



PLANNING COMMISSION

Agenda Item No.: _____

Date: August 10, 2010

CASE NUMBER: PHG 10-0007

APPLICANT: Syed Mousavi

LOCATION: The property is approximately 7,025 SF and is located on the northern side of Grand Avenue, between Maple Street and Broadway, addressed as 150 W. Grand Avenue.

TYPE OF PROJECT: Conditional Use Permit

PROJECT DESCRIPTION: A Conditional Use Permit to allow live entertainment and dancing in a new restaurant that is planning to open in the building formerly occupied by the 150 Grand Café. The proposal would allow amplified entertainment and/or dancing to be provided Wednesday through Saturday until 1:00 A.M.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION/TIER: Specific Planning Area #9 (Downtown Specific Plan)

ZONING: Historic District of the Downtown Specific Plan.

BACKGROUND/SUMMARY OF ISSUES: After approximately 15 years of providing a fine-dining experience downtown, the 150 Grand Café ceased operations in July of 2009, and the 4,300 SF building has been vacant since. The property owner/applicant has been renovating the interior of the restaurant for several months in the hope of attracting a new restaurant manager/chef.

As part of the ongoing effort to open a new restaurant in the space, the applicant has submitted a Conditional Use Permit application to allow amplified entertainment and dancing during most days and evenings of the week. The proposal would allow amplified entertainment and/or dancing Wednesday through Saturday until 1:00 A.M. A short (6-inch-high) stage would be constructed in the open dining room in the northwestern corner of the building and the dining room would be cleared and converted to a dance floor as needed.

A concurrent proposal to expand the restaurant by adding a 1,120 SF outdoor dining/bar area in the parking area behind the building has been reviewed and approved by the Design Review Board, but is no longer part of this application due to unresolved parking issues. Future development of the outdoor patio area will require a separate Plot Plan approval. This CUP application is limited to the request for amplified entertainment and dancing and does not include any proposed expansion of the restaurant.

Staff feels that the issues are as follow:

1. Whether amplified music and dancing in this restaurant building would create problems in the downtown area.

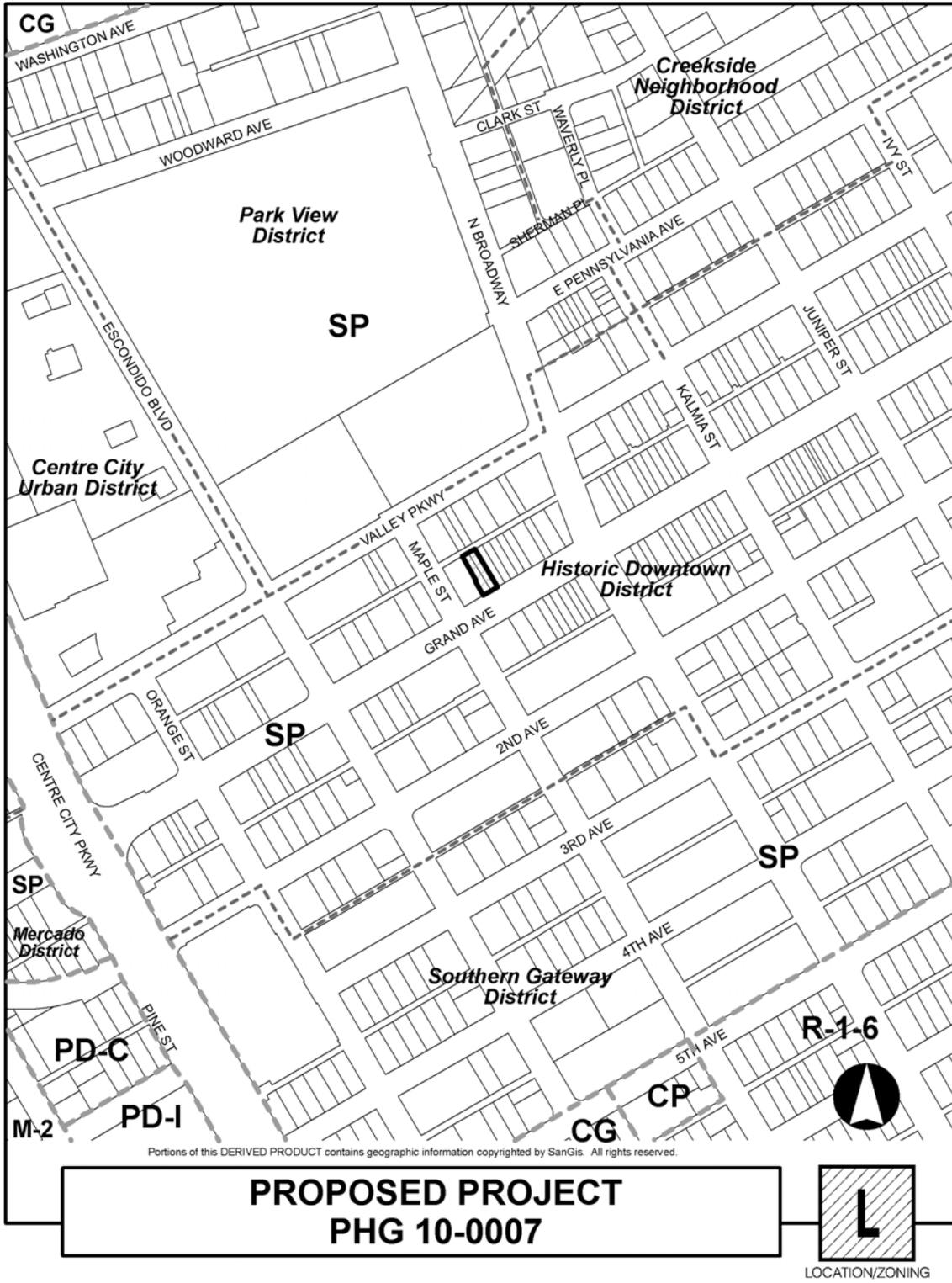
REASONS FOR STAFF RECOMMENDATION:

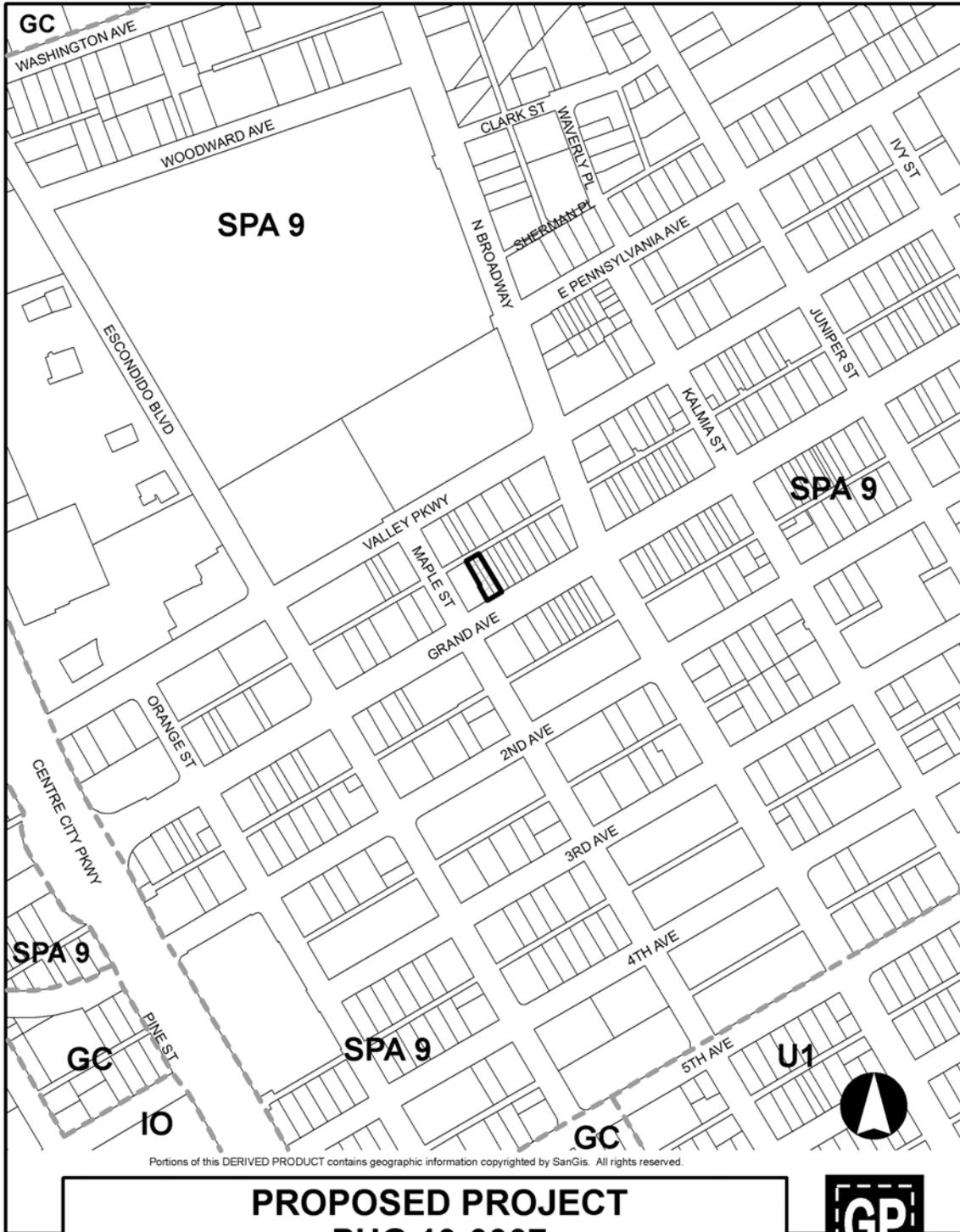
1. Staff and the Downtown Business Association have long advocated for businesses seeking to provide downtown dining and entertainment venues. While the property owner has not made a final decision on the type of dining establishment he plans to offer, he feels one key element missing downtown is a lack of establishments where adults

can comfortably relax and listen to music or dance during the evening hours. Because there are no nearby residents and most adjacent businesses will be closed during the majority of hours when amplified music is offered, staff feels the addition of music and dancing to the dining experience that has traditionally been offered in the building will not create problems for neighboring properties. The Police Department has not expressed any concerns regarding the proposal; and a condition has been added to require the doors to be closed when amplified music is being played.

Respectfully submitted,

Bill Martin
Principal Planner





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**PROPOSED PROJECT
PHG 10-0007**



ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH - HD (Historic District) of Downtown Specific Plan/ Across the alley from the site is a public parking lot (Lot 1) with 120 open parking spaces.

SOUTH - HD District/ Across Grand Avenue are other commercial businesses and restaurants that similarly are located within the Downtown retail core area, including the recently closed Mingei Museum, a kitchen/bath design studio, and antique stores.

EAST - HD District/ The applicant owns the two adjacent properties to the east, one of which is a vacant art gallery and the other is a deli. Other businesses east of the proposed restaurant include a restaurant currently under construction, jewelry store, French bakery, offices, pizza restaurant, hair salon and a clothing boutique.

WEST - HD District/ The applicant owns all the properties west of the site to Maple Street. These businesses include a lingerie store, a former yogurt shop, and a hair salon. A 10-space parking lot is adjacent to Maple Street.

B. AVAILABILITY OF PUBLIC SERVICES

1. **Effect on Police Service** – 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. 1 (310 North Quince Street), which is within the seven and one-half minute response time specified for urbanized areas in the General Plan. 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** – The project takes access from Grand Avenue, which is classified as a Collector (84' r.o.w.) in the Circulation Element of the Escondido General Plan. Grand Avenue operates at a Level of Service "C" or better under existing improvement conditions. Based on SANDAG's traffic generation rates for the San Diego region, the project would generate approximately 100 trips per 1,000 SF, or approximately 430 ADT, which is well within the capacity of the surrounding streets. According to the Engineering Division, the project does not materially degrade the levels of service on the adjacent streets.
4. **Utilities** – City sewer and water mains with sufficient capacity to serve the project are available within the adjoining street or easement. The project does not materially degrade the levels of service of the public sewer and water system.
5. **Drainage** – The project site is not located within a 100-year Flood Zone as indicated on current FEMA maps. There are no significant drainage courses within or adjoining the property. No physical site improvements are proposed as part of this permit. The project does not materially degrade the levels of service of the existing drainage facilities.

C. ENVIRONMENTAL STATUS

1. The proposal is exempt from the California Environmental Quality Act pursuant to CEQA Section 15301 (Existing Facilities). A Notice of Exemption was issued on July 29, 2010.
2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.

3. The project will have no impact on fish and wildlife resources as no sensitive or protected habitat occurs on-site or will be impacted by the proposed development.

D. CONFORMANCE WITH CITY POLICY/ANALYSIS

Whether the Proposal for Amplified Music and Dancing would Create Problems in the Downtown Area

The property is located within the Historic District of the Downtown Specific Plan and more specifically the "Retail Core Area." Dining establishments in the Historic District may offer amplified live entertainment and dancing only upon approval of a Conditional Use Permit. The Conditional Use Permit process prompts a higher level of scrutiny culminating in a public hearing to ensure the proposal would not be disruptive to neighboring properties.

The applicant's proposal would allow music and dancing until 1:00 A.M. on Wednesday through Saturday evenings. A short, 6-inch-high stage would be constructed in the corner of the 860 SF banquet/dining room where he envisions a jazz or other adult-oriented band playing and patrons having an opportunity to dance. All amplified music would occur indoors.

City staff and the Downtown Business Association (DBA) have long advocated for businesses seeking to provide downtown dining and entertainment venues. One of the common perceptions is that Grand Avenue tends to "close up" at night and while there are some very good dining establishments, the area is not widely recognized as an entertainment destination. The applicant hopes to offer not only a dining experience for his customers but also provide a place where adults can relax and be entertained. The DBA has expressed support for the applicant's proposal to offer music and dancing along with the dining experience. The applicant is currently constructing upgrades to the interior of the restaurant and refining the dining concept he intends to provide.

The public hearing notice posted on the window of the building has generated three phone calls and an e-mail to staff commenting on the proposal. All the callers indicated support and excitement for the prospect of reopening the restaurant space and were enthusiastic about the addition of live music and dancing. The e-mail (attached) noted support for opening a quality restaurant, but objected to the prospect of amplified music due to concerns about potential noise and attracting a raucous crowd of young people to the downtown area. While the Conditional Use Permit would not specify the genre of music that must be played, the applicant has informed staff that it will generally be geared toward an older crowd more interested in taking advantage of the dining experience that will be offered as well.

Staff reviews of live entertainment and dancing requests generally focus on two primary issues including the potential for noise and additional calls for Police service. Noise is generally controlled by specifying the hours amplified music can be played and requiring doors to be closed during the hours when music is occurring. The Police Department reviews each proposal on a case-by-case basis to determine whether additional conditions such as on-site security should be required. Because there are no nearby residents and most adjacent businesses will be closed during the majority of hours when amplified music is offered, staff feels the addition of music and dancing to the dining experience that has traditionally been offered in the building will not create problems for neighboring properties. The Police Department has not expressed any concerns regarding the proposal and have not imposed any specific conditions. Conditions have been added to require all amplified music to be played indoors, and that exterior doors be closed when amplified music is being played. The applicant has agreed and noted he has a vested interest in being a good neighbor since he owns much of the western half of the 100 W. Grand block on the northern side where the restaurant building is located. He does not intend to allow one of his tenants to create problems for his other tenants.

Parking

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The building is listed on the Local Register of Historic Places and was originally constructed in 1890. The building once served as offices for two of the first doctors in Escondido who later opened the city's first hospital on Grand Avenue.

The site is completely developed with the existing 4,300 SF restaurant building and a small five-space parking lot located behind the restaurant adjacent to the alley. The Design Review Board recently granted approval to paint the exterior of the building and install new awnings. The proposal does not involve any new exterior construction or expansion of the building.

B. SUPPLEMENTAL DETAILS OF REQUEST

- | | |
|-------------------------------------|--|
| 1. Property Size: | 7,025 SF |
| 2. Building Size: | 4,300 SF |
| Banquet/Dancing Area: | Approx. 860 SF |
| 3. Hours of Operation: | Daily 11:00 A.M. to 1:00 A.M. |
| 4. Hours for Entertainment/Dancing: | Wednesday through Saturday - Primarily evening hours, but allowed from 11:00 A.M. to 1:00 A.M. |
| 5. Number of Employees: | Approx. 10-12 |

C. CODE COMPLIANCE ANALYSIS

	<u>Existing/Proposed</u>	<u>Required</u>
1. Parking:	Five spaces are existing on the site.	Five existing spaces must remain. No additional spaces required.

**FINDINGS OF FACT
PHG 10-0007
EXHIBIT "A"**

1. The proposed Conditional Use Permit will have a beneficial effect of providing a dining and entertainment venue in the core downtown area to serve city residents and the business community.
2. Granting the proposed Conditional Use Permit would be based upon sound principles of land use since the site is located within an established commercial area on a Circulation Element roadway and physically suitable to accommodate the restaurant and its patrons. All potential noise issues will be controlled through the conditions of approval and enforcement of the Noise Ordinance.
3. The allowance of amplified music and dancing will not cause a deterioration of bordering land uses or create special problems in the area since the City and the Downtown Business Association have long advocated for dining and entertainment venues in the core downtown area and all potential noise issues will be controlled through the conditions of approval and enforcement of the Noise Ordinance.
4. The proposed planned development modification has been considered in relationship to its effect on the neighborhood plan for the area since the proposal represents a reopening of a well-established restaurant space with enhanced entertainment options including music and dancing in an area where such businesses are desired and consistent with the Downtown Specific Plan.

**CONDITIONS OF APPROVAL
PHG 10-0007
EXHIBIT "B"**

Planning Division Conditions

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City-Wide Facilities fees.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
3. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
4. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
5. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
6. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. All outdoor lighting shall be provided with appropriate shields to prevent light from adversely affecting adjacent properties.
7. As proposed, XXX striped parking spaces shall be provided in conjunction with this development. Said parking spaces shall be double-striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards
8. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
9. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
10. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including existing trash enclosures) shall meet current engineering requirements for storm water quality, which includes the installation of a decorative roof structure. Solid metal doors shall be incorporated into the trash enclosure. A decorative exterior finish shall be used. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc.
11. Colors, materials and design of the project shall be in substantial conformance with the plans/exhibits approved by the Design Review Board on XX, 2008, and the exhibits and details in the staff report to the satisfaction of the Planning Division.

12. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code).
13. All new utilities shall be underground.
14. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
15. The City of Escondido hereby notifies the applicant that State Law (SB 1535) effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Game. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with state law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval (the "effective date" being the end of the appeal period, if applicable), a certified check payable to "County Clerk", in the amount of \$2,060.25 for a project with a Negative Declaration. These fees include an authorized County administrative handling fee of \$50.00. Failure to remit the required fees in full within the time specified above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. Commencing January 1, 2007, the State Clearinghouse and/or County Clerk will not accept or post a Notice of Determination filed by a lead agency unless it is accompanied by one of the following: 1) a check with the correct Fish and Game filing fee payment, 2) a receipt or other proof of payment showing previous payment of the filing fee for the same project, or 3) a completed form from the Department of Fish and Game documenting the Department's determination that the project will have no effect on fish and wildlife. If the required filing fee is not paid for a project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code).

OR

The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable), a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.

16. 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.
17. Keep doors closed during hours when amplified music is occurring. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
18. Three copies of a revised Tentative Map, reflecting all modifications and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans and the final map.
19. All lots shall meet the lot area and average lot width requirements of the underlying XX zone. 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.

20. This CUP shall become null and void unless utilized within twelve months (two years) (three years) of the effective date of approval. Utilization shall be defined as the start of grading in accordance with an approved grading permit, or in the event a grading permit is not required, upon the start of foundation construction (tenant improvements) in accordance with an approved building permit.
21. No street names are part of this approval. A separate request shall be submitted prior to final map.
22. Because there is no on-street guest parking on the private easement road, sufficient on-site parking shall be provided for each lot to accommodate six vehicles. In order to accommodate on-site parking requirements, one of the following shall be provided:
 - a. A front yard setback of 40 feet shall be provided between the garage and the edge of the easement to provide for a driveway of sufficient length that can accommodate four cars in addition to a two-car garage.
 - b. A three-car garage shall be provided in addition to a driveway of sufficient width and length to accommodate an additional three cars outside of the easement.
 - c. A circular driveway shall be provided of sufficient width and length to accommodate three or four cars depending on whether a two- or three-car garage is provided on the lot.
23. All habitable buildings shall be noise-insulated to maintain interior noise levels not exceeding 45 dBA or less.
24. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform with the conceptual grading as shown on the Tentative Map.
25. Prior to recordation of the final map, two copies of the CC&Rs shall be submitted to the Planning Division for review and approval. The CC&Rs shall contain provisions for the maintenance of any common landscaping, open space, walls, the emergency access road, common drainage facilities, fuel modification zones, etc. to the satisfaction of the Planning and Engineering Divisions. A review fee established in the current fee schedule shall be collected at the time of submittal.
26. Prior to recordation of a final map, the project shall be annexed into the Landscape Maintenance District for the ongoing maintenance of the landscaping along the entry road and the and the on-site water quality detention basin. The establishment of the Landscape Maintenance District shall be noted in the CC&Rs for the project. These areas shall be placed in landscape and/or storm water easements if deemed appropriate by the Planning and Engineering Divisions.
27. A Fire Protection Plan (FPP) approved by the Fire Chief shall be required for all new development within Urban Wildlife Interface (UWI) areas. The FPP shall include mitigation measures consistent with the unique problems resulting from the location, topography, geology, flammable vegetation, and climate of the proposed site. The FPP shall address water supply, access, building ignition and fire resistance, fire protection systems and equipment, defensible space, and vegetation management. The FPP shall be consistent with the San Diego County Fire Chiefs Association (SDFCA) Urban Wildland Interface Development Guidelines and the International Code Council Urban-Wildland Interface Code.
28. This approval is subject to the parcels annexing into the City of Escondido.
29. This Tentative Subdivision Map shall expire three years after the date of final approval if a final map has not been approved or an extension of time has not been granted.
30. The design of all future homes within the development shall be subject to review and approval by the Design Review Board.
31. The developer shall deposit \$500.00 per unit to the Planning Division, prior to approval of the final map for SUB XX-XXXX. Said deposit shall be used solely and exclusively as a contingency fund for emergencies which might arise

relating to exterior structures, open space areas, and other repairs as may be assumed by the Homeowner's Association or management corporation, pursuant to Section 33-957 of the Escondido Zoning Code.

Music must be played indoors.

Landscaping Conditions

1. Prior to occupancy, all perimeter, slope and parking lot landscaping shall be installed. All vegetation (including existing vegetation required as part of previous project approvals) shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
2. 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 concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
3. The landscape plan shall be modified to include additional drought tolerant groundcover in the landscape areas along the northern, southern and eastern property boundaries, to the satisfaction of the Planning Division.
4. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
5. Street trees shall be provided along each of the site's street frontages, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.
6. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.

Building Division Conditions

1. Appropriate accessible paths of travel shall be required from the public way.
2. Roof access for structures must be provided from stairwells.

Fire Department Conditions

1. Tiff or PDF file copy of project shall be provided showing building floor plan, roof plan and site plan.
2. In accordance with California Fire Code Section 103.1.1, the Escondido Fire Department will require the submission of a technical opinion and report. The opinion and report shall be prepared by a qualified engineer acceptable to the Fire Marshal and the owner and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon. The opinion and report shall reference all applicable codes including but not limited to: 2001 California Fire Code, Escondido Amendments to the 2001 California Fire Code and National Fire Protection Association Standards.

3. Once the technical and opinion reports are accepted by the Fire Marshal and owner, approved fire protection plans must be submitted to the Escondido Fire Department for review. The opinion, report, and fire protection plans shall be prepared by and bear the stamp of a professional fire protection engineer.
4. Fire protection plan required: FPP shall include but are not limited to fire sprinklers, standpipe systems, and fire alarm systems. Plans must be submitted to the Fire Department for review. The FPP shall be prepared by and bear the stamp of a professional fire protection engineer.

Fire Protection Systems

5. NFPA 13 NFPA 13R NFPA 13D **automatic fire sprinkler system** will be required.
6. **Automatic fire sprinkler system** will be required in the entire structure for the following reasons:
 - The project is more than three minutes driving time and five miles from the nearest fire station.
 - The structures are more than 3,600 square feet and exceed 1,500 GPM needed fire flow.
 - High fire severity area.
 - Other: _____
7. Sprinklers will be required on all overhangs exceeding four feet.
8. Smoke detectors are required above all stairwell landings.
9. **Standpipe systems** will be required at the following locations:
 1. _____
 2. _____
10. An approved fire alarm system is required.
11. A fire hydrant is required to be located within 50 feet of the fire department connection, unless otherwise specified.
12. Fire sprinklers may be required _____
13. Fire hydrants capable of delivering 1,500 GPM 2,500 GPM at 20 PSI residual pressure are required every 500 feet 300 feet other _____
14. Additional hydrants may be required near intersections, fire department connections or other locations.
15. Fire sprinklers will be required for structures exceeding 1,500 GPM needed fire flow. The ISO method of determining needed fire flow must be used.
16. Fire suppression system required for hood system.
17. If structure is over 55' in height, it qualifies as a high rise AND must meet C.F.C. & C.B.C. requirements

18. Extinguisher(s) will be provided at locations indicated with a minimum rating of 2A-10B:C in a visible and accessible location, at an exit or in the exit path. Walking distance is not to exceed 75 feet (CFC 1002.1; T-19 Art. 5). Extinguishers must be mounted not more than 5 feet nor less than 3 ½ feet above the floor.

Access

19. Alleys shall be improved to 24' width. "NO PARKING" must be posted.
20. 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.
21. Access roads serving two or fewer homes are considered driveways and must be a minimum of 16' wide.
22. Dead-end roads over 600' (urban) and 800' (rural) require a secondary access.
23. 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')
24. Speed humps/bumps will not be allowed.
25. Minimum 16' wide paved driveway must be provided within 150' of the structure.
26. Dead-end access roads and driveways over 150' require a Fire Department turn-around and a turn-out near the mid point.
27. Minimum radius for a cul-de-sac is 36'.
28. All-weather paved access, able to support the weight of a fire engine (50K lbs.) and approved fire hydrants must be provided prior to the accumulation of any combustibile materials on the job site.
29. 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 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.
30. Knox box shall be required.
31. A 28' inside turning radius is required on all corners.
32. 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).
33. Elevators must be capable of accommodating a fire department gurney.
34. Barricades shall not obstruct fire hydrants or impede emergency vehicle access.
35. 13'6" 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.

36. Red curbs with 4" white lettering "NO PARKING FIRE LANE" are required in the turn-around 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.
37. 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. "FIRE LANE" signs and red curbs must meet specifications of the Escondido Police Department.
38. The minimum Fuel Modification Zone is 100' from structures.
39. If 100' Fuel Modification Zone is not possible the minimum setback between structures and native vegetation is 30'. To mitigate for 100' Fuel Modification Zone see below.
40. 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.
41. Homes located in or adjacent to a very high fire severity zone will require enhanced building construction.
42. To mitigate for the reduction of a 100' fuel modification zone, the following conditions are required:
 - a. Glass or other transparent, translucent, or opaque glazing shall be tempered glass, multi-layered glass panels or glass block, each having a fire protection rating of not less than 20 minutes. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to ANSI/AAMA/NWDA 101/I.S.2.97 structural requirements. Skylights shall be tempered glass or a Class "A" rated assembly.
 - b. Roofs shall have a Class A roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire-stopped to preclude entry of flames or embers.
 - c. Exterior wall surfaces shall comply with provisions of the 2001 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.
 - d. Venting on roofs and in vertical walls shall be covered with non-combustible corrosion-resistant mesh. Vent openings shall not exceed ¼" (6.4 mm), or shall be designed and approved to prevent flame or ember penetration into the structure. Attic vents in soffits are permitted only on areas of the building that do not face wildland fuel. Turbine attic vents shall be equipped to allow one-way direction rotation and shall not free-spin in both directions.
 - e. Exterior doors shall be of approved non-combustible construction, solid-core wood not less than 1 ¾" thick or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall comply with the above glazing requirements.
 - f. Paper-faced insulation shall be prohibited in attics and ventilated spaces.
 - g. Gutters and downspouts shall be constructed of non-combustible material. Gutters shall 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 shall 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 shall be of non-combustible construction, fire retardant treated wood, heavy timber construction, or one-hour fire resistive construction.

Cellular sites

43. Interference with Fire Department radio communication from cellular sites shall be corrected immediately.
44. Access to cellular site must meet Fire Department standards. (see Access).

Generator Installation

45. Secondary containment shall be provided for the generator fuel storage tank.
46. Bollards shall be installed to prevent vehicle damage to the generator fuel tank.

Engineering Division Conditions

(insert Engineering conditions here)