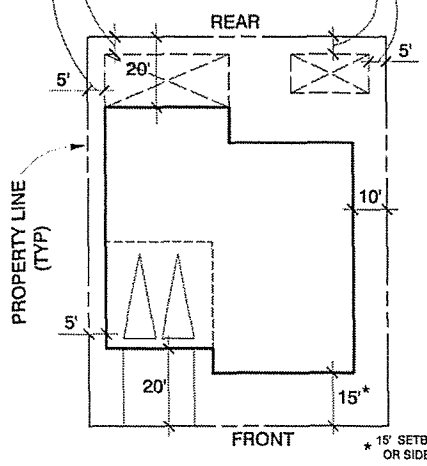
**PROPOSED PROJECT
SUB 13-0002**



FUEL MANAGEMENT ZONES



5' Min. Setback from PL for Accessory & Patio Structures (If any portion of the structure is within Brush Management Zone, structure must be constructed of Non-Combustible Material).



* 15' SETBACK TO LIVABLE OR SIDELOAD GARAGE

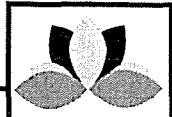
NOTE: SIDERYARD SETBACKS OF 5' AND 10' RESPECTIVELY ARE INTERCHANGEABLE TO EITHER SIDE OF THE LOT SO LONG AS 15' TOTAL SEPARATION IS MAINTAINED BETWEEN STRUCTURES
TYPICAL SETBACKS - MINIMUM REQUIRED

**PROPOSED PROJECT
 SUB 13-0002**



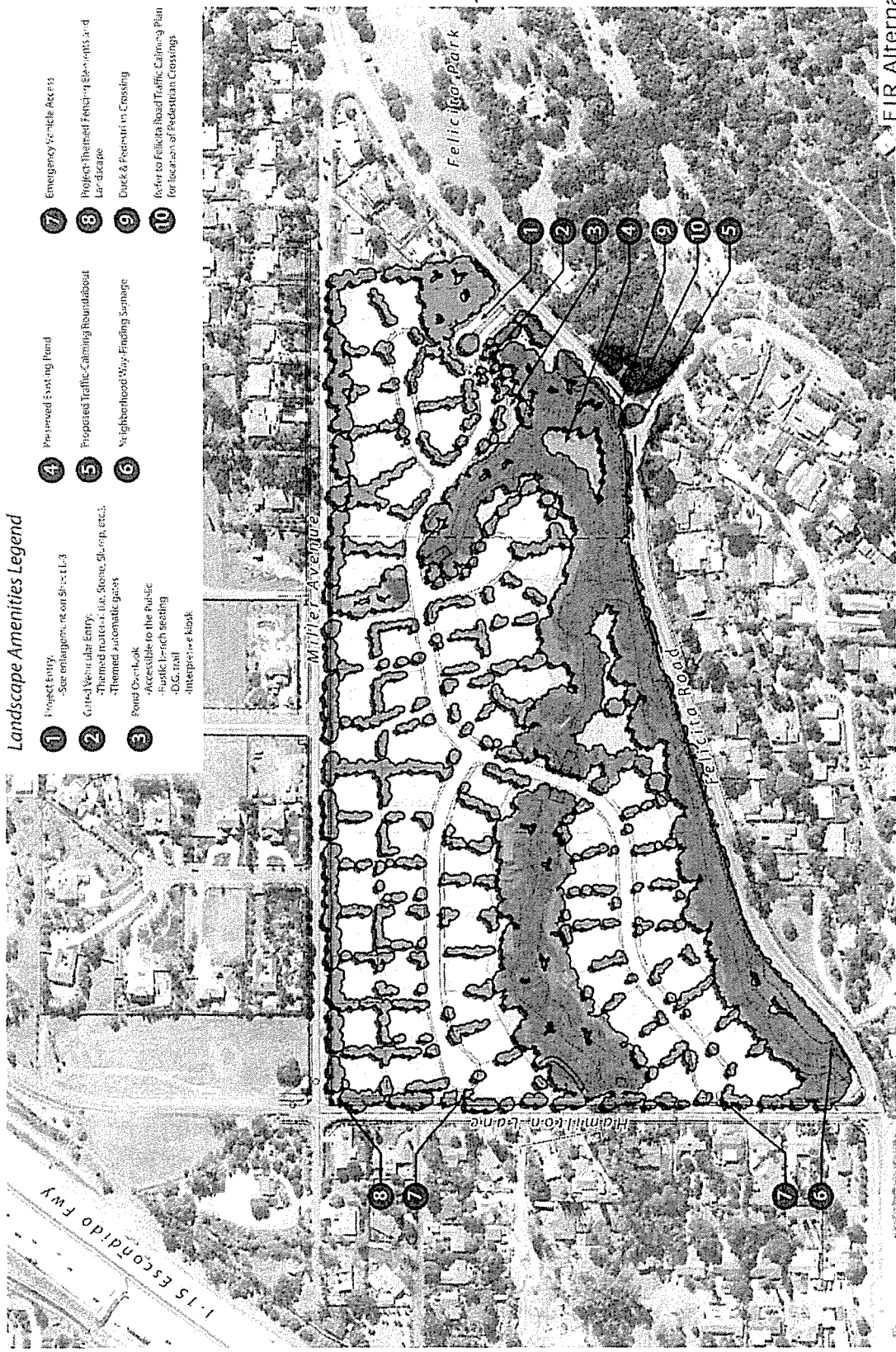
MASTER PLAN

**PROPOSED PROJECT
SUB 13-0002**



Landscape Amenities Legend

- 1 Project Entry
- See enlargement on sheet L-1
- 2 Gate/Vegetal Entry
- Themed material (i.e. Stone, Slates, etc.)
- Themed automatic gates
- 3 Road Overlook
- Accessible to the public
- Public trash recycling
- Bio-rail
- Interpretive kiosk
- 4 Preserved Existing Pond
- 5 Proposed Traffic Calming Roundabout
- 6 Neighborhood Way-Finishing Swatage
- 7 Emergency Vehicle Access
- 8 Project-themed Finish Elements and Landscaping
- 9 Buck & Fire-wire Crossing
- 10 Factor for Felicitia Road Traffic Calming Plan for location of Pedestrian Crossings



EIR Alternative #4
Oak Creek
New Urban West

Overall Landscape Exhibit

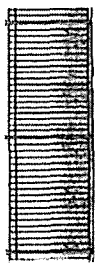
San Diego County, California

LAME CONSULTING

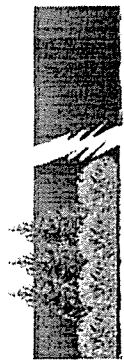
**PROPOSED PROJECT
SUB 13-0002**



- 6' Wood Fence
- 5'-6" View Fence
- 3'-6" Rustic Wood Rail Fence
- 5' Heat Deflecting Glass Wall Atop 1' Masonry or 8' Height Masonry Wall
- Cable Rail Fence at Plantable Wall
- Vehicular Entry Gates
- Emergency/Access Gates
- Themed Monument Signage



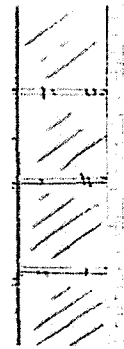
Wood Fence



Wood fence at project perimeter and between lots. Perimeter fence to be screened with planting and vines.



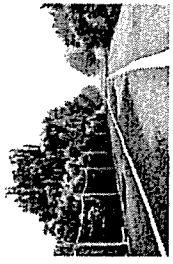
3'-6" Rustic Wood Rail Fence Elevation



5' Heat Deflecting Glass Wall Atop 1' Masonry

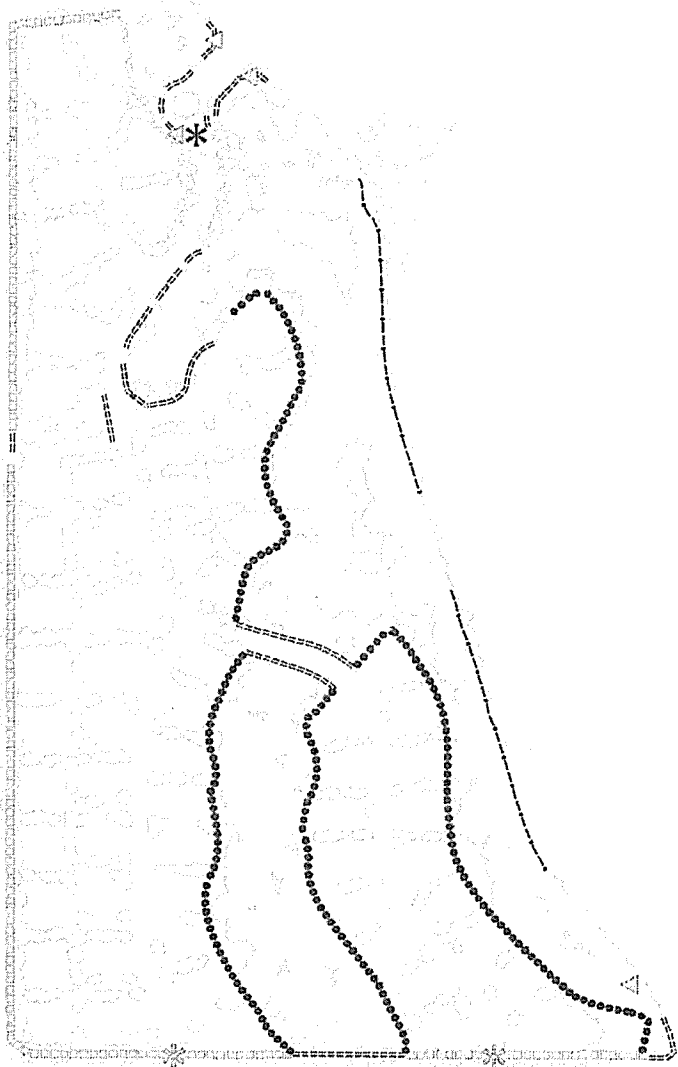


Cable Rail Fence



Refer to Civil Engineer's drawings for retaining conditions.

1. Between-lot fence may be full height masonry or wood-style fence to be constructed of non-combustible materials where occurring in Fuel Modification Zones.
2. Themed Monument Signage: Project text to be rustic lettering approximately 18" X 5' to 6' attached to native boulders. Signage design per separate submittal.



ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH - County RR (Rural Residential – 15,000 SF minimum lot size) zoning – Across Hamilton Lane from the proposed residential development site is a neighborhood of single-family residences on lots ranging from approximately 15,000 SF to 1.24 acres in size. I-15 borders the northern side of the remainder of the proposed annexation area.

SOUTH - County RR zoning and Felicita County Park – Several single-family residences on lots ranging from approximately 10,000 SF to 20,000 SF in size are located immediately south of the project area between Felicita Road and Miller Avenue. Felicita County Park is located south of the project area across Felicita Road. Felicita County Park features 53 acres of dense oak groves, two horseshoe pits, picnic tables, barbecues, playgrounds, restrooms, volleyball court, nature trail, and hiking trails. South of the remainder of the proposed annexation area on the eastern side of Miller Avenue is a relatively new, small neighborhood of single-family residences on lots approximately one acre in size.

EAST - County A-70 (Limited Agriculture) and County RR zoning – Single-family residences on lots ranging from approximately 15,500 SF to 2.18 acres in size are located across Miller Avenue from the proposed project.

WEST - County RR zoning – Across Felicita Road is a neighborhood of single-family residences on lots ranging from approximately 12,500 SF to 1.94 acres in size. This neighborhood is generally separated from the site by both Felicita Road and the existing line of trees in the creek area along the western edge of the project site.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service – The project site would be annexed to the City, and the City of Escondido Police Department (EPD) would assume the responsibility for police protection. EPD response time standards to calls for service are 5 minutes for life-threatening calls and 6 minutes and 30 seconds for calls regarding crimes in progress and/or having probability for suspect apprehension. These response times are consistent with the Escondido General Plan Quality of Life Standard #4 for police services. The Police Department has expressed no concern regarding their ability to provide service to the site.
2. Effect on Fire Service – The site is served by Fire Station No. 5 (2319 Felicita Road), which is well within the seven and one-half minute response time specified for urbanized areas in the General Plan. Development of the site would contribute incremental increases in demand for fire services. Comments received from the Escondido Fire Department indicate the Oak Creek Fire Protection Plan (Appendix J in the Final EIR) adequately provides for appropriate building construction and fuel modification methods that will aid in the protection of future residents in the development. The Fire Department has indicated that adequate services can be provided to the site and the proposed project would not impact levels of service.
3. Traffic/Circulation – The proposed project would take access from Felicita Road, which is classified as a Local Collector (66' r.o.w. with 42' curb-to-curb improvement) in the Circulation Element of the Escondido General Plan. Hamilton Lane is also classified as a Local Collector. Development of the proposed residential project would generate 780 new vehicle trips (780 ADT) associated with new residents. A Traffic Impact Analysis prepared by Linscott, Law and Greenspan is included as Appendix O-1 in the Oak Creek Final EIR.

According to the Traffic Impact Analysis, the proposed development would not result in a significant impact to any roadway intersection under the Existing + Project, Future (Year 2018), or Long-term (Year 2035) scenario because traffic delay would be minimal and would not deteriorate LOS. The project would not result in a significant impact to any roadway segment under the Existing + Project, Future (Year 2018), or Long-term (Year 2035) scenario based on the City of Escondido's significance criteria as no long-term significant impacts identified as project-related increases in V/C ratio on poorly operating (LOS D, E, or F) segments would exceed 0.02.

The project includes a Specific Alignment Plan (Appendix A of the Oak Creek Final EIR) for Felicita Road and Hamilton Lane because the proposed improvement of these streets does not conform to the City of Escondido General Plan and Mobility and Infrastructure's requirements for Collector Streets and Local Collectors. Felicita Road is designated a Collector north of Hamilton Lane and a Local Collector south of Hamilton Lane in the Circulation Plan, and Hamilton Lane is a Local Collector. Both existing streets would require significant widening to conform to the requirements. Widening the roadways would result in the removal or relocation of numerous existing public and private improvements on both Felicita Road and Hamilton Lane. The widening also would create additional biological impacts along Felicita Road, conflict with project goals for Felicita Road, and not offer any significant benefits or improvements for conveying traffic. The Specific Alignment Plan proposes improvements to Felicita Road and Hamilton Lane consistent with the City of Escondido's General Mobility Plan goal of creating "Complete Streets," emphasizing the accessibility of all road users, including pedestrians and bicyclists. The existing edge of pavement would be maintained on the western side of Felicita Road while a minimal amount of widening to accommodate bicycle lanes and a sidewalk would occur on the project (eastern) side of the street.

The project would include half-street roadway improvements along Miller Avenue and Hamilton Lane frontage. Improvements to Hamilton Lane would include widening the right-of-way to approximately 62 feet, which would include widening the roadway to a maximum width of approximately 38 feet. Improvements to Miller Avenue would include widening the right-of-way to a maximum of 60 feet, with one section being 50 feet, including widening the roadway to a maximum width of 40 feet. The overall right-of-way for Felicita Road north of Park Drive is 66 feet wide with a pavement width of approximately 36 feet. With implementation of the project, the paved roadway area would be widened to up to 38 feet with striped bicycle lanes and a five-foot-wide, concrete sidewalk adjacent to the project site. Thirteen street lights would be installed along the east side of Felicita Road adjacent to the project site. Sidewalks also are proposed on the south side of Hamilton Avenue and the west side of Miller Avenue as part of roadway improvements to these road segments.

Felicita Road also is proposed to be improved with roadway traffic calming features. These measures would include the construction of a roundabout at the intersection of Felicita Road and Park Drive to channelize traffic flow and slow speeds along Felicita Road; traffic calming signage and markings to reduce vehicular speeds; 5-foot-wide bike lanes with a buffer (2 feet wide) for northbound and southbound bicycle traffic, which will create driver awareness of bicyclists and reduce vehicular speeds along Felicita Road; and the installation of lower speed limit signs, if warranted. Portions of the proposed Felicita Road improvements are located north and south of the project site property line within the County of San Diego, including some traffic calming signage and markings.

4. Utilities – Project utilities construction would include the extension of gas and electric transmission facilities, sewer and water pipelines, and communications facilities. Existing San Diego Gas and Electric (SDG&E) overhead electrical lines extend in an east-west direction across the southern portion of the site between Felicita Road and Miller Avenue. These electrical lines would be removed as part of the project, and underground utility lines would be installed along all project frontage streets.

The City of Escondido Utilities Department would provide sewer service to the proposed development. As a separate and independent project, the City has decided to eliminate Lift Stations 6, 9 and 11 in part by extending new 8-inch and 12-inch-diameter gravity sewer lines in Felicita Road and Via Rancho Parkway. Effluent from the proposed development would gravity flow to a connection point with the new pipeline near the southernmost portion of the project site. Flows would then continue south in the new pipeline down Felicita Road to the new pipeline in Via Rancho Parkway and on to Lift Station 1 located near the intersection of Via Rancho Parkway and I-15. Eliminating the three lift stations and constructing new gravity lines would be accomplished as part of the City's 2030 Capital Improvement Program (CIP) and are not within the scope of the proposed development. Potential environmental impacts and mitigation for the CIP project are currently being analyzed as part of a separate environmental document.

The entire project site and proposed reorganization area are presently located within the authorized service area of Rincon Del Diablo Municipal Water District; therefore, Rincon Water would provide water service to the project site. A 12-inch-diameter water line would be constructed in Hamilton Lane east of Felicita Road. The water pipelines serving the proposed development would connect to the 8-inch water line in Felicita Road at the south end of the project site.

Improvements to the existing potable water pipelines would be determined as part of the final design following approval of the project. A hydraulic analysis of water lines would be conducted as part of final engineering for the project. In addition, as an alternate water supply, the proposed development may obtain water from the City of Escondido Utilities Department. However, this is not considered likely unless Rincon stops issuing water connections due to the implementation of additional drought response measures. The water supply improvements described above would be the same for either water supply agency.

5. Drainage – Portions of the project site lie within the 100-year flood zone as designated on current flood insurance rate maps. A Conditional Letter of Map Revision (CLOMR) shall be issued by the Federal Emergency Management Agency (FEMA) before grading plans for the project can be approved.

The project would be designed so that runoff from the residential lots would drain to the private streets within the subdivision. The project site would be graded to generally maintain drainage patterns toward the western and southern boundaries. On-site drainage improvements would include a storm drain system and flood attenuation/bioretention basins to safely convey runoff, clean urban runoff, provide hydromodification management, and to mitigate increases in peak stormwater flow rates discharging from the Project.

On-site bioretention facilities would be constructed to treat runoff for water quality and retain it to provide hydromodification management. These bioretention areas would be dispersed throughout the site, adjacent to the drainage management area that they are designed to treat. Sizing for these basins assumes 50 percent impervious surfaces for each pad area. Each basin would attenuate flows and then discharge to the two existing drainages. Additional drainage improvements would include upsizing a pipeline crossing in Hamilton Lane between Felicita Road and Miller Avenue; upsizing a pipeline at the downstream end of the site at Felicita Road; and constructing a berm adjacent to Felicita Road to contain stormwater, thereby allowing runoff to pass through the Felicita Road pipeline and alleviating current flooding conditions on that road. The project is conditioned to provide a final drainage study, which will determine the extent of drainage facilities necessary to control runoff.

C. ENVIRONMENTAL STATUS

A Draft Environmental Impact Report (City Log No. ENV 13-0006) was issued for a 45-day public review on August 15, 2014. Responses to comments received on the Draft EIR have been incorporated into the Final EIR. Mitigation measures required under CEQA were developed to reduce the potential for adverse impacts with respect to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise.

Sections of the Draft EIR have been clarified or expanded in the Final EIR, but no new significant impacts have been identified, no impacts increased in severity, and no new alternatives have been identified. Several new mitigation measures have been provided for clarity in the document to address previously identified impacts, but would not constitute "significant new information" as described in CEQA Section 15088.5. As such, the Draft EIR document was not fundamentally or basically inadequate in nature and the conclusions do not require reevaluation or recirculation. Staff feels the Final EIR adequately addresses all project-related issues. The Oak Creek Project Final EIR can be viewed at the City of Escondido Planning Division, the Escondido Public Library, and is available in the Planning Division section of the City's website at the following link:

http://www.escondido.org/Data/Sites/1/media/pdfs/Planning/oakcreek/Volumell-Navigation_Index.pdf

D. CONFORMANCE WITH CITY POLICY/ANALYSIS

General Plan

The County General Plan designates the property as "Village Residential (VR-2.9)". This designation allows 2.9 dwelling units per gross acre. Since Village Residential densities are not calculated based on a site's topographic conditions, the maximum yield based on the County General Plan would be 122 dwelling units. Actual attainment of this density would

be predicated on the availability of sewer service which currently is not available to properties within this area of the County's jurisdiction.

The Escondido General Plan has adopted a lower density land use designation for the site. The Estate II designation allows up to 2 dwelling units per acre with the maximum development yield of a property calculated according to topography/slope categories. Based on the variable slope provisions of the Estate II land use designation contained in the City's General Plan, up to 74 dwelling units/lots would be allowed on the project site. The proposed project density of 1.75 du/acre is consistent with the Estate II designation. The project will be required to conform to the provisions of the Citywide Facilities Plan through the payment of fees to ensure that the Quality of Life Standards will continue to be met.

Appropriateness of Proposed Annexation and Prezones

Consistent with Escondido General Plan Annexation Policy 16.1, the City does not actively seek out annexation opportunities, except for land owned by the City. In this case, the applicant first approached the City with an annexation and development proposal approximately two years ago. The 41.4-acre project site is located within the unincorporated area of the County immediately south of the City of Escondido within the City's adopted Sphere of Influence. The project site shares a nominal common boundary with the City and would connect to the existing city limits at the northwestern corner of the site at the intersection of Felicita Road and Hamilton Lane. The project site and the Chalice Unitarian Universalist Congregation property would be annexed to the City as part of the project. A small neighborhood north of the project site with homes on Hamilton Lane and Monticello Drive would remain within the County's jurisdiction with a map connection to other County properties on the eastern side of I-15, thus avoiding the creation of a "County Island" following completion of the annexation process.

Annexation would not be required to construct a residential development on the project site. The County has designated the site as Village Residential 2.9, which would allow up to 122 homes to be constructed on the site under the County's jurisdiction. However, this density is not nearly achievable under current conditions because the County does not provide sewer service in this area, and the City does not extend sewer service outside of its boundary to serve County developments. Therefore, annexation is required to provide sewer service to the project site.

The Escondido General Plan designation for the proposed annexation area is Estate II, which allows up to two dwelling units per acre. The minimum lot size for Estate II is 20,000 square feet, unless the development is clustered in accordance with the cluster provisions contained in the General Plan. Clustering is only permitted in conjunction with a specific plan or planned development proposal for a site and requires the zoning to be changed to SP or PD-R accordingly. The project area on the western side of Miller Avenue where a clustered, planned residential development is proposed would be rezoned PD-R 1.75 (Planned Development – Residential 1.75 dwelling units per acre) to reflect the density of the proposed development. The remainder of the annexation area on the eastern side of Miller Avenue consisting of two vacant parcels of land and the Chalice Unitarian Universalist Congregation property would be rezoned RE-20 (Residential Estates – 20,000 SF minimum lot size), which is a standard residential zone consistent with the Estate II designation for both minimum lot size and density. The zoning established by the prezones would become effective upon approval and recordation of the proposed annexation. Staff feels both of the proposed prezones are appropriate and consistent with the Estate II designation of the General Plan.

Appropriateness of the Residential Clustering Design for the Planned Development and the Single Point of Resident Access into the Development

As described in the Escondido General Plan Land Use and Community Form Element, "Residential Lot Clustering (clustering) is a useful development tool for protecting sensitive resources, avoiding hazardous areas, and/or preserving the natural appearance of hillsides. Clustering involves assessing the natural characteristics of a site and grouping the buildings or lots through an on-site transfer of density rather than distributing them evenly throughout the project as in a conventional subdivision. Not only do cluster developments help preserve open space, they also tend to minimize the visual impacts associated with development, reduce the cost of building and maintaining public roads, and decrease grading in environmentally sensitive areas."

The proposed development utilizes residential lot clustering. The clustering design for the proposed development would not increase the overall density of the site, but would allow for reduced lot sizes, larger open space lots, and preservation of the on-site drainage courses and biological resources. As stated in the Escondido General Plan, "The maximum development yield (that is, the number of dwelling units) that can be built as part of a clustered development project shall be derived by applying the maximum permissible density in each applicable residential land use category, subject to applicable slope density categories and adjusted for natural floodways as prescribed in the General Plan policies." The proposed 65 residential units are less than the City's maximum permitted General Plan yield of 74 dwelling units.

The minimum lot size for Estate II is 20,000 square feet, unless the proposed development is clustered in accordance with the cluster provision contained in the General Plan. The minimum lot size standard for single-family clustered development within the Estate II land use designation is 10,000 square feet. The Project has been designed in accordance with the Estate II residential land use designated for the project area by the General Plan and with the clustering provisions resulting in residential lot sizes ranging from approximately 10,000 to 22,500 square feet. Although clustering permits a reduction in lot sizes, Residential Clustering Policy 5.9 provides that, "In no event shall the reduction of lot sizes for clustered projects exceed the open space areas within the development." The proposed development complies with this policy as the reduction of lot sizes of 519,228 square feet is less than the 606,660 square feet of open space within the development.

Approximately half of the residential lots adjacent to the proposed development site range from 10,000 to 20,000 square feet in size. Most of these residential lots are located to the north, southeast, south, and west of the project site. Larger-lot estate homes (40,000+ square feet) front on Las Colinas Drive, Miller Avenue, and Twilight View Terrace to the east of the project site. Existing residential development in the area includes a mixture of single- and two-story homes. Two-story homes are predominantly concentrated east of Miller Avenue; however, there are scattered two-story residences along and to the west of Felicita Road. The applicant is proposing four distinct models for the 65 homes proposed in the development. Up to 100 percent of the homes could be two stories based on the inclusion of an optional second-story element for the otherwise single-story Plan 1 model. The predominance of two-story homes is somewhat offset by the site being lower in elevation as compared to the surrounding neighborhood. While the proposed development would have more two-story homes than the surrounding neighborhoods, in most cases the homes would be visually screened due to existing and proposed trees, both along the project site perimeter and within the project. The proposed development would implement enhanced architectural features to ensure high quality residential development consistent with surrounding residential homes. A combination of walls and fencing would generally separate residences from surrounding development to provide privacy, consistent with existing homes adjacent to the site. Staff feels the proposed planned development and residential clustering would be compatible with the community character of the existing surrounding neighborhoods.

The proposed development has been designed with a single private street access extending into the project site from Felicita Road in the southwestern portion of the project site. This new private street would be located approximately 400 feet south of Park Drive and approximately 800 feet north of the Felicita Road/Miller Avenue intersection. Residents in the area have consistently expressed concern with this method of access feeling it places an inordinate amount of vehicle trips on Felicita Road when additional street access to Hamilton Lane or Miller Avenue could relieve added congestion on Felicita Road. The applicant has steadily resisted providing other access points feeling the enhanced project landscaping and vehicular gates at the project entrance would establish a project theme and identity creating a sense of neighborhood for all residents of the new development. While staff would likely support additional private street access points if proposed in appropriate locations, the applicant's proposal meets public safety needs by providing emergency access to Hamilton Lane at the end of two on-site cul-de-sacs. In addition, the Traffic Impact Analysis prepared for the development indicates the proposed development with a single point of primary access would not result in a significant impact to Felicita Road or any other roadway segments or intersections under the Existing + Project, Future (Year 2018), or Long-term (Year 2035) scenarios.

Whether the Introduction of Additional Impervious Surfaces in the Area would Increase the Potential for Downstream Flooding on Felicita Creek

Existing drainage conditions on the proposed development site rely on sheet flows to two drainages running north-south through the property. The westerly drainage crosses under Hamilton Lane via a 5-foot by 5-foot concrete culvert, and the

easterly drainage crosses Hamilton Lane via a 72-inch diameter culvert. Additional runoff from a lined ditch on the east side of Miller Avenue discharges to the site at its eastern boundary. The two drainages confluence within the boundaries of the project and then confluence with the runoff from the east before leaving the site through the 60-inch diameter culvert crossing to the southwest, under Felicita Road. All runoff drains to Felicita Creek, then Hodges Reservoir to the south.

The proposed development site would be graded to generally maintain drainage patterns toward the western and southern boundaries. On-site drainage improvements would include a storm drain system and flood attenuation/bioretention basins to safely convey runoff, clean urban runoff, provide hydromodification management, and to mitigate increases in peak stormwater flow rates discharging from the project. Sizing for these basins assumes 50 percent impervious surfaces for each pad area. Each basin would attenuate flows and then discharge to the two existing drainages. Proposed drainage improvements would include upsizing the easterly pipeline crossing in Hamilton Lane; upsizing the pipeline at the downstream end of the site at Felicita Road; and constructing a berm adjacent to Felicita Road to contain stormwater, thereby allowing runoff to pass through the Felicita Road pipeline and alleviating current flooding conditions on that road.

The Water Quality Technical Report prepared for the proposed development utilized the San Diego County Hydrology Manual for the hydrologic calculations for the project. Based on the anticipated amount of impervious surface in the development and the number and size of detention basins proposed as part of the development project, the post-development condition of the project site would decrease overall runoff from 757 cubic feet per second (cfs) experienced in existing conditions, to an anticipated 755 cfs in developed conditions, a decrease of approximately 2 cfs. Furthermore, the proposed improvements to the culvert crossing at Felicita Road (described above) would reduce the amount of overtopping flow and increase the amount conveyed through the culvert crossing; however, there would be no net change to flow reaching the downstream properties since it would all commingle within Felicita Park upstream of Via Rancho Parkway. By using on-site detention to reduce peak flow rates discharging from the Project to equal or less than pre-Project conditions, and by maintaining existing drainage patterns through the site, the Project would not result in adverse impacts to downstream drainage facilities and/or properties.

Detailed calculations have been identified throughout the Drainage Study and Water Quality Technical Report resulting in the selection of a maximum 50% impervious factor for the proposed residential pad areas to maintain the peak flow rates described above. As is standard and part of final engineering, prior to issuance of grading and building permits, it shall be confirmed that the amount of imperviousness remains equal to or less than 50% on average, per lot. The sizing for the onsite bioretention/detention basins have been calculated based on 50% impervious surface for each lot, and 100% imperviousness for streets and fire access. The actual impervious area on each lot has been calculated to be approximately 34% average, which includes the building, driveway, and sidewalk. After all the impervious area proposed by the builder is accounted for, there is still 2,053-square feet available to the homeowner to install additional impervious hardscape, which is 16% of the lot, providing a total pad imperviousness of 50%. Mitigation measure Hydro-2 requires the builder to provide a disclosure to all homebuyers informing purchasers of this limitation. Additional project conditions will include a requirement that the CC&Rs for the project include a prohibition on any future homeowner installations of impervious area that exceed the maximum allowance. Prior to issuance of grading or building permits for improvements by a future homeowner, the landscape or architectural consultant to the HOA shall provide an area calculation of all impervious surfaces (excluding water surface area in pools) that have been installed on the property since the initial purchase date from the builder plus the additional impervious area proposed by the homeowner. This calculation will be reviewed by the Planning Division with the plans at the time of permit application to ensure consistency with the mitigation measure and the project conditions of approval.

Whether Future Residents in the Proposed Development would be Exposed to Groundwater or Soil Vapor Contamination Associated with the Nearby Chatham Brothers Barrel Yard Site

The Phase I Environmental Site Assessment (ENVIRON 2012) included a database review of surrounding properties that may result in contamination at the project site and identified the Chatham Brothers Barrel Yard site as a nearby source of contamination potentially affecting groundwater beneath the project. The yard is located approximately 0.3 mile northwest of the project site and up-gradient with respect to groundwater flow. The yard was historically used for waste oil and solvent recycling. As a result, groundwater beneath the barrel yard site and vicinity is known to be contaminated with

trichloroethylene (TCE), which is a VOC. Remedial actions are underway at the Chatham Brothers Barrel Yard site under the oversight of the State of California Department of Toxic Substances Control (DTSC).

To evaluate potential risks posed by any chlorinated VOC concentrations in soil vapor arising from the underlying contaminant plume in groundwater (currently measured as present between 17 and 26 feet below ground surface) originating at the Chatham Barrel Yard Site, a Phase II Environmental Site Assessment (Gannett Fleming) was completed in 2013. The investigation consisted of soil and soil vapor sampling and analysis, as recommended by the Phase I Environmental Site Assessment (Final EIR Appendix H). The methodology of the investigation is detailed in the Phase II Environmental Site Assessment (Appendix I-1 and I-2 in Final EIR). The results of the recent Phase II Environmental Site Assessment indicate that no VOCs were present in soil vapor at levels above applicable regulatory thresholds (California Human Health Screening Levels, or "CHHSLs"). However, low but elevated concentrations of arsenic were detected in fill soils at the project site, and a small pocket of petroleum hydrocarbon-impacted soil was discovered. Mitigation measures Haz-3 and Haz-4 would provide remediation for the on-site arsenic and petroleum hydrocarbon-impacted soil.

To further assess groundwater contamination associated with the Chatham Brothers Barrel Yard, a *Site Assessment Report, Soil Vapor and Groundwater Results* (Tetra Tech, Inc. 2014) was prepared (Final EIR Appendix I-5), as was a *Site Assessment Report, Soil Results* (Tetra Tech, Inc. 2014; Final EIR Appendix I-6). The *Soil Vapor and Groundwater Results* report summarizes the results of groundwater and soil vapor investigation activities conducted at the project site from August through October 2014. The *Soil Results* report summarizes the results of soil investigation activities conducted on the project site from August through October 2014.

The potential environmental and human health risks posed by the Chatham Brothers Barrel Yard relate to (1) hazardous substances in groundwater, including VOCs such as tetrachloroethylene (or PCE) and trichloroethylene (or TCE), and (2) volatilization of hazardous substances from the groundwater into soil vapor migrating upward. Both of these categories of risks have been adequately investigated and analyzed by the applicant under the oversight of the California Department of Toxic Substances Control (DTSC). In September 2014, Tetra Tech, Inc., performed groundwater sampling at the project site to evaluate potential risks associated with the groundwater. The results of the groundwater sampling from seven sampling sites were "non-detect" (i.e., below the certified laboratory's method detection limits) for VOCs at six of the seven sampling locations throughout the project site. With respect to the one sampling site where VOCs were detected (sampling site TtGW-4 north of the duck pond near Felicita Road), the detected levels were 1.7 micrograms per liter for PCE and 1.8 micrograms per liter for TCE. Both levels are well below the applicable regulatory cleanup standard (the USEPA's Maximum Contaminant Levels) of 5.0 micrograms per liter for both constituents. In addition, sampling site TtGW-4 is not within an area of the project site where residential construction would occur. Four groundwater monitoring wells currently are on the project site. The results of groundwater monitoring at the wells – since 2008 – have been "non-detect" for VOCs.

With respect to soil vapor, Gannett Fleming, Inc., and Tetra Tech, Inc. have performed three rounds of soil vapor sampling under DTSC oversight at 26 locations at depths varying from 5 feet below ground surface to 15 feet below ground surface. The extent of sampling has complied with the DTSC's requirements for characterizing the extent of impacts to soil vapor, and the results show that contaminant levels in soil vapor are below DTSC-approved screening levels for residential use. USEPA Regional Screening Levels (as modified by DTSC) combine human health toxicity values with standard exposure factors to estimate chemical concentrations that are considered to be health protective of human exposures over a lifetime through direct-contact exposure pathways (e.g., via inhalation and/or ingestion of and/or dermal contact with impacted soil). VOCs were detected at levels above Regional Screening Levels at a single on-site location outside of the development footprint (soil vapor sample location TtSV-1; located near TtGW-4). Neither groundwater nor soil vapor on the project site are impacted at levels exceeding applicable human health-protective regulatory standards, with one exception regarding soil vapor – at a location outside the development footprint. Nevertheless, DTSC has indicated that groundwater extraction will be prohibited at the project site. To ensure that groundwater will not be used in the proposed development for any purpose, the applicant will record a deed restriction on the title for the project site that will prohibit the use or extraction of groundwater beneath the project site for any purpose. In addition, a prohibition on the use of groundwater from beneath the project site will be included in the CC&Rs and included as a condition of approval.

Whether the Proposed Tree Restoration Program Adequately Compensates for the Removal of Mature Trees on the Site

Approximately one-third of the project site would be conserved as open space, the vast majority of which includes the creeks with their dense riparian forest and woodland habitats, the seasonal pond in the southwestern corner of the site, and the retention basins. The creek, including buffers, and the pond would be preserved as permanent open space. Enhancement and restoration of the open space areas would include recontouring a portion of the stream channel, removal of non-native species, and seeding/planting with a mix of native shrubs and trees. A biological resource buffer from existing native vegetation that varies in width from 0 feet to 135 feet would be provided to separate on-site open space areas from the proposed development.

A linear cluster of predominantly native oak trees that line Felicita Road contributes to the community character of the local area. A Tree Management and Preservation Plan was prepared for the project (Dudek, 2014; Final EIR Appendix C) as biological mitigation for the potential loss of native trees. The Plan identifies the location, number, and type of trees found on the site. Based on project development plans, it was estimated (conservatively) that 238 (22.9 percent) of the mature on-site trees would require removal, 92 (8.9 percent) would experience encroachment into the tree protected zone, and 706 (68.1 percent) of the on-site trees would be preserved in place with no direct impacts. Off-site improvements would result in the potential removal of 9 mature trees and 14 trees would experience potential encroachment. Impacted trees would include those adjacent to Felicita Road for roadway and sidewalk improvements, those adjacent to Hamilton Lane and Miller Avenue for grading and roadway improvements, and numerous trees in the interior of the project site for grading and infrastructure improvements.

The tree preservation plan to be implemented through Mitigation Measure Bio-6 includes replacement of the impacted oak trees with 453 landscape area tree plantings, as well as a minimum of 1,500 to 2,000 native tree plantings in the preserved woodlands/riparian areas. The larger tree plantings would be incorporated into the site's landscape plan. The smaller plantings are appropriate for the habitat. This tree planting program is a sustainable and site-customized oak restoration program. The final number of planted trees is expected to be between 1,953 and 2,453, depending on germination and establishment rates. The anticipated result is a significant increase in the number of trees over existing conditions and provision for the next generation of oaks and riparian willow, cottonwood, and sycamore trees. The planting program provides many benefits including focusing restoration on degraded riparian woodlands, providing protection measures for developing seedlings and saplings, including planting in the transition areas of the development to soften the edge between wildland and developed areas, and integrating the oak mitigation with mitigation for other plant communities, as possible. The landscape component will incorporate native oaks as a major component of the planting program.

Although numerous trees would be removed as a result of project grading and infrastructure construction/improvement activities, those trees would be replaced/replanted pursuant to the Tree Management and Preservation Plan. Potential tree removals along Felicita Road are substantially lessened by the proposed Specific Alignment Plan that minimizes street improvements on the project side to those which are essential for safety and circulation. Most of the trees in the drainage areas would remain and would form a visual backdrop for viewers along Felicita Road. The impact to the community character of the area, including that of the Felicita Road view corridor, from tree removal would be minimal because most the existing trees in this area would remain, and those residents view of the project site would be blocked by the existing trees.

Appropriateness of the Proposed Grading Exemptions

In accordance with Article 55 of the Escondido Zoning Code (Grading and Erosion Control) grading exemptions will be required to implement the proposed grading design. EZC Section 33-1066 limits cut and fill slopes to a maximum height of 20 feet with an additional limitation of 10 feet in height for fill slopes within 50 feet of an existing property line. The code provides for a Grading Exemption process where these limits can be exceeded through a discretionary permit reviewed by the Planning Commission.

The applicant is proposing two Grading Exemptions. Grading Exemption No. 1 is a proposed 2:1 cut slope up to 35 feet in height on Lots 4-9 where the Grading Ordinance permits a 20-foot-high cut slope. This cut slope would be located adjacent to Miller Avenue in the southern area of the proposed development and is necessary to provide flat residential

pad areas level with the private street that provides access for the affected lots. The cut slope will be lower than and not visible from Miller Avenue. Residences placed in front of the slope will limit most views of the slope to the residents on the affected lots. Landscaping installed on the slope would assist in softening any potential distant views from elevated residences on the western side of Felicita Road. Grading Exemption No. 2 is a proposed 2:1 combination cut/fill slope up to 17 feet in height between Lot 3 and Lot "C" where the Grading Ordinance permits a 10-foot-high fill slope. This exemption results from the creation of a detention basin on Lot "C" adjacent to Lot 3, placing part of the slope below street level. This slope is considered an exemption only because of its location within 50 feet of an exterior property line. An off-site residence located adjacent to the proposed slope is oriented in a perpendicular manner to the slope with a pad level at about the mid-point of the slope. Views of this slope will primarily be from motorists on Felicita Road and the project entry street. As with all graded slopes in the proposed development, landscaping will enhance views of the area. Staff feels the proposed exemptions would be appropriate given the screening that will occur, combined with limited view opportunities from off-site residences.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The proposed project site is located in the unincorporated area of San Diego County immediately south of Escondido and within the City's Sphere of Influence. The project site and the 2.34-acre Chalice Unitarian Universalist Congregation property would be annexed to the City as part of the project. The project site currently contains a residential unit, agricultural uses (limited fields and support structures), open space, and a seasonal pond in the southwest corner of the site. Two drainages flow southerly through the project site and converge near the pond; a lined ditch also converges with the drainages. The site is generally surrounded by residential development to the north, west, and southeast, and by Felicita County Park to the southwest.

The site is relatively flat and gently sloping to the southwest. Elevations on the property range from approximately 620 MSL near the Northeastern boundary to 576 MSL near the Southwestern boundary. The site is underlain by undocumented fill, alluvium, colluvium and granitic bedrock. The project site supports 13 vegetation communities: southern cottonwood-willow riparian forest, freshwater marsh, emergent wetland (disturbed), coast live oak woodland, southern coast live oak riparian forest, Diegan coastal sage scrub, non-native grassland, eucalyptus woodland, non-native vegetation, intensive agriculture, extensive agriculture, disturbed habitat, and developed.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size:

Annexation Area:	43.73 acres (includes development site, two "Not a Part" parcels, and 2.34-acre church property).
Residential Project Area:	37.59 acres (gross)
Lots 1-65:	18.78 acres
Internal Private Streets:	3.91 acres
Public Street Dedications:	0.98 acre
Open Space:	<u>13.92 acres</u>
TOTAL:	37.59 acres

2. Number of Lots: 70

Residential Lots:	65
Open Space Lots:	4
Private Street Lots:	<u>1</u>
TOTAL:	70

3. Project Density: 1.75 dwelling units per acre

4. Residential Lot Size:

Minimum:	10,000 SF
Maximum:	22,500 SF
Average:	12,585 SF

5. Proposed Unit Mix: Plan 1 is a one-story unit. Plans 1X, 2, 3 and 4 are two-story units. The proposed development may include all two-story homes. Unit mix may be modified subject to approval of the Director of Community Development.

Plan 1/1X:	18 units (27.7%)
Plan 2:	8 units (12.3%)
Plan 3:	20 units (30.8 %)
Plan 4:	<u>19 units (29.2 %)</u>
TOTAL	65 units (100%)

6. Building Size:

Plan 1:	One-Story	3,334 SF + 3-car garage	4 bdrm/4.5 bath
Plan 1X:	Two-Story	3,956 SF + 3-car garage	3-6 bdrm/5.5 bath
Plan 2:	Two-Story	3,825 SF + 3-car garage	4-5 bdrm/4.5-5.5 bath
Plan 3:	Two-Story	4,198 SF + 3-car garage	4-6 bdrm/3.5-4.5 bath
Plan 4:	Two-Story	4,617 SF + 3-car garage	5-6 bdrm/4.5-5.5 bath

7. Building Colors/Materials:

Two architectural styles (Traditional Early California and Ranch Estate) are provided for each model. The color scheme of the homes would be light earth tones with eight different stucco and trim color palettes. Cultured stone veneers are provided for four of the five plans. Barrel and flat concrete roof tile are offered in five color variations. Some of the homes would have a side-facing single-car garage not readily visible from the street.

8. Open Space:

13.93 acres (At least 11.92 acres of open space are required to compensate for the clustering plan and offset the total amount of reduced lot sizes from the standard 20,000 SF per lot required in the Estate II General Plan designation).

Lot A:	3.53 acres
Lot B:	9.26 acres
Lot C:	0.79 acre
Lot D:	<u>0.35 acre</u>
TOTAL:	13.93 acres

9. Requested Master Plan Deviations from Zoning Code and RE-20 Development Standards:

Front yard Setback:	Reduce from 25 feet to 15 feet.
Side yard setback:	Reduce to allow five feet on one side.
Street side yard fencing:	Reduce fencing setback on Miller Avenue from 10 feet to 0 feet for panhandle lots.
Panhandle Lots:	Allow length of panhandle to exceed maximum length of 120 feet on 12 lots.
Lot Width:	Reduce from 100-foot minimum to allow 80-foot minimum width.
Lot Coverage:	Exceed maximum of 30% to allow 45%.
Floor Area Ratio:	Exceed maximum of 0.5 to allow 0.55.

10. Proposed Grading Exemptions:

Two Grading Exemptions are proposed.

Grading Exemption No. 1 is a proposed 2:1 cut slope up to 35 feet in height on Lots 4-9 where the Grading Ordinance permits a 20-foot-high cut slope.

Grading Exemption No. 2 is a proposed 2:1 combination cut/fill slope up to 17 feet in height between Lot 3 and Lot "C" where the Grading Ordinance permits a 10-foot-high fill slope.

11. Landscaping:

The proposed development would enhance and retain public pedestrian access to the seasonal duck pond area. The Hamilton Lane and Miller Avenue street frontages would use a meandering sidewalk interlaced with a tree palette of oak, sycamore, toyon and western redbud trees. Under plantings of rustic shrub masses would demonstrate a variety of color and texture. Project slopes would be planted with low water use trees and spreading type shrubs, which would be mulched to prevent erosion and provide a barrier for weed abatement. The main entry would be designed with mature accent and theme trees combined with shrub groupings to create a rustic/rural composition. Additional entry softening would be accomplished through a landscaped median leading up from Felicita Road to the main entry structure and gate elements. Sidewalks within the subdivision would be provided along one side of the private streets. Internal tree design for street frontages would use as many as two or three different tree species in groups. These plantings would include oaks, willows, sycamore, and koelreuterias (medium-sized deciduous trees with small, yellow flowers) as main elements in varying intervals. Homeowners would be required by the CC&Rs to landscape their properties within six months following purchase. The builder has a typical front yard plan that may be offered as an option to purchasers.

C. CODE COMPLIANCE ANALYSIS

	<u>Proposed Master Plan</u>	<u>RE-20 Standard</u>
1. Setbacks:		
Front:	15 feet for residence 20 feet for fronting garage	25 feet
Side:	5 feet one side/10 feet other	10 feet
Street Side:	10 feet	10 feet
Rear:	20 feet	20 feet
2. Lot Width:	80 feet min.	100 feet
3. Building Height:	35 feet max.	35 feet max.
4. Lot Coverage:	45% max.	30% max.
5. Floor Area Ratio:	0.55 max	0.5 max.
6. Signage:	Under separate permit and per Sign Ord. standards	

EXHIBIT "A"

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

Tentative Subdivision Map

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

Annexation:

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

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

Prezone:

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

Preliminary, Master and Precise Development Plan

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

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

Specific Alignment Plan for Felicita Road and Hamilton Lane:

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

Grading Exemption:

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

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

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

EXHIBIT "B"

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

Project Mitigation Measures

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

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

Table 5.4-8

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

Subtotal	4.1		
Total	4.71		

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

Source: Helix Environmental 2014

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

The biological open space lots would be preserved in their natural state within a permanent conservation easement and mechanism for privately funded on-going maintenance managed in perpetuity for biological resource values by the HOA. Conserved areas on site would be placed in an open space easement and managed through funding provided by the Project's Homeowners Association (HOA), with management overseen by a qualified biologist/resource manager.

Table 5.4-9

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

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

¹ USACE is a subset of the CDFW jurisdiction.

Source: Helix Environmental 2014

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

Table 5.4-13

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

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

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

Source: Dudek 2014

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

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

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

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

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

Remedial Method Option 1

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

Remedial Method Option 2

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

Remedial Method Option 3

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

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

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

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

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

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

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

Planning Division Conditions

Tentative Map

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

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

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

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

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

Preliminary, Master and Precise Development Plan

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

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

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

Landscaping Conditions

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

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

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

Fire Department Conditions

Fire Protection Systems

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

Access

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

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

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

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

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

ENGINEERING CONDITIONS OF APPROVAL ESCONDIDO TRACT NUMBER SUB 13-002

GENERAL

1. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of the Final Subdivision Map.
2. No Grading Permit shall be issued for the project until a Conditional Letter of Map Revision (CLOMR) is issued by the FEMA. After issuance of CLOMR, Grading or Building Permits will not be issued for any construction within this subdivision until the recordation of Final Subdivision Map or as approved by the City Engineer.
3. The project owner will be allowed to submit project final plans and map for plan check by the City prior to annexation of the project.
4. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
5. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
6. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

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

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

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

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

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

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report and on the grading plan, that he/she has reviewed the grading and retaining wall design and found it to be in conformance with his or her recommendations.
2. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.
3. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
4. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
5. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one (1) or more acres.
6. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
7. Unless specifically permitted to remain by the County Health Department, any existing wells within the project shall be abandoned and capped, and all existing

septic tanks within the project shall be pumped and backfilled per County Health Department requirements.

8. Prior to approval of final plans, the developer will be required to obtain permission from adjoining property owners for any off-site street improvements, grading and slopes necessary to construct the project and/or the required improvements.

DRAINAGE

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

WATER SUPPLY

1. Fire hydrants together with adequate water supply shall be installed at locations approved by the Fire Marshal.
2. This project is located within Rincon Del Diablo Water District. The developer shall coordinate all water related improvements for the project with Rincon staff.

Approved water improvement plans for the project shall be submitted to the City Engineer prior to approval of grading or improvement plans by the City.

SEWER

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

CC&R's

1. Copies of the CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.
2. The developer shall make provisions in the CC&R's for maintenance by the home owners' association of all, lightings, signing and striping, parkway landscaping and irrigation, storm water treatment basins and facilities, sewer laterals, common open spaces, public utilities easement area and emergency access road and internal streets. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. CC&R shall make provisions for maintenance frontage landscaping, irrigation, fencing, retaining walls and street lightings along project frontage on Felicita Road, Hamilton Lane and Miller Avenue by the home owners' association. CC&R should include provisions for maintenance of non-contiguous sidewalk along project frontage on Hamilton Lane by the home owners' association.
4. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Water Quality Technical Report for the project.
5. The CC&R's must state that the home owners' association assumes liability for damage and repair to City utilities in the event that damage is caused by the Property Owners' Association when repair or replacement of private utilities is done.
6. The CC&R's must state that (if stamped concrete or pavers are used in the private street) the home owners' association is responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street for repair or replacement of an existing utility.

FINAL MAP - EASEMENTS AND DEDICATIONS

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

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

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

REPAYMENTS, FEES AND CASH SECURITIES

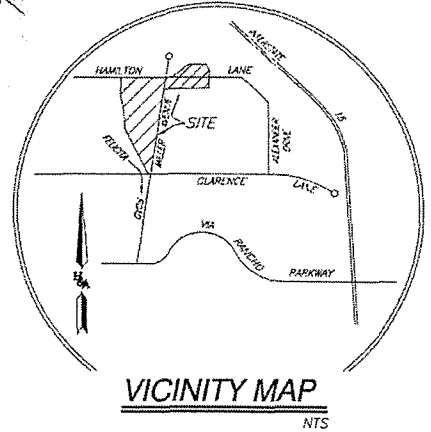
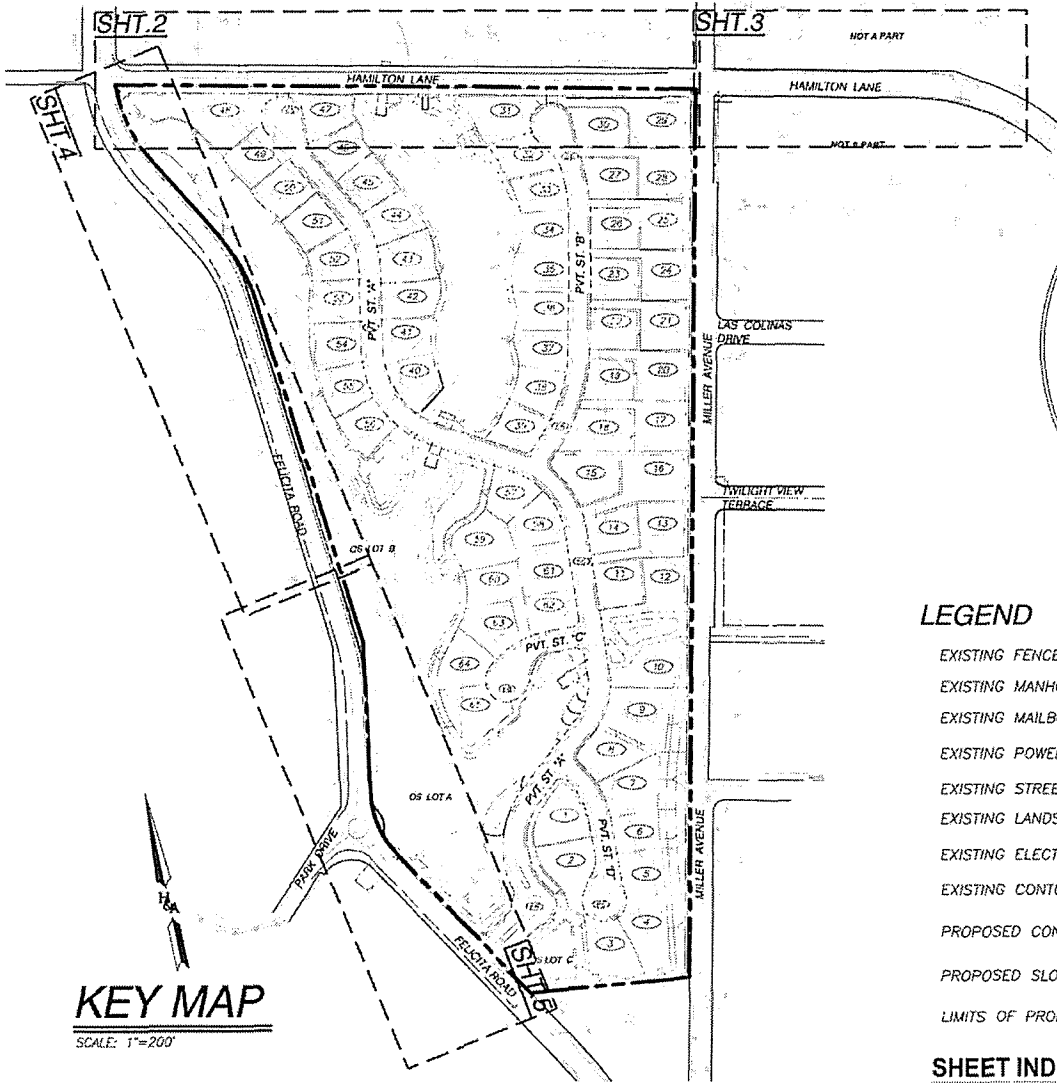
1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or 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 shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.

UTILITY UNDERGROUNDING AND RELOCATION

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

SPECIFIC PLAN FOR THE ALIGNMENT OF: FELICITA RD AND HAMILTON LN (PROPOSED BY PROJECT)



LEGEND

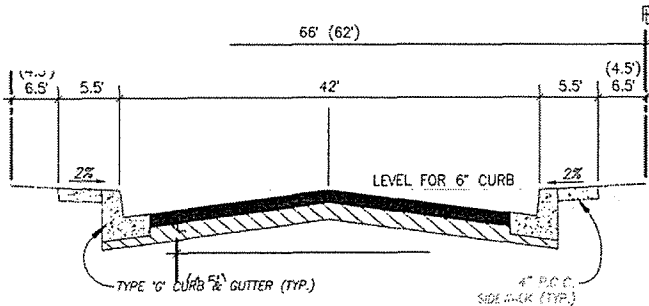
- EXISTING FENCE
- EXISTING MANHOLE
- EXISTING MAILBOX
- EXISTING POWER POLE
- EXISTING STREET SIGN
- EXISTING LANDSCAPING
- EXISTING ELECTRICAL BOX
- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED SLOPE (2:1 MAX.)
- LIMITS OF PROPOSED GRADING/DAYLIGHT

SHEET INDEX

- SHEET 1 TITLE SHEET / CITY STREET SECTION
- SHEET 2 SPECIFIC ROAD PLAN FOR HAMILTLTON LANE
- SHEET 3 SPECIFIC ROAD PLAN FOR HAMILTLTON LANE
- SHEET 4 SPECIFIC ROAD PLAN FOR FELICITA ROAD
- SHEET 5 SPECIFIC ROAD PLAN FOR FELICITA ROAD

KEY MAP

SCALE: 1"=200'



LOCAL COLLECTOR STREET
CITY STANDARD

CERTIFICATION OF ADOPTION

CITY COUNCIL RESOLUTION NUMBER _____
ON THIS _____ DAY OF _____ 20____

PLANNING DEPARTMENT:

DIRECTOR COMMUNITY DEVELOPMENT

DATE

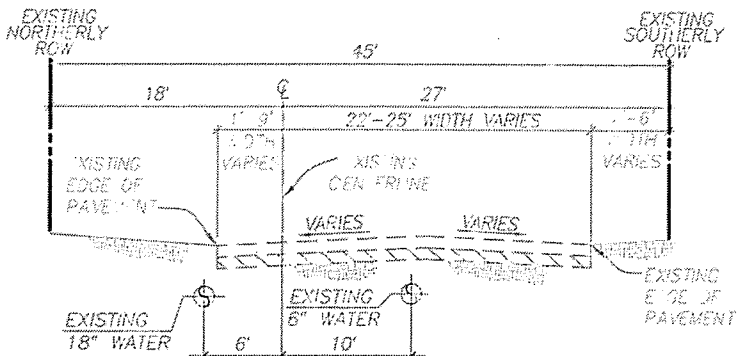
ENGINEERING DEPARTMENT:

DIRECTOR PUBLIC WORKS / ENGINEERING

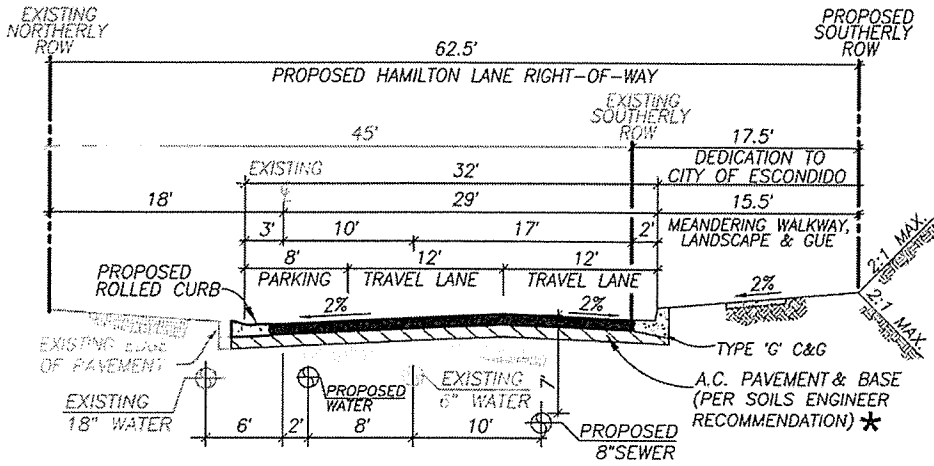
DATE

**PROPOSED PROJECT
SUB 13-0002**

SAP

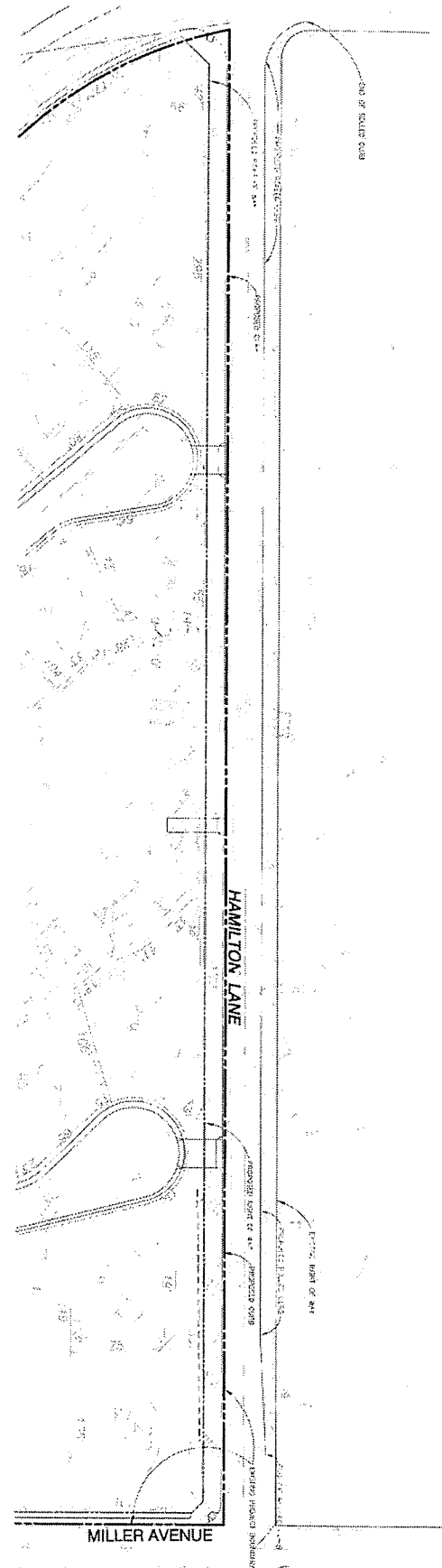
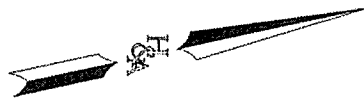


EXISTING HAMILTON LANE (FROM FELICITA TO MILLER AVE.)
NOT TO SCALE



**MODIFIED LOCAL COLLECTOR
PROPOSED HAMILTON LANE (FROM FELICITA TO MILLER AVE.)**
NOT TO SCALE

* EXISTING PAVEMENT MAY BE SAVED AND OVERLAYED IN LIEU OF REPLACEMENT, SUBJECT TO APPROVAL OF CITY ENGINEER.



SEE SHEET 3

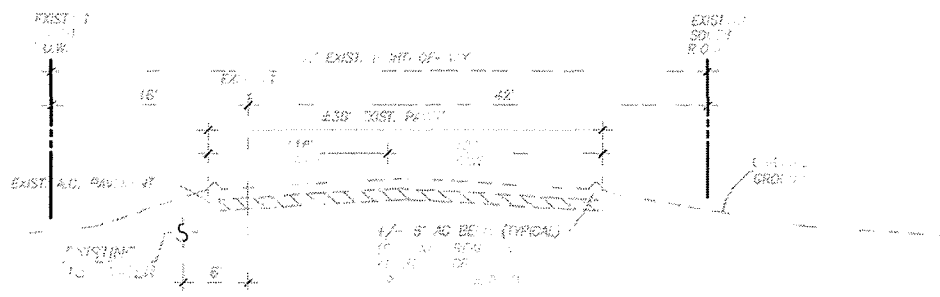
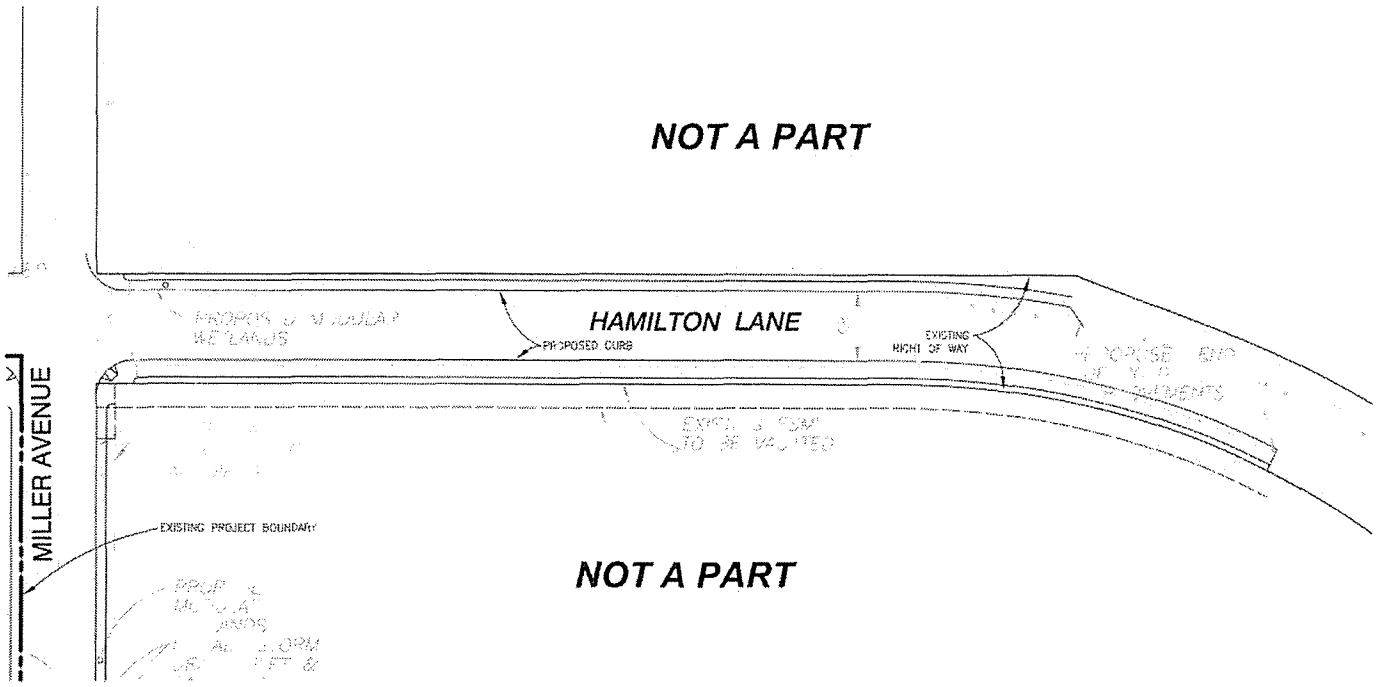
**PROPOSED PROJECT
SUB 13-0002**

SAP

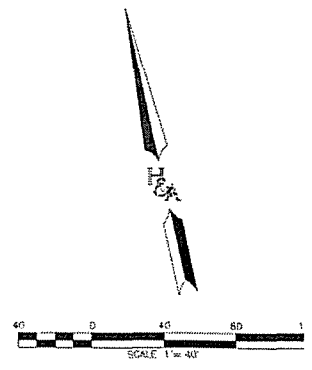
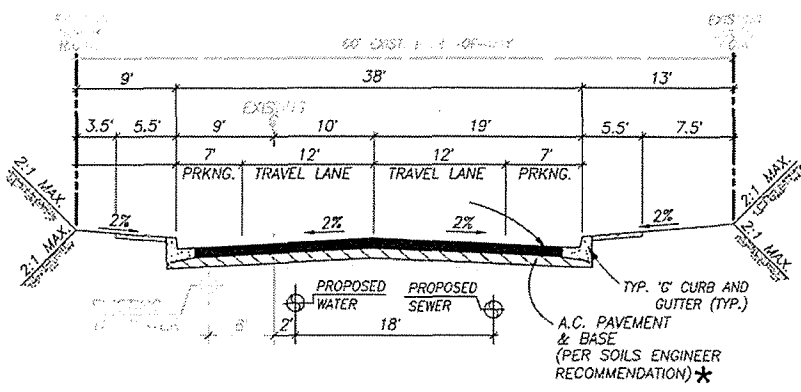
NOT A PART

NOT A PART

SEE SHEET 2



EXISTING HAMILTON LANE (EAST OF MILLER AVE. TO PROJECT BOUNDARY)
NOT TO SCALE

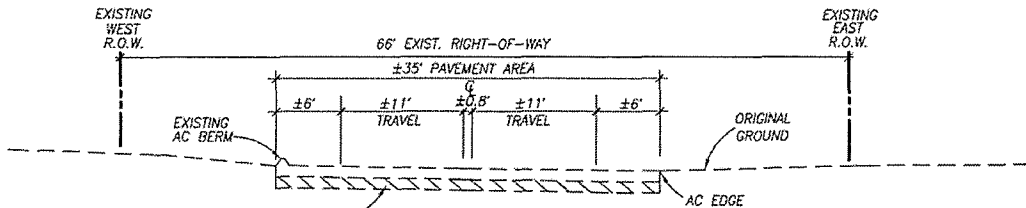


MODIFIED LOCAL COLLECTOR
PROPOSED HAMILTON LANE (EAST OF MILLER AVE. TO PROJECT BOUNDARY)
NOT TO SCALE

* EXISTING PAVEMENT MAY BE SAVED AND OVERLAYED IN LIEU OF REPLACEMENT, SUBJECT TO APPROVAL OF CITY ENGINEER.

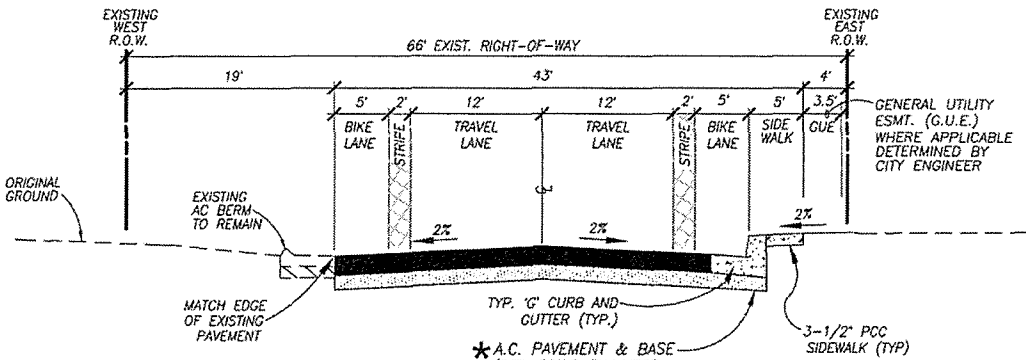
PROPOSED PROJECT
SUB 13-0002

SAP



* EXIST. A.C. PAVEMENT AND BASE

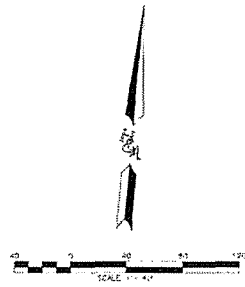
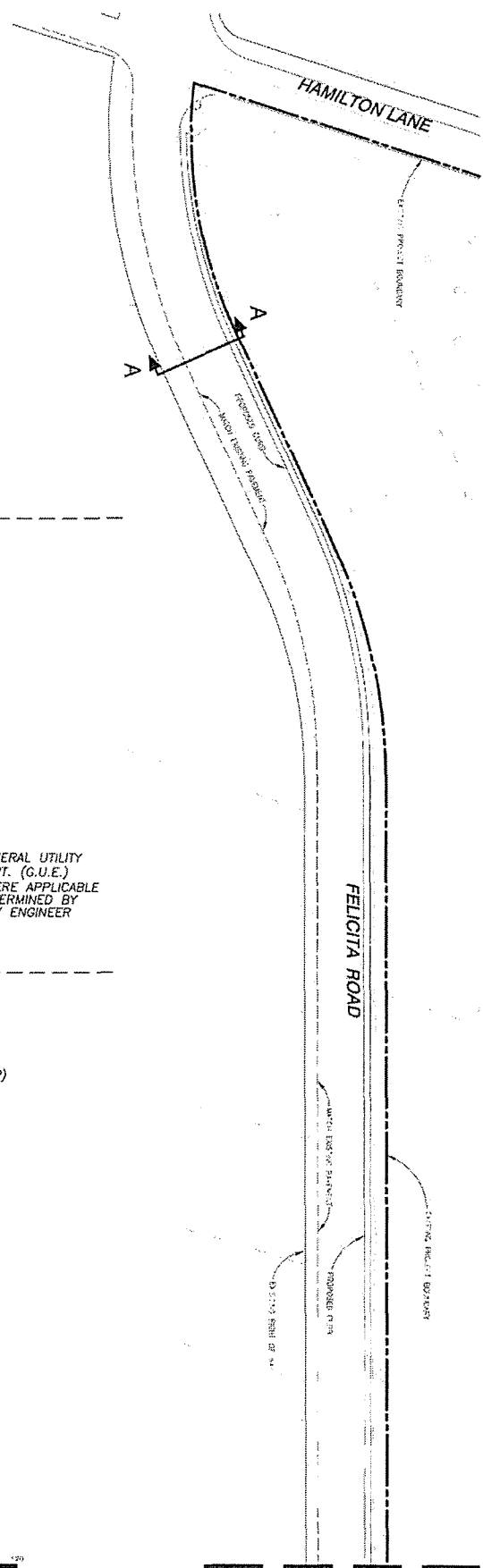
**SECTION A-A
EXISTING FELICITA ROAD**



* A.C. PAVEMENT & BASE (PER SOILS ENGINEER RECOMMENDATION)

**SECTION A-A
PROPOSED FELICITA ROAD**

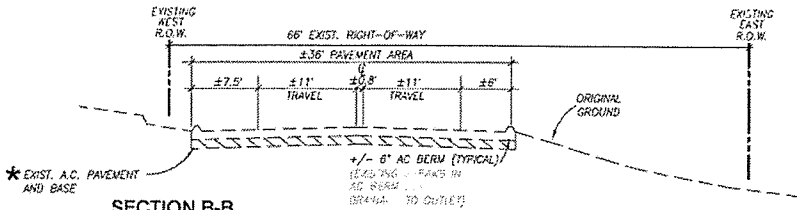
* EXISTING PAVEMENT MAY BE SAVED AND OVERLAYED IN LIEU OF REPLACEMENT, SUBJECT TO APPROVAL OF CITY ENGINEER.



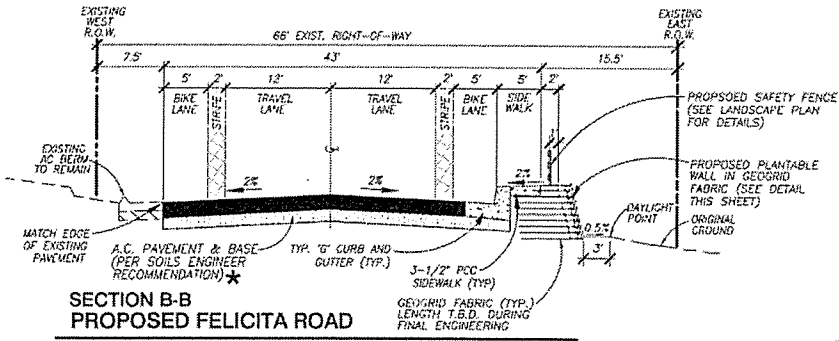
MATCHLINE SEE SHEET 5

**PROPOSED PROJECT
SUB 13-0002**

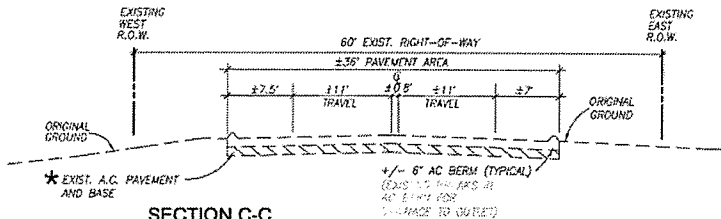
SAP



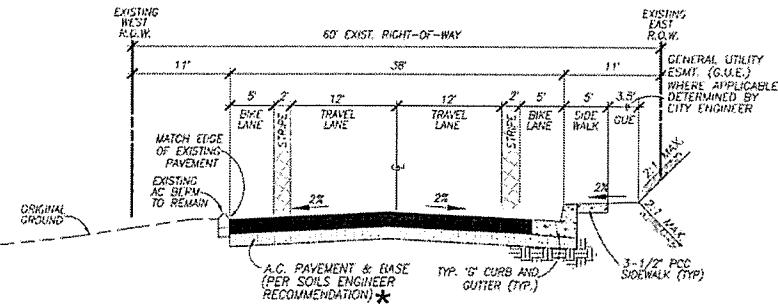
**SECTION B-B
EXISTING FELICITA ROAD**



**SECTION B-B
PROPOSED FELICITA ROAD**



**SECTION C-C
EXISTING FELICITA ROAD**



**SECTION C-C
PROPOSED FELICITA ROAD**

★ EXISTING PAVEMENT MAY BE SAVED AND OVERLAYED IN LIEU OF REPLACEMENT, SUBJECT TO APPROVAL OF CITY ENGINEER.



CONSTRUCTION BOARD	APPROVED	DATE	BY	REVISIONS	APP'D	DATE	REVISIONS	SCALE	OFFICE
CONTRACT NO.									
PROJECT NO.									
DATE COMPLETED									
DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY						
PLANT PREPARED UNDER SUPERVISION OF									
DATE									
P.C.E. NO.									

CITY OF ESCONDIDO
 DEPT. OF PUBLIC WORKS
 SPECIFIC PLAN FOR THE ALIGNMENT OF:
FELICITA ROAD AND HAMILTON LANE
 Drawing No. **XX-XXXX**
 Sheet 5 of 6

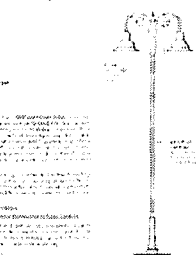
**PROPOSED PROJECT
SUB 13-0002**

SAP

CONTINUED ABOVE

STREET LIGHT DETAIL
(DETAIL SHOWN OR EQUIVALENT SHALL BE PROVIDED)

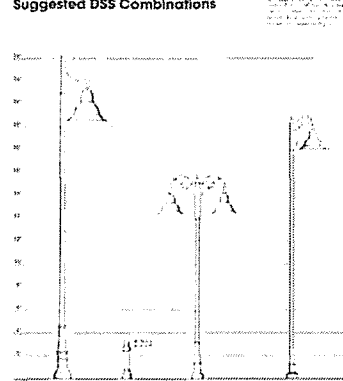
DSS Fixture Specifications and Ordering



Notes:
 1. All fixtures shall be of the same design and height as shown on this plan.
 2. All fixtures shall be of the same design and height as shown on this plan.
 3. All fixtures shall be of the same design and height as shown on this plan.
 4. All fixtures shall be of the same design and height as shown on this plan.
 5. All fixtures shall be of the same design and height as shown on this plan.

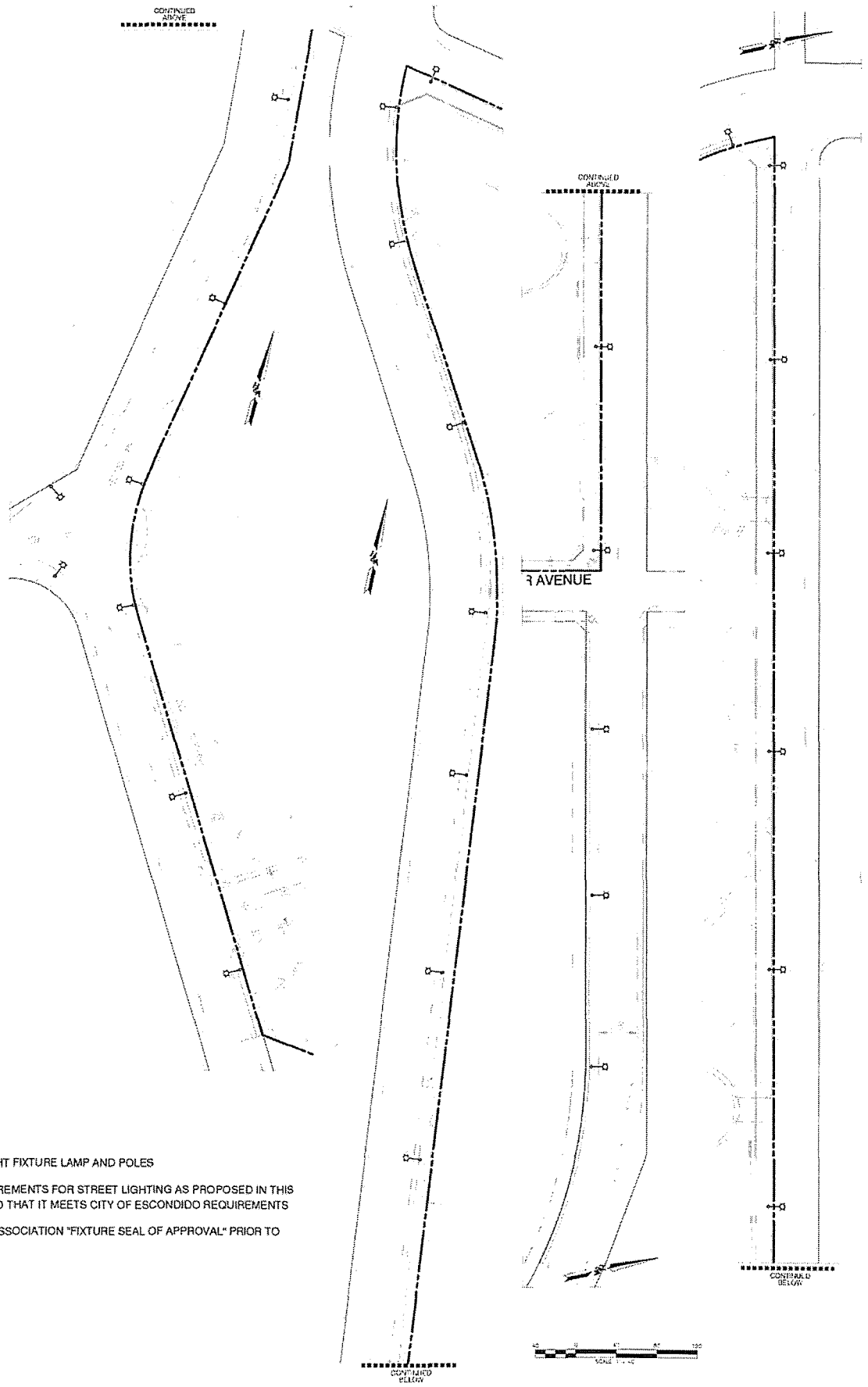
Item	Quantity	Description	Notes
1	1	Street Light Pole	15' Ht.
2	1	Street Light Fixture	150W LED
3	1	Street Light Pole	15' Ht.
4	1	Street Light Fixture	150W LED

Suggested DSS Combinations



Item	Quantity	Description	Notes
1	1	Street Light Pole	15' Ht.
2	1	Street Light Pole	15' Ht.
3	1	Street Light Pole	15' Ht.

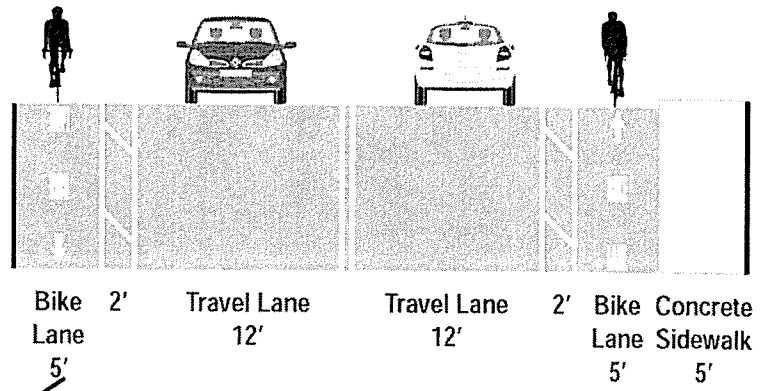
NOTES:
 ABOVE ARE ILLUSTRATIONS OF SAMPLE LIGHT FIXTURE LAMP AND POLES
 CITY HAS REVIEWED THE TECHNICAL REQUIREMENTS FOR STREET LIGHTING AS PROPOSED IN THIS SPECIFIC ALIGNMENT PLAN AND CONFIRMED THAT IT MEETS CITY OF ESCONDIDO REQUIREMENTS
 PROPOSED FIXTURE WILL HAVE DARK SKY ASSOCIATION "FIXTURE SEAL OF APPROVAL" PRIOR TO INSTALLATION



PROPOSED PROJECT
SUB 13-0002

SAP

Proposed Road Improvement

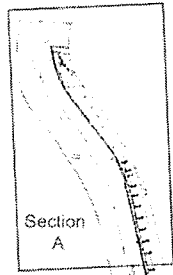


Place additional advanced warning signs for the stop ahead**

No widening proposed on Felicita Rd north of Hamilton Ln

Hamilton Ln
*All-Way Stop Control

Refer to Oak Creek Tentative Map for additional information



Radar-activated Speed Sign [Speed Check / Information Display]

- Road Widening
- Striping Modifications Only (No Widening)
- Future Stop Signs
- **Additional Advanced Warning Signs
-

Conceptual Not to Scale Schematic

Figure 1
Section A

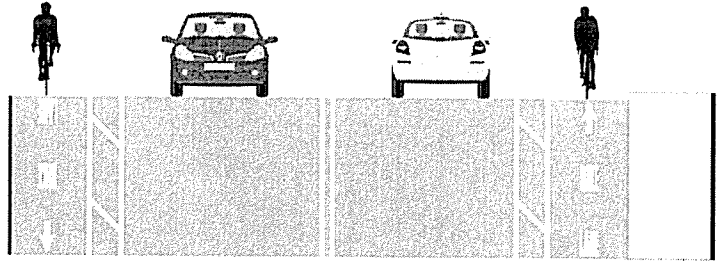
FELICITA ROAD TRAFFIC CALMING

**PROPOSED PROJECT
SUB 13-0002**



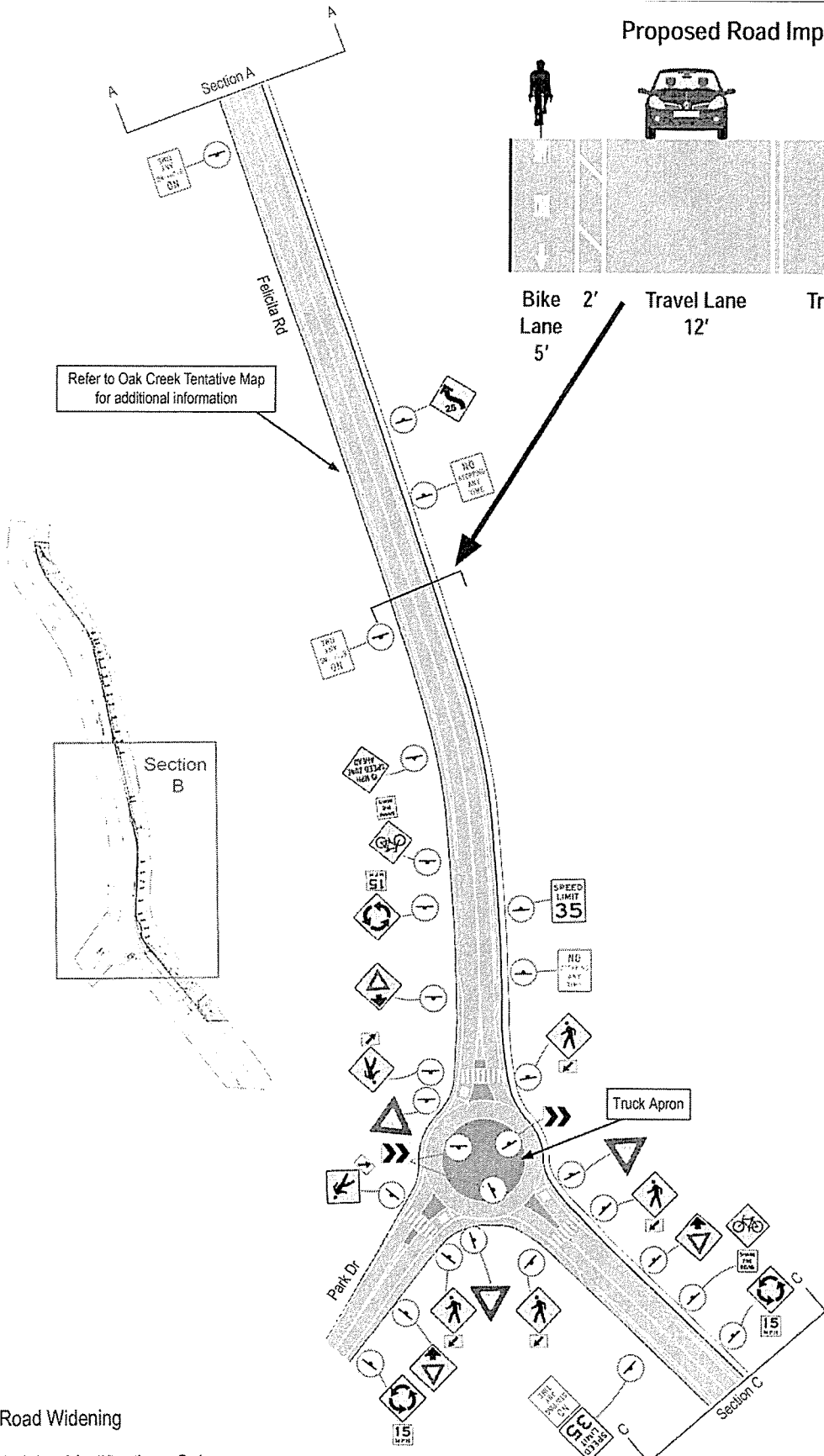
STREET SECTION

Proposed Road Improvement



Bike Lane 5' 2' Travel Lane 12' Travel Lane 12' 2' Bike Lane 5' Concrete Sidewalk 5'

Refer to Oak Creek Tentative Map for additional information



Road Widening

Striping Modifications Only
(No Widening)

Conceptual Not to Scale Schematic

Figure 2

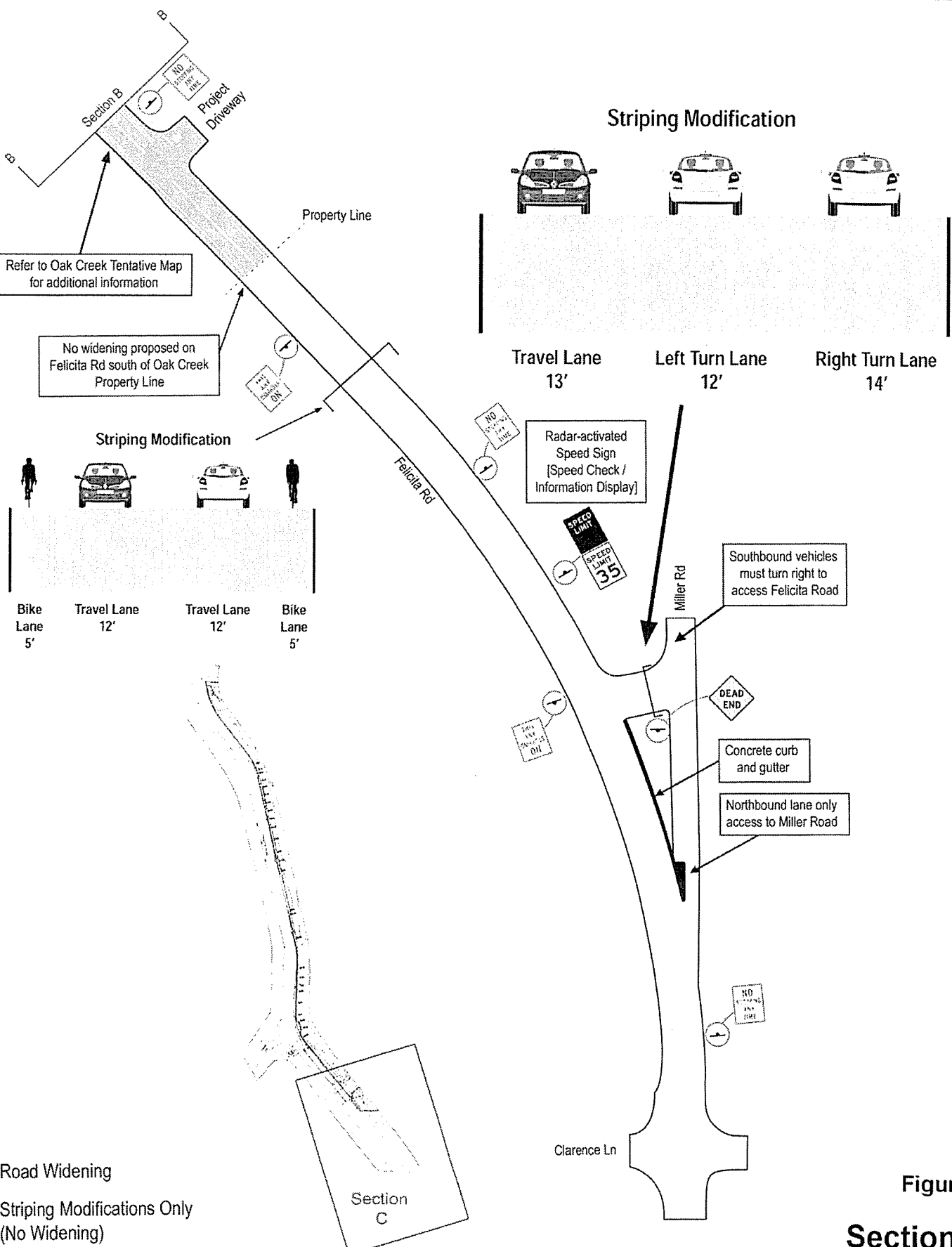
Section B

FELICITA ROAD TRAFFIC CALMING

**PROPOSED PROJECT
SUB 13-002**



STREET SECTION



Striping Modification



Travel Lane 13' Left Turn Lane 12' Right Turn Lane 14'

Striping Modification



Bike Lane 5' Travel Lane 12' Travel Lane 12' Bike Lane 5'

Figure 3

Section C

Conceptual Not to Scale Schematic

FELICITA ROAD TRAFFIC CALMING

**PROPOSED PROJECT
SUB 13-0002**

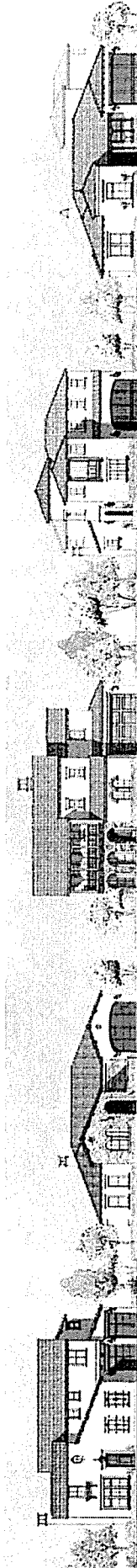


STREET SECTION

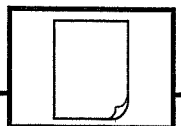
OAK CREEK

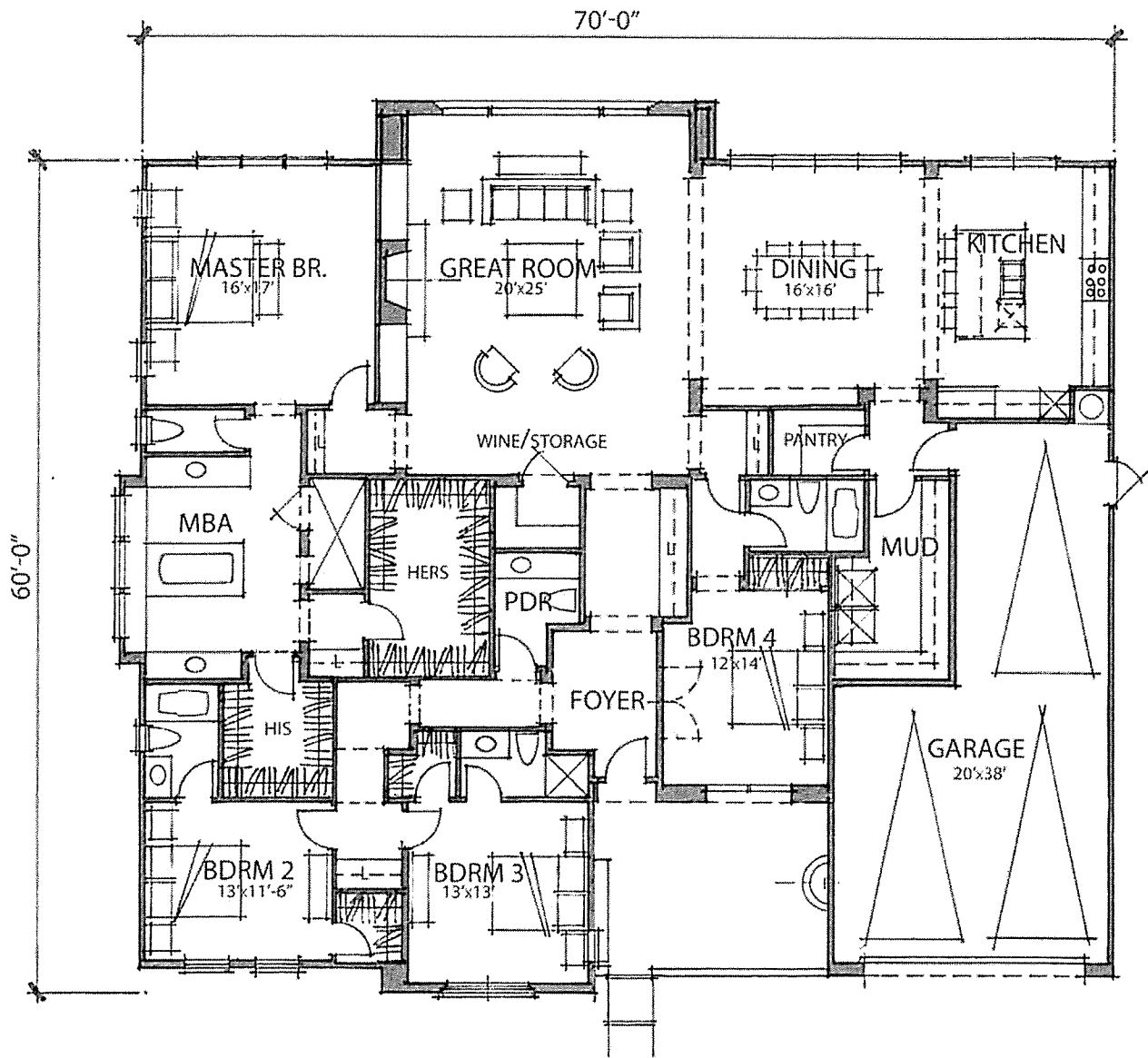
ESCONDIDO, CA

ARCHITECTURAL DESIGN REVIEW



PROPOSED PROJECT
SUB 13-0002



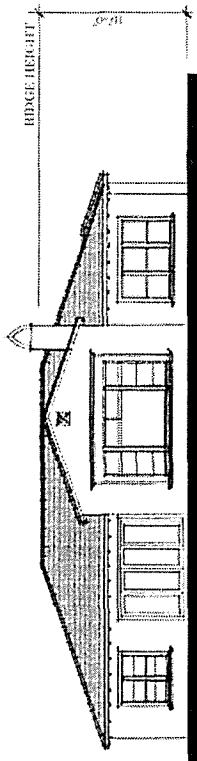


PLAN 1
3,334 SF TOTAL

PROPOSED PROJECT
SUB 13-0002

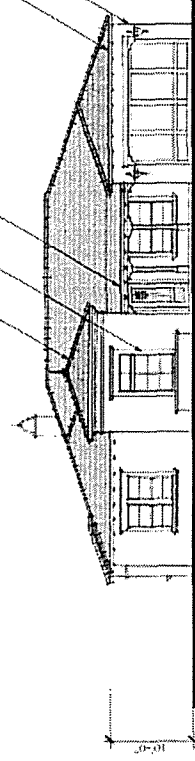


FLOOR PLAN



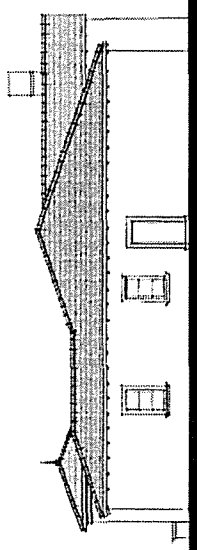
REAR ELEVATION

- FLAT CONCRETE ROOF TILE
- STUCCO TRIM
- WOOD DETAIL
- WOOD FASCIA
- STUCCO WALL

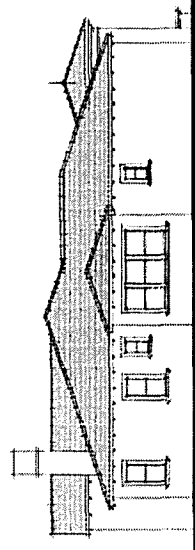


FRONT ELEVATION

ELEVATIONS 1A



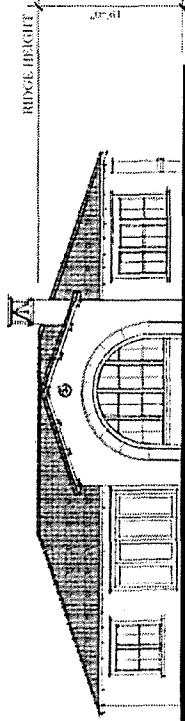
RIGHT ELEVATION



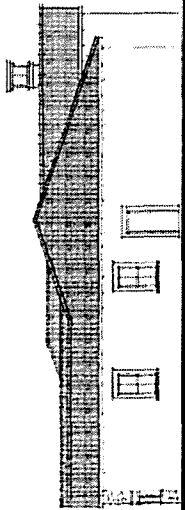
LEFT ELEVATION

PROPOSED PROJECT
SUB 13-0002



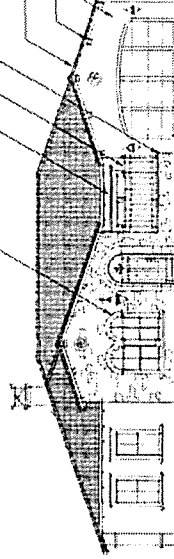


REAR ELEVATION

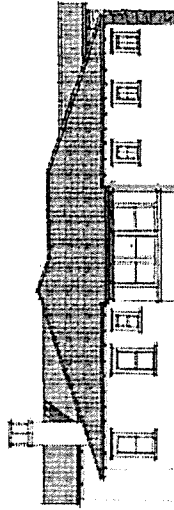


RIGHT ELEVATION

- CAST CONCRETE TRIM OVER FOAM
- STUCCO TRIM
- WROUGHT IRON DETAIL
- STONE VENEER
- CONCRETE S. ROOF TILE
- WOOD FASCIA
- STUCCO WALL



FRONT ELEVATION



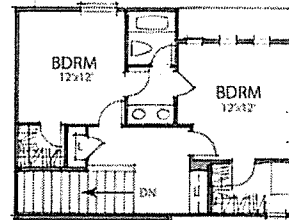
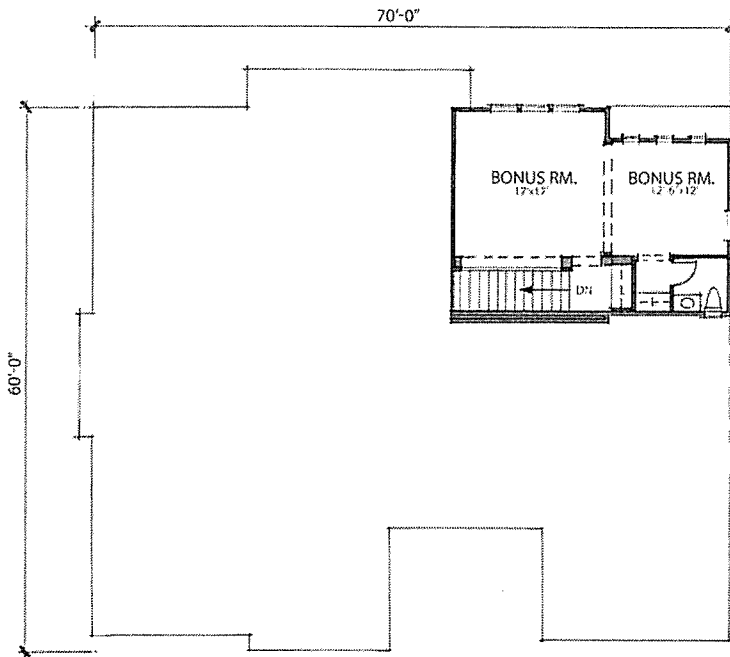
LEFT ELEVATION

ELEVATIONS 1B

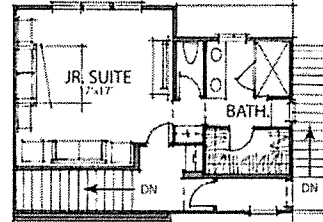
PROPOSED PROJECT
SUB 13-0002



ELEVATIONS

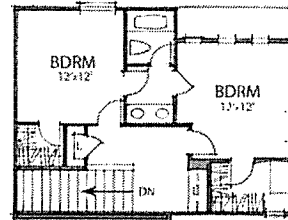
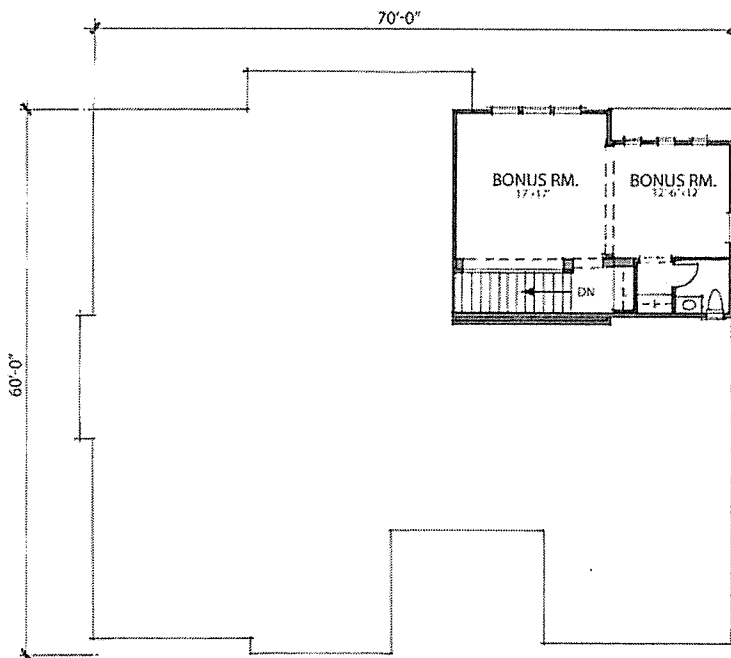


BEDROOM OPTION

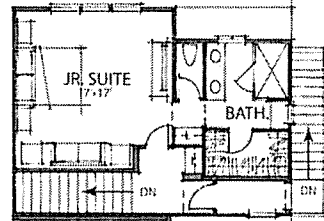


JUNIOR SUITE WITH PRIVATE ENTRY OPTION

PLAN 1X
UPPER LEVEL 622 SF



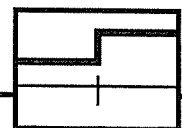
BEDROOM OPTION



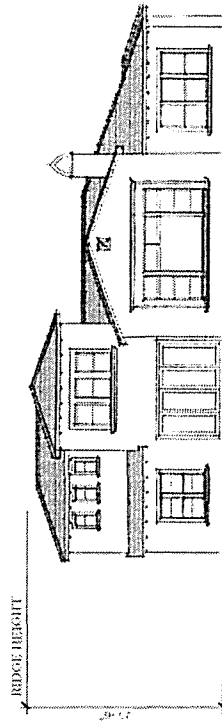
JUNIOR SUITE WITH PRIVATE ENTRY OPTION

PLAN 1X
UPPER LEVEL 622 SF

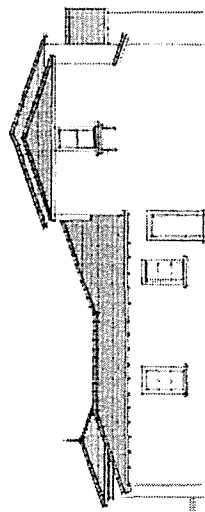
PROPOSED PROJECT
SUB 13-0002



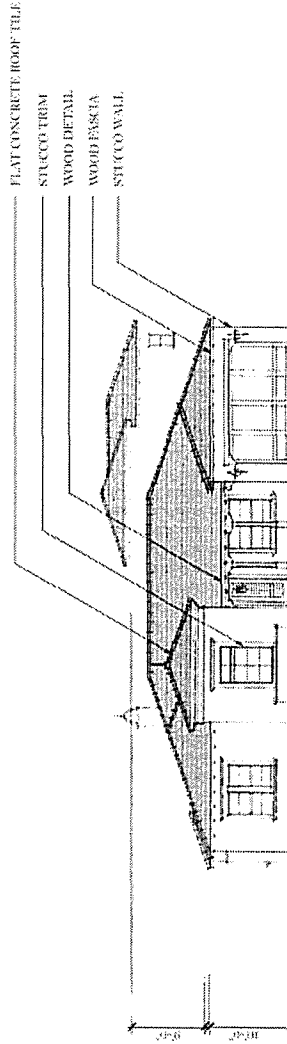
FLOOR PLAN



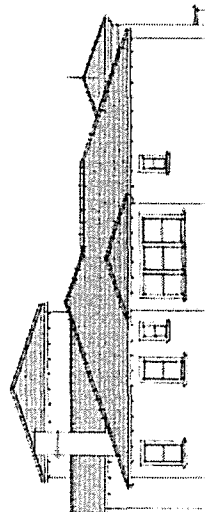
REAR ELEVATION



RIGHT ELEVATION



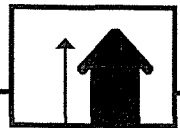
FRONT ELEVATION

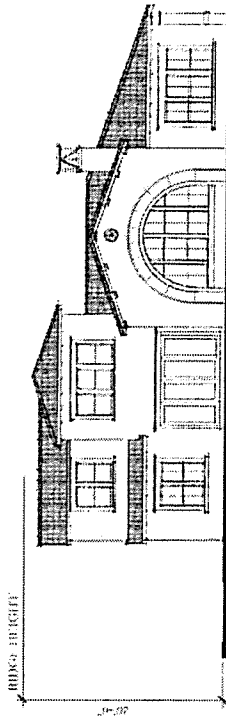


LEFT ELEVATION

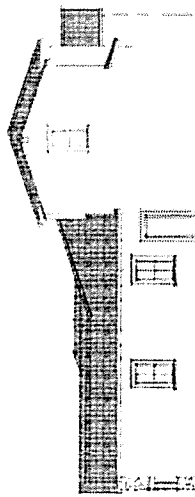
ELEVATIONS 1A-X

PROPOSED PROJECT
SUB 13-0002

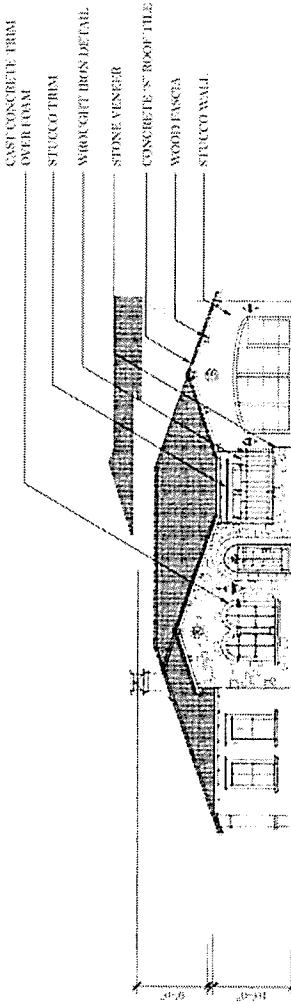




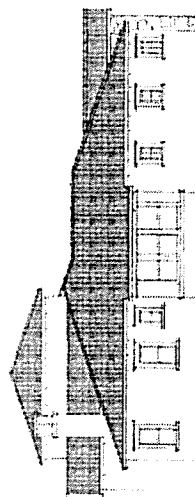
REAR ELEVATION



RIGHT ELEVATION



FRONT ELEVATION

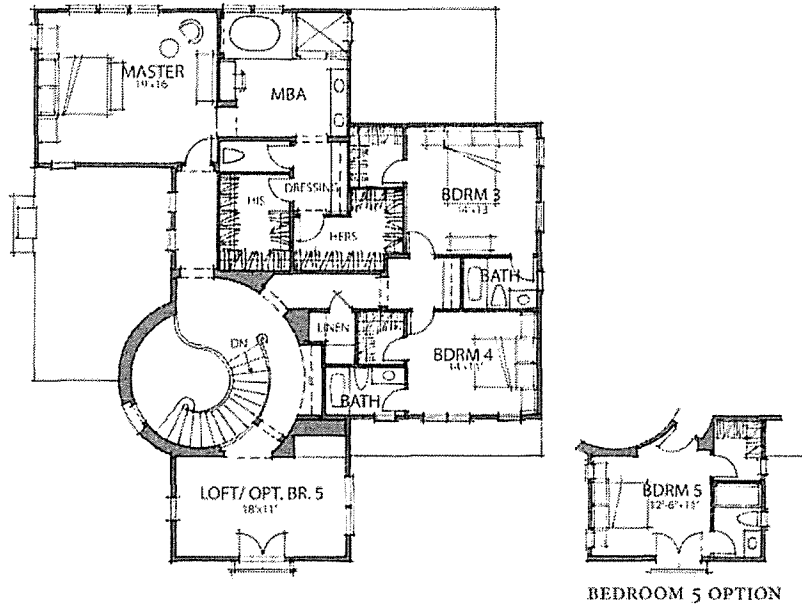


LEFT ELEVATION

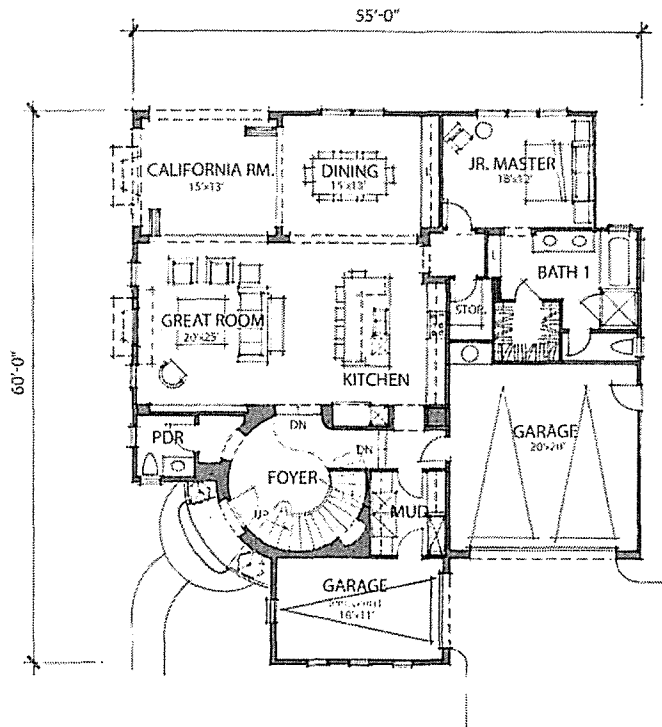
ELEVATIONS 1B-X

PROPOSED PROJECT
SUB 13-0002



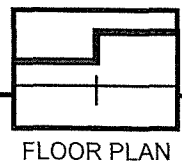


PLAN 2
UPPER LEVEL
1,959 SF

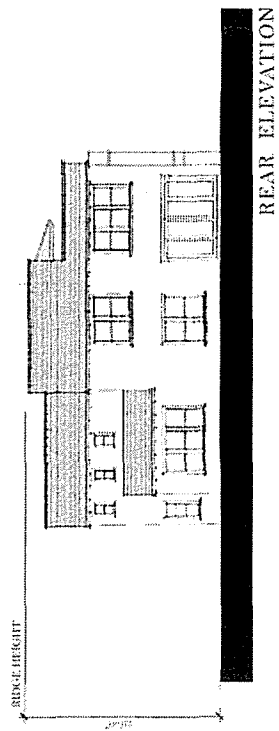


PLAN 2
LOWER LEVEL
1,866 SF
3,825 SF TOTAL

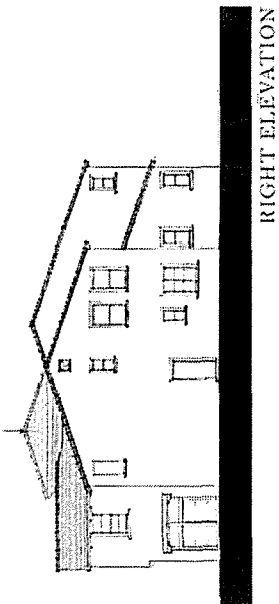
PROPOSED PROJECT
SUB 13-0002



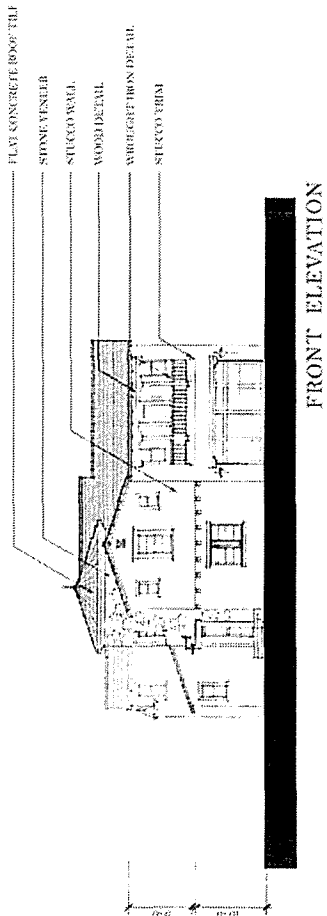
FLOOR PLAN



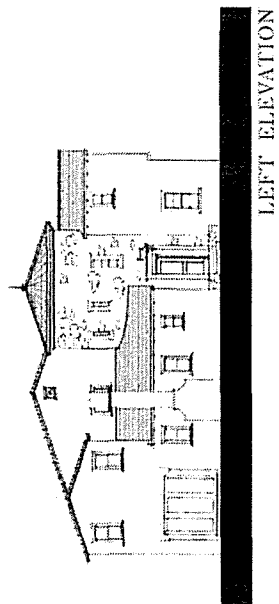
REAR ELEVATION



RIGHT ELEVATION



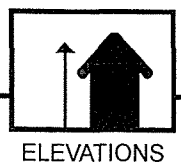
FRONT ELEVATION



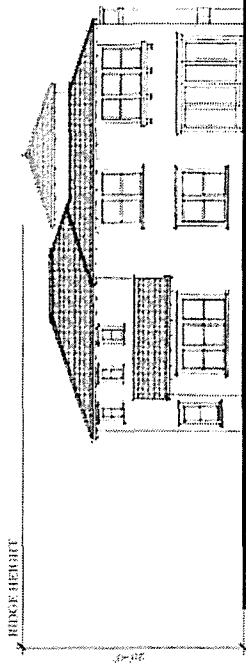
LEFT ELEVATION

ELEVATIONS 2A

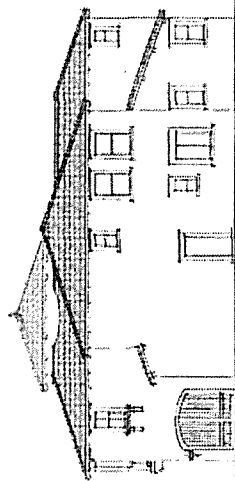
PROPOSED PROJECT
SUB 13-0002



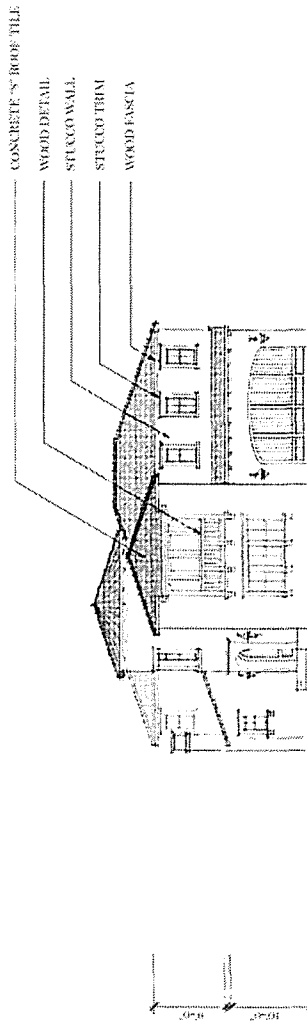
ELEVATIONS



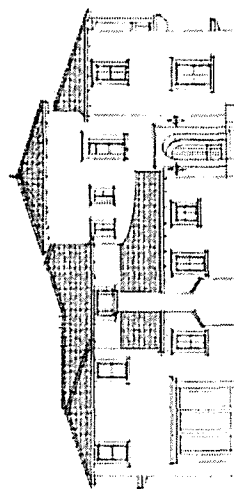
REAR ELEVATION



RIGHT ELEVATION



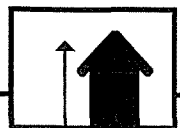
FRONT ELEVATION

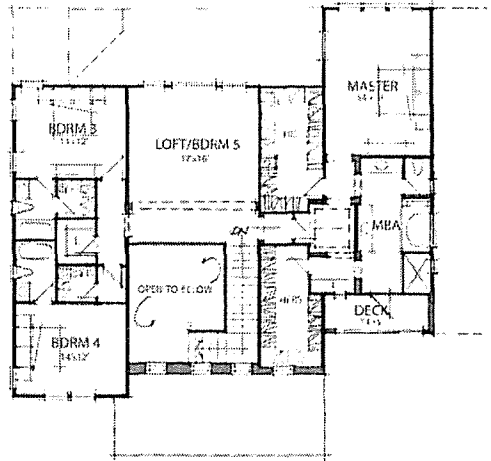


LEFT ELEVATION

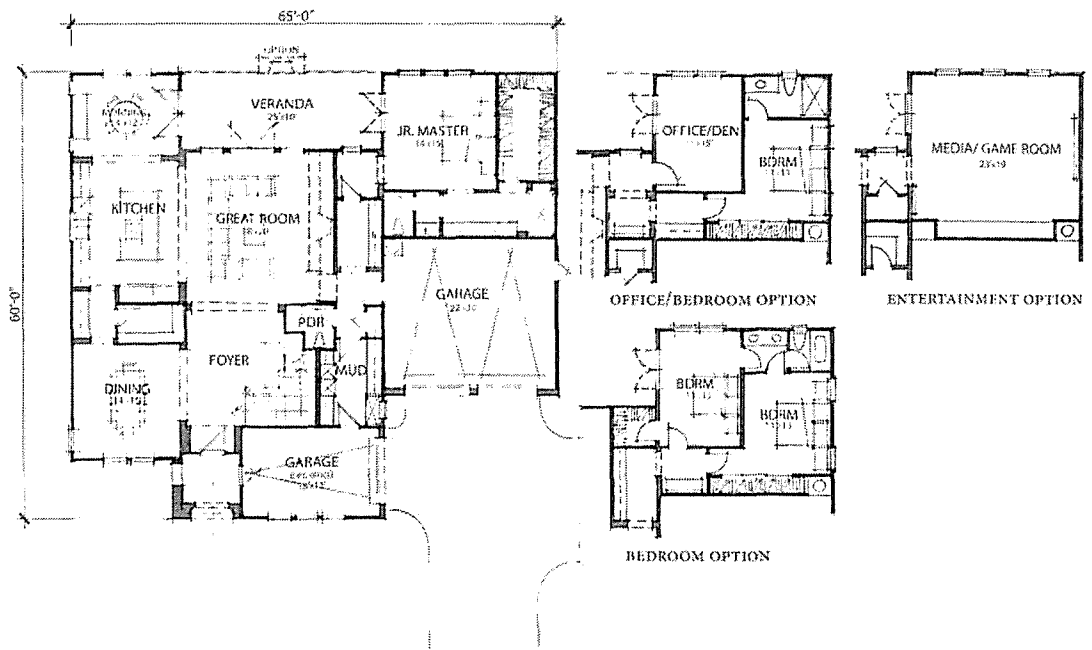
ELEVATIONS 2B

PROPOSED PROJECT
SUB 13-0002



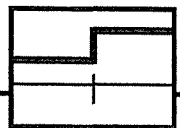


PLAN 3
UPPER LEVEL
1,885 SF

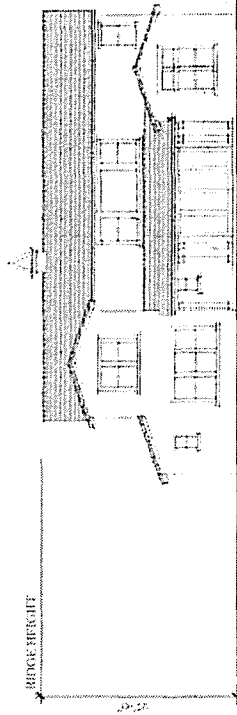


PLAN 3
LOWER LEVEL
2,313 SF
4,198 SF TOTAL

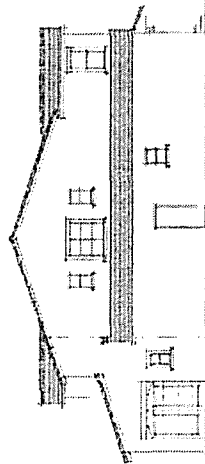
PROPOSED PROJECT
SUB 13-0002



FLOOR PLAN

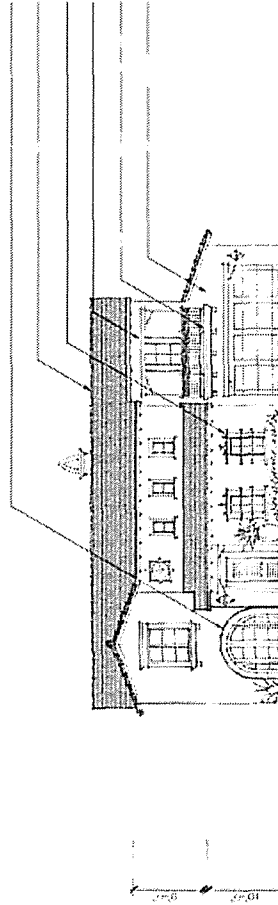


REAR ELEVATION

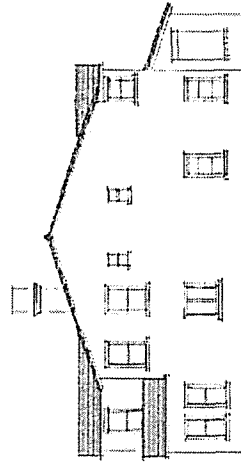


RIGHT ELEVATION

CAST CONCRETE TRIM
OVER FOAM
FLAT CONCRETE ROOF TILE
WROUGHT IRON DETAIL
WOOD DETAIL
STUCCO TRIM
STUCCO WALL



FRONT ELEVATION

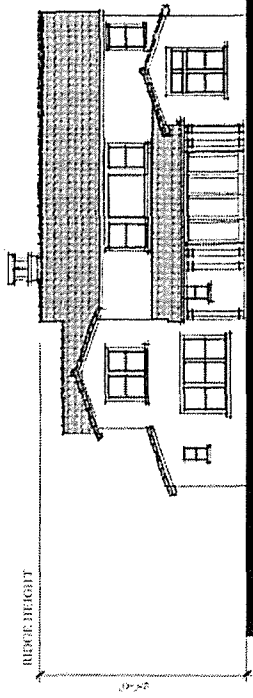


LEFT ELEVATION

ELEVATIONS 3A

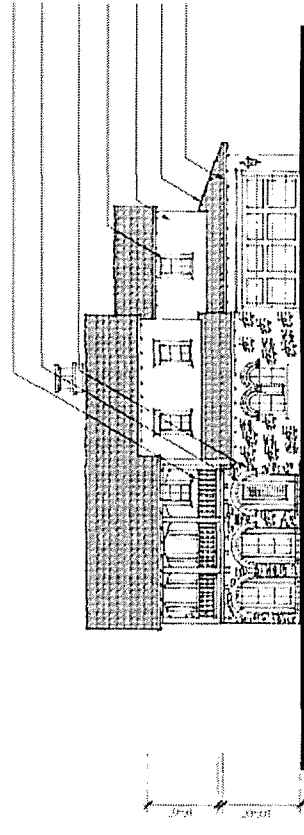
PROPOSED PROJECT
SUB 13-0002





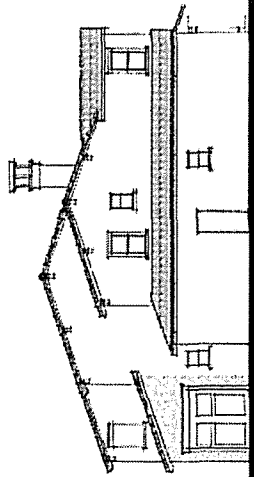
REAR ELEVATION

- WOOD DETAIL
- CAST CONCRETE TRIM
- OVER FOAM
- STONE VENEER
- STUCCO TRIM
- STUCCO WALL
- CONCRETE SUBROOFING
- WOOD FASCIA

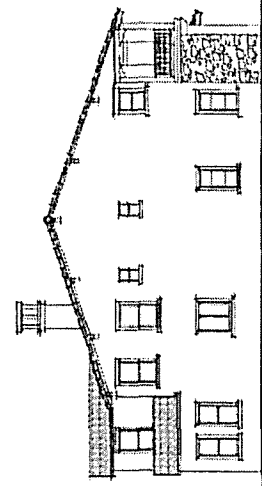


FRONT ELEVATION

ELEVATIONS 3B



RIGHT ELEVATION

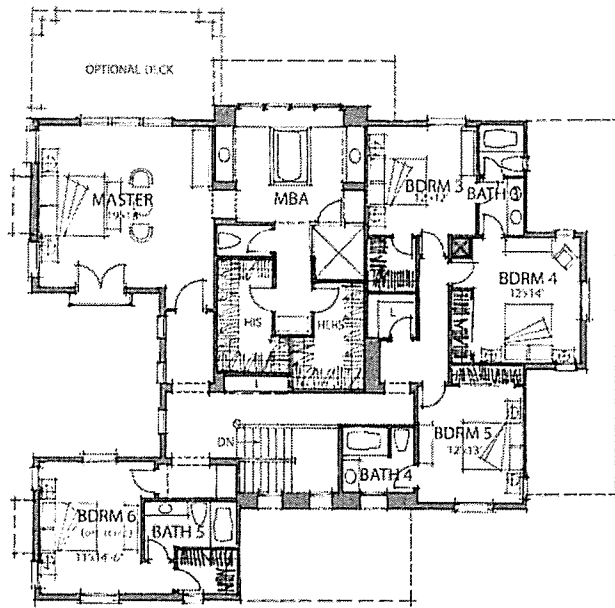


LEFT ELEVATION

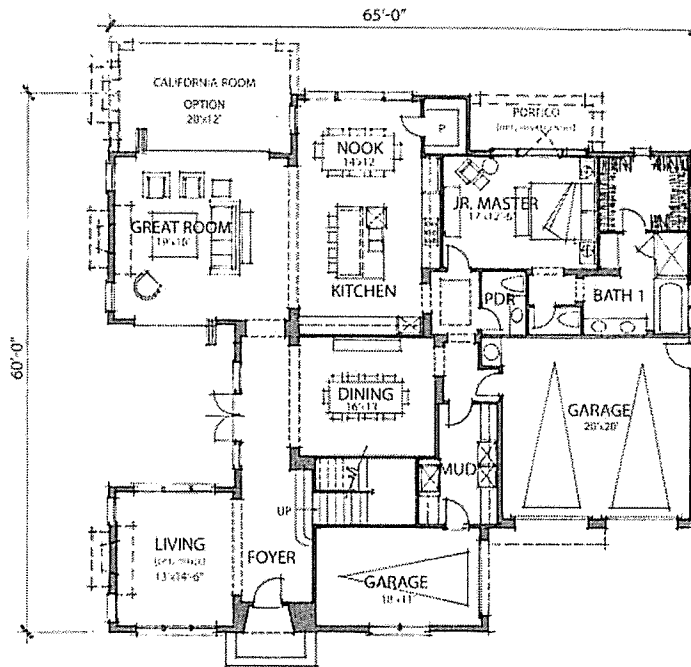
PROPOSED PROJECT
SUB 13-0002



ELEVATIONS



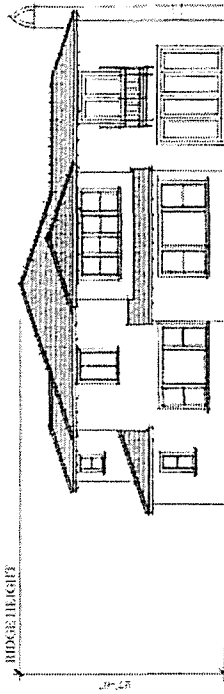
PLAN 4
 UPPER LEVEL
 2,337 SF



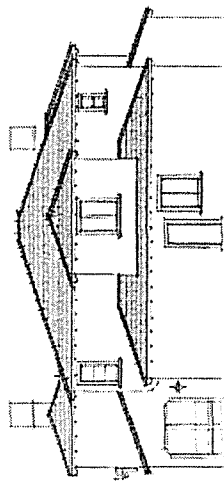
PLAN 4
 LOWER LEVEL
 2,380 SF
 4,617 SF TOTAL

PROPOSED PROJECT
SUB 13-0002

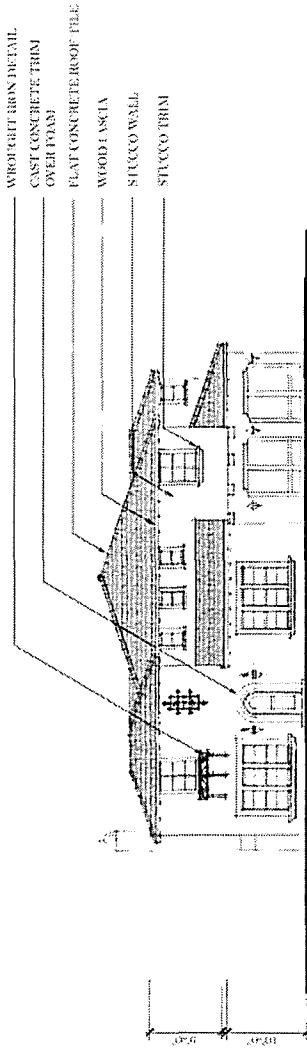




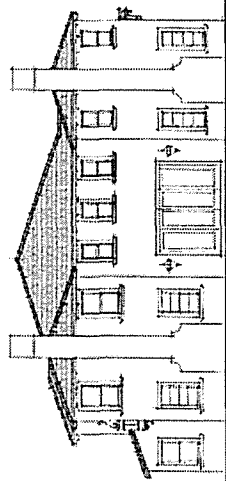
REAR ELEVATION



RIGHT ELEVATION



FRONT ELEVATION

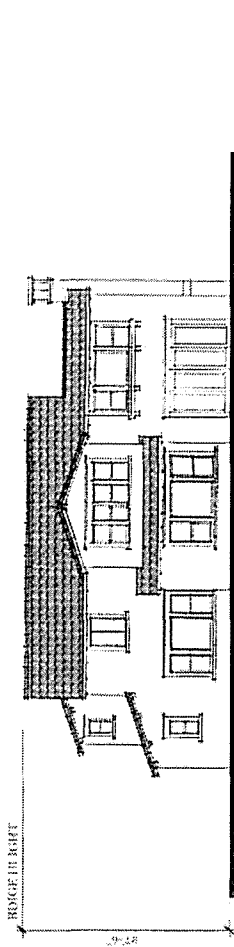


LEFT ELEVATION

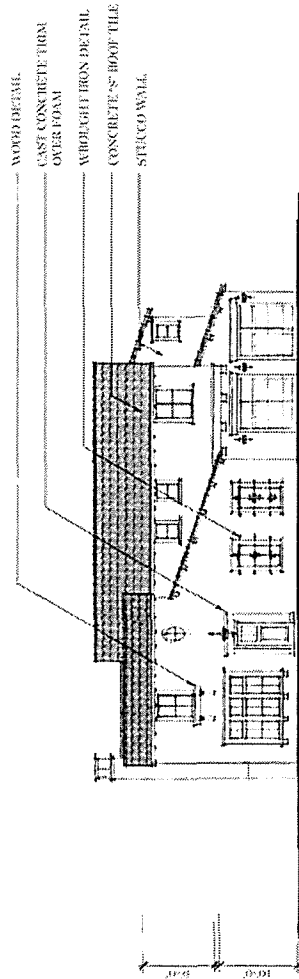
ELEVATIONS 4A

PROPOSED PROJECT
SUB 13-0002



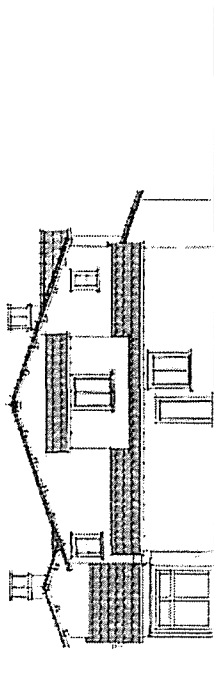


REAR ELEVATION

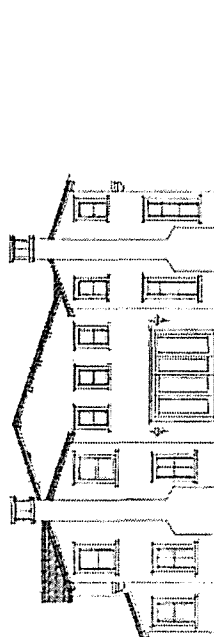


FRONT ELEVATION

ELEVATIONS 4B



RIGHT ELEVATION



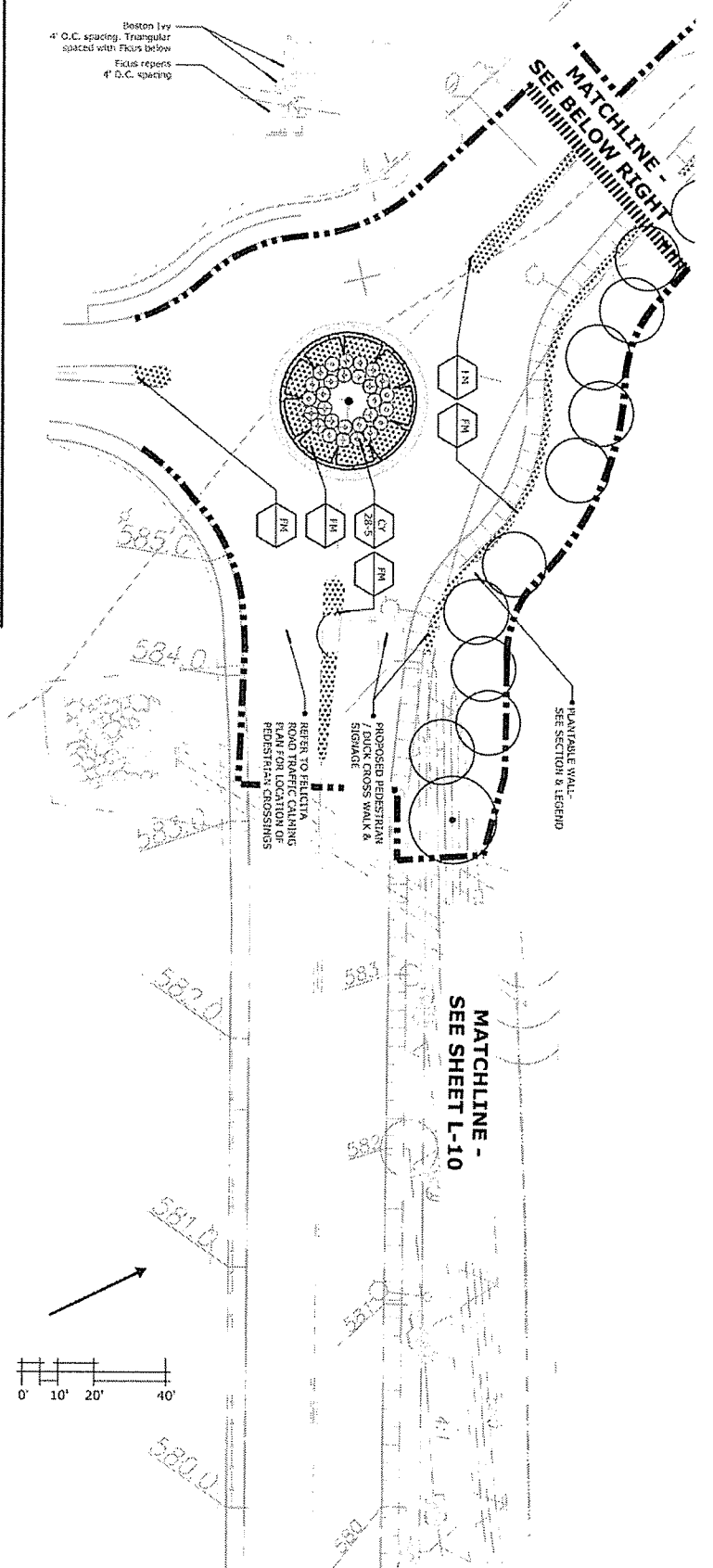
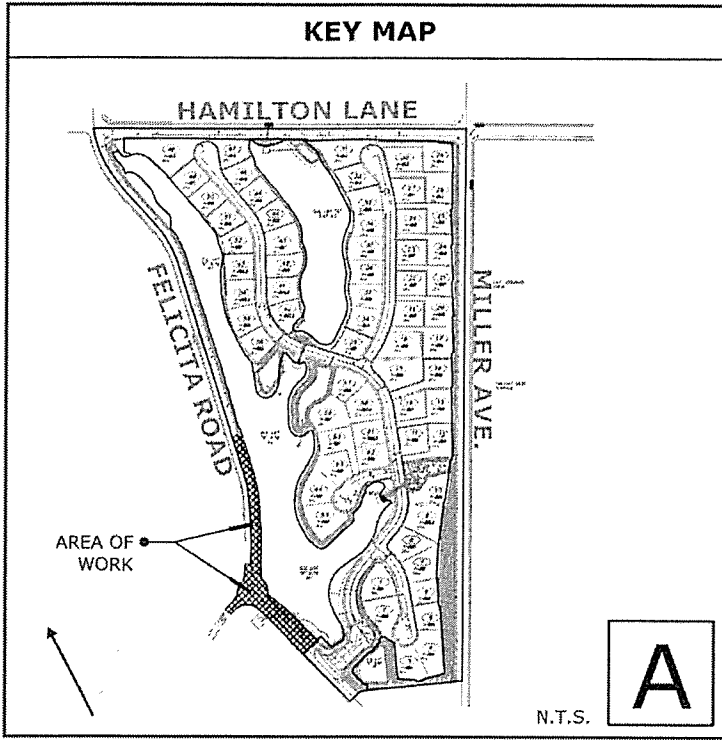
LEFT ELEVATION

- WOOD DETAIL
- CAST CONCRETE FORM OVER FORM
- WHEATGIRT IRON DETAIL
- CONCRETE 8\"/>

PROPOSED PROJECT
SUB 13-0002



KEY MAP



Plantable Wall

PERIMETER STREETS - SHRUB SCHEDULE

SYMB.	ABR.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS
---	AT	Agave attenuata	Foxtail Agave	5 Gal	36" O.C.	L
---	AB	Anigozanthus f. 'Bush Gold'	Kangaroo Paw	5 Gal	30" O.C.	L
---	AJC	Arbutus unedo 'Compacta'	Dwarf Strawberry Tree	5 Gal	48" O.C.	L
	CY	Ceanothus g.h. 'Yankee Plant'	California Lilac	5 Gal	5' O.C.	L
---	CP	Cistus x 'Purpureus'	Rockrose	5 Gal	36" O.C.	L
	CS	Cistus salvifolius	Sageleaf Rockrose	1 Gal	30" O.C.	L
---	CA	Crassula argentea	Jade Plant	5 Gal	36" O.C.	L
---	FC	Encelia californica	California Brittonbush	1 Gal	36" O.C.	L
---	EP	Epilobium canum	California Fuchsia	1 Gal	36" O.C.	L
	FN	Festuca mairei	Athas Fescue	Liners	24" O.C.	M
	FR	Festuca rubra	Red Fescue	Liners	18" O.C.	L
	JP	Juncus patens	California Gray Rush	Liners	18" O.C.	M
	IH	Iva hesperia	San Diego Marsh Elder	1 Gal	6' O.C.	L
	SA	Sesleria autumnalis	Autumn Moor Grass	1 Gal	24" O.C.	M
---	NP	Myoporum p. 'Pacificum'	Creeping Myoporum	1 Gal	6' O.C.	L
---	RC	Romneya coulteri	Mexijia Poppy	1 Gal	48" O.C.	L
	SM	Senecio mandraliscae	Blue Chalksticks	4" Pots	18" O.C.	L
	TL	Trichostema lanatum	Woolly Blue Curly	5 Gal	36" O.C.	M

FIRE PROTECTION NOTE: All plants material has been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

PLANTABLE WALL SCHEDULE

BOTANICAL NAME	COMMON NAME	SPACE.	SIZE	WUCOLS
Ficus repens	Creeping Fig	4' O.C.	1 Gal.	M
Parthenocissus tricuspidata	Boston Fig	4' O.C.	1 Gal.	M

NOTE: Refer to civil engineer's plans for plantable wall heights and locations. Refer to diagram on sheets 4 & 5 of this package.

**PROPOSED PROJECT
SUB 13-0002**



LANDSCAPE PLAN

L-1

PERIMETER STREETS - TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	Heteromeles arbutifolia	Toyon	Multi	24" Box	L
	Cercis occidentalis	Western Redbud	Multi	24" Box	L
	Platanus acerifolia	London Plane Tree	Std.	24" Box	M
	Platanus racemosa	Western Sycamore	Std.	24" Box	M
	Quercus agrifolia	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	Quercus agrifolia	Coast Live Oak	Natural	24" Box	L

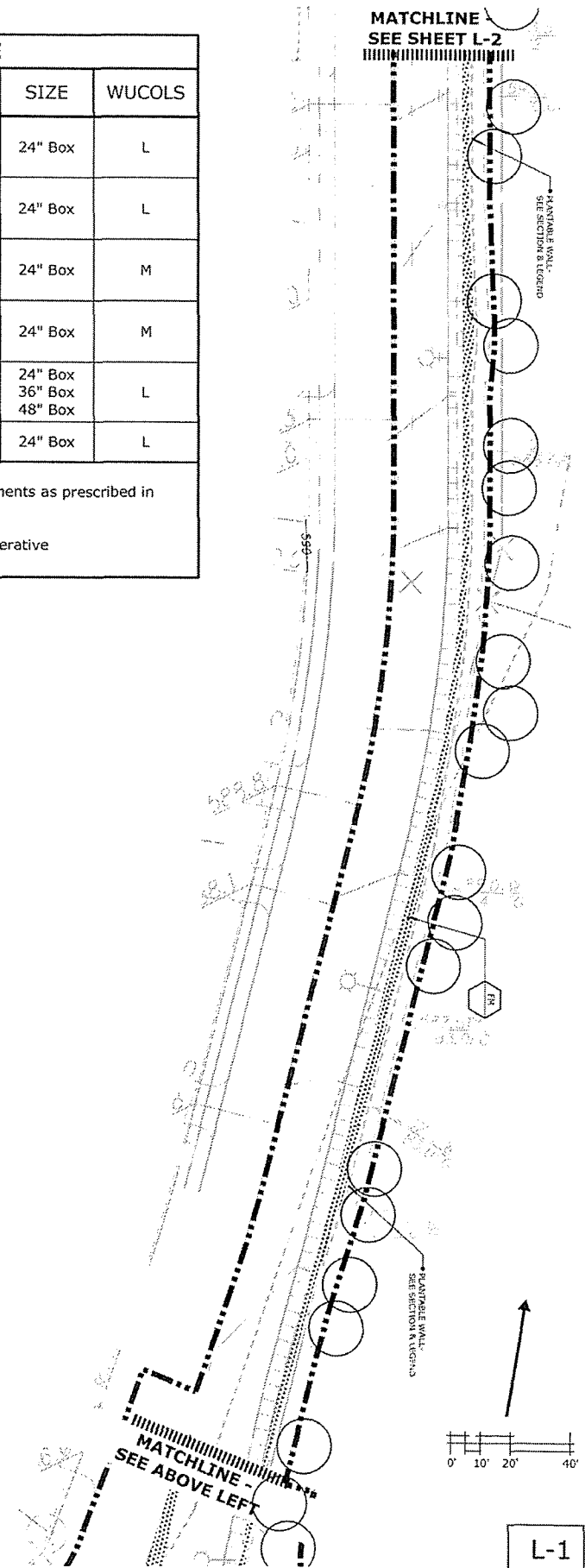
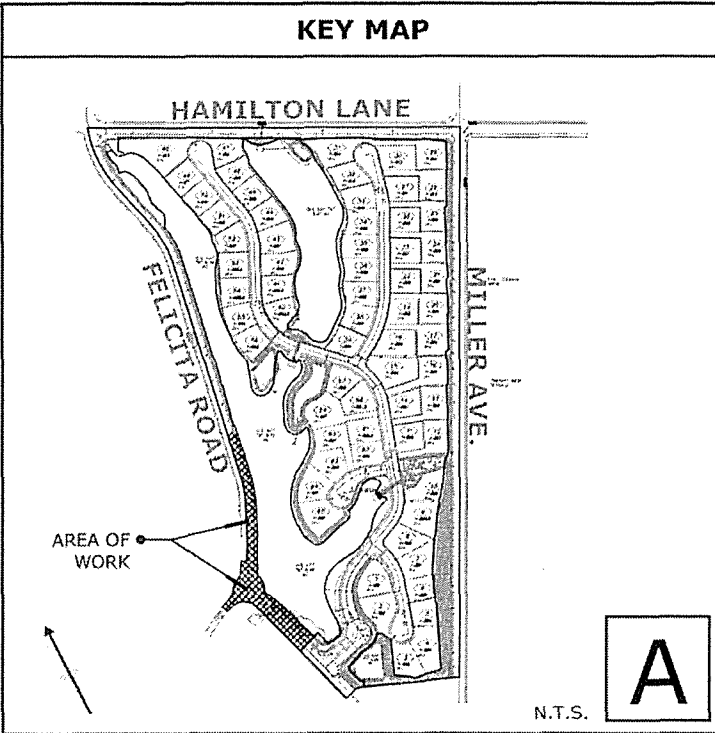
FIRE PROTECTION NOTE:

All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

WUCOLS NOTE:

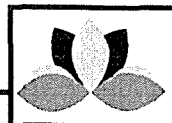
WUCOLS, Water Use Classification of Landscape Species, is a University of California Cooperative Extension publication and is a guide to the water needs of the landscape plants.

KEY MAP



L-1

**PROPOSED PROJECT
SUB 13-0002**



LANDSCAPE PLAN

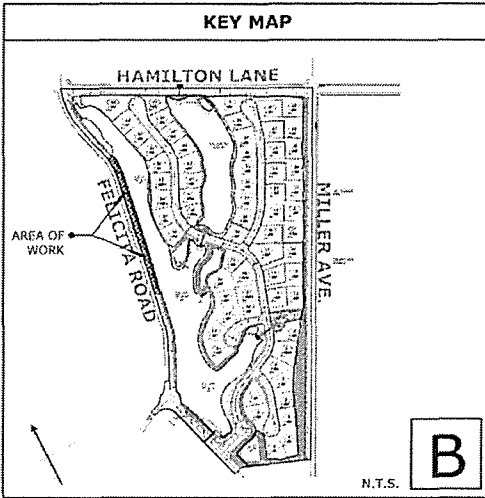
Plantable Wall

PLANTABLE WALL SCHEDULE

BOTANICAL NAME	COMMON NAME	SPACE	SIZE	WUCOLS
<i>Ficus repens</i>	Creeping Fig	4' O.C.	1 Gal.	M
<i>Parthenocissus tricuspidata</i>	Boston Fig	4' O.C.	1 Gal.	M

NOTE: Refer to civil engineer's plans for plantable wall heights and locations. Refer to diagram on sheets 4 & 5 of this package.

KEY MAP



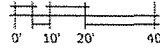
PERIMETER STREETS - SHRUB SCHEDULE

SYMB.	ADR	BOTANICAL NAME	COMMON NAME	SIZE	SPACINGS	WUCOLS
---	AT	<i>Agave attenuata</i>	Frisch Agave	5 Gal	35' O.C.	L
---	AB	<i>Aspidistra f. 'Bath Gold'</i>	Kangaroo Paw	5 Gal	30' O.C.	L
---	AVC	<i>Azalea indica 'Tutu'</i>	Doan's Azalea	5 Gal	40' O.C.	L
---	CT	<i>Camellia ssp. 'Yankee Point'</i>	Camellia Lilac	5 Gal	9' O.C.	L
---	CP	<i>Cornus s. 'Purpurea'</i>	Red Dogwood	5 Gal	35' O.C.	L
---	CS	<i>Cornus ssp. 'Satanita'</i>	Black Dogwood	1 Gal	30' O.C.	L
---	GA	<i>Conoclinium ssp. 'Blue'</i>	Blue Top	5 Gal	30' O.C.	L
---	EC	<i>Echinacea ssp. 'White'</i>	White Coneflower	1 Gal	30' O.C.	L
---	ET	<i>Echinacea ssp. 'Purple'</i>	Purple Coneflower	1 Gal	30' O.C.	L
---	FM	<i>Fuchsia ssp. 'Mardi Gras'</i>	Mardi Gras Fuchsia	1 Gal	24' O.C.	M
---	FR	<i>Fuchsia ssp. 'Riverside'</i>	Riverside Fuchsia	1 Gal	24' O.C.	M
---	JP	<i>Juncus ssp. 'Patens'</i>	Patens Juncus	1 Gal	18' O.C.	M
---	TH	<i>Thalictrum ssp. 'Black'</i>	Black Thalictrum	1 Gal	4' O.C.	L
---	SA	<i>Sedum ssp. 'Autumn'</i>	Autumn Sedum	1 Gal	24' O.C.	M
---	SP	<i>Spiraea ssp. 'Placida'</i>	Placida Spiraea	1 Gal	9' O.C.	L
---	MC	<i>Malva ssp. 'Carmine'</i>	Carmine Malva	1 Gal	40' O.C.	L
---	SH	<i>Senecio ssp. 'Mandarin'</i>	Mandarin Senecio	4" Pots	18" O.C.	L
---	TL	<i>Teucrium ssp. 'Savoy'</i>	Savoy Teucrium	5 Gal	35' O.C.	M

PLANT PROTECTION NOTE: All plant material has been selected and arranged in consultation with Fine Protection Plant Inc. and is to be protected by a plastic mulch as specified in the report prepared by Taylor dated April 2013.

Boston Ivy
4' O.C. spacing. Ficus repens
spaced with Ficus below
Ficus repens
4' O.C. spacing

MATCHLINE -
SEE SHEET L-3



MATCHLINE -
SEE ABOVE LEFT

MATCHLINE -
SEE BELOW RIGHT

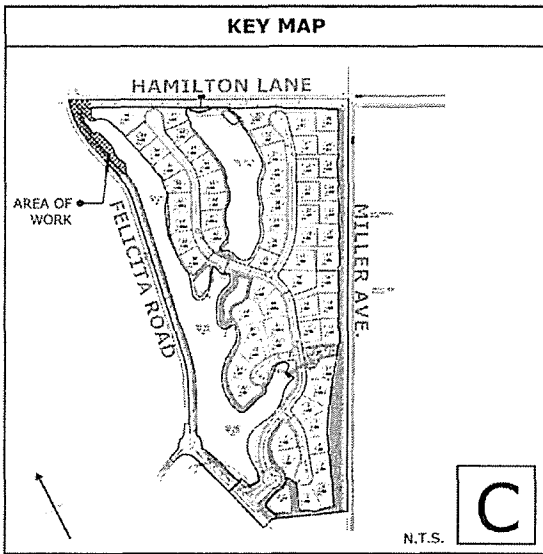
MATCHLINE -
SEE SHEET L-1

L-2

**PROPOSED PROJECT
SUB 13-0002**



LANDSCAPE PLAN



Plantable Wall

PLANTABLE WALL SCHEDULE				
BOTANICAL NAME	COMMON NAME	SPACE	SIZE	WUCOLS
<i>Ficus repens</i>	Creeping Fig	4' O.C.	1 Gal.	M
<i>Parthenocissus tricuspidata</i>	Boston Fig	4' O.C.	1 Gal.	M

NOTE: Refer to civil engineer's plans for planting wall heights and locations. Refer to diagram on sheets 4 & 5 of this package.

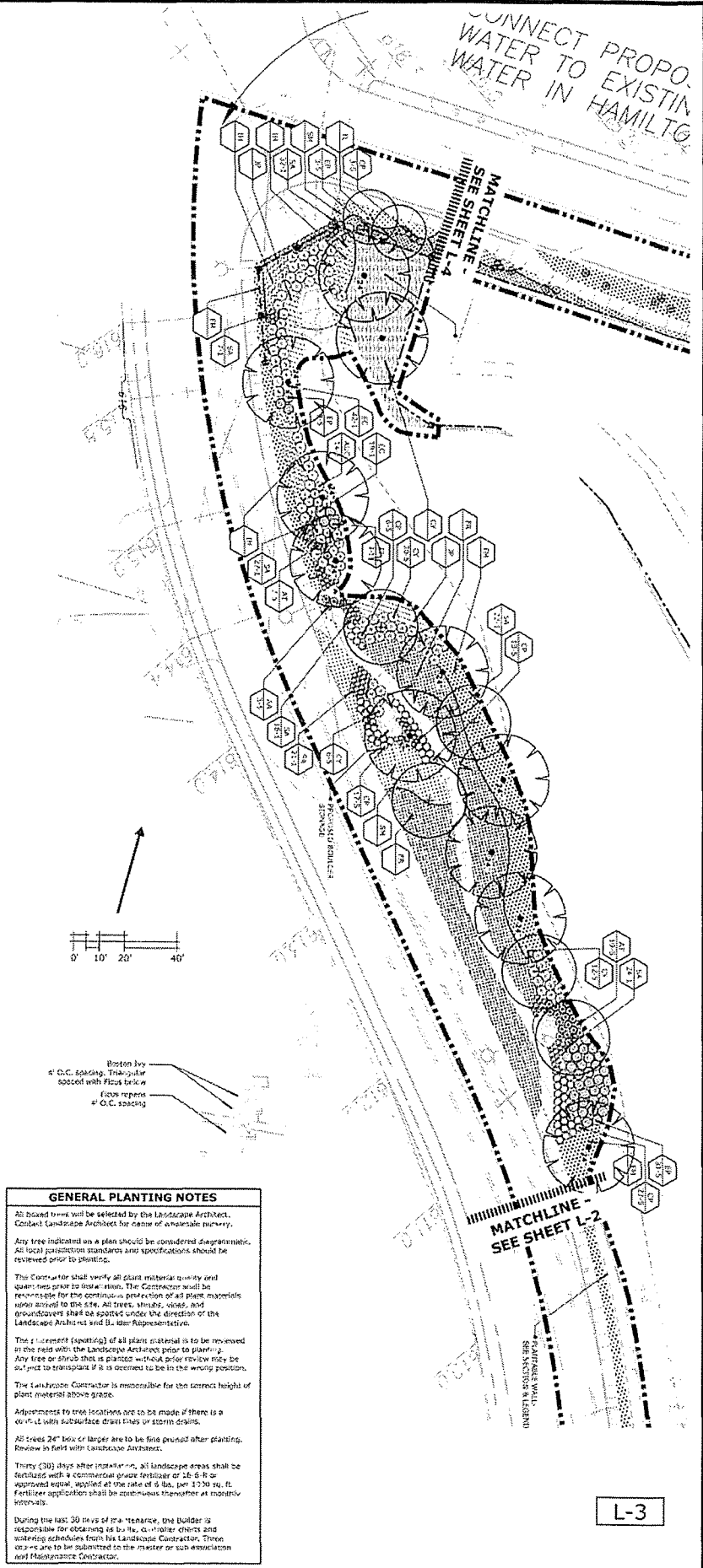
PERIMETER STREETS - TREE SCHEDULE					
SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Metrosideros arbutifolia</i>	Toyon	Multi	24" Box	L
	<i>Cercis occidentalis</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus acerifolia</i>	London Plane Tree	Std.	24" Box	M
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L

FIRE PROTECTION NOTE: All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

WUCOLS NOTE: WUCOLS, Water Use Classification of Landscape Species, is a University of California Cooperative Extension publication and is a guide to the water needs of the landscape plants.

PERIMETER STREETS - SHRUB SCHEDULE						
SYMB.	ABR.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS
AT	AT	<i>Agave attenuata</i>	Foxtail Agave	5 Gal.	36" O.C.	L
AB	AB	<i>Argemone f. 'Bush Gold'</i>	Kangaroo Paw	5 Gal.	20" O.C.	L
AJC	AJC	<i>Arbutus unedo 'Compacta'</i>	Dwarf Strawberry Tree	5 Gal.	48" O.C.	L
CY	CY	<i>Ceanothus s.p. 'Yankee Plant'</i>	California Lilac	5 Gal.	5' O.C.	L
CP	CP	<i>Cistus s. 'Purpureus'</i>	Rockrose	5 Gal.	36" O.C.	L
CS	CS	<i>Oslea salvifolia</i>	Sageleaf Rockrose	1 Gal.	36" O.C.	L
CA	CA	<i>Crosetia argentea</i>	Jade Plant	5 Gal.	36" O.C.	L
EC	EC	<i>Eriodictyon californicum</i>	California Brittlebush	1 Gal.	36" O.C.	L
EP	EP	<i>Epidendrum carsoni</i>	California Fuchsia	1 Gal.	36" O.C.	L
FM	FM	<i>Festuca mairei</i>	Atlas Fescue	liners	24" O.C.	M
FR	FR	<i>Festuca rubra</i>	Red Fescue	liners	10" O.C.	L
JP	JP	<i>Juncus patens</i>	California Gray Rush	liners	18" O.C.	M
IH	IH	<i>Iva hayesiana</i>	San Diego Marsh Elder	1 Gal.	8' O.C.	L
SA	SA	<i>Sesleria autumnalis</i>	Autumn Moor Grass	1 Gal.	24" O.C.	M
MP	MP	<i>Myoporum s. 'Pacificum'</i>	Creeping Myoporum	1 Gal.	6' O.C.	L
RC	RC	<i>Rumex crispus</i>	Hotlipa Poppy	1 Gal.	48" O.C.	L
SM	SM	<i>Senecio mandraliscae</i>	Blue Chalksticks	4" Pots	18" O.C.	L
TL	TL	<i>Trichostema lanatum</i>	Woolly Blue Currant	5 Gal.	36" O.C.	M

FIRE PROTECTION NOTE: All plant material has been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.



GENERAL PLANTING NOTES

All boxed trees will be selected by the Landscape Architect. Contact Landscape Architect for name of a nearby nursery.

Any tree indicated on a plan should be considered diagrammatic. All local jurisdiction standards and specifications should be reviewed prior to planting.

The Contractor shall verify all plant material quality and quantities prior to installation. The Contractor shall be responsible for the continuous protection of all plant materials upon arrival to the site. All trees, shrubs, vines, and groundcovers shall be spaced under the direction of the Landscape Architect and his/her representatives.

The placement (spacing) of all plants material is to be reviewed in the field with the Landscape Architect prior to planting. Any tree or shrub that is planted without prior review may be subject to transplant if it is deemed to be in the wrong position.

The Landscape Contractor is responsible for the correct height of plant material above grade.

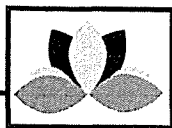
Adjustments to tree locations are to be made if there is a 60" or less with subsurface drains or storm drains.

All trees 24" box or larger are to be banded prior to planting. Review in field with Landscape Architect.

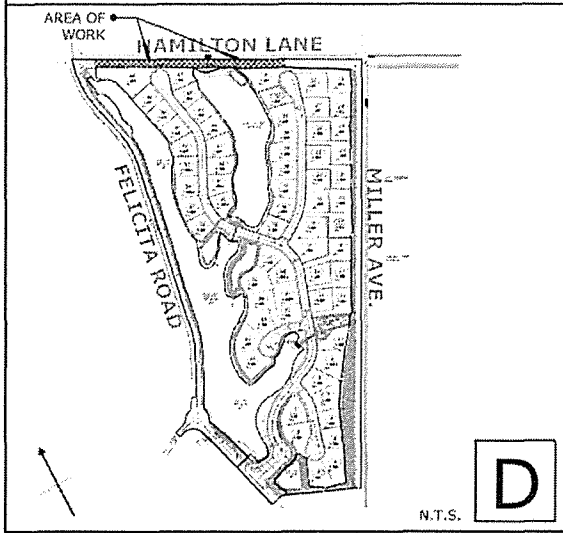
Thirty (30) days after installation, all landscape areas shall be fertilized with a commercial grade fertilizer at 26-6-6 or approved equal, applied at the rate of 6 lbs. per 1,000 sq. ft. Fertilizer application shall be continuous thereafter at regular intervals.

During the last 30 days of maintenance, the Builder is responsible for obtaining as-built drawings and maintenance schedules from the Landscape Contractor. These drawings are to be submitted to the master or sub association and Maintenance Contractor.

PROPOSED PROJECT SUB 13-0002



KEY MAP



PERIMETER STREETS - VINE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
	<i>Hardenbergia violacea</i>	Purple Vine Lilac	5 Gal.	L

WUCOLS NOTE:
WUCOLS, Water Use Classification of Landscape Species, is a University of California Cooperative Extension publication and is a guide to the water needs of the landscape plants.

PERIMETER STREETS - TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Heteromeles arbutifolia</i>	Toyon	Multi	24" Box	L
	<i>Cercocarpus betulifolia</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus arbutifolia</i>	Lemon Plane Tree	Std.	24" Box	M
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L

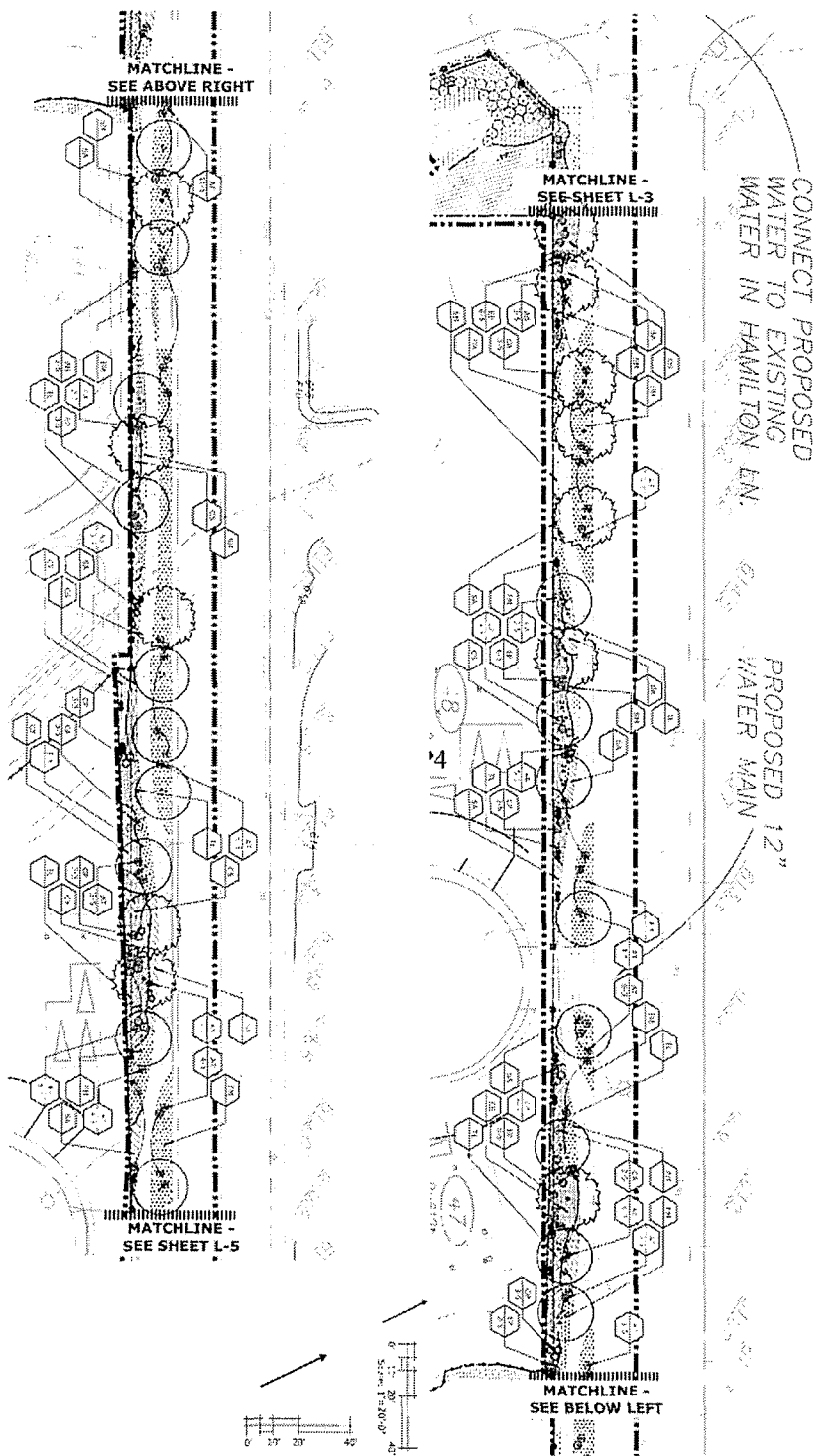
FIRE PROTECTION NOTE: All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dusek dated April 2013.

WUCOLS NOTE:
WUCOLS, Water Use Classification of Landscape Species, is a University of California Cooperative Extension publication and is a guide to the water needs of the landscape plants.

PERIMETER STREETS - SHRUB SCHEDULE

SYMB.	ABR.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS
	AT	<i>Agave attenuata</i>	Foxtail Agave	5 Gal	36" O.C.	L
	AB	<i>Amelanchier f. 'Bushy Vines'</i>	Kangaroo Paw	5 Gal	36" O.C.	L
	AUC	<i>Arbutus unedo 'Compacta'</i>	Dwarf Strawberry Tree	5 Gal	48" O.C.	L
	CY	<i>Ceanothus gl. 'Yankee Point'</i>	Ca. foreste lilac	5 Gal	5' O.C.	L
	OP	<i>Cistus x. 'Purpureus'</i>	Rockrose	5 Gal	36" O.C.	L
	CS	<i>Cistus salvifolius</i>	Sageleaf Rockrose	1 Gal	36" O.C.	L
	CA	<i>Crassula argentea</i>	Jade Plant	5 Gal	36" O.C.	L
	EC	<i>Eucalyptus californicus</i>	Ca. fernia Eucalyptus	1 Gal	36" O.C.	L
	EP	<i>Euphorbia corollata</i>	Ca. fernia Euphorbia	1 Gal	36" O.C.	L
	FM	<i>Festuca maritima</i>	Atlas Fescue	1/2 bush	24" O.C.	M
	FR	<i>Festuca rubra</i>	Red Fescue	1/2 bush	18" O.C.	L
	JP	<i>Juncus pectens</i>	California Gray Rush	1/2 bush	18" O.C.	M
	BH	<i>Iva hayesiana</i>	San Diego Murci Elder	1 Gal	6" O.C.	L
	SA	<i>Syntherisma autumnalis</i>	Autumn Hour Grass	1 Gal	24" O.C.	M
	MP	<i>Myoporum ph. 'Fair Fines'</i>	Creeping Myoporum	1 Gal	6" O.C.	L
	RC	<i>Rutinea coultteri</i>	Melissa Poppy	1 Gal	48" O.C.	L
	SM	<i>Senecio macrobotryosae</i>	Blue Chalk-sticks	4" Pots	18" O.C.	L
	TL	<i>Tridaxxema frutescens</i>	Woolly Blue Curd	5 Gal	36" O.C.	M

FIRE PROTECTION NOTE: All plant material has been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dusek dated April 2013.



CONNECT PROPOSED WATER TO EXISTING WATER IN HAMILTON LN.

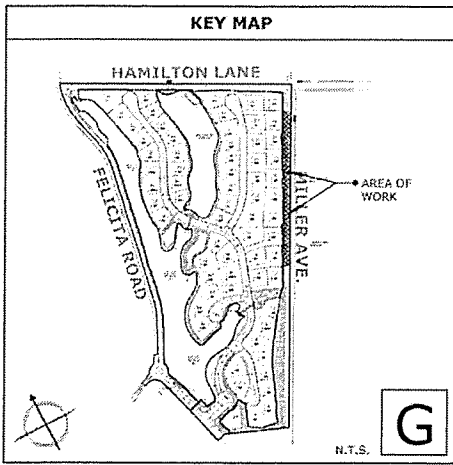
PROPOSED 12" WATER MAIN

L-4

**PROPOSED PROJECT
SUB 13-0002**



LANDSCAPE PLAN



PERIMETER STREETS - VINE SCHEDULE				
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
	<i>Hardenbergia violacea</i>	Purple Vine Lilac	5 Gal.	L

WUCOLS NOTE: WUCOLS, Water Use Classification of Landscape Species, is a University of California Cooperative Extension publication and is a guide to the water needs of the landscape plants.

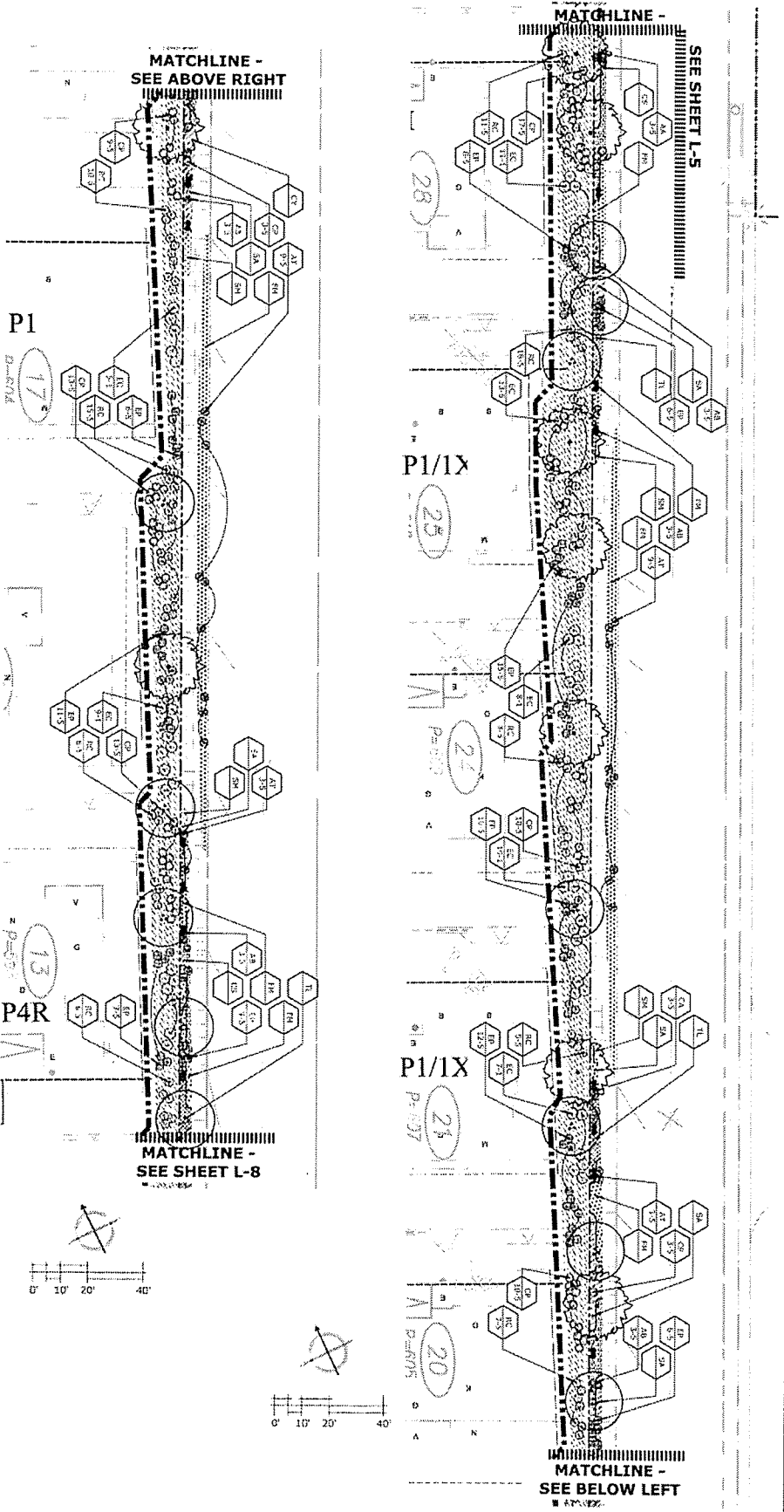
PERIMETER STREETS - TREE SCHEDULE					
SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Heteromeles arbutifolia</i>	Toyon	Multi	24" Box	L
	<i>Cercis occidentalis</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus occidentalis</i>	London Plane Tree	Std.	24" Box	M
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L

FIRE PROTECTION NOTE: All trees have been selected and arranged in conformance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

WUCOLS NOTE: WUCOLS, Water Use Classification of Landscape Species, is a University of California Cooperative Extension publication and is a guide to the water needs of the landscape plants.

PERIMETER STREETS - SHRUB SCHEDULE						
SYMB.	AGR.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS
	AT	<i>Agave attenuata</i>	Foxgill Agave	5 Gal	36" O.C.	L
	AB	<i>Anigozanthus fl. 'Bush Gold'</i>	Kangaroo Paw	5 Gal	36" O.C.	L
	AD	<i>Arbutus unedo 'Compacta'</i>	Dwarf Strawberry Tree	5 Gal	48" O.C.	L
	CY	<i>Ceanothus s.p. 'Yankee Plant'</i>	California Lilac	5 Gal	5' O.C.	L
	CP	<i>Salvia rosmarinifolia</i>	Rosemary	5 Gal	36" O.C.	L
	CS	<i>Cistus salicifolius</i>	Sageleaf Rockrose	1 Gal	30" O.C.	L
	CA	<i>Crassula argentea</i>	Ice Plant	5 Gal	36" O.C.	L
	EC	<i>Eriogonum fasciculatum</i>	California Broomrape	1 Gal	28" O.C.	L
	EP	<i>Epilobium canum</i>	California Fuchsia	1 Gal	30" O.C.	L
	FM	<i>Festuca mairei</i>	Atlas Fescue	Liners	24" O.C.	M
	FR	<i>Festuca rubra</i>	Red Fescue	Liners	10" O.C.	L
	JP	<i>Juncus patens</i>	California Gray Rush	Liners	18" O.C.	M
	DH	<i>Sua hawaiiensis</i>	San Diego Marsh Elder	1 Gal	6" O.C.	L
	SA	<i>Besleria autumnalis</i>	Autumn Moor Grass	1 Gal	24" O.C.	M
	MP	<i>Hyacinthus p. 'Beck's Blue'</i>	Creeping Hyacinthus	1 Gal	8" O.C.	L
	PK	<i>Scrotophylla scabra</i>	Priscilla Propoy	1 Gal	48" O.C.	L
	SM	<i>Suaeda frutescens</i>	Blue Chalksticks	4" Pots	18" O.C.	L
	TL	<i>Trichostema lanatum</i>	Woolly Blue Cori	5 Gal	36" O.C.	M

FIRE PROTECTION NOTE: All plant material has been selected and arranged in conformance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

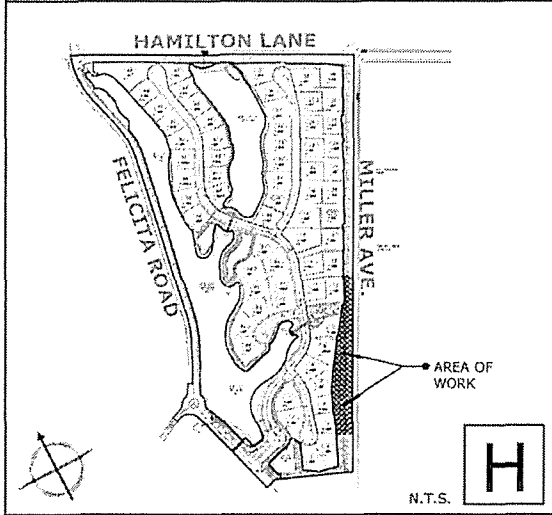


**PROPOSED PROJECT
SUB 13-0002**



LANDSCAPE PLAN

KEY MAP



PERIMETER STREETS - VINE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
	<i>Hardenbergia violacea</i>	Purple Vine Lilac	5 Gal.	L

WUCOLS NOTE: WUCOLS, Water Use Classification of Landscape Species, is a University of California Cooperative Extension publication and is a guide to the water needs of the landscape plants.

PERIMETER STREETS - TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Heteromeles arbutifolia</i>	Toyon	Multi	24" Box	L
	<i>Cercis occidentalis</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus alatanifolia</i>	London Plane Tree	Std.	24" Box	M
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L

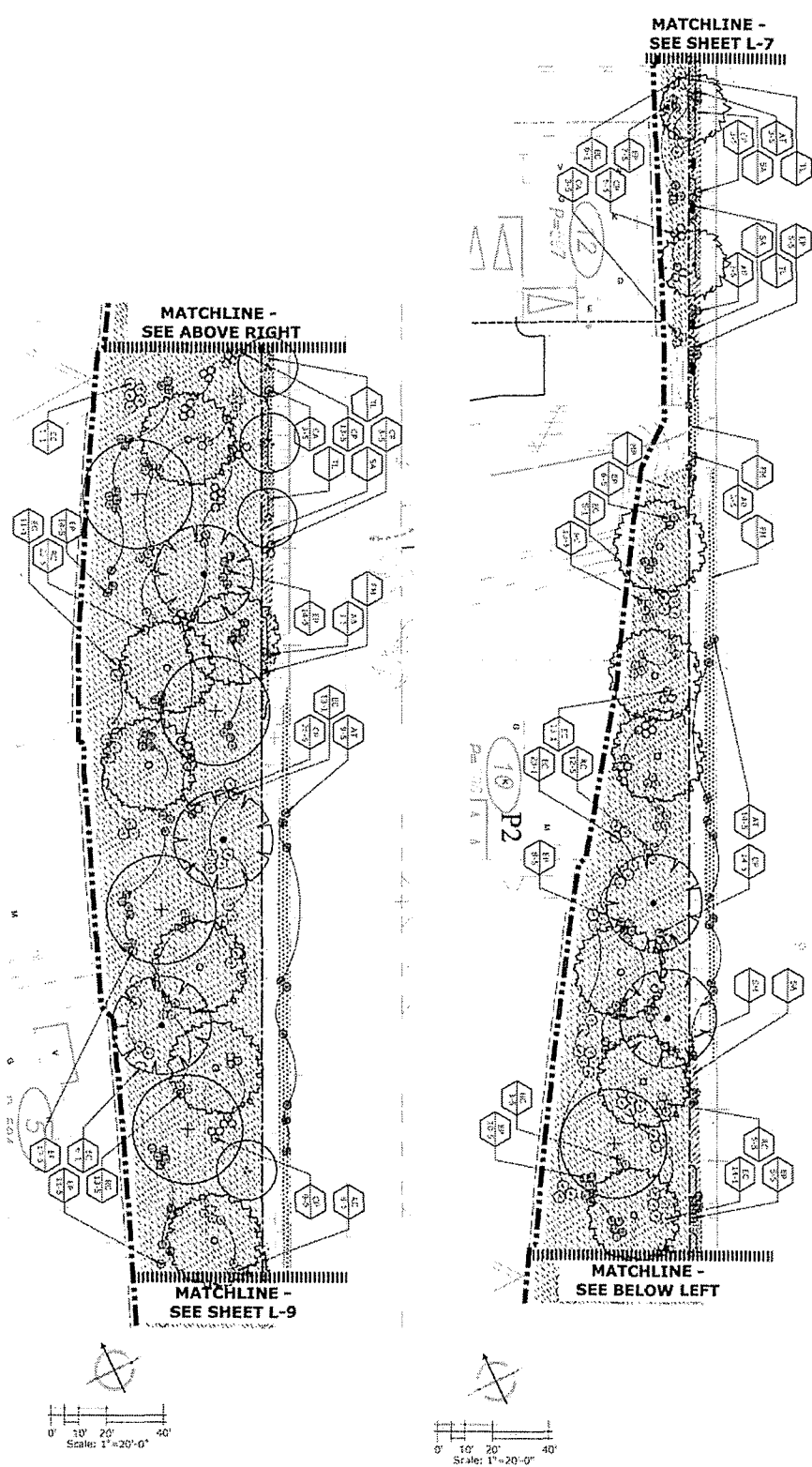
FIRE PROTECTION NOTE: All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

WUCOLS NOTE: WUCOLS, Water Use Classification of Landscape Species, is a University of California Cooperative Extension publication and is a guide to the water needs of the landscape plants.

PERIMETER STREETS - SHRUB SCHEDULE

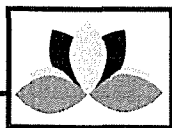
SYMB.	ABR.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS
AT	AT	<i>Agave attenuata</i>	Forest Agave	5 Gal	36" O.C.	L
AB	AB	<i>Argemone l. 'Bush Gray'</i>	Kangaroo Paw	5 Gal	30" O.C.	L
AUC	AUC	<i>Arbutus sanded 'Compacta'</i>	Dwarf Strawberry Tree	5 Gal	48" O.C.	L
CY	CY	<i>Ceanothus g.l. 'Yankero Plant'</i>	California Lilac	5 Gal	5' O.C.	L
CP	CP	<i>Cistus x. 'Purpureus'</i>	Rockrose	5 Gal	36" O.C.	L
CS	CS	<i>Cistus salicifolius</i>	Sage of Rockrose	1 Gal	30" O.C.	L
CA	CA	<i>Crassula argentea</i>	Jade Plant	5 Gal	36" O.C.	L
EC	EC	<i>Ericetia californica</i>	California Brittlebush	1 Gal	36" O.C.	L
EP	EP	<i>Epilobium canum</i>	Ca. Ibernia Fuchsia	1 Gal	36" O.C.	L
FM	FM	<i>Festuca marlei</i>	Atlas Fescue	Liners	24" O.C.	M
FR	FR	<i>Festuca rubra</i>	Red Fescue	Liners	19" O.C.	L
JP	JP	<i>Juncus patens</i>	Ca. Hornia Gray Rush	Liners	36" O.C.	M
IH	IH	<i>Iva hayesiana</i>	San Diego Marsh Elder	1 Gal	6' O.C.	L
SA	SA	<i>Sesleria autumnalis</i>	Autumn Moor Grass	1 Gal	24" O.C.	M
MP	MP	<i>Myoporum p. 'pacificum'</i>	Creeping Myoporum	1 Gal	6' O.C.	L
RC	RC	<i>Romoeya coulteri</i>	Matilija Poppy	1 Gal	48" O.C.	L
SN	SN	<i>Senecio mandraliscae</i>	Blue Chalksticks	4" Pots	36" O.C.	L
YL	YL	<i>Trichostema fontanum</i>	World's Blue Curls	5 Gal	36" O.C.	M

FIRE PROTECTION NOTE: All plant material has been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.



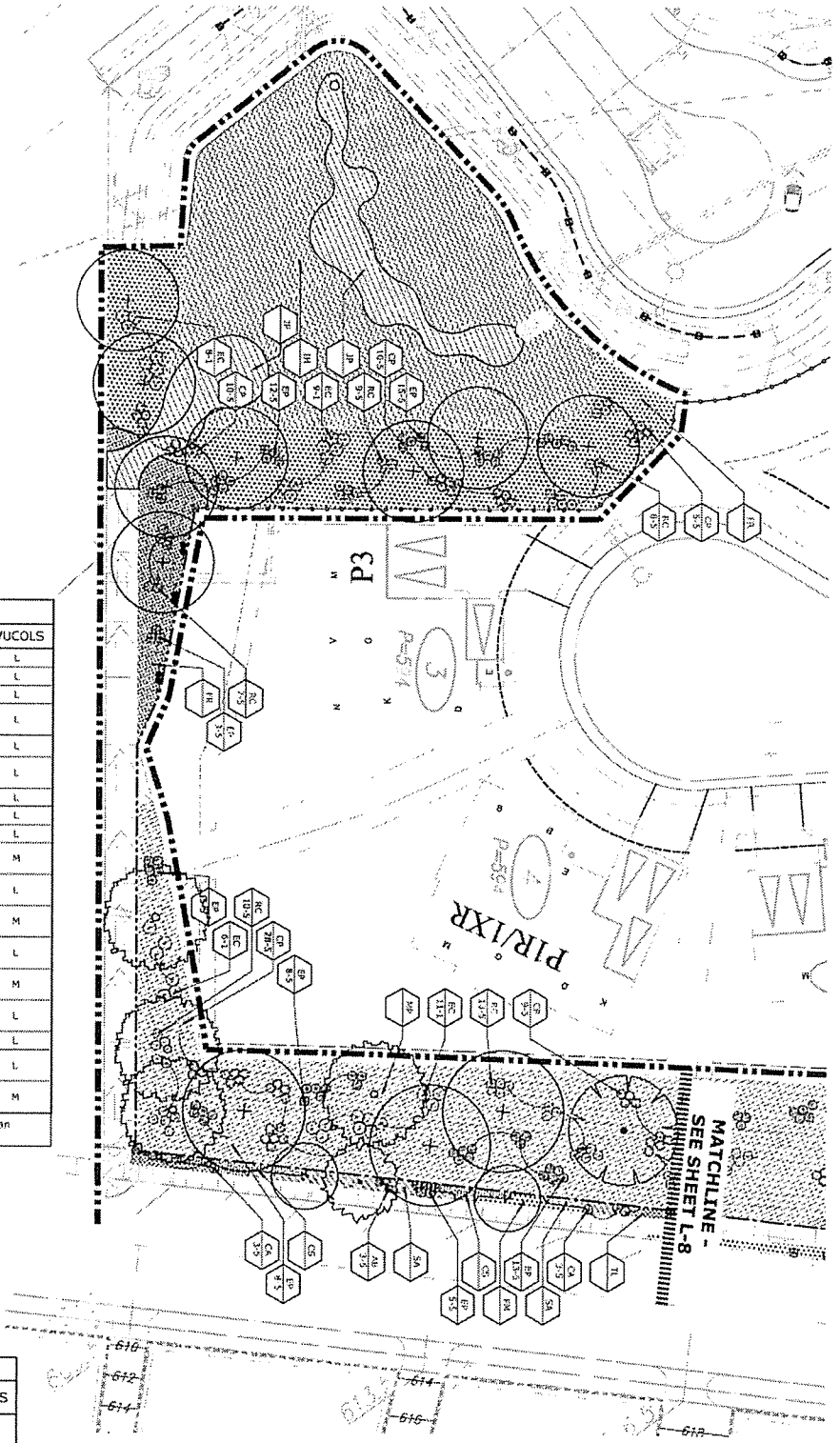
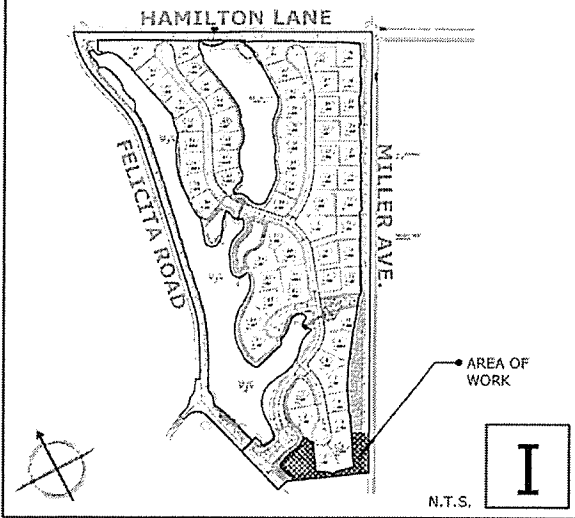
L-8

**PROPOSED PROJECT
SUB 13-0002**



LANDSCAPE PLAN

KEY MAP



PERIMETER STREETS - SHRUB SCHEDULE

SYMB.	ABR.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS
--	AT	Agave attenuata	Foxtail Agave	5 Gal	36" O.C.	L
--	AB	Anigozanthus f. 'Bush Gold'	Kangaroo Paw	5 Gal	30" O.C.	L
--	AUC	Arbutus unedo 'Compacta'	Dwarf Strawberry Tree	5 Gal	48" O.C.	L
[Pattern]	CY	Ceanothus g.h. 'Yankee Plant'	California Lilac	5 Gal	5' O.C.	L
--	CP	Cistus x. 'Purpureus'	Rockrose	5 Gal	36" O.C.	L
[Pattern]	CS	Cistus salvifolius	Sageleaf Rockrose	1 Gal	30" O.C.	L
--	CA	Crassula argentea	Jade Plant	5 Gal	36" O.C.	L
--	EC	Encelia californica	California Brittlebush	1 Gal	36" O.C.	L
--	EP	Ephedra californica	California Fescue	1 Gal	36" O.C.	L
[Pattern]	FM	Festuca mairei	Atlas Fescue	Liners	24" O.C.	M
[Pattern]	FR	Festuca rubra	Red Fescue	Liners	10" O.C.	L
[Pattern]	JP	Juncus patens	California Gray Rush	Liners	18" O.C.	M
[Pattern]	JH	Iva hayesiana	San Diego Marsh Elder	1 Gal	6' O.C.	L
[Pattern]	SA	Setaria autumnalis	Autumn Moor Grass	1 Gal	24" O.C.	M
[Pattern]	MP	Myoporum p. 'Pacificum'	Creeping Myoporum	1 Gal	6' O.C.	L
--	RC	Romneya coulteri	Matilija Poppy	1 Gal	48" O.C.	L
[Pattern]	SM	Senecio mandraliscae	Blue Chalksticks	4" Pots	18" O.C.	L
[Pattern]	TL	Trichostema lanatum	Woolly Blue Chicks	5 Gal	36" O.C.	M

FIRE PROTECTION NOTE: All plant material has been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Duxek dated April 2013.

PERIMETER STREETS - VINE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
[Symbol]	Hardenbergia violacea	Purple Vine Lilac	5 Gal.	L

WUCOLS NOTE: WUCOLS, Water Use Classification of Landscape Species, is a University of California Cooperative Extension publication and is a guide to the water needs of the landscape plants.

PERIMETER STREETS - TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
[Symbol]	Heteromeles arbutifolia	Tayon	Multi	24" Box	L
[Symbol]	Cercis occidentalis	Western Redbud	Multi	24" Box	L
[Symbol]	Platanus acerifolia	London Plane Tree	Std.	24" Box	M
[Symbol]	Platanus racemosa	Western Sycamore	Std.	24" Box	M
[Symbol]	Quercus agrifolia	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
[Symbol]	Quercus agrifolia	Coast Live Oak	Natural	24" Box	L

FIRE PROTECTION NOTE: All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Duxek dated April 2013.

WUCOLS NOTE: WUCOLS, Water Use Classification of Landscape Species, is a University of California Cooperative Extension publication and is a guide to the water needs of the landscape plants.

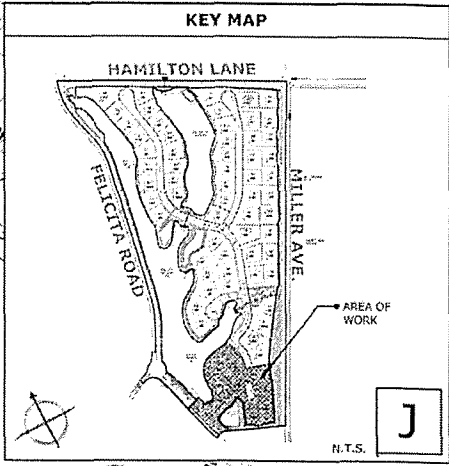
**PROPOSED PROJECT
SUB 13-0002**



LANDSCAPE PLAN

MATCHLINE SEE SHEET L-11

TREE MITIGATION LEGEND	
Total Mitigation Trees: 460	
Total Trees 24" Box or Larger Planted: 485	
Total Major on Trees 24" Box or Larger on this sheet: 75	



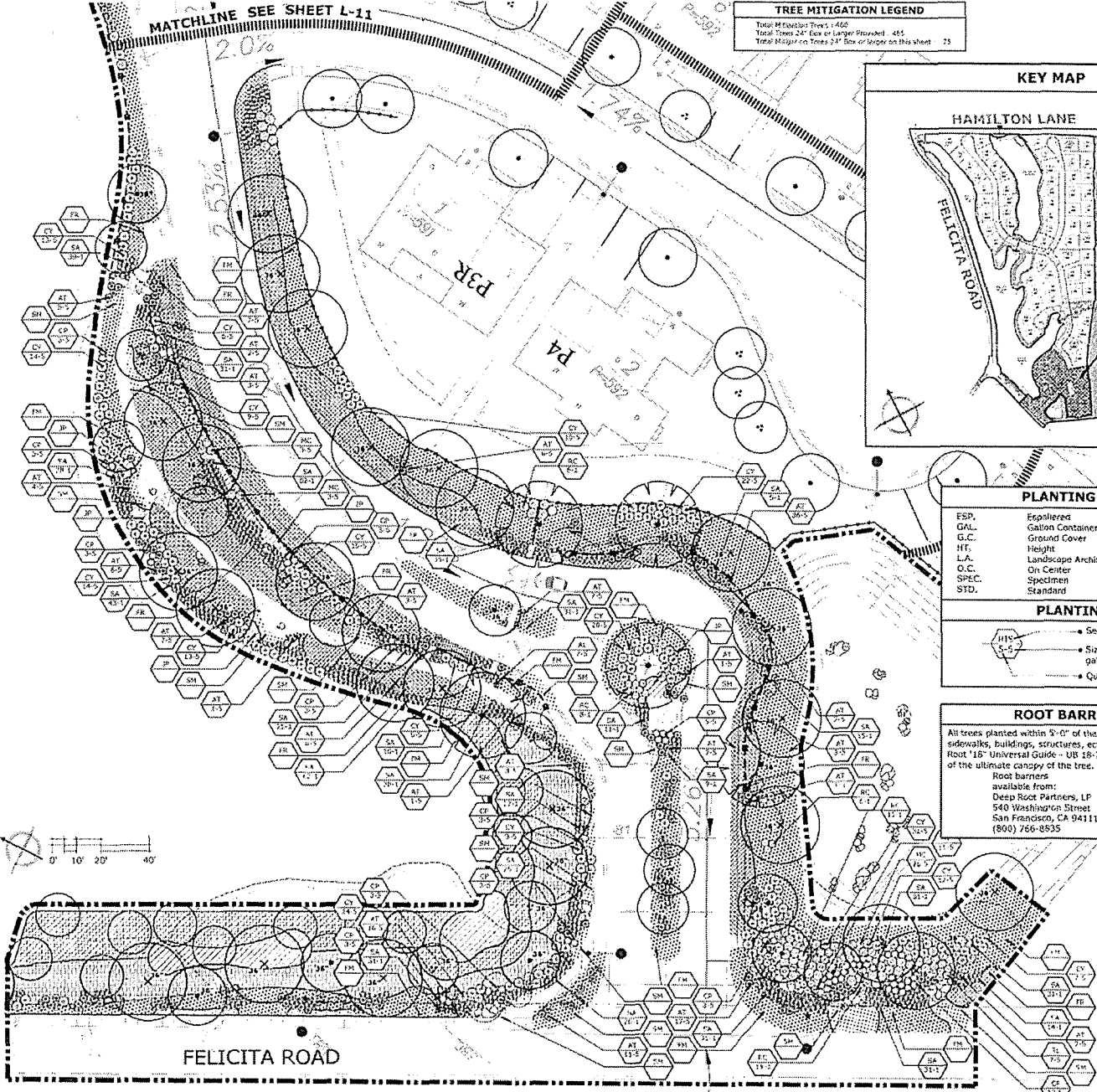
PLANTING LEGEND	
ESP.	Espaliered
GAL.	Gallon Container
G.C.	Ground Cover
HT.	Height
L.A.	Landscape Architect
O.C.	On Center
SPEC.	Specimen
STD.	Standard

PLANTING KEY	
	• See Legend
	• Size of plant, gallon or box size
	• Quantity

ROOT BARRIER NOTE

All trees planted within 5'-0" of the hardscape areas (i.e. walls, sidewalks, buildings, structures, etc.) shall be planted with Deep Root 18" Universal Guide - UB 18-2". Barrier shall be the length of the ultimate canopy of the tree.

Root barriers available from:
 Deep Root Partners, LP
 540 Washington Street
 San Francisco, CA 94111
 (800) 766-8835



INTERIOR STREETS - SHRUB SCHEDULE						
SYMB.	ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS
--	AT	<i>Agave attenuata</i>	Foxtail Agave	5 Gal	36" O.C.	L
--	AL	<i>Aloe arborescens</i>	Torch aloe	5 Gal	36" O.C.	L
--	CY	<i>Ceanothus g. h. 'Yankee Plant'</i>	California Lilac	5 Gal	48" O.C.	L
--	CP	<i>Cistus x. 'Purpureus'</i>	Rockrose	5 Gal	36" O.C.	L
--	EC	<i>Encelia californica</i>	California Brittlebush	1 Gal	36" O.C.	L
	FM	<i>Festuca mairei</i>	Atlas Fescue	1 Gal	24" O.C.	M
	FR	<i>Festuca rubra</i>	Red Fescue	5 Gal	10" O.C.	L
	IH	<i>Iva heseyana</i>	San Diego Marsh Elder	1 Gal	6' O.C.	L
	JP	<i>Juncus patens</i>	California Gray Rush	5 Gal	24" O.C.	M
--	LL	<i>Leonotis leonurus</i>	Lion's Tail	5 Gal	48" O.C.	M
--	SA	<i>Sesleria autumnalis</i>	Autumn Moor Grass	1 Gal	24" O.C.	M
	MP	<i>Myoporum p. 'Pacificum'</i>	Creeping Myoporum	1 Gal	6' O.C.	L
--	MC	<i>Myrica californica</i>	Pacific Wax Myrtle	5 Gal	30" O.C.	L
--	RC	<i>Romneya coulteri</i>	Pacific Poppy	1 Gal	48" O.C.	L
	RVS	<i>Ribes viburnifolium 'Spooner's Riesa'</i>	San Diego Evergreen Currant	1 Gal	48" O.C.	L
	SM	<i>Senecio mandraliscae</i>	Blue Chalksticks	1 Gal	12" O.C.	L
--	TL	<i>Tricostema lanatum</i>	Woolly Blue Curfs	5 Gal	36" O.C.	M

INTERIOR STREETS - TREE SCHEDULE					
SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Cercis occidentalis</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box 36" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	36" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	48" Box	L
	<i>Quercus ilex</i>	Holly Oak	Std.	24" Box 36" Box	L

FIRE PROTECTION NOTE:
 All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

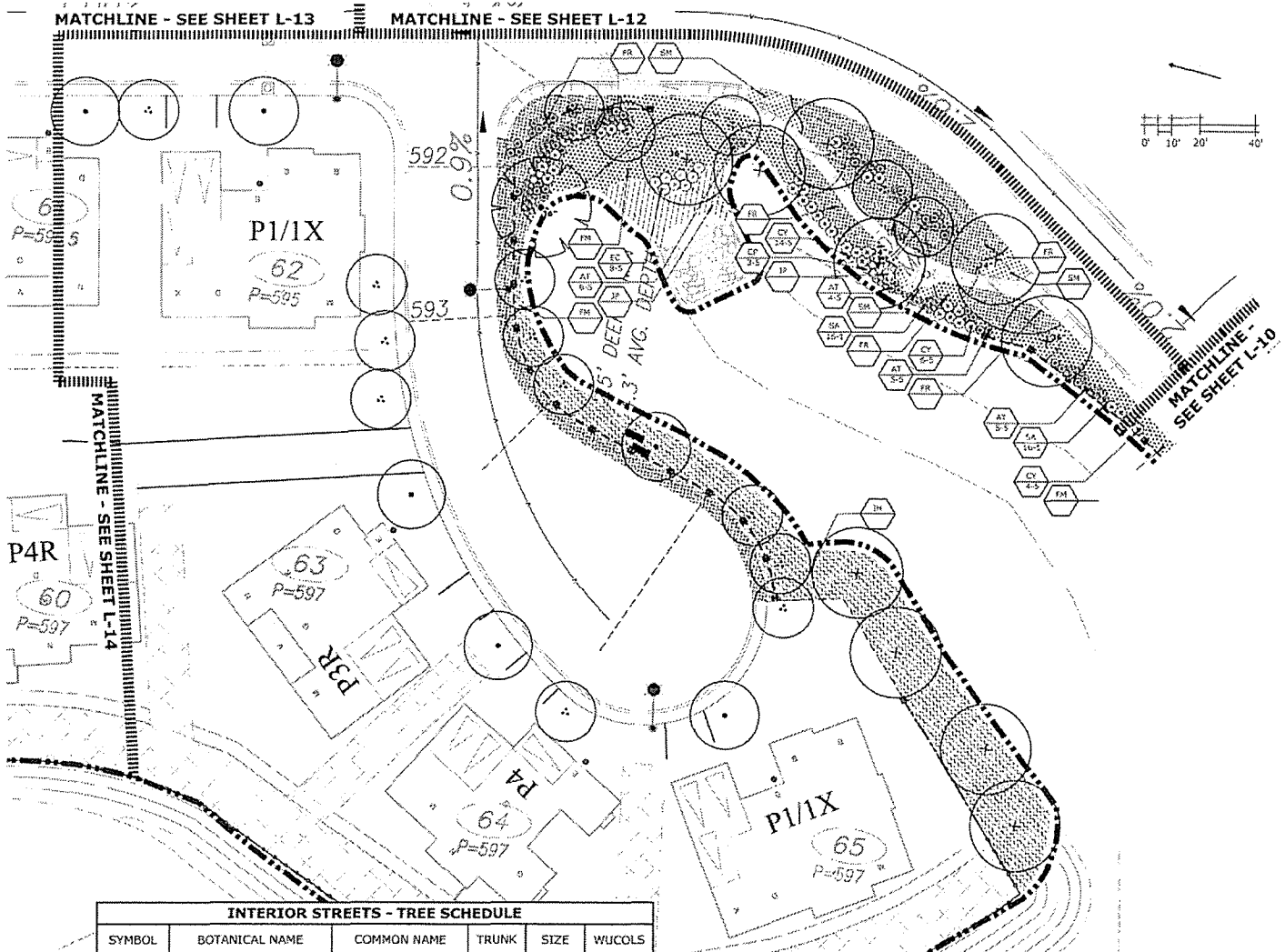
WUCOLS NOTE: Water Use Classification of Landscape Species

FIRE PROTECTION NOTE: All plant material has been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

L-10

**PROPOSED PROJECT
 SUB 13-0002**





INTERIOR STREETS - TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Cercis occidentalis</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box 36" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L
	<i>Quercus ilex</i>	Holly Oak	Std.	21" Box 36" Box	L

FIRE PROTECTION NOTE:
All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.
WUCOLS NOTE: Water Use Classification of Landscape Species

TREE MITIGATION LEGEND

Total Mitigation Trees : 460
Total Trees 24" Box or Larger Provided : 465
Total Mitigation Trees 24" Box or larger on this sheet : 32

PLANTING SCHEDULE NOTE

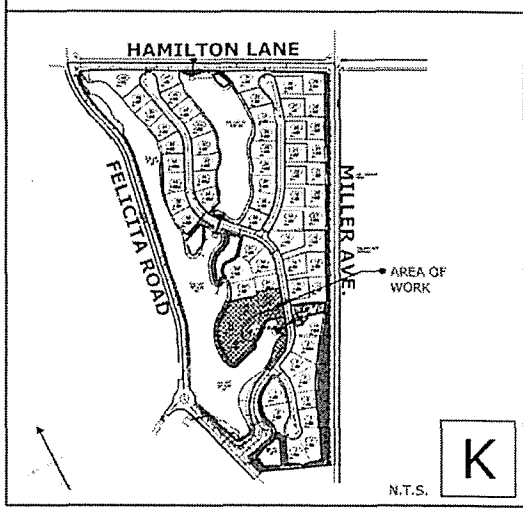
Refer to sheet L-10 for Interior Street - Shrub Schedule & Interior Street - Shrub Schedule.

INTERIOR STREETS - SHRUB SCHEDULE

SYMB.	ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS
--	AT	<i>Agave attenuata</i>	Foxtail Agave	5 Gal	36" O.C.	L
--	AL	<i>Albizia arborea</i>	Torch alse	5 Gal	36" O.C.	L
--	CY	<i>Ceanothus g. h. 'Yankee Point'</i>	California Lilac	5 Gal	46" O.C.	L
--	CP	<i>Cotinus x. 'Purpureus'</i>	Smoke Tree	5 Gal	36" O.C.	L
--	CC	<i>Echin la californicus</i>	California Brittlebush	1 Gal	36" O.C.	L
	FM	<i>Festuca marai</i>	Atlas Fescue	1 Gal	24" O.C.	M
	FR	<i>Festuca rubra</i>	Red Fescue	5 Gal	10" O.C.	L
	EH	<i>Iva hayesiana</i>	San Diego Marsh Elder	1 Gal	6" O.C.	L
	JP	<i>Juncus patens</i>	California Gray Rush	5 Gal	24" O.C.	M
	LL	<i>Ligularia borealis</i>	Lion's Tail	5 Gal	45" O.C.	M
	SA	<i>Sesleria autumnalis</i>	Autumn Moor Grass	1 Gal	24" O.C.	M
	NP	<i>Hypochaeris p. 'pacificum'</i>	Creeping Nyctanum	1 Gal	6" O.C.	L
	MC	<i>Myrica californica</i>	Pacific Wax Myrtle	5 Gal	36" O.C.	L
	RC	<i>Romneya coulteri</i>	Mat-lily Poppy	1 Gal	18" O.C.	L
	PVS	<i>Ribes viburnifolium 'Spindlers Hells'</i>	San Diego Evergreen Currant	1 Gal	18" O.C.	L
	SM	<i>Senecio mendocinicus</i>	Blue Chalkstick	1 Gal	12" O.C.	L
	YL	<i>Tricostema lanatum</i>	Woolly Blue Currant	5 Gal	36" O.C.	M

FIRE PROTECTION NOTE: All plant material has been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

KEY MAP



**PROPOSED PROJECT
SUB 13-0002**



LANDSCAPE PLAN

INTERIOR STREETS - SHRUB SCHEDULE

SYMB.	ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS
--	AT	Agave attenuata	Foxtail Agave	5 Gal	36" O.C.	L
--	AL	Althea arborescens	Torch althea	5 Gal	36" O.C.	L
--	CY	Conocytus p.h. 'Yankee Plant'	California Lilac	5 Gal	48" O.C.	L
--	CP	Cistus s. 'Purpleus'	Rockrose	5 Gal	36" O.C.	L
--	EC	Encelia californica	California Brittlebush	1 Gal	36" O.C.	L
▽▽▽	FM	Festuca mairei	Atlas Fescue	1 Gal	24" O.C.	M
▨▨▨	FR	Festuca rubra	Red Fescue	5 Gal	18" O.C.	L
▨▨▨	IH	Iva hayesiana	San Diego Marsh Elder	1 Gal	6" O.C.	L
▨▨▨	JP	Juncus patens	California Gray Rush	5 Gal	24" O.C.	M
--	LL	Leonotis leonurus	Lion's Tail	5 Gal	48" O.C.	M
--	SA	Sesleria autumnalis	Autumn Moor Grass	1 Gal	24" O.C.	M
▨▨▨	MP	Myoporum p. 'Pacificum'	Creeping Myoporum	1 Gal	6" O.C.	L
--	HC	Myrica californica	Pacific Wax Myrtle	5 Gal	30" O.C.	L
--	PC	Romneya coulteri	Matilija Poppy	1 Gal	48" O.C.	L
▨▨▨	RVS	Ribes viburnifolium 'Spooners Mea'	San Diego Evergreen Currant	1 Gal	48" O.C.	L
▨▨▨	SM	Senecio mandraliscae	Blue Chalksticks	1 Gal	12" O.C.	L
--	TL	Tricostema fanatum	Woolly Blue Curbs	5 Gal	36" O.C.	M

FIRE PROTECTION NOTE: All plant material has been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

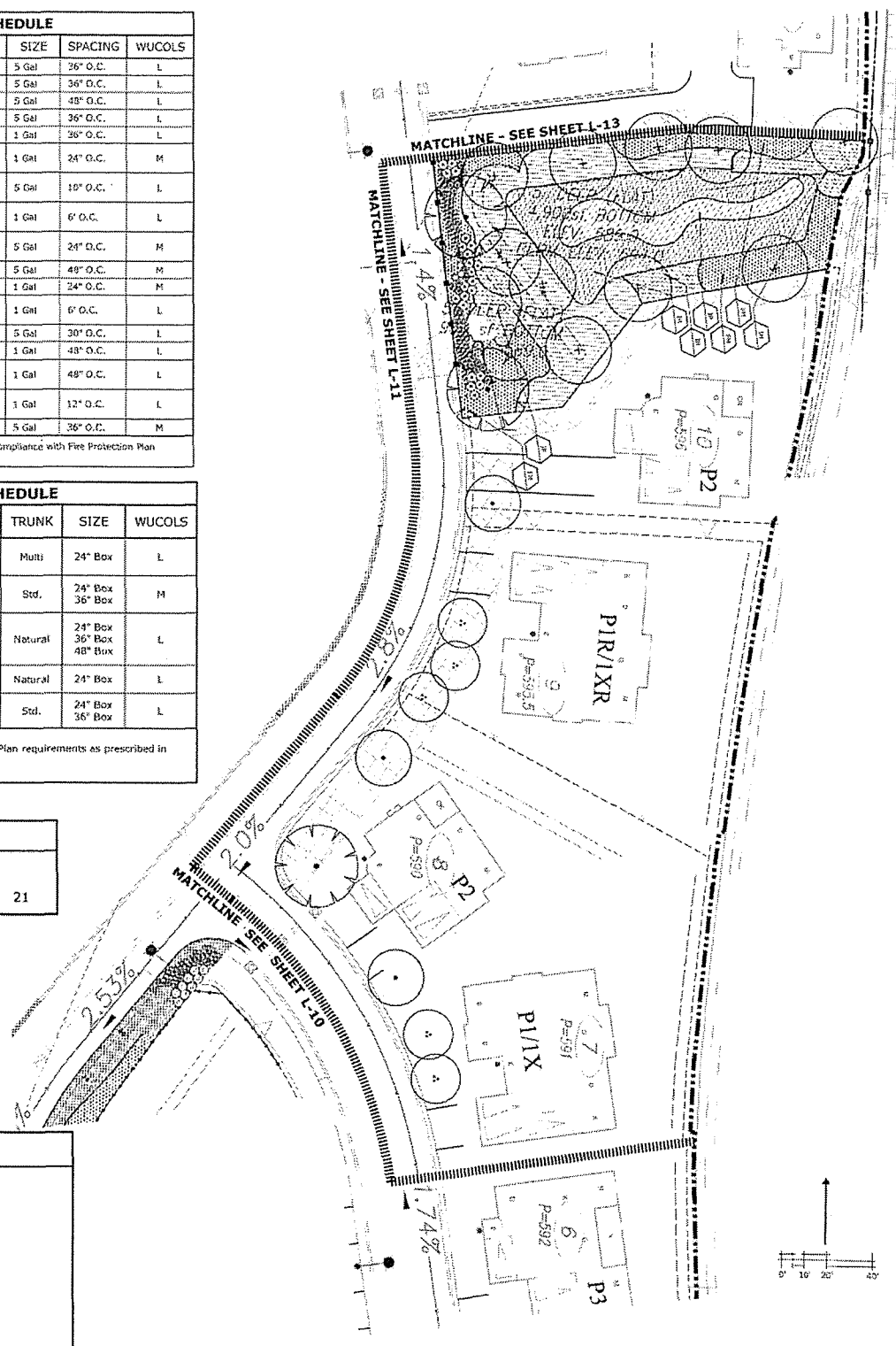
INTERIOR STREETS - TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
⊙	Cercis occidentalis	Western Redbud	Multi	24" Box	L
⊙	Platanus racemosa	Western Sycamore	Std.	24" Box 36" Box	M
⊙	Quercus agrifolia	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
⊙	Quercus agrifolia	Coast Live Oak	Natural	24" Box	L
⊙	Quercus ilex	Holly Oak	Std.	24" Box 36" Box	L

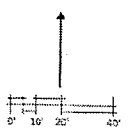
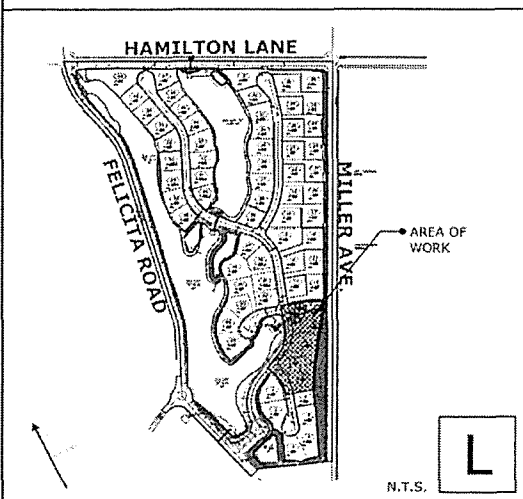
FIRE PROTECTION NOTE: All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.
WUCOLS NOTE: Water Use Classification of Landscape Species

TREE MITIGATION LEGEND

Total Mitigation Trees : 460
 Total Trees 24" Box or Larger Provided : 465
 Total Mitigation Trees 24" Box or larger on this sheet : 21

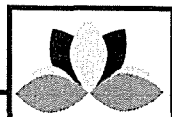


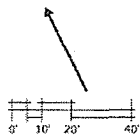
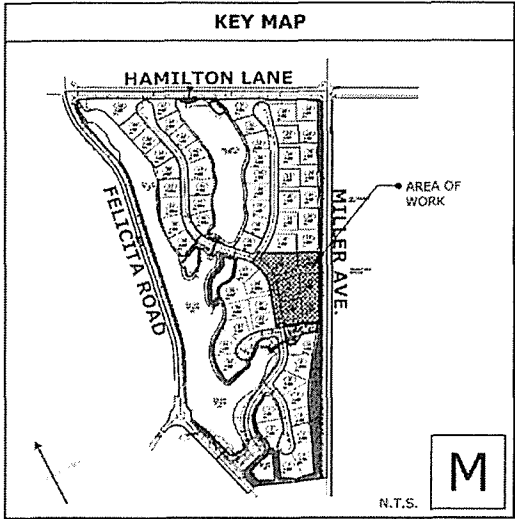
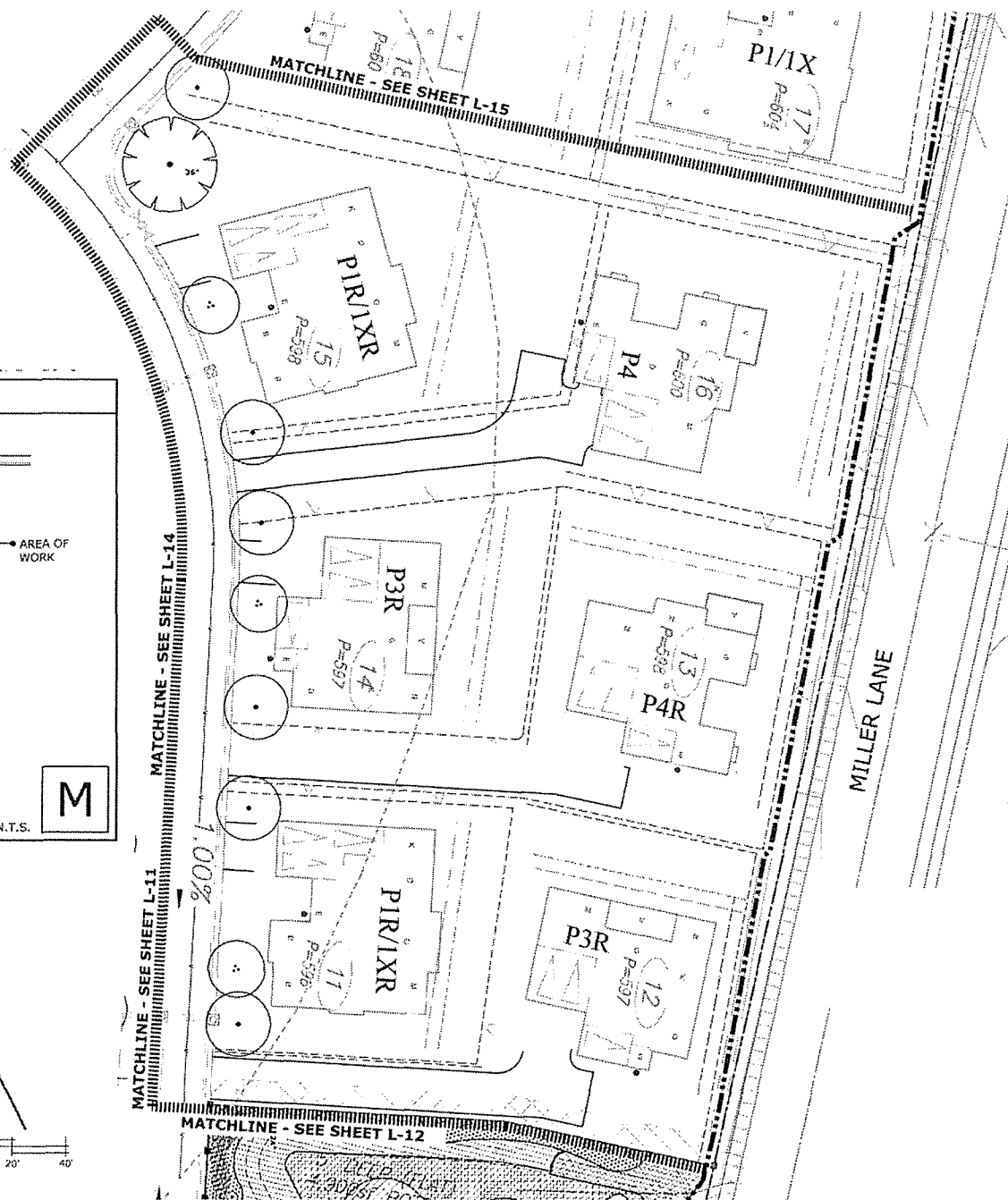
KEY MAP



L-12

**PROPOSED PROJECT
 SUB 13-0002**





INTERIOR STREETS - TREE SCHEDULE					
SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Cercis occidentalis</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box 36" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L
	<i>Quercus ilex</i>	Holly Oak	Std.	24" Box 36" Box	L

FIRE PROTECTION NOTE:
All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

WUCOLS NOTE: Water Use Classification of Landscape Species

TREE MITIGATION LEGEND
Total Mitigation Trees : 460
Total Trees 24" Box or Larger Provided : 465
Total Mitigation Trees 24" Box or larger on this sheet : 10

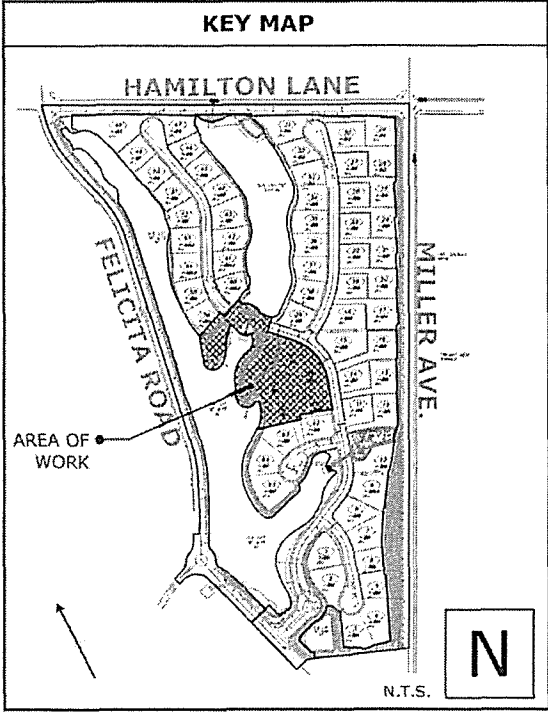
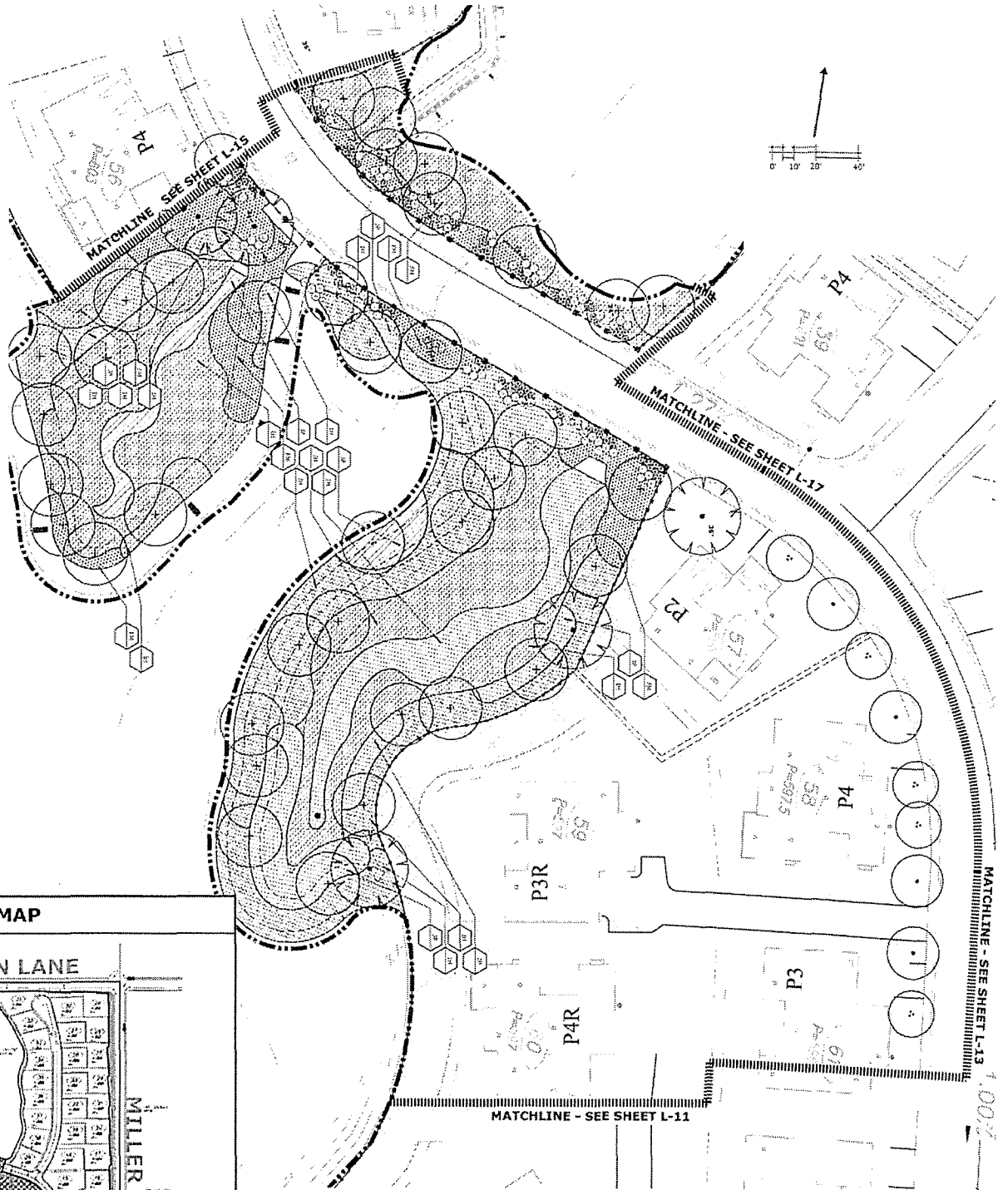
PLANTING SCHEDULE NOTE
RRCer to sheet L-12 for 15Aerior Street - Shrub Schedule.

L-13

**PROPOSED PROJECT
SUB 13-0002**



LANDSCAPE PLAN



PLANTING SCHEDULE NOTE
 RRCer to sheet L-12 for ISAerior Street - Shrub Schedule
 & ISAerior Street - Shrub Schedule.

TREE MITIGATION LEGEND
 Total Mitigation Trees : 460
 Total Trees 24" Box or Larger Provided : 465
 Total Mitigation Trees 24" Box or larger on this sheet : 52

L-14

**PROPOSED PROJECT
 SUB 13-0002**



LANDSCAPE PLAN

INTERIOR STREETS - TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Cercis occidentalis</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box 36" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L
	<i>Quercus liex</i>	Holly Oak	Std.	24" Box 36" Box	L

FIRE PROTECTION NOTE:
All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

WUCOLS NOTE: Water Use Classification of Landscape Species

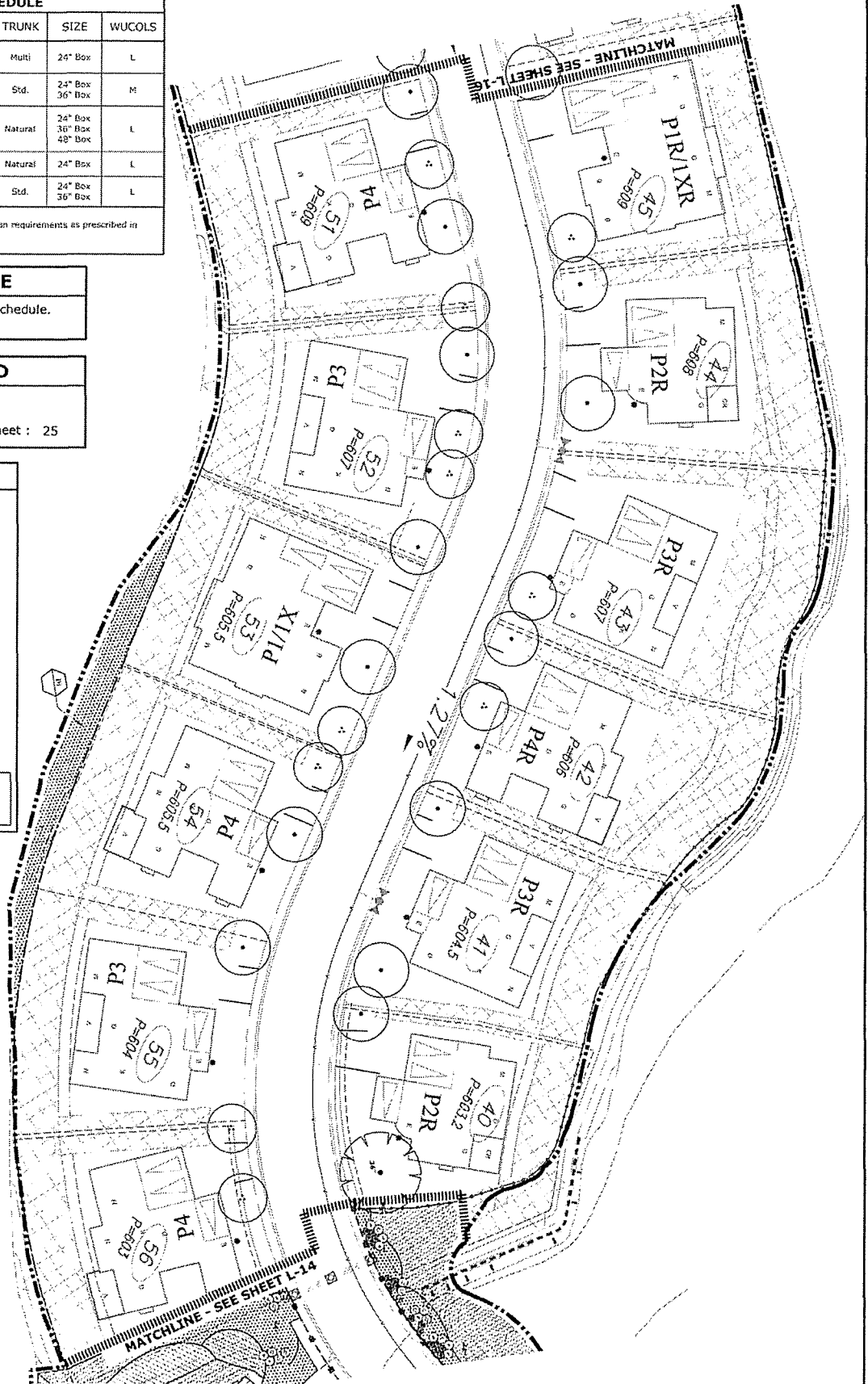
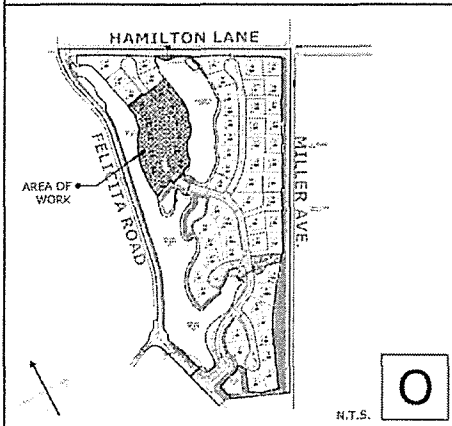
PLANTING SCHEDULE NOTE

RRCer to sheet L-12 for ISAerior Street - Shrub Schedule.

TREE MITIGATION LEGEND

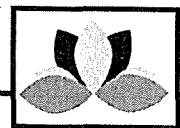
Total Mitigation Trees : 460
 Total Trees 24" Box or Larger Provided : 465
 Total Mitigation Trees 24" Box or larger on this sheet : 25

KEY MAP

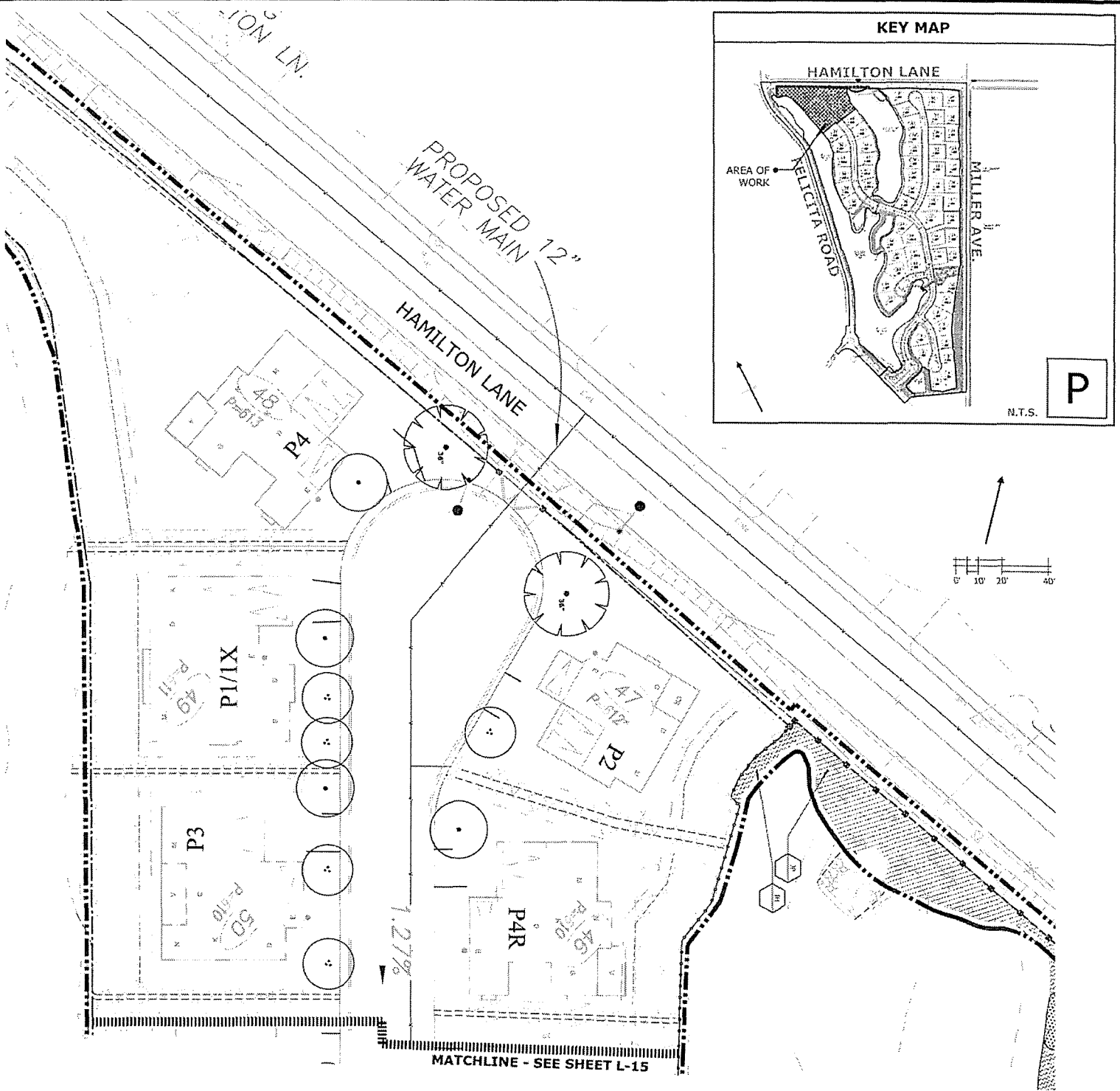


L-15

**PROPOSED PROJECT
 SUB 13-0002**



LANDSCAPE PLAN



INTERIOR STREETS - TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Cercis occidentalis</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box 36" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L
	<i>Quercus ilex</i>	Holly Oak	Std.	24" Box 36" Box	L

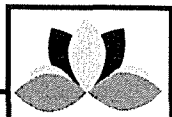
FIRE PROTECTION NOTE:
All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dusek dated April 2013.
WUCOLS NOTE: Water Use Classification of Landscape Species

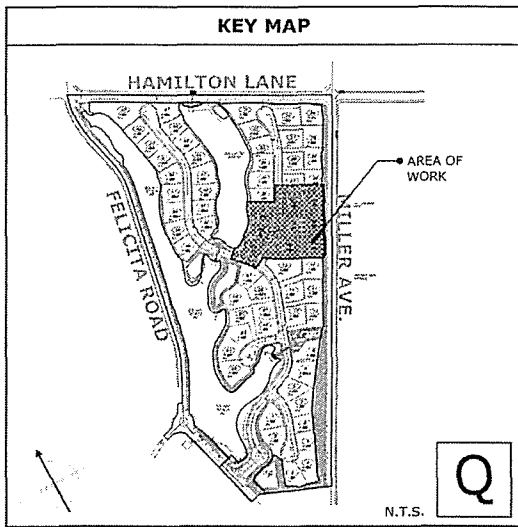
PLANTING SCHEDULE NOTE
RRCer to sheet L-12 for ISAerier Street - Shrub Schedule.

TREE MITIGATION LEGEND
Total Mitigation Trees : 460
Total Trees 24" Box or Larger Provided : 465
Total Mitigation Trees 24" Box or larger on this sheet : 11

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**PROPOSED PROJECT
SUB 13-0002**



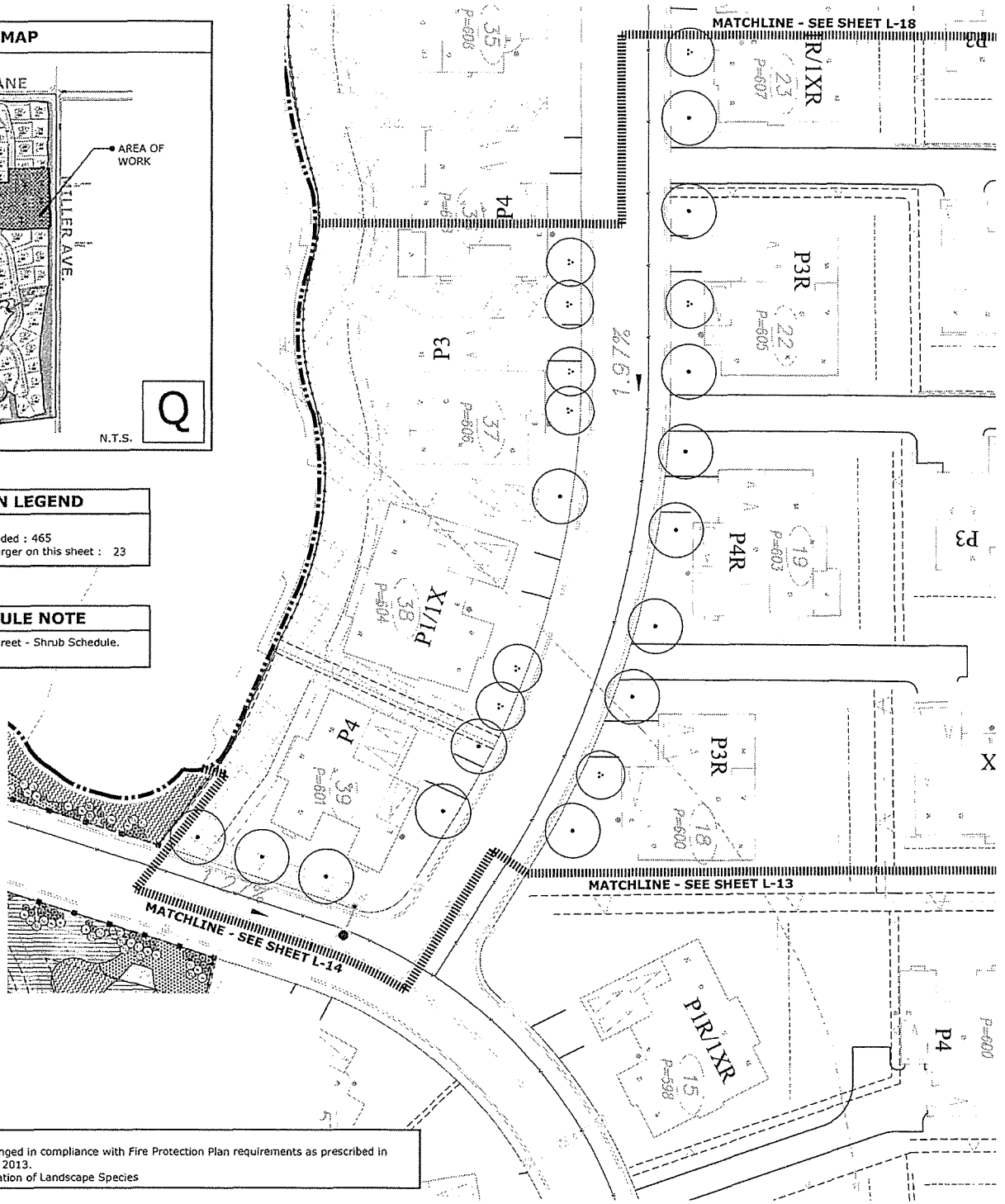


TREE MITIGATION LEGEND

Total Mitigation Trees : 460
 Total Trees 24" Box or Larger Provided : 465
 Total Mitigation Trees 24" Box or Larger on this sheet : 23

PLANTING SCHEDULE NOTE

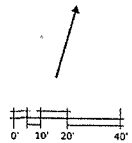
RRCer to sheet L-12 for ISAerlor Street - Shrub Schedule.



FIRE PROTECTION NOTE:
 All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.

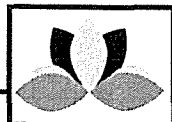
WUCOLS NOTE: Water Use Classification of Landscape Species

INTERIOR STREETS - TREE SCHEDULE					
SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Cercis occidentalis</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box 36" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L
	<i>Quercus ilex</i>	Holly Oak	Std.	24" Box 36" Box	L



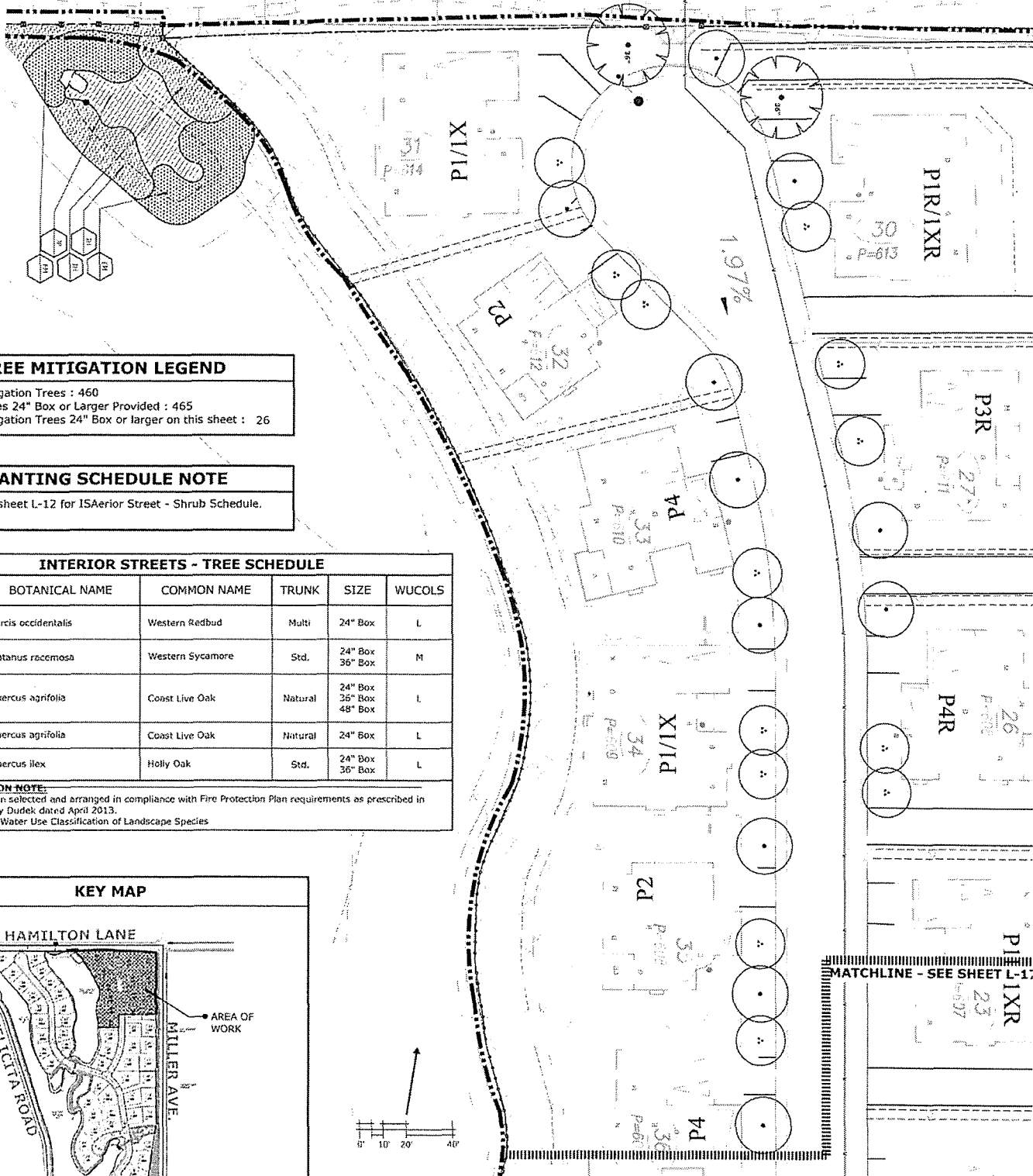
L-17

**PROPOSED PROJECT
 SUB 13-0002**



LANDSCAPE PLAN

HAMILTON LANE



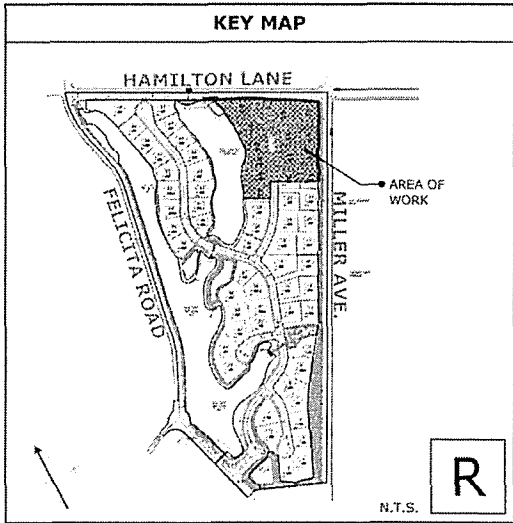
TREE MITIGATION LEGEND
 Total Mitigation Trees : 460
 Total Trees 24" Box or Larger Provided : 465
 Total Mitigation Trees 24" Box or larger on this sheet : 26

PLANTING SCHEDULE NOTE
 RRCer to sheet L-12 for ISAerior Street - Shrub Schedule.

INTERIOR STREETS - TREE SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	<i>Cercis occidentalis</i>	Western Redbud	Multi	24" Box	L
	<i>Platanus racemosa</i>	Western Sycamore	Std.	24" Box 36" Box	M
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	<i>Quercus agrifolia</i>	Coast Live Oak	Natural	24" Box	L
	<i>Quercus ilex</i>	Holly Oak	Std.	24" Box 36" Box	L

FIRE PROTECTION NOTE:
 All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek dated April 2013.
WUCOLS NOTE: Water Use Classification of Landscape Species



**PROPOSED PROJECT
 SUB 13-0002**



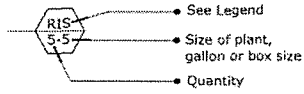
LANDSCAPE PLAN

L-18

PLANTING LEGEND

ESP. Espaliered
 GAL. Gallon Container
 G.C. Ground Cover
 HT. Height
 L.A. Landscape Architect
 O.C. On Center
 SPEC. Specimen
 STD. Standard

PLANTING KEY



TYPICAL FRONT - SHRUB SCHEDULE

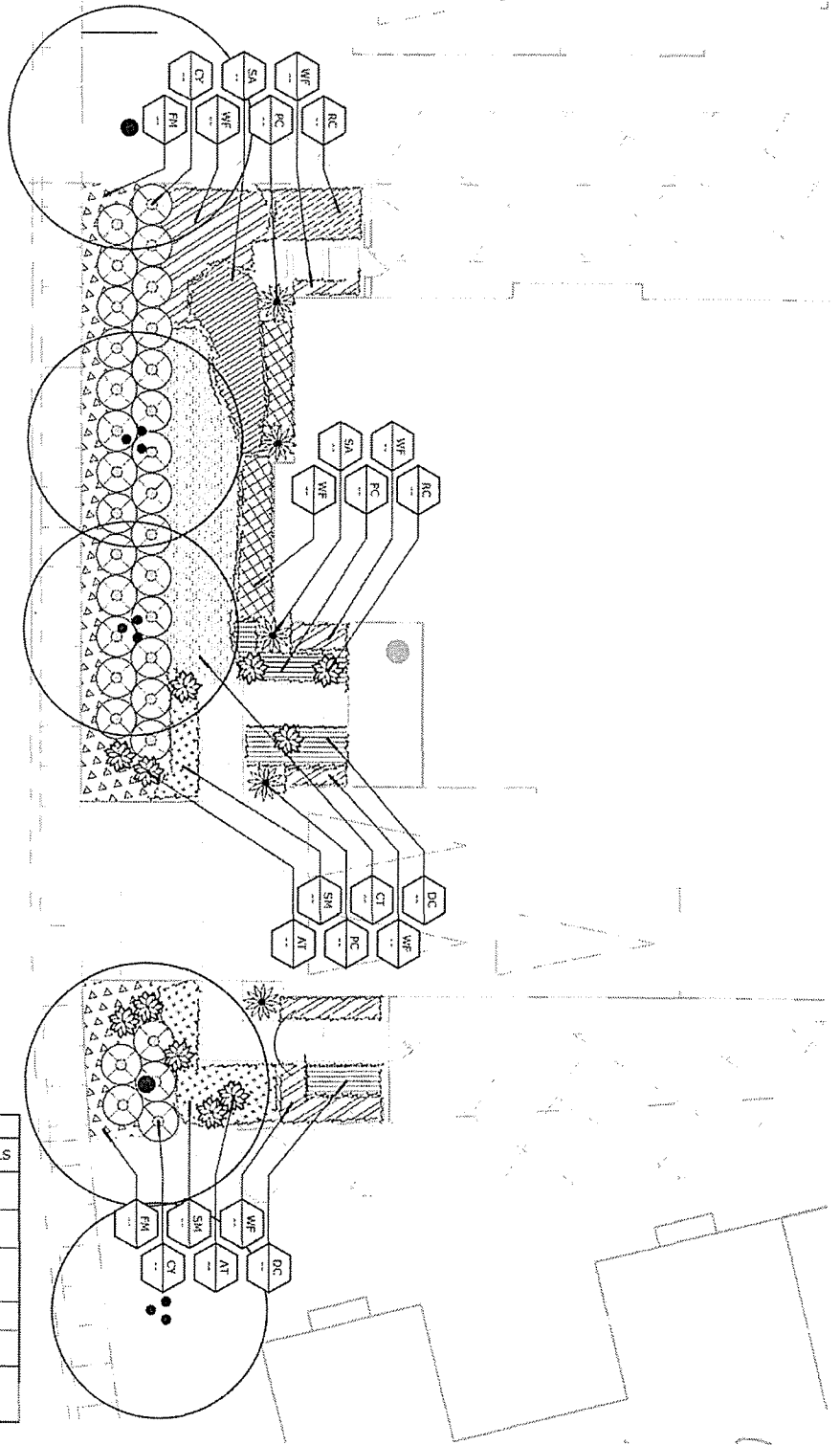
SYMB.	ABR.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS
	AT	Agave attenuata	Foxtail Agave	5 Gal	36" O.C.	L
	CT	Carex tenuiculata	Toughie Sedge	1 Gal	12" O.C.	L
	CV	Erythronium p.h. "Japanese Plover"	California Lily	1 Gal	48" O.C.	L
	CF	Cistus x. "Purpureus"	Rockrose	5 Gal	36" O.C.	L
	DC	Diarrhea coccinea "King Alfred"	Blue Flax Lily	1 Gal	24" O.C.	L
	FM	Festuca rubra	Red Fescue	1 Gal	24" O.C.	M
	RC	Rhamnus californica	Coffeeberry	5 Gal	36" O.C.	L
	SA	Saxifraga autumnalis	Autumn Moor Grass	1 Gal	24" O.C.	M
	SM	Senecio marianus ssp.	Blue Chalksticks	4" Pot	12" O.C.	L
	WF	Rosmarinus officinalis	Coast Rosemary	5 Gal	36" O.C.	L

FIRE PROTECTION NOTE: All plant material has been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek, dated April 2013.

INTERIOR STREETS - TREE SCHEDULE

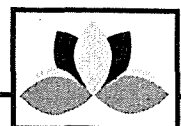
SYMBOL	BOTANICAL NAME	COMMON NAME	TRUNK	SIZE	WUCOLS
	Cercis occidentalis	Western Redbud	Multi	24" Box	L
	Platanus racemosa	Western Sycamore	Std.	24" Box 36" Box	M
	Quercus agrifolia	Coast Live Oak	Natural	24" Box 36" Box 48" Box	L
	Quercus agrifolia	Coast Live Oak	Natural	24" Box	L
	Quercus ilex	Holly Oak	Std.	24" Box 36" Box	L

FIRE PROTECTION NOTE: All trees have been selected and arranged in compliance with Fire Protection Plan requirements as prescribed in report prepared by Dudek, dated April 2013.
WUCOLS NOTE: Water Use Classification of Landscape Species



NOTE: This exhibit is intended only to provide guidance and does not reflect final landscaping decisions made by homeowners in accordance with deed restrictions and CC&R's.

**PROPOSED PROJECT
 SUB 13-0002**



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

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

January 6, 2015

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

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

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

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

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

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

PROJECT FEATURES

1. Fire Resistance

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

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

2. Noise

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

3. Fence and Wall Plan

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

4. Landscape Plan

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

5. Agricultural Resources

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

6. Street Lighting

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

7. Traffic Calming

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

Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>AIR QUALITY</p> <p>Air-1 Construction Dust Control Measures. The on-site construction superintendent shall ensure implementation of standard best management practices to reduce the emissions of fugitive dust during all grading and site preparation activities including, but not limited to, the following actions:</p> <ol style="list-style-type: none"> 1. Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site, additional water shall be applied at a frequency to be determined by the on-site construction superintendent. 2. Temporary hydroseeding with irrigation shall be implemented on all graded areas on slopes, and areas of cleared vegetation shall be revegetated as soon as possible following grading activities in areas that will remain in a disturbed condition (but will not be subject to further construction activities) for a period greater than three months during the construction phase. 3. Operate all vehicles on the construction site at speeds less than 15 miles per hour. 4. Cover all stockpiles that will not be utilized within three days with plastic or equivalent material, to be determined by the on-site construction superintendent, or spray them with a non-toxic chemical stabilizer. 5. If a street sweeper is used to remove any track-out/carry-out, only PM₁₀-efficient street sweepers certified to meet the most current South Coast Air Quality Management District Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances. 6. Grading shall be terminated when winds exceed 25 mph. 7. Sweepers, wheel washers and water trucks shall be used to control dust and debris at public street access points. 8. Internal construction-roads will be stabilized by paving, chip sealing or chemicals after rough grading. 9. Non-toxic soil stabilizers shall be applied according to manufacturer's specification to all inactive construction areas. 	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	

Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

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

Table 5.4-8

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

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

Source: Helix Environmental 2014

Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date																																														
<p>Table 5.4-9</p> <table border="1"> <thead> <tr> <th rowspan="2">Jurisdictional Area</th> <th rowspan="2">Ratio</th> <th colspan="2">USACE ¹</th> <th colspan="2">CDFW</th> </tr> <tr> <th>Impacts</th> <th>Mitigation</th> <th>Impacts</th> <th>Mitigation</th> </tr> </thead> <tbody> <tr> <td>Southern willow riparian forest</td> <td>3:1</td> <td>0.05</td> <td>0.15</td> <td>0.23</td> <td>0.69</td> </tr> <tr> <td>Southern coast live oak riparian forest</td> <td>3:1</td> <td>--</td> <td>--</td> <td>0.04</td> <td>0.12</td> </tr> <tr> <td>Coast live oak woodland</td> <td>3:1</td> <td>--</td> <td>--</td> <td>0.27</td> <td>0.81</td> </tr> <tr> <td>Eucalyptus woodland</td> <td>1:1</td> <td>--</td> <td>--</td> <td>0.02</td> <td>0.02</td> </tr> <tr> <td>Non-wetland Waters of the U.S / Streambed</td> <td>1:1</td> <td>0.07</td> <td>0.07</td> <td>0.04</td> <td>0.04</td> </tr> <tr> <td>Total</td> <td>--</td> <td>0.12</td> <td>0.22</td> <td>0.60</td> <td>1.68</td> </tr> </tbody> </table> <p>Note: Areas are presented in acre(s) rounded to the nearest 0.01. ¹ USACE is a subset of the CDFW jurisdiction. Source: Helix Environmental 2014</p>						Jurisdictional Area	Ratio	USACE ¹		CDFW		Impacts	Mitigation	Impacts	Mitigation	Southern willow riparian forest	3:1	0.05	0.15	0.23	0.69	Southern coast live oak riparian forest	3:1	--	--	0.04	0.12	Coast live oak woodland	3:1	--	--	0.27	0.81	Eucalyptus woodland	1:1	--	--	0.02	0.02	Non-wetland Waters of the U.S / Streambed	1:1	0.07	0.07	0.04	0.04	Total	--	0.12	0.22	0.60	1.68
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<p>Bio-6 Prior to the issuance of grading permits, the Project applicant shall submit a Conceptual Habitat Restoration Plan (CHRP) to the City Community Development Department for review and approval. The CHRP, which is described more fully in Appendix C Tree Management and Preservation Plan, shall be a cohesive restoration and monitoring plan that addresses site-wide restoration/mitigation efforts and includes a tree planting, canopy cover goal, and monitoring component. The CHRP shall specify native oak, willow, sycamore, and cottonwood tree planting details, locations, and long-term maintenance and monitoring for the mitigation of trees. The CHRP shall be used to prepare bidding construction documents for site preparation, tree installation, and maintenance. The CHRP shall require that a knowledgeable arborist or biologist be retained to monitor mitigation tree plantings for a period of five years. The CHRP also shall outline reporting protocols and standards for mitigation tree replacement, should it be necessary if canopy cover goals are not being achieved. Table 5.4-13, Landscape Tree Replacement Calculation, identifies the total number of plantings required to meet the intent</p>	<p>Require that the specified measures be implemented prior to grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>																																															

Mitigation Monitoring and Reporting Program

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

Table 5.4-13

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

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

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

Source: Dudek 2014

Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>7. If any human bones are discovered, the County Coroner and City shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted in order to determine proper treatment and disposition of the remains.</p> <p>8. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeological monitor(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.</p> <p>9. All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility meeting the standards of Title 36 CFR, Part 79, and located within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.</p> <p>10. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the City prior to the issuance of any building permits. The report will include California Department of Parks and Recreation (DPR) Primary and Archaeological Site Forms.</p>					
<p>GEOLOGY AND SOILS</p>					
<p>Geo-1 All recommendations contained in the geotechnical feasibility review (Appendix D) shall be incorporated into the Project during construction. These recommendations include the following:</p> <ol style="list-style-type: none"> 1. Transition lots shall be undercut at least 3 feet and at least one-third the maximum fill thickness on any lot, such that the ratio of 3:1 (maximum:minimum) fill thickness, or flatter is attained. Cut lots shall also be undercut to mitigate perched water conditions. All undercuts shall be sloped to drain away from the building area. 2. The fill cap shall extend to at least one foot below the lowest utility invert in street areas to facilitate trenching operations. 3. For fill slopes descending to property lines, removals shall be completed above a 1:1 projection beginning at the property line, or a point located at least 5 feet laterally from any adjacent street, or any nearby utility. Relatively deep removals adjacent to property line at Lots 3, 4, 43, 44, and Open Space Lot C may necessitate the use of structural setbacks within the building area, or possibly deepened foundations. 	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	

Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
4. Any planned import soil shall be very low to low expansive.					
HAZARDS AND HAZARDOUS MATERIALS					
<p>Haz-1 At least 10 days prior to demolition or removal of existing on-site structures, the project applicant shall submit an Asbestos Demolition or Renovation Operational Plan (Notice of Intention) to the City Community Development Department. This Plan shall be prepared by an asbestos consultant licensed with the California State Licensing Board and certified by the California Occupational Safety and Health Administration to conduct an asbestos inspection in compliance with Asbestos <i>National Emission Standard for Hazardous Air Pollutants</i> (NESHAP) requirements. The Asbestos NESHAP, as specified under Rule 40, CFR 61, Subpart M, (enforced locally by the San Diego Air Pollution Control District, under authority, per Regulation XI, Subpart M - Rule 361.145), requires the owner of an establishment set for demolition to submit an Asbestos Demolition or Renovation Operational Plan at least 10 working days before any asbestos stripping or removal work begins (such as site preparation that would break up, dislodge or similarly disturb asbestos containing material.)</p> <p>Removal of all asbestos-containing material or potential asbestos-containing material on the project site shall be monitored by the certified asbestos consultant and shall be performed in accordance with all applicable laws, including California Code of Regulations, Title 8, Section 1529, Asbestos; OSHA standards; and the San Diego County Air Pollution Control District Rule 361.145, Standard for Demolition and Renovation.</p>	Require that the specified measures be implemented prior to grading activities for future development projects.	Plan check and Site inspection	Prior to the issuance of any grading or building permit and At site inspection	City of Escondido Engineering Services Department – Field Engineering Section	
<p>Haz-2 Demolition or removal of existing on-site structures constructed pre-1979 shall be performed by a Certified Lead Inspector/Assessor, as defined in Title 17, CCR Section 35005, and in accordance with all applicable laws pertaining to the handling and disposal of lead-based paint. Lead-based materials exposure is regulated by Cal OSHA. Title 8 CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed Cal OSHA standards.</p>	Require that the specified measures be implemented during grading activities for future development projects.	Plan check and Site inspection	Prior to the issuance of any grading or building permit and At site inspection	City of Escondido Engineering Services Department – Field Engineering Section	

Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

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

**CEQA FINDINGS REGARDING SIGNIFICANT EFFECTS FOR THE OAK CREEK
RESIDENTIAL DEVELOPMENT SUB 13-0002, ENV 13-0006**

The City of Escondido has prepared an Environmental Impact Report (EIR) for the proposed Oak Creek residential project (Project) in compliance with the California Environmental Quality Act (CEQA; Public Resources Code Section 21000 *et seq.*) and the State CEQA Guidelines (California Administrative Code Section 15000 *et seq.* as amended). The Final EIR prepared for the Project consists of two volumes:

- Volume 1: EIR evaluating the proposed project and a reasonable range of alternatives
- Volume 2: Technical Appendices to the EIR

The Final EIR evaluated potentially significant effects for the following environmental areas of potential concern: 1) Aesthetics; 2) Agricultural Resources; 3) Air Quality; 4) Biological Resources; 5) Cultural and Paleontological Resources; 6) Geology and Soils; 7) Greenhouse Gas Emissions; 8) Hazards and Hazardous Materials; 9) Hydrology and Water Quality; 10) Land Use; 11) Noise; 12) Public Services; 13) Recreation; 14) Transportation and Traffic; and 15) Utilities and Service Systems.

Of these fifteen environmental subject areas, the Final EIR determined that Project impacts related to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise will involve potentially significant impacts. CEQA and the Guidelines require that no public agency shall approve or carry out a project which identifies one or more significant environmental effects of a project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- 1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment;
- 2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can or should be adopted by that other agency; or
- 3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR (CEQA, §21081(a); Guidelines, §15091(a)).

After consideration of an EIR, and in conjunction with Section 15091 findings, the lead agency may decide whether or how to approve or carry out the project. Pursuant to Section 15091(a)(1) of the Guidelines, the City finds that for each of the significant effects identified in the Final EIR, changes or alterations (mitigation measures) have been required in, or incorporated into, the project which will avoid or substantially lessen each of the significant environmental effects

identified in the Final EIR. The significant effects (impacts) and mitigation measures are stated fully in the Final EIR. The rationale for this finding for each impact is discussed below.

The official custodian of the documents and other materials that constitute the record of proceedings is:

City of Escondido Planning Division
201 North Broadway
Escondido, CA 92025.

Copies of all these documents, which constitute the record of proceedings upon which the City's decision is based, are, and at all relevant times have been, available upon request at the offices of the City, the custodian for such documents.

SECTION I FINDINGS REGARDING CERTIFICATION OF FINAL EIR

Pursuant to CEQA and the Guidelines, the City Council of the City of Escondido as the lead agency under CEQA is responsible for certification of the EIR and therefore makes the following findings:

1. The City Council has reviewed and considered the information in the Final EIR, which has been completed in compliance with CEQA;
2. The Final EIR reflects the City's, as lead agency, independent judgment and analysis; independent judgment and analysis; and,
3. The City Council adopts the Mitigation Monitoring and Reporting Program (Exhibit "—") to reduce or avoid the significant and mitigable impacts of the project.

SECTION II POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CAN BE REDUCED TO INSIGNIFICANCE THROUGH FEASIBLE MITIGATION MEASURES

The Final EIR determined that the proposed Project has potentially significant environmental effects to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise:

AIR QUALITY

Based on the information and analysis set forth in the Final EIR and the record of proceedings, fugitive dust emissions during construction activities for the proposed Project may affect local air quality.

Mitigation Measures: The project includes the following mitigation measures which would mitigate potentially significant impacts associated with these facilities to below a level of significance:

Air-1 Construction Dust Control Measures. The on-site construction superintendent shall ensure implementation of standard best management practices to reduce the emissions of fugitive dust during all grading and site preparation activities including, but not limited to, the following actions:

1. Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site, additional water shall be applied at a frequency to be determined by the on-site construction superintendent.
2. Temporary hydroseeding with irrigation shall be implemented on all graded areas on slopes, and areas of cleared vegetation shall be revegetated as soon as possible following grading activities in areas that will remain in a disturbed condition (but will not be subject to further construction activities) for a period greater than three months during the construction phase.
3. Operate all vehicles on the construction site at speeds less than 15 miles per hour.
4. Cover all stockpiles that will not be utilized within three days with plastic or equivalent material, to be determined by the on-site construction superintendent, or spray them with a non-toxic chemical stabilizer.
5. If a street sweeper is used to remove any track-out/carry-out, only PM₁₀-efficient street sweepers certified to meet the most current South Coast Air Quality Management District Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances.
6. Grading shall be terminated when winds exceed 25 mph.
7. Sweepers, wheel washers and water trucks shall be used to control dust and debris at public street access points.
8. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading.
9. Non-toxic soil stabilizers shall be applied according to manufacturer's specification to all inactive construction areas.

Finding

The City finds that Mitigation Measure Air-1 is incorporated into the proposed Project, is feasible, and will reduce potentially significant impacts on air quality resources to less than significant levels, thereby avoiding any significant effects as identified in the Final EIR.

Facts in Support of Finding:

The construction-related criteria pollutant emissions for each phase shows that the VOC, NO_x, CO, PM₁₀, and PM_{2.5} project construction emissions would not exceed the pound per day CEQA thresholds adopted by the City of Escondido (Municipal Code section 33-924) and are below the County of San Diego's CEQA screening thresholds and the South Coast Air Quality

Management District regional thresholds of significance (FEIR, Table ____, Page ____). Therefore, a less than significant regional air quality impact would occur during construction of the proposed project. The Escondido General Plan Update EIR does require, however, implementation of construction dust control measures to ensure fugitive dust emissions during construction would not be significant. Implementation of Mitigation Measure Air-1 would reduce the Project's potential impact related to air quality violations to a less than significant level.

BIOLOGICAL RESOURCES

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the proposed Project would result in potentially significant impacts related to special status species, riparian habitat and other sensitive natural communities, jurisdictional waters, and trees.

Mitigation Measures: The project includes the following mitigation measures which would mitigate potentially significant impacts associated with these facilities to below a level of significance:

Bio-1 Potential direct impacts to migratory bird species covered under the MBTA shall be mitigated by restricting brush removal and site grading to outside of the breeding season of most bird species (February 15 to September 15). Grubbing, grading, or clearing during the breeding season of MBTA covered species could occur if it is determined through a pre-construction survey by a qualified biologist that no nesting birds are present immediately prior to grubbing, grading, or clearing activities. A nesting survey report shall be submitted to the City for review and approval confirming that no breeding or nesting avian species are present in areas proposed for grubbing, grading, or clearing no longer than seven days prior to grading.

Bio-2 The following measures shall be implemented to reduce indirect impacts to sensitive species to below a level of significance.

1. Active construction areas and unpaved surfaces shall be watered pursuant to City grading permit requirements to ensure that generation of fugitive dust is minimized.
2. Orange construction fencing shall be installed prior to the start of construction to define the proposed limits of construction impacts and clearly define the grading boundaries, and biological monitoring of on-site open space shall be conducted during grading and construction activities prevent unintended impacts.
3. The Project shall address potential water quality impacts through compliance with the City's Grading Ordinance (See Section 33-1062, 33-1063, 33-1068, 33-1069) and implementation of the proposed best temporary construction management practices outlined in the Stormwater Management Plan (silt fence, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, solid waste management, stabilized construction entrance/exit, desilting basin, gravel bag berm, sandbag barrier, material delivery and storage, and any minor slopes will be covered with a plastic or tarp prior to a rain event).

4. All construction and security lighting associated with the Project shall be shielded or directed away from the open space.
5. After construction is complete, Project landscaping shall not include any California Invasive Plant Council (Cal-IPC) List A species.
6. A homeowner education program shall be implemented to alert homeowners of the need to keep pets outside of the on-site open space areas. The homeowners association shall be responsible for implementing rules related to resident's pets.
7. A management plan shall be provided for the on-site open space that will include all stewardship measures, such as upkeep of fencing and signs, restricting trespassing, and removing debris. The management plan will be implemented by the HOA. All fuel modification zones in open space lots will be maintained by the HOA. The HOA will be responsible for all vegetation management throughout the common areas of the project site, in compliance with the requirements. The HOA will be responsible for ensuring long-term funding and ongoing compliance with all provisions of the Project's Fire Protection Plan, including vegetation planting, fuel modification, vegetation management, and maintenance requirements throughout the private portions of the project site. Individual property owners will be responsible for maintaining zones on their property.

Bio-3 All brush removal, grading, and clearing of vegetation on the project site shall take place outside of the bird breeding season (February 15 [January 1 for tree dwelling raptors] through September 15). If construction activities are proposed to occur during the breeding season, a pre-construction survey shall be conducted by a qualified biologist no longer than seven days prior to the start of construction to determine if nesting birds are present on site. No construction activities shall occur within 300 feet of burrowing owl burrows, tree dwelling raptor nests, or least Bell's vireo, or within 800 feet of ground dwelling raptor nests, until a qualified biologist has determined that they are no longer active or that noise levels will not exceed 60 dB(A) Equivalent Energy Level (L_{eq}) at the nest site. Alternatively, noise minimization measures such as noise barriers shall be constructed to bring noise levels to below 60 dB(A) L_{eq} , which will reduce the impact to below a level of significance.

Bio-4 The Project would cause direct impacts to 1.1 acre of coast live oak woodland (0.9 acre of which is outside of CDFW jurisdiction), 0.1 acre of Diegan coastal sage scrub, and 3.1 acres of non-native grassland. Impacts to 0.9 acre of coast live oak woodland shall be mitigated at a 3:1 ratio through acquisition of 2.7 acres of credit from the Daley Ranch Mitigation Bank. The remaining 0.27 acre of coast live oak woodland within CDFW jurisdiction is addressed in mitigation measure Bio-5 below. Impacts to 0.1 acre of Diegan coastal sage scrub shall be mitigated at a 2:1 ratio through acquisition of 0.2 acre of credits from the Daley Ranch Mitigation Bank, while impacts to non-native grassland shall be mitigated at a 0.5:1 ratio through acquisition of 1.6 acres of credits from the Daley Ranch Mitigation Bank. See Table 5.4-8 for a summary of mitigation requirements.

Table 5.4-8

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

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

Source: Helix Environmental 2014

Bio-5 The Project applicant shall be required to obtain wetland permits and approvals for impacts to USACE and California Department of Fish and Wildlife (CDFW) jurisdictional areas. See Table 5.4-9 for a summary of mitigation requirements for jurisdictional areas. Impacts to southern willow riparian forest, southern coast live oak riparian forest, and coast live oak woodland jurisdictional habitats are anticipated to require a 3:1 mitigation ratio through creation and/or restoration and/or enhancement of riparian or oak woodland habitat on site. Impacts to CDFW eucalyptus woodland and non-wetland Waters of the U.S./CDFW streambeds shall be mitigated through creation/restoration at a 1:1 ratio. This will require creation/restoration of approximately 0.07 acre of drainages, of which a minimum of 0.07 acre must be USACE jurisdictional. Wetland mitigation is proposed to occur within the 9.8 acres of open space along

existing on-site drainages, with final mitigation requirements to be determined by the resource agencies through the permitting process. On-site mitigation is proposed to consist of recontouring a portion of the stream channel, removal of non-native species, and seeding/planting with a mix of native shrubs and trees. A detailed restoration, maintenance and monitoring plan shall be prepared by a qualified restoration ecologist/biologist and shall be approved by the City prior to issuance of a grading permit. More detail information regarding the performance standards that will be used in the implementation of this mitigation measure is provided in the Riparian Habitat Mitigation Plan for the Oak Creek Project found in Appendix G of the Biological Technical Report, which is Appendix F in the Final EIR.

The biological open space lots would be preserved in their natural state within a permanent conservation easement and mechanism for privately funded on-going maintenance managed in perpetuity for biological resource values by the HOA. Conserved areas on site would be placed in an open space easement and managed through funding provided by the Project's Homeowners Association (HOA), with management overseen by a qualified biologist/resource manager.

Table 5.4-9

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

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

¹ USACE is a subset of the CDFW jurisdiction.

Source: Helix Environmental 2014

Bio-6 Prior to the issuance of grading permits, the Project applicant shall submit a Conceptual Habitat Restoration Plan (CHRP) to the City Community Development Department for review and approval. The CHRP, which is described more fully in Appendix C Tree Management and Preservation Plan, shall be a cohesive restoration and monitoring plan that addresses site-wide restoration/mitigation efforts and includes a tree planting, canopy cover goal, and monitoring component. The CHRP shall specify native oak, willow, sycamore, and cottonwood tree planting details, locations, and long-term maintenance and monitoring for the mitigation of trees. The

CHRP shall be used to prepare bidding construction documents for site preparation, tree installation, and maintenance. The CHRP shall require that a knowledgeable arborist or biologist be retained to monitor mitigation tree plantings for a period of five years. The CHRP also shall outline reporting protocols and standards for mitigation tree replacement, should it be necessary if canopy cover goals are not being achieved. Table 5.4-13, Landscape Tree Replacement Calculation, identifies the total number of plantings required to meet the intent of the City’s tree protection and replacement requirements. Upon approval of the CHRP, the Project applicant shall implement the plan. Implementation of the CHRP shall achieve at a minimum 2:1 replacement of trees at the end of five years.

Table 5.4-13

Impacted Tree Type	Grading Related	Replacement Ratio	Replacement Species¹	Total Number Replacement Trees²
<i>Cedrus deodora</i>	1	1:01	--	1
<i>Eucalyptus camaldulensis</i>	38	1:01	--	38
<i>Eucalyptus cinerea</i>	2	1:01	--	2
<i>Eucalyptus cladocylax</i>	2	1:01	--	2
<i>Fraxinus uhdei</i>	2	1:01	--	2
<i>Olea eurpea</i>	37	1:01	--	37
<i>Phoenix canariensis</i>	2	1:01	--	2
<i>Pinus elderica</i>	3	1:01	--	3
<i>Quercus agrifolia</i> (protected)	97	2:01	--	194
<i>Q. agrifolia</i> (mature)	98	1:01	--	98
<i>Q. englemanii</i> (protected)	3	2:01	--	6
<i>Q. englemanii</i> (mature)	3	1:01	--	3
<i>Salix goodingii</i>	18	1:01	--	18
<i>Salix lasiolepis</i>	11	1:01	--	11

<i>Schinus molle</i>	2	1:01	--	2
<i>S. terebenthifolius</i>	7	1:01	--	7
<i>Ulmas parvifolia</i>		1:01		3
<i>Washingtonia robusta</i>	24	1:01	--	24
Minimum Required Escondido Mitigation Tree Plantings				453
Minimum Proposed Landscape Plantings				453
Minimum Proposed Habitat Area Tree Plantings				1,500 to 2,000

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

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

Source: Dudek 2014

Finding

The City finds that Mitigation Measures Bio-1 through Bio-6 are incorporated into the proposed Project, are feasible, and will reduce potentially significant impacts on special status species, riparian habitat and other sensitive natural communities, jurisdictional waters, and trees to less than significant levels, thereby avoiding any significant effects as identified in the Final EIR.

Facts in Support of Finding:

Implementation of Mitigation Measures Bio-1 through Bio-6 will reduce the proposed Project's potentially significant impacts on biological resources to less than significant, thereby avoiding any significant impacts, as follows:

Special Status Plant and Wildlife Species. Implementation of mitigation measures Bio-1 through Bio-3 would reduce impacts to sensitive species to less than significant. Mitigation measures Bio-1 and Bio-3 will restrict brush removal and site grading to outside of breeding season of most bird species with grubbing, grading or clearing during breeding season only if allowed by a qualified biologist after a pre-construction survey confirms no nesting birds are present.

Mitigation measure Bio-2 will reduce potentially significant impacts as a result of construction activities, by watering unpaved surfaces to minimize generation of fugitive dust; fencing off the limits of disturbance before start of construction; and, directing all lighting away from open spaces. After construction is complete, implementation of mitigation measure Bio-2 prohibits landscaping to include any invasive species; requires an education program for homeowners to keep pets outside the open space areas; and, a management plan to maintain and protect the on-site open space.

Riparian Habitat and Other Sensitive Natural Communities. Implementation of mitigation measures Bio-4 and Bio-5 would reduce potentially significant direct impacts to 4.6 acres of sensitive vegetation communities through acquisition of mitigation credits and on-site restoration, including recontouring a portion of the stream channel, removal of non-native species, and seeding/ planting with a mix of native shrubs and trees.

Jurisdictional waters. The Project would directly impact 0.04 acre of southern willow riparian forest. This potentially significant impact to federally-protected wetlands would be reduced to less than significant with implementation of mitigation measure Bio-5, which requires the applicant to obtain wetland permits and approvals for impacts to jurisdictional areas and the creation and/ or restoration and/or enhancement of riparian or oak woodland habitat, DCFW eucalyptus woodland, wetland and non-wetland water streambeds on site.

Trees. The removal and encroachment of mature trees is considered a significant impact, but would be mitigated to a less than significant level through implementation of mitigation measure Bio-6, which requires a restoration and monitoring plan that includes mitigation tree plantings to replace the impacted trees.

CULTURAL RESOURCES

Based on the information and analyses set forth in the Final EIR and the record of proceedings, the proposed Project would result in potentially significant impacts related to undiscovered buried archaeological resources within the project site and off site.

Mitigation Measures: The project includes the following mitigation measures which would mitigate potentially significant impacts associated with these facilities to below a level of significance:

Cul-1 The following mitigation monitoring program shall be implemented to address potential impacts to undiscovered buried archaeological resources within the project site and off site. This program shall include, but not be limited to, the following actions:

1. Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the Project archaeologist to the lead

agency. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program, including a qualified Native American monitor.

2. The qualified archaeologist shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.
3. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) shall be on site full-time to perform periodic inspections of the excavations. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features.
4. A Native American monitor shall accompany the archaeologist monitor during all times that the archaeological monitor(s) is on site.
5. Isolates and clearly non-significant deposits shall be minimally documented in the field so the monitored grading can proceed.
6. In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the City's Project manager at the time of discovery of previously unidentified cultural resources within the project site. The archaeologist, in consultation with the City's Project manager, shall determine the significance of the discovered resources. The City must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the lead agency, then carried out using professional archaeological methods. The archaeologist shall contact the County DPR Resource Management Division and County Archaeologist at the time of discovery of previously unidentified cultural resources within off-site construction areas.
7. If any human bones are discovered, the County Coroner and City shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted in order to determine proper treatment and disposition of the remains.
8. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeological monitor(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.
9. All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility meeting the standards of Title 36 CFR, Part 79, and located within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.
10. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the City prior to the issuance of any building permits. The report will include California Department of Parks and Recreation (DPR) Primary and Archaeological Site Forms.

Finding

The City finds that Mitigation Measure Cul-1 is incorporated into the proposed Project, is feasible, and will reduce potentially significant impacts on undiscovered buried archaeological resources to less than significant levels, thereby avoiding any significant effects as identified in the Final EIR.

Facts in Support of Finding:

Implementation of the Cul-1 mitigation monitoring program will reduce potential impacts to undocumented archaeological deposits during disturbance through the mandatory on-site presence of archaeological and Native American monitors. If potentially significant cultural resources or human remains are discovered, the monitors shall be able to divert or halt ground disturbance operations. All cultural material collected during the grading monitoring program shall be processed and curated and a final report documenting the field and analysis results will be prepared.

GEOLOGY and SOILS

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the Project may result in unstable soil conditions because of unsuitable soils and improperly backfilled excavations. Soil stability on the Project site may also be impacted by saturated soils resulting from groundwater seepage.

Mitigation Measures: The project includes the following mitigation measures which would mitigate potentially significant impacts associated with unstable soil conditions to below a level of significance:

Geo-1 All recommendations contained in the geotechnical feasibility review (Appendix D) shall be incorporated into the Project during construction. These recommendations include the following:

1. Transition lots shall be undercut at least 3 feet and at least one-third the maximum fill thickness on any lot, such that the ratio of 3:1 (maximum:minimum) fill thickness, or flatter is attained. Cut lots shall also be undercut to mitigate perched water conditions. All undercuts shall be sloped to drain away from the building area.
2. The fill cap shall extend to at least one foot below the lowest utility invert in street areas to facilitate trenching operations.
3. For fill slopes descending to property lines, removals shall be completed above a 1:1 projection beginning at the property line, or a point located at least 5 feet laterally from any adjacent street, or any nearby utility. Relatively deep removals adjacent to property line at Lots 3, 4, 43, 44, and Open Space Lot C may necessitate the use of structural setbacks within the building area, or possibly deepened foundations.

4. Any planned import soil shall be very low to low expansive.

Finding

The City finds that Mitigation Measure Geo-1 is incorporated into the proposed Project, is feasible, and will reduce potentially significant impacts on unstable soils to less than significant levels, thereby avoiding any significant effects as identified in the Final EIR.

Facts in Support of Finding:

The Project would involve site grading, excavations, backfill, and creation of slopes. Unsuitable soils, including fill material, and improperly backfilled excavations could potentially result in unstable soil conditions. Implementation of mitigation measure Geo-1 will reduce these impacts to a less than significant level, and requires compliance with the geotechnical feasibility review recommendations, including, proper placement and compaction of backfill, adherence to the Uniform Building Code and California Building Code guidelines would minimize the risk of unstable soil conditions at the Project site. In addition, the Project will require a grading exemption discretionary permit in accordance with the City of Escondido Municipal Code, Article 55, Grading and Erosion Control, Section 33- 1066, Design Criteria because the Project proposes cut slopes greater than 20 feet in height and fill slopes greater than 10 feet in height.

HAZARDS and HAZARDOUS MATERIALS

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the Project may have potentially significant impacts during construction with the accidental release of hazardous materials, on-site because of existing hazardous materials, and with the implementation of the traffic calming feature on Felicita Road which is part of the emergency response and evacuation plans.

Mitigation Measures: The project includes the following mitigation measures which would mitigate potentially significant impacts to below a level of significance:

Haz-1 At least 10 days prior to demolition or removal of existing on-site structures, the project applicant shall submit an **Asbestos Demolition or Renovation Operational Plan** (*Notice of Intention*) to the City Community Development Department. This Plan shall be prepared by an asbestos consultant licensed with the California State Licensing Board and certified by the California Occupational Safety and Health Administration to conduct an asbestos inspection in compliance with Asbestos *National Emission Standard for Hazardous Air Pollutants* (NESHAP) requirements. The Asbestos NESHAP, as specified under Rule 40, CFR 61, Subpart M, (enforced locally by the San Diego Air Pollution Control District, under authority, per Regulation XI, Subpart M - Rule 361.145), requires the owner of an establishment set for demolition to submit an **Asbestos Demolition or Renovation Operational Plan** at least 10

working days before **any** asbestos stripping or removal work begins (such as site preparation that would break up, dislodge or similarly disturb **asbestos containing material**.)

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

Haz-2 Demolition or removal of existing on-site structures constructed pre-1979 shall be performed by a Certified Lead Inspector/Assessor, as defined in Title 17, CCR Section 35005, and in accordance with all applicable laws pertaining to the handling and disposal of lead-based paint. Lead-based materials exposure is regulated by Cal OSHA. Title 8 CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed Cal OSHA standards.

Haz-3 The following mitigation measure addresses contaminated soils and their export off-site.

1. Prior to issuance of a grading permit the applicant shall prepare a Response Plan in conformance with DTSC standards to address risks associated with the detected concentrations of TPH-DRO and arsenic on the project site. The Response Plan shall be approved by DTSC and submitted to the City prior to the issuance of a grading permit. The Response Plan will include one of the following three remedial methods to reduce impacts to a less than significant level. Remedial Method Options 1, 2 and 3 would require a small amount of soil export amounting to up to approximately 1,353 cubic yards of soil.

Remedial Method Option 1

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

Remedial Method Option 2

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

Remedial Method Option 3

- e) Remedial Method: Excavation and off-site disposal of TPH-impacted soil, approximately 20 cubic yards; and capping of AIS with 800 cubic yards of soils (therefore, no excavation and off-site disposal of AIS is required). Capping is a process used to cover contaminated soils to prevent the migration of pollutants and is a reliable technology for sealing off contamination from the above-ground environment and significantly reducing underground migration of pollutants away from the site. The cap shall be made of soil native to the site.
 - f) Overseeing Agencies: DTSC, along with CDFW and RWQCB for portions of the project site near the creek.
2. Prior to issuance of a grading permit for the selected remedial method (options 1, 2, or 3), any areas proposed for disturbance on the project site where previous hazardous materials releases have occurred must be mitigated in accordance with the requirements of the overseeing regulatory agency (DTSC, RWQCB or CDFW, as appropriate) for the proposed residential use of the site. All proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site-specific health and safety plan, prepared by a licensed professional in accordance with California Division of Occupational Safety and Health (Cal OSHA) regulations (contained in Title 8 of the California Code of Regulations) to protect the public and all workers in the construction area prior to the commencement of groundbreaking.
 3. Following completion of the selected remedial method, the project applicant shall seek and obtain written regulatory closure letter from the DTSC specifying that no further action is necessary in regard to the TPH- and arsenic-impacted soil. Overseeing Agencies: DTSC, along with CDFW and RWQCB for portions of the project site near the creek.
 4. The transportation of the exported soil is included as part of the grading activities associated with the Project and is described in Section 4.3.3, Site and Infrastructure Improvements and is addressed in Sections 5.3 Air Quality, 5.11 Noise and 5.14 Transportation and Traffic.
 5. Regarding potential dust migration impacts associated with the excavation, loading and transport of contaminated soils, all trucks transporting soil or waste shall comply with 22 California Code of Regulations (CCR) Part 66263.16, Standards Applicable to Transporters of Hazardous Waste. The following mitigation measures that will be implemented include but are not limited to:
 - a. Dust monitoring shall be conducted during loading of contaminated soil in conformance with the procedures and standards described below under mitigation measure Haz-4.
 - b. Water shall be used for dust suppression, if necessary.

- c. Transport trucks shall have the contaminated soils loads covered with a retractable during transportation;
 - d. Transport trucks shall have at a minimum one foot of freeboard with the truck is loaded to prevent spillage.
 - e. Standard SWPPP procedures described in Section 5.9.3.1 Issue 1: Water Quality Standards and Requirements shall be implemented to prevent the migration of contaminated soil from the project site, such as installation of devices specially designed to clear tires of sediment and hold it for later cleanout.
6. Potential human health risk mitigation measures would include the installation of soil vapor barriers beneath proposed building structures to prevent soil vapor intrusion if the vapor levels exceed regulatory standards. Additionally, the pockets of soil impacted by petroleum hydrocarbons and/or by heavy metals at concentrations above regional background levels will be mitigated through a removal action with either on-site strategic placement to eliminate the exposure pathway or off-site disposal at a suitable landfill.
 7. The truck haul route for the export of contaminated soils will head north from the project site along Felicita Road to Gamble Lane and then to Interstate 15. The return route would follow the same roadways.

Haz-4 This measure addresses potential health impacts from exposure to contaminated dust during construction, both for workers at the Project and for residents around the Project during construction. This measure would take place during grading activities associated with remediating the contaminated soils on site and it would be monitored by a qualified hazardous materials specialist. The features of the measure are as follows.

1. Remedial excavation work and grading activities will be performed pursuant to a Site Health & Safety Plan developed in accordance with federal law, as set forth at 29 CFR 1910.20 (i.e., the “Hazardous Waste Operations and Emergency Response,” also known as the HAZWOPER standard), which requires, among other things, that all personnel dealing with disturbed soil have the training, experience and medical clearance to work on the Project;
2. Air will be monitored for contaminant concentrations in dust in comparison to action levels based on the Occupational Safety and Health Administration (OSHA) Permissible Exposure Limit (PEL) for arsenic of 0.01 milligrams per cubic meter (mg/m³) and the PEL for trichloroethylene (TCE) of 100 ppm. The Mitigation Report further specifies that arsenic will act as the surrogate for all other particulate exposures because it has the most stringent respirable dust action level of all the potential dust contaminants at the Project and that TCE will act as the surrogate for volatile organic compounds because it is the hazardous constituent potentially present in groundwater at the highest concentration;

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

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

Haz-4a As required by the DTSC, the applicant will include a deed restriction on the title for the Project that prohibits the use of groundwater at the project site for any purpose including, without limitation, any extraction of groundwater.

Haz-5 5 Prior to the start of construction, the construction contractor shall notify the Escondido Police Department of the location, timing and duration of any lane closure(s) on Felicita Road, or any other road in the project area, due to project construction activities. If determined necessary by the Police Department, local emergency services, including the Escondido Fire Department and appropriate ambulance services, shall also be notified of the lane closure(s).

Finding

The City finds that Mitigation Measures Haz-1 through Haz-5 are incorporated into the proposed Project, are feasible, and will reduce potentially significant impacts through accidental release of hazardous materials during construction, the release of TPH-DRO and arsenic on the project site, and, interference with an adopted emergency plan or emergency evacuation plan to less than significant levels, thereby avoiding any significant effects as identified in the Final EIR.

Facts in Support of Finding:

Accidental leaks or spills of hazardous materials may occur during construction of the proposed project, or through improper removal of existing structures. Mitigation measures Haz-1 and Haz-2 require that a demolition and renovation plan be prepared by an asbestos consultant licensed and certified by the state, prior to grading activities, and that demolition and removal be performed by a Certified Lead Inspector/ Assessor which will reduce the potential impacts to less than significant.

The Chatham Brothers Barrel Yard site was identified as a nearby source of contamination potentially affecting groundwater beneath the Project. The potential environmental and human health risks posed by the Chatham Brothers Barrel Yard relate to (1) hazardous substances in groundwater, including volatile organic compounds (“VOCs”) such as tetrachloroethylene (or “PCE”) and trichloroethylene (or “TCE”), and (2) volatilization of hazardous substances from the groundwater into soil vapor migrating upwards. Groundwater at the Project is not impacted at levels exceeding applicable human health risk-protective regulatory thresholds (see Final EIR Appendix __ Site Assessment Report: SVGW, paragraph 2). Therefore, DTSC has required no remediation specific to groundwater beneath the Project. Further, no contaminants were detected in soil vapor at levels exceeding applicable human health risk-protective regulatory thresholds at the areas where residential construction will occur (see Final EIR Appendix __ Site Assessment Report: SVGW, Section 3.1, page 3-1). At a single location outside of the development footprint (i.e., TtSV-1), VOCs were detected at levels above Regional Screening Levels (see Final EIR Appendix __ Site Assessment Report: SVGW, page 3-1, paragraph 5). Because residential development is not going to occur above this area, however, DTSC has required no further investigation of this area (see Final EIR Appendix __ Site Assessment Report: SVGW, page 3-2, first paragraph). With respect to soil, existing impacts to soil at the Project will be remediated under DTSC oversight. With respect to groundwater, Haz-4a prohibits construction or use of wells on the Project site and prohibits future property owners from using the groundwater for any purpose.

Existing, on-site concentrations of hazardous materials may cause a significant impact to the public or the environment. Implementation of mitigation measure Haz-3 and Haz-4, which requires the implementation of one of three remedial measures, the applicant seek a written regulatory closure letter from the DTSC or DEH specifying that residual human health risks on

the project site are within acceptable standards, and on-site air monitoring during construction at the areas where soil will be disturbed, downwind of the earth movement activities, and at the boundaries of the project site to monitor potential risks to personnel and off-site receptors. If the monitoring indicated heavy metal concentration in the dust, mitigation measure Haz-4 requires dust mitigation measures to reduce the impact.

The proposed project includes the installation of traffic calming features on Felicita Road, an identified evacuation route, which may require a temporary closure of one or both lanes of traffic. Mitigation measure Haz-5 requires that prior to the start of construction, the construction contractor notifies the Escondido Police Department of the location, timing and duration of any lane closure on any roads in the project area. If necessary, the construction contractor may be required to also notify local emergency services include the fire department and ambulance services, to mitigate the impact to less than significant.

HYDROLOGY and WATER QUALITY

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the project would result in housing within a 100-year flood hazard area and flows within the 100-year flood hazard area would potentially be impeded and redirected by placement of fill.

Mitigation Measures: The project includes the following mitigation measures which would mitigate potentially significant impacts associated with these facilities to below a level of significance:

Hydro-1 A Letter of Map Revision (LOMR) certifying that all houses within the Project been elevated above the base flood level of the 100-year floodplain is required from the Federal Emergency Management Agency (FEMA). The Project is required to model stormwater flow through the channel system as part of final Project engineering to meet FEMA requirements.

Hydro-2 Impervious Cover on Homeowners Lots - The sizing for the on-site bioretention/detention basins have been calculated based on 50% impervious surface for each lot and 100% impervious for streets and fire access. The actual impervious area installed by the builder on each lot has been calculated to be an average of approximately 34%, leaving 2,053 square feet available to each homeowner to install additional impervious hardscape or impervious structural improvements on their property. The builder will be required to provide a disclosure to all homebuyers informing purchasers of this limitation. Prior to issuance of grading or building permits for improvements by a future homeowner, the landscape or architectural consultant to the HOA shall provide an area calculation of all impervious surfaces (excluding water surface area in pools) that have been installed on the property since the initial purchase date from the builder plus the additional impervious area proposed by the homeowner. This calculation shall be provided to the City of Escondido Planning Division with the plans at the time of permit application for their approval to ensure consistency with this mitigation measure and the project conditions of approval.

Finding

The City finds that Mitigation Measures Hydro-1 and Hydro 2 are incorporated into the proposed Project, are feasible, and will reduce potentially significant impacts on locating housing within a 100-year floodplain, the potential for the project impeding or redirecting flow within the 100-year floodplain, the potential to violate water quality standards, and the potential for causing erosion or siltation, thereby avoiding any significant effects as identified in the Final EIR.

Facts in Support of Finding:

The proposed Project including housing placed within a 100-year flood hazard area. The Project proposes to place fill in the proposed development areas to raise the pads out of the floodplain. Per Federal Emergency Management Agency (FEMA) requirements, the development grading and culverts at the existing and proposed road crossings would be designed to protect all pads and structures from the one percent annual chance flood event. Therefore, with implementation of mitigation measure Hydro-1 and Hydro-2, impacts to placing housing within a 100-year flood hazard area and impacts to flow within the flood hazard area would be reduced to a less than significant level. The Project includes construction of a storm drain system and flood attenuation/bioretention basins to safely convey runoff and to mitigate any increase in peak flow from the Project, and would collectively reduce the runoff from the 100-year peak storm event to equal to or less than pre-Project conditions. With the implementation of mitigation measure Hydro-2, potential impacts to water quality and the potential for causing erosion and siltation would be reduced to a less than significant level.

NOISE

Based on the information and analysis set forth in the Final EIR and the record of proceedings, construction activities would generate significant, temporary groundborne vibration and noise that could expose nearby noise-sensitive receptors to elevated levels that may disrupt communication and routine activities.

Mitigation Measures: The project includes the following mitigation measures which would mitigate potentially significant impacts associated with these facilities to below a level of significance:

Noi-1 Limit Vibration-generating Equipment. The construction contractor shall not operate a vibratory roller, or equipment with the potential to result in an equivalent level of vibration, within 75 feet of any residence.

Noi-2 The construction contractor shall implement a noise mitigation plan to ensure that construction noise levels will not exceed an hourly average noise level of 75 dBA at any residence. The plan shall be verified by a qualified acoustical engineer and be subject to approval by the City Engineer. Measures to be included in the plan shall include the following, as

necessary, to achieve compliance with the City's noise ordinance for construction within 140 feet of an off-site residential lot:

1. Equipment and trucks used for Project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds).
2. Construction contractors shall use "quiet" gasoline-powered compressors or other electric-powered compressors, and use electric rather than gasoline or diesel powered forklifts for small lifting.
3. Stationary noise sources, such as temporary generators, shall be located as far from nearby receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.
4. Temporary plywood noise barriers eight feet in height shall be installed as needed around the construction site to minimize construction noise to 75 dBA as measured at the applicable property lines of the adjacent uses, unless an acoustical engineer submits documentation that confirms that the barriers are not necessary to achieve the attenuation levels.

Finding

The City finds that Mitigation Measures Noi-1 and Noi-2 are incorporated into the proposed Project, are feasible, and will reduce potentially significant impacts from excessive groundborne vibration and construction activities to less than significant levels, thereby avoiding any significant effects as identified in the Final EIR.

Facts in Support of Finding:

Construction of the Project would generate temporary groundborne vibration and groundborne noise caused by construction activities and equipment. The project site is generally separated from surrounding land uses by Felicita Road, Miller Avenue, and Hamilton Lane; however, homes along these roadways are still located within 135 feet of the edges of the project site. Additionally, Lots 60 through 65 are located adjacent to (approximately 50 feet) the existing religious facility and residences along Miller Avenue and Hamilton Lane. Therefore, Project construction activities would have the potential to exceed the vibration impact criteria and result in a temporary significant impact. Implementation of mitigation measure Noi-1 would reduce the temporary impact to a less than significant level, by limiting the use of vibratory rollers and equivalent equipment within 75 feet of residences.

Construction of the Project would generate noise that could expose nearby noise-sensitive receptors to elevated noise levels that may disrupt communication and routine activities. The magnitude of the impact would depend on the type of construction activity, equipment, duration of the construction phase, distance between the noise source and receiver, and intervening structures. Implementation mitigation measures Noi-1 and Noi-2, which requires the

implementation of a noise mitigation plan to ensure that construction noise levels do not exceed an hourly average noise level of 75 dBA at any residence, would minimize noise from construction activities and ensure that noise levels would not exceed Noise Ordinance thresholds, and impacts would be less than significant. The noise mitigation plan shall include measures, as necessary, to achieve compliance with the City's noise ordinance for construction within 140 feet of an off-site residential lot.

SECTION II FINDINGS REGARDING PROJECT ALTERNATIVES

The CEQA Guidelines direct lead agencies that the "range of potential alternatives to the proposed Project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects" (Section 15126.6[c]). The Final EIR evaluated a reasonable range of alternatives to the proposed Project. These alternatives are:

- No Project Alternative
- Less Dense Alternative (Without Annexation/ Public Sewers [20 Units])
- Reduced Jurisdictional Habitat Impact Alternative (62 Units)
- Reduced Residential Footprint Alternative (65 Units)

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. An alternative may be "infeasible" if it fails to fully promote the lead agency's underlying goals and objectives with respect to the project. In considering alternatives, a number of factors, including the objectives of the proposed Project were considered, as described in the EIR. The objectives for the proposed Project are as follows:

1. Annex the property consistent with the San Diego Local Agency Formation Commission's adopted sphere of influence for the City of Escondido and the long-range planning policies of the County of San Diego and City of Escondido.
2. Propose an overall residential density that is less than the applicable General Plan land use designations of the City of Escondido (Estate II, 2.0 du/ac, maximum yield of 80 units based on site-specific slope conditions) and County of San Diego (Village Residential, VR-2.9 du/ac, maximum yield of 122 dwelling units).
3. Permanently preserve approximately one-third of the site as open space.
4. Cluster housing to protect environmental resources identified in technical constraints studies.
5. Restore, enhance, and maintain the existing seasonal pond as an amenity which is accessible to the public.
6. Minimize impacts to jurisdictional wetland areas to less than one acre.

7. Ensure that Project traffic from the Oak Creek Project does not create significant impacts as defined by the City of Escondido's CEQA significance criteria.
8. Fund and construct off-site traffic calming features on Felicita Road in response to the community's desire to reduce speed, enhance pedestrian safety, and provide for pedestrian connectivity to Miller Ave, Hamilton Lane and Felicita Road.
9. Provide Felicita Road as a modified Local Collector that minimizes conflicts with adjacent properties' existing off-site improvements.
10. Limit non-emergency vehicular access to the project to reduce potential conflicts with traffic traveling on surrounding streets.
11. Balance transportation needs with the preference of the immediately adjacent neighbors to have more rural-appearing public improvements.
12. Comply with the City of Escondido's goal of developing their portion of the San Diego Association of Governments' fair share Regional Housing Needs Allocation by providing new in-fill housing.
13. Design the project in a manner that appeals to the area's growing demand for high quality homes.
14. Coordinate all design components of the Project such as landscaping, signage, lighting, internal street design, and building materials/elevations.
15. Annex the property to the City of Escondido to provide a connection to a public sewer system rather than relying on private septic tanks.

The applicant has revised the application to be consistent with the project alternative, Reduced Residential Footprint Alternative (65 Units).

NO PROJECT ALTERNATIVE

CEQA requires a No Project Alternative to be addressed in an EIR. Under the No Project Alternative, the existing on-site land uses could continue, and the one vacated single-family house would remain. The project site would remain in an unincorporated area in the County of San Diego and would be subject to the County's development requirements and policies. No infrastructure improvements would occur to the on-site drainages and off-site roadways: Felicita Road would not be improved, and no traffic calming features would be implemented. On-site biological resources, including the seasonal pond, would not be permanently protected within dedicated open space lot or easements.

Feasibility of Alternative

The No Project Alternative would have no impact on aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use, noise, public services, transportation and traffic, and utilities and service systems. Compared to the proposed Project, the No Project Alternative would have similar impacts on air traffic patterns. This alternative would have greater impacts on water quality standards and requirements, flooding and the capacity of stormwater systems.

Overall, the No Project Alternative would result in fewer environmental impacts than the proposed Project.

The No Project alternative was rejected in favor of the proposed Project, because the No Project Alternative does not meet any of the Project objectives. Development would not occur; therefore, development would not be consistent with County of San Diego or City of Escondido land use policies or planning objectives (objectives 1, 2, 4, 12, 15). No permanent open space preservation or biological resources protection and enhancement would occur (objectives 3, 5, 6). Traffic infrastructure would not be improved and no traffic calming features would be implemented (objectives 8, 9). Some Project objectives are Project specific and are not relevant to the No Project Alternative (objectives 7, 11, 13, 14).

LESS DENSE ALTERNATIVE (WITHOUT ANNEXATION/ PUBLIC SEWERS; 20 UNITS)

This alternative would be developed in the County, where the general plan would allow Project development of up to 122 dwelling units. However, due to a lack of available public sewer service from the County, special district or City, development without annexation would require individual private septic systems. Under the Less Dense Alternative (Without Annexation/Public Sewers), the project site and the adjacent Chalice Unitarian Universalist Congregation property would not be annexed to Escondido or excluded from County Service Area No. 135. Water would continue to be provided by Rincon Water, with an inclusion into the improvement district. As such, the site would remain under the jurisdiction of the County of San Diego and would not have public sewer connectivity. Development would be consistent with the existing County zoning. The County has zoned 38.1 acres of the site as Rural Residential (RR), which allows single-family residential development on minimum 15,000 square foot lots, and 3.8 acres of the site as A-70 (Limited Agriculture) (County of San Diego 2013). Smaller lots could potentially be developed employing “clustering.”

Assuming approximately 1-acre lots, which is typical for lots on septic in the County, the Less Dense Alternative (Without Annexation/Public Sewers) could construct 20 single-family detached residences. The homes could be built on approximately 1-acre lots: 17 lots within the larger area south and west of Hamilton Lane / Miller Avenue, and 3 lots in the panhandle area east of Miller Avenue. The residential lots would comprise the same acreage as the Project.

The architectural style, color scheme of the homes, and street lighting could be similar to that proposed for the Project but is not guaranteed under this alternative because this would be a custom-lot-sale scenario. This alternative would conserve the same areas of open space within two dedicated open space lots. As with the Project, the open space areas would be primarily in drainage basins in the north-center and western portions of the project site, and would be preserved in their natural state, encompassing a number of sensitive natural communities. Clean-up, restoration, and enhancement of the wetland areas would not be proposed. Public pedestrian access to the pond would be allowed. Sidewalks and landscaping would be constructed in accordance with County regulations.

Three vehicle access points would be available to the development: one from Hamilton Lane, one from Miller Avenue across from Twilight View Terrace, and one from Felicita Road south of Park Drive. An emergency access gate would be provided from Hamilton Lane, east of the Hamilton Lane entrance. This gate would be for emergency vehicle use only and would not be used for day-to-day resident vehicular access.

Felicita Road would be built to County General Plan standards and traffic calming features would not be proposed in this alternative. Some proposed homes fronting on Miller Ave and Hamilton Lane would take access off the two streets rather than a single controlled access on Felicita Road, (which is part of the Project's proposed circulation system).

Project utilities construction would include the extension of gas and electric transmission facilities, water pipelines, and communications facilities. Development would rely on individual septic tanks rather than a public sewer system. Water service would be provided by Rincon Water.

The project site for this alternative would be graded similar to that of the Project. Runoff from the residential lots would drain to the streets within the subdivision and the site would be graded to generally maintain drainage patterns toward the western and southern boundaries. On-site drainage improvements would include a storm drain system and flood attenuation/bio-retention basins to safely convey runoff and handle peak flows through the Project. On-site bio-retention facilities would be constructed throughout the site, adjacent to the drainage management area that they are designed to treat.

The lot layout for this alternative could result in homes being located 100 feet from the existing creek.

Construction of the Less Dense Alternative (Without Annexation/Public Sewers) is anticipated to occur over a similar period as that estimated for the Project.

Feasibility of Alternative

Compared to the propose Project, the Less Dense Alternative (Without Annexation/ Public Sewers; 20 units) would have less of an impact on air quality; soil erosion, stability, and expansive soils; greenhouse gas emissions; emergency response and evacuation plans; excessive groundborne vibration, permanent and temporary ambient noise levels; public services; traffic and level of service standards, road safety and emergency access; and, utility and service systems. This alternative would have similar impacts on aesthetics, agricultural resources, biological resources, cultural, exposure to seismic hazards; hazards and hazardous materials; hydrology and water quality; land use; noise levels, exposure from a public or private airport; air traffic patterns and alternative transportation. This alternative would have greater impacts on wastewater disposal systems.

The Less Dense Alternative (Without Annexation/Public Sewers) would meet Project objectives except objectives 1, 8, 9, 10, and 15. This alternative would not result in the annexation to the City of Escondido, nor would it implement traffic calming features or habitat restoration.

REDUCED JURISDICTIONAL HABITAT IMPACT ALTERNATIVE (62 UNITS)

Under the Reduced Jurisdictional Habitat Impact Alternative the proposed development would be re-configured to avoid on-site jurisdictional habitat impacts that would result in 62 dwelling units with lot sizes similar to those of the Project. Development would no longer be contiguous because of modifications to the circulation system to avoid crossing a jurisdictional area within the project site. The panhandle area east of Miller Avenue would be the same as that proposed for the Project, with six lots. Four vehicular entrance/exit points would provide access to the homes on the project site west of Miller Avenue. Hamilton Lane would have two access points: one to a cul-de-sac in the west that ends at the sensitive habitat, and one to the east. A third access point would be constructed on Miller Avenue across from Twilight View Terrace, and a fourth access would be from Felicita Road south of Park Drive.

The architectural style, color scheme of the homes, and street lighting would be similar to that proposed for the Project. This alternative would conserve an additional 0.4 acre of open space when compared to the Project. As with the Project, the open space areas would be primarily in drainage basins in the north-central and western portions of the project site and would be preserved in their natural state, encompassing a number of sensitive natural communities. Public pedestrian access to the pond would be allowed. Avoidance of jurisdictional habitat would result in a minor amount of additional open space.

Improvements to Felicita Road would be similar to those of the Project, including the traffic calming features.

Project utilities construction would include the extension of gas and electric transmission facilities, water pipelines, wastewater pipelines, and communications facilities. The project site and Chalice Unitarian Universalist Congregation would be annexed to the City and excluded from County Service Area No. 135.

The project site for this alternative would be graded similar to that of the Project except that the jurisdictional habitat on site would be avoided. Runoff from the residential lots would drain to the streets within the subdivision, and the site would be graded to generally maintain drainage patterns toward the western and southern boundaries. On-site drainage improvements would include a storm drain system and flood attenuation / bioretention basins to safely convey runoff and to mitigate any increase in peak flow from the development. On-site bioretention facilities would be constructed throughout the site, adjacent to the drainage management areas that they are designed to treat.

Construction of the Reduced Jurisdictional Habitat Alternative is anticipated to occur over a similar period as that estimated for the Project.

Feasibility of Alternative

Compared to the propose Project, the Reduced Jurisdictional Habitat Impact Alternative (62 units) would have less of an impact on special status plant and wildlife, sensitive natural

communities and federally protected wetlands. This alternative would have similar impacts on aesthetics, agricultural resources, air quality, wildlife corridors, local policies and ordinances, habitat conservation, cultural, geology and soils, greenhouse gas emissions, hazards and hazardous materials; hydrology and water quality; land use; noise, public services, transportation and traffic, and utility and service systems.

The Reduced Jurisdictional Habitat Impact Alternative would meet all Project objectives with the exception of Objectives 2 and 10. Objective 2, which calls for development of 65 units in an overall residential density that is less than the applicable General Plan land use designation of the City, would not be met because this alternative would not develop 65 units. Objective 10, which calls for limited non-emergency vehicular access to the Project, would not be met by The Reduced Jurisdictional Habitat Impact Alternative since there would have four points of access (two on Hamilton Lane, one on Miller Avenue, and one on Felicita Road).

REDUCED RESIDENTIAL FOOTPRINT ALTERNATIVE (65 UNITS)

This alternative would develop the Project, as proposed, except it would eliminate the six units located east of Miller Avenue along Hamilton Lane and develop 65 units in the area bounded by Hamilton Lane, Felicita Road, and Miller Avenue. Although no residences are proposed on the two remainder lots located east of Miller Avenue, these lots would be included in the annexation to the City of Escondido and would be rezoned Residential Estate 20 (RE-20). This zoning category is consistent with both the existing County of San Diego A-70 zone and the City of Escondido General Plan Estate II designation on the property. The panhandle area would be designated as remainder lots on the Tentative Map and removed from the Preliminary Development Plan, Master Development Plan, and Precise Development Plan. As demonstrated in Figure 7-1 of the Final EIR, lot sizes would be slightly reduced in order to accommodate all 65 units within the reduced footprint. The residential development proposed under this alternative would occupy approximately 18.68 acres (compared to 22.44 acres for the Project). The Reduced Residential Footprint Alternative would develop an average residential lot size of 12,520 SF and an overall density of 1.76 du/ac (compared to 15,041 SF and 1.61 du/ac for the Project, respectively). As with the Project, a combination of single- and two-story homes with attached garages would be provided; however, it is expected that this alternative would provide a larger percentage of two-story homes when compared to the Project, including the possibility of all units constructed as multi-story residences. Landscaping for the Reduced Residential Footprint Alternative would be similar to that proposed for the Project. The Planting Plan for this alternative (Appendix P) illustrates the perimeter, entry, and interior landscape plans. Figure 7-2, Fence and Wall Plan, Reduced Residential Footprint Alternative, illustrates the location and type of fences and walls for this alternative.

Feasibility of Alternative

The applicant has revised the application to be consistent with this alternative as it meets all the project objectives and compared to the propose Project, the Reduced Residential Footprint Alternative (65 Units) would have less of an impact on soil erosion or topsoil loss and similar

impacts on aesthetics, agricultural resources, air quality, biological resources, cultural resources, the remaining geology and soils impacts, greenhouse gas emissions, hazards and hazardous materials; hydrology and water quality; land use; noise, public services, transportation and traffic, and utility and service systems. The Reduced Residential Footprint Alternative (65 Units) achieves all Project objectives and removes development in the panhandle area.

RESOLUTION NO. 2015-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A TENTATIVE SUBDIVISION MAP WITH GRADING EXEMPTIONS AND A SPECIFIC ALIGNMENT PLAN AND CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT, CEQA FINDINGS, MITIGATION MONITORING AND REPORTING PROGRAM AND MAKING APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION FOR THE INITIATION OF PROCEEDINGS FOR THE ANNEXATION /REORGANIZATION OF THE OAK CREEK PROJECT AREA AND THREE ADDITIONAL PARCELS TOTALING APPROXIMATELY 43.73 ACRES

Planning Case Nos. SUB 13-0002, PHG 13-0017,
ENV 13-0006

WHEREAS, the Planning Commission on January 27, 2015, considered the proposed Oak Creek Project consisting of a proposed Annexation of the 37.59-acre Oak Creek project site and three additional parcels; Tentative Subdivision Map for 65 single-family residential lots, Preliminary, Master and Precise Development Plan; Pre-Zone; Grading Exemptions; Specific Alignment Plan for Felicita Road and Hamilton Lane and Final Environmental Impact Report at a noticed public hearing and recommended that the City Council approve the Oak Creek Project and jurisdictional reorganization consisting of an annexation to the City of Escondido and concurrent detachment from County Service Area (CSA) No. 135 (San Diego Regional Communications System) as well as rezoning the Oak Creek project site to PDR-1.75 (Planned Development – Residential 1.75 dwelling units per acre) and the three other annexation parcels to RE-20 (Residential Estates – 20,000 SF minimum lot size). The proposed residential development site within the project area (37.59-acres) is generally bounded on the north by Hamilton Lane,

the west and south by Felicita Road, and the east by Miller Avenue. The remainder of the proposed annexation area is located on the eastern side of Miller Avenue and both sides of Hamilton Lane and includes two vacant parcels not proposed for development and the Chalice Unitarian Universalist Congregation property (APN 238-110-39 - 2324 Miller Avenue) more particularly described in Exhibit "B" and depicted in Exhibit "C," both of which are attached to this Resolution and incorporated by this reference; and

WHEREAS, the following determinations were made:

1. That a notice was published and mailed as required by the Escondido Zoning Code and applicable State law.

2. That the application was assessed in conformance with the California Environmental Quality Act ("CEQA") and that the City Council of the City of Escondido as lead agency under CEQA is responsible for certification of the Final Environmental Impact Report.

3. That a staff report was presented discussing the issues in the matter.

4. That a public hearing was held and that all persons desiring to speak did so.

5. That Ordinance No. 78-2 enacted pursuant to Section 65974 of the California Government Code and pertaining to the dedication of land and fees for school facilities has been adopted by the City of Escondido; and

WHEREAS, this City Council has considered the request, the staff report, the recommendations of the Planning Commission and the appropriate agencies, and public testimony presented at the Council hearing and incorporates by reference the findings made therein; and

WHEREAS, that this annexation/reorganization is necessary in order for the subject properties to receive urban services available from the City of Escondido; and

WHEREAS, that this reorganization is consistent with the Sphere of Influence of the City of Escondido and affected districts; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Annexation/Reorganization, Tentative Subdivision Map with Grading Exemptions, Specific Alignment Plan, and certify the Oak Creek Project Final Environmental Impact Report, as reflected in the staff reports, and on the plans and documents on file in the offices of the City Clerk and Planning Division; and

WHEREAS, the territory subject to the proposed changes of organization is uninhabited, and a description of the external boundary of the territory is set forth in Exhibits "B" and "C"; and

WHEREAS, the City Council of the City of Escondido desires to initiate proceedings pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code for the proposed annexation/reorganization.

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

1. That the above recitations are true.
2. That the City Council has reviewed and considered the Oak Creek Project Final Environmental Impact Report prepared for this project in conformance with the California Environmental Quality Act ("CEQA"), the staff reports (and CEQA findings in the staff reports incorporated by this reference), and has heard and considered testimony given at the public hearing, and certifies the documents adequately address

all environmental issues associated with the project and that the project would not result in any significant impacts to the environment.

3. That the Mitigation Monitoring and Reporting Program, attached as Exhibit “D” and incorporated by this reference, addresses mitigation for potential project related impacts and that the report will sufficiently mitigate and assign on-going responsibility for carrying out mitigation responsibilities which are appropriate to address and mitigate project-related impacts.

4. That the Findings of Facts and Factors to be Considered, attached as Exhibit “A” to this resolution and incorporated by this reference, were made by said Council, and upon their consideration along with the staff reports (copies of which are on file in the Planning Division), public testimony presented at the hearing, and all other oral and written evidence on this project, this City Council approves the proposed Annexation/Reorganization, Tentative Subdivision Map with Grading Exemptions (SUB 13-0002) and Specific Alignment Plan as reflected on plans and documents on file in the offices of the City Clerk and Planning Division, and subject to Conditions of Approval set forth as Exhibit “E” and incorporated by this reference, and certifies the Oak Creek Project Final Environmental Impact Report as reflected on documents on file in the offices of the City Clerk and Planning Division, and incorporated by this reference.

5. That this Tentative Subdivision Map shall be null and void unless a Final Map, conforming to the Tentative Subdivision Map and all required conditions, is filed within three (3) years of the effective date of this resolution, or unless an Extension of Time is granted pursuant to Section 66452.6 of the California Government Code.

6. That the following changes of reorganization are proposed:

- a. Annexation of the subject territory to the City of Escondido as legally described in Exhibit "B" and shown in Exhibit "C.";
- b. Detachment of the subject territory from the County Service Area (CSA) No. 135 (San Diego Regional Communications System).

7. That application and proposal is hereby made to the Local Agency Formation Commission of the County of San Diego for the following annexation/reorganization:

- a. This proposal is made pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, as amended, commencing with Section 56000 of the Government Code of the State of California.
- b. The following changes of organization are proposed:
 - 1) Annexation of territory legally described in Exhibit "B" and shown in Exhibit "C";
 - 2) Detachment of the subject territory from the County Service Area (CSA) No. 135 (San Diego Regional Communications System).
- c. This reorganization is necessary in order for the subject properties to receive urban services available from the City of Escondido.
- d. The Local Formation Commission of the County of San Diego is hereby requested to undertake proceedings for the annexation/reorganization proposed herein.

8. That the City Council of the City of Escondido hereby requests the Local Agency Formation Commission to designate the City of Escondido as conducting agency, and that the City of Escondido be authorized to order the proposed annexation.

9. That the City Clerk of the City of Escondido is hereby authorized and directed to file a certified copy of this resolution with the applicable fees required by Section 54902.5 of the California Government Code to the executive officer of the Local Agency Formation Commission of San Diego County.

BE IT FURTHER RESOLVED that pursuant to Government Code Section 66020(d)(1):

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development Department and Public Works Department. The project is also subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

2. NOTICE IS FURTHER GIVEN that the 90-day period during which to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020.

EXHIBIT "A"

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

Tentative Subdivision Map

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

Annexation:

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

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

Prezone:

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

Preliminary, Master and Precise Development Plan

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

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

Specific Alignment Plan for Felicita Road and Hamilton Lane:

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

Grading Exemption:

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

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

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

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

LEGAL DESCRIPTION

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

PARCEL ONE:

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

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

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

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

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

PARCEL TWO:

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

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

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

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

LEGAL DESCRIPTION

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

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

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

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

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

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

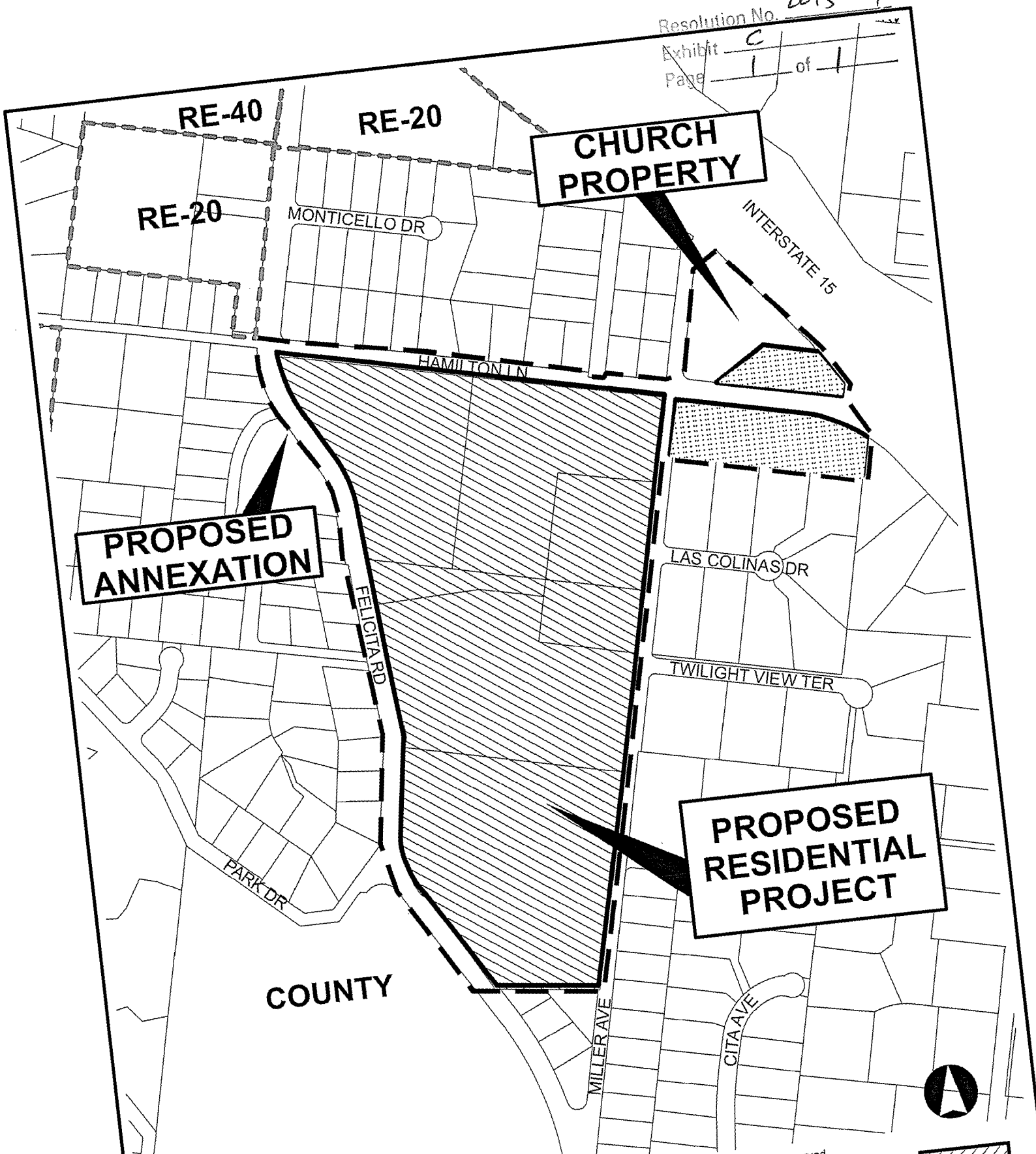
THAT PORTION OF LOT 4 IN BLOCK 7 AND OF LOT 1 IN BLOCK 9 OF HOMELAND ACRES ADDITION TO ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1205, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 1, 1909, TOGETHER WITH THAT PORTION OF SAN DIEGO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

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

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

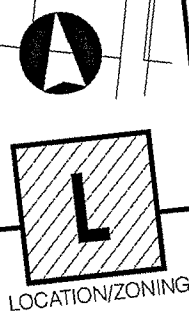
ALSO EXCEPTING FROM THE FIRST ABOVE DESCRIBED LAND THAT PORTION THEREOF LYING WITHIN THE PUBLIC HIGHWAY (COUNTY ROAD SURVEY NO. 461) AS SAID HIGHWAY IS DESCRIBED IN DEED TO THE COUNTY OF SAN DIEGO RECORDED JULY 6, 1956 IN BOOK 6169, PAGE 194 OF OFFICIAL RECORD.

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



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**PROPOSED PROJECT
SUB 13-0002**



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

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

January 6, 2015

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

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

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

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

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

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

PROJECT FEATURES

1. Fire Resistance

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

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

2. Noise

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

3. Fence and Wall Plan

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

4. Landscape Plan

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

5. Agricultural Resources

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

6. Street Lighting

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

7. Traffic Calming

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

Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>AIR QUALITY</p> <p>Air-1 Construction Dust Control Measures. The on-site construction superintendent shall ensure implementation of standard best management practices to reduce the emissions of fugitive dust during all grading and site preparation activities including, but not limited to, the following actions:</p> <ol style="list-style-type: none"> 1. Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site, additional water shall be applied at a frequency to be determined by the on-site construction superintendent. 2. Temporary hydroseeding with irrigation shall be implemented on all graded areas on slopes, and areas of cleared vegetation shall be revegetated as soon as possible following grading activities in areas that will remain in a disturbed condition (but will not be subject to further construction activities) for a period greater than three months during the construction phase. 3. Operate all vehicles on the construction site at speeds less than 15 miles per hour. 4. Cover all stockpiles that will not be utilized within three days with plastic or equivalent material, to be determined by the on-site construction superintendent, or spray them with a non-toxic chemical stabilizer. 5. If a street sweeper is used to remove any track-out/carry-out, only PM₁₀-efficient street sweepers certified to meet the most current South Coast Air Quality Management District Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances. 6. Grading shall be terminated when winds exceed 25 mph. 7. Sweepers, wheel washers and water trucks shall be used to control dust and debris at public street access points. 8. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading. 9. Non-toxic soil stabilizers shall be applied according to manufacturer's specification to all inactive construction areas. 	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	



Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>6. A homeowner education program shall be implemented to alert homeowners of the need to keep pets outside of the on-site open space areas. The homeowners association shall be responsible for implementing rules related to resident's pets.</p> <p>7. A management plan shall be provided for the on-site open space that will include all stewardship measures, such as upkeep of fencing and signs, restricting trespassing, and removing debris. The management plan will be implemented by the HOA. All fuel modification zones in open space lots will be maintained by the HOA. The HOA will be responsible for all vegetation management throughout the common areas of the project site, in compliance with the requirements. The HOA will be responsible for ensuring long-term funding and ongoing compliance with all provisions of the Project's Fire Protection Plan, including vegetation planting, fuel modification, vegetation management, and maintenance requirements throughout the private portions of the project site. Individual property owners will be responsible for maintaining zones on their property.</p>	<p>Require that the specified measures be implemented prior to and during construction activities, as applicable, for future development projects</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	
<p>Bi0-3 All brush removal, grading, and clearing of vegetation on the project site shall take place outside of the bird breeding season (February 15 [January 1 for tree dwelling raptors] through September 15). If construction activities are proposed to occur during the breeding season, a pre-construction survey shall be conducted by a qualified biologist no longer than seven days prior to the start of construction to determine if nesting birds are present on site. No construction activities shall occur within 300 feet of burrowing owl burrows, tree dwelling raptor nests, or least Bell's vireo, or within 800 feet of ground dwelling raptor nests, until a qualified biologist has determined that they are no longer active or that noise levels will not exceed 60 dB(A) Equivalent Energy Level (L_{eq}) at the nest site. Alternatively, noise minimization measures such as noise barriers shall be constructed to bring noise levels to below 60 dB(A) L_{eq} which will reduce the impact to below a level of significance.</p>					



Mitigation Monitoring and Reporting Program

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

Table 5.4-8

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

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



Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
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Table 5.4-9

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

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

¹ USACE is a subset of the CDFW jurisdiction.

Source: Helix Environmental 2014

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

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

Table 5.4-13

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

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



Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>7. If any human bones are discovered, the County Coroner and City shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted in order to determine proper treatment and disposition of the remains.</p> <p>8. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeological monitor(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.</p> <p>9. All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility meeting the standards of Title 36 CFR, Part 79, and located within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.</p> <p>10. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the City prior to the issuance of any building permits. The report will include California Department of Parks and Recreation (DPR) Primary and Archaeological Site Forms.</p>					
GEOLOGY AND SOILS					
<p>Geo-1 All recommendations contained in the geotechnical feasibility review (Appendix D) shall be incorporated into the Project during construction. These recommendations include the following:</p> <ol style="list-style-type: none"> 1. Transition lots shall be undercut at least 3 feet and at least one-third the maximum fill thickness on any lot, such that the ratio of 3:1 (maximum:minimum) fill thickness, or flatter is attained. Cut lots shall also be undercut to mitigate perched water conditions. All undercuts shall be sloped to drain away from the building area. 2. The fill cap shall extend to at least one foot below the lowest utility invert in street areas to facilitate trenching operations. 3. For fill slopes descending to property lines, removals shall be completed above a 1:1 projection beginning at the property line, or a point located at least 5 feet laterally from any adjacent street, or any nearby utility. Relatively deep removals adjacent to property line at Lots 3, 4, 43, 44, and Open Space Lot C may necessitate the use of structural setbacks within the building area, or possibly deepened foundations. 	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	



Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
4. Any planned import soil shall be very low to low expansive.					
HAZARDS AND HAZARDOUS MATERIALS					
<p>Haz-1 At least 10 days prior to demolition or removal of existing on-site structures, the project applicant shall submit an Asbestos Demolition or Renovation Operational Plan (Notice of Intention) to the City Community Development Department. This Plan shall be prepared by an asbestos consultant licensed with the California State Licensing Board and certified by the California Occupational Safety and Health Administration to conduct an asbestos inspection in compliance with Asbestos <i>National Emission Standard for Hazardous Air Pollutants</i> (NESHAP) requirements. The Asbestos NESHAP, as specified under Rule 40, CFR 61, Subpart M, (enforced locally by the San Diego Air Pollution Control District, under authority, per Regulation XI, Subpart M - Rule 361.145), requires the owner of an establishment set for demolition to submit an Asbestos Demolition or Renovation Operational Plan at least 10 working days before any asbestos stripping or removal work begins (such as site preparation that would break up, dislodge or similarly disturb asbestos containing material.)</p> <p>Removal of all asbestos-containing material or potential asbestos-containing material on the project site shall be monitored by the certified asbestos consultant and shall be performed in accordance with all applicable laws, including California Code of Regulations, Title 8, Section 1529, Asbestos; OSHA standards; and the San Diego County Air Pollution Control District Rule 361.145, Standard for Demolition and Renovation.</p>	<p>Require that the specified measures be implemented prior to grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services Department – Field Engineering Section</p>	
<p>Haz-2 Demolition or removal of existing on-site structures constructed pre-1979 shall be performed by a Certified Lead Inspector/Assessor, as defined in Title 17, CCR Section 35005, and in accordance with all applicable laws pertaining to the handling and disposal of lead-based paint. Lead-based materials exposure is regulated by Cal OSHA. Title 8 CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed Cal OSHA standards.</p>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services Department – Field Engineering Section</p>	



Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>5. If, during the excavation activities, monitoring results indicate contaminant levels that are 75 percent or more of the lowest identified fugitive dust health-based air action level derived (as specified above), the following dust mitigation measures will be employed:</p> <p>a. Water (or another non-hazardous agent) will be applied to exposed soil to prevent dust migration from arising during earth movement activities (e.g., excavation and/or grading);</p> <p>b. Water will be applied to stockpiled soil, which will also be covered with plastic sheeting to prevent dust migration; and</p> <p>During periods of high wind (i.e., instantaneous wind speeds exceeding 25 miles per hour as measured by an anemometer), earth movement activities will be discontinued until wind speeds decrease to speeds less than 25 miles per hour. The 25 mile per hour standard is set forth at page 403-3 of the South Coast Air Quality District (SCAQMD) Rule 403 and was selected as the nearest applicable standard (because San Diego County does not have published standards regarding maximum wind speeds). SCAQMD Rule 403 is available at the following address: http://www.aqmd.gov/search?q=Rule 403.</p>					
<p>Haz-4a As required by the DTSC, the applicant will include a deed restriction on the title for the Project that prohibits the use of groundwater at the project site for any purpose including, without limitation, any extraction of groundwater.</p>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check</p>	<p>Prior to the issuance of any grading or building permit</p>	<p>City of Escondido Engineering Services Department</p>	
<p>Haz-5 Prior to the start of construction, the construction contractor shall notify the Escondido Police Department of the location, timing and duration of any lane closure(s) on Felicitia Road, or any other road in the project area, due to project construction activities. If determined necessary by the Police Department, local emergency services, including the Escondido Fire Department and appropriate ambulance services, shall also be notified of the lane closure(s).</p>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services Department – Field Engineering Section</p>	



Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

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



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

Project Mitigation Measures

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

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

Table 5.4-8

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

Subtotal	4.1		
Total	4.71		

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

Source: Helix Environmental 2014

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

Table 5.4-9

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

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

¹ USACE is a subset of the CDFW jurisdiction.

Source: Helix Environmental 2014

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

Table 5.4-13

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

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

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

Source: Dudek 2014

8. **Cul-1** The following mitigation monitoring program shall be implemented to address potential impacts to undiscovered buried archaeological resources within the project site and off site. This program shall include, but not be limited to, the following actions:

1. Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the Project archaeologist to the lead agency. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program, including a qualified Native American monitor.

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

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

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

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

Remedial Method Option 1

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

Remedial Method Option 2

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

Remedial Method Option 3

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

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

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

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

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

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

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

Planning Division Conditions

Tentative Map

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

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

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

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

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

Preliminary, Master and Precise Development Plan

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

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

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

Landscaping Conditions

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

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

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

Fire Department Conditions

Fire Protection Systems

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

Access

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

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

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

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

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

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

GENERAL

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

STREET IMPROVEMENTS AND TRAFFIC

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

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

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

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

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

GRADING

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

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

DRAINAGE

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

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

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

WATER SUPPLY

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

SEWER

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

CC&R's

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

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

FINAL MAP - EASEMENTS AND DEDICATIONS

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

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

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

REPAYMENTS, FEES AND CASH SECURITIES

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

UTILITY UNDERGROUNDING AND RELOCATION

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

ORDINANCE NO. 2015-07

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

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

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

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

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

SECTION 3. That the City Council has reviewed and considered the Oak Creek Project Final Environmental Impact Report and Mitigation Monitoring and

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

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

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

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

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

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

EXHIBIT "A"

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

Tentative Subdivision Map

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

Annexation:

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

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

Prezone:

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

Preliminary, Master and Precise Development Plan

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

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

Specific Alignment Plan for Felicita Road and Hamilton Lane:

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

Grading Exemption:

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

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

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

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

LEGAL DESCRIPTION

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

PARCEL ONE:

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

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

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

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

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

PARCEL TWO:

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

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

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

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

LEGAL DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

RE-40

RE-20

**CHURCH
PROPERTY**

RE-20

MONTICELLO DR

INTERSTATE 15

HAMILTON LN

**PROPOSED
ANNEXATION**

LAS COLINAS DR

FELICITARD

TWILIGHT VIEW TER

**PROPOSED
RESIDENTIAL
PROJECT**

PARK DR

COUNTY

MILLER AVE

CITA AVE

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**PROPOSED PROJECT
SUB 13-0002**



LOCATION/ZONING

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

Project Mitigation Measures

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

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

Table 5.4-8

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

Subtotal	4.1		
Total	4.71		

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

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

Table 5.4-9

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

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

¹ USACE is a subset of the CDFW jurisdiction.

Source: Helix Environmental 2014

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

Table 5.4-13

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

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

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

Source: Dudek 2014

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

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

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

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

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

Remedial Method Option 1

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

Remedial Method Option 2

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

Remedial Method Option 3

- e) Remedial Method: Excavation and off-site disposal of TPH-impacted soil, approximately 20 cubic yards; and capping of AIS with 800 cubic yards of soils (therefore, no excavation and off-site disposal of AIS is required). Capping is a process used to cover contaminated soils to prevent the migration of pollutants and is a reliable technology for sealing off contamination from the above-ground environment and significantly reducing underground migration of pollutants away from the site. The cap shall be made of soil native to the site.
- f) Overseeing Agencies: DTSC, along with CDFW and RWQCB for portions of the project site near the creek.

2. Prior to issuance of a grading permit for the selected remedial method (options 1, 2, or 3), any areas proposed for disturbance on the project site where previous hazardous materials releases have occurred must be mitigated in accordance with the requirements of the overseeing regulatory agency (DTSC, RWQCB or CDFW, as appropriate) for the proposed residential use of the site. All proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site-specific health and safety plan, prepared by a licensed professional in accordance with California Division of Occupational Safety and Health (Cal OSHA) regulations (contained in Title 8 of the California Code of Regulations) to protect the public and all workers in the construction area prior to the commencement of groundbreaking.

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

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

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

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

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

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

Planning Division Conditions

Tentative Map

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

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

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

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

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

Preliminary, Master and Precise Development Plan

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

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

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

Landscaping Conditions

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

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

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

Fire Department Conditions

Fire Protection Systems

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

Access

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

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

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

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

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

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

GENERAL

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

STREET IMPROVEMENTS AND TRAFFIC

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

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

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

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

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

GRADING

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

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

DRAINAGE

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

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

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

WATER SUPPLY

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

SEWER

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

CC&R's

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

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

FINAL MAP - EASEMENTS AND DEDICATIONS

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

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

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

REPAYMENTS, FEES AND CASH SECURITIES

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

UTILITY UNDERGROUNDING AND RELOCATION

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

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

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

January 6, 2015

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

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

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

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

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

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

PROJECT FEATURES

1. Fire Resistance

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

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

2. Noise

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

3. Fence and Wall Plan

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

4. Landscape Plan

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

5. Agricultural Resources

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

6. Street Lighting

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

7. Traffic Calming

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

Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>AIR QUALITY</p> <p>Air-1 Construction Dust Control Measures. The on-site construction superintendent shall ensure implementation of standard best management practices to reduce the emissions of fugitive dust during all grading and site preparation activities including, but not limited to, the following actions:</p> <ol style="list-style-type: none"> 1. Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site, additional water shall be applied at a frequency to be determined by the on-site construction superintendent. 2. Temporary hydroseeding with irrigation shall be implemented on all graded areas on slopes, and areas of cleared vegetation shall be revegetated as soon as possible following grading activities in areas that will remain in a disturbed condition (but will not be subject to further construction activities) for a period greater than three months during the construction phase. 3. Operate all vehicles on the construction site at speeds less than 15 miles per hour. 4. Cover all stockpiles that will not be utilized within three days with plastic or equivalent material, to be determined by the on-site construction superintendent, or spray them with a non-toxic chemical stabilizer. 5. If a street sweeper is used to remove any track-out/carry-out, only PM₁₀-efficient street sweepers certified to meet the most current South Coast Air Quality Management District Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances. 6. Grading shall be terminated when winds exceed 25 mph. 7. Sweepers, wheel washers and water trucks shall be used to control dust and debris at public street access points. 8. Internal construction--roadways will be stabilized by paving, chip sealing or chemicals after rough grading. 9. Non-toxic soil stabilizers shall be applied according to manufacturer's specification to all inactive construction areas. 	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site Inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	



Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

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

Table 5.4-8

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

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



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Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

Table 5.4-9

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification		Responsible Agency/Party	Verification Date				
			Impacts	Mitigation						
Jurisdictional Area	Ratio	USACE ¹	CDFW		City of Escondido Engineering Services-Field Engineering Section					
			Impacts	Mitigation						
			Southern willow riparian forest	3:1			0.05	0.15	0.23	0.69
			Southern coast live oak riparian forest	3:1			--	--	0.04	0.12
			Coast live oak woodland	3:1			--	--	0.27	0.81
			Eucalyptus woodland	1:1			--	--	0.02	0.02
			Non-wetland Waters of the U.S. / Streambed	1:1			0.07	0.07	0.04	0.04
			Total	--			0.12	0.22	0.60	1.68

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

¹ USACE is a subset of the CDFW jurisdiction.

Source: Helix Environmental 2014

<p>Bio-6 Prior to the issuance of grading permits, the Project applicant shall submit a Conceptual Habitat Restoration Plan (CHRP) to the City Community Development Department for review and approval. The CHRP, which is described more fully in Appendix C Tree Management and Preservation Plan, shall be a cohesive restoration and monitoring plan that addresses site-wide restoration/mitigation efforts and includes a tree planting, canopy cover goal, and monitoring component. The CHRP shall specify native oak, willow, sycamore, and cottonwood tree planting details, locations, and long-term maintenance and monitoring for the mitigation of trees. The CHRP shall be used to prepare bidding construction documents for site preparation, tree installation, and maintenance. The CHRP shall require that a knowledgeable arborist or biologist be retained to monitor mitigation tree plantings for a period of five years. The CHRP also shall outline reporting protocols and standards for mitigation tree replacement, should it be necessary if canopy cover goals are not being achieved. Table 5.4-13, Landscape Tree Replacement Calculation, identifies the total number of plantings required to meet the intent</p>	Require that the specified measures be implemented prior to grading activities for future development projects.	Plan check and Site inspection	Prior to the issuance of any grading or building permit and At site inspection	City of Escondido Engineering Services-Field Engineering Section	
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Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
of the City's tree protection and replacement requirements. Upon approval of the CHRP, the Project applicant shall implement the plan. Implementation of the CHRP shall achieve at a minimum 2:1 replacement of trees at the end of five years.					

Table 5.4-13

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

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



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Mitigation Monitoring and Reporting Program

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



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Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>7. If any human bones are discovered, the County Coroner and City shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted in order to determine proper treatment and disposition of the remains.</p> <p>8. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeological monitor(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.</p> <p>9. All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility meeting the standards of Title 36 CFR, Part 79, and located within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.</p> <p>10. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the City prior to the issuance of any building permits. The report will include California Department of Parks and Recreation (DPR) Primary and Archaeological Site Forms.</p>					
GEOLOGY AND SOILS					
<p>Geo-1 All recommendations contained in the geotechnical feasibility review (Appendix D) shall be incorporated into the Project during construction. These recommendations include the following:</p> <ol style="list-style-type: none"> 1. Transium lots shall be undercut at least 3 feet and at least one-third the maximum fill thickness on any lot, such that the ratio of 3:1 (maximum:minimum) fill thickness, or flatter is attained. Cut lots shall also be undercut to mitigate perched water conditions. All undercuts shall be sloped to drain away from the building area. 2. The fill cap shall extend to at least one foot below the lowest utility invert in street areas to facilitate trenching operations. 3. For fill slopes descending to property lines, removals shall be completed above a 1:1 projection beginning at the property line, or a point located at least 5 feet laterally from any adjacent street, or any nearby utility. Relatively deep removals adjacent to property line at Lots 3, 4, 43, 44, and Open Space Lot C may necessitate the use of structural setbacks within the building area, or possibly deepened foundations. 	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	



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Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>4. Any planned import soil shall be very low to low expansive.</p> <p>HAZARDS AND HAZARDOUS MATERIALS</p> <p>Haz-1 At least 10 days prior to demolition or removal of existing on-site structures, the project applicant shall submit an Asbestos Demolition or Renovation Operational Plan (Notice of Intention) to the City Community Development Department. This Plan shall be prepared by an asbestos consultant licensed with the California State Licensing Board and certified by the California Occupational Safety and Health Administration to conduct an asbestos inspection in compliance with Asbestos <i>National Emission Standard for Hazardous Air Pollutants</i> (NESHAP) requirements. The Asbestos NESHAP, as specified under Rule 40, CFR 61, Subpart M, (enforced locally by the San Diego Air Pollution Control District, under authority, per Regulation XI, Subpart M - Rule 361.145), requires the owner of an establishment set for demolition to submit an Asbestos Demolition or Renovation Operational Plan at least 10 working days before any asbestos stripping or removal work begins (such as site preparation that would break up, dislodge or similarly disturb asbestos containing material.)</p> <p>Removal of all asbestos-containing material or potential asbestos-containing material on the project site shall be monitored by the certified asbestos consultant and shall be performed in accordance with all applicable laws, including California Code of Regulations, Title 8, Section 1529, Asbestos; OSHA standards; and the San Diego County Air Pollution Control District Rule 361.145, Standard for Demolition and Renovation.</p> <p>Haz-2 Demolition or removal of existing on-site structures constructed pre-1979 shall be performed by a Certified Lead Inspector/Assessor, as defined in Title 17, CCR Section 35005, and in accordance with all applicable laws pertaining to the handling and disposal of lead-based paint. Lead-based materials exposure is regulated by Cal OSHA. Title 8 CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed Cal OSHA standards.</p>	<p>Require that the specified measures be implemented prior to grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services Department – Field Engineering Section</p>	



Mitigation Monitoring and Reporting Program

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

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



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Mitigation Monitoring and Reporting Program

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



Ordinance No. 2015-07
 Exhibit D
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Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>5. If, during the excavation activities, monitoring results indicate contaminant levels that are 75 percent or more of the lowest identified fugitive dust health-based air action level derived (as specified above), the following dust mitigation measures will be employed:</p> <p>a. Water (or another non-hazardous agent) will be applied to exposed soil to prevent dust migration from arising during earth movement activities (e.g., excavation and/or grading);</p> <p>b. Water will be applied to stockpiled soil, which will also be covered with plastic sheeting to prevent dust migration; and</p> <p>During periods of high wind (i.e., instantaneous wind speeds exceeding 25 miles per hour as measured by an anemometer), earth movement activities will be discontinued until wind speeds decrease to speeds less than 25 miles per hour. The 25 mile per hour standard is set forth at page 403-3 of the South Coast Air Quality District (SCAQMD) Rule 403 and was selected as the nearest applicable standard (because San Diego County does not have published standards regarding maximum wind speeds). SCAQMD Rule 403 is available at the following address: http://www.aqmd.gov/search?q=Rule 403.</p>					
<p>Haz-4a As required by the DTSC, the applicant will include a deed restriction on the title for the Project that prohibits the use of groundwater at the project site for any purpose including, without limitation, any extraction of groundwater.</p>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check</p>	<p>Prior to the issuance of any grading or building permit</p>	<p>City of Escondido Engineering Services Department</p>	
<p>Haz-5 Prior to the start of construction, the construction contractor shall notify the Escondido Police Department of the location, timing and duration of any lane closure(s) on Felicita Road, or any other road in the project area, due to project construction activities. If determined necessary by the Police Department, local emergency services, including the Escondido Fire Department and appropriate ambulance services, shall also be notified of the lane closure(s).</p>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services Department – Field Engineering Section</p>	



Mitigation Monitoring and Reporting Program

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



Mitigation Monitoring and Reporting Program

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



CITY COUNCIL

For City Clerk's Use:

APPROVED DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 11
Date: March 4, 2015

TO: Honorable Mayor and Members of the City Council
FROM: Diane Halverson, City Clerk
SUBJECT: Appointment to Planning Commission

RECOMMENDATION:

It is requested that Council ratify the Mayor's appointment to fill an unscheduled vacancy on the Planning Commission, term to expire March 31, 2016.

BACKGROUND:

Following a letter of resignation from Merle Watson indicating that he was no longer able to serve on the Planning Commission, a Notice of Unscheduled Vacancy was duly posted for a 10-day period in accordance with State law and City policy. The list of interested individuals reflects the list of applicants on file in the City Clerk's Office:

- ◆ Jesse Abril
- ◆ Paul Brown (*also serves on Personnel Board of Review*)
- ◆ Paul Conant-Guy
- ◆ Luther Goodson (*also serves on Community Services Commission and Personnel Board of Review*)
- ◆ Irene Lewis
- ◆ Robert McCullough (*also serves on Building Advisory & Appeals Board*)
- ◆ Don Romo
- ◆ Mayra Salazar (*also serves on the Library Board of Trustees*)
- ◆ Victor Smetana
- ◆ Chuck Voelker
- ◆ Mark Watson
- ◆ Michael West

Respectfully submitted,



Diane Halverson, CMC
City Clerk



FUTURE CITY COUNCIL AGENDA ITEMS
February 26, 2015

AGENDA ITEMS AND COUNCIL MEETING DATES ARE SUBJECT TO CHANGE. CHECK WITH THE CITY CLERK'S OFFICE AT 839-4617

March 11, 2015
4:30 p.m.

	<p>CONSENT CALENDAR</p>
	<p>Special Event Ordinance (J. Masterson)</p> <p><i>The Council has not revised the Special Event Ordinance since 1995 and it needs updating.</i></p>
	<p>Authority to Apply for SANDAG Grant Program Funds (E. Domingue)</p> <p><i>The Council is being asked to authorize the applications for and acceptance of SANDAG Smart Growth Incentive Program and Active Transportation Grant Program Funds. These funds would construct a pedestrian bridge and bicycle lane over the Spruce Street Channel at Valley Parkway, and an at-grade signalized bicycle/pedestrian crossing of El Norte Parkway at the Escondido Creek. Work also includes construction of trail gateway signage.</i></p>
	<p>Notice of Completion for Jesmond Dene Ball Field Lighting (E. Domingue)</p> <p><i>The Jesmond Dene Ball Field Lighting Project consisted of installing four (4) new MUSCO ball field poles/heads for Field 3. The project also included installation of security lighting, one new (1) MUSCO LED pathway light, new electrical cabinet, pull boxes and all associated wiring.</i></p>
	<p>Notice of Completion: Vista Verde Reservoir Replacement Project–Phase 1 (C. McKinney)</p> <p><i>The project (phase 1) consisted of building a temporary water tank and upgrades to the pump station.</i></p>
	<p>Fiscal Year 2014 Regional Realignment Response Grant – Additional Funds (C. Carter)</p> <p><i>The Escondido Police Department has been allocated additional funds under the FY 2014 Regional Realignment Response Grant. This funding was provided by the State of California Board of Community Corrections through Assembly Bill 118 and Senate Bill 89, initiatives to reduce state prison overcrowding and support local law enforcement efforts. Escondido's allocation is used to support regional and local enforcement efforts. Funds must be used for police officer overtime and overhead associated with overtime.</i></p>
	<p>Fiscal Year 2014 Urban Area Security Grant Initiative Funding – Critical Infrastructure Assessment and Disaster Preparedness Training (C. Carter)</p> <p><i>The Escondido Police Department will receive reimbursement for approved UASI grant expenses. Grant funds will allow the Escondido Police Department to participate in overtime operations related to improving the City's disaster preparedness. These overtime operations include emergency response training and securing the City's critical infrastructure.</i></p>

March 11, 2015
Continued

PUBLIC HEARINGS
CURRENT BUSINESS
WORKSHOP
<p>Workshop on Municipal Stormwater Permit R9-2013-0001 (C. McKinney)</p> <p><i>Staff is currently preparing documents and an ordinance update to comply with this permit. This information is being presented in advance of a future hearing where staff will ask the Council to adopt these documents prior to submission to the Regional Water Quality Control Board. An overview of the required changes will be presented, as well as the approach to achieving compliance.</i></p>
Future Agenda Items (D. Halverson)

March 18, 2015
4:30 p.m.

CONSENT CALENDAR
<p>Relocation Plan for The Crossings at Escondido Manor Located at 1150-1166 N. Escondido Blvd. (Case Number 0873-01-23) (B. Redlitz)</p> <p><i>The City has allocated HOME and Successor Housing Agency funds towards the purchase and rehabilitation of The Crossings at Escondido Manor. Planning for permanent and temporary relocation needs of the current residents is required by state and federal law.</i></p>
<p>City of Escondido Landscape Maintenance District Preliminary Engineer's Report for Fiscal Year 2015/2016 for Zones 1-36 and 38 (E. Domingue)</p> <p><i>Each year the City is required to submit and approve an Engineer's Report that details the City's LMD budget and assessments for the upcoming year. The purpose of the Council meeting on March 18, 2015 is to begin this process by approving the Preliminary Engineer's Report and to set a Public Hearing date for the City of Escondido Landscape Maintenance District (LMD) Zones 1-36 and 38.</i></p>
<p>Authorize Purchase of Two Backhoes and One Loader from Sonsray Machinery Utilizing a Cooperative Purchase Contract with National Joint Powers Alliance (E. Domingue)</p> <p><i>The National Joint Powers Alliance (NJPA) conducted a competitive bid process for construction equipment and Case New Holland America LLC was deemed to be the lowest responsive bidder. Case New Holland America is the parent company of Case Construction and Sonsaray Machinery is the Case Construction dealer serving California. Fleet Services requests to utilize the cooperative purchase through NJPA as allowed per Escondido Municipal Code Section 10-90.</i></p>
PUBLIC HEARINGS
CURRENT BUSINESS
<p>Annual Appointment to Library Board of Trustees (D. Halverson)</p> <p><i>Terms have expired for one member on the Library Board of Trustees</i></p>
Future Agenda Items (D. Halverson)

City Manager's WEEKLY UPDATE to City Council

February 25, 2015

ASSISTANT CITY MANAGER RECRUITMENT

The recruitment for the Assistant City Manager is underway. The recruitment is being handled by Peckham & McKenney and applicants have until March 4, 2015 to apply. I anticipate the finalist interview process will take begin in early April. Information about the position is available at www.peckhamandmckenny.com

ECONOMIC DEVELOPMENT

- Cal South National Cup this weekend February 28th and March 1st at Ryan Park. We will see teams from all over Southern California visiting our City and Ryan Park. The games are all bracket rounds in the Boys under 12 and Girls under 13. We can expect around 2,000 players and spectators. Teams will be lodging, shopping, and dining in the Escondido area.
- The San Diego Union Tribune had a positive feature on Visit Escondido and Katherine Zimmer in the February 22, 2015 paper. The following is the link to the article: <http://www.utsandiego.com/news/2015/feb/21/escondido-may-mean-hidden-but-not-for-long-if/>

SPECIAL EVENTS

No special events this week.

COMMUNITY DEVELOPMENT

- Major Projects Update:
 - Oak Creek (NUW) – The project is scheduled for consideration by the City Council at the March 4th meeting and includes a new request by the applicant to consider conditions to allow site grading and permitting for model homes prior to recordation of the tentative map and completion of FEMA requirements.
 - Amanda Estates (NUW) – The Planning Commission hearing is scheduled for March 10th.
 - Centerpointe 78 Commercial – The Draft EIR remains on hold at the applicant's request pending resolution of traffic mitigation requirements. Staff is reviewing the applicant's conceptual plans for offsite traffic improvements; these proposed improvements include an alternative design at the El Norte Pkwy/Escondido Blvd. intersection that considers a raised median in El Norte Pkwy. and 'right in / right out' on Escondido Blvd., with longer left turn pockets for traffic turning south onto Center

City Manager's WEEKLY UPDATE to City Council

City Pkwy. from El Norte Pkwy., as well as U-turns at El Norte Parkway and CCP for travelers wishing to access Escondido Blvd.

- North Broadway Deficiency Area Projects – Staff is working with the anticipated developer of the properties east of Ash Street regarding a comprehensive grading plan and associated design changes, with the goal of achieving substantial conformance with the approved tentative maps as anticipated in the development agreements. A traffic analysis has been requested to address construction vehicle trips from the proposed mass grading. The Draft public review period for the Mitigated Negative Declaration for the Zenner project ended on February 18th, and is available at the following link: <http://www.escondido.org/Data/Sites/1/media/PDFs/Planning/AmandaEstates/DraftMitigatedNegativeDeclaration.pdf>. Staff is coordinating with County staff to respond to the County's request for the applicant to pay the County's Transportation Impact Fee (TIF) of \$72,200. Staff continues to coordinate with the developer regarding cost estimates for offsite improvements to enable evaluation of proposed development agreement terms.
- Kaen Planned Development (2516 S. Escondido Blvd.) – Management staff met with the applicant's team to discuss concerns regarding the proposed project related to processing timeframes, residential product type and density, site planning, open space amenities, storm water compliance, architectural design and overall quality for the proposed 68-unit townhouse project. The applicant directed staff to continue to processing the project as submitted.
- Latitude II (382 W. Washington) - Completeness review is underway for "Latitude II", a proposed 112-unit residential planned development project at 382 W. Washington Ave.
- The Escondido Ford and Hyundai automobile dealerships at 1717 and 1919 Auto Park Way are proposing a modification to the master and precise development plan. The modifications include renovation of several buildings, demolition of two showroom structures, and construction of two new showrooms (6,200 SF Ford and 6,700 SF Hyundai buildings) and a 6,100 SF carwash/detail building. The project is anticipated to be considered by the Planning Commission in March.

Building Division:

- With the short work week, the Building Division issued 35 permits for the week with a total valuation of \$73,943. The majority of the permits were minor type permits including plumbing, electrical and mechanical permits.

City Manager's WEEKLY UPDATE to City Council

- 11 photovoltaic permits were issued this week with 122 permits issued so far this year compared to 73 issued at the same time last year.
- Inspections and counter contacts remain steady with inspections averaging 30 per day with 30 on Friday and counter contacts averaging 34 per day with 20 on Friday.
- The plans for a new 76-unit condominium project at 2412 S. Escondido Blvd. are approved for issuance, pending recordation of the Final Map.
- Construction activity has resumed at the Talk of the Town carwash and restaurant at 444 Brotherton Rd.
- The new 3-story HARRF administration building at 1521 S. Hale Ave is progressing through drywall inspections.
- The new Monticello assisted living facility is moving towards a final building inspection projected for the end of March.
- Plans are in for review for the new building and tenant improvement for the Church of Resurrection at 1445 Conway Dr.

SPILL INTO FLOOD CONTROL CHANNEL

Wickline Bedding, at 455 Quince Street, had a material spill into the Creek at approximately 3:00 p.m. Monday. The spill was not a hazardous material but a water soluble adhesive. Public Works, the Fire Department and County HAZMAT all responded to it and all the proper notifications were made. Public Works removed a total of 3.5 Vector truck loads and finished the job at 3:30 a.m. Tuesday morning. Reimbursement for costs will be sought from Wickline.

CAPITAL IMPROVEMENTS

The Jesmond Dene Ball Field Lights:

The contractor is waiting on replacement parts for items listed on the Punch List.

2014/2015 Street Rehabilitation Project:

February 23 through February 26 the paving contractor will be working along the following streets at night between the hours of 7 p.m. to 5 a.m.

Meyers Avenue – Auto Parkway to Barham Drive
Progress Place – Country Club Drive to the Cul-de-Sac
Broadway – Lincoln Avenue to El Norte Parkway
Mission Avenue – Fig Street to Ash Street

Tree removal began on Monday February 23 along Maple Street between 2nd Avenue and 5th Avenue.



City Manager's WEEKLY UPDATE to City Council

Elm Street between Washington Avenue and the Flood Control Channel:

Water main water quality testing for the Elm Street portion is ongoing. The installation of the water line valve assembly on Washington Avenue is set for Wednesday February 25.

Rubberized Pavement Grant:

The City has received a \$147,000.00 Rubberized Pavement Grant to be used for the 2014/2015 Street Maintenance Project.

East Valley Parkway/Valley Center Road Project:

Currently in the design, the alignment for the East Valley Parkway/Valley Center Road Project will encroach into Mayflower Dog Park. As required by federal law, a Public Review/Comment Period has been posted at the park and on the City's website to solicit input from the community about this encroachment. The Public Review/Comment Period started on Thursday January 29 and will end on Friday February 27.

Private Development

Bear Valley Parkway between Boyle Avenue and San Pasqual Road, County Project:

Storm Drain and Dry Utility installation is complete along the newly constructed eastern bound lanes of Bear Valley Parkway between Boyle Avenue and Idaho Avenue. The grading of the new roadway section is continuing between Idaho Avenue and HWY 78 / San Pasqual Valley Road. New concrete sidewalks are the first new surface improvement that has been constructed between Boyle Avenue and Birch Avenue.

2412 South Escondido Boulevard:

The mass grading was completed on Friday February 20. The preconstruction meeting for underground utilities was held on Tuesday February 24; the review of public safety and existing utilities were topics of discussion.

PUBLIC SAFETY

- Chief Carter and Sheriff Gore gave a joint press conference at the Escondido Police & Fire Headquarters announcing the arrest of Gilbert Chavarria. Chavarria was identified as the suspect in a series of residential "hot prowls" burglaries where sleeping children were targeted for sexual assault in the summer of 2013. This crime wave was labeled the "Creeper Series" and occurred at locations in Escondido and San Marcos. Through the culmination of an exhaustive investigation performed by a task force formed by the Escondido Police Department and the San Diego Sheriff's Office, Chavarria was eventually identified through a familial DNA search by the California Department of Justice Crime Lab. This marked the first arrest through the state's Familial DNA Program in San Diego County.

City Manager's WEEKLY UPDATE to City Council

- The Escondido Police Department's Facebook page is rapidly approaching 4,500 likes. We are well on our way toward the goal of 5,000 likes.
- Chief Carter and Capt. Loarie attended a press conference held by the San Diego County District Attorney's office regarding a 20 year study of Officer Involved Shootings in the county. The study looked at incidents from 1993 through 2012, which amounted to 367 Officer Involved Shootings. Some of the highlights of the study showed that 57% of the shootings were fatal, traffic stops were the most likely precipitating event, 66% of the suspects were under the influence of illicit drugs, 19% involved a "suicide by cop," and most incidents took place in a street or alley. The racial breakdown of suspects is as follows: 37% White, 36% Latino/Hispanic, 19% African-American, 4% Asian/Filipino, 1% Pacific Islander, and 3% Other/Unknown.
- Capt. Stuard presented Officer Moshe Santini with his numbered badge after the successful completion of the end of his probationary period. This marked an important milestone in young Officer Santini's career.
- Capt. Stuard attended a meeting for the Safe Apartments for Everyone (SAFE) hosted by the Escondido Police Department. The SAFE program trains and equips apartment managers in proper tenant screening, Crime Prevention through Environmental Design (CPTED), and gives them a venue to liaison with the police department regarding ongoing issues. This program also gives the police department an opportunity to enroll apartment complexes in the Crime Free Multi-Housing certification program.

Fire:

- On February 13th, the Escondido Fire Department participated in the Countywide "Love Your Heart" event. This was the second year that we participated and we definitely saw an increase in our presence in the community. This countywide event was an effort to offer free blood pressure screenings and promote awareness of the health issues associated with it. This year we staffed 3 locations; the Joslyn Senior Center with 89 seniors center visitors, Escondido Public Library with 96 visitors, and the Northgate Market with 220 visitors. In total, with the assistance of many of our crews, senior volunteers, and paramedic students we provided the community with 405 blood pressure screenings.
- Police Chief Craig Carter and Fire Chief Mike Lowry were honored at the 2-1-1 San Diego luncheon along with other first responders. 2-1-1 San Diego is a resource and information hub that connects people with community, health and disaster services through a free, 24/7 stigma-free confidential phone service and searchable online database. 2-1-1 serves the entire population of the County.

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