



JANUARY 10, 2018
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	John Masson
COUNCIL MEMBERS	Olga Diaz Ed Gallo Michael Morasco
CITY MANAGER	Jeffrey Epp
CITY CLERK	Diane Halverson
CITY ATTORNEY	Michael McGuinness
DIRECTOR OF COMMUNITY DEVELOPMENT	Bill Martin
DIRECTOR OF ENGINEERING SERVICES	Julie Procopio

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

**January 10, 2018
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 and Jeffrey Epp
 - Employee Organization:** Escondido Firefighters' Association
 - b. **Agency Negotiator:** Sheryl Bennett and Jeffrey Epp
 - Employee Organization:** Escondido Police Officers' Association
- II. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))**
- a. **Case Name:** Jay Norris v City of Escondido
 - b. **Case Name:** Joseph Howard v City of Escondido
Case No: ADJ10131584
- III. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
- a. **Property:** Municipal Parking Lot #1 (APN 229-421-26) and Municipal Parking Lot #4 (APN 233-081-26)
City Negotiator: Jeffrey Epp, City Manager
Negotiating Parties: Touchstone Communities
Under Negotiation: Price and Terms of Agreement

ADJOURNMENT



Council Meeting Agenda

**January 10, 2018
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: Badge Presentation to Captain Justin Murphy

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: A) Regular Meeting of December 6, 2017 B) Regular Meeting of December 20, 2017**

4. **FISCAL YEAR 2016-2017 URBAN AREA SECURITY INITIATIVE (UASI) GRANT AND BUDGET ADJUSTMENT -**

Request the City Council approve accepting \$92,392 in Federal grant funding from the San Diego Office of Homeland Security for the FY 2016-2017 Urban Area Security Initiative grant; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds.

Staff Recommendation: **Approval (Police Department: Craig Carter)**

5. **2018 LOCAL PARTNERSHIP PROGRAM GRANT APPLICATION -**

Request the City Council approve authorizing the Director of Engineering Services or her designee to complete an application for the Citracado Parkway Extension Project to the California Transportation Commission 2018 Local Partnership Program grant program.

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2018-03

6. **SALE OF PROPERTY: 1750 CITRACADO PARKWAY, LOT NO. 118 AT MOUNTAIN SHADOWS MOBILE HOME PARK -**

Request the City Council approve authorizing the Real Property Manager to execute documents necessary to complete the sale of 1750 W. Citracado Parkway, Lot No. 118 at Mountain Shadows Mobile Home Park.

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2018-04

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.)

7. **ZONING CODE AMENDMENT AND CONDITIONAL USE PERMIT REGARDING INCUBATOR USES (AZ 17-0003 AND PHG 17-0009) -**

Approved on December 20, 2017 with a vote of 5/0/1, Masson absent

ORDINANCE NO. 2017-16 (Second Reading and Adoption)

PUBLIC HEARINGS

8. [EXTENSION AND REVISION OF A TENTATIVE SUBDIVISION MAP, MASTER DEVELOPMENT PLAN, DEVELOPMENT AGREEMENT, PREZONE, AND ANNEXATION - NORTH AVENUE ESTATES PROJECT PROPOSAL \(SUB 17-0007, PHG 17-0034, AND ENV 17-0011\) -](#)

Request the City Council conduct a public hearing on the North Avenue Estates Project proposal, which includes a total of 34 residential lots and five open space lots on approximately 17.2 acres of property located on the north side of North Avenue, between Laurashawn Lane and Kaywood Drive; approve an extension and revision of a Tentative Subdivision Map for the North Avenue Estates residential development, an application to the Local Agency Formation Commission for the initiation of proceedings for the annexation/reorganization of the development site and three additional properties (632, 644, and 714 North Avenue), and certification of an Addendum to an Amended Mitigated Negative Declaration and adoption of a Mitigation Monitoring and Reporting Program; and approve a Master Development Plan for the residential development site, a Development Agreement for the development site, and a Prezone of 632 and 644 North Avenue to RE-20 (Residential Estates - 20,000 SF minimum lot size).

Staff Recommendation: **Approval (Community Development Department: Bill Martin)**

A) RESOLUTION NO. 2018-01 B) ORDINANCE NO. 2018-02 (First Reading and Introduction)

FUTURE AGENDA

9. [FUTURE AGENDA -](#)

The purpose of this item is to identify issues presently known to staff or which members of the City 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 WEEKLY ACTIVITY REPORT

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

- [WEEKLY ACTIVITY REPORT -](#)

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. Speakers are limited to only one opportunity to address the Council under Oral Communications.

ADJOURNMENT

UPCOMING MEETING SCHEDULE

Date	Day	Time	Meeting Type	Location
January 17	-	-	No Meeting	-
January 24	Wednesday	3:30 & 4:30 P.M.	Regular Meeting	Council Chambers
January 31	-	-	No Meeting	-
February 7	-	-	No Meeting	-

TO ADDRESS THE COUNCIL

The public may address the City Council on any agenda item. Please complete a Speaker's form and give it to the City Clerk. 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
December 6, 2017
3:30 P.M. 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, December 6, 2017 in the City Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE:

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

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

Attorney Michael McGuinness recommended recess to Closed Session and requested the addition of one item to the agenda.

MOTION: Moved by Mayor Abed and seconded by Deputy Mayor Masson to add the following item to the Closed Session pursuant to Government Code Section 54954.2(b)(1); that the need to take immediate action arose subsequent to the posting of the agenda; and to recess to Closed Session. Motion carried unanimously.

ADDED ITEM: CONFERENCE WITH LEGAL COUNCIL – ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code §54956.9(d)(2))

- I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
 - a. **Agency Negotiator:** Sheryl Bennett and Jeffrey Epp
 - Employee Organization:** Escondido Firefighters' Association
 - b. **Agency Negotiator:** Sheryl Bennett and Jeffrey Epp
 - Employee Organization:** Non-Sworn Police Bargaining Unit
 - c. **Agency Negotiator:** Sheryl Bennett and Jeffrey Epp
 - Employee Organization:** Escondido Police Officers' Association

- II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
 - a. **Property:** 201 West Washington Avenue, APN 229-281-12
 - City Negotiator:** Jeffrey Epp, City Manager
 - Negotiating Parties:** Potential Purchasers
 - Under Negotiation:** Price and Terms of Agreement

ADJOURNMENT

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

MAYOR

CITY CLERK

DEPUTY CITY CLERK

CITY OF ESCONDIDO
December 6, 2017
4:30 P.M. Meeting Minutes

Escondido City Council
Mobilehome Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, December 6, 2017 in the City Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

Dick Bridgman led the Moment of Reflection.

FLAG SALUTE

Mayor Abed led the flag salute.

ATTENDANCE:

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

Also present were: Jeffrey Epp, City Manager; Michael McGuinness, City Attorney; Bill Martin, Director of Community Development; Julie Procopio, Director of Engineering Services; Diane Halverson, City Clerk; and Jennifer Ekblad, Deputy City Clerk.

PROCLAMATIONS

Ron Stark, Program Manager with Mental Health Systems North Inland Community Prevention accepted the proclamation for Drugged Driving Awareness Month.

PRESENTATIONS

The Mayor presented the Fall 2017 Leadership Academy Certificates.

ORAL COMMUNICATIONS

CONSENT CALENDAR

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve all Consent Calendar items. 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: Regular Meeting of November 15, 2017**

4. FISCAL YEAR 2017/18 STATE OF CALIFORNIA CITIZENS' OPTIONS FOR PUBLIC SAFETY PROGRAM GRANT AND BUDGET ADJUSTMENT -

Request the City Council approve authorizing the Escondido Police Department to accept a Fiscal Year 2017/18 Citizens' Options for Public Safety (COPS) Program Grant in the amount of \$231,784; approve grant expenditures consistent with guidelines in AB 1913; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds. (File No. 0480-70)

Staff Recommendation: **Approval (Police Department: Craig Carter)**

5. NOTICE OF COMPLETION FOR SOUTHWEST SEWER REALIGNMENT PROJECT -

Request the City Council approve authorizing the Director of Utilities to file a Notice of Completion for the Southwest Sewer Realignment Project. (File No. 0600-10 [A-3178])

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

RESOLUTION NO. 2017-133

6. AMENDING THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AND BUDGET ADJUSTMENT -

Request the City Council approve authorizing an amendment of the Regional Transportation Improvement Program (RTIP) to program interest earned and update project timelines; and approve a budget adjustment to program interest earned. (File No. 1020-71)

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2017-157

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.)

7. GENERAL PLAN AMENDMENT, REZONE, SPECIFIC PLAN, TENTATIVE SUBDIVISION MAP, SPECIFIC ALIGNMENT PLAN, DEVELOPMENT AGREEMENT, AND FINAL ENVIRONMENTAL IMPACT REPORT FOR THE VILLAGES - ESCONDIDO COUNTRY CLUB PROJECT PROPOSAL (SUB 16-0009, PHG 16-0018, AND ENV 16-0010) –

Approved on November 15, 2017 with a vote of 3/2; Masson and Abed voting no. (File No. 0680-10; 0600-15)

A) ORDINANCE NO. 2017-13 (Second Reading and Adoption)

B) ORDINANCE NO. 2017-14 (Second Reading and Adoption)

PUBLIC HEARINGS

8. SHORT-FORM RENT REVIEW BOARD HEARING FOR GREENCREST MOBILEHOME PARK -

Request the City Council consider the short-form rent increase application submitted by Greencrest Mobilehome Park and if approved, grant an increase of 75 percent of the change in the Consumer Price Index (CPI), or 2.457 percent (an average of \$10.98) for the period of June 30, 2016 to June 30, 2017. (File No. 0697-20-10143)

Staff Recommendation: **Consider for Approval (Community Development Department: Bill Martin)**

RRB RESOLUTION NO. 2017-05

Belinda Rojas, Program Administrator, and Jamie Zeller, Code Enforcement Officer, presented the staff report utilizing a PowerPoint presentation.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way.

Jim Younce, Owner's Representative, was available to answer questions.

Mayor Abed asked if anyone else wanted to be heard. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve the short-form rent increase application submitted by Greencrest Mobilehome Park, granting an increase of 75 percent of the change in the Consumer Price Index (CPI), or 2.457 percent (an average of \$10.98) for the period of June 30, 2016 to June 30, 2017 and adopt RRB Resolution No. 2017-05. Motion carried unanimously.

9. AMENDMENT TO ARTICLE 40 (HISTORICAL RESOURCES) OF THE ESCONDIDO ZONING CODE (AZ 17-0004) -

Request the City Council approve an amendment to Article 40 (Historical Resources) of the Escondido Zoning Code to change the number of members of the Historic Preservation Commission from nine (9) to seven (7). (File No. 0810-20)

Staff Recommendation: **Approval (Community Development Department: Bill Martin)**

ORDINANCE NO. 2017-12 (Introduction and First Reading)

Adam Finestone, Principal Planner, presented the staff report utilizing a PowerPoint presentation.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve an amendment to Article 40 (Historical Resources) of the Escondido Zoning Code to change the number of members of the Historic Preservation Commission from nine (9) to seven (7) and adopt Ordinance No. 2017-12. Motion carried unanimously.

10. ANNUAL FINANCIAL REPORT ON CAPITAL FUNDS FUNDED BY DEVELOPER FEES PER GOVERNMENT CODE SECTION 66006 AND ESCONDIDO'S PUBLIC FACILITIES FEE, PARK DEVELOPMENT FEE, TRAFFIC IMPACT FEE, AND DRAINAGE FACILITIES FEE -

Request the City Council receive and file the annual report on Capital Funds funded by Developer Fees for the Fiscal Year ended June 30, 2017; and approve adjusting Public Facilities, Park Development, Traffic Impact, and Drainage Facilities Development Impact Fees necessary to serve new development. Fees become effective 60 days after adoption. An annual review of fees and adjustment using the method adopted by SANDAG is also provided. (File No. 0480-45)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett and City Manager's Office: Jay Petrek)**

RESOLUTION NO. 2017-154R

Jay Petrek, Assistant City Manager, presented the staff report utilizing a PowerPoint presentation.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way.

Gil Miltenberger, representative for Integral Communities, shared concerns regarding an increase in fees for multi-family dwelling in the downtown area and requested fee increases be phased over a three to five-year period.

Maria Bowman, Escondido, requested no increase in development fees or consideration of limiting the development fee increase.

Elly Garner, representative for Palomar Health, shared concerns regarding an increase in development fees and potential impact on the Palomar Health Downtown Campus; requested the fees be delayed and implemented over time.

Angeli Calinog, representative for the Building Industry Association of San Diego, spoke in opposition to the increase in development fees.

Patricia Borchmann, Escondido, requested the Council incentivize active public participation.

Mayor Abed asked if anyone else wanted to be heard. No one asked to be heard; therefore, he closed the public hearing.

COUNCIL ACTION: Received and filed the annual report on Capital Funds funded by Developer Fees for the Fiscal Year ended June 30, 2017 and continued the public hearing for Escondido's Public Facilities Fee, Park Development Fee, Traffic Impact Fee, And Drainage Facilities Fee -to December 20, 2017.

CURRENT BUSINESS

11. CITY COUNCIL MEMBER AND MAYOR COMPENSATION -

Request the City Council consider the adoption of Ordinance No. 2017-15 amending Section 2-28 of the Escondido Municipal Code to increase the salary for the City Council Members from \$1,898.57 per month to \$2088.43 per month, and the salary of the Mayor from \$5,359.17 to \$5895.09 per month, all effective on the date of the City Council Members elected in 2018 are sworn into office. (File No. 0680-10)

Staff Recommendation: **Consider for Approval (City Attorney's Office: Michael R. McGuinness)**

ORDINANCE NO. 2017-15R (Introduction and First Reading)

Michael R. McGuinness, City Attorney, presented the staff report utilizing a PowerPoint presentation.

Patricia Borchmann, Escondido, shared concerns regarding how salary increases are processed; suggested merit based increases and citizen oversight regarding salary increases.

Ronald Kohl, Escondido, shared concerns regarding policies in Escondido and spoke in opposition to increasing Council Member and Mayor compensation.

MOTION: Moved by Deputy Mayor Masson and seconded by Councilmember Morasco to approve amending Section 2-28 of the Escondido Municipal Code to increase the salary for the City Council Members from \$1,898.57 per month to \$2088.43 per month, and the salary of the Mayor from \$5,359.17 to \$5895.09 per month, all effective on the date of the City Council Members elected in 2018 are sworn into office and adopt Ordinance No. 2017-15R. Ayes: Masson, Morasco, Abed; Noes: Diaz, Gallo. Motion carried.

FUTURE AGENDA

12. FUTURE AGENDA -

The purpose of this item is to identify issues presently known to staff or which members of the City 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 attended a SANDAG Borders Committee meeting and reported on lifeguard activity at the Tijuana River.

Councilmember Diaz attended a School Subcommittee meeting with Councilmember Morasco and reported Escondido Unified School District is considering a bond measure, EUSD requested disaster emergency training, discussion regarding a pool facility, and discussion on some designated schools to be used as after school parks.

CITY MANAGER'S WEEKLY ACTIVITY REPORT

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

- **WEEKLY ACTIVITY REPORT -**

ORAL COMMUNICATIONS

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:44 p.m.

MAYOR

CITY CLERK

DEPUTY CITY CLERK

CITY OF ESCONDIDO
December 20, 2017
3:30 P.M. 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, December 20, 2017 in the City Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE:

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

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Mayor Abed and seconded by Councilmember Morasco to recess to Closed Session. Ayes: Abed, Diaz, Gallo, Morasco; Noes: none; Masson absent. Motion carried.

- I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
- a. **Agency Negotiator:** Sheryl Bennett and Jeffrey Epp
Employee Organization: Escondido Firefighters' Association
 - b. **Agency Negotiator:** Sheryl Bennett and Jeffrey Epp
Employee Organization: Escondido Police Officers' Association
- II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
- a. **Property:** 2245-2261 East Valley Parkway, APN 231-092-30
City Negotiator: Jeffrey Epp, City Manager
Negotiating Parties: American Heritage Charter Schools
Under Negotiation: Terms of Agreement
 - b. **Property:** 700 West Grand Avenue, APN 232-100-16
City Negotiator: Jeffrey Epp, City Manager
Negotiating Parties: Integral Communities
Under Negotiation: Price and Terms of Agreement
 - c. **Property:** 16625 Sun Energy Road, APNs 189-060-42 and 189-040-44
City Negotiator: Jeffrey Epp, City Manager
Negotiating Parties: Lianne C. Thompson Mueller and Harlan L. Thompson
Under Negotiation: Price and Terms of Agreement
 - d. **Property:** 27509 North Lake Wohlford Road, APN 189-060-08
City Negotiator: Jeffrey Epp, City Manager
Negotiating Parties: San Pasqual Band of Diegueno Mission Indians of California
Under Negotiation: Price and Terms of Agreement

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:20 p.m.

MAYOR

CITY CLERK

DEPUTY CITY CLERK

CITY OF ESCONDIDO
December 20, 2017
4:30 P.M. Meeting Minutes

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, December 20, 2017 in the City Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

Kathy Hearn led the Moment of Reflection.

FLAG SALUTE

Councilmember Morasco led the flag salute.

ATTENDANCE:

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

Also present were: Jeffrey Epp, City Manager; Michael McGuinness, City Attorney; Bill Martin, Director of Community Development; Owen Tunnell, Principal Engineer; Diane Halverson, City Clerk; and Jennifer Ekblad, Deputy City Clerk.

ORAL COMMUNICATIONS

CONSENT CALENDAR

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to approve all Consent Calendar items with the exception of item 10. Ayes: Abed, Diaz, Gallo, Morasco; Noes: none; Masson absent. Motion carried.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: None Scheduled**
4. **FINAL MAP, ESCONDIDO TRACT SUB 14-0018, LOCATED AT 2516 SOUTH ESCONDIDO BOULEVARD -**

Request the City Council approve the Final Map for Tract SUB 14-0018, a single lot, 63-Unit Residential Condominium Subdivision located at 2516 South Escondido Boulevard. (File No. 0800-10)

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

5. PURCHASE TWO (2) MEDIX AMBULANCES FROM HI-TECH EMERGENCY VEHICLES THROUGH SOUTHWEST AMBULANCE SALES OF KENNEDALE, TEXAS -

Request the City Council approve authorizing the Fleet Services Division to purchase two (2) Medix Ambulances from Hi-Tech Emergency Vehicles through Southwest Ambulance Sales in the amount of \$358,161.52 by utilizing a Cooperative Purchase Contract through the Houston-Galveston Area Council, Contract No. AM10-16. (File No. 0470-35)

Staff Recommendation: **Approval (Public Works Department: Joseph Goulart)**

RESOLUTION NO. 2017-155

6. BID AWARD FOR THE PURCHASE OF DEWATERING POLYMER FOR THE HALE AVENUE RESOURCE RECOVERY FACILITY -

Request the City Council approve accepting the lowest responsive bid from Polydyne, Inc. to purchase Dewatering Polymer by unit price for use in wastewater treatment processing at the HARFF and authorize the Deputy City Manager/Administrative Services to execute a Purchasing Contract with Polydyne, Inc., effective December 21, 2017 through June 30, 2019, with the option to renew the Contract on an annual fiscal year basis not to exceed five (5) consecutive fiscal years. The unit price bid is \$2.195 per Active Pound of Dewatering Polymer, with an estimated annual purchase quantity of 88,000 pounds. (File No. 0470-35)

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

RESOLUTION NO. 2017-158

7. ADOPTION OF CHANGES TO THE CITY OF ESCONDIDO FEE INVENTORY - ALARM BILLING AND REGISTRATION -

Request the City Council approve proposed changes to the City of Escondido Fee Inventory. (File No. 0480-45)

Staff Recommendation: **Approval (Fire Department: Rick Vogt)**

RESOLUTION NO. 2017-159

8. ADOPTION OF AN ADDENDUM TO A MITIGATED NEGATIVE DECLARATION FOR THE SPRUCE STREET DRAINAGE IMPROVEMENT PROJECT (ENV 15-0010) -

Request the City Council approve the adoption of an Addendum to an adopted Initial Study/Mitigated Negative Declaration prepared for the Spruce Street Drainage Improvement Project. (File No. 0820-20)

Staff Recommendation: **Approval (Community Development Department: Bill Martin)**

RESOLUTION NO. 2017-164

9. POLICE OFFICERS' ASSOCIATION NON-SWORN BARGAINING UNIT SUCCESSOR MEMORANDUM OF UNDERSTANDING -

Request the City Council approve executing a successor Police Officers' Association Non-Sworn Bargaining Unit contract. (File No. 0740-30)

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

RESOLUTION NO. 2017-165

10. COMMUNITY SERVICES BUDGET AMENDMENT -

Request the City Council approve modifying the General Fund Budget to delete the position of Director of Library and Community Services and add the position of Director of Communications and Community Services. (File No. 0430-30)

Staff Recommendation: **Approval (City Manager's Office: Jeffrey Epp)**

RESOLUTION NO. 2017-166

MOTION: Moved by Councilmember Diaz to postpone discussion of this item. No second, motion failed.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Gallo to approve modifying the General Fund Budget to delete the position of Director of Library and Community Services and add the position of Director of Communications and Community Services and adopt Resolution No. 2017-166. Ayes: Abed, Gallo, Morasco; Noes: Diaz; Masson absent. Motion carried.

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.)

11. AMENDMENT TO ARTICLE 40 (HISTORICAL RESOURCES) OF THE ESCONDIDO ZONING CODE (AZ 17-0004) -

Approved on December 6, 2017 with a vote of 5/0 (File No. 0810-20)

ORDINANCE NO. 2017-12 (Second Reading and Adoption)

12. CITY COUNCIL MEMBER AND MAYOR COMPENSATION -

Approved on December 6, 2017 with a vote of 3/2; Diaz and Gallo voting no (File No. 0680-10)

ORDINANCE NO. 2017-15R (Second Reading and Adoption)

PUBLIC HEARINGS

13. TAX EQUITIES AND FISCAL RESPONSIBILITY ACT (TEFRA) HEARING FOR COBBLESTONE VILLAGE APARTMENTS -

Request the City Council approve the issuance of revenue bonds by California Municipal Finance Authority, in an aggregate principal amount not to exceed \$10,000,000, to finance the acquisition, rehabilitation, improvement, and equipping of Cobblestone Village apartments at 360 E. Washington Avenue, Escondido, California. (File No. 0440-65)

Staff Recommendation: **Approval (Community Development Department: Bill Martin)**

RESOLUTION NO. 2017-162

Karen Youel, Housing and Neighborhood Services Manager, presented the staff report utilizing a PowerPoint presentation.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve the issuance of revenue bonds by California Municipal Finance Authority, in an aggregate principal amount not to exceed \$10,000,000, to finance the acquisition, rehabilitation, improvement, and equipping of Cobblestone Village apartments at 360 E. Washington Avenue, Escondido, California and adopt Resolution No. 2017-162. Ayes: Abed, Diaz, Gallo, Morasco; Noes: None; Masson absent. Motion carried.

14. ZONING CODE AMENDMENT AND CONDITIONAL USE PERMIT REGARDING INCUBATOR USES (AZ 17-0003 AND PHG 17-0009) -

Request the City Council approve amending the Escondido Zoning Code to allow incubator uses as a Conditional Use in the M-1 and M-2 zones; approve a Conditional Use Permit for a cryotherapy business as an incubator use in the M-1 zone; and adopt the environmental determination prepared for the zoning code update and the proposed Conditional Use Permit project. (File No. 0810-20)

Staff Recommendation: **Approval (Community Development Department: Bill Martin)**

A) RESOLUTION NO. 2017-156 B) ORDINANCE NO. 2017-16 (First Reading and Introduction)

Adam Finestone, Principal Planner, and Darren Parker, Associate Planner, presented the staff report utilizing a PowerPoint presentation.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way.

Joshua Taylor, applicant, was available to answer questions.

Mayor Abed asked if anyone else wanted to be heard. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve amending the Escondido Zoning Code to allow incubator uses as a Conditional Use in the M-1 and M-2 zones; approve a Conditional Use Permit for a cryotherapy business as an incubator use in the M-1 zone; and adopt the environmental determination prepared for the zoning code update and the proposed Conditional Use Permit project and adopt Resolution No. 2017-156 and introduce Ordinance No. 2017-16. Ayes: Abed, Diaz, Gallo, Morasco; Noes: None; Masson absent. Motion carried.

15. ESCONDIDO'S PUBLIC FACILITIES FEE, PARK DEVELOPMENT FEE, TRAFFIC IMPACT FEE, AND DRAINAGE FACILITIES FEE -

Request the City Council approve adjusting Public Facilities, Park Development, Traffic Impact, and Drainage Facilities Development Impact Fees necessary to serve new development. A process creating an annual review of fees and adjustment using the method adopted by SANDAG is also included. **THIS ITEM WAS CONTINUED FROM DECEMBER 6, 2017.** (File No. 0480-45)

Staff Recommendation: **Approval (City Manager's Office: Jay Petrek)**

RESOLUTION NO. 2017-154RR

Jay Petrek, Assistant City Manager, presented the staff report utilizing a PowerPoint Presentation.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way.

Michael McSweeney, representative for the Building Industry Association, expressed his appreciation working with City staff.

Mayor Abed asked if anyone else wanted to be heard. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve adjusting Public Facilities, Park Development, Traffic Impact, and Drainage Facilities Development Impact Fees necessary to serve new development and adopt Resolution No. 2017-154RR. Ayes: Abed, Diaz, Gallo, Morasco; Noes: None; Masson absent. Motion carried.

16. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE LAKE WOHLFORD DAM REPLACEMENT PROJECT (ENV 13-0005) -

Request the City Council approve the certification of a Final Environmental Impact Report, adoption of CEQA Findings, and a Statement of Overriding Considerations, and adoption of Mitigation Measures and a Mitigation Monitoring and Reporting Program for the Lake Wohlford Dam Replacement Project. (File No. 0820-20)

Staff Recommendation: **Approval (Community Development Department: Bill Martin)**

RESOLUTION NO. 2017-160

THIS ITEM WAS CONTINUED TO A DATE UNCERTAIN.

FUTURE AGENDA

17. FUTURE AGENDA -

The purpose of this item is to identify issues presently known to staff or which members of the City 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

Mayor Abed reported SANDAG Board approved Mayor Vaus as Vice Chair and approved the Smart Growth Incentive Program and Active Transportation Grant Program

CITY MANAGER'S WEEKLY ACTIVITY REPORT

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

- **WEEKLY ACTIVITY REPORT -**

ORAL COMMUNICATIONS

Mickey Montemuro, Escondido, commented regarding imposed \$400,000 in City improvements for his building project on Nutmeg Street and Gary Lane.

ADJOURNMENT

Mayor Abed adjourned the meeting at 5:27 p.m.

MAYOR

CITY CLERK

DEPUTY CITY CLERK



CITY COUNCIL STAFF REPORT

Consent Item No. 4

January 10, 2018

File No. 0480-70

SUBJECT: Fiscal Year 2016-2017 Urban Area Security Initiative (UASI) Grant

DEPARTMENT: Police Department

RECOMMENDATION:

It is requested that the City Council accept \$92,392 in Federal grant funding from the San Diego Office of Homeland Security (SD OHS) for the FY 2016-17 Urban Area Security Initiative (UASI) grant; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds.

PREVIOUS ACTION:

On February 1, 2017, the City Council accepted \$569,126 in funds from a FY 2015-2016 Urban Area Security Initiative (UASI) grant.

BACKGROUND:

The Escondido Police and Fire Departments received a total of \$92,392 in FYI 2016-2017 UASI grant funds. The funding must be spent on the following: \$57,731 for law enforcement personnel protective equipment, and \$34,661 for Police and Fire training.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Craig Carter, Chief of Police
1/2/2018 12:38 p.m.

ATTACHMENTS:

1. Budget Adjustment

CITY COUNCIL STAFF REPORT

Consent Item No. 5

January 10, 2018

File No. 0480-70

SUBJECT: 2018 Local Partnership Program Grant Application

DEPARTMENT: Engineering Services Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2018-03, to authorize the Director of Engineering Services or her designee to complete an application for the Citracado Parkway Extension Project to the California Transportation Commission (CTC) 2018 Local Partnership Program (LPP) grant program.

FISCAL ANALYSIS:

The Citracado Parkway Extension Project is anticipated to cost approximately \$32,000,000. Staff will request up to \$12,500,000 to complete funding for the project. The LLP guidelines require a minimum of 50 percent project match; the City will meet this requirement using previously received funds from Palomar Health, Local and Regional Traffic Impact Funds and TransNet funds.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the Council's Action Plan regarding Economic Development by closing a critical gap in Escondido's transportation network and stimulate private investment in undeveloped industrial land.

BACKGROUND:

The Road Repair and Accountability Act of 2017 (Senate Bill [SB] 1, Chapter 5, Statutes of 2017) created the LPP and continuously appropriates two hundred million dollars (\$200,000,000) annually to be allocated by the CTC to local or regional transportation agencies that have sought and received voter approval of taxes or that have imposed fees, which taxes or fees are dedicated solely for transportation improvements. The LPP was subsequently amended by Assembly Bill (AB) 115 (Chapter 20, Statutes of 2017) and AB 135 (Committee on Budget, Chapter 255, Statutes of 2017).

The Citracado Parkway Extension Project will complete construction of the missing section of Citracado Parkway from Andreasen to Avenida Del Diablo. Citracado Parkway is currently planned as a Major Road from Interstate 15 to State Highway 78. The ultimate project will construct an extension of Citracado Parkway providing four through lanes and separated left turn lanes. Planned improvements include pavement, curb, gutter, sidewalk, a Class 2 bike lane, and street lights. Major intersections will be signalized and a bridge structure will be constructed over Escondido Creek

2018 Local Partnership Program Grant Application
January 10, 2018
Page 2

between Harmony Grove Road and Avenida Del Diablo, and will provide a major southern access to a planned industrial park and a new regional hospital.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Dir. of Engineering Services
1/3/2018 3:28 p.m.

Karen Youel, Housing & Nbhd. Svs. Manager
1/3/2018 4:56 p.m.

ATTACHMENTS:

1. Resolution No. 2018-03

RESOLUTION NO. 2018-03

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO AUTHORIZING
THE SUBMITTAL OF AN APPLICATION FOR
THE CITRACADO PARKWAY EXTENSION
PROJECT FOR THE 2018 LOCAL
PARTNERSHIP PROGRAM GRANT

WHEREAS, the Legislature and Governor of the State of California have provided funds for the 2018 Local Partnership Program (“LPP”) under Senate Bill 1, Chapter 5, and Assembly Bill 115, Chapter 20; and

WHEREAS, the California Transportation Commission (“CTC”) has statutory authority for the administration of the LPP and established necessary procedures; and

WHEREAS, the CTC has adopted the 2018 LPP guidelines on October 18, 2017, which were revised on December 6, 2017, and released a call for projects on October 20, 2017.

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

1. That the above recitations are true.
2. That the City Council approves the filing of an application to the CTC for the Citracado Parkway Extension Project (“Project”).
3. That the City Council appoints the Director of Engineering Services, or her designee, as agent to conduct all negotiations, execute and submit all documents to the CTC including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned Project.



CITY COUNCIL STAFF REPORT

Consent Item No. 6

January 10, 2018

File No. 0690-20

SUBJECT: Sale of Property: 1750 Citracado Parkway, Lot No. 118 at Mountain Shadows Mobile Home Park

DEPARTMENT: Engineering Services Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2018-04, authorizing the Real Property Manager to execute documents necessary to complete the sale of 1750 W. Citracado Parkway, Lot No. 118 at Mountain Shadows Mobile Home Park.

FISCAL ANALYSIS:

Sales proceeds will be in the amount of \$145,000, less closing costs and commissions and will be deposited into the Housing Successor Agency Fund.

BACKGROUND:

In 1991, at the urging of residents, the City of Escondido purchased Mt. Shadows Mobile Home Park, a 209-space park, at 1750 W. Citracado Parkway. The Park was purchased with the intent to immediately transfer it to resident ownership. Although many residents had committed to purchasing their lot, the number of sales was less than expected. Declining economic conditions and property values hurt lot sales during the mid-90's. Management and sales efforts for the remaining City-owned lots have continued in the Park. In August 2001, the City owned 93-lots.

The subject property was marketed by an outside broker in a concurrent sale with the mobile home coach owner at a listing price of \$145,000 (land only). The City received a full price offer of \$145,000, all cash, subject to City Council approval. Staff is seeking authority to sell the property to Guadalupe Lopez at the City's asking price of \$145,000. After this sale, the City will own 24 remaining lots within the Mountain Shadows Mobile Home Park

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Director of Engineering Services
1/2/2018 3:28 p.m.

ATTACHMENTS:

1. Resolution No. 2018-04
2. Resolution No. 2018-04 - Exhibit "1" – Grant Deed for 1750 W. Citracado Parkway, Lot No. 118, located in the Mountain Shadows Mobile Home Park

RESOLUTION NO. 2018-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE REAL PROPERTY MANAGER TO EXECUTE, ON BEHALF OF THE CITY, A GRANT DEED AND NECESSARY ESCROW DOCUMENTS FOR THE SALE OF 1750 W. CITRACADO PARKWAY, LOT NO.118

WHEREAS, there is a certain City-owned real property, 1750 W. Citracado Parkway, Lot No.118, located in the Mountain Shadows Mobile Home Park, in Escondido (the "Property"); and

WHEREAS, the City offered the Property for a sales price of \$145,000 and received a full cash offer from Guadalupe Lopez ("Buyer") in the amount of \$145,000, subject to the City Council's approval; and

WHEREAS, the City wishes to sell the Property for \$145,000 and to enter into escrow with the Buyer; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the sale of the Property to the Buyer.

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 Real Property Manager and City Clerk are authorized to execute, on behalf of the City, the Grant Deed, attached to this Resolution as Exhibit "1" and incorporated by this reference, and all necessary related escrow documents for the sale of 1750 W. Citracado Parkway, Lot No.118.

RECORDING REQUESTED BY

And When Recorded Mail To:
City Clerk
City of Escondido
201 North Broadway
Escondido, CA 92025

APN: 235-163-14-02

No recording fee required; this document
exempt from fee pursuant to Section
27383 of the California Government
Code.

**CITY OF ESCONDIDO
GRANT DEED**

ESC. DOCUMENT NO. M-01-18

This deed exempt from tax - Section 11922 of the California Revenue and Taxation
Code

THE CITY OF ESCONDIDO, a municipal corporation, for a
valuable consideration (Grantor), DOES HEREBY GRANT to

GUADALUPE LOPEZ (Grantee)

all that real property described as follows:

LEGAL DESCRIPTION ATTACHED

IN WITNESS WHEREOF, the City of Escondido has caused this
deed to be executed by its Real Property Manager, pursuant to City
Council Resolution No. 2018-04, adopted January 10, 2018, authorizing
such execution, this ___day of January, 2018.

THE CITY OF ESCONDIDO

By: _____
Vince McCaw
Real Property Manager

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO }

On _____(date) before me, _____, Notary Public

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s), is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature of Notary

Exhibit A
(APN: 235-163-14-02)

(Legal Description to be provided by Escrow Officer)

ORDINANCE NO. 2017-16

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING ARTICLES 1 AND 26 OF THE
ESCONDIDO ZONING CODE PERTAINING TO
INCUBATOR USES WITHIN THE M-1 AND M-2
ZONES

Planning Case No. AZ 17-0003

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. The City Council has duly reviewed and considered all evidence submitted at said hearings, including, without limitation:

- a. Written information;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The City Council staff report, dated December 20, 2017, which along with its attachments is incorporated herein by this reference as though fully set forth herein, including the Planning Commission recommendation on the request, and
- d. Additional information submitted during the Public Hearing.

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

CITY COUNCIL STAFF REPORT

Public Hearing Item No. 8

January 10, 2018

File No. 0800-10

SUBJECT: Extension and Revision of a Tentative Subdivision Map, Master Development Plan, Development Agreement, Prezone, and Annexation – North Avenue Estates Project Proposal (SUB 17-0007, PHG 17-0034, and ENV 17-0011)

DEPARTMENT: Community Development Department, Planning Division

RECOMMENDATION:

It is requested that the City Council conduct a public hearing on the North Avenue Estates Project proposal, which includes a total of 34 residential lots and five open space lots on approximately 17.2 acres of property located on the north side of North Avenue, between Laurashawn Lane and Kaywood Drive; and take action on the recommendations of City staff and the Planning Commission, which recommends that the City Council:

1. Introduce Ordinance No. 2018-02, for certification of an Addendum to an Amended Mitigated Negative Declaration and adoption of a Mitigation Monitoring and Reporting Program; a Master Development Plan for the residential development site; a Development Agreement for the development site; and a Prezone of 632 and 644 North Avenue to RE-20 (Residential Estates – 20,000 SF minimum lot size).
2. Adopt Resolution No. 2018-01 for an Extension and Revision of a Tentative Subdivision Map for the North Avenue Estates residential development; and application to the Local Agency Formation Commission for the initiation of proceedings for the annexation/reorganization of the development site and three additional properties (632, 644, and 714 North Avenue).

PROJECT DESCRIPTION:

The proposal involves a series of actions to implement the North Avenue Estates Project (“Project”), including the following:

- Extension of the Tentative Subdivision Map approved on February 26, 2008, under Tract 916-R.
- Revision of the Tentative Subdivision Map. The map would continue to include 34 residential lots on two APNs (224-153-19 and 224-153-20) comprising 17.2 acres, as well as five open space areas and a multipurpose trail running from Kaywood Drive to the south end of the development. However, lot sizes would be adjusted slightly (lot sizes previously ranged from 10,025 SF to 28,764 SF, and now would range from 11,684 SF to 22,777 SF). The map would now include a 12.5’-wide open space easement along the rear property line of several residential lots within the development (this is one of the five open space areas noted in the previous sentence).

- A new Master Development Plan to allow lot clustering and reduction of lot sizes below the 20,000 SF required for the Estate II designation of the General Plan. The applicant has elected not to provide details about residential design or floorplans under this project, and will instead apply for Precise Development Plan approval at a later date to cover these issues.
- An Annexation of the residential development site into the City of Escondido. Three additional nearby properties (632, 644, and 714 North Avenue) would also be annexed into the City, since the owners of these properties have previously connected to City sewer services and signed Irrevocable Offers of Annexation as a condition of connection. The property at 714 North Avenue has already been rezoned to RE-20. The properties at 632 and 644 North Avenue have not yet been rezoned, so the current request proposes to rezone them to RE-20 as well.
- A Development Agreement for contributions toward improvements to address infrastructure deficiencies in the North Broadway Region of Influence. Terms would be included for payment of deficiency fees, construction of drainage improvements, granting of fee credits, and replacement of trees removed by grading activities. (Please note that final landscape design details and tree planting requirements are typically handled at the landscape permit stage of a project, and per regular procedure, the applicant will be required to submit a landscape permit package to the City prior to issuance of grading permits. However, since the Amended Mitigated Negative Declaration prepared for Tract 916 included a mitigation measure that explicitly stated that tree replacement should be a term of the Development Agreement, a term has now been included to satisfy that mitigation measure.)

The proposal also includes the adoption of the environmental determination prepared for the Project.

FISCAL ANALYSIS:

The proposed Project is a private development project that will require the payment of fees in effect at the time permits are requested. The Project will be required to pay all applicable impact fees as conditioned, excepting the \$100,000 in deficiency fee credits included in the proposed Development Agreement for those reasons stated therein.

PLANNING COMMISSION RECOMMENDATION:

On November 28, 2017, the Planning Commission voted 7-0 to recommend that the City Council approve the series of actions related to the Project based upon the findings and conditions as modified. The recommended actions section of this report reflects the Planning Commission recommendation.

Written and oral testimony was provided to the Planning Commission at their meeting on November 28, 2017. Eight members of the public spoke at the meeting, including property owners and residents of neighborhoods surrounding the Project. These eight speakers expressed several concerns with the Project, including concerns about drainage, groundwater, residential density, habitat loss, and traffic. These comments are similar to issues raised by written communications, which is discussed in more detail later in this report. Please note that the Planning Commission staff report and draft

Planning Commission meeting minutes are provided in Attachments A and B, respectively. The meeting minutes provide detailed comments from the speakers and Commissioners.

BACKGROUND:

On April 5, 2006, the City Council approved a residential subdivision project known as Tract 916 (Tentative Subdivision Map), 2005-17-PZ/PD/DA (Prezone, Master and Precise Development Plan, and Development Agreement), and 2005-03-AN (Annexation). The Tentative Subdivision Map included 34 single-family lots and five open space lots on a 17.2-acre property just north of Escondido. The Planned Development would have allowed for lot clustering and lot sizes below the 20,000-SF minimum usually required for properties in the Estate II (E2) designation of the General Plan, and details about floorplans and architecture were also provided for the proposed residences. Because the property was still located within the jurisdiction of the County of San Diego, the project also included a Prezone of the development site from County zoning to PD-R-1.97 (Planned Development; maximum 1.97 residential units/acre), a Prezone of four adjoining properties (702, 708, and 714 North Avenue, plus 3057 Kaywood Drive) from County Zoning to RE-20 (Residential Estates; minimum 20,000 SF lot size), and an Annexation request for the development site and the four adjoining properties. Finally, a Development Agreement was also proposed to address deficiencies in the North Broadway Region of Influence area. The Development Agreement would have required a community benefit payment of \$12,000 per lot as well as drainage improvements, and would have locked the City's development fees for the five-year term of the agreement and reimbursed the developer for up to \$100,000 in project fees and community benefit payments to pay for the share of drainage improvements that exceeded the project's requirements.

On April 9, 2008, the City Council approved a revision to the Tentative Map (Tract 916-R) and Precise Development Plan to consolidate primary access at the south side of the development (on North Avenue, across from Conway Drive), and to designate the entry at the west side of the development (on Tamara Lane, a connector to Laurashawn Lane) for emergencies only. The previous approval had allowed primary access from both the south and west sides, and designating the west entrance for emergencies only addressed concerns of Laurashawn Lane residents regarding traffic on their street. The revision did not affect any other discretionary approvals related to the project and did not modify the number of lots to be created.

Following City Council approval, the project was taken to the San Diego Local Agency Formation Committee (LAFCO) on August 4, 2008, for final approval of the annexation request. LAFCO approved the annexation, contingent on the revision of one of the project conditions that City Council had approved. The condition in question addressed protocols for handling septic failures on properties adjacent to the development site. The condition approved by the City Council stated that in the event of septic failure on any Laurashawn Lane properties along the project's western boundary as a result of project-related grading operations (as determined by the majority opinion of the City Engineer, a County Environmental Health Department, and a forensic engineer), the developer would repair (and bear the full cost of repairing) the system, or connect the property to public sewer to the satisfaction of the City Engineering. LAFCO required that this condition be

changed so that the Department of Environmental Health alone would make an initial determination at the end of grading activities as to whether any adjacent septic systems were at risk for failure. If the County determined that a septic system was failing or about to fail, the City of Escondido and the developer would provide for the execution of a binding commitment between the City and the affected property owner to connect to public sewer at no expense to the affected property owner.

The project was then taken back to City Council for a determination on whether this condition should be modified per LAFCO's instruction. The approval of the project would not be effective until all necessary follow-up actions were completed, including the acceptance of LAFCO's suggested modifications. City Council voted not to accept LAFCO's proposed changes on the grounds that they would diminish the City's role in determining the cause of septic failures on adjacent properties, and would expand the window of time during which the developer could be held responsible for failures. Since the City would not accept LAFCO's changes and LAFCO would not finalize the annexation without them, the project was unable to move forward.

Tract 916 and 916-R were tied to the five-year term of the project's development agreement, so the initial expiration date of the Tentative Subdivision Map was May 12, 2011. A series of state-mandated automatic extensions moved that map expiration date to May 12, 2017. However, these extensions were only associated with the tentative subdivision map and did not affect the other discretionary approvals for the project. As a result, the Development Agreement and Planned Development expired on May 12, 2011. On July 10, 2009, LAFCO granted a one-year extension for completing the annexation process, but since a solution to the disagreement over project conditions was not reached, the annexation expired as well.

The applicant has now submitted an application for SUB 17-0007 (to revise and extend the Tentative Subdivision Map that was approved under Tract 916 and modified under Tract 916-R) and PHG17-0034 (to establish a new Master Development Plan, Development Agreement, Prezone, and Annexation, to replace those that have expired). Some details in the Project have changed since the original 2006 approval and 2008 revision, and this is discussed further in the Analysis section of this staff report.

ANALYSIS:

The General Plan designation for the subdivision site is Estate II (E2), which allows a maximum density of two units per acre on sites within the 0-25% slope category. The proposed project would have a density of 1.97 units per acre, and therefore would comply with the density limits of the designation.

The E2 designation typically requires a minimum lot size of 20,000 SF. However, per the General Plan's Residential Clustering Policy 5.1, single-family residential projects in the E2 designation may contain lots as small as 10,000 SF when lot clustering is utilized. Residential lots in the proposed project range from 12,427 SF to 22,484 SF, and therefore exceed the minimum required. Per Residential Clustering Policy 5.9, planned developments must compensate for any reduced

residential lot sizes by providing open space in an amount equal to, or greater than, the reduction. This project would be responsible for open space in the amount of 196,044 SF, and provides 196,096 SF, so this General Plan requirement would be satisfied.

As explained above, the original project included a condition of approval outlining a process for handling the failure or impending failure of septic systems on neighboring properties, resulting from grading activities on the development site. LAFCO required that this condition be revised, but the City Council declined to support the revision, effectively halting the project.

For the current proposal, the applicant has provided a letter from Geocon, a geotechnical engineering firm, that states that in the firm's professional opinion, the grading proposed in conjunction with the residential development will not cause or contribute to a failure of the adjacent septic systems. Geocon has conducted exploratory trenching showing that groundwater flow below the development site and Laurashawn Lane moves in such a direction that grading on the development site would not cut off groundwater flow from and beneath adjacent properties, thereby causing a rise in groundwater and affecting percolation from septic systems. A copy of this letter and supporting materials is attached to the Planning Commission staff report (Attachment A). In consideration of previous LAFCO concerns, it is believed by City staff that this would be deemed acceptable to LAFCO.

As an extra measure of security, the applicant has proposed to provide a 12.5'-wide open space easement along the rear property line of Lots 1-6, Lots 19-30, and the east and north sides of Lot 34, to preclude any grading or development in this area. Vinyl fencing would be provided along the boundary of the buffer.

As another measure of security, the Engineering Services Department has proposed the following condition of approval, which is an amended version of the original City Council condition:

"Due to the location of existing leach fields for the properties on the east side of Laurashawn Lane and along the westerly project boundary, the project's final grading design shall provide adequate setback from this westerly project boundary (as shown conceptually on the Tentative Map) to incorporate County Health Department Standards and the recommendations of the Geotechnical Engineer all to avoid impact to the existing leach fields during project grading to the satisfaction of the City Engineer. Any proposed grading work in the setback area shall be limited to minor grading to establish proper drainage flow and provide surfacing to the requirements of the City Engineer. No excavation shall take place in the setback area as part of the project grading or in the future by the home owners. The project CC&R's shall ensure maintenance of the setback area by the HOA or designee and shall prohibit any excavation within the setback area that could impact the leach fields of the westerly neighboring properties."

The current Master Development Plan proposal differs from the original project in various ways, including the following:

- Fencing and walls: The original project included a condition of approval requiring any fencing or walls located between the development and neighboring properties, and exceeding six feet in height, to be made of an open material (such as wrought iron fencing). The wording of the condition itself was vague, but information in the staff report indicates that the intent was to require masonry materials for any portion of these walls under six feet in height, and wrought iron or similar materials for any portion above six feet. The applicant is now proposing to simply provide vinyl fencing along the edge of the open space buffer that occupies several lots, with no other fencing/walls identified for the development site. This fencing would be limited to a height of six feet since it would be located within rear setbacks, but per current practice, retaining walls under the vinyl fencing would not count toward the height, and height would be measured from the side with the higher grade.
- Two-story development: The current Master Development Plan proposal also differs from the original project in where it allows two-story development. The original approval included a condition of approval prohibiting two story homes on all lots adjacent to Laurashawn Lane properties (with the exception of Lot 34) to preserve views and privacy for Laurashawn neighbors. The current project proposes to allow two-story homes on up to eight of the 14 lots in this area, with one-story homes on the remaining six or more lots in this range. The project also proposes a 40' rear setback for any two-story home on Lots 20 through 33, and a maximum building height of 27' for two-story homes, to protect aesthetics and privacy for neighbors.
- Development standards: The applicant is requesting modifications to some previously-approved development standards. The original approval called for a minimum front setback of 20', but the current proposal would reduce that to 15' for residences and 20' for street-facing garages. Previous approvals required a rear setback of 20', and this would stay the same for most properties, but two-story homes on Lots 20-33 would be required to maintain a 40' rear setback as described above. Finally, no floor area ratio (FAR) or lot coverage standards were specified in the original project, so the current proposal would set those at .50 and 40%, respectively, to be consistent with the standards of the R-1 (Single Family Residential) zone.
- Architectural design: The original project was processed as both a Master and Precise Development Plan, with specific details provided for residential architecture and floorplans. For the current proposal, the applicant has elected not to provide any details on residential design or architecture. As a condition of approval, the applicant will be required to file a separate application for a Precise Development Plan that provides residential design details. This application will need to be reviewed by staff and approved by the Planning Commission.

The annexation boundary for this project has changed from what was originally approved. The original project would have annexed four adjacent properties along with the residential development site (702, 708, and 714 North Avenue, and 3057 Kaywood Drive), based on an applicant-led survey that indicated that these property owners were interested in annexing. Since much time has passed since the original 2006 approval, City staff mailed a new survey to property owners within 500 feet of the development site on July 28, 2017. As described further in the Public Comments section of this

staff report, while a few neighbors indicated in this survey that they were interested in annexation, many did not, and a logical annexation boundary could not be defined that would include the interested parties while excluding the uninterested ones. The results of the latest survey notwithstanding, three properties in the vicinity of the development site (632, 644, and 714 North Avenue) have connected to City sewer within the last five years due to septic issues, and signed Irrevocable Offers of Annexation as a condition of that connection, but have not completed the annexation process. These three properties are now proposed to be annexed along with the development site. The property at 714 North Avenue was rezoned RE-20 (Residential Estates, minimum 20,000 SF lot size) under the original 2006 project. The remaining two properties (632 and 644 North Avenue) would be rezoned to RE-20 under the current proposal.

ENVIRONMENTAL REVIEW:

An Initial Study and Mitigated Negative Declaration (IS/MND, City Log No. ER 2005-12) were prepared for the original subdivision and circulated for public review from October 28 to November 17, 2005. The IS/MND was adopted by City Council on April 5, 2006. The environmental document that was prepared for this revised project constitutes an Addendum to the IS/MND, and is located as an exhibit to draft Ordinance No. 2018-02. The Addendum evaluates whether modifications/refinements to the proposed residential development would result in any new or substantially more adverse significant effects or require any new mitigation measures not identified in the Amended IS/MND.

Per the California Environmental Quality Act (CEQA), once an Environmental Impact Report (EIR), Negative Declaration (ND), or MND is adopted for a project, the document does not need to be revised unless one or more of the following situations occurs:

1. Substantial changes are proposed in the project that would require major revision of the document due to the creation of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects; or
2. Substantial changes occur with respect to the circumstances under which the project is undertaken that require major revision of the document due to the creation of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects; or
3. New information of substantial importance, not known at the time the previous document was adopted, shows at least one of the following: the project will have one or more significant effects not discussed in the previous document; significant effects identified in the previous document will be substantially more severe than described; mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure; or mitigation measures which are substantially different from those analyzed in the document would substantially reduce one or more significant effects, but the project proponents decline to adopt the mitigation measure.

Similar to the original project, the proposed project would consist of the development of a residential subdivision. The project has changed in that the revised Tentative Subdivision Map now proposes a 12.5'-wide open space easement along the rear property line of most lots that back up to existing residential properties. This includes Lots 1-6 (which back up to residential properties along Kaywood Drive and North Avenue), Lots 19-30 (which back up to properties on Laurashawn Lane and North Avenue), and the east and north sides of Lot 34 (which adjoins properties on Kaywood Drive). Lots 31 through 33 back up to homes on Laurashawn Lane, as does the west side of Lot 34, but no open space easement is proposed here since an existing 20'-wide drainage easement already runs along the rear of the adjoining Laurashawn Lane properties. The applicant has also proposed to remove/replace some of the original project's conditions of approval (concerning septic system failure protocols, fencing, and location of two-story homes), modify some development standards, and revise the annexation boundary.

LLG has provided updated traffic information for one intersection and three street segments in the vicinity of the development site, since a school has been added to the neighborhood since the original MND was prepared. The applicant has also obtained updated soils/hydrology information from Geocon to investigate whether grading on the development site would have the potential to affect septic systems on adjoining properties, and has analyzed the project for conformity with the greenhouse gas emissions thresholds in the Escondido Climate Action Plan, which was adopted in 2013. Finally, the applicant obtained a visual analysis from Masson & Associates to determine the effects of allowing two-story homes on some of the proposed lots adjacent to Laurashawn Lane properties. A discussion of this visual analysis was included in the Addendum provided to Planning Commission on November 28, 2017. Since the visual analysis is related to private views, not public views, the analysis has been removed from the Addendum as set forth as an exhibit to draft Ordinance No. 2018-02. The City of Escondido does not have a threshold of significance for private views under CEQA. Although not pertinent to CEQA, the analysis still has been provided as Attachment C as an informational resource. As an informational resource, the City Council may be able to evaluate the project from a development policy and landscape compatibility perspective, rather than within the context of CEQA.

As verified in this IS/MND Addendum, the analyses and the conclusions in the 2006 IS/MND remain current and valid. The proposed revisions to the original project would not cause new significant effects not identified in the MND nor increase the level of environmental effect to substantial or significant, and, hence, no new mitigation measures would be necessary to reduce significant effects. No change has occurred with respect to circumstances surrounding the proposed project and no new information has become available that would cause or show new or substantially more severe significant environmental effects than were identified in the 2006 Amended IS/MND. Therefore, no further environmental review is required beyond this MND Addendum.

This IS/MND Addendum incorporates the mitigation measures detailed in the 2006 Amended IS/MND and clarifies selected mitigation measures applicable to the revised project description. With this Addendum, the proposed project would still be within the framework of the evaluation for the original project as documented in the 2006 Amended IS/MND.

PUBLIC COMMENTS:

On July 28, 2017, City staff sent a letter to property owners within 500 feet of the project site. The purpose of the letter was twofold: 1) to survey neighbors regarding their interest in annexing to the City of Escondido along with the development site, and 2) to invite the recipients to a neighborhood meeting to be held at City Hall on August 9, 2017.

The annexation survey mailed to neighbors of the development site stated that annexation costs (including sewer connection) could range from \$15,000 to over \$50,000 per property. The survey explained that a specific figure could not be provided since costs would vary depending on how many homes connected to sewer and the distance between those homes and existing sewer mains. The survey also explained that no definite annexation offer was being extended as of the mailing date, and that City Council and LAFCO would have final approval authority for any annexation requests. Property owners were asked to indicate on the survey whether they would or would not consent to annexation under these terms, and whether their septic systems were currently functioning normally.

Twenty-two (22) households returned their surveys to the City before the specified deadline, and a twenty-third survey was received after the deadline. The majority of respondents (16 of 23) indicated that they would not consent to annexation under the proposed terms. Two respondents indicated that they would consent to annexation, and four respondents could not give definite “yes” or “no” answers (for example, one said he would “consider” annexation, and another was concerned about the cost but didn’t want to be forced into an emergency connection later due to septic failure). The remaining respondent (at 714 North Avenue) indicated that she had already annexed to the City, though further research indicated that she had connected to sewer in 2013 because her septic system was failing, but hadn’t yet annexed. Since this respondent signed an Irrevocable Offer of Annexation as a condition of connection, her property is one of the three lots proposed to be annexed now under this project.

For the survey question about septic system performance, the majority of respondents (19 of 23) reported that their systems were operating normally with no past or present issues. Two respondents indicated that they had needed to expand their leach fields within the last 15 years, and one respondent indicated that his system “fills up when it rains”. The final respondent (714 North Avenue) had already connected to sewer for emergency reasons, as noted above.

On August 9, 2017, City staff hosted a neighborhood meeting to give residents near the project site an opportunity to express concerns and ask questions about the project. Approximately 40 people attended this meeting, in addition to City staff and applicant representatives. Concerns raised during this meeting covered a wide range of topics, which have been categorized in summary form below:

- Drainage: Many residents were concerned that development of the project site would cause new drainage issues or exacerbate existing ones for adjoining properties. An attendee pointed out that the water table is high in this area and drainage flows down to the project site from the

hills to the north. Residents wanted to know who would be held accountable if septic systems on their properties were to fail due to the project.

- Traffic: Concerns were raised about the quantity and speed of traffic in the area (especially on North Avenue) and the project's potential effects on traffic. One attendee said that Reidy Creek School has insufficient on-site parking, forcing some school visitors/parents to use street parking along North Avenue instead. Another attendee recommended a four-way stop sign or traffic signal at North and Conway.
- Aesthetics and privacy: An attendee questioned why the applicant was now proposing to build two-story homes along the west side of the project site, when the original approval allowed only one-story homes in this area to preserve privacy and views for residents on Laurashawn Lane.
- Biological resources: Attendees were concerned that removal of on-site trees to make way for development would eliminate bird habitat.
- Public safety: An attendee asked who would provide fire services to the site, and others expressed concern that wildfire evacuations could be made more difficult due to the increased number of residents in the area.
- Annexation issues: Attendees expressed confusion about the fees they would be charged if they were to annex to the City along with the development site. They also asked if Laurashawn Lane would need street improvements (sidewalks, etc.) if it were to be annexed.

Since the neighborhood meeting, staff have received additional written and oral correspondence from Connie Braun, a resident of Laurashawn Lane. Correspondence received prior to the issuance of the staff report for the November 28, 2017 Planning Commission hearing was included as an attachment to the staff report for that hearing (Attachment A of this report). Correspondence received after that staff report was issued was forwarded to the Commissioners by email and provided on the dais at the hearing, and is included in Attachment D of this report.

The project has been designed to address neighborhood concerns to the extent practicable. Fire services to the project site will be provided by the City of Escondido upon annexation. Impacts to hydrology and water quality, traffic and biological resources were addressed in the IS/MND prepared for the original project, as well as the Addendum to the IS/MND prepared for the current project, and mitigation measures have been proposed when necessary to reduce potential impacts to a less than significant level. To protect privacy and limit aesthetic impacts for residents on Laurashawn Lane, no more than eight of the proposed lots backing up to Laurashawn are proposed to be developed with two-story homes, and any two-story homes on these lots will be required to maintain a minimum 40-foot rear setback. City staff has made good-faith efforts to provide annexation cost estimates and explain the annexation process, both within in the survey that was mailed to neighbors in July 2017 and during conversations at the neighborhood meeting on August 9, 2017. Representatives from LAFCO have continuously maintained an interest in having contiguous properties annex under one filing. With this interest in mind, since the majority of Laurashawn Lane and the larger neighborhood did not express support for annexing to the City along with the development site, it appears that annexation of additional properties will not be undertaken by this application (with the exception of the three properties on North Avenue who have already connected to City sewer services). Future

annexation opportunities will be monitored by City staff to coordinate such efforts to the advantage of the interests of the neighborhood.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Bill Martin, Director of Community Development
1/3/2018 3:31 p.m.

Ann Dolmage, Associate Planner
1/3/2018 3:21 p.m.

ATTACHMENTS:

1. Attachment A – Planning Commission staff report (November 28, 2017)
2. Attachment B – Draft Planning Commission Minutes (November 28, 2017)
3. Attachment C – Private view analysis
4. Attachment D – Public correspondences received after November 25, 2017
5. Resolution No. 2018-01
6. Resolution No. 2018-01 – Exhibits A and B
7. Ordinance No. 2018-02
8. Ordinance No. 2018-02 – Exhibits A, B, C, D, E, and F

PLANNING COMMISSION

Agenda Item No.: G.1
Date: November 28, 2017

CASE NUMBER: SUB17-0007

APPLICANT: Casey Johnson, North Avenue Estates

LOCATION: North Avenue, between North Broadway and Kaywood Drive (APNs 224-153-19, 224-153-20, 224-331-14, 224-331-16, and 22-153-15)

TYPE OF PROJECT: Tentative Subdivision Map Extension and Revision, Master Development Plan, Development Agreement, Prezone, and Annexation

PROJECT DESCRIPTION: Extension and Revision of a previously-approved Tentative Subdivision Map, a Master Development Plan, and a Development Agreement for a new residential development containing 34 residential lots and five open space lots, currently known as North Avenue Estates and formerly known as Tract 916. The project also includes an annexation of the residential development site, as well as annexation of three adjacent lots that have previously connected to public sewer services (632, 644, and 714 North Avenue). The development site has already been prezoned PD-R-1.97 and 714 North Avenue has been prezoned RE-20. The remaining properties (632 and 644 North Avenue) would be prezoned RE-20 under this request.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION: All lots affected by this project are currently within County jurisdiction, under the Semi-Rural Residential (SR-1) designation of the County of San Diego General Plan. Upon annexation, they will be located within the E2 (Estate II; up to 2 dwelling units/acre) designation of the City of Escondido General Plan.

ZONING: The two lots to be occupied by the proposed residential development (224-153-19 and -20) are located within the County jurisdiction with RR (Rural Residential) zoning, but have been prezoned PD-R 1.97 (Planned Development- Residential; 1.97 dwelling units/acre) by the City of Escondido, in anticipation of annexation. The property at 714 North Avenue is also located within the County jurisdiction with RR (Rural Residential) zoning, but has been prezoned RE-20 (Residential Estates; minimum 20,000 SF lot size) by the City. The properties at 632 and 644 North Avenue are located within the County jurisdiction with RS (Single Family Residential) zoning, but have not yet been prezoned by the City. This project would prezone those properties to RE-20.

BACKGROUND/SUMMARY OF ISSUES:

On April 5, 2006, City Council approved a residential subdivision project known as Tract 916 (Tentative Subdivision Map), 2005-17-PZ/PD/DA (Prezone, Master and Precise Development Plan, and Development Agreement), and 2005-03-AN (Annexation). The Tentative Subdivision Map included 34 single-family lots and five open space lots on a 17.2-acre property just north of Escondido. The Planned Development would have allowed for lot clustering and lot sizes below the 20,000-SF minimum usually required for properties in the Estate II (E2) designation of the General Plan, and details about floorplans and architecture were also provided for the proposed residences. Because the property was still located within the jurisdiction of the County of San Diego, the project also included a Prezone of the development site from County zoning to PD-R-1.97 (Planned Development; maximum 1.97 residential units/acre), a Prezone of four adjoining properties (702, 708, and 714 North Avenue, plus 3057 Kaywood Drive) from County Zoning to RE-20 (Residential Estates; minimum 20,000 SF lot size), and an Annexation request for the development site and the four adjoining properties. Finally, a Development Agreement was also proposed to address deficiencies in the North Broadway Region of Influence area. The Development Agreement would have required a community benefit payment of \$12,000 per lot as well

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as drainage improvements, and would have locked the City's development fees for the five-year term of the agreement and reimbursed the developer for up to \$100,000 in project fees and community benefit payments to pay for the share of drainage improvements that exceeded the project's requirements.

On April 9, 2008, City Council approved a revision to the Tentative Map (Tract 916-R) and a new Precise Development Plan to consolidate primary access at the south side of the development (on North Avenue, across from Conway Drive), and to designate the entry at the west side of the development (on Tamara Lane, a connector to Laurashawn Lane) for emergencies only. The previous approval had allowed primary access from both the south and west sides, and designating the west entrance for emergencies only addressed concerns of Laurashawn Lane residents regarding traffic on their street. The revision did not affect any other discretionary approvals related to the project and did not modify the number of lots to be created.

Following City Council approval, the project was taken to the San Diego Local Agency Formation Committee (LAFCO) on August 4, 2008, for final approval of the annexation request. LAFCO approved the annexation, contingent on the revision of one of the project conditions that City Council had approved. The condition in question addressed protocols for handling septic failures on properties adjacent to the development site. The condition approved by City Council stated that in the event of septic failure on any Laurashawn Lane properties along the project's western boundary as a result of project-related grading operations (as determined by the majority opinion of the City Engineer, a County Environmental Health Department, and a forensic engineer), the developer would repair (and bear the full cost of repairing) the system, or connect the property to public sewer to the satisfaction of the City Engineering. LAFCO required that this condition be changed so that the Department of Environmental Health alone would make an initial determination at the end of grading activities as to whether any adjacent septic systems were at risk for failure. If the County determined that a septic system was failing or about to fail, the City of Escondido and the developer would provide for the execution of a binding commitment between the City and the affected property owner to connect to public sewer at no expense to the affected property owner.

The project was then taken back to City Council for a determination on whether this condition should be modified per LAFCO's instruction. The approval of the project would not be effective until all necessary follow-up actions were completed, including the acceptance of LAFCO's suggested modifications. City Council voted not to accept LAFCO's proposed changes on the grounds that they would diminish the City's role in determining the cause of septic failures on adjacent properties, and would expand the window of time during which the developer could be held responsible for failures. Since the City would not accept LAFCO's changes and LAFCO would not finalize the annexation without them, the project was unable to move forward.

Tract 916 and 916-R were tied to the five-year term of the project's development agreement, so the initial expiration date of the Tentative Subdivision Map was May 12, 2011. A series of state-mandated automatic extensions moved that map expiration date to May 12, 2017. However, these extensions were only associated with the tentative subdivision map and did not affect the other discretionary approvals for the project. As a result, the Development Agreement and Planned Development expired on May 12, 2011. On July 10, 2009, LAFCO granted a one-year extension for completing the annexation process, but since a solution to the disagreement over project conditions was not reached, the annexation expired as well.

In February of 2017, with several approvals already expired and a map that was set to expire in three months, the applicant submitted a request to the City for the following:

- Extension of the Tentative Subdivision Map approved on February 26, 2008, under Tract 916-R.
- Revision of the Tentative Subdivision Map. The map would continue to include 34 residential lots on two APNs (224-153-19 and 224-153-20) comprising 17.2 acres, as well as five open space areas and a multipurpose trail running from Kaywood Drive to the south end of the development. However, lot sizes would be adjusted slightly (lot sizes previously ranged from 10,025 SF to 28,764 SF, and now would range from 11,684 SF to 22,777 SF). The map would now include a 12.5'-wide open space easement along the rear property line of several residential lots within the development (this is one of the five open space areas noted in the previous sentence).
- A new Master Development Plan to replace the one that previously expired. The Master Development Plan would allow lot clustering and reduction of lot sizes below the 20,000 SF required for the Estate II designation of the General Plan (proposed development standards are described later in the staff report).

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Unlike the previous approval, the applicant has elected not to provide details about residential design or floorplans under this project, and will instead apply for Precise Development Plan approval at a later date to cover these issues.

- An Annexation of the residential development site into the City of Escondido, to replace the one that previously expired. Three additional nearby properties (632, 644, and 714 North Avenue) would also be annexed into the City, since the owners of these properties have previously connected to City sewer services and were required to sign Irrevocable Offers of Annexation as a condition of connection. The property at 714 North Avenue has already been rezoned to RE-20. The properties at 632 and 644 North Avenue have not yet been rezoned, so the current request proposes to rezone them to RE-20 as well.
- A Development Agreement to replace the one that previously expired, for contributions toward improvements to address infrastructure deficiencies in the North Broadway Region of Influence. Terms would be included for payment of deficiency fees, construction of drainage improvements, granting of fee credits, and replacement of trees removed by grading activities. The proposed terms are included as an attachment to this staff report, and the agreement itself will be included in the package that goes to City Council for final approval. (Please note that final landscape design details and tree planting requirements are typically handled at the landscape permit stage of a project, and per regular procedure, the applicant will be required to submit a landscape permit package to the City prior to issuance of grading permits. However, since the Amended Mitigated Negative Declaration prepared for Tract 916 included a mitigation measure that explicitly stated that tree replacement should be a term of the Development Agreement, a term has now been included to satisfy that mitigation measure.)

The applicant is requesting modifications for some of the conditions of approval that were part of Tract 916 and 916-R. A condition outlining procedures for handling septic failures on properties adjoining the development site would be amended since the applicant is proposing a 12.5'-wide open space buffer along the rear property line of Lots 1-6 and 19-30, and the east and north sides of Lot 34, as an extra precaution to separate new development from adjacent properties and protect septic systems. A condition concerning wrought-iron fencing for any fence over six feet in height, between the residential subdivision and adjacent properties, would also be eliminated since the applicant is now proposing to provide vinyl fencing along the interior side of the 12.5'-wide buffer. Finally, a condition prohibiting two-story homes adjacent to Laurashawn Lane properties would be changed to allow up to eight two-story homes (and no fewer than six one-story homes) on Lots 20-33, with a maximum 27' building height and minimum 40' rear setback for any two-story structure in this range.

The applicant is also requesting modifications to some previously-approved development standards. Tract 916 and 916-R called for a minimum front setback of 20', but the current proposal would reduce that to 15'. Previous approvals required a rear setback of 20', and this would stay the same for most properties, but two-story homes on Lots 20-33 would be required to maintain a 40' rear setback. Finally, no floor area ratio (FAR) or lot coverage standards were specified in the original project, so the current proposal would set those at .50 and 40%, respectively, to be consistent with the standards of the R-1 (Single Family Residential) zone.

Staff believes that the issues are as follow:

1. Whether the 12.5'-wide open space easement, as shown on the Revised Tentative Map, is an acceptable measure to prevent project-related impacts to the septic systems on Laurashawn Lane properties.
2. Whether the project's proposed development standards, including allowing a mixture of one-story and two-story homes on the west side of the development, are appropriate.
3. Whether the project's CEQA obligation can be satisfied with an Addendum to the Mitigated Negative Declaration previously certified for Tract 916.

REASONS FOR STAFF RECOMMENDATION:

1. The potential impact of the project on nearby septic systems has been a long-standing concern of residents on Laurashawn Lane. The original project attempted to address this concern by imposing a condition that required the developer to repair any systems damaged by the project at the developer's cost or, if repairs were infeasible, to connect affected properties to public sewer at the developer's cost. The condition stated that a majority opinion of the City Engineer, County Environmental Health Department, and a forensic engineer would determine whether

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project activities were responsible for the failure of these septic systems. As discussed above, LAFCO required revision of this condition of approval prior to finalizing the annexation, and City Council declined to revise the condition, leaving the applicant unable to complete the annexation or the remainder of the project. The applicant is now proposing to amend the condition of approval about septic repair from the project, and has proposed to provide a 12.5'-wide open space buffer along the rear property line of Lots 1-6, Lots 19-30, and the east and north sides of Lot 34, to prohibit development in this area. This buffer is intended as an extra measure of protection for the neighbors, since the applicant has also provided a letter from Geocon, a geotechnical engineer, that states their professional opinion that grading in the North Avenue Estates development site will not cause or contribute to failure of septic systems on adjoining properties. A copy of this letter and the documentation that supports it is attached to this staff report.

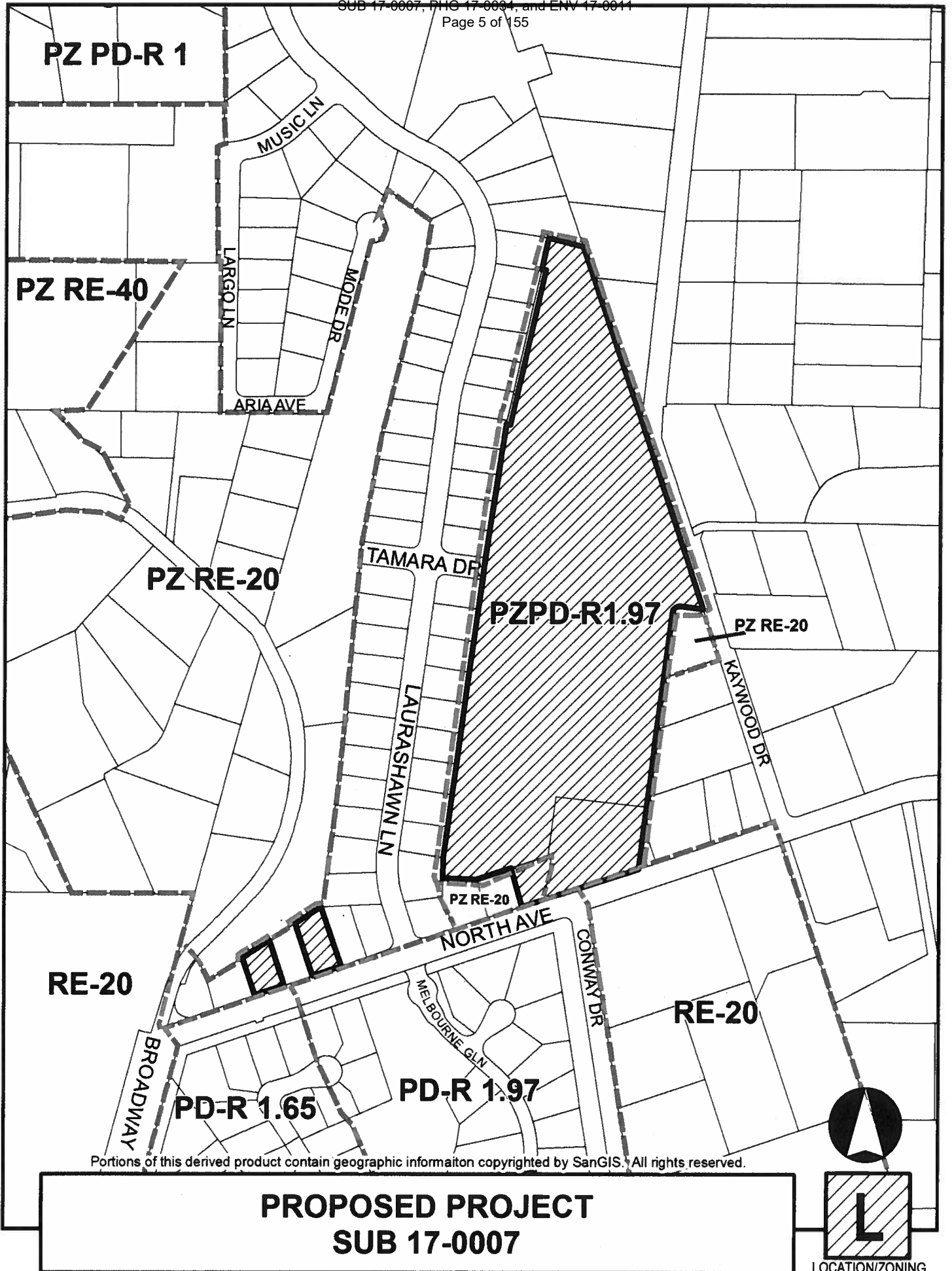
2. The original project proposed a minimum front setback of 20 feet, a minimum side setback of 15 feet combined for both sides, and a minimum rear setback of 20 feet for all residential lots. It also included a condition requiring all new homes adjacent to existing residences on Laurashawn Lane (excluding Lot 34, at the far north end of the development) to be limited to one story and 17 feet in height, to address concerns by Laurashawn neighbors that taller homes would block views from their properties and disrupt privacy. Under the current proposal, the applicant has requested to allow two-story homes up to 27 feet in height on up to eight of the properties between Lots 20 and 33. The remaining six lots between 20 and 33 would still be limited to a height of one story and 17 feet. As a concession for allowing two-story homes on lots that had previously prohibited them, the applicant has proposed to require any two-story elements to be located at least 40 feet from a rear property line. This 40' rear setback exceeds requirements for any residential zone in the City of Escondido (minimums range from 5' to 20' depending on the zone, and no residential zones prohibit two-story structures). The applicant has also proposed a minimum front setback of 15' for all residential lots (a 5' reduction from what was originally approved), with the reasoning that a smaller front setback will give the developer more flexibility in constructing homes farther from rear property lines. The applicant is not proposing to change the side setback that was previously approved. The Supplemental Details of Request section later in this staff report compares previously-approved development standards to standards proposed under the current project request.

3. A Mitigated Negative Declaration (MND) was prepared for the original subdivision project and identified potential impacts to biological resources, cultural resources, and hazards and hazardous materials. Mitigation measures were proposed to reduce those impacts to a less than significant level. Before the project went to public hearing in March of 2006, the MND was amended to add language to the noise, air quality, and traffic sections of the document, in response to comments from the County of San Diego. Because the amended document did not identify any new or increased impacts requiring mitigation, and the original mitigation measures did not need to be revised, the document was not recirculated for public review. The applicant is now proposing to revise the Tentative Subdivision Map to include the 12.5'-wide open space buffer, and is proposing to change some conditions of approval and development standards that were included as part of the original Planned Development. The applicant has obtained updated aesthetics, greenhouse gas, traffic, hydrology, and soils information for the project, and determined that project revisions will not create any new impacts that were not identified in the original Amended MND, nor will they worsen any impacts that were identified. Therefore, an Addendum to the Amended Mitigated Negative Declaration has been submitted and is proposed for adoption as part of the project.

Respectfully submitted,

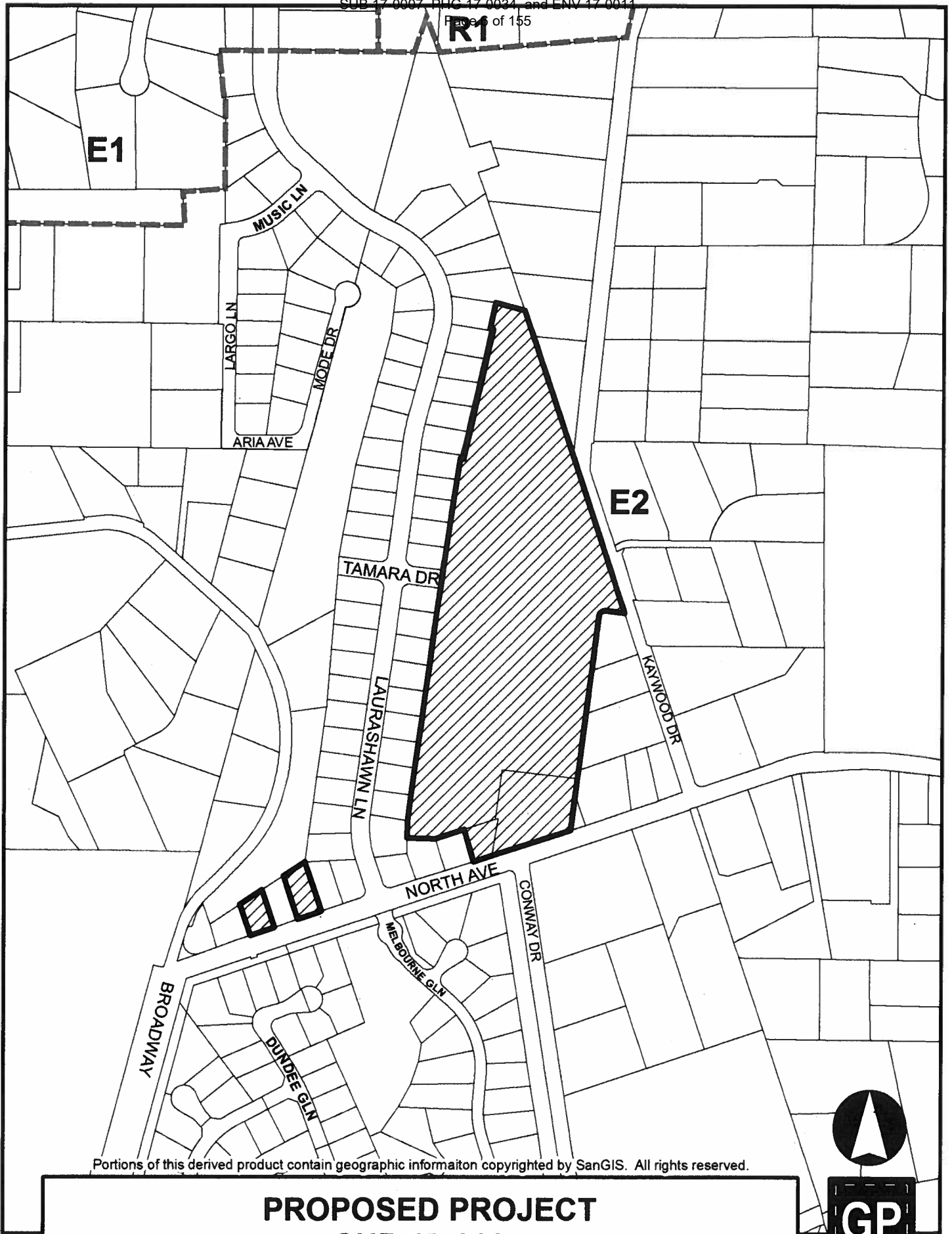


Ann Dolmage
Associate Planner



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PROPOSED PROJECT
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**PROPOSED PROJECT
SUB 17-0007**



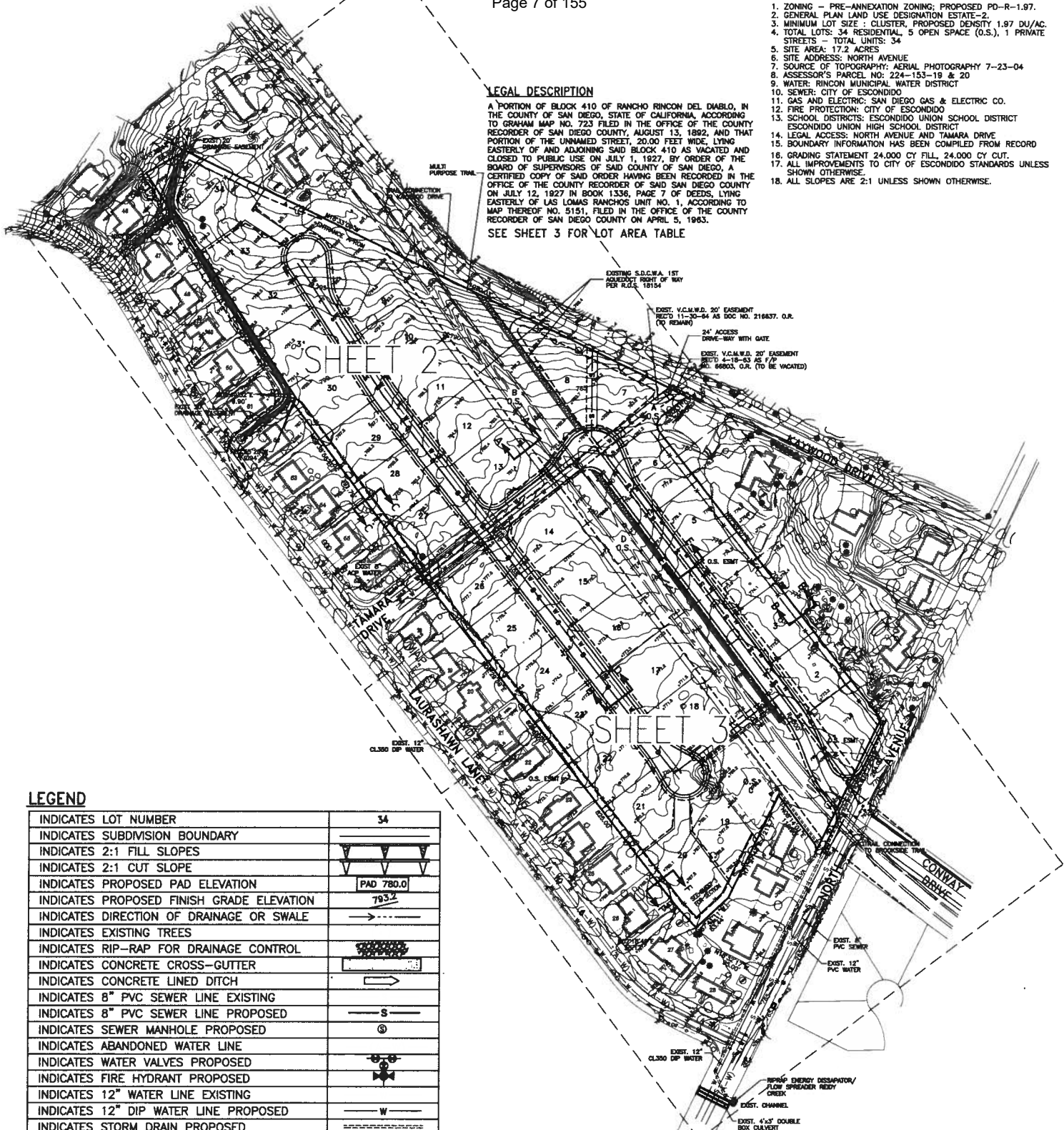
GENERAL PLAN

NOTES

1. ZONING - PRE-ANNEXATION ZONING; PROPOSED PD-R-1.97.
2. GENERAL PLAN LAND USE DESIGNATION ESTATE-2.
3. MINIMUM LOT SIZE: CLUSTER, PROPOSED DENSITY 1.97 DU/AC.
4. TOTAL LOTS: 34 RESIDENTIAL, 5 OPEN SPACE (O.S.), 1 PRIVATE STREETS - TOTAL UNITS: 34
5. SITE AREA: 17.2 ACRES
6. SITE ADDRESS: NORTH AVENUE
7. SOURCE OF TOPOGRAPHY: AERIAL PHOTOGRAPHY 7-23-04
8. ASSESSOR'S PARCEL NO: 224-153-19 & 20
9. WATER: RINCON MUNICIPAL WATER DISTRICT
10. SEWER: CITY OF ESCONDIDO
11. GAS AND ELECTRIC: SAN DIEGO GAS & ELECTRIC CO.
12. FIRE PROTECTION: CITY OF ESCONDIDO
13. SCHOOL DISTRICTS: ESCONDIDO UNION SCHOOL DISTRICT ESCONDIDO UNION HIGH SCHOOL DISTRICT
14. LEGAL ACCESS: NORTH AVENUE AND TAMARA DRIVE
15. BOUNDARY INFORMATION HAS BEEN COMPILED FROM RECORD
16. GRADING STATEMENT 24,000 CY FILL, 24,000 CY CUT.
17. ALL IMPROVEMENTS TO CITY OF ESCONDIDO STANDARDS UNLESS SHOWN OTHERWISE.
18. ALL SLOPES ARE 2:1 UNLESS SHOWN OTHERWISE.

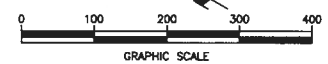
LEGAL DESCRIPTION

A PORTION OF BLOCK 410 OF RANCHO RINCON DEL DIABLO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO GRAHAM MAP NO. 723 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1882, AND THAT PORTION OF THE UNNAMED STREET, 20.00 FEET WIDE, LYING EASTERLY OF AND ADJOINING SAID BLOCK 410 AS VACATED AND CLOSED TO PUBLIC USE ON JULY 1, 1927, BY ORDER OF THE BOARD OF SUPERVISORS OF SAID COUNTY OF SAN DIEGO, A CERTIFIED COPY OF SAID ORDER HAVING BEEN RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY ON JULY 12, 1927 IN BOOK 1336, PAGE 7 OF DEEDS, LYING EASTERLY OF LAS LOMAS RANCHOS UNIT NO. 1, ACCORDING TO MAP THEREOF NO. 5151; FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON APRIL 5, 1963.
 SEE SHEET 3 FOR LOT AREA TABLE



LEGEND

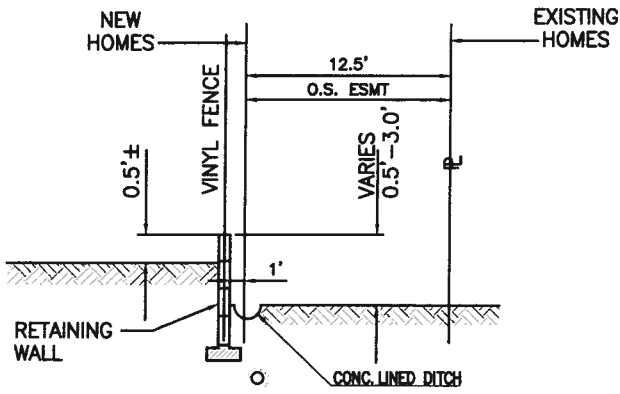
INDICATES LOT NUMBER	34
INDICATES SUBDIVISION BOUNDARY	---
INDICATES 2:1 FILL SLOPES	▽
INDICATES 2:1 CUT SLOPE	▽
INDICATES PROPOSED PAD ELEVATION	PAD 780.0
INDICATES PROPOSED FINISH GRADE ELEVATION	793.2
INDICATES DIRECTION OF DRAINAGE OR SWALE	→
INDICATES EXISTING TREES	○
INDICATES RIP-RAP FOR DRAINAGE CONTROL	▨
INDICATES CONCRETE CROSS-GUTTER	▬
INDICATES CONCRETE LINED DITCH	▬
INDICATES 8" PVC SEWER LINE EXISTING	S
INDICATES 8" PVC SEWER LINE PROPOSED	S
INDICATES SEWER MANHOLE PROPOSED	⊙
INDICATES ABANDONED WATER LINE	—
INDICATES WATER VALVES PROPOSED	⊕
INDICATES FIRE HYDRANT PROPOSED	⊕
INDICATES 12" WATER LINE EXISTING	W
INDICATES 12" DIP WATER LINE PROPOSED	W
INDICATES STORM DRAIN PROPOSED	---
INDICATES STORM DRAIN EXISTING	---
INDICATES PROPOSED RETAINING WALL	▬
INDICATES PROPOSED CURB INLET W/FILTER	⊠
INDICATES PROPOSED FENCE	X
INDICATES MULTI-PURPOSE TRAIL	▨
INDICATES EASEMENT	---
INDICATES 2:1 SLOPE	▽



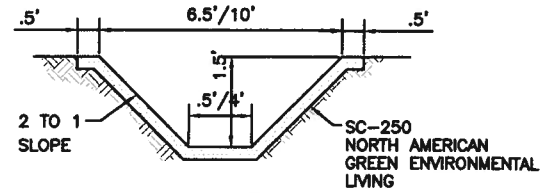
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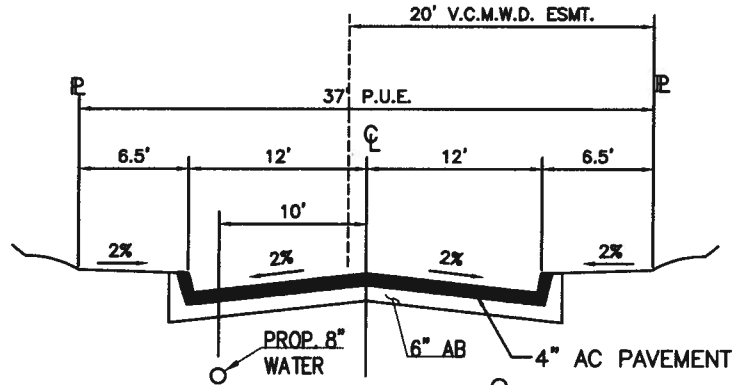
TENTATIVE MAP



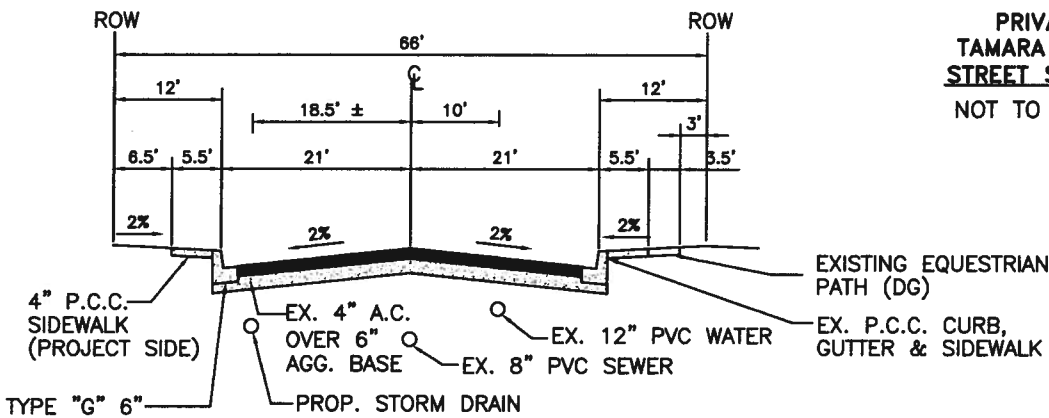
SECTION C-C
 NOT TO SCALE



SECTION A-A
 DRAINAGE CHANNEL
 OPEN SPACE LOT B & D
 NOT TO SCALE



PRIVATE
 TAMARA DRIVE
 STREET SECTION
 NOT TO SCALE



PUBLIC
 NORTH AVENUE
 STREET SECTION
 NOT TO SCALE

TYPE "G" 6" CURB AND GUTTER (TYP.) PER G-2

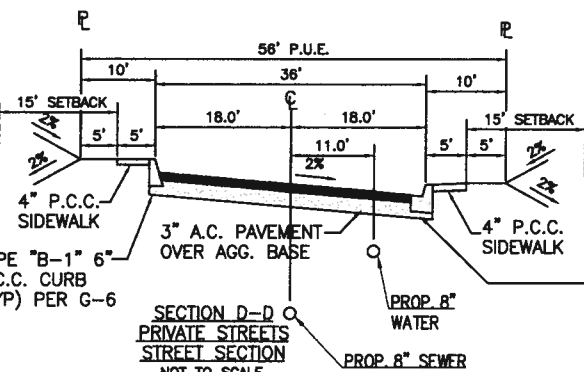
4" P.C.C. SIDEWALK (PROJECT SIDE)

EX. 4" A.C. OVER 6" AGG. BASE

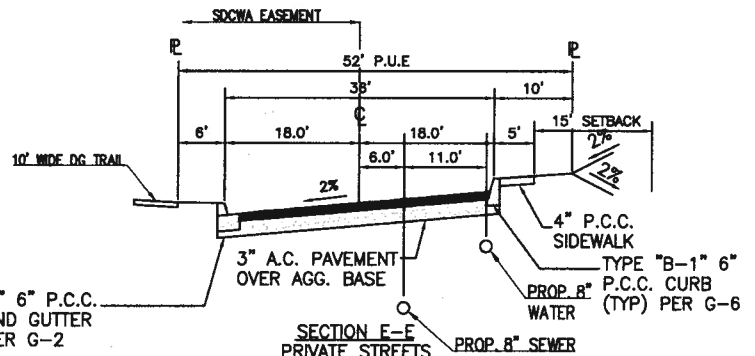
EX. 12" PVC WATER EX. 8" PVC SEWER

PROP. STORM DRAIN

EXISTING EQUESTRIAN PATH (DG)
 EX. P.C.C. CURB, GUTTER & SIDEWALK



SECTION D-D
 PRIVATE STREETS
 STREET SECTION
 NOT TO SCALE



SECTION E-E
 PRIVATE STREETS
 STREET SECTION
 NOT TO SCALE

TYPE "G" 6" P.C.C. CURB AND GUTTER (TYP.) PER G-2

TYPE "B-1" 6" P.C.C. CURB (TYP.) PER G-6

3" A.C. PAVEMENT OVER AGG. BASE

PROP. 8" WATER PROP. 8" SEWER

3" A.C. PAVEMENT OVER AGG. BASE

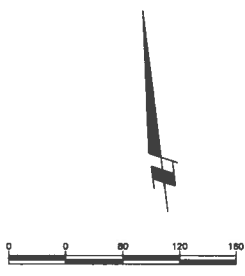
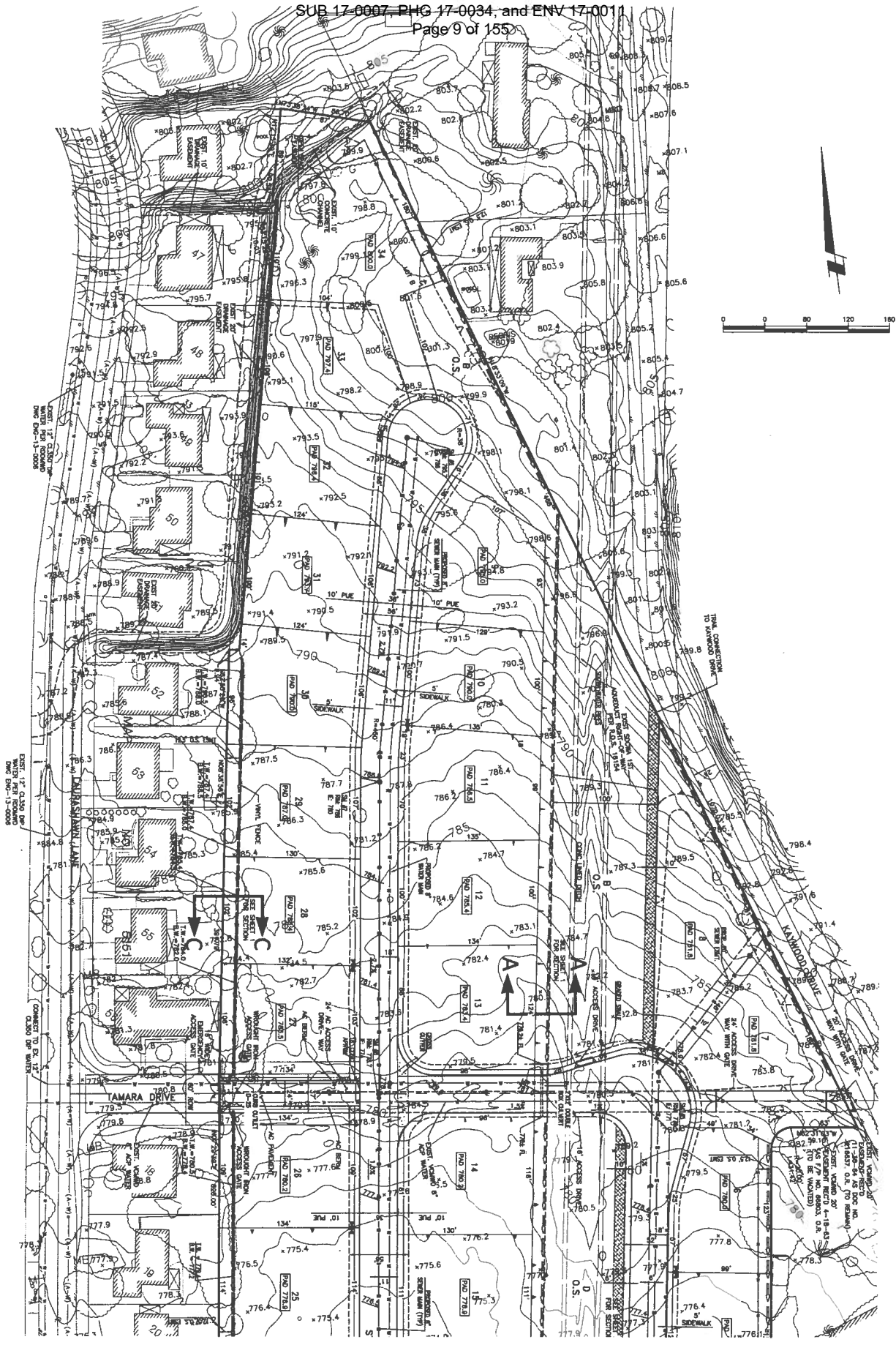
PROP. 8" WATER PROP. 8" SEWER

TYPE "B-1" 6" P.C.C. CURB (TYP.) PER G-6

PROPOSED PROJECT
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S

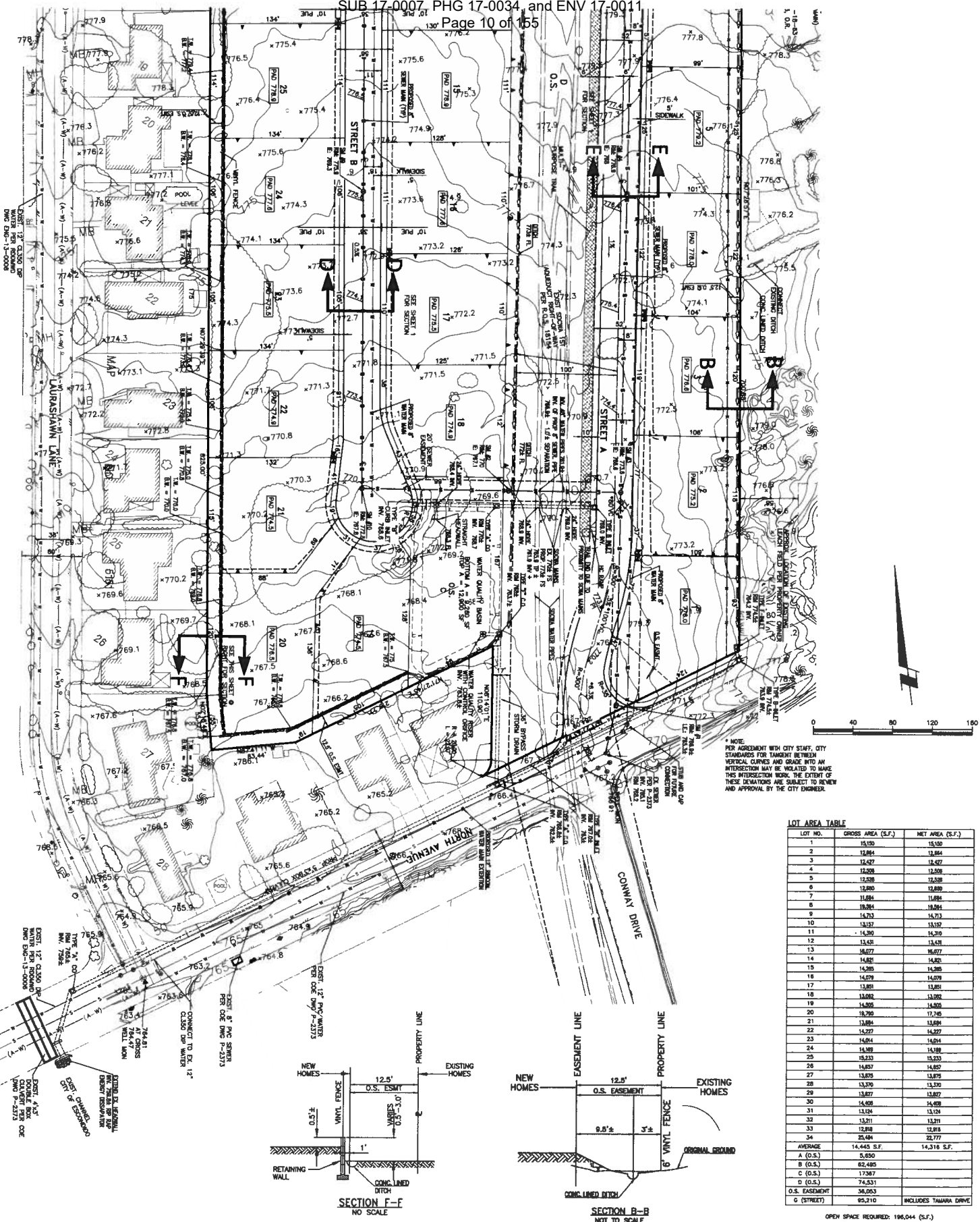
STREET SECTION



PROPOSED PROJECT
SUB 17-0007



TENTATIVE MAP



* NOTE:
 PER AGREEMENT WITH CITY STAFF, CITY
 STANDARDS FOR TANGENT BETWEEN
 VERTICAL CURVES AND GRADE INTO AN
 INTERSECTION MAY BE VIOLATED TO MAKE
 THIS INTERSECTION WORK. THE EXTENT OF
 THESE VIOLATIONS ARE SUBJECT TO REVIEW
 AND APPROVAL BY THE CITY ENGINEER.

LOT AREA TABLE

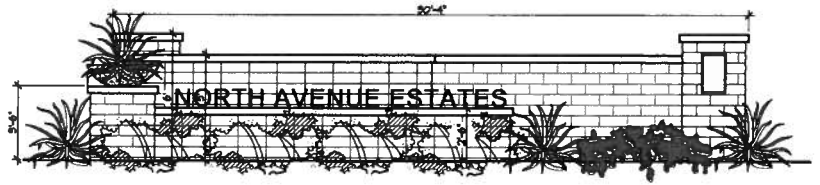
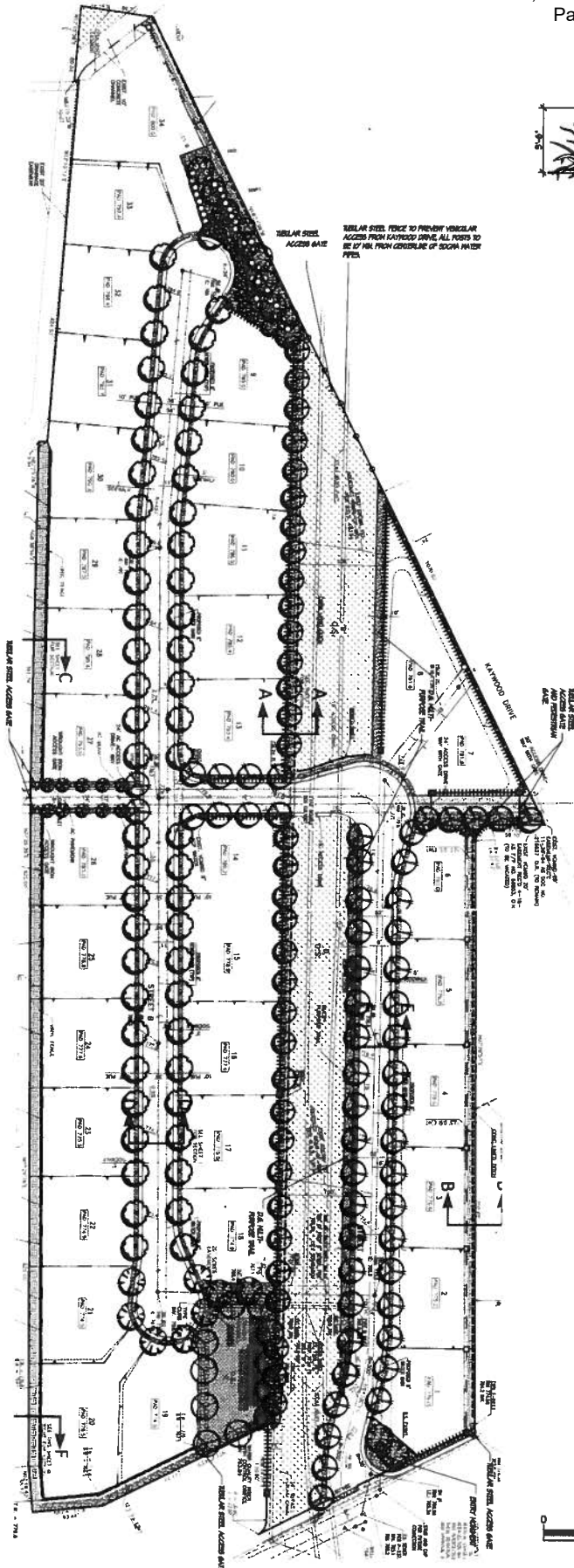
LOT NO.	GROSS AREA (S.F.)	NET AREA (S.F.)
1	15,150	15,150
2	13,864	13,864
3	12,427	12,427
4	12,208	12,208
5	12,538	12,538
6	12,890	12,890
7	11,894	11,894
8	18,864	18,864
9	14,713	14,713
10	13,157	13,157
11	14,200	14,200
12	13,431	13,431
13	16,077	16,077
14	14,821	14,821
15	14,285	14,285
16	14,079	14,079
17	13,851	13,851
18	13,092	13,092
19	14,898	14,898
20	18,790	17,765
21	13,884	13,884
22	14,227	14,227
23	16,014	16,014
24	14,289	14,289
25	15,213	15,213
26	14,857	14,857
27	13,875	13,875
28	13,370	13,370
29	13,827	13,827
30	14,408	14,408
31	13,124	13,124
32	13,211	13,211
33	12,818	12,818
34	25,484	22,777
ANNUALS	14,445 S.F.	14,216 S.F.
A (O.S.)	5,250	
B (O.S.)	82,495	
C (O.S.)	17,387	
D (O.S.)	74,531	
O.S. (EASEMENT)	38,063	
D (STREET)	95,210	INCLUDES TAMARA DRIVE

OPEN SPACE REQUIRED: 196,044 (S.F.)
 OPEN SPACE PROVIDED: 196,008 (S.F.)

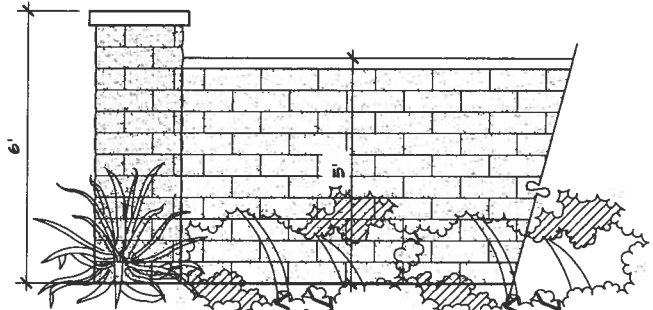
PROPOSED PROJECT
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 10



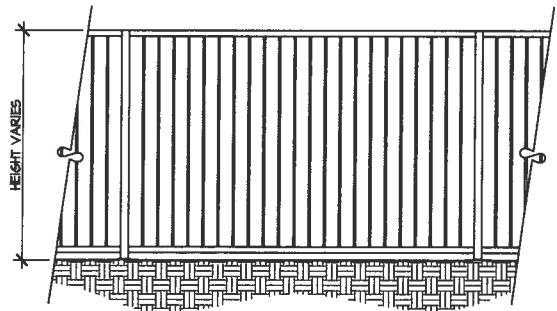
TENTATIVE MAP



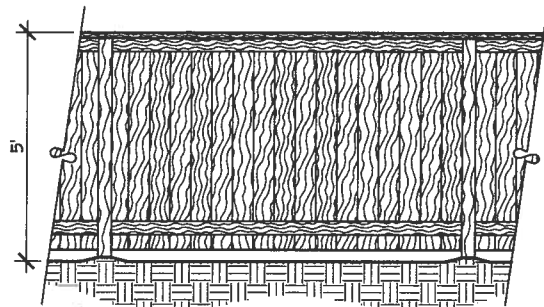
ENTRY MONUMENT



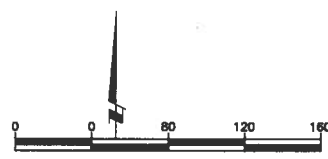
6' SLUMP BLOCK PILASTER AND 5' SLUMP BLOCK WALL



TUBULAR STEEL FENCE



5'-0" VINYL FENCE











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PLANTING LEGEND

TREES




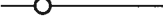
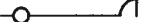

SYMBOL	BOTANICAL	COMMON NAME	SIZE	CONCEPTUAL QTY.
	ARBUS UNEDO	STRAWBERRY TREE	24" BOX	10
	CERCIS OCCIDENTALIS	WESTERN REDBUD	24" BOX	9
	LOPHOSTEMON CONFERTUS	BRISBANE BOX	24" BOX	34
	PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	24" BOX	11
	PARKINSONIA FLORIDA	BLUE PALO VERDE	24" BOX	56
	QUERCUS AGRIFOLIA	CALIFORNIA LIVE OAK	24" BOX	15
	RHUS LANCEA	AFRICAN SUMAC	24" BOX	51
	UMBELLULARIA CALIFORNICA	CALIFORNIA LAUREL	24" BOX	3

NOTE: ALL TREES WITH 5' OF ANY WALK, CURB, DRIVE, BUILDING, UTILITY OR HARDSCAPE ELEMENT SHALL RECEIVE 10' OF 24" DEEP ROOT BARRIER UNLESS OTHERWISE INDICATED ON THE PLAN.


SHRUBS

SYMBOL	BOTANICAL	COMMON NAME	SIZE
	AGAVE ATTENUATA	FOXTAIL AGAVE	5 GAL
	ALOE ARBORESCENS	TORCH ALOE	5 GAL
	ANIGOZANTHOS SPP.	KANGAROO PAW	1 GAL
	BOUGAINVILLEA 'SAN DIEGO RED'	RED BOUGAINVILLEA	1 GAL
	CAESALPINIA MEXICANA	MEXICAN POINCIANA	5 GAL
	CISTUS SPP.	ROCK ROSE	5 GAL
	DIANELLA CAERULEA 'CASSA BLUE'	BLUE FLAX LILY	1 GAL
	FESTUCA MAIREI	ATLAS FESCUE	5 GAL
	HETEROMELES ARBUTIFOLIA	TOYON	1 GAL
	LEUCOPHYLLUM CANDIDUM	VIOLET SILVERLEAF	5 GAL
	MUHLENBERGIA C. 'REGAL MIST'	REGAL MIST GRASS	1 GAL
	RHUS INTEGRIFOLIA	LEMONADE BERRY	5 GAL

FENCE / WALL LEGEND


SYMBOL	FENCE TYPE
	SLUMP BLOCK WALL
	SLUMP BLOCK WALL WITH STUCCO FINISH ON HOA SIDE
	WOOD/VINYL FENCE
	TUBULAR STEEL FENCE
	TUBULAR STEEL GATE
	ENTRY SIGNAGE
<input checked="" type="checkbox"/>	PILASTER W/ VENEER
<input type="checkbox"/>	PILASTER W/ SLUMP BLOCK

GROUND COVER


SYMBOL	BOTANICAL	COMMON NAME	SIZE	SPACING
	LANTANA MONTEVIDENSIS	TRAILING LANTANA	FLATS	18" O.C.
	MYOPORUM P. PROSTRATUM	DWARF MYOPORUM	FLATS	18" O.C.
	ROSMARINUS O. PROSTRATUS	DWARF ROSEMARY	FLATS	18" O.C.
	SENACIO MANDRALISCAE	BLUE CHALKSTICKS	FLATS	18" O.C.

 BARK MULCH

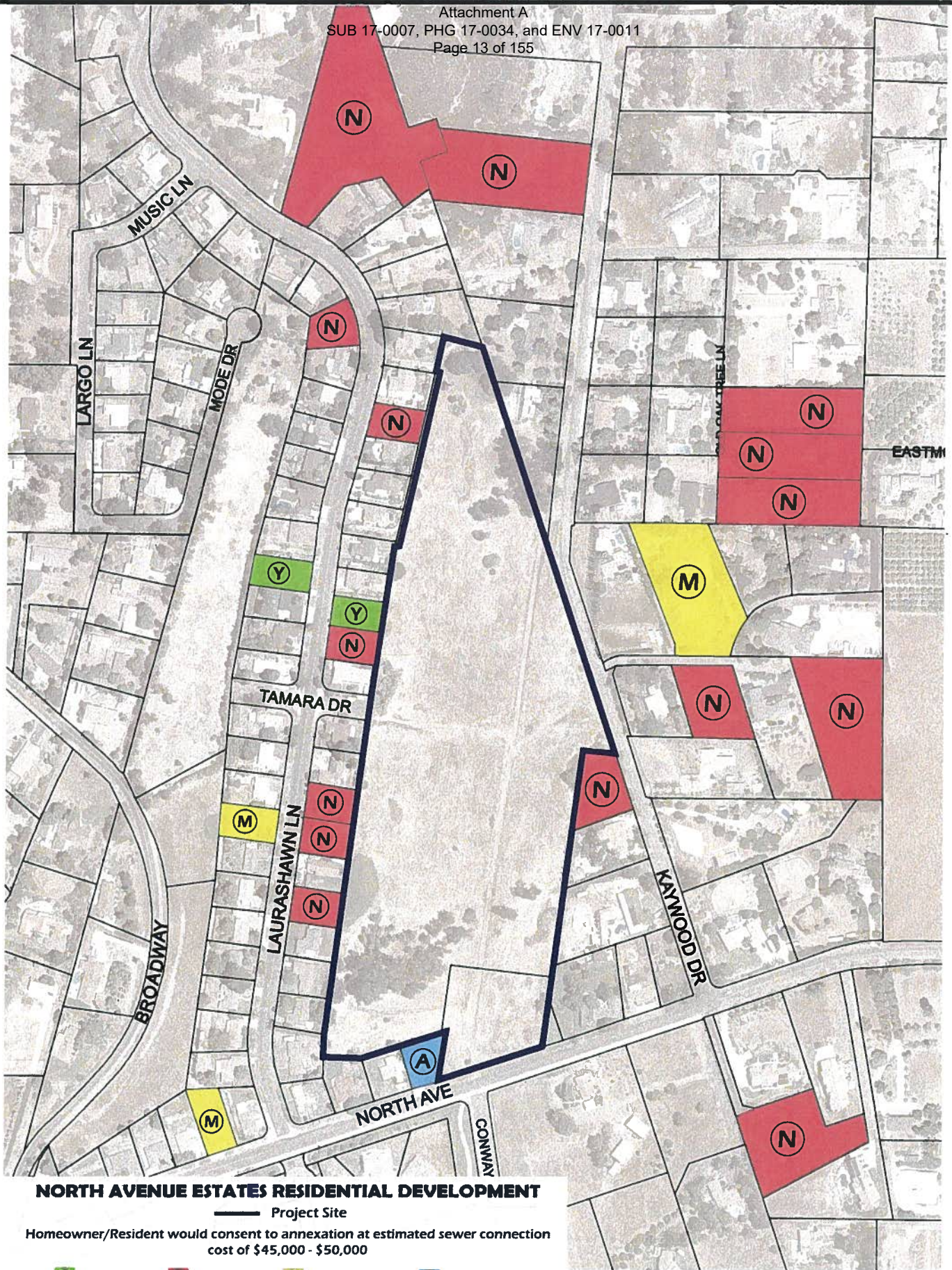
HYDROSEED MIX (BIO-SWALE/NON-IRRIGATED)

SYMBOL	BOTANICAL	COMMON NAME	PURITY	GERMINATION	LBS/ACRE
	FESTUCA RUBRA 'MOLATE'	RED FESCUE	95	80	15
	MUHLENBERGIA MICROSPERMA	LITTLESEED MUHLY	80	30	5
	VULPIA MICROSTACHYS	SMALL FESCUE	90	80	5
	HORDEUM INTERCEDENS	BOTAIL BARLEY	N/A	N/A	5

HYDROSEED MIX (NON-IRRIGATED)

SYMBOL	BOTANICAL	COMMON NAME	PURITY	GERMINATION	LBS/ACRE
	ARTEMISIA PALMERII	SAN DIEGO SAGEBRUSH	15	50	3
	ARTEMISIA DOUGLASIANA	DOUGLAS' SAGEMORT	15	50	4
	AMEROSIA PSILOSTACHYA	CUMAN RAGWEED	10	20	2
	GNAPHALUM CALIFORNICUM	CALIFORNIA EVERLASTING	10	25	2
	IVA HAYESIANA	SAN DIEGO MARSH-ELDER	35	20	5
	OENOTHERA ELATA SPP. HOOKERI	HOOKER'S EVENING PRIMROSE	98	75	2
	PLUCHEA ODORATA	SALT-MARSH FLEABANE	35	60	2
	MUHLENBERGIA RIGENS	DEER GRASS	90	60	2
	VULPIA MICROSTACHYS	SMALL FESCUE	90	80	8

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ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH - County A-70 (Limited Agriculture), County RR (Rural Residential), and County RS (Single Family Residential) – The properties to the north of the project site are located within the County, with zoning of RS (properties on Laurashawn Lane, directly adjacent to the development site), RR (properties further north along Laurashawn Lane and east of Kaywood Drive), and A-70 (properties along both sides of Sky Drive).

SOUTH - RE-20 (Residential Estates; 20,000 SF minimum lot size), PD-R (Planned Development- Residential; various densities) – The area to the south of the project site is located within the City and is occupied by residential neighborhoods, including the Brookside I and II community (zoned PD-R-1.97 and 1.65, for 1.97 and 1.65 units/acre), and an area of larger lots with RE-20 zoning.

EAST - PZ RE-20 (Prezoned Residential Estates; 20,000 SF minimum lot size), County RR – A property at 3057 Kaywood Drive is located within the County's jurisdiction but has been prezoned RE-20 in anticipation of future annexation into the City. Other areas east of the project site are also within the County and have RR zoning, with lot sizes ranging from approximately a half-acre to 38 acres.

WEST - County A-70, County RR, and County RS – The properties along both sides of Laurashawn Lane (all roughly a quarter-acre in size) are located within the County and are zoned RS, as are the similarly-sized properties in the area bordered by Music Lane, Largo Lane, Aria Avenue, and Moda Drive. Most other properties in this area are also in the County, but have RR or A-70 zoning and a wider range of lot sizes.

B. AVAILABILITY OF PUBLIC SERVICES

1. **Effect on Police Service** – Police service currently is provided by the County Sheriff but would transition to the City of Escondido's Police Department upon annexation. The Police Department has reviewed the project proposal and expressed no concern with their ability to serve the site.
2. **Effect on Fire Service** – Fire protection currently is provided by the Deer Springs Fire Protection District. Upon annexation, the City of Escondido Fire Department would provide fire protection services. Fire Station #3, located at 1808 North Nutmeg Street, has the shortest driving time to the project site and is located within the 7.5-minute response time called for in the General Plan. The Fire Department has reviewed the project application and provided input into the project design.
3. **Traffic/Circulation** – Primary access to the proposed residential development would be from the south, via an entrance on North Avenue, directly across from Conway Drive. Secondary, emergency-only access would be provided on the west side of the development, via Tamara Drive, and at the east side of the development, off Kaywood Drive. These secondary access points would be gated.

On April 15, 2005, a traffic impact study was conducted by Linscott, Law and Greenspan (LLG) to provide data for the Initial Study and Mitigated Negative Declaration that were prepared for the original 2006 subdivision project. The study analyzed operations for four street segments (Broadway north of North Avenue, Broadway south of North Avenue, North Avenue from Broadway to Conway, and Conway south of North Avenue), as well as three intersections (Broadway and North, North and Laurashawn, and North and Conway). The study determined that since the project would not degrade the level of service (LOS) at any of the above segments, and would not significantly degrade LOS for any of the intersections, no significant traffic impacts were anticipated and no mitigation measures were necessary.

LLG collected updated traffic counts during the week of August 21, 2017 to determine if any changes have occurred with respect to circumstances surrounding the proposed project or if new information has become a variable that would cause new or substantially more severe traffic-related impacts. This is important because Reidy Creek Elementary School opened at 2869 North Broadway (southwest of the development site) after the original MND was prepared, and school-related traffic impacts would not have been captured in the original study. Data was recorded for three street segments (Broadway north of North Avenue, Broadway south of

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North Avenue, and North Avenue between Broadway and Conway) and one intersection (Broadway and North). The information collected shows that traffic volumes have decreased between August 2005 and August 2017 for both Broadway road segments, resulting in a corresponding decrease in the volume to capacity ratio (V/C). Traffic volume has increased slightly for the street segment on North Avenue, resulting in an increase in V/C for that segment, but an LOS of A has been maintained. The results also indicate that since August 2005, the intersection at Broadway and North has experienced a delay increase of 0.3 second during the AM peak hour, but a delay decrease of 0.1 second during the PM peak hour. An LOS of A has been maintained at this intersection during both peak hours.

4. **Utilities** – The City of Escondido would provide sewer service to the residential development upon annexation, and Rincon Water District would provide water service. Both utilities would connect to lines within North Avenue, at its intersection with Conway Drive (the entrance to the development). An existing 12" Rincon water main that currently stops at Laurashawn Lane would be extended eastward to the connection point, and an existing sewer line already extends to the connection point. All water and sewer lines within the development itself would be located within the private street network.

An aqueduct easement owned by the San Diego County Water Authority (SDCWA) runs through the development site from north to south. The SDCWA has reviewed the project application and has provided comments that have been incorporated into the subdivision design, such as having underground utilities cross the aqueduct right-of-way at a 90-degree angle to minimize impacts. As a condition of approval of the project, the applicant is required to submit grading, improvement, and landscape plans to the SDCWA for their final review, inspection, and approval, prior to recordation of the Final Map.

5. **Drainage** – The development site is not located within a 100-year flood zone as designated on current flood insurance rate maps. Drainage on the site generally flows in a north to south direction. A concrete-lined ditch would follow the 12.5'-wide open space easement at the rear of Lots 30 to 19, and would end at a stormwater detention basin in Open Space Area C, which would contain a curb inlet at its southeast corner. Another concrete-lined ditch would run down the middle of the development, through Open Space Areas B and D (along the west side of the SDCWA aqueduct right-of-way), and would drain to this same inlet. A third ditch would follow the east side of the development to an inlet at the southeast corner of Lot 1. All three ditches would connect to a new box culvert within North Avenue, which would drain into the Reidy Creek channel on the south side of North Avenue, just west of Laurashawn Lane. The applicant has provided Engineering and Environmental Programs staff with a Storm Water Quality Management Plan (SWQMP) that conforms to current state regulations for stormwater treatment.

C. ENVIRONMENTAL STATUS

An Initial Study and Mitigated Negative Declaration (IS/MND, City Log No. ER 2005-12) were prepared for the original subdivision and circulated for public review from October 28 to November 17, 2005. The IS/MND was adopted by City Council on April 5, 2006. The environmental document that was prepared for this revised project constitutes an Addendum to the IS/MND that was issued on October 28, 2005. The Addendum evaluates whether modifications/refinements to the proposed residential development would result in any new or substantially more adverse significant effects or require any new mitigation measures not identified in the IS/MND from 2005.

Per the California Environmental Quality Act (CEQA), once an Environmental Impact Report (EIR), Negative Declaration (ND), or MND is adopted for a project, the document does not need to be revised unless one or more of the following situations occurs:

1. Substantial changes are proposed in the project that would require major revision of the document due to the creation of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken that require major revision of the document due to the creation of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects; or
3. New information of substantial importance, not known at the time the previous document was adopted, shows at least one of the following: the project will have one or more significant effects not discussed in the previous document; significant effects identified in the previous document will be substantially more severe than described; mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents

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decline to adopt the mitigation measure; or mitigation measures which are substantially different from those analyzed in the document would substantially reduce one or more significant effects, but the project proponents decline to adopt the mitigation measure.

Similar to the original project, the proposed project would consist of the development of a residential subdivision. The project has changed in that the revised Tentative Subdivision Map now proposes a 12.5'-wide open space easement along the rear property line of most lots that back up to existing residential properties. This includes Lots 1-6 (which back up to residential properties along Kaywood Drive and North Avenue), Lots 19-30 (which back up to properties on Laurashawn Lane and North Avenue), and the east and north sides of Lot 34 (which adjoins properties on Kaywood Drive). Lots 31 through 33 back up to homes on Laurashawn Lane, as does the west side of Lot 34, but no open space easement is proposed here since an existing 20'-wide drainage easement already runs along the rear of the adjoining Laurashawn Lane properties. The applicant has also proposed to remove/replace some of the original project's conditions of approval (concerning septic system failure protocols, fencing, and location of two-story homes) and modify some development standards.

As described in the Availability of Public Services section above, LLG has provided updated traffic information for one intersection and three street segments in the vicinity of the development site, since a school has been added to the neighborhood since the original MND was prepared. The applicant has also obtained updated soils/hydrology information from Geocon to investigate whether grading on the development site would have the potential to affect septic systems on adjoining properties; has obtained a visual analysis from Masson & Associates to determine the effects of allowing two-story homes on properties adjacent to Laurashawn Lane residences; and has analyzed the project for conformity with the greenhouse gas emissions thresholds in the Escondido Climate Action Plan, which was adopted in 2013.

As verified in this IS/MND Addendum, the analyses and the conclusions in the 2005 IS/MND remain current and valid. The proposed revisions to the original project would not cause new significant effects not identified in the MND nor increase the level of environmental effect to substantial or significant, and, hence, no new mitigation measures would be necessary to reduce significant effects. No change has occurred with respect to circumstances surrounding the proposed project and no new information has become available that would cause or show new or substantially more severe significant environmental effects than were identified in the 2005 IS/MND. Therefore, no further environmental review is required beyond this MND Addendum.

This MND Addendum, attached to this staff report, incorporates the mitigation measures detailed in the 2005 IS/MND and clarifies selected mitigation measures applicable to the revised project description. With this Addendum, the proposed project would still be within the framework of the evaluation for the original project as documented in the 2005 IS/MND.

D. CONFORMANCE WITH CITY POLICY/ANALYSIS

Project Conformity to General Plan

The General Plan designation for the subdivision site is Estate II (E2), which allows a maximum density of two units per acre on sites within the 0-25% slope category. The proposed project would have a density of 1.97 units per acre, and therefore would comply with the density limits of the designation.

The E2 designation typically requires a minimum lot size of 20,000 SF. However, per the General Plan's Residential Clustering Policy 5.1, single-family residential projects in the E2 designation may contain lots as small as 10,000 SF when lot clustering is utilized. Residential lots in the proposed project range from 12,427 SF to 22,484 SF, and therefore exceed the minimum required. Per Residential Clustering Policy 5.9, planned developments must compensate for any reduced residential lot sizes by providing open space in an amount equal to, or greater than, the reduction. For this project, the square footage of each of the proposed 34 lots was subtracted from 20,000, and the results were added together to calculate the total open space obligation for the project (Lot 34 would exceed 20,000 SF and was therefore omitted from the calculation). This method determined that the project would be responsible for open space in the amount of 196,044 SF. Since the project would provide 196,096 SF of open space, this General Plan requirement would be satisfied.

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Revised Tentative Subdivision Map Analysis

As explained above in the Background and Summary of Issues section, the original project included a condition of approval outlining a process for handling the failure or impending failure of septic systems on neighboring properties, resulting from grading activities on the development site. LAFCO required that this condition be revised, but City Council declined to support the revision, effectively halting the project.

For the current proposal, the applicant has provided a letter from Geocon, a geotechnical engineering firm, that states that in the firm's professional opinion, the grading proposed in conjunction with the residential development will not cause or contribute to a failure of the adjacent septic systems. Geocon has conducted exploratory trenching showing that groundwater flow below the development site and Laurashawn Lane moves in such a direction that grading on the development site would not cut off groundwater flow from and beneath adjacent properties, thereby causing a rise in groundwater and affecting percolation from septic systems. A copy of this letter and supporting materials is attached to the staff report. In consideration of previous LAFCO concerns, it is believed by City staff that this would be deemed acceptable to LAFCO.

As an extra measure of security, the applicant has proposed to provide a 12.5'-wide open space buffer along the rear property line of Lots 1-6, Lots 19-30, and the east and north sides of Lot 34, to preclude any grading or development in this area. Vinyl fencing would be provided along the boundary of the buffer.

As another measure of security, the Engineering Services Department has proposed the following condition of approval, which is an amended version of the original City Council condition:

"Increased slope setbacks are required along the project boundary to avoid disrupting any existing septic systems in the adjoining residential areas and to avoid encountering ground water problems. Actual setbacks to be used will be based on recommendations of the soils engineer. The requirements of the San Diego County Health Department should be consulted in this regard. In lieu of these requirements, or if the County Health Department requirements cannot be met, the developer must arrange to connect adjoining existing dwelling units, now on private septic systems, to the public sewer system. In this regard, the developer will be required to make necessary arrangements for all main extensions, easements and payment of all connection and permit fees. Any dwellings in the unincorporated areas must have special approval of the City Council before being connected to the City sewer system. This requirement shall also apply to off-site road and utility improvements where existing septic systems are jeopardized as a result of these improvements."

Master Development Plan Analysis

The current proposal is very similar to the original project in that it proposes the same number of lots (34 residential and five open space lots) at similar sizes. The Estate II designation of the General Plan usually requires a minimum lot size of 20,000 SF, but lots as small as 10,000 SF can be accommodated when lot clustering is utilized. The proposed development would contain lots with net sizes of 12,427 SF to 22,484 SF.

The current Master Development Plan differs from the original project in its fencing provisions. The original project included a condition of approval requiring any fencing or walls located between the development and neighboring properties, and exceeding six feet in height, to be made of an open material (such as wrought iron fencing). The wording of the condition itself was vague, but information in the staff report indicates that the intent was to require masonry materials for any portion of these walls under six feet in height, and wrought iron or similar materials for any portion above six feet. The applicant is now proposing to simply provide vinyl fencing along the edge of the open space buffer that occupies several lots, with no other fencing/walls identified for the development site. This fencing would be limited to a height of six feet since it would be located within rear setbacks, but per current practice, retaining walls under the vinyl fencing would not count toward the height, and height would be measured from the side with the higher grade.

The current Master Development Plan also differs from the original project in where it allows two-story development. The original approval included a condition of approval prohibiting two story homes on all lots adjacent to Laurashawn Lane properties (with the exception of Lot 34) to preserve views and privacy for Laurashawn neighbors. The current project proposes to allow two-story homes on up to eight of the 14 lots in this area, with one-story homes on the remaining six or more lots in this range. The project also proposes a 40' rear

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setback for any two-story home on Lots 20 through 33, and a maximum building height of 27' for two-story homes, to protect aesthetics and privacy for neighbors.

Finally, the original project was processed as both a Master and Precise Development Plan, since specific details regarding residential architecture and floorplans were provided in addition to the overall lot layout. For the current proposal, the applicant has elected not to provide any details on residential design or architecture. As a condition of approval, the applicant will be required to file a separate application for a Precise Development Plan that provides residential design details. This application will need to be reviewed by staff and approved by the Planning Commission.

Annexation and Prezone Analysis

The original project would have involved the annexation of not only the residential development site, but four adjacent properties already developed with single-family homes: 702, 708, and 714 North Avenue, and 3057 Kaywood Drive. This annexation request was initiated by City Council on October 27, 2004. Per the minutes from that meeting, the adjacent four properties were included in the request because they had expressed interest in annexation during a survey that the applicant had conducted on their own. No copies of this survey have been located in the files for the original project. At the request of the Planning Commission, staff supplemented the applicant-led survey with an additional one of residents on Laurashawn Lane, but the results of that survey were mixed. The decision was made not to include any Laurashawn properties in the original project, since doing so would have created an illogical City boundary, and connecting some properties to City utilities but not others would have been impractical.

Since roughly a decade has passed since the project was originally approved, City staff conducted a new survey in July and August of 2017 to gain updated information about which neighbors might be interested in annexing to the City along with the development site. The results of that survey are explained further in the next section.

With the 2017 survey, staff discovered that annexation interest was again mixed amongst residents of Laurashawn Lane, with only two properties stating that they were interested, several more stating that they were not interested, and the majority declining to respond. Staff also learned that the properties at 632, 644, and 714 North Avenue had all connected to City sewer within the last few years for emergency reasons (i.e., septic failure) and had signed Irrevocable Offers of Annexation as a condition of connection. After consultation with LAFCO, the decision was made that annexation of the proposed residential development would be a good opportunity to annex these three properties as well, so they have been included in the current request. The property at 714 North Avenue is already prezoned RE-20, and the properties at 632 and 644 North Avenue would be prezoned RE-20 as well. While the inclusion of 632 and 644 North Avenue in the annexation would create a somewhat irregular City boundary (the property between them, 638 North Avenue, would remain in the County jurisdiction, as would five lots between 644 and 714 North Avenue), the current City boundary already runs along the north side of North Avenue, so these lots are directly connected to the existing boundary. Additionally, no islands of unincorporated land would be created by annexing these additional properties along with the development site.

Public Input

On July 28, 2017, City staff sent a letter to property owners within 500 feet of the project site. The purpose of the letter was twofold: 1) to survey neighbors regarding their interest in annexing to the City of Escondido along with the development site, and 2) to invite the recipients to a neighborhood meeting to be held at City Hall on August 9, 2017.

The annexation survey mailed to neighbors of the development site stated that annexation costs (including sewer connection) could range from \$15,000 to over \$50,000 per property. The survey explained that a specific figure could not be provided since costs would vary depending on how many homes connected to sewer and the distance between those homes and existing sewer mains. The survey also explained that no definite annexation offer was being extended as of the mailing date, and that City Council and LAFCO would have final approval authority for any annexation requests. Property owners were asked to indicate on the survey whether they would or would not consent to annexation under these terms, and whether their septic systems were currently functioning normally.

Twenty-two (22) households returned their surveys to the City before the specified deadline, and a twenty-third survey was received after the deadline. The majority of respondents (16 of 23) indicated that they would not

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consent to annexation under the proposed terms. Two respondents indicated that they would consent to annexation, and four respondents could not give definite “yes” or “no” answers (for example, one said he would “consider” annexation, and another was concerned about the cost but didn’t want to be forced into an emergency connection later due to septic failure). The remaining respondent (at 714 North Avenue) indicated that she had already annexed to the City, though further research indicated that she had connected to sewer in 2013 because her septic system was failing, but hadn’t yet annexed. Since this respondent signed an Irrevocable Offer of Annexation as a condition of connection, her property is one of the three lots proposed to be annexed now under this project.

For the survey question about septic system performance, the majority of respondents (19 of 23) reported that their systems were operating normally with no past or present issues. Two respondents indicated that they had needed to expand their leachfields within the last 15 years, and one respondent indicated that his system “fills up when it rains”. The final respondent (714 North Avenue) had already connected to sewer for emergency reasons, as noted above.

On August 9, 2017, City staff hosted a neighborhood meeting to give residents near the project site an opportunity to express concerns and ask questions about the project. Approximately 40 people attended this meeting, in addition to City staff and applicant representatives. Concerns raised during this meeting covered a wide range of topics, which have been categorized in summary form below:

- **Drainage:** Many residents were concerned that development of the project site would cause new drainage issues or exacerbate existing ones for adjoining properties. An attendee pointed out that the water table is high in this area and drainage flows down to the project site from the hills to the north. Residents wanted to know who would be held accountable if septic systems on their properties were to fail due to the project.
- **Traffic:** Concerns were raised about the quantity and speed of traffic in the area (especially on North Avenue) and the project’s potential effects on traffic. One attendee said that Reidy Creek School has insufficient on-site parking, forcing some school visitors/parents to use street parking along North Avenue instead. Another attendee recommended a four-way stop sign or traffic signal at North and Conway.
- **Aesthetics and privacy:** An attendee questioned why the applicant was now proposing to build two-story homes along the west side of the project site, when the original approval allowed only one-story homes in this area to preserve privacy and views for residents on Laurashawn Lane.
- **Biological resources:** Attendees were concerned that removal of on-site trees would eliminate bird habitat.
- **Public safety:** An attendee asked who would provide fire services to the site, and others expressed concern that wildfire evacuations could be made more difficult due to the increased number of residents in the area.
- **Annexation issues:** Attendees expressed confusion about the fees they would be charged if they were to annex to the City along with the development site. They also asked if Laurashawn Lane would need street improvements (sidewalks, etc.) if it were to be annexed.

On August 12, 2017, one resident on Laurashawn Lane, Connie Braun, sent staff a letter on behalf of herself and her neighbors, outlining several concerns with the project and requesting clarification on certain details. The concerns raised in the letter were similar to those brought up at the neighborhood meeting on August 9, 2017. Ms. Braun sent a follow-up letter on August 17, 2017, to request more clarification on annexation costs and an extension of time for responding to the annexation survey, and to question why the City wanted details about the functionality of neighbors’ septic systems. Staff prepared a formal response and mailed it to Ms. Braun on November 8, 2017. A copy of both Ms. Braun’s letter and the City’s response are attached to this staff report.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS:

The residential development site consists of two lots which combined comprise 17.2 acres. The site is on the north side of North Avenue, east of Laurashawn Lane and west of Kaywood Drive. The site slopes downward in a north to south direction, with a maximum elevation of approximately 801 feet (in the proposed Lot 34) and a minimum elevation of approximately 768 feet (at the proposed development entrance). The area to be annexed

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includes the residential development site, plus three additional properties that are already developed with single-family homes: 632, 644, and 714 North Avenue. Each of the three additional properties is under a half-acre in size.

B. SUPPLEMENTAL DETAILS OF REQUEST:

	<u>Current Proposal</u>	<u>Previous Approval (Tract 916/916-R and 2005-17-PZ/PD/DA)</u>
1. Residential Development Size	17.2 acres	17.2 acres
2. Number of residential lots	34	34
3. Residential density	1.97 dwelling units/acre	1.97 dwelling units/acre
4. Residential lot size (gross)	Ranges from 12,427 SF to 25,484 SF; average is 14,445 SF	Ranged from 10,025 SF to 28,764 SF; average was 13,554 SF (per Tract 916-R)
5. Residential lot size (net)	Ranges from 12,427 SF to 22,484 SF; average is 14,316 SF	"Pad sizes" ranged from 8,543 SF to 16,614 SF; no average provided (per Tract 916-R)
6. Open space	Lot A – 5,650 SF Lot B – 62,495 SF Lot C – 17,367 SF Lot D – 74,531 SF Easement – 36,053 SF Total – 196,096 SF	Lot 35 – 11,467 SF Lot 36 – 80,169 SF Lot 37 – 10,646 SF Lot 38 – 78,998 SF Lot 39 – 8,040 SF Total – 189,320 SF (per Tract 916-R)
7. Setbacks	Front – 15' minimum (20' minimum for garage fronting on street) Side – 5' minimum for one side; 10' minimum for other side (corner lots shall have 10' minimum on the street side) Rear – 20' minimum (40' minimum for two-story homes constructed on Lots 20 through 33)	Front – 20' minimum Side – 15' minimum combined Rear – 20' minimum
8. Building height	Lots 20 through 33: 17' maximum for one-story; 27' for two-story. No more than eight of these lots may have two-story homes; remaining lots must have one-story homes. Lots 1-19 and 34: 27' maximum	All lots: 25' maximum
9. FAR and lot coverage	FAR (floor area ratio): maximum 0.5 Lot Coverage: maximum 40% (Comparable to standards for R-1 zone)	No FAR or lot coverage limits specified
10. Landscaping	Per Amended MND (2005) and Addendum to the Amended MND (2017), the project is responsible for providing 13 oaks and 178 ornamental	Per Amended MND (2005), the project was responsible for providing 13 oaks and 178 ornamental trees throughout

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trees throughout the project to replace trees that will be removed. The applicant has provided a conceptual landscape plan that includes approximately 15 oaks and 180 ornamental trees, to be planted along streets and within open space areas.

the development site to replace trees that would be removed.

11. Fencing and Gates

Vinyl:

- Along open the space buffer at the rear of Lots 1-6, Lots 19-30, and the east and north sides of Lot 34

- Between individual residential lots Slump block:

- Separating Lots 9 through 18 and Open Space C from the SDCWA aqueduct right-of-way
- Surrounding the perimeter of Lots 7 and 8 (except for street frontages)
- Along the south property line of Lot 1 (adjacent to North Avenue)
- Along the street-side setbacks of Lots 13 and 14
- Separating the east emergency access lane from Lot 6 and 3057 Kaywood Drive

Tubular steel:

- Along the north side of the SDCWA aqueduct right-of-way
- Emergency access gates at east side (Kaywood Drive) and west side (Tamara Lane) of development
- Pedestrian access gates into open space areas (for maintenance)

Fencing between residential development and existing neighboring homes to be constructed primarily of masonry materials, with wrought iron or other open materials for any portions above 6' in height. Masonry walls between proposed residences within the subdivision. Gate at Tamara Drive entry.

12. Architecture and Design

No architecture or floorplans proposed for residences at this time. Applicant or developer will submit application for a Precise Development Plan at a later stage.

Original approval included a Precise Development Plan. Four floorplans, with three exterior styles for each plan (Spanish, Italian, and Mission), for a total of twelve possible floorplan/style combinations. Home sizes ranged from 3,019 to 3,619 SF, depending on floorplan.

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**FINDINGS OF FACT/FACTORS TO BE CONSIDERED
EXHIBIT "A"**

Environmental Review

1. Pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), 14 California Code of Regulations Section 15000 et. seq., the City is the lead agency for the Project, as the public agency with the principal responsibility for approving the proposed Project
2. An Initial Study and Mitigated Negative Declaration (IS/MND, City Log No. ER 2005-12) were prepared for Tract 916, 2005-17-PZ/PD/DA, and 2005-03-AN. The Initial Study and Mitigated Negative Declaration identified potential environmental effects to biological resources, cultural resources, and hazards and hazardous materials, and proposed mitigation measures to minimize these impacts to a less than significant level. The Initial Study and Mitigated Negative Declaration were circulated for a 20-day public review from October 28 to November 17, 2005.
3. The City received comments during the public review period for the original Mitigated Negative Declaration from the general public as well as from the County of San Diego. To address the comments from the County of San Diego, the City amended the MND with language explaining the results of a new noise study and air quality study, as well as clarification on a previously-conducted traffic study. Pursuant to CEQA Section 15073.5, the Amended MND was not recirculated as no new, avoidable significant effects were identified that required new mitigation measures or project revisions to reduce the effects to insignificance, and the lead agency did not determine that proposed mitigation measures or project revisions would fail to reduce potential effects to a less than significant level.
4. On April 5, 2006, the City Council carefully reviewed and considered all environmental documentation comprising the Amended MND, including the public comments, technical appendices, and referenced documents (on file in the Office of the City Clerk and incorporated by this reference), and found that the Amended MND considered all potentially significant environmental impacts of the Project and was complete and adequate, and fully complied with all requirements of CEQA and the State CEQA Guidelines. The City Council considered all significant impacts and mitigation measures identified in the Amended MND and found that all potentially significant impacts of the project were lessened or avoided to the extent feasible. Pursuant to Public Resource Code Section 21082.1(c)(3) and CEQA Guidelines Section 15074(b), The City Council also found that the Amended MND reflects the City's independent judgment as the lead agency for the proposed Project. The City Council adopted the Amended Mitigated Negative Declaration on April 5, 2006.
5. Based on the project description provided by the applicant for SUB17-0007, and updated aesthetics, greenhouse gas, traffic, hydrology, and soils information provided by the applicant, the City has determined that substantial changes are not proposed under SUB17-0007 that would require major revision of the document due to the creation of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, nor have substantial changes occurred with respect to the circumstances under which the project would be undertaken that require major revision of the document due to the creation of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects. Therefore, an Addendum to the Amended MND is an appropriate level of environmental review for SUB17-0007.
6. As required by CEQA, the City, in recommending City Council adoption of these restated Findings of Fact, is also recommending adoption of a Mitigation Monitoring and Reporting Program (MMRP) for the restated mitigation measures included in the Addendum to the Amended MND. The Planning Commission finds that the MMRP meets the requirements of California Public Resources Code (PRC) Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate the potentially significant effects of the recommended Plan.

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Annexation

1. The proposal conforms to the annexation policies established in the Escondido General Plan Land Use and Community Form Element, which are intended to guide development to meet present and future needs, achieve a vibrant community, and enhance the character of Escondido.
2. The properties to be annexed (which include the residential development site and three nearby properties) are located within the Escondido Sphere of Influence and Escondido Planning Area. The three nearby properties have previously connected to public sewer, and signed Irrevocable Offers of Annexation at the time of connection, to confirm that they agree to annex to the City of Escondido.
3. The reorganization includes annexation to the City of Escondido and detachment from County Service Area No. 135 (San Diego Regional Communications System) and the Deer Springs Fire Protection District. The City of Escondido Police Department and Fire Department, which serve areas to the immediate south of the project that are already within City limits, would assume responsibility for law enforcement and fire suppression duties. The development site and three additional properties to be annexed are located within the 7.5-minute emergency response time as called for in the General Plan. The City would provide sewer service to the proposed development site, and the three additional properties included in the annexation request have already connected to sewer service. 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.
4. Annexation of the development site and three nearby properties will not create an island of unincorporated territory as prohibited by Section 56744 of the Government Code.

Prezone

1. The public health, safety, and welfare would not be adversely affected by the proposed prezone of 632 and 644 North Avenue to RE-20. These two properties are already developed with single-family residential uses and those uses would continue after annexation. Both properties have already connected to City sewer services due to septic system issues, and have signed agreements to annex to the City as a condition of that connection. The proposed RE-20 zoning would be consistent with the Estate II General Plan designation that applies to these properties.
2. The two properties to be prezoned are suitable for the single-family residential uses allowed in the RE-20 zone, and are already developed with this type of use.
3. The uses permitted by the RE-20 zone would not be detrimental to surrounding properties. The surrounding neighborhood contains a variety of zones (both City and County) that allow single-family residential uses, and most lots in the area are occupied by this type of use. The properties to be prezoned are already developed with single-family homes and no redevelopment of these two lots is proposed at this time.
4. The proposed prezone of 632 and 644 North Avenue is consistent with the General Plan, as these lots are located within the Estate II designation as depicted on the General Plan Land Use Map (Figure II-1 of the Land Use and Community Form Element). The Residential Estates (RE) zone, as described in the Zoning Code, corresponds to the Estate II designation of the General Plan as noted in Figure II-6 of the General Plan.
5. The proposed change of zone does not establish a residential density below seventy (70) percent of the maximum permitted density of any lot or parcel of land previously zoned R-3, R-4, or R-5. The two lots to be prezoned do not have R-3, R-4, or R-5 zoning.
6. The two lots to be prezoned are not covered under any Specific Plans.

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Revised Tentative Subdivision Map

Findings for Tentative Map Approval	Explanation of Finding
<p>A. That the proposed map is consistent with applicable general and Specific Plans as specified in Section 65451 of the Subdivision Map Act.</p>	<p>The project site is not included in any Specific Plans. The proposed revised tentative map is consistent with the maximum density of two (2) dwelling units/acre permitted by the Estate II designation of the General Plan, and each lot exceeds the minimum 10,000 SF size required per the clustering provisions of the General Plan. The zoning of the development site has already been changed to PD-R-1.97 to accommodate the proposed density.</p>
<p>B. That the design or improvement of the proposed subdivision is consistent with applicable general and Specific Plans.</p>	<p>The project site is not included in any Specific Plans. The proposed subdivision provides for clustering of 34 single-family residential lots, as well as five open space lots providing green space, stormwater detention, protection of an aqueduct right-of-way, and separation of new lots from existing properties. Public sewer and water services would be provided to the subdivision upon annexation, via connections to lines in North Avenue (the existing water main would be extended to allow this). The proposed project density is consistent with the rezoning of the development site, as well as the Estate II designation of the General Plan.</p>
<p>C. The Project site is physically suitable for the proposed type of Project.</p>	<p>The residential development site is physically suited for this type of development. The site has a gradual downhill slope in a north to south direction. Grading of 24,000 cubic yards of cut and 24,000 cubic yards of fill is proposed, and the project has been conditioned to require submittal and City review of grading plans, and issuance of a grading permit, prior to development. The site has been rezoned PD-R-1.97, to allow a development with a maximum density of 1.97 units/acre. The project would be consistent with the development standards of the Residential Development policies and goals in the General Plan (upon annexation).</p>
<p>D. That the site is physically suitable for the proposed density of development.</p>	<p>The proposed revised tentative map is consistent with the maximum density of two (2) dwelling units/acre permitted by the Estate II designation of the General Plan. Lot sizes and open space quantities exceed the amount required by Estate II development standards and Residential Clustering Policy 5.1 of the General Plan. The design of the proposed subdivision is consistent with the Zoning Code since the site has been rezoned PD-R-1.97. The proposed lot sizes are consistent with residential development in the surrounding area.</p>
<p>E. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat.</p>	<p>The design of the revised tentative map and improvements are not likely to cause substantial environmental problems or substantially and avoidably injure fish or wildlife or their habitat as detailed in the Amended MND (City Log No. ER 2005-12) and the Addendum to the Amended MND.</p>

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	<p>Removal of coast live oak, mule fat scrub, and non-native grassland shall be compensated via mitigation through the Daley Ranch Mitigation Bank as described in the proposed mitigation measures, and the project is conditioned to require the replacement of oaks and ornamental trees removed by the project.</p>
<p>F. That the design of the subdivision or the type of improvements is not likely to cause serious public health concerns.</p>	<p>The design of the revised tentative map and the type of improvements are not likely to cause serious public health problems. The project would not degrade the levels of service on the adjoining streets, as described in the Amended Negative Declaration and Addendum to the Amended Mitigated Negative Declaration. Stormwater and drainage facilities are proposed in accordance with current requirements. The applicant has obtained the professional opinion of a geotechnical engineer that the proposed grading will not impact septic systems on adjoining properties, but as an extra level of assurance, has proposed a 12.5'-wide open space buffer along the rear property lines of Lots 1-6, 19-30, and the east and north sides of Lot 34 to keep development away from these properties. Sewer and water service are available or can be provided with minor extension of nearby facilities.</p>
<p>G. That the design of the subdivision or the type of improvements would not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.</p>	<p>The design of the revised tentative map and type of improvements will not conflict with easements of record, or easements established through court judgment, or acquired by the population at large, for access through, or use of property within the proposed map. This was based on review of all available maps and a preliminary title report submitted by the applicant. Neither the City of Escondido, nor its employees assume any responsibility for the completeness or accuracy of these documents. An aqueduct right-of-way owned by the San Diego County Water Authority occupies a portion of the development site. The Water Authority has reviewed the project and provided comments that have been incorporated into the project design. The project has been conditioned to require the applicant to obtain Water Authority review and approval of grading, improvement, and landscape plans prior to City approval of the Final Map.</p>

Master Development Plan

1. The location, design, and density of the proposed development is consistent with the goals and policies of the General Plan, since the density of the proposed development and the minimum lot size of 10,000 SF are in conformance with the Estate II land use designation. 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 or create excessive noise, and adequate on-site parking, circulation, and public services can be provided to the site.
2. The proposed location of the site allows the development to be well integrated with its surroundings near residentially-zoned property and would not cause deterioration of bordering land uses.

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3. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion upon adjoining streets, per the Amended Mitigated Negative Declaration and the Addendum to the Amended Mitigated Negative Declaration prepared for the project. Primary access to the residential development site would be from North Avenue only, which would minimize project-related traffic on Laurashawn Lane.
4. All public facilities, sewer, and water service are existing or would be available to the development site, with proposed and anticipated improvements and annexation.
5. The overall design of the planned development would produce an attractive, efficient, and stable environment for living, since open space areas have been incorporated into the project design, landscaping would be provided within these open space areas and along project streets, and adequate separations will be provided between the new residences, as well as between new residences and existing residences on surrounding properties.
6. The proposed development would be well integrated into its surroundings since the design would be consistent with the surrounding single-family residential development. Adverse impacts related to aesthetics and privacy would be minimized for residents on Laurashawn Lane, since at least six of the lots between 20 and 33 would be developed with single-story homes. While the remaining eight lots in this range may be developed with two-story homes, a minimum rear setback of 40' would be maintained for any two-story structure.
7. The approval of the proposed Master 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. The project is conditioned to require submittal of a separate application for a Precise Development Plan, for approval of architectural design for the new residences.

Development Agreement

1. The proposed Development Agreement is consistent with the objectives, policies, general land uses, and programs specified in the General Plan since there are no changes to the General Plan land use designations or policies that affect development of the site, a Citywide Facilities Plan has been adopted to address infrastructure deficiencies on a citywide basis, and the agreement has a provision for a community benefit that could not otherwise be required of the developer.
2. The proposed Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the property is located, since the General Plan land use designation of the site is Estate II, which allows the number of dwelling units approved for the development in conformance with Subdivision Ordinance Section 32.202.03.
3. The proposed Development Agreement conforms to the public convenience and general welfare because the proposed agreement provides for construction of drainage improvements in the area and payment of a fee needed to construct future improvements that resolve traffic and drainage infrastructure issues in the North Broadway area.
4. The proposed Development Agreement will not adversely affect the orderly development of property or the preservation of property values because the project will be developed with single-family residences, in conformance with the existing General Plan designation on the property.
5. The proposed Development Agreement is consistent with Government Code Section 65864, which states that the lack of certainty in the approval of development projects can result in a waste of resources and escalated housing costs while discouraging comprehensive planning, because the proposed agreement provides for a five-year term and provides certainty as to the payment and construction obligations for associated public improvements.

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**CONDITIONS OF APPROVAL
EXHIBIT "B"**

Mitigation Measures

Biological Resources

1. Impacts to 0.29 acre of coast live oak woodland shall be mitigated at a 2:1 ratio through acquisition of 0.58 acre of coast live oak woodland at the Daley Ranch Mitigation Bank.
2. Impacts to 0.03 acre of mule fat scrub shall be mitigated at a 1:1 ratio through acquisition of 0.03 acre of woodland habitat at the Daley Ranch Mitigation Bank.
3. Impacts to 15.13 acres of non-native grassland shall be mitigated at a 0.5:1 ratio through acquisition of 7.57 acres of non-native grassland at the Daley Ranch Mitigation Bank.
4. Mitigation for impacts to the four protected coast live oak trees, the four mature coast live oak trees, one mature Engelmann oak tree, four oak hybrids, and the 178 mature ornamental trees will occur with the planting of at least 13 oak trees and 178 ornamentals within the project landscaping in the form of street trees throughout the project. The actual number and size of replacement trees as well as the planting location shall be determined through consultation with City staff and shall be specified in the project proponent's Development Agreement with the City. The habitat value of the oak trees is also being mitigated by the purchase of mitigation credits at the Daley Ranch Mitigation Bank.
5. A qualified biologist shall determine if any active raptor nests occur on or in the immediate vicinity of the project site if construction is set to commence or continue into the breeding season of raptors (January 1 to June 15). If active raptor nests are found, their situation shall be assessed based on topography, line of sight, existing disturbances and proposed disturbance activities to determine an appropriate distance or temporal buffer.

Cultural Resources

1. The project applicant shall provide archaeological monitoring for the significant subsurface archaeological deposits that might be present on the parcel. These archaeological deposits may include privies, cisterns, trash deposit, and foundations. If archaeological features are encountered, the area shall be identified and the boundaries marked to avoid further ground disturbance. The archaeological remains should then be investigated using traditional excavation techniques and, if determined to have legitimate research potential, an adequate sample for analysis should be removed or, in the case of structural remains, documented. A budget to adequately analyze the material and prepare a professional report should be obtained and analysis and report preparation completed. Copies should be provided to the Escondido City Planning Department, the Pioneer Room of the Escondido City Library, and the Escondido Historical Society.

Hazards and Hazardous Materials

1. Prior to grading, on-site water wells shall be abandoned or removed in accordance with applicable laws and regulations.
2. Prior to grading, the trash/debris shall be removed from the site and disposed of in accordance with applicable laws and regulations.

General

1. Prior to issuance of any building permits, approval of a Precise Development Plan is required for the design and architecture of the proposed residences.

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2. Maintenance of all open space areas shall be the responsibility of the homeowners association (HOA). Open space areas shall preclude construction of any improvements not shown on the Master Development Plan, to the satisfaction of the Community Development Director.
3. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and Fire Chief.
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. Fire hydrant spacing and location must be approved by the Fire Department. The number, timing, and minimum GPM fire flow shall be coordinated with the Fire Chief. The applicant shall submit an updated Fire Protection Plan (FPP) for the development prior to the issuance of building permits.
6. The emergency access from Tamara Lane shall be paved with a minimum 28' turning radius. The gate shall be strobed to the satisfaction of the Fire Chief for fire emergency access.
7. Any blasting within the City of Escondido is subject to the provisions of Ordinance No. 95-6 and a blasting permit must be obtained from the Escondido Fire Department. If blasting occurs, verification of a San Diego County Explosive Permit and a policy or certificate of public liability insurance shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
8. Access for use of heavy firefighting equipment, as required by the Fire Chief, shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate flow are in service to the satisfaction of the Fire Marshal.
9. Three (3) copies of a revised Tentative Map, reflecting all modification 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.
10. All habitable buildings shall be noise-insulated to maintain interior noise levels of 45 dBA or less.
11. All requirements of the Public Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of building permit issuance for the purpose of participating in the City Public Art Program.
12. All exterior lighting shall conform to the requirements of City of Escondido Zoning Code Article 35, Outdoor Lighting (Ordinance No. 2014-20).
13. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance to the satisfaction of the Director of Community Development.
14. Prior to the issuance of building permits, the applicant shall note on the construction plans that at least six of the homes on lots 20-33 shall be limited to one story, with a maximum height of 17 feet. The remaining eight homes on these lots may have two stories and a maximum height of 27 feet. No two-story element shall be within 40 feet of the rear property line.
15. Prior to obtaining building permits, the applicant shall demonstrate compliance with the requirements of the Citywide Facilities Plan, to the satisfaction of the Planning Division.
16. All project-generated noise shall conform to the City's Noise Ordinance (Ordinance No. 90-08), to the satisfaction of the Planning Division.
17. Prior to Final Map approval, a note shall be included on the Final Map, or other documents provided, stating that grading shall conform to the submitted conceptual design.

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18. No street names are part of this approval. A separate request shall be submitted prior to Final Map.
19. Copies of any CC&Rs shall be submitted to the Planning Division for review and approval prior to Final Map and grading plan approval. The CC&Rs shall detail the responsibility for the maintenance of any exterior walls/fencing, slopes, common drainage facilities, and open space areas, including the 12.5' open space buffer.
20. Prior to the issuance of a grading permit, the grading plan shall include the location and type of all trees on the site. Each tree shall be labeled on the plan as to whether it will remain or be removed, and staked in the field, as necessary, to the satisfaction of the Planning Division.
21. Annexation of the property shall be recorded prior to recordation of the Final Map or issuance of any development permits.
22. No approvals for signage are included with the approval of the project. Separate review shall be completed prior to installation of any signage.
23. The City of Escondido hereby notifies the applicant that State Law (AB 3158) effective January 1, 1991, 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 the "County Clerk," in the amount of \$2,266.25 for a project with a Mitigated Negative Declaration. (These fees include an additional authorized County administrative handling fee of \$50.00, which needs to be included with each and every document submitted or filing.) Please note that the filing fee is adjusted annually based on changes to the price deflator as published by the by the US Department of Commerce. The \$2,266.25 fee went into effect on January 1, 2017, and the fee may or may not increase in subsequent years.

Landscaping

1. 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 approved by the Master Development Plan 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, except where stricter requirements are imposed by the State of California. The plans shall be prepared by, or under the supervision of, a licensed landscape architect.
2. Any existing trees to remain within the subdivision shall be identified on the landscape and grading plans.
3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.
4. All manufactured slopes, or slopes cleared of vegetation, shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping within this timeframe, then an interim landscaping solution may be acceptable. The type of plant material, irrigation, and the method of application shall be to the satisfaction of the Planning Division and City Engineer.
5. All slopes shall be landscaped with suitable material to control erosion. All manufactured slopes over three (3) feet in height shall be landscaped with a combination of trees, shrubs, and groundcover. Fill slopes shall have a minimum of six (6) trees at fifteen (15) gallons in size, and ten (10) shrubs at five (5) gallons in size, per 1,000 square feet of slope area, in addition to ground cover. Groundcover shall provide one hundred percent coverage within one year of installation. Plant material shall be low maintenance, drought resistant, and fast growing, to the satisfaction of the Planning Division. In particular, the groundcover shall be a fast-growing species that establishes quickly and is capable of choking out weeds.

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All slopes over three (3) vertical feet shall be irrigated with an individual lot irrigation system approved by the Planning and Building Divisions.

6. The mature tree located on the property boundary between proposed Lots 2 and 3 and the property addressed as 830 North Avenue shall be protected by fencing off at dripline, to the satisfaction of the Director of Community Development or his/her designee, prior to issuance of a grading permit.
7. Street trees shall be provided along every frontage within, or adjacent to, this subdivision in accordance with the Escondido Landscape Ordinance and Street Tree List. Specimen size trees shall be incorporated into the landscape design, to the satisfaction of the Planning Division.
8. Any proposed walls and retaining walls shall be constructed out of decorative material to the satisfaction of the Planning Division. The materials and location of the wall(s) shall be identified on the landscape and grading plans.
9. Details of project fencing, including materials and colors, shall be provided on the landscape plans.
10. 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.

ENGINEERING CONDITIONS OF APPROVAL Escondido Tract 916-R (SUB17-0007) North Ave.

GENERAL

1. The developer shall execute a Development Agreement with the City of Escondido prior to approval of the Final Map.
2. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering the subject property.
3. The location of all existing on-site utilities shall be determined by the project engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.
4. As surety for the construction of required off-site and on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of the Final Map.
5. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
 - a) All conditions of the Tentative Subdivision Map have been fulfilled: or
 - b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.

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6. If multiple Final Maps are to be recorded for this project, the City Engineer will determine the extent of public and private improvements to be constructed with each Final Map.
7. The project engineer shall submit to the Planning Department a copy of the Substantial Conformance Tentative Map as presented to the Planning Commission. The Tentative Map will be signed by the Planning Department verifying that it is in substantial conformance with the approved Tentative Map.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.
2. The developer shall construct street improvements, including but not limited to, up to 32' of full structural section paving and base, concrete curb, gutter, sidewalk, street lights, street trees, on the following streets within and adjoining the project boundary:

STREET

CLASSIFICATION

**North Avenue
Private Streets "A" and "B"**

**Local Collector (42' curb to curb)
Residential (36' curb to curb)**

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The developer shall construct improvements on North Avenue in accordance with Local Collector Road Standards (21' half-width within 33' R/W half-width), from the projects easterly boundary to Laurashawn Lane, to the satisfaction of the City Engineer.
4. The project entrance off North Avenue shall be designed per current Escondido Design Standards as a new fourth (north) leg of the Conway Drive and North Avenue intersection.
5. The developer shall construct a 24' wide gated and paved emergency access and public trail from the end of existing Tamara Drive to proposed private Street "B" to the satisfaction of the City Engineer and City Fire Marshal.
6. The developer shall construct a 24' wide gated and paved emergency and utility access across proposed Lot 7 from the private Street "A" knuckle to Kaywood Drive to the satisfaction of the City Engineer and City Fire Marshal.
7. The developer shall construct Streets "A" and "B" as private residential streets with minimum street widths of 36' curb to curb with PCC curb & gutter, and sidewalk. Street "A" shall be constructed with 5' sidewalk on its east and north sides and a public 10' wide DG trail on its west and south sides. Street "B" will be constructed with 5' wide sidewalks along all sides.

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8. A 10-foot-wide public trail shall be constructed throughout the project at locations approved by the Community Development Director, City Engineer, and the San Diego County Water Authority for proposed locations within their aqueduct easement.
9. The developer shall be responsible for repair and overlay of all failing sections of the existing Tamara Drive as determined by the City Engineer.
10. The address of each lot/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.
11. Sidewalk construction shall be contiguous to the curb in accordance with current Escondido Design Standards.
12. All cul-de-sacs shall conform to the current Escondido Design Standards.
13. All knuckles shall conform to current Escondido Design Standards.
14. Improvement plans for any construction within the San Diego County Water Authority's existing aqueduct easement will be subject to their review and approval prior to the City's approval of the Final Map. The developer shall be solely responsible for securing all necessary approvals and permits required by the San Diego County Water Authority for this work and shall pay any required plan check, permitting, and inspection fees.
15. 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.
16. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Any removal of existing striping and all new signing and striping shall be done by the developer's contractor.
17. The developer may responsible for a grind and overlay of North Avenue not otherwise improved, due to the many utility trenches necessary to serve this project and/or general construction damage. The determination of the extent of the grind and overlay shall be to the satisfaction of the City Engineer.
18. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.
19. Street lighting in accordance with Escondido Standard Drawing E-1-E shall be required on all onsite private streets. It shall be the responsibility of the Home Owner's Association to adequately maintain the street lighting system and such maintenance responsibility shall be clearly stated in the CC&R's.

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20. The developer shall be required to construct public street lights in accordance with Escondido Standard Drawing E-1-E on North Avenue to the satisfaction of the City Engineer.
21. 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.
22. 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.

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/or update letter that he/she has reviewed the revised grading design and found it to be in conformance with his/her recommendations.
2. Erosion control, including silt fences, straw wattles, interim sloping planting, gravel bags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.
3. Plans for any grading and drainage improvements within the San Diego County Water Authority's existing aqueduct easement will be subject to their review and approval prior to the City's approval of the Final Map. The developer shall be solely responsible for securing all necessary approvals and permits required by the San Diego County Water Authority for this work and shall pay any required plan check, permitting, and inspection fees.
4. Increased slope setbacks are required along the project boundary to avoid disrupting any existing septic systems in the adjoining residential areas and to avoid encountering ground water problems. Actual setbacks to be used will be based on recommendations of the soils engineer. The requirements of the San Diego County Health Department should be consulted in this regard. In lieu of these requirements, or if the County Health Department requirements cannot be met, the developer must arrange to connect adjoining existing dwelling units, now on private septic systems, to the public sewer system. In this regard, the developer will be required to make necessary arrangements for all main extensions, easements and payment of all connection and permit fees. Any dwellings in the unincorporated areas must have special approval of the City Council before being connected to the City sewer system. This requirement shall also apply to off-site road and utility improvements where existing septic systems are jeopardized as a result of these improvements.
5. It shall be the responsibility of the developer to pay all plan check and inspection fees required by the San Diego County Health Department.

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6. The developer will be required to obtain written permission from adjoining property owners for any off-site grading and reconstruction work necessary to construct the project and/or the required improvements.
7. Any proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Dept. plan review and permit process.
8. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
9. 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.
10. A General Construction Activity Permit is required from the State Water Resources Board prior to issuance of Grading Permit and the WDID number shall be listed on the Grading plans.
11. All lots shall be graded to drain per the requirements of current Escondido Design Standards and the City Engineer and shall include construction of necessary drainage facilities for conveyance and treatment.
12. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
13. Unless specifically permitted to remain by the County Health Department, all existing wells within the project or affected by the off-site improvements shall be abandoned and capped, and all existing septic tanks within the project or affected by the off-site improvements shall be pumped and backfilled per County Health Department requirements.
14. All driveway grades and profiles shall conform to current Escondido Design Standards and Escondido Standard Drawings.
15. All lot lines shall be located at the top of slope unless otherwise approved by the City Engineer.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.

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2. The developer shall construct offsite drainage improvements within and along North Avenue including the modification or replacement of the existing large drainage culvert under North Avenue, westerly of Laurashawn Lane to the satisfaction of the City Engineer.
3. The developer shall grade and construct drainage improvements as may be necessary along the project's Kaywood Drive frontage to prevent concentrated drainage from coming down the proposed cut slopes and into the rear yards of Lots 7 and 8 to the satisfaction of the City Engineer.
4. The developer shall grade and construct a PCC swale within the proposed 12.5' open space easement along the project's westerly and southerly boundary to accept and convey any run-off that previously drained in this direction.
5. The developer shall construct drainage improvements to intercept and convey the concentrated drainage coming from Kaywood Drive into the rear of proposed Lot 4 to the satisfaction of the City Engineer.
6. A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage and required offsite improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements.
7. All site drainage with emphasis on the roadway, parking and driveway areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
8. All onsite storm drains, ditches, inlets, junction structures, storm water storage facilities and bio-retention basins constructed with this project shall be considered private. The responsibility for maintenance of these storm drains and all post construction storm water treatment facilities shall be that of the Home Owners Association as designated in the recorded CC&Rs and the recorded Storm Water Control Facility Maintenance Agreement.
9. The developer will be required to submit a signed, notarized copy of a Storm Water Control Facility Maintenance Agreement to the City Engineer to be countersigned and recorded.

WATER SUPPLY

1. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
2. This project is located within the Rincon Del Diablo Municipal Water District. It will be the developer's responsibility to make arrangements with the Rincon District as may be necessary to provide water service for domestic use and fire protection. The developer shall provide evidence of such arrangements prior to recordation of the Final Map, to the

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satisfaction of the City Engineer. The City of Escondido and the Rincon District will sign approval of the improvement plans with respect to the water mains.

3. Water meters and back flow prevention devices shall not be installed within the driveway apron or private driveway areas.
4. No trees or deep rooted plants shall be planted within 10 feet of any water service.

SEWER

1. All proposed sewer main locations and sizing shall be to the satisfaction of the City Engineer and Director of Utilities. Required sewer main improvements include construction of a new manhole in place of an existing clean-out in the Conway Drive and North Avenue intersection and the extension of an 8-inch sewer main from this manhole northerly up Street "A" into the project. As currently shown this 8-inch sewer main will be required to extend across the San Diego County Water Authority aqueduct easement to serve Street "B" in a location and depth approved by the San Diego County Water Authority.
2. The developer shall extend an 8-inch sewer main from the Street "A" knuckle area to a sewer clean-out in the Kaywood Drive right-of-way for future sewer main extension and sewer service in this direction.
3. Sewer utilities shall be extended to the project's boundary at such locations as required by the City Engineer and/or the Director of Utilities.
4. A private 4" minimum PVC sewer lateral with a standard clean-out within 18" of the Public Utilities Easement shall be constructed for each Lot and shown on the Improvement and Grading plans. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings. The construction of all sewer laterals shall be included in the improvement plans and bonding quantities.
5. No trees or deep rooted bushes shall be planted within 10' of any sewer lateral, or within 15' of any sewer main.
6. All sewer laterals will be considered a private sewer system. The property owners and/or the Home Owners Association will be responsible for all maintenance of their individual sewer laterals to the sewer main. Provisions stating this shall be included in the CC&Rs.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
2. Necessary Public Utility Easements for sewer, water, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.
3. Necessary Emergency Access Easements shall be granted to the City on the Final Map. The minimum easement width is 24 feet.

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4. Public Trail easements as proposed on the tentative map shall be granted to the City on the Final Map.
5. A Public Utility Easement shall be granted over the Private Street. The public utility easement shall extend a minimum of five (5) feet beyond the improved, curb-to-curb roadway width. When sidewalks are required, the public utility easement shall extend a minimum of four (4) feet behind the back of sidewalk.
6. Private Drainage Easements shall be shown on the Final Map and granted to the Home Owners Association upon transfer of title for all private drainage facilities including brow ditches (5' min. wide) and storm drain pipes (10' min. wide) needed to convey storm water within the project.
7. Private open space easements as proposed on the tentative map shall be shown on the Final Map and granted to the Home Owners Association upon transfer of title.
8. 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.

REPAYMENTS AND FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
2. A sewer repayment of \$1,063.09 is due to the City of Escondido for existing sewer improvements that contribute to serving this property per Repayment File No. 208 and approved by City Council Resolution 2002-45.
3. 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.

CC&Rs

1. Copies of the CC&Rs shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.

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2. The developer shall make provisions in the CC&Rs for maintenance by the Home Owners' Association of all onsite storm drain facilities, storm water treatment facilities, public trails, and the landscaping of all common open space easements and lots. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.
4. The CC&R's must state that (if stamped concrete is used in the private street) the homeowners' association is responsible for replacing the stamped concrete in kind if the City or its contractor has to trench the street for repair or replacement of an existing utility.
5. The CC&Rs 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 Home Owners' Association or their contractors when repair or replacement of private utility or storm water facility is done.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance. The developer may request a waiver of this condition by writing a letter to the City Engineer explaining his/her reasons for requesting the waiver. The developer will be required to pay a waiver fee as adopted by City Council resolution.
2. 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 underground.

Development Agreement- Proposed Terms

North Avenue Estates (SUB 17-0007)

Development Agreement - Proposed Terms

1. **Term.** The term of the development agreement will be 5 years.
2. **Fees.** Generally, all fees will be in the amounts in effect at the time Owner submits payment of the fees (will be at the time of building permit issuance unless otherwise agreed to such as the Drainage Facilities Fees).
3. **Trees.** Owner shall provide a minimum of 13 coast live oak trees and 178 ornamental trees at a size of at least a 24" box. The location of the trees will be approved by the City as part of the submission of a landscape plan. (As required in the mitigation measures set forth in the MND).
4. **Drainage Improvements.** Owner shall provide to the City the following:
 - Construct 112.65' of 42" Reinforced Concrete Pipe along North Avenue as shown in the attached plan.
 - Construct 557.66' of 3' x 5' Reinforced Concrete Box Culvert along North Avenue as shown in the attached plan.
 - Construct the Outlet Headwall for the 3' x 5' Reinforced Concrete Box Culvert along North Avenue as shown in the attached plan.
5. **Deficiency Fee Payment.** Owner shall pay the Deficiency Fees of \$12,500.00 per each of the 34 lots to be developed. Owner hereby agrees that the listed Deficiency Fee is an accurate representation of the its proportionate share towards neighborhood and citywide improvements for the facility deficiency area applicable to this Project. The obligation to pay these fees will survive the termination of the development agreement.
6. **Fee Credits.** In exchange for Owner's implementation and construction of the Drainage Improvements, City will provide fee credits of One Hundred Thousand Dollars (\$100,000.00) in Drainage Facilities Fees and will defer collection of any Drainage Facilities Fees until owner requests the first Certificate of Occupancy.

Geocon Letter with References

(July 11, 2017)

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G E O T E C H N I C A L ■ E N V I R O N M E N T A L ■ M A T E R I A L S



Project No. 07344-42-02
July 11, 2017

North Avenue CAJ, LLC
Post Office Box 928257
San Diego, California 92192

Attention: Mr. Casey Johnson

Subject: SUMMARY OF CONCLUSIONS IN PREVIOUS GEOTECHNICAL REPORTS
NORTH AVENUE ESTATES
SAN DIEGO COUNTY, CALIFORNIA

- References:
1. *Supplemental Exploratory Trenching, North Avenue Estates, Escondido, California*, prepared by Geocon Incorporated, dated November 15, 2016 (Project No. 07344-42-02).
 2. *Groundwater Flow, North Avenue Estates, Escondido, California*, prepared by Geocon Incorporated, dated February 17, 2017 (Project No. 07344-42-02).
 3. *Response to LAFCO Comments, North Avenue Estates, San Diego County, California*, prepared by Geocon Incorporated, dated May 3, 2017 (Project No. 07344-42-02).

Dear Mr. Johnson:

In accordance with your request we have summarized our conclusions from previous reports prepared by Geocon Incorporated with respect to potential impacts to adjacent property septic systems.

It is our opinion based on the information obtained from our field investigations that the potential to encounter septic seepage in remedial excavations performed on the North Avenue Estates project is low, therefore remedial excavations should not cause or contribute to a failure of the adjacent septic systems.

Groundwater flow at the site, if present, occurs on or below the alluvium/gabbro contact. We expect groundwater flow to follow the alluvium/gabbro gradient contact, which is to the south-southwest based on exploratory trenching performed on the property. We expect groundwater flow and septic seepage below the properties along Laurashawn Lane to also flow to the south-southwest along the alluvium/gabbro contact, or away from the North Avenue Estates project. As such, it is our opinion, that remedial grading performed within the North Avenue Estates site will not cut-off groundwater flow from and beneath adjacent properties thereby causing a rise in groundwater and impacting the vertical percolation from the existing septic systems.

As an added measure of conservatism, a 10-foot buffer area is proposed within the North Avenue Estates project adjacent to the lots along Laurashawn Lane from the south end of the property up to the

existing 5-foot wide concrete drainage channel. Adjacent to the concrete drainage channel remedial removal depths are expected to be less than 3 feet deep, and therefore, a buffer is not needed due to the shallow removal depths. With respect to the easterly property margin, a buffer is also not needed as remedial removal depths are also expected to also be less than 3 feet deep, thereby, eliminating the potential for adverse impacts to the adjacent properties as a result of remedial grading.

In conclusion, it is our opinion, that remedial grading and construction of the planned residential homes for the North Avenue Estates project will not impact the neighboring septic systems.

Very truly yours,

GEOCON INCORPORATED


Rodney C. Mikesell
GE 2533

RCM:dmc

(e-mail) Addressee



GEOCON
INCORPORATED

GEOTECHNICAL ■ ENVIRONMENTAL ■ MATERIALS



Project No. 07344-42-02
November 15, 2016

North Avenue CAJ, LLC
P.O. Box 928257
San Diego, California 92192

Attention: Mr. Casey Johnson

Subject: SUPPLEMENTAL EXPLORATORY TRENCHING
NORTH AVENUE ESTATES
ESCONDIDO, CALIFORNIA

- References:
1. *Geotechnical Investigation, North Avenue Estates, San Diego County, California*, prepared by Geocon Incorporated, dated September 22, 2004 (Project No. 07344-42-01).
 2. *Remedial Grading Along Western Property Line, North Avenue Estates, San Diego County, California*, prepared by Geocon Incorporated, dated October 13, 2016 (Project No. 07344-42-02).
 3. *City of Escondido Tentative Map No. 916, Planned Development No. 2005-17-PZ/PD/DA*, prepared by Manitou Engineering, plot date December 5, 2007.

Dear Mr. Johnson:

In accordance with your request, we have prepared this correspondence as a supplement to our referenced report and remedial grading consultation letter. This letter has been prepared to document additional exploratory test pits performed along the western property margin. The purpose of the test pits was to observe if seepage from the adjacent properties could be encountered within remedial excavations performed during grading. It is our understanding that the rear yard area for the homes along Laurashawn Lane serve as the leach field area for their septic systems, and the City of Escondido is concerned that seepage from the leach fields will be encountered during remedial grading.

Exploratory trenching was performed on November 1, 2016. The exploratory trenches were excavated to the depth of anticipated remedial grading. Trenches were excavated perpendicular to the property line at the fence line. In addition, a trench was excavated parallel to the property line slightly off of the fence line. The locations of the trenches are shown on Figures 1 and 2 (*Geologic Map*). The locations of all of the exploratory trenches performed on the property to date are included on the figures.


The excavations were left open for a period of at least 2 hours to observe if seepage was present. No seepage was observed in any of the excavations. Photos and logs of the trench excavations are attached. Only the trench logs associated with the recent trenching have been provided. Two additional trenches were excavated (T-16 and T-17) to supplement our geotechnical information for remedial grading depths.

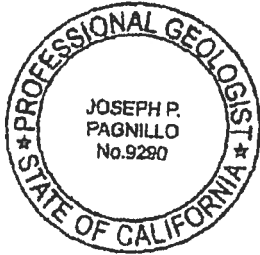
In conclusion, it is our opinion, based on information obtained from the exploratory trenching, that the potential to encounter seepage in the remedial excavations is low.

If you have any questions regarding this correspondence, or if we may be of further service, please contact the undersigned at your convenience.

Very truly yours,

GEOCON INCORPORATED


Joseph P. Pagnillo
PG 9290




Rodney C. Mikesell
GE 2533

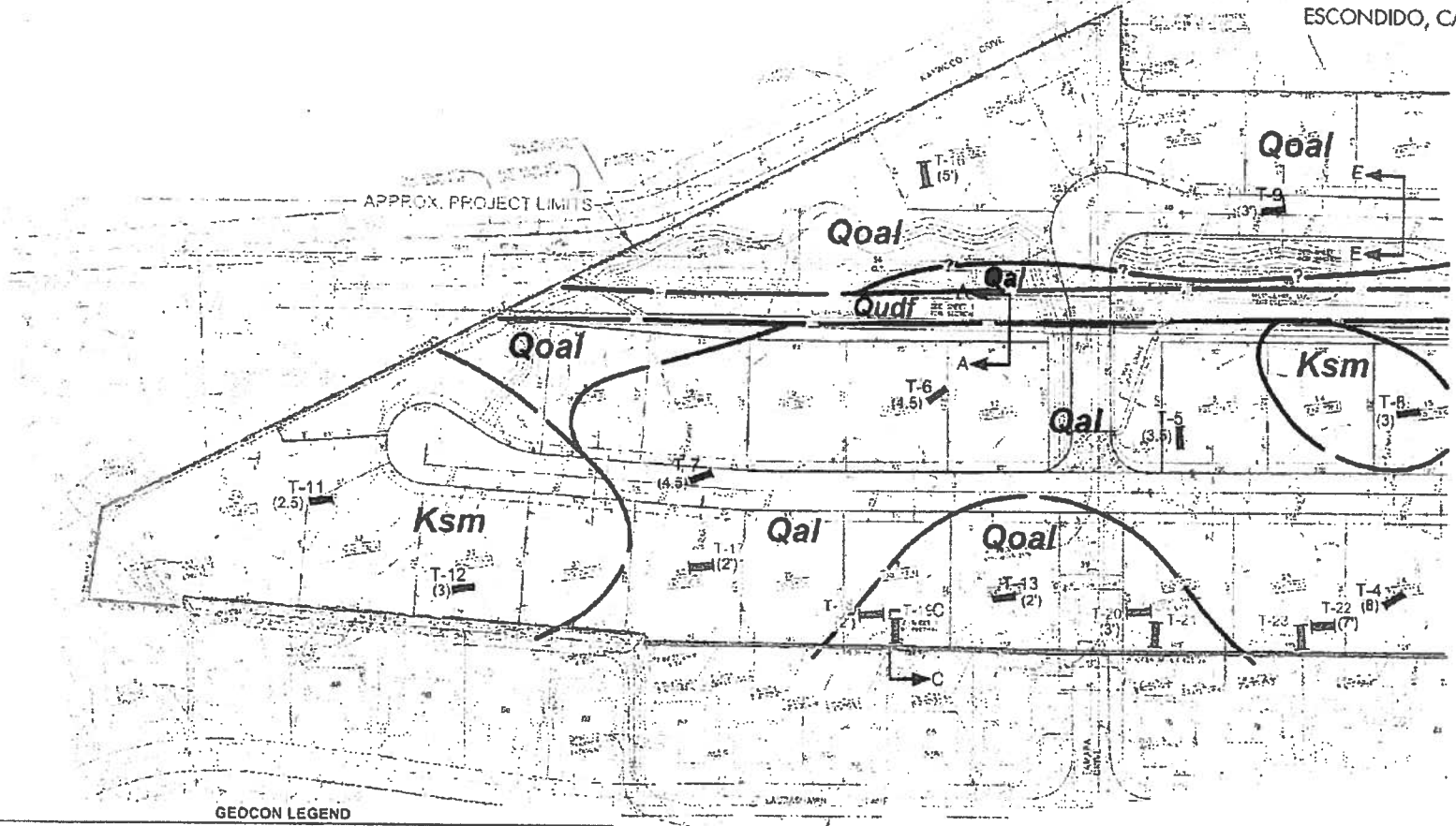


JPP:RCM:cjc

Attachments: Figures 1 and 2; Geologic Map
Photos 1 through 5
Figures A-1 through A-12; Trench Logs

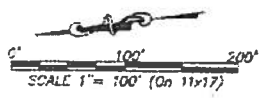
(2) Addressee

NORTH AVENUE ESTATES
ESCONDIDO, CALIFORNIA



GEOCON LEGEND

- Qudf** UNDOCUMENTED FILL
- Qal** ALLUVIUM
- Qoal** OLDER ALLUVIUM
- Ksm** SAN MARCOS CARBONATE
- APPROX. LOCATION OF GEOLOGIC CONTACT (Quoted Where Uncertain)
- T-15** APPROX. LOCATION OF EXPLORATORY TRENCH (Gascen Sept. 22, 2004)
- T-21** APPROX. LOCATION OF TRENCH (Gascen Nov. 1, 2015)
- APPROX. LOCATION OF ABANDONED WATER WELL
- (10)** APPROX. THICKNESS OF SURFICIAL SOILS



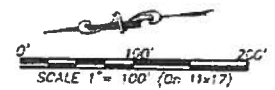
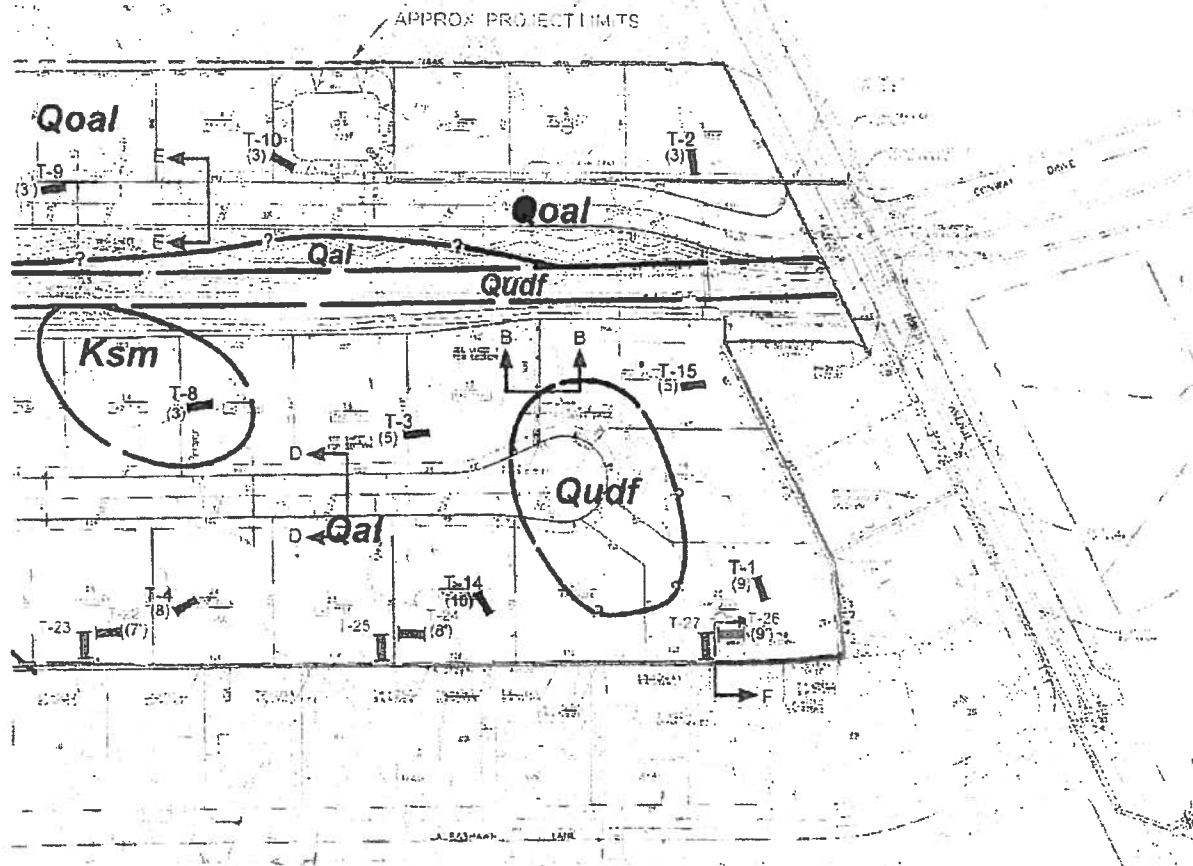
GEOCON
INCORPORATED

GEOTECHNICAL ■ ENVIRONMENTAL ■ MATERIALS
6400 FLAVIN DRIVE ■ SAN DIEGO, CALIFORNIA 92121-2974
PHONE 619.589.4500 ■ FAX 619.589.4509
PROJECT NO. 07344-42-02

FIGURE 1
GEOLOGIC MAP DATE 11-15-2016

Project 1717-0007-0002 | 8/11/2016 12:43:13 PM | Location: PROJECT: 07344-42-02 North Avenue Estates | Date: 11/15/2016 | User: W...

NORTH AVENUE ESTATES
ESCONDIDO, CALIFORNIA



GEOCON LEGEND

- Qudf** UNDOCUMENTED FILL
- Qal** ALLUVIUM
- Qoal** OLDER ALLUVIUM
- Ksm** SAN MARCOS GABBRO
- APPROX. LOCATION OF GEOLOGIC CONTACT (Divided Waters Uncertain)
- T-1a** APPROX. LOCATION OF EXPLORATORY TRENCH (Geocor; September 22, 2004)
- T-2f** APPROX. LOCATION OF TRENCH (Geocor; Nov. 1, 2019)
- APPROX. LOCATION OF ABANDONED WATER WELL
- (10)** APPROX. THICKNESS OF SURFICIAL SOILS

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 GEOTECHNICAL ■ ENVIRONMENTAL ■ MATERIALS
 4910 RAINBOW DRIVE ■ SAN DIEGO, CALIFORNIA 92111-2974
 PHONE 619 548-4900 ■ FAX 619 548-4859
 PROJECT NO. 07344-42-02
 FIGURE 2
 GEOLOGIC MAP DATE 11-15-2016

PLANS 11-15-2016 8:24 AM 11-15-2016 8:24 AM 11-15-2016 8:24 AM 11-15-2016 8:24 AM 11-15-2016 8:24 AM 11-15-2016 8:24 AM 11-15-2016 8:24 AM 11-15-2016 8:24 AM 11-15-2016 8:24 AM 11-15-2016 8:24 AM

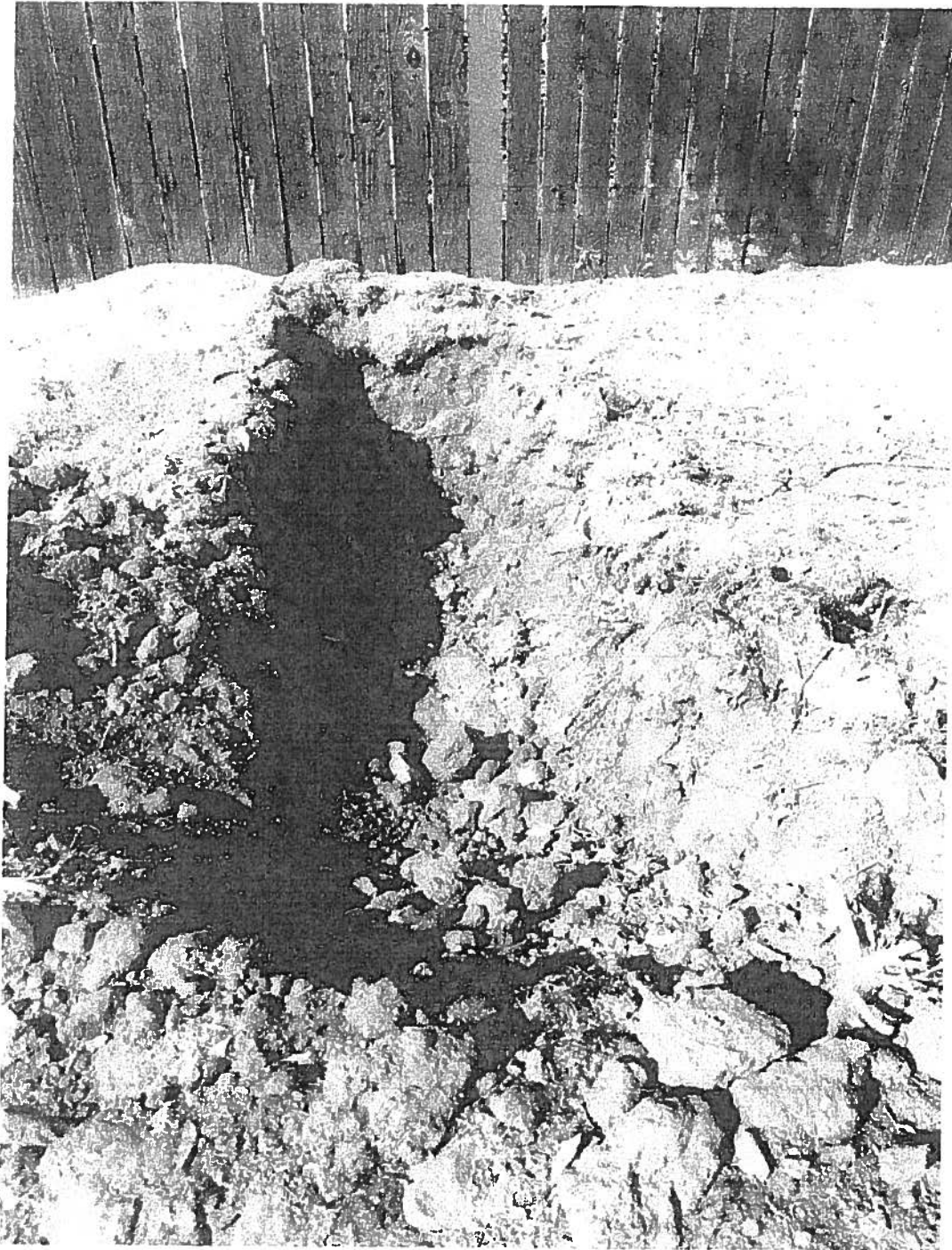


PHOTO 1: Trench T-19

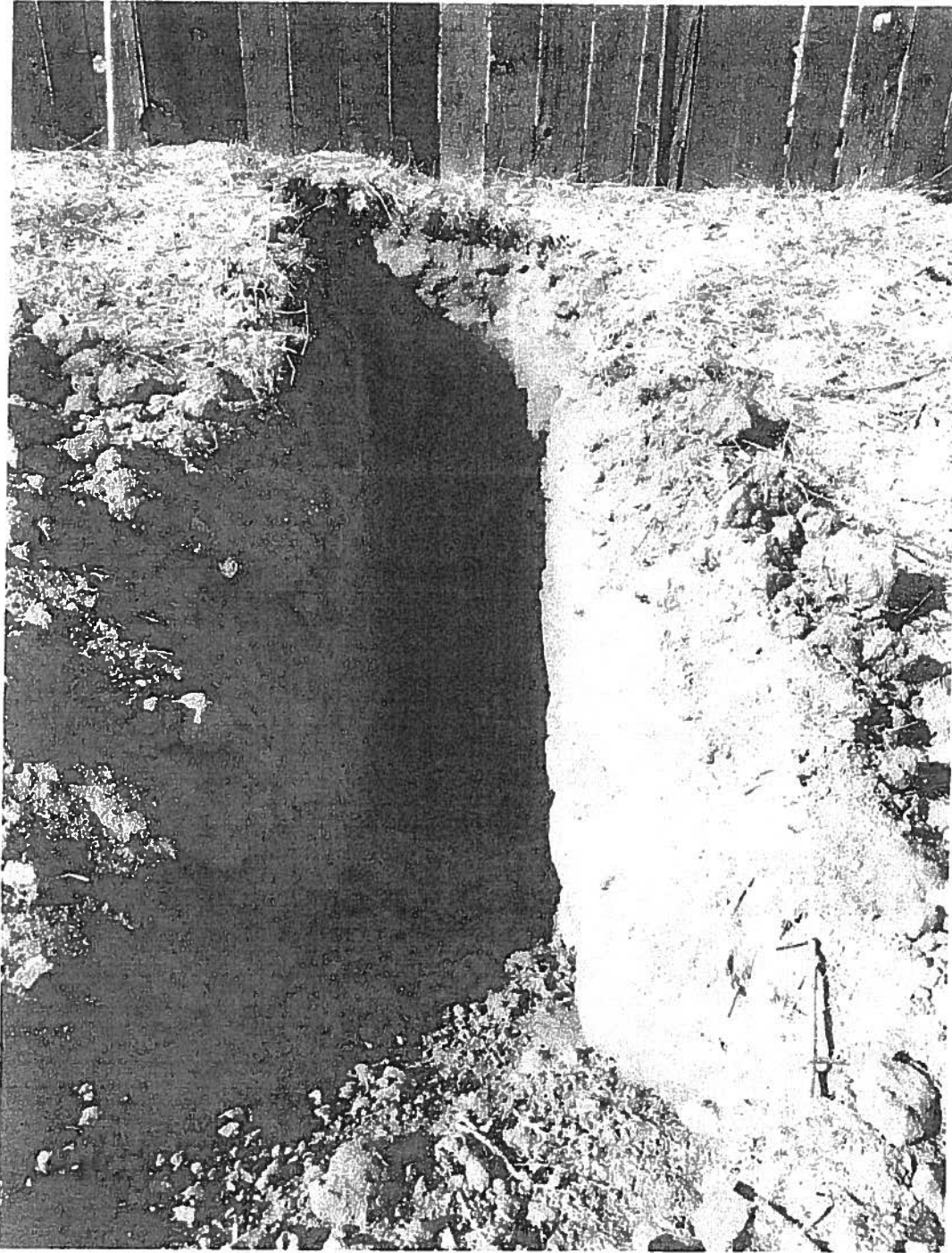


PHOTO 2: Trench T-21

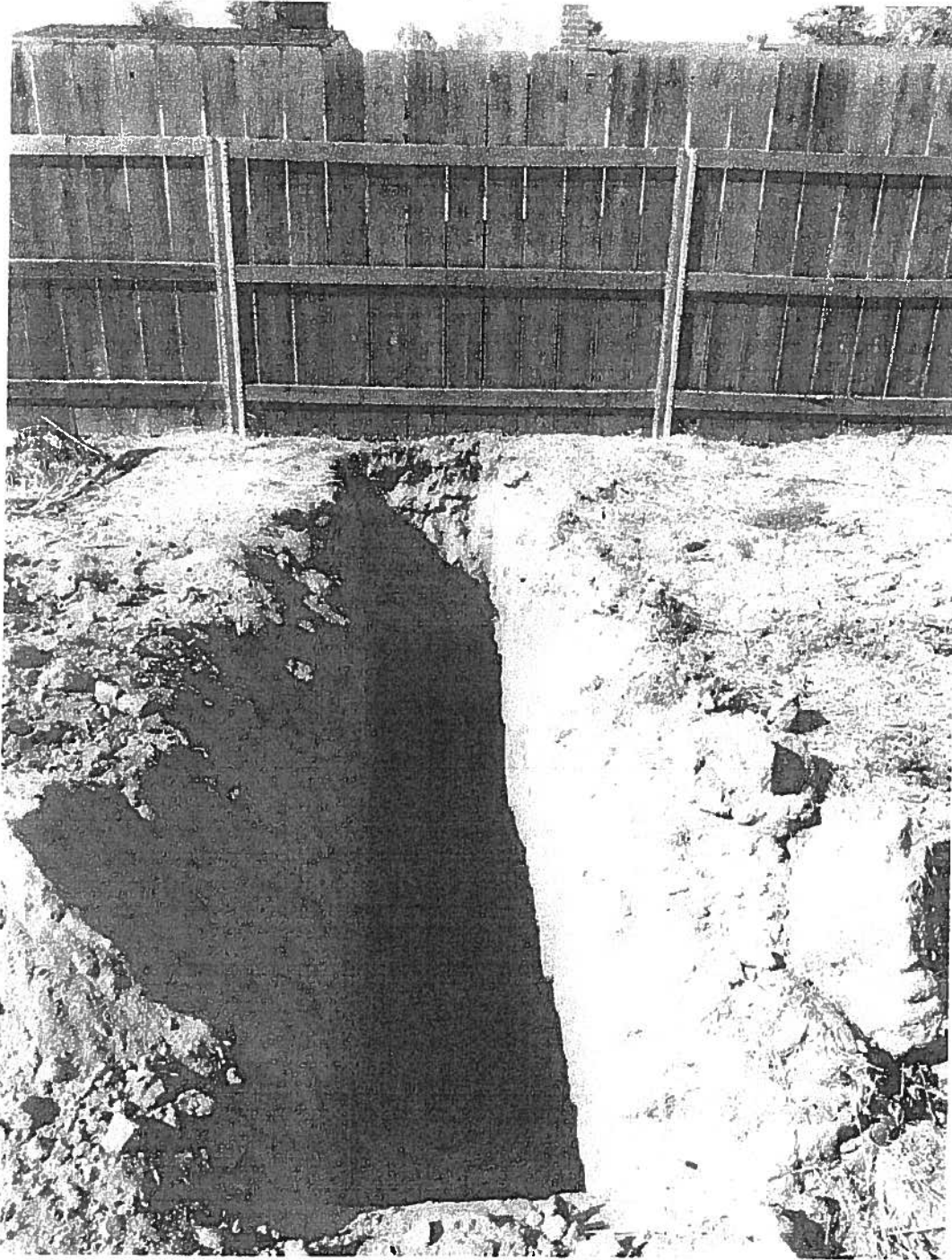


PHOTO 3: Trench T-23

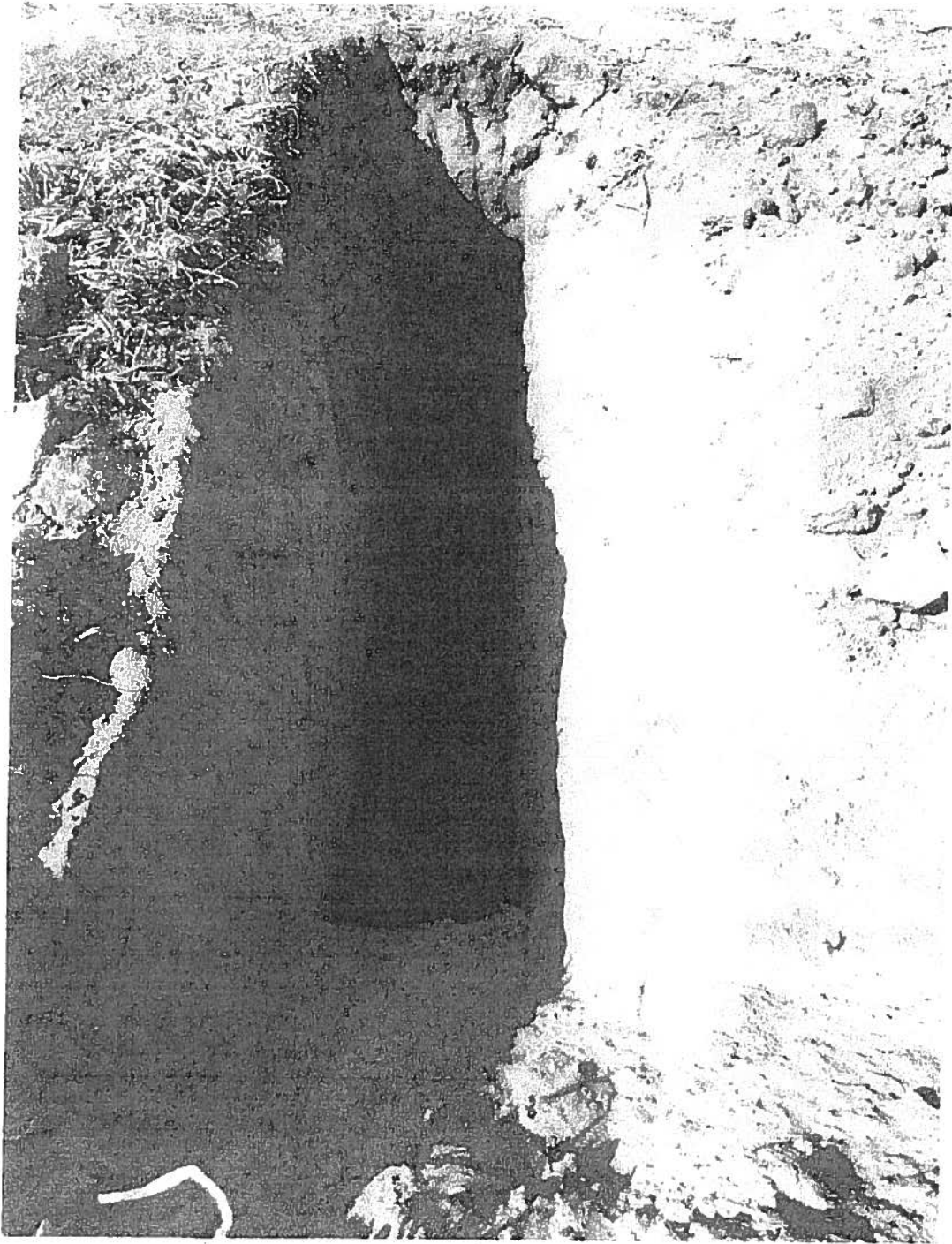


PHOTO 4: Trench T-25

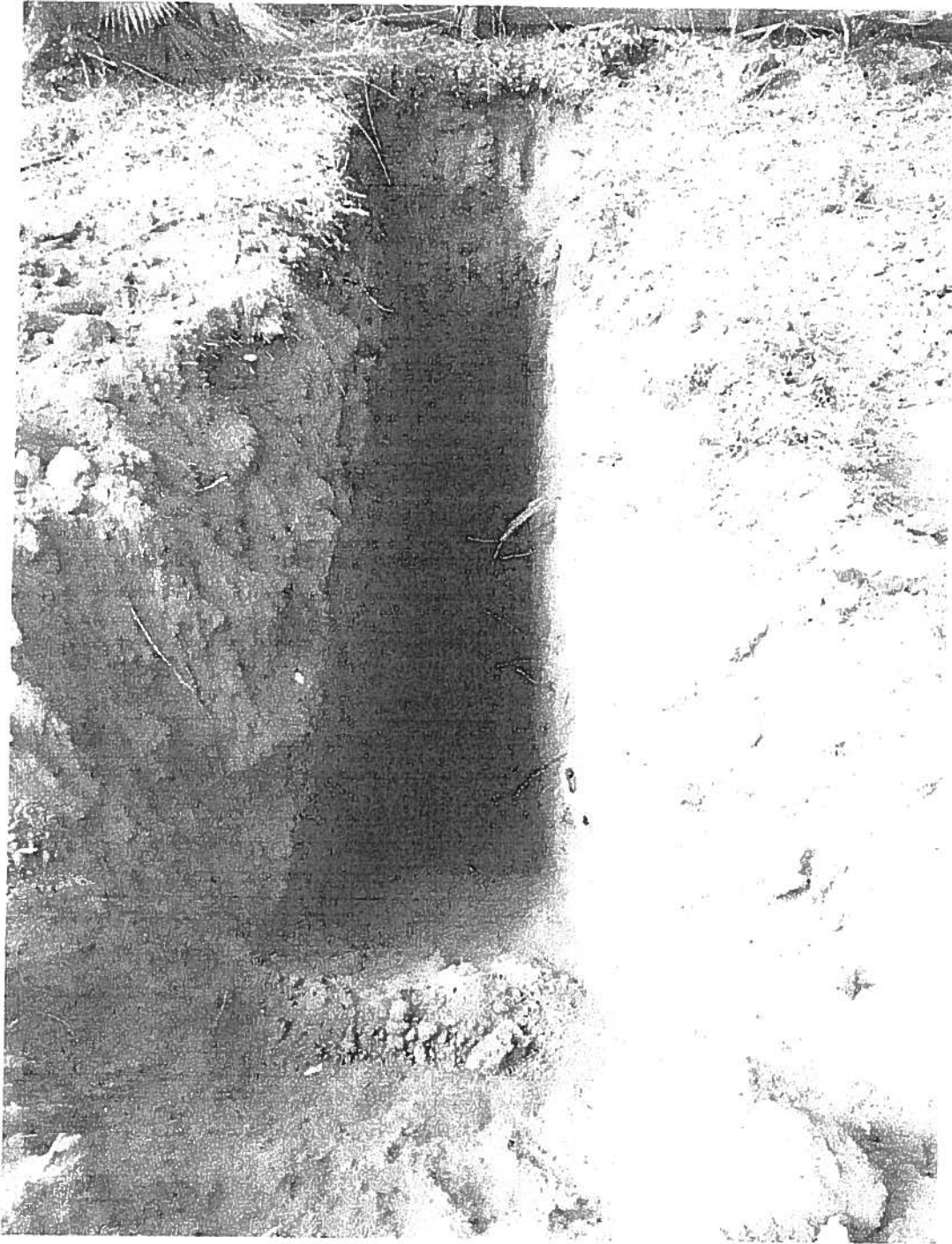


PHOTO 5: Trench T-27

PROJECT NO. 07344-42-02

DLPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	TRENCH T 16		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
				ELEV. (MSL) 787' _ _ DATE COMPLETED 11-01-2016 _ _	EQUIPMENT JD 410G BACKHOE W/ 24" BUCKET BY: J. PAGNILLO			
MATERIAL DESCRIPTION								
0					ALLUVIUM (Qa)			
					Medium-dense, damp, dark grayish brown, fine, Sandy CLAY/Clayey SAND			
2	TI-1							
4								
					OLDER ALLUVIUM (Qoa)			
					Dense, damp, dark, reddish brown, Clayey, fine to medium SAND			
6					TRENCH TERMINATED AT 6 FEET			
					Groundwater not encountered			

Figure A-1,
 Log of Trench T 16, Page 1 of 1

07344-42-02.GPJ

SAMPLE SYMBOLS	<input type="checkbox"/> ... SAMPLING UNSUCCESSFUL	<input type="checkbox"/> ... STANDARD PENETRATION TEST	<input type="checkbox"/> ... DRIVE SAMPLE (UNDISTURBED)
	<input checked="" type="checkbox"/> ... DISTURBED OR BAG SAMPLE	<input type="checkbox"/> ... 1 SAMPLE	<input type="checkbox"/> ... WATER TABLE OR SEEPAGE

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02

DEPTH IN FEET	SAMPLE NO	LITHOLOGY	GROUNDWATER	TRENCH T 17		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
				ELEV. (MSL.) 789'	DATE COMPLETED 11-01-2016			
				EQUIPMENT JD 410G BACKHOE W/ 24" BUCKET BY: J. PAGNILLO				
MATERIAL DESCRIPTION								
0		[Symbol: Fine to medium sand]		ALLUVIUM (Qal) Medium-dense, dry, brown, Silty, fine to medium SAND				
2		[Symbol: Granite rock]		SAN MARCOS GABBRO (Ksm) Strong, gray, moderately weathered, GRANITIC ROCK; difficult digging				
TRENCH TERMINATED AT 3 FEET Groundwater not encountered								

Figure A-2,
 Log of Trench T 17, Page 1 of 1

07344-42-02.GPJ

SAMPLE SYMBOLS	<input type="checkbox"/>	... SAMPLING UNSUCCESSFUL	<input type="checkbox"/>	... STANDARD PENETRATION TEST	<input type="checkbox"/>	... DRIVE SAMPLE (UNDISTURBED)
	<input type="checkbox"/>	... DISTURBED OR DAG SAMPLE	<input type="checkbox"/>	... CHUNK SAMPLE	<input type="checkbox"/>	... WATER TABLE OR SEE PAGE

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02

DEPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	SOIL CLASS (USCS)	TRENCH T 18		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
					ELEV. (MSL) 785'	DATE COMPLETED 11-01-2018			
					EQUIPMENT JD 410G BACKHOE W/ 24" BUCKET BY: J. PAGNILLO				
					MATERIAL DESCRIPTION				
0					OLDER ALLUVIUM (Qoa) Loose, damp, dark reddish brown, Clayey, fine to medium SAND with angular gravel and cobble				
2					-Difficult digging; becomes dense to very dense				
					TRENCH TERMINATED AT 2.5 FEET Groundwater not encountered				

Figure A-3,
 Log of Trench T 18, Page 1 of 1

07344-42-02.GPJ

SAMPLE SYMBOLS		
<input type="checkbox"/>	... SAMPLING UNSUCCESSFUL	<input type="checkbox"/>
<input type="checkbox"/>	... STANDARD PENETRATION TEST	<input type="checkbox"/>
<input checked="" type="checkbox"/>	... DISTURBED OR BAG SAMPLE	<input type="checkbox"/>
<input type="checkbox"/>	... CHUNK SAMPLE	<input type="checkbox"/>
<input type="checkbox"/>	... DRIVE SAMPLE (UNDISTURBED)	<input type="checkbox"/>
<input type="checkbox"/>	... WATER TABLE OR SEEPAGE	

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02

DEPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	TRENCH T 19		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
				SOIL CLASS (USCS)	ELEV. (MSL.) <u>785'</u> DATE COMPLETED <u>11-01-2016</u> EQUIPMENT <u>JD 410G BACKHOE W/ 24" BUCKET</u> BY: <u>J. PAGNILLO</u>			
MATERIAL DESCRIPTION								
0				OLDER ALLUVIUM (Qual) Loose, damp, dark reddish brown, Clayey, fine to medium SAND with angular gravel and cobble, abundant roots				
2					-Difficult digging; becomes dense to very dense			
				TRENCH TERMINATED AT 2.5 FEET Groundwater not encountered				

Figure A-4,
 Log of Trench T 19, Page 1 of 1

07344-42-02.GPJ

SAMPLE SYMBOLS	<input type="checkbox"/> ... SAMPLING UNSUCCESSFUL	<input type="checkbox"/> ... STANDARD PENETRATION TEST	<input type="checkbox"/> ... DRIVE SAMPLE (UNDISTURBED)
	<input type="checkbox"/> ... DISTURBED OR BAG SAMPLE	<input type="checkbox"/> ... CHUNK SAMPLE	<input type="checkbox"/> ... WATER TABLE OR SEEPAGE

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BURNING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02

DEPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	TRENCH T 20		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
				ELEV. (MSL.) 779'	DATE COMPLETED 11-01-2016			
				EQUIPMENT JD 410G BACKHOE W/ 24" BUCKET		BY: J. PAGNILLO		
MATERIAL DESCRIPTION								
0				OLDER ALLOVIUM (Qual) Loose, damp, dark reddish brown, Clayey, fine to medium SAND -Becomes dense with angular gravel and cobble				
2								
4			TRENCH TERMINATED AT 4 FEET Groundwater not encountered					

Figure A-5,
 Log of Trench T 20, Page 1 of 1

07344-42-02.GPJ

SAMPLE SYMBOLS	<input type="checkbox"/>	... SAMPLING UNSUCCESSFUL	<input type="checkbox"/>	... STANDARD PENETRATION TEST	<input type="checkbox"/>	... DRIVE SAMPLE (UNDISTURBED)
	<input checked="" type="checkbox"/>	... DISTURBED OR BAG SAMPLE	<input type="checkbox"/>	... CLUNK SAMPLE	<input type="checkbox"/>	... WATER TABLE OR SEEPAGE

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02

DEPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	TRENCH T 21		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
				SOIL CLASS (USCS)	ELEV. (MSL) <u>779'</u> DATE COMPLETED <u>11-01-2016</u> EQUIPMENT <u>JD 410G BACKHOE W/ 24" BUCKET</u> BY: <u>J. PAGNILLO</u>			
MATERIAL DESCRIPTION								
0				TOPSOIL Loose, dry, dark brown, Clayey, fine to medium SAND; abundant roots				
2			OLDER ALLUVIUM (Q_{ol}) Medium-dense, damp, dark reddish brown, Clayey, fine to medium SAND with angular gravel and cobble -Becomes dense					
4								
6				TRENCH TERMINATED AT 6 FEET Groundwater not encountered				

Figure A-6,
 Log of Trench T 21, Page 1 of 1

07344-42-02.GPJ

SAMPLE SYMBOLS		
... SAMPLING UNSUCCESSFUL	... STANDARD PENETRATION TEST	... DRIVE SAMPLE (UNDISTURBED)
... DISTURBED OR BAG SAMPLE	... CHUNK SAMPLE	... WATER TABLE OR SEEPAGE

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02









DEPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	TRENCH T 22		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
				SOIL CLASS (USCS)	ELEV. (MSL.) <u>776'</u> DATE COMPLETED <u>11-01-2016</u> EQUIPMENT <u>JD 410G BACKHOE W/ 24" BUCKET</u> BY: <u>J. PAGNILLO</u>			
MATERIAL DESCRIPTION								
0					ALLUVIUM (Qal) Loose, dry, dark brown, Clayey, fine to medium SAND			
2	T7-1				-Becomes medium-dense, damp			
4								
6								
8					SAN MARCOS GABBRO (Ksm) Highly weathered, dark grayish brown, weak GRANITIC ROCK; excavates as decomposed granite			
TRENCH TERMINATED AT 8 FEET Groundwater not encountered								

Figure A-7,
 Log of Trench T 22, Page 1 of 1

07344-42-02.GPJ

SAMPLE SYMBOLS	...		
		... SAMPLING UNSUCCESSFUL	
	... DISTURBED OR BAG SAMPLE		... DRIVE SAMPLE (UNDISTURBED)
	... CHUNK SAMPLE		... WATER TABLE OR SLI PAGE

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02

DEPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	TRENCH T 23		PENETRATION RESISTANCE (BLOW/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
				SOIL CLASS (USCS)	ELEV. (MSL.) <u>777'</u> DATE COMPLETED <u>11-01-2016</u> EQUIPMENT <u>JD 410G BACKHOE W/ 24" BUCKET</u> BY: <u>J. PAGNILLO</u>			
MATERIAL DESCRIPTION								
0		[Hatched pattern]		ALLUVIUM (Qal) Loose, dry, dark brown, Clayey, fine to medium SAND; abundant roots				
2				-Becomes medium-dense, damp				
4								
6								
8		+ + + + + +		SAN MARCOS GABBRO (Ksm) Highly weathered, dark grayish brown, weak, GRANITIC ROCK; excavates as decomposed granite				
TRENCH TERMINATED AT 8 FEET Groundwater not encountered								

Figure A-8,
 Log of Trench T 23, Page 1 of 1

07344-42-02 GPJ

SAMPLE SYMBOLS	<input type="checkbox"/> ... SAMPLING UNSUCCESSFUL	<input type="checkbox"/> ... STANDARD PENETRATION TEST	<input type="checkbox"/> ... DRIVE SAMPLE (UNDISTURBED)
	<input checked="" type="checkbox"/> ... DISTURBED OR BAG SAMPLE	<input type="checkbox"/> ... CHUNK SAMPLE	<input type="checkbox"/> ... WATER TABLE OR SEEPAGE

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02

DEPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	TRENCH T 24		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
				SOIL CLASS (USCS)	ELEV. (MSL.) <u>773'</u> DATE COMPLETED <u>11-01-2016</u> EQUIPMENT <u>JD 410G BACKHOE W/ 24" BUCKET</u> BY: <u>J. PAGNILLO</u>			
MATERIAL DESCRIPTION								
0					ALLUVIUM (Qal) Loose, damp, dark brown, Silty, fine to medium SAND; abundant roots			
2								
4					-Becomes medium-dense			
6								
8					OLDER ALLUVIUM (Qal) Dense, damp, dark reddish brown, Clayey, fine to medium SAND; with angular gravel and cobble			
TRENCH TERMINATED AT 9 FEET Groundwater not encountered								

Figure A-9,
 Log of Trench T 24, Page 1 of 1

07344-42-02.GPJ

SAMPLE SYMBOLS	... SAMPLING UNSUCCESSFUL	... STANDARD PENETRATION TEST	... DRIVE SAMPLE (UNDISTURBED)
	... DISTURBED OR BAG SAMPLE	... CHUNK SAMPLE	... WATER TABLE OR SEEPAGE

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02

DEPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	TRENCH T 25		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
				ELEV. (MSL.) 774'	DATE COMPLETED 11-01-2016			
				EQUIPMENT JD 410G BACKHOE W/ 24" BUCKET		BY: J. PAGNILLO		
MATERIAL DESCRIPTION								
0				ALLUVIUM (Qal) Loose, damp, dark brown, Silty, fine to medium SAND; abundant roots				
2								
4				-Becomes medium-dense				
6								
8				OLDER ALLUVIUM (Qoal) Dense, damp, dark reddish brown, Clayey, fine to medium SAND; with angular gravel and cobble				
				TRENCH TERMINATED AT 9 FEET Groundwater not encountered				

Figure A-10,
 Log of Trench T 25, Page 1 of 1

07344-42-02.GPJ

SAMPLE SYMBOLS		
<input type="checkbox"/>	... SAMPLING UNSUCCESSFUL	<input type="checkbox"/>
<input type="checkbox"/>	... STANDARD PENETRATION TEST	<input type="checkbox"/>
<input type="checkbox"/>	... DRIVE SAMPLE (UNDISTURBED)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	... DISTURBED OR BAG SAMPLE	<input type="checkbox"/>
<input type="checkbox"/>	... CHUNK SAMPLE	<input type="checkbox"/>
<input type="checkbox"/>	... WATER TABLE OR SEEPAGE	

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02

DEPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	SOIL CLASS (USCS)	TRENCH T 26		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
					ELEV. (MSL.) 768'	DATE COMPLETED 11-01-2016			
					EQUIPMENT JD 410G BACKHOE W/ 24" BUCKET		BY: J. PAGNILLO		
MATERIAL DESCRIPTION									
0					ALLUVIUM (Qal) Loose, dry, dark grayish brown, Silty, fine to medium SAND				
2					-Becomes medium-dense, damp				
4									
6									
8									
10		+ + + + + +			SAN MARCOS GABBRO (Ksm) Highly weathered, dark grayish brown, weak, GRANITIC ROCK; excavates as decomposed granite				
					TRENCH TERMINATED AT 10 FEET Groundwater not encountered				

Figure A-11,
 Log of Trench T 26, Page 1 of 1

07344-42-02.GPJ

SAMPLE SYMBOLS					
<input type="checkbox"/>	... SAMPLING UNSUCCESSFUL	<input type="checkbox"/>	... STANDARD PENETRATION TEST	<input type="checkbox"/>	... DRIVE SAMPLE (UNDISTURBED)
<input checked="" type="checkbox"/>	... DISTURBED OR BAG SAMPLE	<input type="checkbox"/>	... CHUNK SAMPLE	<input type="checkbox"/>	... WATER TABLE OR SEEPAGE

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

GEOCON

PROJECT NO. 07344-42-02

DEPTH IN FEET	SAMPLE NO.	LITHOLOGY	GROUNDWATER	SOIL CLASS (USCS)	TRENCH T 27		PENETRATION RESISTANCE (BLOWS/FT.)	DRY DENSITY (P.C.F.)	MOISTURE CONTENT (%)
					ELEV. (MSL.) 768'	DATE COMPLETED 11-01-2016			
					EQUIPMENT JD 410G BACKHOE W/ 24" BUCKET		BY: J. PAGNILLO		
MATERIAL DESCRIPTION									
0					ALLUVIUM (Qal) Loose, dry, dark grayish brown, Silty, fine to medium SAND; abundant roots				
2					-Becomes medium-dense, damp				
4									
6									
8									
10					SAN MARCOS GABBRO (Ksm) Highly weathered, dark grayish brown, weak, GRANITIC ROCK; excavates as decomposed granite				
					TRENCH TERMINATED AT 10 FEET Groundwater not encountered				

Figure A-12,
 Log of Trench T 27, Page 1 of 1

07344-42-02_GPJ

SAMPLE SYMBOLS					
<input type="checkbox"/>	... SAMPLING UNSUCCESSFUL	<input type="checkbox"/>	... STANDARD PENETRATION TEST	<input type="checkbox"/>	... DRIVE SAMPLE (UNDISTURBED)
<input checked="" type="checkbox"/>	... DISTURBED OR DAG SAMPLE	<input type="checkbox"/>	... CHUNK SAMPLE	<input type="checkbox"/>	... WATER TABLE OR SEEPAGE

NOTE: THE LOG OF SUBSURFACE CONDITIONS SHOWN HEREON APPLIES ONLY AT THE SPECIFIC BORING OR TRENCH LOCATION AND AT THE DATE INDICATED. IT IS NOT WARRANTED TO BE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT OTHER LOCATIONS AND TIMES.

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G E O T E C H N I C A L ■ E N V I R O N M E N T A L ■ M A T E R I A L S



Project No. 07344-42-02
February 17, 2017

North Avenue CAJ, LLC
PO Box 928257
San Diego, California 92192

Attention: Mr. Casey Johnson

Subject: GROUNDWATER FLOW
NORTH AVENUE ESTATES
ESCONDIDO, CALIFORNIA

- References:
1. *Geotechnical Investigation, North Avenue Estates, San Diego, California*, prepared by Geocon Incorporated, dated September 22, 2004 (Project No. 07344-42-01)
 2. *Supplemental Exploratory Trenching, San Diego, California*, prepared by Geocon Incorporated, dated November 15, 2016 (Project No. 07344-42-02)

Dear Mr. Johnson:

In accordance with your request, we are providing this opinion that remedial grading (i.e., removing and re-compacting surficial soils) at the North Avenue Estates project should not cause a rise in groundwater beneath adjacent properties along the east side of Laurashawn Lane.

We reviewed the 15 trench logs (T1 to T15) provided in the *Geotechnical Investigation* report and note that groundwater seepage was encountered in only two of the exploratory trenches (in T1 at 2 feet below the alluvium/gabbro contact and in T14 at the alluvium/gabbro contact). We also reviewed the 12 trench logs (T16 to T27) included in the *Supplemental Exploratory Trenching* report and note that no groundwater was encountered.

Based on the lack of groundwater in overlying alluvium, groundwater flow beneath the site, if present, appears to occur on or below the alluvium/gabbro contact. The depth to the alluvium/gabbro contact ranges from 2 to 3 feet (T11, T12, T13, and T17) at the northern limits of the project site to 9 to 10 feet (T1, T2, T14, T26, and T27) at the southern site limits.

The attached maps show the alluvium/gabbro contact elevation contours and the corresponding inferred groundwater flow directions (assuming groundwater flows on the alluvium/gabbro contact). As shown, the predominant inferred groundwater flow direction is to the south-southwest, generally parallel to and slightly towards the adjacent properties along Laurashawn Lane. Current groundwater and septic seepage from the properties along the east side of Laurashawn Lane should also flow to the south-southwest, consistent with the predominant inferred groundwater flow direction.


CONCLUSIONS

Groundwater flow at the site, if present, occurs on or below the alluvium/gabbro contact and the corresponding predominant inferred groundwater flow direction is to the south-southwest. The adjacent properties along the east side of Laurashawn Lane are mostly hydraulically cross- and downgradient from the North Avenue Estates site. It is our opinion, based on the predominant inferred groundwater flow direction, that groundwater and septic seepage from the adjacent properties currently flow to the south-southwest and that remedial grading at the North Avenue Estates site should not cause a rise in groundwater beneath the adjacent properties.

If you have questions regarding this correspondence or if we may be of further service, please contact the undersigned at your convenience.

Very truly yours,

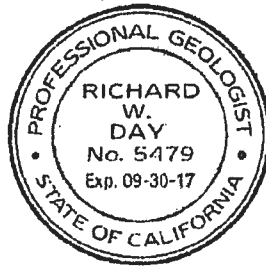
GEOCON INCORPORATED


Richard Day
California Certified Hydrogeologist #74

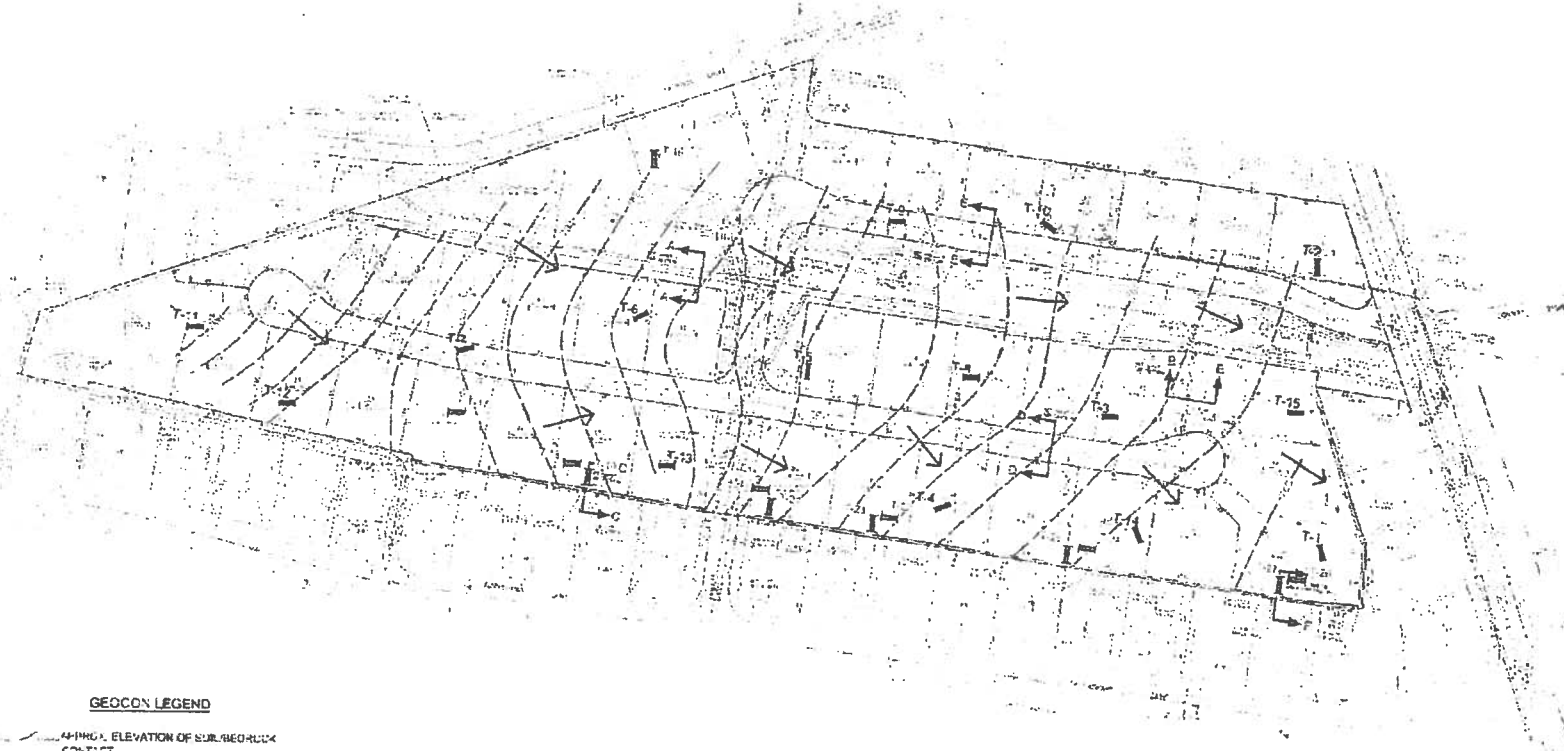

Rodney C. Mikesell
Senior Engineer

RD:RCM:cjc

(e-mail) Addressee

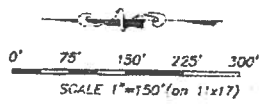


NORTH AVENUE ESTATES
ESCONDIDO, CALIFORNIA



GEOCON LEGEND

- APPROX. ELEVATION OF SUB/BEDROCK CONTACT
- SOIL/BEDROCK CONTACT SLOPE AND GROUNDWATER FLOW DIRECTION
- APPROX. LOCATION OF EXPLORATORY TRENCH (Spec. Sect. 22, 72M)
- APPROX. LOCATION OF TRENCH (Spec. Sect. 22, 72M)



SITE PLAN
DATE 02-17-2017

GEOCON
SOLUTIONS LTD.

GEO TECHNICAL ■ ENVIRONMENTAL ■ MATERIALS
 4760 FLANDERS DRIVE ■ SAN DIEGO CALIFORNIA 92121-2974
 PHONE 858.558.4200 ■ FAX 858.552.4157
 PROJECT NO. 07344-42-02
 FIGURE 1

PlotNo: 01-2017-0495M (BULLY-4-LADP/LOD-0) The Location of PROJECT'S (L) 34847-2 North Avenue (E) 40-m (C) 150' (M) 42-3 (A) 17-0007

GEOCON
INCORPORATED

G E O T E C H N I C A L ■ E N V I R O N M E N T A L ■ M A T E R I A L S



Project No. 07344-42-02
May 3, 2017

North Avenue CAJ, LLC
Post Office Box 928257
San Diego, California 92192

Attention: Mr. Casey Johnson

Subject: RESPONSE TO LAFCO COMMENTS
NORTH AVENUE ESTATES
SAN DIEGO COUNTY, CALIFORNIA

- References:
1. *Supplemental Exploratory Trenching, North Avenue Estates, Escondido, California*, prepared by Geocon Incorporated, dated November 15, 2016 (Project No. 07344-42-02).
 2. *Groundwater Flow, North Avenue Estates, Escondido, California*, prepared by Geocon Incorporated, dated February 17, 2017 (Project No. 07344-42-02).

Dear Mr. Johnson:

In accordance with your request, we have prepared this letter to respond to LAFCO comments regarding the 10-foot buffer between the property line and potential impacts to groundwater flow and impacts to the adjacent property septic systems.


As indicated in the referenced documents, it is our opinion that remedial grading on the North Avenue Estates project will not impact vertical percolation from the existing septic systems. Additionally, based on the predominant inferred groundwater flow direction, groundwater and septic seepage from the adjacent properties currently flow to the south-southwest and that remedial grading at the North Avenue Estates site should not cause a rise in groundwater beneath the adjacent properties.

The proposed 10-foot buffer, adjacent to the Laurashawn residences, is being recommended as added conservatism. A 10-foot horizontal distance is being used as it matches the depth of the deepest removals expected on the property in the specified location. A 10-foot setback provides a 1:1 buffer from the property margin to the bottom of the excavation.

Should you have any questions regarding this letter, or if we may be of further service, please contact the undersigned at your convenience.

Very truly yours,

GEOCON INCORPORATED


Rodney C. Mikesell
GE 2533



RCM:dmc

(e-mail) Addressee

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**Original Amended Mitigated Negative Declaration and Initial Study
(October 28, 2005)**

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

AMENDED MITIGATED NEGATIVE DECLARATION*

North Avenue 39-Lot Residential Subdivision

Case Number: ER 2005-12, 2005-17-PZ/PD/ DA, TR 916, 2005-03-AN

Date Issued: October 28, 2005

Public Review Period: October 28 – November 17, 2005

Location: North of North Avenue and the terminus of Conway Drive, east of Laurashawn Lane, and west of Kaywood Drive (APNs 224-153-13, -15, -17, -18, -19, and -20).

Address: North Avenue

Project Description: The project involves a proposed 39-lot residential subdivision for a 17.2-acre site located on North Avenue for 34 single-family residential units. The property is located within the North Broadway/Tier 2A designation of the General Plan and has a Land Use Designations of E2 (Estate II). The project also includes a request for annexation to the City, detachment from County Service Area No. 135 (San Diego Regional Communications System), detachment from the Deer Springs Fire Protection District, pre-zone, and development agreement since the proposal is located within the North Broadway Critical Deficiency Area. The proposed reorganization area includes the site for the proposed subdivision and four adjacent parcels.

Applicant: Innovative Resort Communities

An Initial Study has been prepared to assess this project as required by the California Environmental Quality Act and Guidelines as well as Ordinances and Regulations of the City of Escondido. The Initial Study is on file at the City of Escondido Planning Division. *The Initial Study has been amended to respond to comments to the proposed Mitigated Negative Declaration. The amendments are noted by underlining. The document has not been re-circulated as no new impacts were identified and no new mitigation measures were required or changed.

Findings: The finding of this review are that the Initial Study identified cultural resources, biological, and hazardous material impacts that may be potentially significant, but mitigation measures would reduce potential impacts to a less than significant level.

**Diana Delgadillo
Associate Planner**



Environmental Checklist Form

- 1. Project title: North Avenue Annexation, Prezone, Residential Subdivision, and Development Agreement
2. Lead agency name and address: City of Escondido, 201 North Broadway, Escondido, CA 92025
3. Contact person and phone number: Diana Delgadillo, Associate Planner
4. Project location: The project is located north of North Avenue, west of Laurashawn Lane (APN 224-153-13, -15, -17, -18, -19, and -20).
5. Project sponsor's name and address: Innovative Resort Communities, 200 East Washington St. Suite 100. Escondido, CA 92025
6. General Plan designation: Estate II (E2)
7. Zoning: PZ PD
8. Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)
The project involves a proposed 39-lot residential subdivision for 34 single-family units on a 17.2-acre site located at North Avenue at the terminus of Conway Drive. The property is located within the North Broadway/Tier 2A designation of the General Plan and has a Land Use Designations of E2 (Estate II). The project also includes a request for annexation to the City of Escondido, detachment from County Service Area No. 135, detachment from the Deer Springs Fire Protection District, prezone, and a Development Agreement since the proposal is located within the critical infrastructure deficiency area for water. The annexation application also includes four parcels adjacent to the site of the proposed development.
9. Surrounding land uses and setting (briefly describe the project's surroundings):
North: Single-Family Residential
South: Single-Family Residential, and vacant
West: Single-Family Residential
East: Single-Family Residential
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).
LAFCO, San Diego County Water Authority

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

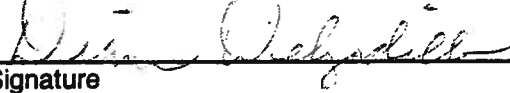
The environmental factors checked below potentially would be affected by this project involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services (Fire) | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** shall be prepared.
- I find that, although the proposed project might have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by, or agreed to, the project proponent. A **MITIGATED NEGATIVE DECLARATION** shall be prepared.
- I find that the proposed project might have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** shall be required.
- I find that the proposed project might have a "potentially significant impact" or "potentially significant unless mitigated impact" on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** shall be required, but it must analyze only the effects that remain to be addressed.
- I find that, although the proposed project might have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further shall be required.



Signature

Diana Delgadillo

Printed Name

10-27-05

Date
City of Escondido

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take into account the whole action involved, including off-site, on-site, and cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact might occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect might be significant. If there are one or more "Potentially Significant Impact" entries once the determination is made, an EIR shall be required.
4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where an effect has been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to the tiering, program EIR, or other CEQA. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where it is available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of an adequately analyzed earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate references to information sources for potential impacts into the checklist (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies normally should address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance of criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant

SAMPLE QUESTION

Issues:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

I. LAND USE AND PLANNING

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Physically divide an established community? (1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1, 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Have a substantial adverse effect on a scenic vista? (1, 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (7,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Substantially degrade the existing visual character or quality of the site and its surroundings? (7, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (7, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

II. AGRICULTURE RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

III. TRANSPORTATION/TRAFFIC

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)? (2, 4, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (2, 4,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (2, 4,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (2, 4,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Result in inadequate emergency access? (2, 8, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Result in inadequate parking capacity? (2, 8, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (1, 2, 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IV. AIR QUALITY

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? (2, 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (2, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (2, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Expose sensitive receptors to substantial pollutant concentrations? (2, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

- e. Create objectionable odors affecting a substantial number of people? (2, 9)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

V. BIOLOGICAL RESOURCES

Would the project:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (1, 2, 8, 10)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (1, 2, 8, 10)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- c. Have a substantial adverse effect on federally projected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (1, 2, 8, 10)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1, 2, 8)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

- e. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance? (1, 2)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1, 2)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

VI. CULTURAL RESOURCES

Would the project:

- a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (1, 2, 11)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (1, 2, 11)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1, 2, 11)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- d. Disturb any human remains, including those interred outside of formal cemeteries? (1, 2, 11)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VII. GEOLOGY AND SOILS

Would the project:

a. Expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Strong seismic ground shaking? (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. Seismic-related ground failure, including liquefaction? (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv. Landslides? (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Result in substantial soil erosion or the loss of topsoil? (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1, 2, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1, 2, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (1, 2, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX: HYDROLOGY AND WATER QUALITY

Would the project:

a. Violate any water quality standards or waste discharge requirements, including but not limited to increasing pollutant discharges to receiving waters (Consider temperature, dissolved oxygen, turbidity and other typical storm water pollutants)? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have potentially significant adverse impacts on ground water quality, including but not limited to, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial/increased erosion or siltation on- or off-site? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and/or significant adverse environmental impacts? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
e. Cause significant alteration of receiving water quality during or following construction? (8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Cause an increase of impervious surfaces and associated runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Cause potentially significant adverse impact on ground water quality? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Cause or contribute to an exceedance of applicable surface or ground water receiving water quality objectives or degradation of beneficial uses? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Create or exacerbate already existing environmentally sensitive areas? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Create potentially significant environmental impact on surface water quality, to either marine, fresh, or wetland waters? (1, 2, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m. Impact aquatic, wetland or riparian habitat? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
n. Otherwise substantially degrade water quality? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
p. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
q. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
r. Inundation by seiche, tsunami, or mudflow? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X. MINERAL RESOURCES

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1,2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI. NOISE

Would the project result in:

a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (1, 2, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. POPULATION AND HOUSING

Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIII. PUBLIC SERVICES

Would the project:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection? (2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection? (2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools? (2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks? (2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities? (2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. RECREATION

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1, 2, 8)
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (1, 2, 8)

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. UTILITIES AND SERVICE SYSTEMS

Would the project:

- a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (1, 2)
- b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1, 2, 8)
- c. Require, or result in, the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1, 2, 8)
- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1, 2, 8)

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require, or result in, the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
e. Result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range, of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source of Information/Material Used in Preparation of this Analysis

1. Escondido General Plan – 1990
2. Escondido General Plan EIR
3. Escondido Zoning Code and Land Use Map
4. SANDAG Summary of Trip Generation Rates
5. Escondido Drainage Master Plan (1995)
6. County of San Diego Health Department, Hazardous Material Management Division (HMMMD) Hazardous Sites List
7. Site Visits/Field Inspection

8. Comments from Other Departments:

**Engineering
Building
Fire**

9. Project Description and Preliminary Information

**North Avenue 39-Lot Subdivision Project
Initial Study Part II
ER 2005-12
Tract 916
2005-17-PZ/PD/DA
2005-03-AN**

Project Description:

The following section evaluates the potential environmental impacts associated with 39-lot residential subdivision, annexation, prezone, and development agreement. The attached environmental Initial Study is consistent with the California Environmental Quality Act (CEQA) Guidelines, and has been used to focus this study on physical factors that may be impacted by the proposed project. This Initial Study will serve to identify and evaluate any effects determined to be potentially significant.

The project involves a proposed 39-lot residential subdivision for 34 residences on a 17.2-acre site located at North Avenue at the terminus of Conway Drive. The property is located within the Broadway/Tier 2 designation of the General Plan and has a Land Use Designation of E2 (Estate II). The subject project is part of an annexation that was initiated by the City Council on October 27, 2004 which includes four parcels with existing single-family residences, that are adjacent to the proposed development site. The project proposes to construct a single-family residential tract on a vacant parcel of land. The site consists of gently rolling slope of very mild gradient (approximately 10%). The Prezone of PD is consistent with the E2 land use designation.

Environmental Setting:

The approximately 17.2-acre property is vacant with access from North Avenue and Tamara Drive. The site has a mild gradient which drains to private drainage easements. Elevations range from approximately 765 to 800 feet above mean sea level. The entire site has a slope gradient of 10% or less. There is a palm tree located near the center of the subject site with disturbed grasses on the remainder of the site. The site is also bordered by pine trees and ornamental shrubs. Adjacent land uses are as follows:

- North: Single-family dwellings (E2)
- South: Single-family dwellings/vacant (E2)
- West: Single-family dwellings (E2)
- East: Single-family dwellings (E2)

I. Land Use and Planning

City of Escondido Significance Criteria

Significant land use impacts would occur if the project substantially conflicted with established uses, disrupted or divided an established community or resulted in a substantial alteration to the present or planned land uses. Consistency with the City of Escondido General Plan and zoning and other applicable environmental plans and policies, is evaluated in making a determination of potential significant land use impacts. Aesthetic impacts would be significant if the project resulted in the obstruction of any scenic view or vista open to the public; damage of significant scenic resources within a designated State scenic highway, create an aesthetically offensive site open to the public, and/or substantial degradation of the existing visual character or quality of the site and its surroundings. Significant aesthetic impacts would also occur if the project generated new sources of light or glare that adversely affected day or nighttime views in the area, including that which would directly illuminate or reflect upon adjacent properties or could be directly seen by motorists or persons residing, working or otherwise situated within sight of the project.

The City of Escondido General Plan designates the proposed site as Estate II (E2), allowing single-family residential development. The objective of the E2 category is to promote single-family development on relatively large lots with a minimum of 20,000 square feet. This designation is often applied in transitional areas between more intensive urban development and rural areas. Public water and wastewater collection and treatment is required in these areas.

The site of the proposed subdivision is currently in the County and zoned Rural Residential (RR1) which would allow a density of one dwelling unit per 1, 2, 4 acres. The site is also within the City of Escondido's Sphere of Influence with a General Plan designation of Estate II (E2) which is a residential designation allowing 20,000 sf lots. The City's General Plan also allows for clustering in this designation with minimum lot sizes of 10,000 sf with adequate open space. The subdivision, as proposed, meets the criteria for clustering with adequate open space, appropriate lot frontage, and lot depth. The proposal is consistent with the City's General Plan, but would allow for smaller lots than if developed within the County; however, the proposed lot sizes are compatible in size with the County lots located immediately to the west of the subject site which are zoned RS4 and have a minimum lots size of 10,000 sf. The proposed subdivision would be adjacent to residential lots to the west and south that have similar lot sizes; therefore the proposed project would be consistent with surrounding land uses. The proposed multi-use trail runs through the proposed project with connections to Kaywood Drive and North Avenue. This is a community benefit to City and County residents that have historically used the site for jogging, dog walking, and horse riding. These recreational activities will remain available to nearby residents.

The extent of dwelling units permitted on the proposed development by Estate II is dependent on the topography of the site. The General Plan indicates that the maximum development yield of Suburban lands shall be sensitive to topography and be calculated according to the following slope categories:

- 0-25%: 2 dwelling units per 1 acre
- 25-35% 1 dwelling unit per 1 acre

35+ 1 dwelling unit per 20 acres

Based on the variable slope provisions of the Estate II designation contained in the City's General Plan, 34 dwelling units would be allowed for the 17.2 acres. The rezoning is proposed to be PD which is consistent with the General Plan and would allow for clustering of the residential units. The clustering design would not increase the overall density of the site but would allow for smaller residential lots and larger common, open-space lots.

The project would develop in accordance with the City's General Plan designation. The project is characterized as "in-fill" because development is planned within an established residential neighborhood and the project is virtually surrounded by development. Because the proposed project would be consistent with existing adopted City of Escondido land use policies, no significant land use impact would occur as a result of the proposed project.

The project site is not located on a ridgeline identified in the Community Open Space/Conservation Element of the General Plan. The site has a slope of approximately 10% and no grading exemptions are proposed.

Residential projects typically do not directly illuminate or reflect glare upon adjacent properties, therefore no significant light or glare impact would result from the proposed project. Development of the proposed project will also not obstruct scenic views or vistas open to the public since neither the City nor the State designates North Avenue as a scenic resource.

II. Agricultural Resources

City of Escondido Significance Criteria

Project impacts to agricultural resources would be significant if they lead to direct or indirect loss of Prime Farmland, Unique Farmland or Farmland of Statewide Importance, defined by the California Department of Conservation, or conflicted with the City's existing agricultural zoning or Williamson Act Contract.

The project site is not listed as Prime Agricultural Lands as identified in the General Plan Final Environmental Impact Report, which was prepared for the City's most recent General Plan revisions in 2000. Although the subject site has been used sporadically for agricultural purposes in the past, such as orchards, these uses may be incompatible with the current surrounding residential community. The property is also not involved in a Williamson Act Contract or other agricultural land contract.

The California Department of Conservation, which publishes farmland conservation reports, classifies the subject area as "Other Land" which is defined as:

"Rural development, marginal agricultural lands, tracts not suitable for grazing, government lands not available for agricultural use, road systems and vacant land surrounded on all sides by urban development."

The development of a residential community on the subject site would therefore not result in significant individual or cumulative impacts to agricultural resources.

III. Transportation/Traffic

City of Escondido Significance Criteria

According to the City of Escondido Environmental Quality Regulation (Article 47, Sec. 33-924), impacts would be considered significant if the project:

- 1. Caused the level of service (LOS) of a circulation element street to fall below a mid-range of LOS "D" and /or added more than 200 ADT to a circulation element street with a LOS below the mid-range "D" yet above LOS "F". According to the Escondido General Plan, the minimum acceptable LOS is "C".*
- 2. Exceeded, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads and highways.*
- 3. Resulted in a change of air traffic patterns, including either an increase in traffic levels or in a location that results in substantial safety risks or increased hazards due to a design feature.*
- 4. Results in inadequate emergency access or parking capacity, or the project conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).*

A traffic impact study for the proposed project was performed on April 15, 2005 by Linscott, Law and Greenspan and revised on November 11, 2005 which is available for review in the Planning Division of the City and is summarized below. The scope of the analysis was developed with input from the City of Escondido. Additionally, the traffic engineer submitted responses to comments by the County regarding the proposal on February 14, 2006. The analysis methods and study scenarios are based on Escondido Traffic Impact Study Guidelines. For a complete description please refer to the consultant document.

Access to the site for the proposed 34-unit single-family dwellings will be provided by North Avenue which is classified as a Local Collector Street in the City Circulation Element (66 feet of right-of-way), and by Tamara Drive (an unclassified residential street to the west.) The study included the following roadway segments and intersections:

Roadway	Intersection
North Broadway <ul style="list-style-type: none"> • South of North Avenue • North of North Avenue 	North Broadway / North Avenue
North Avenue <ul style="list-style-type: none"> • Broadway to Laurashawn Lane • Laurashawn Lane to Conway Drive 	North Avenue / Laurashawn Lane
Conway Drive <ul style="list-style-type: none"> • South of North Avenue 	North Avenue/Conway Drive

The Congestion Management Program (CMP) was first adopted on November 22, 1991, and is intended to link directly, land use, transportation, and air quality through Level of Service

performance. Local agencies are required by statute to conform to the CMP. The CMP requires an enhanced CEQA review for all large projects that are expected to generate more than 2,400 ADT or more than 200 peak hour trips. Since the project is calculated to generate fewer than these amounts, this level of review is not required for the proposed project.

The following table depicts the summary of the existing + project street segment operations in the project area. A review of potential projects in both the County of San Diego and the City of Escondido was conducted. All projects which would add an appreciable amount of traffic to the study area were included in the traffic study. With the addition of the proposed project traffic, all study area street segments are calculated to continue to operate at LOS D or better. The study area was chosen based on the locations which will accommodate the majority of project traffic. No County intersections in addition to those analyzed in the traffic study would have more than 10 peak hour trips added to them. Regional guidelines indicate that 50 peak hour trips is the threshold to determine whether an intersection is to be analyzed. Therefore, a cumulative analysis of additional intersections is not warranted.

Near-Term Street Segment Operations

Segment	LOS E Capacity	Existing			Existing + Project			Existing + Project + Cumulative		
		ADT	V/C	LOS	ADT	LOS	V/C Δ	ADT	V/C	LOS
Broadway South of North Ave.	15,000	6,040	0.40	B	6,290	B	0.02	6,588	0.44	B
North of North Ave.	15,000	3,080	0.21	A	3,100	A	0.00	3,736	0.25	A
North Avenue Broadway to Conway Dr.	10,000	2,770	0.28	B	3,040	B	0.03	3,427	0.34	B
Conway Dr South of North Ave.	10,000	950	0.10	A	960	A	0.00	1,041	0.1	A

The following table summarizes the existing + project intersections level of service. With the addition of the proposed project traffic, all intersections are calculated to operate at mid LOS D or better during both the AM and PM peak hours.

Intersection Operations

Intersection (Control Type)	Peak Hour	Existing		Existing + Project		Delay Increase	Existing + Project + Cumulative	
		Delay	LOS	Delay	LOS		Delay	LOS
Broadway/North Ave. AWSC	AM	9.0	A	9.1	A	0.1	10.3	B
	PM	8.6	A	8.8	A	0.2	9.0	A
North Ave./Laurashawn TWSC	AM	3.6	A	3.7	A	0.1	4.0	A
	PM	3.2	A	3.2	A	0	3.2	A
North Ave./Conway Dr. TWSC	AM	3.7	A	3.7	A	0	4.2	A
	PM	3.3	A	3.4	A	0.1	3.5	A

As seen in the above tables, the existing + project + cumulative project intersection and segments will maintain a level of service of LOS D or better during AM or PM peak hours and no significant delays are anticipated as a result of this project. Based on this established significance criteria, no significant traffic impacts were calculated do to the addition of project traffic; therefore, no mitigation measures are necessary.

The project's proposed annexation to the City of Escondido would allow approximately 17 more units on the site. The additional trip generation would then be 170 ADT with 17 PM peak hour trips. Based on this small number of additional trips, no significant impacts would result from the annexation with the General Plan designation changing from the County's one unit per acre to the City's two units per acre. In addition, the traffic study for the project addresses the impacts of a 34-unit project, the ultimate number of units which could be construction on the site.

Laurashawn Lane is a non-classification residential street. The dedicated right-of-way is 60 feet with 36 feet of pavement. There is no curb, gutter, or sidewalk. Figure 7-2 of the traffic study shows that the project only adds 235 ADT to Laurashawn Lane, Laurashawn Lane has adequate capacity to accommodate project traffic.

Figure 2-1 of the traffic study shows that access is provided both to North Avenue and Laurashawn Lane. Signing and Striping plans will be prepared in accordance with the conditions of approval.

A condition of approval for the project will require sight distance to meet the appropriate jurisdiction's requirements.

IV. Air Quality

City of Escondido Significance Criteria

Project impacts exceeding any of the following South Coast Air Quality Management District (SCAQMD) daily emissions criteria can be considered significant:

- *Carbon Monoxide* 550 lbs.
- *Reactive Organic Gases* 55 lbs.
- *Oxides of Nitrogen* 55 lbs.
- *Fine Particulate Matter* 150 lbs.

The project area is within the San Diego Air Basin (SDAB). Air quality at a particular location is a function of the kinds and amounts of pollutants being emitted into the air locally, and throughout the basin, and the dispersal rates of pollutants within the region. The major factors affecting pollutant dispersion are wind, speed and direction, the vertical dispersion of pollutants (which is affected by inversions) and the local topography. The air basin currently is designated a state and federal non-attainment area for ozone and particulate matter. However, in the SDAB, part of the ozone contamination is derived from the South Coast Air Basin (located in the Los Angeles area). This occurs during periods of westerly winds (Santa Ana condition) when air pollutants are windborne over the ocean, drift to the south and then, when the westerly winds cease, are blown easterly into the SDAB. Local agencies can control neither the source nor transportation of pollutants from outside the basin. The Air Pollution Control District (APCD) policy therefore, has been to control local sources effectively enough to reduce locally produced contamination to clean air standards.

For long-term emissions, the direct impacts of a project can be measured by the degree to which the project is consistent with regional plans to improve and maintain air quality. Local air-quality impacts are directly related to the number of vehicle trips and operation levels on adjacent streets and intersections. For planning purposes, the APCD assumed the City's General Plan designation of Estate II in calculating air quality impacts. According to CEQA Guidelines,

a project normally is considered to have a significant air quality impact if it violates any ambient air quality standard, contributes substantially to an existing or projected air quality violation or exposes sensitive receptors to substantial pollution concentrations.

An air quality technical report was prepared for the project by Scientific Resources and is summarized below. The entire technical report is available for review in the Planning Division of the City of Escondido. The operational impacts of the project were estimated based on the URBEMIS2002 model.

The main operational impacts associated with the project would include traffic and energy use. Emission factors representing the vehicle mix for 2007 were used to estimate emissions for project-related traffic since 2007 was estimated to be the first year of occupancy based on the construction schedule. The estimated operational emissions were calculated for comparison with thresholds of significance as follows:

TOTAL OPERATIONAL EMISSIONS					
	<u>CO</u>	<u>VOC</u>	<u>NO_x</u>	<u>SO_x</u>	<u>PM₁₀</u>
Pounds/Day					
<u>Energy Use</u>	<u>0.18</u>	<u>0.03</u>	<u>0.43</u>	<u>-</u>	<u>0.00</u>
<u>Landscaping</u>	<u>0.41</u>	<u>0.05</u>	<u>0.01</u>	<u>0.01</u>	<u>0.00</u>
<u>Consumer Projects</u>	<u>-</u>	<u>1.66</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Vehicular Emissions</u>	<u>43.76</u>	<u>3.57</u>	<u>5.42</u>	<u>0.03</u>	<u>4.88</u>
<u>TOTAL</u>	<u>44.35</u>	<u>5.31</u>	<u>5.86</u>	<u>0.04</u>	<u>4.88</u>
<u>Threshold of Significance</u>	<u>550</u>	<u>55</u>	<u>55</u>	<u>150</u>	<u>150</u>
<u>Above Threshold of Significance?</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>

Consequently, while the proposed project would have an incremental impact to basin-wide air-quality issues resulting from the cumulative impacts of thousands of sources, the individual impacts attributed to the subject area are immeasurably small on a regional scale and will not cause ambient air-quality standards to be exceeded. Since the project would not materially degrade the levels of service on adjacent streets and intersections, and would not violate daily emissions thresholds, the project will not have a significant impact on air quality and no mitigation measures are required.

To verify that the project would not cause or contribute to a “hot spot” (a high concentration of CO) the traffic analysis was used to determine whether the level of service would be decreased at intersections or segments affected by the project. The Caltrans ITS Transportation Project-Level Carbon Monoxide Protocol determines that a level of service “E” or worse would warrant further evaluation for CO hotspots. The traffic analysis determined that no project-related traffic would cause segments or intersections within the study area to operate at lower than LOS B; therefore, there would be no significant impact to CO standards.

Construction-Related Emissions

Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emission include:

- Fugitive dust from grading activities;
- Construction equipment exhaust;

- Construction-related trips by worker, delivery trucks and material-hauling trucks; and
- Construction-related power consumption.

<u>Construction Phase</u>	<u>Equipment</u>	<u>Number</u>	<u>Months</u>
<u>Grading & Site Preparation</u>	<u>Motor Grader</u>	<u>1</u>	<u>2</u>
	<u>Scraper</u>	<u>1</u>	
	<u>Backhoe Loaders</u>	<u>1</u>	
<u>Residence Building Construction</u>	<u>Concrete/Industrial Saws</u>	<u>1</u>	<u>15</u>
	<u>Other Construction Equip.</u>	<u>1</u>	
	<u>Rough-Terrain Forklifts</u>	<u>1</u>	
<u>Asphalt Paving</u>	<u>Graders</u>	<u>1</u>	<u>1</u>
	<u>Paver</u>	<u>1</u>	
	<u>Rollers</u>	<u>1</u>	

Assuming the above construction equipment, the project would contribute the following emissions during construction.

Total Construction Emissions in Pounds/Day

<u>Emission Source</u>	<u>CO</u>	<u>ROC</u>	<u>NO_x</u>	<u>SO_x</u>	<u>PM₁₀</u>
<u>Site Grading and Preparation</u>					
<u>Fugitive Dust</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>14.95</u>
<u>Off-Road Diesel</u>	<u>49.19</u>	<u>6.05</u>	<u>40.75</u>	<u>-</u>	<u>1.79</u>
<u>Worker Trips</u>	<u>1.40</u>	<u>0.07</u>	<u>0.09</u>	<u>0.00</u>	<u>0.00</u>
<u>Building Construction</u>					
<u>Building Construction Off-road Diesel</u>	<u>29.16</u>	<u>3.94</u>	<u>30.03</u>	<u>-</u>	<u>1.34</u>
<u>Building Construction Worker Trips</u>	<u>1.87</u>	<u>0.16</u>	<u>0.09</u>	<u>0.00</u>	<u>0.02</u>
<u>Architectural Coatings Off-Gas</u>	<u>-</u>	<u>3.46</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Architectural Coatings Worker Trips</u>	<u>1.87</u>	<u>0.16</u>	<u>0.09</u>	<u>0.00</u>	<u>0.02</u>
<u>Asphalt Paving</u>					
<u>Asphalt Off-Gas</u>	<u>-</u>	<u>0.51</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Asphalt Off-Road Diesel</u>	<u>33.99</u>	<u>4.00</u>	<u>24.09</u>	<u>-</u>	<u>0.83</u>
<u>Asphalt On-Road Diesel</u>	<u>0.41</u>	<u>0.11</u>	<u>2.17</u>	<u>0.00</u>	<u>0.05</u>
<u>Asphalt Worker Trips</u>	<u>0.29</u>	<u>0.02</u>	<u>0.01</u>	<u>0.00</u>	<u>0.00</u>
<u>TOTAL</u>	<u>118.18</u>	<u>18.48</u>	<u>95.32</u>	<u>0.0</u>	<u>19</u>
<u>Thresholds of Significance</u>	<u>550</u>	<u>55</u>	<u>55</u>	<u>250</u>	<u>150</u>
<u>Above Thresholds of Significance?</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>

Dust from grading and other site preparation would generate particulate matter emission. Due to the small amount of grading, and with appropriate use of grading and operation procedures (in conformance with APCD Best Management Practice for dust control), the project would not generate significant particulate matter or dust. The City of Escondido Grading Ordinance and erosion control requirements include provisions for dust control to reduce impacts to air quality during grading and construction activities. At a minimum, these ordinances and provisions require projects to perform regular watering and timely revegetation of disturbed areas to minimize the dust and airborne nuisance impacts to off-site receptors. Emissions from construction equipment, worker and delivery and material-hauling trucks, and construction-related power consumption would be temporary and would result in an extremely small contribution to the SDAB and therefore would not result in a significant impact.

V. Biological Resources

City of Escondido Significance Criteria

Project impacts upon biological resources may be significant if the project generates impacts that create any of the following results:

- *Substantial direct or indirect-effect on any species identified as a candidate, sensitive, or special status in local/regional plans, policies or regulations, or by the State of California Department of Fish and Game (F & G) or U.S. Fish and Wildlife Service (U.S. FWS);*
- *Substantial effect upon sensitive natural communities identified in local/regional plans, policies, regulations or by the agencies (F & G-U.S. FWS);*
- *Substantial affects (e.g. fill, removal, hydrologic interruption) upon federally protected wetlands under Section 404 of the Clean Water Act;*
- *Substantial interference with movement of native resident or migratory wildlife corridors or impeding the use of native wildlife nursery sites;*
- *Conflict with any local policies/ordinance that protect biological resources (e.g. tree preservation policy or ordinance)*
- *Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan.*

A biological assessment was conducted for the subject site by Helix Environmental Planning, Inc. on January 7, 2005 and is available for review in the Planning Division of the City of Escondido. According to the assessment the site is vacant with mainly non-native vegetation and surrounded by development, which is consistent with the vegetation characterization listed for the site on the SanGIS website. A total of five vegetation communities and disturbed and developed land occur within the project site boundaries. A description of the vegetation onsite is as follows:

EXISTING VEGETATION COMMUNITIES		
Vegetation Community	MHCP Habitat Group	Acreage
Mule Fat Scrub	A	0.03
Coast Live Oak Woodland	B	0.29
Non-native Grassland	E	15.13
Non-native Vegetation	F	0.58
Eucalyptus Woodland	F	0.56
Disturbed Habitat	F	0.58
Developed	F	<0.01
	Total	17.17

The mule fat scrub occurs as an isolated 0.03-acre stand in the south-central portion of the site and is not associated with a riparian community and is therefore not jurisdictional to the Army Corps of Engineers or Department of Fish and Game. In addition, no wetland indicators such as hydrophytic vegetation, inundation, and low chroma soils were present in the vegetated drainage swale or elsewhere onsite. Therefore, no mitigation is required for wetland impacts.

The proposed project would directly and significantly impact sensitive vegetation communities. These impacts must be mitigated per the guidelines described in the Escondido Subarea Plan, which describes the mitigation measures and ratios necessary to mitigate project impacts to below a level of significance. Therefore, the following mitigation measures are required to be carried out by the project proponent:

MITIGATION MEASURES:

1. *Impacts to 0.29 acre of coast live oak woodland shall be mitigated at a 2:1 ratio through acquisition of .58 acre of coast live oak woodland at the Daley Ranch Mitigation Bank.*
2. *Impacts to 0.03 acre of mule fat scrub shall be mitigated at a 1:1 ratio through acquisition of 0.03 acre of woodland habitat at the Daley Ranch Mitigation Bank.*
3. *Impacts to 15.13 acres of non-native grassland shall be mitigated at a 0.5:1 ratio through acquisition of 7.57 acres of non-native grassland at the Daley Ranch Mitigation Bank.*
4. *Mitigation for impacts to the four protected coast live oak trees, the four mature coast live oak trees, one mature Engelmann oak tree, four oak hybrids and the 178 mature ornamental trees will occur with the planting of at least 13 oak trees and 178 ornamentals within the project landscaping in the form of street trees throughout the project. The actual number and size of replacement trees as well as the planting location shall be determined through consultation with City staff and shall be specified in the project proponent's Development Agreement with the City. The habitat value of the oak trees is also being mitigated by the purchase of mitigation credits at the Daley Ranch Mitigation Bank.*
5. *A qualified biologist shall determine if any active raptor nests occur on or in the immediate vicinity of the project site if construction is set to commence or continue into the breeding season of raptors (January 1 to June 15). If active raptor nests are found, their situation shall be assessed based on topography, line of site, existing disturbances and proposed disturbance activities to determine an appropriate distance or temporal buffer.*

VI. Cultural Resources

City of Escondido Significance Criteria

A significant impact to cultural resources would occur if implementation of the project causes substantial change to a historical or archaeological resource pursuant to Section 15064.5 of the California Environmental Quality Act Guidelines, the destruction of unique paleontological resources or unique geologic feature, or disturb any human remains.

A cultural resources study was prepared by Brian F. Smith and Associates dated April 5, 2005 and is available in the Planning Division of the City of Escondido. A field survey was conducted on the subject site on March 24, 2005 by Seth A. Rosenberg and Charles Callahan. An archaeological record search for the project was conducted by SCIC at SDSU. Twenty-three sites have been recorded within one mile of the project; however, the archaeological survey and search did not identify any cultural resources within the project area.

Based upon the results of the field survey and the records search, no cultural resources are present within the boundaries of the current project. However, due to previously recorded

prehistoric activity in the area and poor ground visibility, a qualified archaeological monitor should be present for ground altering activities within the project area.

MITIGATION MEASURE:

1. *The project applicant shall provide archaeological monitoring for the significant subsurface archaeological deposits that might be present on the parcel. These archaeological deposits may include privies, cisterns, trash deposit, and foundations. If archaeological features are encountered, the area shall be identified and the boundaries marked to avoid further ground disturbance. The archaeological remains should then be investigated using traditional excavation techniques and, if determined to have legitimate research potential, an adequate sample for analysis should be removed or, in the case of structural remains, documented. A budget to adequately analyze the material and prepare a professional report should be obtained and analysis and report preparation completed. Copies should be provided to the Escondido City Planning Department, the Pioneer Room of the Escondido City Library, and the Escondido Historical Society.*

VII. Geology and Soils

City of Escondido Significance Criteria

A significant geologic impact would occur if a project exposed people or structures to major geologic hazards such as earthquake damage (rupture, ground shaking, ground failure, landslides), slope and/or foundation instability, erosion, soil instability or other problems of a geologic nature.

The site is not located on any active or potentially active fault. The nearest active fault to the site is the Rose Canyon Fault, located approximately 17 miles to the west. The fault with the greatest seismic impact to the site is the Elsinore-Julian fault. Other nearby faults include the Elsinore-Temecula Fault, and the Newport-Inglewood Fault (offshore). According to the geotechnical investigation, the site is not considered to possess a significantly greater seismic risk than that of the surrounding area in general.

The project would be constructed in conformance with the recommendations in the geology reports and therefore a significant geology and soils impact would not occur.

VIII. Hazards and Hazardous Materials

City of Escondido Significance Criteria

A significant impact to the environment and the public associated with hazards and hazardous materials would result from a project if any of the following occurred:

1. *Creation of a significant hazard to the public or the environment through routine transport, use or disposal of hazardous materials or from reasonably foreseeable upset and accident;*
2. *Emission and/or handling of hazardous materials substances or waste within one-quarter mile of an existing or proposed school;*
3. *Location of a project on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5;*

4. *Location within an airport land-use plan or within two miles of a public airport. Or the project is located within the vicinity of a private air strip;*
5. *Impairment/interference with an adopted emergency response plan or emergency evacuation plan; and*
6. *Expose people or structures to a significant risk of loss, injury or death involving wild fires.*

Neither the site nor its adjacent properties mapped within a 1/8-mile radius were listed on the most recent list of identified hazardous waste sites consolidated by the Office of Planning and Research. Additionally, a Phase I and II assessment was performed by Geocon Consultants, Inc. on July 7, 2004 and is available in the Planning Division of the City of Escondido. The property boundaries are traversed by wood and chain-link fencing and a concrete brow ditch. The San Diego Aqueduct traverses underground, north-to-south, through the eastern portion of the site. Structures on the site associated with adjacent residential properties include trucks, trailers, wood stockpiles, and mulch groundcover.

Concrete structures including a basin, an approximately 4-foot by 2-foot mound with attached metal valve and vent piping, two square pads, and two abandoned water wells occupy the southeastern, southwestern, and western portions of the site. No drums, significant odors, pools of liquid, significantly stained soil, distressed vegetation, indicators or USTs, ASTs, ponds or pits were observed at the site. The impacts of the wells and debris are less than significant once the debris is moved and the wells capped.

Based on the review of historical aerial photographs and information obtained during the preparation of the assessment, the site was used for ranch/agricultural purposes from at least the early 1950s to the 1970s. The current owner of the site reports two pesticide applications during that time to manage aphid infestations. The site has consisted of vacant and naturally occurring vegetation since the early 1980s.

Based on the historical agricultural uses, a limited pesticide sampling and analysis survey was conducted to assess the presence of agricultural chemicals in the soil from the prior applications of pesticides or herbicides. Two surface soil samples exhibited concentrations of organochlorine pesticides above the laboratory detection limit; however, the organochlorine pesticide concentrations are below the EPA established SSL and PRG screening levels.

The site is not adjacent or within two miles of an airport. The proposed development would not impair the City's emergency response plan according to discussions with the City Fire Department. The project would not expose people or structures to significant risk of loss, injury or death involving wild fires since the site is in an urban setting and will be irrigated. Therefore, no significant hazards and hazardous materials impact would occur as a result of the project.

MITIGATION MEASURES:

1. *Prior to grading, on-site water wells shall be abandoned or removed in accordance with applicable laws, and regulations.*
2. *Prior to grading, the trash/debris shall be removed from the site and disposed of in accordance with applicable laws and regulations.*

IX. Hydrology and Water Quality

City of Escondido Significance Criteria:

Significant impacts associated with hydrology and water quality would result from the project if water quality standards or waste discharge requirements were violated; groundwater and surface water quality and quantity were substantially altered; drainage patterns were substantially altered so as to increase erosion/siltation and increase surface runoff; increased runoff would exceed the capacity of existing or planned drainage systems or add a substantial source of pollution; the project were located in a 100-year floodplain and cannot be protected; and, if the project exposed people to hydrological hazards, such as flooding or inundation by seiche, tsunami, or mudflow.

The 17.2-acre site is relatively level with less than 5% slope in a north-south direction and is level in the east-west direction. A concrete channel runs north and south on the eastern end of the site. Approximately 53 cubic feet per second of storm water, in a 100-year storm event enters the northeast area of the property from Kaywood Drive and approximately 28 cubic feet per second of storm water, in a 100-year event enters the site from Kaywood Drive and lands to the east. The storm water from the east enters the site at the rear of proposed lot 37, the bio-detention facility. Storm water runoff from this site enters North Avenue at Conway Drive and flows along North Avenue to join the Laurashawn Lane flows at the existing four foot by three foot box (4' x 3' dbl. RCB) culvert west of Laurashawn Lane. This box culvert under North Avenue is the beginning of the improved portion of Reidy Creek.

Site grading and drainage improvements maintain the existing drainage pattern of the site which is northeast to southwest, via a combination of overland flow (landscape, hardscape, curbs, gutters etc.) and closed conduit conditions (storm drain piping, inlets, etc.). A small detention basin is proposed to be located at the southwest corner of the property. This basin will control discharges and not exceed the predevelopment drainage condition. As noted in the letter received from Geocon Inc. on November 15, 2005, with regard to the potential buildup of groundwater on the project site from the development, the amount of surface areas for infiltration will be significantly reduced by the presence of concrete slab-on-grade, rooftops, driveways, and streets. These surfaces are impermeable and will result in rapid runoff of rainfall. Since site drainage is directed to a controlled drainage (grass-lined) channel, surface runoff should not infiltrate the site soils and result in significant rises in groundwater levels. In fact, due to a considerably smaller area exposed for infiltration as compared to the entire undeveloped area, the potential for ground water buildup should be reduced. In addition, the grass-lined channel will be a natural channel (unlined) and groundwater from upstream will enter the channel and be conveyed off-site.

To address concerns regarding the removal and recompaction of existing soil along the western side of the project would impede septic effluent from leach files on existing lots from percolating into the underlying soil; a report was prepared by Geocon Geotechnical Consultants. The report noted that soils in the area are predominately silty sand that exhibit relatively fast permeability characteristics and low percolation rates. In sandy soils the vertical seepage rate is significantly faster than the horizontal rate. Removal and recompaction of the alluvium in the project area will increase the density of the soils on the project; however, it will not affect the vertical percolation rate of soils directly beneath existing leach lines. Should sewage effluent migrate to the compacted fill, the fill would not impede vertical percolation of the effluent.

Pad grade on lots along the western property margin in the proposed project area will be at or above the existing pad elevations for the residences along Laurashawn Lane. As noted on the tentative map, the bottom of a proposed retaining wall along the western property line is minimal, and will be within one foot of existing elevations at the rear of the existing lots on Laurashawn Lane. Because no slopes will be created, and pad elevation difference across the property line is minimal, the engineering consultant has determined that the proposed project would not create a condition where septic effluent from existing leach fields would migrate horizontally rather than vertically.

The conclusion of the water quality technical report noted that with the best management practices (BMPs) that will be required for grading of the site and the maintenance that will be required by the development's homeowner's association, the following findings can be made:

- The beneficial uses for receiving waters have been identified. None of these beneficial uses will be impaired or diminished due to construction and operation of this project.
- The North Avenue Estates project will not alter drainage patterns on the site. A detention pond will be employed to maintain pre-development discharge quantities.
- Landscaping of the private yards will reduce or eliminate sedimentation.
- The landscaping of the yard areas will attenuate the flows from the impervious surfaces. The bio-swales will reduce velocities and provide opportunities for pollutant removal and infiltration.
- The proposed construction and post-construction BMPs provide measures to protect water quality and to protect water quality objectives and beneficial uses to the maximum extent practicable.

Based on the water quality technical report the Engineering Division has determined that runoff from the project would not be considered significant and the project would not materially degrade the existing drainage facilities as conditioned and when implementing the identified BMPs. The City would provide sewer service from mains within the adjacent street or easements and the technical report from Geocon indicates that no significant impact is expected to occur to the groundwater table. The project is outside the 500-year flood plain area as identified on current Flood Insurance Rate Maps (FIRM). Therefore, the project site is not subject to potential flooding, landslides or mudflows.

X. Mineral Resources

Significance Criteria

Impacts to mineral resources would be substantial if the proposed project resulted in the loss of significant state or locally important mineral resources.

The proposed project would not substantially impact mineral resources as only a portion of the small site includes granitic rock. The limited size of the project would not substantially increase the use of, or result in the depletion of any nonrenewable natural resources.

XI. Noise

City of Escondido Significance Criteria

Significant noise impacts would occur if the project; exposed persons to, or generated noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies; exposed persons to, or generated excessive ground-borne vibration or ground-borne noise levels. Significant noise effects would also occur if the project resulted in substantial permanent or temporary/periodic increase in ambient noise levels in the project vicinity above noise levels existing without the project. According the General Plan Noise Policy E1.4, projects that increase noise levels by 5 dB or greater should be considered as generating a significant impact and should be mitigated.

An Exterior Noise Analysis Report was prepared by Kimley-Horn and Associates, Inc. to analyze the project's noise impacts to the surrounding area. The complete report is available at City Hall located at 201 North Broadway, Escondido, CA.

The City's General Plan Noise Element contains noise policies, which outline acceptable noise levels associated with each type of land use. A 60 CNEL exposure is considered normally acceptable for residential land uses based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. The City requires that noise levels be presented in terms of Community Noise Equivalent Level (CNEL). CNEL is a weighted sound level during a 24-hour period, after the addition of 5 decibels (dB) to average sound levels at evening hours (7 PM to 10 PM) and 10dB to the average night hours (10 PM to 7AM). The addition of 5 and 10 dB is applied to account for noise sensitivity during evening and nighttime hours.

In order to assess future noise generation associated with the improvement of the City's circulation system, a Noise Contour map was prepared for the Noise Element of the General Plan. The Noise Exposure Map-Future Conditions Map contained in the General plan does not depict the subject site as exposed to 60 CNEL or more. The August 2000 Final Environmental Impact Report prepared for the Escondido General Plan Update illustrates existing and future noise contours. Noise levels depicted for North Avenue fall below the 60 CNEL standard contained in the Noise/Land Use Compatibility Guidelines of the General Plan. Future noise would be generated by vehicle traffic on North Avenue and North Broadway. The existing + project + cumulative projects ADT volume would be 3,427 vehicles on North Avenue and 3,398/6,928 vehicles on North Broadway north/south of North Avenue (Linscott, Law & Greenspan, Engineers 2005). The 2030 future ADT volume would be 4,000 vehicles on North Avenue and 10,000/12,000 vehicles on North Broadway north/south of North Avenue (SANDAG 2006). The SANDAG volumes were used, in the interest of a worst-case analysis.

The Federal Highway Administration's Traffic Noise Model version 2.5 was used to calculate future traffic noise levels. It was assumed that the vehicle mix was 99% cars, 0.5% medium trucks, and 0.5% heavy trucks, based on site observations. The model assumed "hard" site sound propagation conditions. Strictly speaking, a hard site propagation rule decays sound from a source to a receiver at a rate of 3.9 dBA per doubling of distance from the source. This is a logarithmic relationship describing the acoustical spreading of a pure, undisturbed cylindrical wave in air. This rule applies to the propagation of sound waves with no ground interaction or interaction with a hard surface, such as roadways, asphalt parking lots, or hard-packed graded lots. Calculations show that future exterior noise levels from vehicle traffic would range from approximately 47 dBA CNEL at Lot 34 to 58 dBA CNEL at Lot 1. Therefore no significant noise impact from vehicular traffic would occur

Grading and construction within the project would create temporary noise impacts. The noise study completed for the proposed project noted measures that would keep construction noise to a level below significance. The measures noted are contained within the City of Escondido's Noise Ordinance. Additionally, modern construction equipment, properly used and maintained, should meet the noise limits contained in the City's Noise Ordinance. All noise generated by the project would be required to comply with the City's Noise Ordinance. Upon completion of the project, all construction noise from the project will cease. Because construction operations would be required to conform to the City's Noise Ordinance and because construction noise is temporary, no significant impact from construction noise would occur.

XII. Population and Housing

City of Escondido Significance Criteria

Significant population and housing impacts would occur if the proposed project; induced substantial population growth in an area; and, displaced substantial numbers of people or existing housing.

Population within the City would incrementally increase as a result of developing the proposed 34 dwelling units. The City's General Plan anticipates single-family residential use on the project site and the density of the proposal is consistent with the City's General Plan Land Use Designation of Suburban. The proposed development would contribute 34 units toward the goal of 1,110 units in the above moderate-income category identified in the City's Regional Share Housing requirements therefore the project would not result in a significant population and housing impact.

XIII. Public Services

City of Escondido Significance Criteria

Impacts would be significant if the project resulted in demands for wastewater treatment requirements in excess of the capacity of existing facilities. Or if the project triggered the need for construction of new water or wastewater treatment facilities or the expansion of existing facilities, the construction of which could cause significant environmental effects. The project would cause significant impacts if the project required/resulted in, the construction of new storm water drainage facilities or expansion of existing facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Significant impacts would also occur if the project resulted in a determination by the wastewater treatment provider and/or a landfill operator, which serve, or may serve, the project that capacity of existing facilities to serve the project's projected demand in addition to the provider's existing commitments is inadequate.

Sewer Service – An 8 inch sewer line, which is currently under North Avenue, would be extended to serve the project. Interviews with City Public Utilities staff have confirmed that treatment capacity exists at the wastewater treatment plant located on Hale Avenue.

Water Service – The proposed project is located in the Rincon del Diablo Municipal Water District Service Area; however, the district does not have any water transmission facilities adequate to provide service to this area. A request has been made to the Valley Center Municipal Water District to provide exchange service to this area as has been done for several other homes

in the area and the Valley Center Municipal Water District has indicated the ability to provide service to the site. Therefore, adequate water service exists for the proposed project.

Storm Water/Refuse Collection – The Engineering Division indicated the proposed project would not require the construction of significant new storm drain facilities or adversely impact existing facilities. Escondido Disposal currently provides solid waste service to the site and the project would not result in a significant increase in solid waste. The proposed project would not result in any individual or cumulative impacts to utilities and service systems.

Fire -The City Fire Department has indicated their ability to adequately serve the proposed project. The project site would be served by Fire Station No. 3, which is located at 2165 Village Road.

Law Enforcement - The City of Escondido Police Department has indicated the ability to provide adequate service to the proposed development.

Schools - The site is within the Escondido Union School District and the Escondido Union High School District. Secondary students would likely attend Escondido High School. Elementary students would likely attend Reidy Creek School (K-5th) and Rincon Middle School (6th-8th). The incremental impact of the proposed residential developments on the school system would be offset by the impact fees collected upon issuance of building permits.

XIV. Recreation

City of Escondido Significance Criteria

Significant impact would occur if the project resulted in an increase of the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. A significant impact would also occur if the project includes or requires the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

Development of the project would result in an incremental demand on the City's recreational facilities. However the development fees paid by this project would offset the anticipated impact on the existing facilities. The proposed project would not affect existing recreational opportunities since the site is not used for recreational activities and is not listed as a park site in the City's Master Plan of Parks, Trails and Open Space. Therefore no significant impact to recreational resources would occur as a result of the project.

XV. Mandatory Findings of Significance

No significant impacts to the environment as a result of this project have been identified. Approval of the project is not expected to have any significant impacts, either long-term or short-term, nor will it cause substantial adverse effect on human beings, either directly or indirectly.

ACKNOWLEDGEMENT OF ENFORCEABLE COMMITMENT

ER 2005-12

North Avenue Estates Annexation/Residential Subdivision, TR 916, 2005-17-PZ/DA, 2005-03-AN

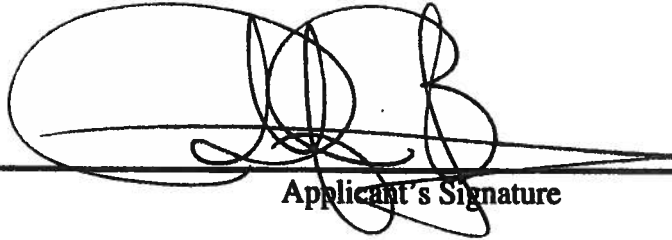
The items listed on the attached Mitigation Monitoring Program constitute an enforceable commitment pursuant to Section 21081.6(b) of the California Environmental Quality Act (Public Resources Code Sections 21000-21178.) The applicant will be required to provide and comply with all of the mitigation measures listed herein. These mitigation measures have also been included as conditions of the project approval.

10-25-05

Date

Frank Fitzpatrick

Frank Fitzpatrick



Applicant's Signature

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**Proposed Addendum to Amended Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program
(November 17, 2017)**

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ADDENDUM

to the

**AMENDED MITIGATED NEGATIVE DECLARATION
FOR
NORTH AVENUE ESTATES 39-LOT RESIDENTIAL LOT SUBDIVISION**

Former Case Nos.: TR 916-R, 2005-17-PZ/PD(R)/ DA, 2005-03-AN, ER 2005-12

Current Case No.: SUB 17-0007

For the proposed

**REVISION TO THE PREVIOUSLY APPROVED TENTATIVE SUBDIVISION MAP;
MASTER DEVELOPMENT PLAN; DEVELOPMENT AGREEMENT; PREZONE OF 632
AND 644 NORTH AVENUE; AND ANNEXATION OF THE DEVELOPMENT SITE AND
632, 644, AND 714 NORTH AVENUE**

Prepared for:

City of Escondido
Planning Division
201 N. Broadway
Escondido, CA 92025

November 17, 2017

INTRODUCTION

On April 5, 2006, the Escondido City Council adopted a Mitigated Negative Declaration (City File No. ER 2005-12, the “2005 MND”) for the North Avenue Estates Tentative Subdivision Map, Master and Precise Development Plan, Annexation, Prezone, and Development Agreement (City Council Resolution No. 2006-08). On April 9, 2008, the Escondido City Council approved a revision to the Tentative Subdivision Map and Precise Development Plan to reconfigure the site to provide access to the entire subdivision from North Avenue rather than using Laurashawn Lane/Tamara Drive for primary access as previously approved. The City Council reviewed the 2005 MND and determined that it adequately addressed all of the environmental issues associated with the Project, including as modified.

The 2005 MND evaluated the impacts of the proposed 39-lot residential project (34 residential lots and 5 open space lots) on the approximately 17.2-acre site located on North Avenue between Laurashawn Lane and Kaywood Drive. The analysis identified several mitigation measures for impacts related to hazardous materials and biological and cultural resources that would reduce potential impacts to less than a significant level.

The current application to the City proposes a 12.5-foot-wide buffer between the property line of the existing homes on Laurashawn Lane and the homes proposed to be built as North Avenue Estates (the “Proposed Project”). This Addendum addresses the proposed modifications to the approved project and the associated potential environmental impacts. This Addendum is an informational document, intended to be used in the planning and decision-making process as provided for under Section 15164(b) of the California Environmental Quality Act (CEQA) Guidelines. This Addendum concludes that the proposed changes to the project will not: (1) result in new significant impacts; or (2) substantially increase the severity of previously disclosed impacts beyond those already identified in the 2005 MND. Therefore, a subsequent MND would not be required under CEQA to implement the proposed project modifications.

STATUTORY BACKGROUND

The City of Escondido is the CEQA lead agency for the Proposed Project. Under CEQA, an Addendum to a certified Environmental Impact Report (EIR) or Negative Declaration may be appropriate if minor technical changes or modifications to the project are proposed (CEQA Guidelines § 15164). An Addendum is appropriate only if these minor technical changes or modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. The Addendum need not be circulated for public review (CEQA Guidelines § 15164(c)). However, an Addendum is to be considered along with the adopted MND by the decision-making body prior to making a decision on the project (CEQA Guidelines § 15164(d)).

This MND Addendum demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the 2005 MND remain substantively unchanged by the situation described herein, and supports the finding that the proposed project modifications do not result in new significant impacts and do not exceed the level of impacts identified in the 2005 MND. Accordingly, pursuant to CEQA Guidelines Section 15164, recirculation of the adopted

MND for public review is not required. The City has also determined that preparation of a subsequent EIR or MND is not required under CEQA Guidelines Section 15162. To support this decision, the following discussion describes the proposed project modifications and the associated environmental analysis.

SUMMARY OF ORIGINAL PROJECT DESCRIPTION

The original project (Tract 916, 2005-17-PZ/PD/DA, and 2005-03-AN) included a Tentative Subdivision Map, Master and Precise Development Plan, Development Agreement, Prezone, and Annexation, for a 39-lot residential subdivision (34 single-family lots and five open space lots) on approximately 17.2 acres of vacant land located at North Avenue at the terminus of Conway Drive (APNs 224-153-19, and -20) (the "Project Site"). The City Council had previously initiated annexation of the Project Site, as well as four adjacent parcels developed with single-family residences (702, 708, and 714 North Avenue), on October 27, 2004. Under the original project, the Project Site was prezoned PD-R-1.97, while the other four lots were prezoned RE-20, in anticipation of annexation. The PD-R-1.97 and RE-20 zones are consistent with the E2 land use designation of the General Plan.

The Tentative Subdivision Map and Precise Development Plan were revised in 2008 (under Tract 916-R and 2005-PD(R)) to consolidate the primary access point at the southern entrance, and to designate the western entrance as a gated emergency-only entrance.

The site is located within the City of Escondido's Sphere of Influence with a General Plan designation of Estate II (E2), a residential designation allowing 20,000-SF lots. The City's General Plan allows for clustering in this designation with minimum lot sizes of 10,000 SF with adequate open space. The original subdivision utilized lot clustering, and proposed residential lot sizes in excess of 10,000 SF. The project would have been consistent with surrounding land uses, as the area was occupied primarily by single-family residential uses, and the project proposed lot sizes compatible in size with the County lots located immediately to the west of the subject site.

The original project proposed a multi-use trail running north to south through the residential development, with connections to Kaywood Drive and North Avenue. This was a community benefit to City and County residents that have historically used the site for jogging, dog walking, and horseback riding. These recreational activities would remain available to nearby residents.

PROJECT REVISIONS

The Proposed Project (SUB 17-0007) revises the annexation boundary. The Proposed Project requests annexation of the Project Site (APNs 224-153-19 and -20; prezoned PD-R-1.97) and 714 North Avenue (APN 224-153-15; prezoned RE-20). It also includes the annexation of 632 and 644 North Avenue (APNs 224-331-14 and -16), which would be prezoned to RE-20 before the annexation as part of the Proposed Project. The properties at 632, 644, and 714 North Avenue are included in the current annexation proposal because they have previously connected to City sewer services due to septic failure or impending septic failure, and have signed agreements to annex as a condition of that sewer connection.

The Proposed Project also revises the Tentative Subdivision Map by creating a 12.5-foot open space buffer along the rear property line of Lots 1-6, Lots 19-30, and the east and north sides of Lot 34 to eliminate any potential impact to septic systems on adjacent properties. No grading, structures, or activity will be allowed within this buffer.

The Proposed Project would also change a few previously-approved conditions of approval and development standards. First, the applicant is proposing to use vinyl fencing along the edge of the 12.5-foot open space buffer. The previous approval had required masonry walls along rear property lines, with wrought-iron or other open materials for any fencing above six feet in height.

Second, the applicant is proposing to construct no more than eight two-story homes on the fourteen lots numbered 20 through 33, which are adjacent to homes on Laurashawn Lane. Any two-story homes in this range would be limited to a height of 27 feet and would be required to maintain a 40-foot rear setback. One-story homes on the remaining six lots in this range would be limited to a height of 17 feet. The original project had limited all new residences abutting the rear property line of existing residences along Laurashawn Lane (with the exception of Lot 34) to a height of one story and 17 feet, to protect views and privacy for Laurashawn residents.

Third, the applicant is proposing a 15-foot front setback on all lots, rather than the previously approved 20 feet. Side and rear setbacks will remain the same, with the exception of the 40-foot rear setback for two-story homes on Lots 20 through 33. The original project imposed no limits on floor area ratio (FAR) or lot coverage, and the revised project will set those at 0.5 and 40%, respectively.

Finally, the Proposed Project does not include a request for a Precise Development Plan. The applicant will be required to submit a separate Precise Development Plan application, to specify details about the design and architecture of the proposed new residences. This application will be subject to the review of the Planning Division and approval by the Planning Commission.

IMPACT ANALYSIS

This Addendum analyzes the 2005 MND in conjunction with the Proposed Project and concludes that the proposed changes described in this Addendum would not result in new significant impacts or a substantial increase in the severity of significant impacts identified for the 2005 MND. Analysis of the Proposed Project is consistent with the previously approved project as follows:

AESTHETICS

The 2005 MND included a discussion of aesthetics under the heading “Land Use and Planning”. Appendix G of the CEQA Guidelines includes the following to be considered:

- a) *Would the project have a substantial adverse effect on a scenic vista?*
- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

- c) *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*
- d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The 2005 MND considered the above and concluded that there would be no impact as the Project Site is characterized as “in-fill” because development is planned within an established residential neighborhood and is virtually surrounded by development. In addition, as noted in the 2005 MND, the Project Site is not located on a ridgeline identified in the Community Open Space/Conservation Element of the General Plan. The site has a slope of approximately 10% and no grading exemptions are proposed. Further, because residential projects typically do not directly illuminate or reflect glare upon adjacent properties, the 2005 MND concluded no significant light or glare impact would result from the proposed project. Lastly, development of the proposed project will also not obstruct scenic views or vistas open to the public as neither the City nor the State designates North Avenue as a scenic resource.

The Proposed Project will not be modifying the location or footprint of the project as approved, but is requesting that two-story homes be permitted on up to eight of the fourteen lots abutting existing homes on Laurashawn Lane (lots 20-33). The single-story homes would be limited to 17' with a 20' rear setback, as previously approved, and the two-story homes will be limited to 27' in height with a 40' rear setback.

As demonstrated on Exhibits A and B, although some homes behind the existing homes on Laurashawn Lane are permitted to be two-story and up to 10' higher than the one-story homes, the sight-line angle will be less than significant with the increased setback. Exhibit A shows the viewshed angle difference between the single and two-story homes to be a factor of approximately 2 degrees. This difference is less than significant. Exhibit B illustrates the visual impact of the two-story homes. The red balloon approximates the location of the roof of a single story home (17 ft) and the yellow balloon approximates the height of a two-story home (27 ft). The Proposed Project design is still required to be consistent with the surrounding development, and to preserve natural open space. As demonstrated on Exhibits A and B, permitting some homes to be two-story does not significantly impact the existing visual character or quality of the site and its surroundings, and there are no additional impacts to be considered.

AIR QUALITY

The Proposed Project does not propose substantial changes that would require revisions to the analysis of the significance of air quality impacts in the 2005 MND. There has been no change in circumstances that would require revisions to the analysis of the significance of air quality impacts in the 2005 MND due to the occurrence of new or more severe air quality impacts. Further there is no new information of substantial importance concerning air quality impacts that could not have been known with the exercise of reasonable diligence at the time the 2005 MND was adopted. Due to the small amount of grading and with appropriate use of grading and operation procedures, the Proposed Project would not generate significant particulate matter or dust and therefore would not result in a significant impact.

BIOLOGICAL RESOURCES

The 2005 MND found potential impacts to the biological resources on the project site based on a biological assessment conducted by Helix Environmental Planning on January 7, 2005. According to the assessment the vacant site included mainly non-native vegetation, which is consistent with the vegetation characterization listed for the site on the SanGIS website. A total of five vegetation communities and disturbed and developed land occurred within the Project Site boundaries.

The 2005 MND concluded that the proposed project would directly and significantly impact sensitive vegetation communities and required implementation of Mitigation Measures 1-5 to mitigate impacts per the guidelines described in the Escondido Subarea Plan. The original project and the Proposed Project include the same use, are of similar design, and will be required to implement the same Mitigation Measures as required in the 2005 MND. The Proposed Project does not propose substantial changes that would require major revisions to the analysis of the potential impacts to the biological resources in the 2005 MND. There has been no change in circumstances that would require major revisions to the analysis of the significance of the impacts due to the occurrence of new or more severe impacts. There is no new information of substantial importance concerning impacts to biological resources that could not have been known with the exercise of reasonable diligence at the time the 2005 MND was adopted.

CULTURAL RESOURCES

No historic, cultural, or archaeological resources were identified for the 2005 MND based on the results of a cultural resources study prepared by Brian F. Smith and Associates dated April 5, 2005, a field survey conducted on March 24, 2005 by Seth A. Rosenberg and Charles Callahan, and an archaeological record search by SCIC at SDSU. The 2005 MND concluded there would be no impacts and none of the modifications would result in new or substantially increased significant impacts related to cultural resources. However, as recommended in the 2005 MND, if culturally significant human remains are found during project activities, work should be temporarily halted in that area and appropriate mitigation measures and protocols would be implemented with consultation with the City to avoid and minimize impacts.

GREENHOUSE GAS ANALYSIS

According to Appendix G of the CEQA Guidelines, impacts related to GHG emissions are normally considered significant if implementation of the proposed project would either: (a) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or (b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

The 2012 General Plan discusses the City's goals to meet the State's targets for reducing Greenhouse Gas ("GHG") emissions and includes implementation tools to reach those goals, including the Escondido Climate Action Plan (E-CAP). The EIR for the General Plan Update (GPU) determined that with the GHG-reducing GPU policies and E-CAP measures, the City's

GHG emissions would be less than significant for projects consistent with the General Plan, as updated.

City Council approved the GHG Emissions Thresholds and Screening Tables as part of the E-CAP on December 4, 2013. The E-CAP provides established CEQA significance thresholds for GHG analyses.

The City has determined that projects emitting less than 2,500 metric tons of CO₂e will not result in a significant impact and presented a list of sample projects that generate less than 2,500 metric tons of CO₂e; for example, a Single Family Residential project with 86 dwelling units is estimated to produce 2,500 metric tons of CO₂e per year (CEQA Thresholds and Screening Tables, Appendix B, Page B-1). The Proposed Project is smaller and will produce GHG emissions that are less than significant.

The E-CAP states that “Mitigation of GHG emissions impacts through the Development Review Process (‘DRP’) provides one of the most substantial reduction strategies for reducing community-wide emissions associated with new development.” To address the GHG from stationary sources, the E-CAP ensures that GHG emissions impacts are mitigated through the DRP.

For future projects, under the E-CAP guidelines each project subject to CEQA would follow one of three scenarios for the GHG analysis:

- If the project is below the set screening threshold for GHGs, then the project’s GHG emissions are determined less than significant and no further GHG analysis would be required. OR
- If the project is above the set screening threshold, then the project would be able to tier from the GHG analysis associated with the E-CAP by accumulating 100 points from the E-CAP Screening Tables for New Development document. OR
- If the project is above the GHG screening threshold and the project has unusual characteristics that make the Screening Tables analysis inappropriate for the project, then the project would need to complete a separate, independent GHG analysis.

The Proposed Project is below the set screening threshold for GHGs, easily fits into the general project descriptions and features described in the Screening Tables provided in the E-CAP document; and therefore, a project-specific technical analysis is not necessary to quantify and mitigate GHG emissions (see first bullet above).

Accordingly, as the Proposed Project falls below the GHG emissions threshold requirements, the Proposed Project does not present new information of substantial importance concerning GHG impacts.

HAZARDS AND HAZARDOUS MATERIALS

The 2005 MND identified less than significant impacts for the original project based on a Phase I and II Environmental Assessment Report performed by Geocon Consultants, Inc. on July 7, 2004. The 2005 MND required implementation of Mitigation Measures 1 and 2 prior to grading, to abandon or remove on-site water wells in accordance with applicable laws, and regulations; and to remove trash/debris from the site and dispose of it in accordance with applicable law and regulations. Because the Proposed Project would encompass essentially the same area of grading/disturbance as the original project description and would be required to comply with the same Mitigation Measures, no new or substantially increased significant impacts related to hazards and hazardous materials would result from the Proposed Project.

HYDROLOGY/ WATER QUALITY

The 2005 MND found that project implementation would not result in any significant impacts related to alteration of drainage patterns/directions; runoff volumes/velocities; the capacity of existing/planned drainage systems; flooding/floodplains; inundation by seiche, tsunami or mudflow; or water quality based on a November 15, 2005 letter from Geocon Inc. The letter also noted the requirement for best management practices (BMPs) for grading of the site and maintenance by the development's homeowner's association. On July 11, 2017, Geocon provided a Summary of Conclusions in Previous Geotechnical Reports, concluding that grading performed at the Project Site will not impact existing septic systems on adjacent properties, and that the proposed 10-foot buffer area is an added measure of conservatism. Because the Proposed Project would encompass essentially the same area of grading/disturbance as the original project description, and would be required to comply with BMPs, no new or substantially increased significant impacts related to hydrology or water quality would result from the Proposed Project.

TRANSPORTATION/ TRAFFIC

A Traffic Study Report was prepared for the original project by Linscott, Law and Greenspan on April 15, 2005 and revised November 11, 2005. The 2005 MND concluded there would be no significant impacts to air traffic patterns, emergency access, or parking capacity and there are no design features or incompatible uses that would substantially increase hazards. Linscott, Law & Greenspan prepared a Traffic Counts Memorandum on August 29, 2017, studying traffic counts at the intersection of Broadway and North Avenue and roadway segments on Broadway south of North Avenue, north of North Avenue, and on North Avenue from Broadway to Conway. The 2017 study concluded that delays in intersection operations and the levels of service in the studied segments are similar compared to those in the November 2005 Traffic Study Report. (Linscott, Law & Greenspan, Traffic Counts Memorandum, August 29, 2017, attached).

Accordingly, the Proposed Project does not propose substantial changes that would require major revisions to the analysis of the significance of transportation/traffic circulation impacts in the 2005 MND because there has been no change in circumstances that would require major revisions to the analysis of the significance of transportation/ traffic circulation impacts in the 2005 MND due to the occurrence of new or more severe transportation/ traffic circulation impacts and there is no new information of substantial importance concerning transportation/traffic circulation

impacts that could not have been known with the exercise of reasonable diligence at the time the 2005 MND was adopted.

AGRICULTURAL RESOURCES, GEOLOGY/ SOILS, LAND USE AND PLANNING, MINERAL RESOURCES, NOISE, POPULATION/ HOUSING, PUBLIC SERVICES, RECREATION, AND UTILITIES/ SERVICE SYSTEMS

The adopted 2005 MND concluded that potential impacts associated with all the listed issues would be less than significant, based on considerations including the nature, location, and extent of project-related disturbance and development and requirements for conformance with applicable regulatory and industry standards. The original and revised project descriptions would affect the same area, include the same types of land use, and would be constructed using similar grading and building practices. Accordingly, the impact conclusions noted for the listed issues in the adopted 2005 MND would also apply to the revised project description, with all associated potential impacts to be less than significant as summarized below by topic.

Agricultural- As described for the previous project description in the adopted 2005 MND, the Project Site is not listed as Prime Agricultural Lands as identified in the General Plan Final EIR, which was prepared for the City's General Plan revisions in 2000 and is listed as "Urban and Built-up Land" in the Final Environmental Impact Report for the 2012 General Plan Update. The 2005 MND concluded there would be no impacts and none of the modifications would result in new or substantially increased significant impacts related to agricultural resources as described in the 2005 MND.

Geology/Soils- The 2005 MND identified less than significant impacts based on the location of the site relative to active faults and requirements for conformance to applicable design, construction, and inspection standards and practices. Geocon Inc. prepared the Geotechnical Investigation for the project dated September 22, 2004. Because the Proposed Project would be located in the same general location and would also be subject to the noted standards and best practices, it would not generate any new significant impacts related to geology/soils.

Land Use and Planning- The original project and Proposed Project affect the same project site and general development footprint and would include the same residential type of land use.

None of the modifications would result in new or substantially increased significant impacts related to land use and planning, including effects to an established community or conflicts with established plans, policies or regulations as described in the 2005 MND.

Mineral Resources - The adopted 2005 MND concluded that only a portion of the site includes granite rock and the limited size of the project would not substantially increase the use of, or result in the depletion of any nonrenewable natural resources. Based on the same location and similar nature of the revised project design, this conclusion would also be applicable to the Proposed Project. As a result, no new or substantially increased significant impacts related to mineral resources would result from implementation of the Proposed Project.

Noise - Based on required conformance with applicable City standards related to construction and operational noise levels (including the General Plan Noise Element and Noise Ordinance), the

adopted 2005 MND concluded that no significant noise impacts would result from implementation of the original project because the Proposed Project would be located in the same location, would still be subject to the noted standards, and would generate similar levels of volume as estimated in 2005. The 2017 report noted that the volumes on two of the three segments are lesser in 2017 than in November 2005 (Linscott, Law & Greenspan Engineers, 2017); as such, the Proposed Project is not expected to generate new significant impacts related to noise.

Population/Housing - The adopted 2005 MND concluded that the original project design would be consistent with the then applicable criteria in the City General Plan regarding the number, type, and density of proposed residential development. Because the revised project design would not change the previously proposed residential uses, the noted conclusion would also be applicable to the Proposed Project. As a result, no new or substantially increased significant impacts related to population/ housing would result from implementation of the Proposed Project.

Public Services- The adopted 2005 MND concluded that the original project design would not result in significant impacts to services including sewer and water service, fire protection, law enforcement, and schools. Because the revised project design does not increase the previously proposed residential units, the Proposed Project would not generate new significant impacts related to public services or substantially increase the severity of previously disclosed impacts.

Recreation- The adopted 2005 MND concluded that the original project would not adversely affect existing parks or recreational facilities, and that the Project Site is not listed as a park site in the City's Master Plan of Parks, Trails and Open Space. Because the revised project design does not increase the previously proposed residential units, no new or substantially increased significant impacts related to recreation would result from implementation of the Proposed Project.

Utility and Service Systems- The adopted 2005 MND concluded that the original project design would not result in impacts to services including sewer, municipal water, storm water, or refuse collection/disposal. Because the revised project design does not increase the previously proposed residential units, the Proposed Project would not generate new significant impacts related to public services/ utilities or substantially increase the severity of previously disclosed impacts.

SUMMARY AND FINDINGS

The City previously prepared and approved the 2005 MND, which is on file in the Planning Division. The CEQA Guidelines call for an addendum to an adopted Negative Declaration to be prepared if only minor technical changes or additions are necessary, or if none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. (See Section 15164.)

Pursuant to Section 15162(a) of the CEQA Guidelines and based upon a review of the current proposed project, it has been determined that:

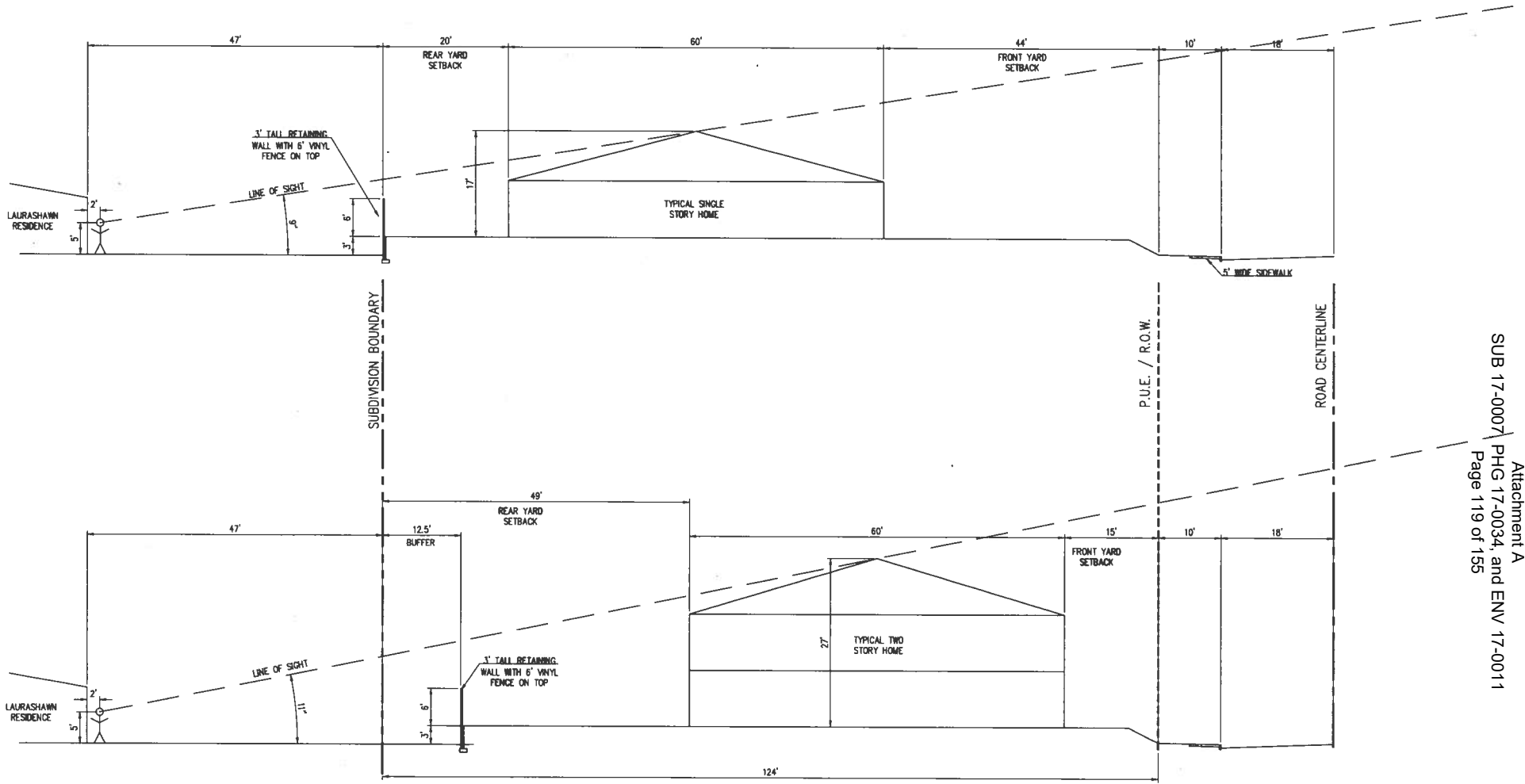
1. No substantial changes are proposed in the project that would require major revisions of the 2005 MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. No substantial changes have occurred with respect to the circumstances under which the project is undertaken that would require major revisions of the 2005 MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the 2005 MND was certified as complete, that shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the 2005 MND;
 - (B) Significant effects previously examined will be substantially more severe than shown in the 2005 MND;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives that are considerably different from those analyzed in the 2005 MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA is clear in its preference to use previously prepared environmental documents when anticipated project specific impacts have been clearly assessed. Section 15162 of the CEQA Guidelines prescribes criteria where a previously adopted Negative Declaration can be used and when a new Negative Declaration should be prepared.

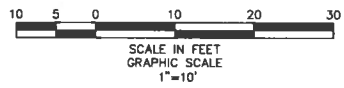
The Impact Analysis in this Addendum indicates the proposed modification is in substantial conformance with the previously approved design and operation of the Project and therefore would have no impacts not already identified in the previous 2005 MND. The 2005 MND did not identify any impacts associated with implementation of the Proposed Project that would be significant after mitigation. This Addendum does not identify any Proposed Project impacts that would be significant after mitigation and no new or additional mitigation is required.

There is substantial evidence to approve this Addendum pursuant to Sections 15164 and 15162 of the CEQA Guidelines. No additional environmental review is warranted, because the lead agency has determined that on the basis of substantial evidence in the whole record the Proposed Project does not create any of the substantial effects on the environment that are identified in Section 15162(a)(1) through (a)(3). No circulation of this Addendum for public comment is required. (CEQA Guidelines Section 15164(c)).



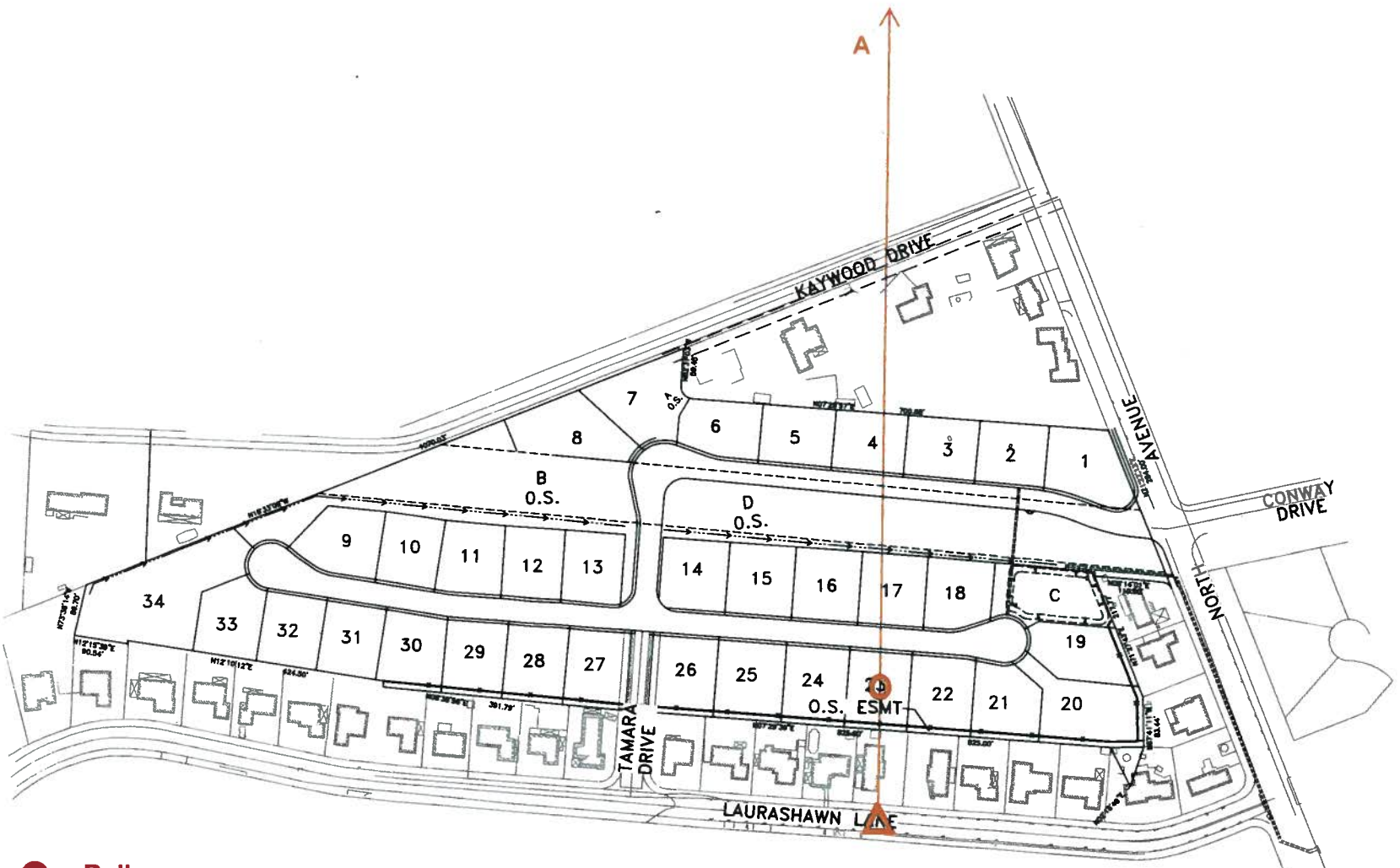
NORTH AVENUE LOT 24 TYPICAL SECTIONS

EXHIBIT "A"




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120



- - Balloons
- △ - Camera

EXHIBIT "B"

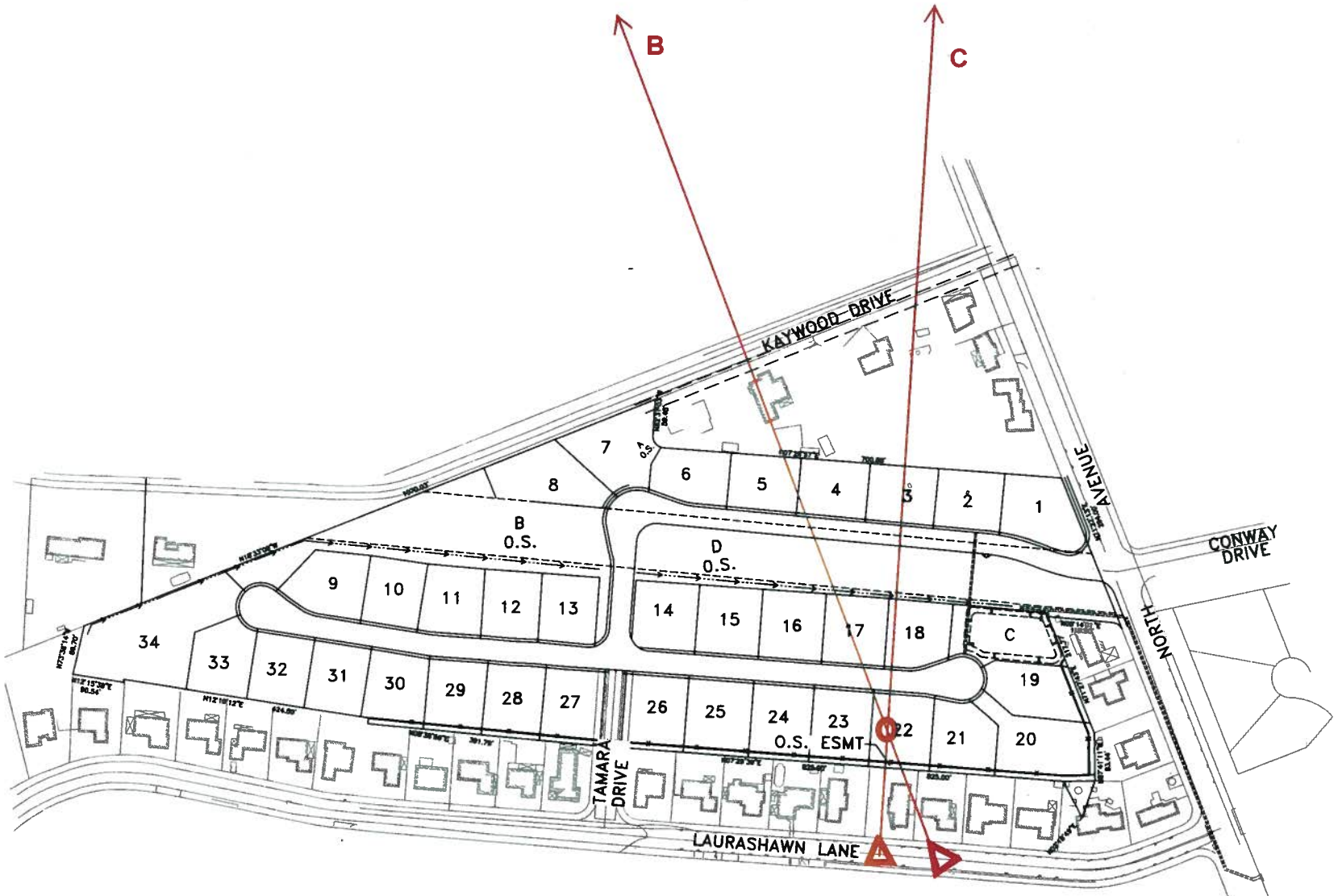
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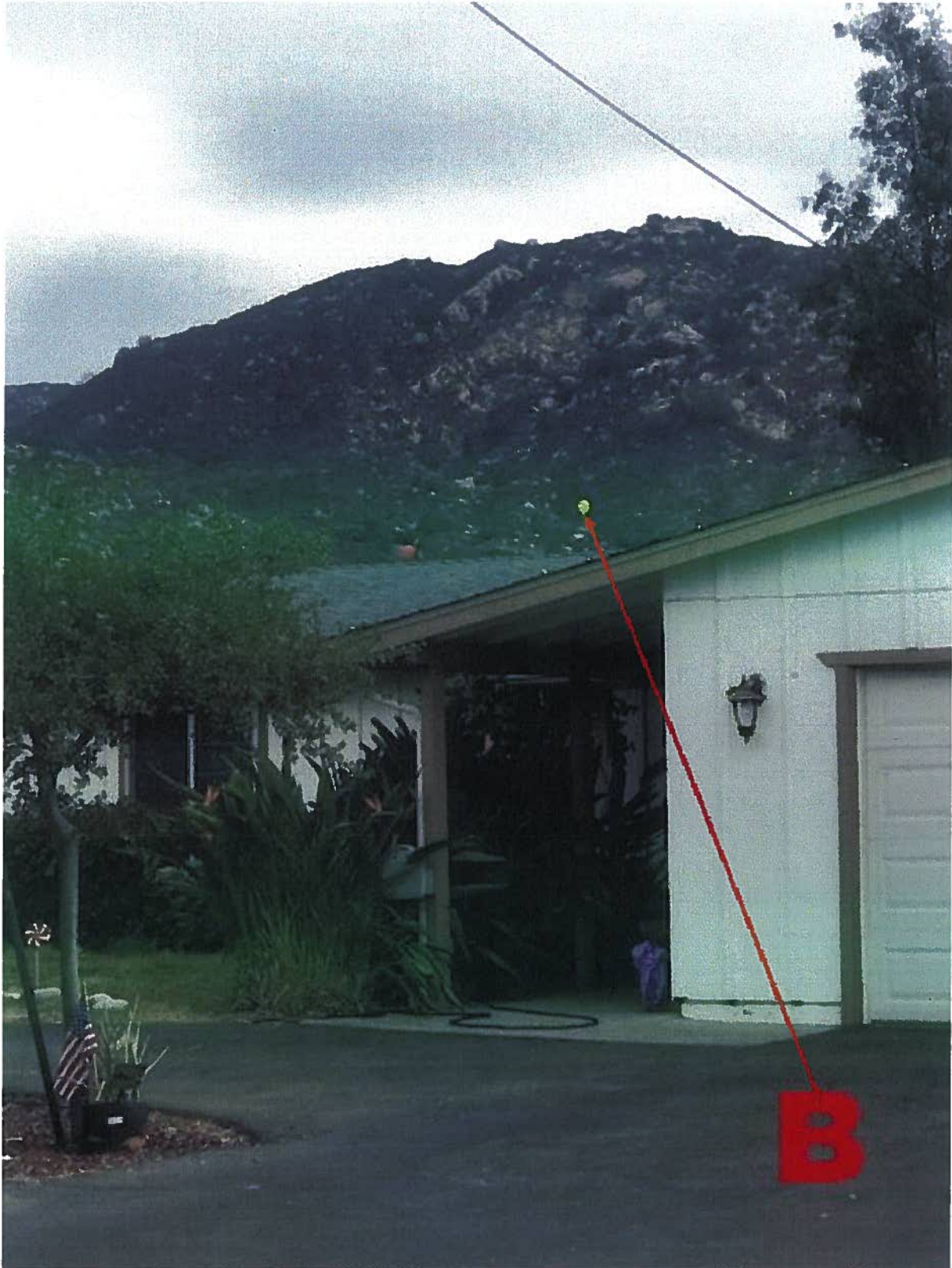
121

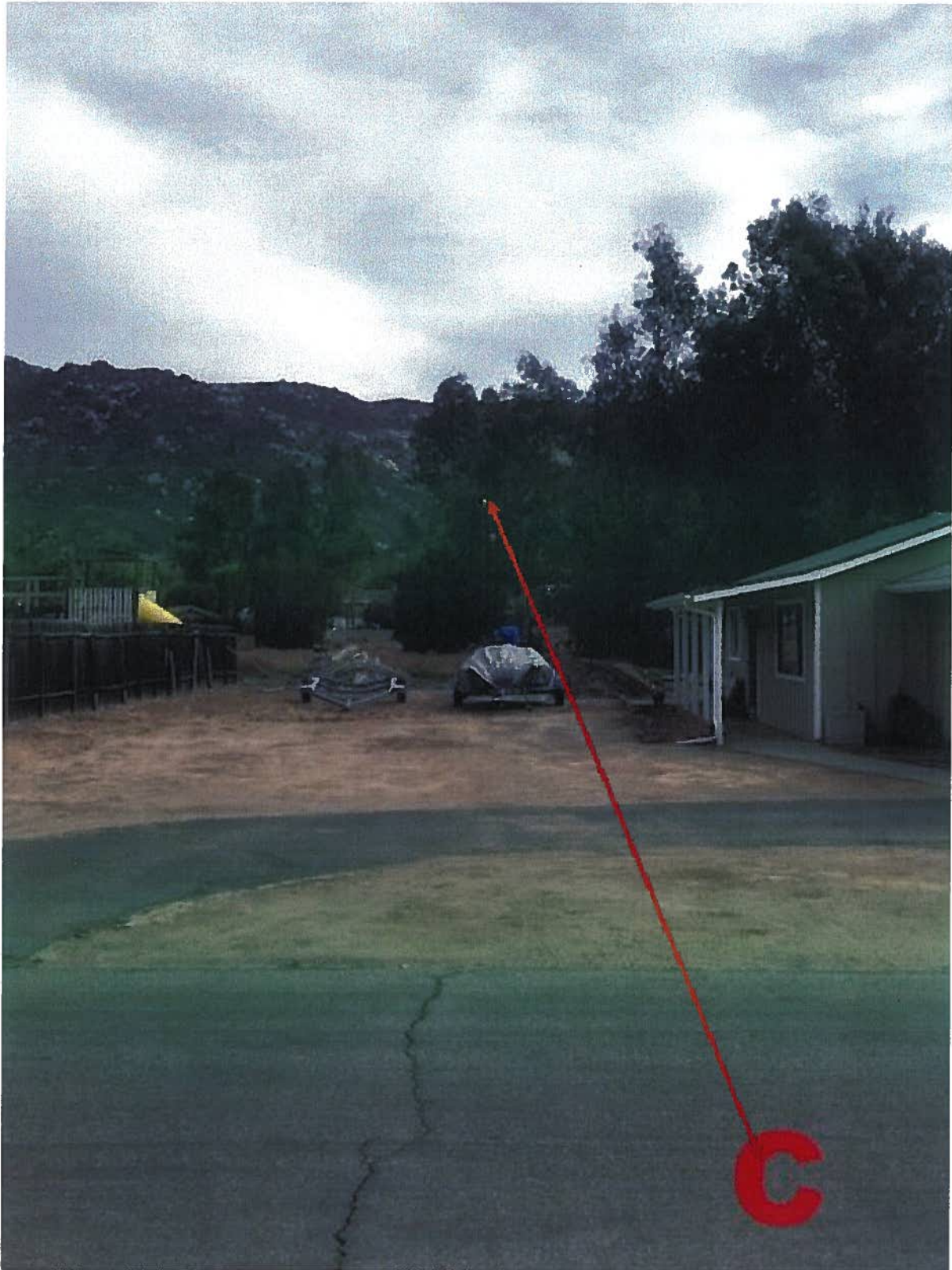


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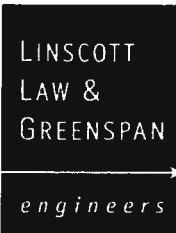
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MEMORANDUM

To: Mr. Brad Fomon
P. O. Box 928257
San Diego, CA 92192
Date: August 29, 2017

From: John Boarman, P. E. & Narasimha Prasad
LLG, Engineers
LLG Ref: 3-17-2798

Subject: North Avenue Estates – Traffic Counts Memorandum

Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law &
Greenspan, Engineers
4542 Ruffner Street
Suite 100
San Diego, CA 92111
858.300.8800 T
858.300.8810 F
www.llgengineers.com

Pasadena
Irvine
San Diego
Woodland Hills

Linscott, Law and Greenspan, Engineers (LLG) has prepared this traffic count memorandum. The following is included in this report:

- Existing counts at one intersection and three segments
- Level of Service analysis at the above intersection and segments
- Comparison to existing operations in the *North Avenue Estates* Traffic Impact Analysis, dated November 2005, prepared by LLG Engineers

A. Existing Traffic Volumes and Conditions

Existing traffic volume counts were conducted at the following intersection and segments during the week of August 21, 2017, when schools were in session:

Intersection:

1. Broadway / North Avenue

Segments:

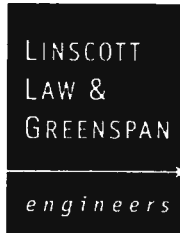
1. **Broadway:** South of North Avenue
2. **Broadway:** North of North Avenue
3. **North Avenue:** Broadway to Conway Drive

The photo to the right depicts the existing conditions at the Broadway / North Avenue intersection. A school is located west of Broadway, just south of North Avenue. Hence, a sign SR4-1 (CA) school speed limit Assembly C (CA) 25 mph “When Children are present” is installed on Broadway south of North Avenue.



Figure 1 depicts the peak hour intersection and daily segment volumes. *Figure 2* depicts the Existing conditions. Appendix A contains the existing intersection and segments counts.

Mr. Brad Fomon
 August 29, 2017
 Page 2



B. Existing Analysis

Intersection Operations

Table A summarizes the existing peak hour operations at the Broadway / North Avenue intersection. As seen in *Table A*, this intersection is calculated to operate at LOS A. *Table A* also compares Year 2017 peak hour intersection operations to that in the November 2005 report prepared by LLG Engineers. As seen in *Table A*, the current LOS is the same as that in the November 2005 report. The current delays 2017 are similar to that in the November 2005 report.

Appendix B contains the Existing peak hour intersection analysis worksheets.

Segment Operations

Table B summarizes the existing segment operations at three segments. As seen in *Table B*, all segments are calculated to operate at LOS B or better. *Table B* also compares Year 2017 segment operations to that in the November 2005 report prepared by LLG Engineers. As seen in *Table B*, the volumes on two of the three segments are lesser in 2017 than in November 2005. The current levels of service are similar to that in the November 2005 report.

TABLE A
NEAR-TERM INTERSECTION OPERATIONS

Intersection	Control Type	Peak Hour	November 2005 Report		August 2017	
			Delay ^a	LOS ^b	Delay	LOS
N. Broadway / North Ave	AWSC	AM	9.0	A	9.3	A
		PM	8.6	A	8.5	A

Footnotes:

- a. Average delay per vehicle in seconds
- b. Level of Service
- c. AWSC - All Way Stop Controlled intersections. Overall delay and LOS is shown.

C. Conclusions

As seen from the preceding, the intersection and segments in the project vicinity are calculated to operate at the same acceptable levels of service as that in the November 2005 report.

Please call us at (858) 300-8800, if you have any questions.

cc: File

Mr. Brad Fomon
 August 29, 2017
 Page 3

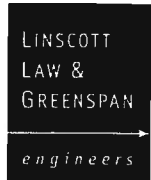


TABLE B
EXISTING SEGMENT OPERATIONS

Segment	November 2005 Report					August 2017				
	Functional Classification ^a	LOS E ^b Capacity	Volume	LOS ^c	V/C ^d	Functional Classification ^a	LOS E ^b Capacity	Volume	LOS ^c	V/C ^d
N. Broadway										
North of North Ave	2-Ln Collector	15,000	3,080	A	0.207	2-Ln Collector	15,000	2,800	A	0.187
South of North Ave	2-Ln Collector	15,000	6,040	B	0.403	2-Ln Collector	15,000	5,700	B	0.380
North Avenue										
N. Broadway to Conway Dr	2-Ln Rural Collector	10,000	2,770	A	0.277	2-Ln Rural Collector	10,000	2,900	A	0.290

Footnotes:

- a. The City of Escondido roadway classification at which the roadway currently functions.
- b. The capacity of the roadway at Level of Service E.
- c. Level of Service.
- d. The Volume to Capacity ratio.

FIGURES

FIGURE 1 – EXISTING CONDITIONS
FIGURE 2 – EXISTING VOLUMES

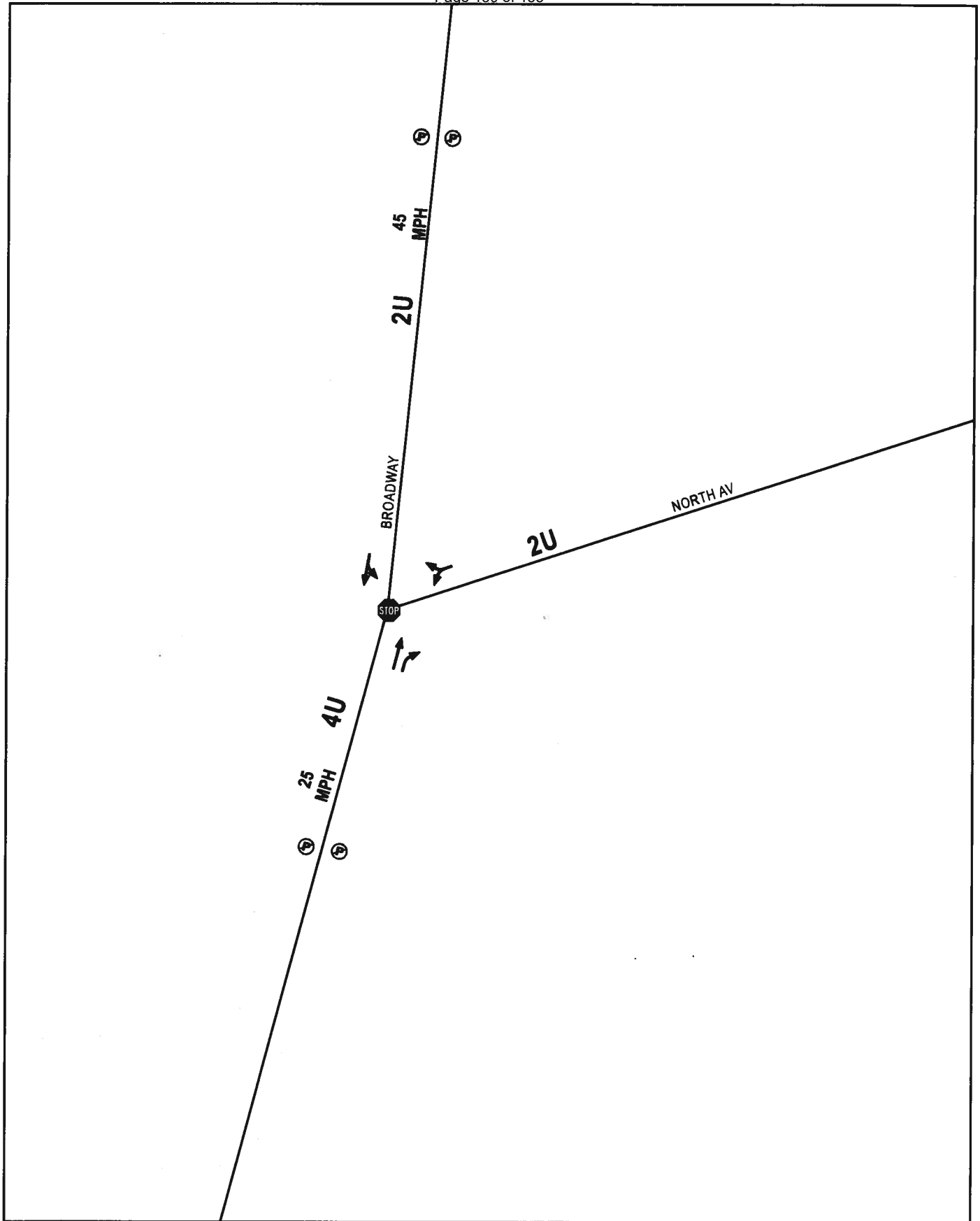


Figure 1
Existing Conditions

NORTH AVENUE ESTATES

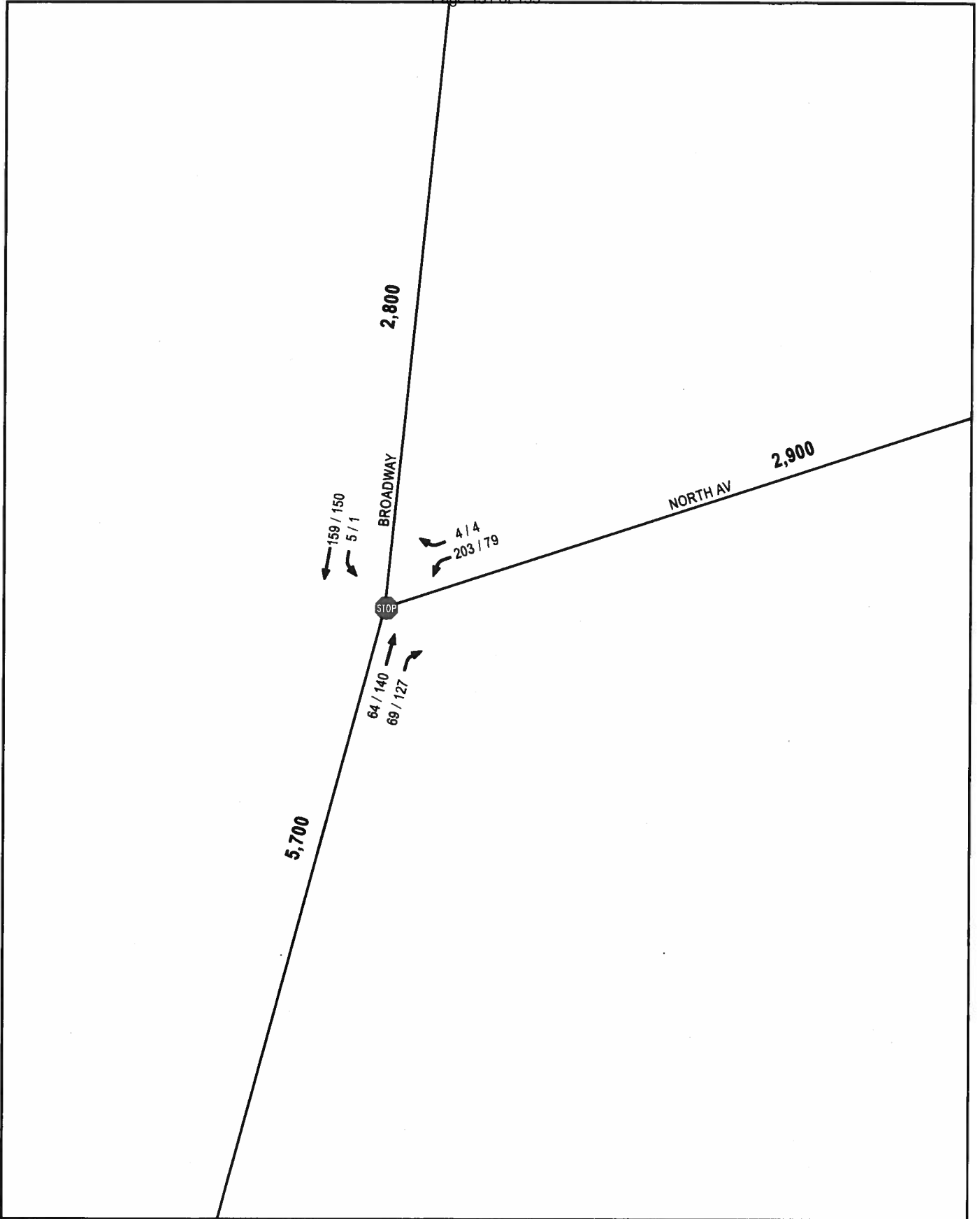


Figure 2
Existing Volumes
NORTH AVENUE ESTATES

APPENDIX A

TRAFFIC COUNTS

Turn Count Summary

Accurate Video Counts Inc
 info@accuratevideocounts.com
 (619) 987-5136



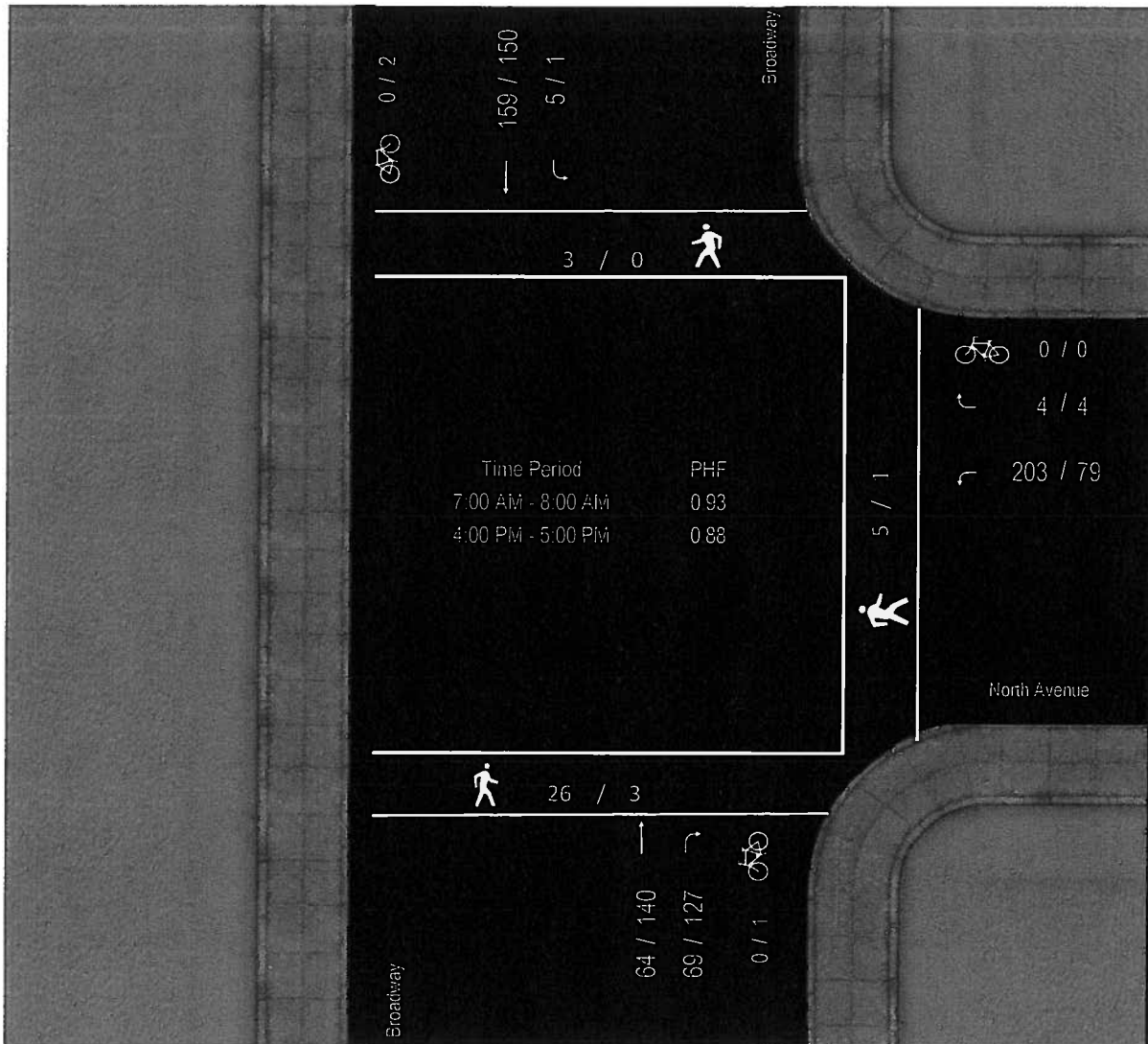
Location: North Avenue @ Broadway

Date of Count: Tuesday, August 22, 2017

Analysts: LV/CD

Weather: Sunny

AVC Proj No: 17-0739





Vehicular Count

Accurate Video Counts Inc
 info@accuratevideocounts.com
 (619) 987-5136



Location: North Avenue @ Broadway

AM Period (7:00 AM - 9:00 AM)								
	Southbound		Westbound		Northbound			TOTAL
	Thru	Left	Right	Left	Right	Thru		
7:00 AM	46	0	0	50	12	18		126
7:15 AM	41	2	0	40	9	20		112
7:30 AM	35	0	3	62	21	14		135
7:45 AM	37	3	1	51	27	12		131
8:00 AM	26	0	2	33	18	20		99
8:15 AM	20	1	1	27	18	15		82
8:30 AM	27	0	0	22	12	9		70
8:45 AM	16	1	2	22	13	9		63
Total	248	7	9	307	130	117		818

AM Intersection Peak Hour : 7:00 AM - 8:00 AM

Intersection PHF : 0.93

	Southbound		Westbound		Northbound			TOTAL
	Thru	Left	Right	Left	Right	Thru		
Volume	159	5	4	203	69	64		504
PHF	0.86	0.42	0.33	0.82	0.64	0.80		0.93
Movement PHF	0.89		0.80		0.85			0.93

PM Period (4:00 PM - 6:00 PM)								
	Southbound		Westbound		Northbound			TOTAL
	Thru	Left	Right	Left	Right	Thru		
4:00 PM	41	0	1	25	28	44		139
4:15 PM	23	0	1	17	31	34		106
4:30 PM	55	1	1	23	34	29		143
4:45 PM	31	0	1	14	34	33		113
5:00 PM	11	0	0	18	29	30		88
5:15 PM	25	0	0	25	31	41		122
5:30 PM	19	2	0	18	28	32		99
5:45 PM	18	0	2	23	25	23		91
Total	223	3	6	163	240	266		901

PM Intersection Peak Hour : 4:00 PM - 5:00 PM

Intersection PHF : 0.88

	Southbound		Westbound		Northbound			TOTAL
	Thru	Left	Right	Left	Right	Thru		
Volume	150	1	4	79	127	140		501
PHF	0.682	0.25	1	0.79	0.934	0.795		0.88
Movement PHF	0.67		0.80		0.93			0.88

24 Hour Segment Count

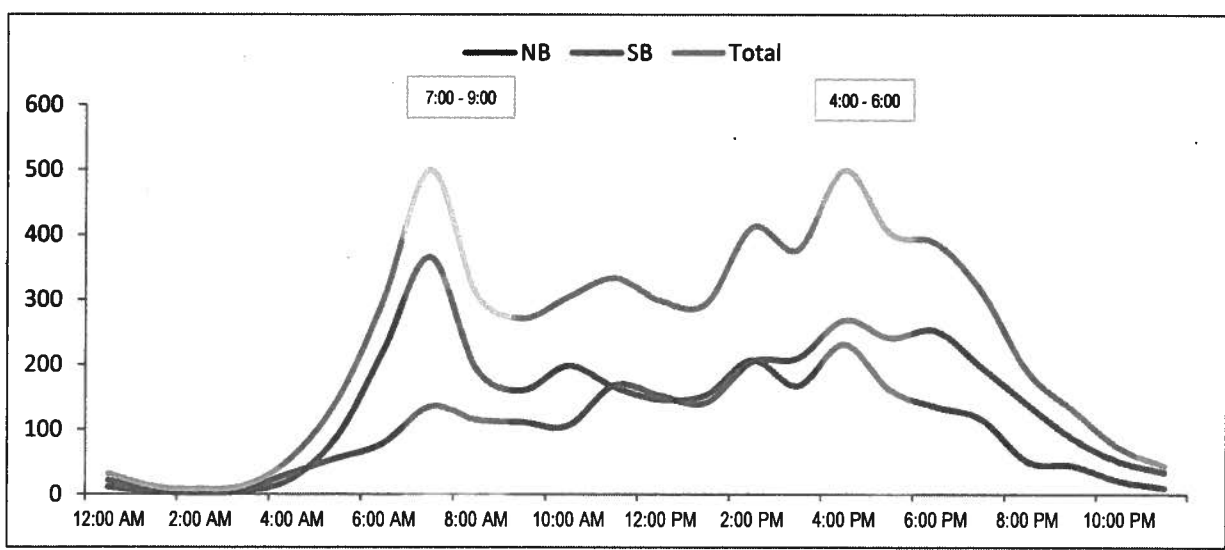
Accurate Video Counts Inc
info@accuratevideocounts.com
(619) 987-5136



Location: A. Broadway: south of North Avenue
Orientation: North-South
Date of Count: Tuesday, August 22, 2017
Analysts: DASH
Weather: Sunny
AVC Proj. No: 17-0739

24 Hour Segment Volume					5,704			
Time	Hourly Volume			Time	Hourly Volume			
	NB	SB	Total		NB	SB	Total	
12:00 AM - 1:00 AM	21	11	32	12:00 PM - 1:00 PM	152	146	298	
1:00 AM - 2:00 AM	8	4	12	1:00 PM - 2:00 PM	141	153	294	
2:00 AM - 3:00 AM	6	2	8	2:00 PM - 3:00 PM	204	207	411	
3:00 AM - 4:00 AM	9	5	14	3:00 PM - 4:00 PM	210	167	377	
4:00 AM - 5:00 AM	33	24	57	4:00 PM - 5:00 PM	268	231	499	
5:00 AM - 6:00 AM	56	91	147	5:00 PM - 6:00 PM	241	161	402	
6:00 AM - 7:00 AM	79	223	302	6:00 PM - 7:00 PM	252	135	387	
7:00 AM - 8:00 AM	135	365	500	7:00 PM - 8:00 PM	196	116	312	
8:00 AM - 9:00 AM	115	193	308	8:00 PM - 9:00 PM	139	51	190	
9:00 AM - 10:00 AM	111	160	271	9:00 PM - 10:00 PM	86	44	130	
10:00 AM - 11:00 AM	106	198	304	10:00 PM - 11:00 PM	51	21	72	
11:00 AM - 12:00 PM	168	165	333	11:00 PM - 12:00 AM	34	10	44	
Total	847	1,441	2,288	Total	1,974	1,442	3,416	

24-Hour NB Volume 2,821 24-Hour SB Volume 2,883



24 Hour Segment Count

Accurate Video Counts Inc
info@accuratevideocounts.com
(619) 987-5136



Location: B. Broadway: north of North Avenue

Orientation: North-South

Date of Count: Tuesday, August 22, 2017

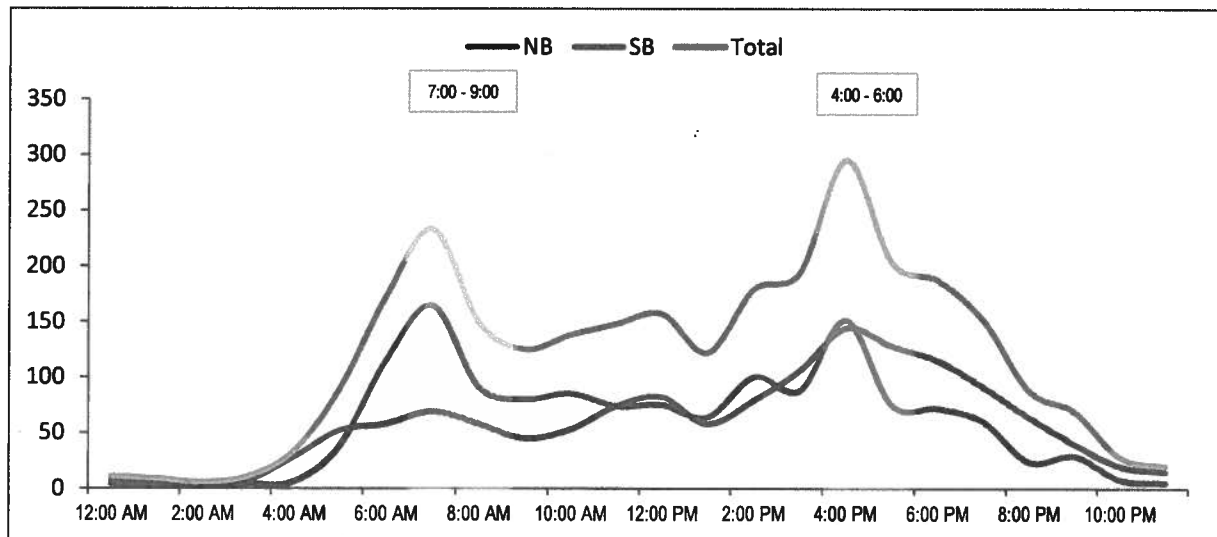
Analysts: DASH

Weather: Sunny

AVC Proj. No: 17-0739

24 Hour Segment Volume					2,820		
Time	Hourly Volume			Time	Hourly Volume		
	NB	SB	Total		NB	SB	Total
12:00 AM - 1:00 AM	7	4	11	12:00 PM - 1:00 PM	82	75	157
1:00 AM - 2:00 AM	6	3	9	1:00 PM - 2:00 PM	58	64	122
2:00 AM - 3:00 AM	4	2	6	2:00 PM - 3:00 PM	79	100	179
3:00 AM - 4:00 AM	7	4	11	3:00 PM - 4:00 PM	106	88	194
4:00 AM - 5:00 AM	28	6	34	4:00 PM - 5:00 PM	144	151	295
5:00 AM - 6:00 AM	52	38	90	5:00 PM - 6:00 PM	128	75	203
6:00 AM - 7:00 AM	58	115	173	6:00 PM - 7:00 PM	115	72	187
7:00 AM - 8:00 AM	69	164	233	7:00 PM - 8:00 PM	91	60	151
8:00 AM - 9:00 AM	58	91	149	8:00 PM - 9:00 PM	64	24	88
9:00 AM - 10:00 AM	45	80	125	9:00 PM - 10:00 PM	40	29	69
10:00 AM - 11:00 AM	53	85	138	10:00 PM - 11:00 PM	20	8	28
11:00 AM - 12:00 PM	74	74	148	11:00 PM - 12:00 AM	15	5	20
Total	461	666	1,127	Total	942	751	1,693

24-Hour NB Volume	1,403	24-Hour SB Volume	1,417
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24 Hour Segment Count

Accurate Video Counts Inc
info@accuratevideocounts.com
(619) 987-5136



Location: C. North Avenue Broadway to Conway Drive

Orientation: East-West

Date of Count: Tuesday, August 22, 2017

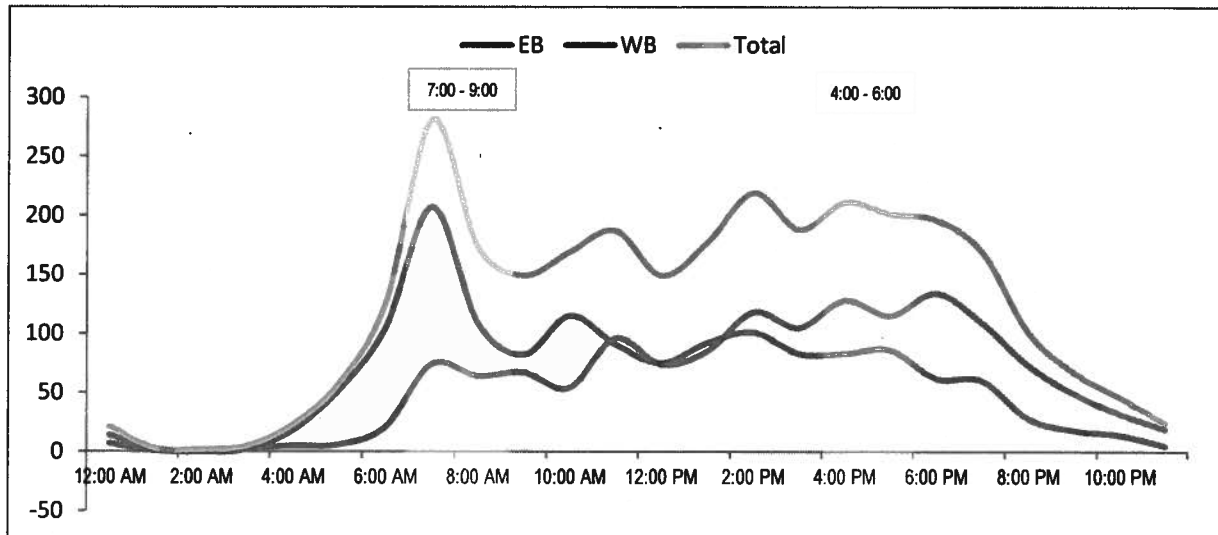
Analysts: DASH

Weather: Sunny

AVC Proj. No: 17-0739

24 Hour Segment Volume					2,945		
Time	Hourly Volume			Time	Hourly Volume		
	EB	WB	Total		EB	WB	Total
12:00 AM - 1:00 AM	14	7	21	12:00 PM - 1:00 PM	74	75	149
1:00 AM - 2:00 AM	2	1	3	1:00 PM - 2:00 PM	85	92	177
2:00 AM - 3:00 AM	2	0	2	2:00 PM - 3:00 PM	118	101	219
3:00 AM - 4:00 AM	3	2	5	3:00 PM - 4:00 PM	105	83	188
4:00 AM - 5:00 AM	5	18	23	4:00 PM - 5:00 PM	128	83	211
5:00 AM - 6:00 AM	6	52	58	5:00 PM - 6:00 PM	115	86	201
6:00 AM - 7:00 AM	21	105	126	6:00 PM - 7:00 PM	134	62	196
7:00 AM - 8:00 AM	74	207	281	7:00 PM - 8:00 PM	109	60	169
8:00 AM - 9:00 AM	64	109	173	8:00 PM - 9:00 PM	73	28	101
9:00 AM - 10:00 AM	67	82	149	9:00 PM - 10:00 PM	49	18	67
10:00 AM - 11:00 AM	54	115	169	10:00 PM - 11:00 PM	32	14	46
11:00 AM - 12:00 PM	96	91	187	11:00 PM - 12:00 AM	19	5	24
Total	408	789	1,197	Total	1,041	707	1,748

24-Hour EB Volume	1,449	24-Hour WB Volume	1,496
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APPENDIX B

PEAK HOUR INTERSECTION ANALYSIS WORKSHEETS - EXISTING

HCM 2010 AWSC

1: Driveway/North Avenue & Broadway

08/25/2017

Intersection

Intersection Delay, s/veh	9.3
Intersection LOS	A

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR
Lane Configurations			↕			203	↕				64	69
Traffic Vol, veh/h	0	0	0	0	0	203	0	4	0	0	64	69
Future Vol, veh/h	0	0	0	0	0	203	0	4	0	0	64	69
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	0	0	221	0	4	0	0	70	75
Number of Lanes	0	0	1	0	0	0	1	0	0	0	1	1

Approach	EB	WB	NB
Opposing Approach	WB	EB	SB
Opposing Lanes	1	1	1
Conflicting Approach Left	SB	NB	EB
Conflicting Lanes Left	1	2	1
Conflicting Approach Right	NB	SB	WB
Conflicting Lanes Right	2	1	1
HCM Control Delay	0	10.1	8.2
HCM LOS	-	B	A

Lane	NBLn1	NBLn2	EBLn1	WBLn1	SBLn1
Vol Left, %	0%	0%	0%	98%	3%
Vol Thru, %	100%	0%	100%	0%	97%
Vol Right, %	0%	100%	0%	2%	0%
Sign Control	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	64	69	0	207	164
LT Vol	0	0	0	203	5
Through Vol	64	0	0	0	159
RT Vol	0	69	0	4	0
Lane Flow Rate	70	75	0	225	178
Geometry Grp	7	7	2	2	5
Degree of Util (X)	0.102	0.095	0	0.305	0.237
Departure Headway (Hd)	5.28	4.575	4.996	4.872	4.788
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes
Cap	678	782	0	736	749
Service Time	3.019	2.314	3.053	2.91	2.826
HCM Lane V/C Ratio	0.103	0.096	0	0.306	0.238
HCM Control Delay	8.6	7.8	8.1	10.1	9.3
HCM Lane LOS	A	A	N	B	A
HCM 95th-tile Q	0.3	0.3	0	1.3	0.9

HCM 2010 AWSC

1: Driveway/North Avenue & Broadway

08/25/2017

Intersection

Intersection Delay, s/veh
 Intersection LOS

Movement	SBU	SBL	SBT	SBR
Lane Configurations			↕	
Traffic Vol, veh/h	0	5	159	0
Future Vol, veh/h	0	5	159	0
Peak Hour Factor	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2
Mvmt Flow	0	5	173	0
Number of Lanes	0	0	1	0

Approach	SB
Opposing Approach	NB
Opposing Lanes	2
Conflicting Approach Left	WB
Conflicting Lanes Left	1
Conflicting Approach Right	EB
Conflicting Lanes Right	1
HCM Control Delay	9.3
HCM LOS	A

HCM 2010 AWSC
1: Driveway/North Avenue & Broadway

08/25/2017

Intersection	
Intersection Delay, s/veh	8.5
Intersection LOS	A

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR
Lane Configurations			↕				↕				↕	↕
Traffic Vol, veh/h	0	0	0	0	0	79	0	4	0	0	140	127
Future Vol, veh/h	0	0	0	0	0	79	0	4	0	0	140	127
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	0	0	86	0	4	0	0	152	138
Number of Lanes	0	0	1	0	0	0	1	0	0	0	1	1

Approach	EB	WB	NB
Opposing Approach	WB	EB	SB
Opposing Lanes	1	1	1
Conflicting Approach Left	SB	NB	EB
Conflicting Lanes Left	1	2	1
Conflicting Approach Right	NB	SB	WB
Conflicting Lanes Right	2	1	1
HCM Control Delay	0	8.8	8.3
HCM LOS	-	A	A

Lane	NBLn1	NBLn2	EBLn1	WBLn1	SBLn1
Vol Left, %	0%	0%	0%	95%	1%
Vol Thru, %	100%	0%	100%	0%	99%
Vol Right, %	0%	100%	0%	5%	0%
Sign Control	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	140	127	0	83	151
LT Vol	0	0	0	79	1
Through Vol	140	0	0	0	150
RT Vol	0	127	0	4	0
Lane Flow Rate	152	138	0	90	164
Geometry Grp	7	7	2	2	5
Degree of Util (X)	0.207	0.161	0	0.127	0.208
Departure Headway (Hd)	4.9	4.197	5.05	5.072	4.561
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes
Cap	735	856	0	707	788
Service Time	2.617	1.914	3.085	3.099	2.581
HCM Lane V/C Ratio	0.207	0.161	0	0.127	0.208
HCM Control Delay	8.9	7.7	8.1	8.8	8.8
HCM Lane LOS	A	A	N	A	A
HCM 95th-tile Q	0.8	0.6	0	0.4	0.8

HCM 2010 AWSC

1: Driveway/North Avenue & Broadway

08/25/2017

Intersection

Intersection Delay, s/veh

Intersection LOS

Movement	SBU	SBL	SBT	SBR
Lane Configurations			↕	
Traffic Vol, veh/h	0	1	150	0
Future Vol, veh/h	0	1	150	0
Peak Hour Factor	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2
Mvmt Flow	0	1	163	0
Number of Lanes	0	0	1	0

Approach	SB
Opposing Approach	NB
Opposing Lanes	2
Conflicting Approach Left	WB
Conflicting Lanes Left	1
Conflicting Approach Right	EB
Conflicting Lanes Right	1
HCM Control Delay	8.8
HCM LOS	A

**Mitigation Monitoring Program
City of Escondido**

TR 916 Residential Project

MITIGATION MONITORING PROGRAM

Issue	Potential Impact	Mitigation Measure	Implementing Entity	Implementation Timing	Certified Initial/ Date
V. Biology	Coast Live Oak Woodland	BIO-1 Impacts to 0.29 acre of coast live oak woodland shall be mitigated at a 2:1 ratio through acquisition of .58 acre of coast live oak woodland at the Daley Ranch Mitigation Bank.	Applicant	Prior to Grading Permit Issuance	
V. Biology	Mule Fat Scrub	BIO-2 Impacts to 0.03 acre of mule fat scrub shall be mitigated at a 1:1 ratio through acquisition of 0.03 acre of woodland habitat at the Daley Ranch Mitigation Bank.	Applicant	Prior to Grading Permit Issuance	
V. Biology	Non-Native Grassland	BIO-3 Impacts to 15.13 acres of non-native grassland shall be mitigated at a 0.5:1 ratio through acquisition of 7.57 acres of non-native grassland at the Daley Ranch Mitigation Bank.	Applicant	Prior to Grading Permit Issuance	
V. Biology	Coast Live Oak Trees	BIO-4 Mitigation for impacts to the four protected coast live oak trees, the four mature coast live oak trees, one mature Engelmann oak tree, four oak hybrids and the 178 mature ornamental trees will occur with the planting of at least 13 oak trees and 178 ornamentals within the project landscaping in the form of street trees throughout the project. The actual number and size of replacement trees as well as the planting location shall be determined through consultation with City staff and shall be specified in the project proponent's Development Agreement with the City. The habitat value of the oak trees is also being	Applicant	Prior to Grading Permit Issuance	

		mitigated by the purchase of mitigation credits at the Daley Ranch Mitigation Bank.			
V. Biology	Active Raptor Nests	BIO-5 A qualified biologist shall determine if any active raptor nests occur on or in the immediate vicinity of the project site if construction is set to commence or continue into the breeding season of raptors (January 1 to June 15). If active raptor nests are found, their situation shall be assessed based on topography, line of site, existing disturbances and proposed disturbance activities to determine an appropriate distance or temporal buffer.	Applicant	Prior to Grading Permit Issuance	
VI. Cultural Resources	Potential Subsurface Archaeological Deposits	CR-1 The project applicant shall provide archaeological monitoring for the significant subsurface archaeological deposits that might be present on the parcel. These archaeological deposits may include privies, cisterns, trash deposit, and foundations. If archaeological features are encountered, the area shall be identified and the boundaries marked to avoid further ground disturbance. The archaeological remains should then be investigated using traditional excavation techniques and, if determined to have legitimate research potential, an adequate sample for analysis should be removed or, in the case of structural remains, documented. A budget to adequately analyze the material and prepare a professional report should be obtained and analysis and report preparation completed. Copies should be provided to the Escondido City Planning Department, the Pioneer Room of the Escondido City Library, and the Escondido Historical Society.	Applicant	Prior to Grading Permit Issuance	
VIII. Hazards and Hazardous Materials	On-Site Water Wells	HHM-1 Prior to grading, on-site water wells shall be abandoned or removed in accordance with applicable laws, and regulations.	Applicant	Prior to Grading	
VIII. Hazards and Hazardous Materials	Trash/Debris	HHM-2 Prior to grading, the trash/debris shall be removed from the site and disposed of in accordance with applicable laws and regulations.	Applicant	Prior to Grading	

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**Letters from Ms. Connie Braun, 3024 Laurashawn Lane
(August 12 and August 17, 2017)**

North Avenue Area Homeowners
c/o Constance Braun
3024 Laurashawn Lane
Escondido, CA 92026
760-310-5648

August 12, 2017

Bill Martin
City of Escondido
Planning Division
201 N. Broadway
Escondido, CA 92025

via email BMartin@escondido.org
revised with correction to paragraph 4

Re: Proposed Development and Annexation of Tract 916 (SUB 17-007)

Dear Mr. Martin:

The residents of the homes in the areas that will be affected by the above-noted proposed development have the following concerns and requests.

First, seasonal high groundwater, storm water run-off, and related flooding must be considered in relation to the proposed development. Tract 916 is composed of alluvial soil, which is deposited by water flowing over flood plains or in river beds. This kind of soil is present in Tract 916 because it is low land in a convergence of surrounding foothills that are part of the Escondido Creek Watershed. The proposed compacting of soil and increasing of elevation of the Tract 916 area will re-route groundwater and surface water run-off to surrounding properties.

This redirecting of seasonal run-off and groundwater is of particular concern to the North Avenue Area Homeowners. We were informed that the bedrock and water table was tested in November of 2016. According to the San Diego County Water Authority, rainfall in 2016 was below 30-year normal ranges; also, more than 80 percent of San Diego County rainfall occurs December through March. Hence, the November of 2016 test does not accurately represent the seasonal ground water levels that arise from average rainfall in average years. Additionally, San Diego County is defined as a semi-arid climate with occasional very wet years. During these wet years—the last of which was 2005—groundwater and water run-off in Tract 916 will be significantly higher than what was tested in November of 2016. As owners of property adjacent to the proposed development of Tract 916, our properties will be negatively affected when our region experiences a wetter than average year. There is high probability of flooding, septic system inadequacies, and even foundation damage. Therefore, we ask for a comprehensive geological study to determine the long-term groundwater levels of Tract 916. We also ask for clarification of who will be liable if harm befalls our property due to high groundwater or storm run-off after Tract 916 is developed.

Second, the developers plan to address the issue of water effecting existing homes by using a buffer zone. The current design of the proposed development shows a 10-foot buffer running between the western edge of the development and the eastern edge of Laurashawn Lane. This buffer has been called a sufficient remedy for groundwater and run-off problems. However, how this buffer will function as a water management tool is unclear. Also, no one has plans for who will maintain it, police it, or manage its fire risk. We ask that the function and maintenance of this buffer area be clarified.

Third, the proposed development of Tract 916 will have significant environmental impact. The development includes plans for 34 homes on approximately ¼ acre lots on land currently zoned for one home per acre. The loss of wildlife and open space will be substantial. The increase of population density will place greater strains on services including police, fire, schools, trash, and water supplies. There will be a major increase in traffic. North Escondido has been greatly altered by current and recent development. The existing Environmental Impact Report is over 10 years old and does **not** address the current situation. We insist on responsible planning and ask for a new Environmental Impact Report which would encompass new regulatory requirements of such agencies as the SWRCB and EPA and take into consideration cumulative effects of all recent development in the area.

Beyond the more widely-felt environmental impact, there is also an immediate and negative visual impact on the North Avenue Area Homeowners that will devalue their properties. The proposal calls for increasing the elevation of the entire tract. In addition, there will be a retaining wall with fencing or walls on top of it. The proposed two-story homes will increase the visual impact and are not in keeping with the surrounding community. The homeowners currently enjoy mountain views, which will be entirely blocked by dirt, walls, fences, and roofs. We ask that the exact elevation of the home sites be disclosed. And we ask that any development does not include two-story homes or roof lines exceeding 20 feet in height.

Finally, the North Avenue Area Homeowners are concerned about annexation into the City of Escondido. Tract 916 and the North Avenue Area are part of liminal land between rural back country and city. The change to the landscape will be intense when development of Tract 916 takes place and the costs will be significant. The City of Escondido and the developer have discussed annexation of the proposed tract as well as potential annexation of the surrounding properties. Such discussion has been obscure, perhaps intentionally so. How this annexation will work, how much it will cost, and how it will affect current homeowners must be clarified if the proposed development hopes to be called “responsible.” We insist on a breakdown of those annexation costs, taxes, and fees both initially and for ongoing operation. Existing homeowners must be given sufficient time to consider these costs. Also, homeowners must be made aware of any potential code or building conditions that will affect our properties, homes, utilities, or services in the future.

The proposed development of Tract 916 is undoubtedly economically desirable for some; however, as it is currently planned, it does not promote the general well-being of the people already living in the areas near Tract 916. We ask for responsible development that promotes the well-being of current residents and homeowners as much as it promotes the economic gain of the developer and the City.

Respectfully Yours,
North Avenue Area Homeowners

Cc: Robert Barry, LAFCO County of San Diego Robert.Barry@sdcounty.com
Ann Dolmage, City of Escondido Planning Dept ADolmage@escondido.org

North Avenue Area Homeowners
c/o Constance Braun
3024 Laurashawn Lane
Escondido, CA 92026
760-310-5648

August 17, 2017

Bill Martin
City of Escondido
Planning Division
201 N. Broadway
Escondido, CA 92025

via email BMartin@escondido.org

Re: Survey #1: North Avenue Annexation Interest Survey
Survey #2: Operation Status of Septic Systems Survey

Dear Mr. Martin:

North Avenue Area Homeowners received the above-referenced surveys which were to be returned by 5:00 p.m. August 18, 2017. The letter accompanying the surveys states *"if the surveys are not returned, it will be presumed that you are not interested in pursuing the annexation of your property and that you are experiencing no difficulties with your septic system."* However, many of us in NAAH cannot return the surveys at this time, and this inability must not be taken as a sign that we are or are not interested in annexation.

Survey #1 regarding annexation: our letter of 8/14/17* (copy enclosed) discusses our concerns about the development of Tract 916 and annexation of existing properties, and we state questions that must be answered by the City of Escondido regarding those concerns. Those questions will need to be answered more fully before homeowners can "consent to annexation" of their property.

Survey #2 regarding the operational status of septic systems: for what purpose is the City of Escondido seeking information about existing homeowner's septic system functionality? Before we answer the questions on this survey, we need to know how such information will be used and with whom it will be shared.

Because the specifics of annexation of existing properties have not been disclosed and because the purpose of the survey is uncertain, the North Avenue Area Homeowners request that you extend the deadline to respond. We respectfully ask that you wait for a reasonable period after we the homeowners have heard the answers to our questions before requiring a response regarding interest in annexation.

Respectfully Yours,
North Avenue Area Homeowners

Cc: Robert Barry, LAFCO County of San Diego Robert.Barry@lafcoco.sandiego.ca.gov
Ann Dolmage, City of Escondido Planning Dept ADolmage@escondido.org

* Regarding our letter dated August 14, we would like to make a correction to paragraph 4: we stated that the EIR does address the current situation. However, the current EIR is 10 years old and does NOT address the current situation.

**City's Response to Ms. Connie Braun's Letters
(November 8, 2017)**



November 8, 2017

North Avenue Area Homeowners
c/o Connie Braun
3024 Laurashawn Lane
Escondido, CA 92026

Dear Ms. Braun:

This letter is in response to your letter dated August 12, 2017, in which you listed several concerns regarding the proposed 34-lot development project, SUB 17-0007, located on Assessor's Parcel Numbers 224-153-19 and 224-153-20 in northern Escondido. Below is additional information regarding the cost of annexation, liability for water damage, the environmental reviews, drainage, the 12.5-foot buffer, and the proposed heights of the new homes.

Cost of Annexation:

In July, the City of Escondido mailed surveys to neighbors of the proposed development project to gauge interest in annexation. The majority of survey respondents indicated that they were not interested in annexation at this time. The small number of respondents who were interested did not share a property line with the development site, nor did they share property lines with each other (in other words, annexation of just those properties along with the development site would not preserve any continuity in City borders). Therefore, when this project is brought to the decision-making bodies, it will not include an annexation request for any nearby parcels, with the exception of the following three properties: 632, 644, and 714 North Avenue. These three properties have already connected to City sewer within the last five years and are therefore required to annex, per agreements signed by the property owners at the time of connection.

The above information notwithstanding, here are more details about annexation costs for individual homeowners in this area. Costs obviously vary depending on the number and location of existing properties that are interested in annexing. The City attempts to ensure that all public improvements in a proposed annexation area are or will be constructed to city standards to avoid placing the burden of future improvements in the area on city taxpayers. According to an estimate prepared by Masson Engineering, the total cost of sewer main and road improvements for the 45 homes on Laurashawn Lane will be \$14,822 per home. Additionally, it will cost \$16,834 to connect each home to the sewer. This equates to a total of approximately \$31,656 per house, but this number would go up proportionately if houses decided not to join. The costs for street improvements include the gutter, curb, sidewalks, and storm water drain inlets. The sewer improvement costs include the sewer main, installing manhole covers, connecting the houses to the sewer main, and all associated fees.

Liability for Water Damage:

According to established California law, a homeowner cannot alter a water flow in a manner causing damage to another's property. Altering a water flow means changing the rate, volume, or direction of the flow. The owner of the property altering the flow is liable for any damages caused by the changed flow. Therefore, any liability from damages caused by an altered flow would fall upon the HOA as the owner of the property. However, the developer could also be liable if the damage was due to negligent design or construction of the drainage facilities.

Environmental Review:

A Mitigated Negative Declaration (MND) was prepared for this project when it was originally submitted in 2005 under the name Tract 916. The MND evaluated the potential environmental impacts of the proposed 39-lot residential project (34 residential lots and 5 open space lots). The 2005 analysis identified several mitigation measures for impacts related to hazardous materials and biological and cultural resources. CEQA states an addendum to an MND is appropriate when some changes or additions to a previously adopted MND are necessary, but the changes are not substantial enough to require major revisions to the adopted MND due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The current proposed project differs from the original project in that it includes a 12.5'-wide buffer along the rear property line of most proposed lots on the west and south sides of the development (which back up to homes on Laurashawn Lane and North Avenue), as well as lots on the east side of the development (which back up to homes on Kaywood Drive). As a result of this change, and to determine if traffic conditions have changed in the area since the original MND was prepared, additional hydrological, soils, and traffic testing was done. No new significant impacts were identified. As a result, an MND Addendum is being prepared to show that the environmental analysis, impacts, and mitigation requirements identified in the 2005 MND remain substantively unchanged by the proposed project, and support the finding that the proposed project modifications do not result in new significant impacts and do not exceed the level of impacts identified in the 2005 MND.

Drainage and Flooding:

As demonstrated in the attached letter from Geocon Inc., the planned development will reduce groundwater infiltration and surface drainage. The installation of effective drainage devices throughout the property, such as concrete drainage swales, will prevent runoff from the surrounding properties from causing flooding on neighboring properties. The attached visual illustrates how the designed drainage devices will direct the storm water into drains and away from neighboring properties.

12.5-Foot Buffer:

The 12.5-ft buffer surrounding the property was not designed to act as a drainage feature. Rather, it was included to provide undisturbed space between the project and any neighboring septic lines.

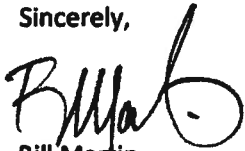
Building Height:

The original conditions of approval for the project require single-story homes with a maximum height of 17 feet for all new residences that are adjacent to existing residences on Laurashawn Lane. The applicant

is proposing to modify this condition of approval to require one-story homes with a maximum height of 17' on at least six of the fourteen lots numbered 20 through 33 on the proposed Tentative Map (these fourteen lots back up to homes on Laurashawn Lane). The remaining eight or fewer lots in this row would be developed with two-story homes up to 27' in height, with no two-story element encroaching closer than 40' to the rear property line. This setback from the property line is intended to minimize the impact to the views from the Laurashawn homes. Our staff is still evaluating this request and will make a recommendation to the Planning Commission and City Council as to the appropriate number of two-story homes in this area.

We hope that this response addresses your concerns regarding the project. Additional questions and comments may be addressed to the project planner, Ann Dolmage at 760 839-4548 or adolmage@escondido.org.

Sincerely,



Bill Martin
Director of Community Development

Copy: Robert Barry, LAFCO

GEOCON
INCORPORATED

GEOTECHNICAL ■ ENVIRONMENTAL ■ MATERIALS



Project No. 07344-42-02
October 20, 2017

North Avenue CAJ, LLC
Post Office Box 928257
San Diego, California 92192

Attention: Mr. Casey Johnson

Subject: GROUNDWATER AND SURFACE DRAINAGE RUNOFF
NORTH AVENUE ESTATES
SAN DIEGO COUNTY, CALIFORNIA

Dear Mr. Johnson:

In accordance with your request we have prepared this letter with respect to pre- and post-development groundwater flow and surface drainage on the property. We understand that storm water runoff from adjacent properties currently flows toward and onto the subject property. Infiltration of this runoff and rainfall onto the site likely causes perched groundwater on the underlying bedrock contact.

After the completion of the proposed site improvements, storm water runoff from adjacent properties will be intercepted at the property margins and directed to appropriate drainage devices. Additionally, storm water that falls on the property will be controlled using engineered drainage devices as required by current County and State regulations. We opine that the planned development will reduce groundwater infiltration and surface drainage.

Should you have any questions regarding this letter, or if we may be of further service, please contact the undersigned at your convenience.

Very truly yours,

GEOCON INCORPORATED

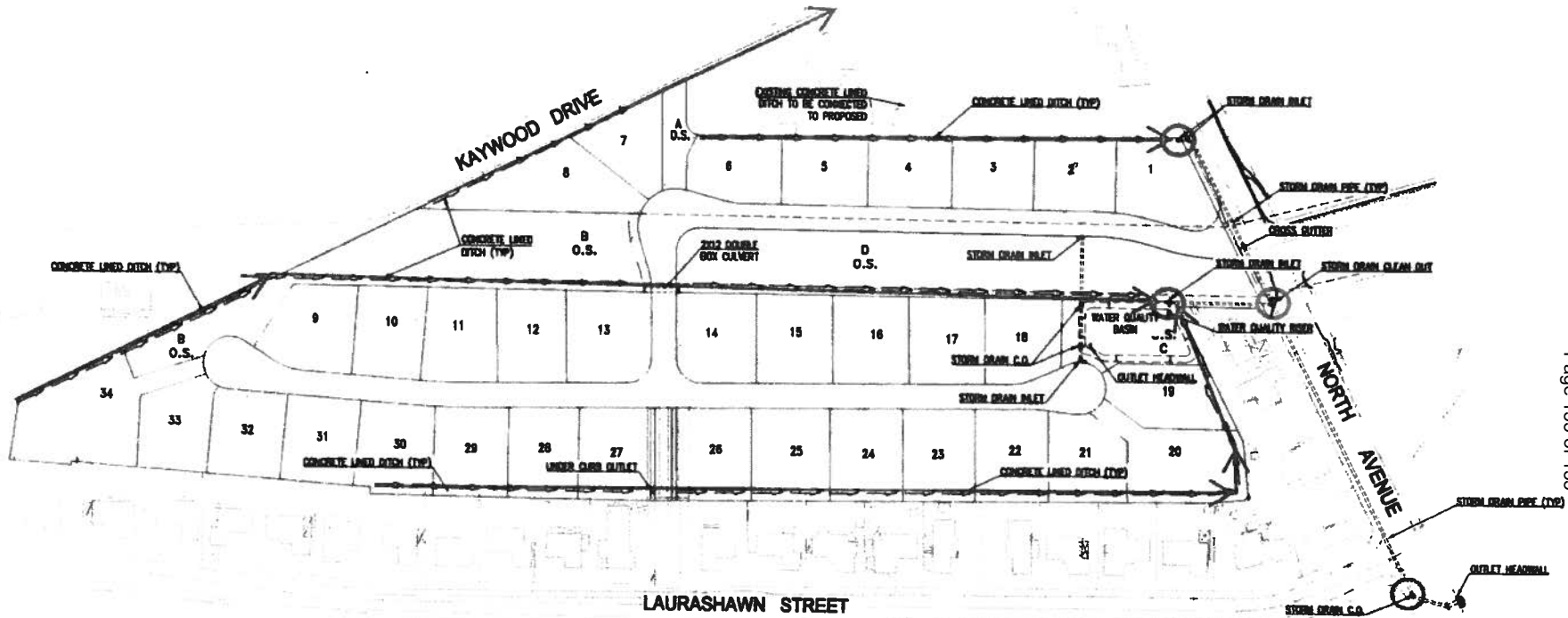

Rodney C. Mikesell
GE 2533



RCM:ejc

(e-mail) Addressee

NORTH AVENUE ESTATES PROPOSED STORM DRAIN FACILITIES EXHIBIT



NOT TO SCALE

Planning & Engineering & Surveying
 Solved.
MASSON
 & ASSOCIATES, INC.
 200 E. Washington Ave., Suite 200
 Escondido, CA 92025
 O. 760.741.3570
 F. 760.741.1786
 www.masson-assoc.com

ATTACHMENT B
SUB 17-0007, PHG 17-0034, and ENV 17-0011

CITY OF ESCONDIDO

**MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION**

November 28, 2017

The meeting of the Escondido Planning Commission Meeting 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; Stan Weiler, Commissioner; James Spann; Commissioner; Don Romo, Vice-chairman; Michael Cohen, Commissioner; Joe Garcia, Commissioner; and James McNair, Commissioner.

Commissioners absent: None.

Staff present: Bill Martin, Director of Community Development; Mike Strong, Assistant Planning Director; Adam Finestone, Principal Planner, Jay Paul, Senior Planner; Homi Namdari, Assistant City Engineer; Owen Tunnell, Principal Engineer; Ann Dolmage, Associate Planner; Adam Phillips, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Spann, seconded by Commissioner Weiler, to approve the minutes of the November 14, 2017, meeting. Motion carried. Ayes: Cohen Weiler, Spann, and Garcia. Noes: None. Abstained: Weber, McNair, and Romo. (4-0-3)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS – None.

ORAL COMMUNICATIONS: – None.

PUBLIC HEARINGS:

1. **TENTATIVE SUBDIVISION MAP EXTENSION AND REVISION, MASTER DEVELOPMENT PLAN, DEVELOPMENT AGREEMENT, PREZONE, AND ANNEXATION – SUB 17-0007:**

REQUEST: The project request includes the following components:

- 1) Extension of a Tentative Subdivision Map for a residential development containing 34 single-family lots, originally approved as Tract 916 on April 5, 2006, and revised as Tract 916-R on April 9, 2008;
- 2) Revision of the Tentative Subdivision Map to add a 12.5'-wide open space easement along the rear property line of certain residential lots, and to modify conditions of approval regarding fencing materials and residence heights;
- 3) A Master Development Plan to allow lot clustering and reduction of lot sizes below the 20,000 SF required for the Estate II designation of the General Plan, to replace the Master Development Plan that was approved with Tract 916 but has since expired;
- 4) A Development Agreement for contributions toward improvements to address infrastructure deficiencies in the North Broadway Region of Influence, to replace the Development Agreement that was approved with Tract 916 but has since expired;
- 5) Annexation of the residential development site into the City of Escondido;
- 6) Prezone of 632 and 644 North Avenue to RE-20, and annexation of these two properties, as well as 714 North Avenue (previously zoned to RE-20), into the City of Escondido; and
- 7) The adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The residential development site is located on the north side of North Avenue, between Laurashawn Lane and Kaywood Drive, and is comprised of two lots totaling 17.2 acres (224-153-19 and 224-153-20). The three properties to be annexed along with the development site are also located on the north side of North Avenue, and are addressed as 632 North Avenue (0.23 acre), 644 North Avenue (0.29 acre), and 714 North Avenue (0.23 acre).

Ann Dolmage, Associate Planner, referenced the staff report and noted staff issues were whether the 12.5'-wide open space easement, as shown on the Revised Tentative Map, is an acceptable measure to prevent project-related impacts to the septic systems on Laurashawn Lane properties, whether the project's proposed development standards, including allowing a mixture of one-story and two-story homes on the west side of the development, would be appropriate, and whether the project's CEQA obligation could be satisfied with an Addendum to the Mitigated Negative Declaration previously certified for Tract 916. Staff recommended approval based on the following: 1) The potential impact of the project on nearby septic systems has been a long-standing concern of residents on Laurashawn Lane. The original project attempted to address this concern by imposing a condition that required the developer to repair any systems damaged by the project at the developer's cost or, if repairs were infeasible, to connect affected properties to public sewer at the developer's cost. The condition stated that a majority opinion of the City Engineer, County Environmental Health Department, and a forensic engineer would determine whether project activities were responsible for the failure of these septic systems. As discussed above, LAFCO required revision of this

condition of approval prior to finalizing the annexation, and City Council declined to revise the condition, leaving the applicant unable to complete the annexation or the remainder of the project. The applicant is now proposing to amend the condition of approval about septic repair from the project, and has proposed to provide a 12.5'-wide open space buffer along the rear property line of Lots 1-6, Lots 19-30, and the east and north sides of Lot 34, to prohibit development in this area. This buffer is intended as an extra measure of protection for the neighbors, since the applicant has also provided a letter from Geocon, a geotechnical engineer, that states their professional opinion that grading in the North Avenue Estates development site will not cause or contribute to failure of septic systems on adjoining properties. A copy of this letter and the documentation that supports it is attached to this staff report; 2) The original project proposed a minimum front setback of 20 feet, a minimum side setback of 15 feet combined for both sides, and a minimum rear setback of 20 feet for all residential lots. It also included a condition requiring all new homes adjacent to existing residences on Laurashawn Lane (excluding Lot 34, at the far north end of the development) to be limited to one story and 17 feet in height, to address concerns by Laurashawn neighbors that taller homes would block views from their properties and disrupt privacy. Under the current proposal, the applicant has requested to allow two-story homes up to 27 feet in height on up to eight of the properties between Lots 20 and 33. The remaining six lots between 20 and 33 would still be limited to a height of one story and 17 feet. As a concession for allowing two-story homes on lots that had previously prohibited them, the applicant has proposed to require any two-story elements to be located at least 40 feet from a rear property line. This 40' rear setback exceeds requirements for any residential zone in the City of Escondido (minimums range from 5' to 20' depending on the zone, and no residential zones prohibit two-story structures). The applicant has also proposed a minimum front setback of 15' for all residential lots (a 5' reduction from what was originally approved), with the reasoning that a smaller front setback will give the developer more flexibility in constructing homes farther from rear property lines. The applicant is not proposing to change the side setback that was previously approved. The Supplemental Details of Request section later in this staff report compares previously-approved development standards to standards proposed under the current project request; and 3) A Mitigated Negative Declaration (MND) was prepared for the original subdivision project and identified potential impacts to biological resources, cultural resources, and hazards and hazardous materials. Mitigation measures were proposed to reduce those impacts to a less than significant level. Before the project went to public hearing in March of 2006, the MND was amended to add language to the noise, air quality, and traffic sections of the document, in response to comments from the County of San Diego. Because the amended document did not identify any new or increased impacts requiring mitigation, and the original mitigation measures did not need to be revised, the document was not recirculated for public review. The applicant is now proposing to revise the Tentative Subdivision Map to include the 12.5'-wide open space buffer, and is proposing to change some conditions of approval and development standards that were included as part of the original Planned

Development. The applicant has obtained updated aesthetics, greenhouse gas, traffic, hydrology, and soils information for the project, and determined that project revisions will not create any new impacts that were not identified in the original Amended MND, nor will they worsen any impacts that were identified. Therefore, an Addendum to the Amended Mitigated Negative Declaration has been submitted and is proposed for adoption as part of the project.

Commissioner McNair and staff discussed the proposed elevation of the retaining walls and fencing for the northern lots of the project as well as the role of the homeowner association with regard to maintaining landscaped buffer areas.

Chairman Weber asked if the General Plan clustering policy required that all lots abut an open space area. Mr. Strong answered in the negative.

Mark Olszanski, Escondido, expressed his concern with his property historically having drainage and water runoff issues as well as having issues with the existing culvert diverting water onto his property. He noted that he had spent thousands of dollars trying to remedy the drainage issues on his property. He noted that he would be in favor of the project if it could mitigate the drainage issues in the area and clean up the subject property from the trash being dumped on the site.

Mr. Namdari provided an overview of the proposed drainage plans for the project.

Kathy Jones, Escondido, expressed her concern with the area having drainage and groundwater issues, noting her concern with the project impacting the existing septic systems in the area. She expressed concern with the City stating that the drainage issues would be mitigated without taking on any liability and passing this on to the new homeowners of the subject project.

Jeanette Hickenbottom, Escondido, expressed her concern with the septic systems in the area being impacted by the subject project, noting the area was inundated with drainage issues. She asked who would maintain the buffer zones between the project and her fence. She was concerned with removing the Eucalyptus trees on the subject property impacting the wildlife. She also expressed her concern with any proposed street lighting impacting the rural atmosphere of the area. She was opposed to the project.

Darwin Bree, Escondido, expressed his concern with the density of the project and the heights of the structures. He was concerned with the average daily trips the project would generate and the project's impacts on the biosphere. He also expressed concern with the project overlooking onto existing properties.

Rodney Jones, Escondido, noted that Laursahawn Lane used to be a blue line creek, noting that the area had always had major drainage issues. He expressed his concern with the cumulative impacts of the developments occurring in the area, noting that over 755 new homes were slated north of Sheridan Avenue. He felt that

this constituted a major shift in the ecology and infrastructure, which would have a significant impact on the environment, greenhouse gases, traffic, and loss of open space. He asked that a new EIR be done taking into account the cumulative impacts of future developments.

Terri Vidals, Vice-President of the Brookside HOA, Escondido, noted that she was representing Brookside. She expressed their concern with the drainage from the subject project flowing into an area that was maintained by Brookside. She requested that if the subject development planned on directing any of their flow into an area that Brookside maintained, that the project be conditioned to offset the costs of said maintenance.

David Ferguson, Escondido, Representing North Avenue Estates, noted the owners of the project and civil and geotechnical engineers were present to answer questions. He stated that the reason the previous project failed was due to LAFCO changing a condition that if any septic system failed for any reason the City was responsible to pay for said system to be hooked into the sewer system. He noted that the project proposed citywide drainage improvements that would benefit the entire region. He also indicated that the project met all of the clustering policy requirements.

Robert D'Amaro, Engineer of Record for the project, provided an overview of the proposed drainage plans. He stated that all of the water that ran through the adjacent properties would continue on their original course. He stated that the water on the subject site currently ran onto North Avenue and ended up in the Reidy Creek facility, which would continue the same except through onsite drainage structures. He also indicated that the project would be in compliance with State and local regulations for storm water treatment.

Commissioner Weiler asked what the impacts would be downstream from the project's retention basin. Mr. D'Amaro provided an overview of the retention basin functions and noted that there would be no difference in the amount of water flowing downstream.

Rod Mikesell, Geoengineer for the project, provided an overview of the testing completed with regard to impacts on existing septic systems. He noted that the tests were conclusive in that no septic seepage was occurring from the existing septic systems onto the subject property. He indicated that the remedial grading proposed for the project should not have any impacts on the seepage flow. He then provided an overview of the geological conditions on the site and noted that they found no groundwater levels on the site, noting grading of the site should not impact groundwater flow from the neighboring properties to the west.

Chairman Weber noted that the date for the test pits was conducted in November of 2016, questioning whether the data was valid given the drought conditions during this time period. Mr. Mikesell noted that the purpose of the test pits was to

evaluate the septic systems in the area, noting that the ground water flow would be the same regardless of amount of flow. He also reiterated that the proposed grading should not impact or cause a dam of water that would flow in the opposite direction that it currently flowed.

Commissioner Romo asked if the grading “should not” or “would not cause” issues. Mr. Mikesell noted that there were no absolutes in geoengineering. He stated that in their opinion it should not cause any rise in ground water conditions.

Chairman Weber asked if a conventional septic system today would work on the subject property. Mr. Mikesell stated that he did not have this information. He also indicated that the area had dense native bedrock, noting this could be a reason for septic system issues in the area.

Commissioner Spann asked how deep the wells were in the area or would have to be successful. Mr. Mikesell noted that he did not have this information.

Commissioner Weiler asked if the inclusion of impervious surfaces that the project would create would decrease the amount of water that would hit the bedrock. Mr. Mikesell replied in the affirmative.

Casey Johnson, North Avenue Estates, Encinitas, noted that the reason for requesting the revision to the condition requiring single-story homes on the western portion of the property was due to marketability and due to being able to create a better balanced street scene. He then asked for approval from the Commission.

Chairman Weber asked if any elevations or architecture was available for the subject project. Mr. Johnson replied in the negative.

Chairman Weber asked if the 36-foot wide street would accommodate parking on both sides of the street and through traffic. Mr. Namdari replied in the affirmative.

Mr. Ferguson noted that a Precise Plan would have to be approved which would include elevations and architecture before the project could go forward.

Robert Szolomayer, Escondido, expressed concern with the common area not being maintained and creating a place for transients, feeling this needed to be addressed. He referenced an aerial map that he was in possession of showing an approximate 12-foot difference in the easterly property line, noting that this needed to be rectified. He wanted to be assured that enough drainage structure would be provided to handle the water volumes. He also felt it would make sense to retain water onsite and repurpose it. He then asked if the project proposed masonry walls.

Ms. Dolmage noted that while the original 2006 project had a condition of approval that could be interpreted to allow open materials such as tubular steel or wrought iron for the full height of fencing between the development site and neighboring properties, the body of the staff report for the 2006 project indicated that fencing between the new lots and the adjoining properties should be masonry up to 6 feet and anything above that should be an open material. The current project would install vinyl fencing between individual lots as well as along the boundary of the 12.5' open space easement.

Brianna Rick, Escondido, noted that the neighbors were mainly concerned with being assured that the project would be sound and wanting someone to be liable if issues arose in the future. She then asked who would pay for annexation for residents on Laurashawn Lane. Chairman Weber noted that the homeowner would be responsible for any fees associated with annexing into the City.

Commissioner Weiler felt the project was in compliance with the General Plan and would help drainage in the area.

Commissioner Spann noted that the reason for the area being developed was due to the amount of open land north of Sheridan. He also felt the project would help drainage in the area. He stated that he supported the project.

Commissioner Romo felt the project fit within the zoning.

Commissioner Garcia felt clarification was needed with regard to who would be liable for drainage and septic issues in the future.

Chairman Weber felt the project should be conditioned to single-story along the western boundary. He felt the storm water concerns would be mitigated. He expressed concern with the pad elevations, height of the structures, and setbacks, especially along the western boundary. He stated that he could not support the project without 20-foot front yard setbacks, which would allow two vehicles to park in the driveway.

Commissioner Spann asked Chairman Weber if he would be in favor of the project if it were conditioned to single story along Laurashawn Lane and that 20-foot setbacks be provide for the front yard.

Commissioner Weiler asked for a clarification of the proposed front yard setback.

Ms. Dolmage noted the garage had a 20-foot setback and the residence would have a 15-foot setback while still maintaining the rear setbacks. Chairman Weber redacted his comments regarding the setbacks.

ACTION:

Moved by Commissioner Weiler, seconded by Commissioner Cohen, to approve staff's recommendation. Motion carried unanimously. (7-0)

Chairman Weber recessed the meeting at 8:28 pm and reconvened the meeting at 8:32 pm.

**2. MODIFICATION TO A MASTER AND PRECISE DEVELOPMENT PLAN
- PHG 17-0020:**

REQUEST: A modification to two previously approved Master and Precise Development Plans (City File Nos. PHG16-0012 "Escondido Innovative Center, and PHG15-0042 "Victory Industrial Park) to consolidate both planned industrial projects into one comprehensive project. The proposed modification includes the development of a single, 212,088 SF industrial/warehouse building on approximately 11.04 acres of industrial-zoned land. The project includes 220 surface parking spaces, up to 26 truck loading docks, 14 trailer truck stalls, landscaping, on- and off-site infrastructure improvements and grading, and storm water-drainage improvements. Grading permits previously were issued for each separate project site in conformance with the approved grading plan for each project, and rough grading for each site has begun. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The project site encompasses two parcels totaling approximately 11.04 acres generally located at the southeastern corner of Harmony Grove Road and Enterprise Street, addressed as 1995 and 2002 Harmony Grove Road (APNs 235-050-15 and -58).

Jay Paul, Senior Planner, referenced the staff report and noted staff issues were whether the proposed project, as revised, was compatible with adjacent industrial and residential development, and whether the proposed changes would result in new significant impacts beyond those already identified in the previously adopted environmental documents. Staff recommended approval based on the following: 1) The proposed project would be consistent with the General Plan industrial land-use goal of providing "a variety of industrial uses located and designed to assure compatibility with adjoining land uses offering diverse jobs for the community." Staff believes the overall site design, building setbacks, landscaping and building architecture create a well-integrated and high quality planned industrial development that would not result in any adverse impacts to adjacent residential properties, and is compatible with other industrial park development throughout the area. The project also is similar in design quality to what was already approved via PHG15-0042 in 2016 and PHG16-0012 in 2017; and 2) City staff evaluated the revised project and adopted 2016 IS/MND in light of the standards for subsequent environmental review pursuant to Section 15162 of the CEQA guidelines. Accordingly, and after careful review and consideration, a decision was made by the City of Escondido not to prepare a subsequent Mitigated Negative Declaration. To support this decision, an Addendum to the adopted 2016 IS/MND has been

prepared. The Addendum demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the original environmental documents remain substantively unchanged by the revised project description; and supports the finding that the proposed project does not raise any new issues and does not exceed the level of impacts identified in the 2016 IS/MND.

Chairman Weber and staff discussed the hours of operation for the facility as well as the proposed parking area for the loading zone. General hours of operation were from 6:00 am to 6:00 pm.

Commissioner Romo felt the project should be conditioned for the hours of operation to reduce the impacts to the residents in the area.

Chairman Weber asked if any of the tenant's products would require refrigeration. Mr. Paul replied in the negative and noted that product was geared towards cleaning products.

Scott Merry, Escondido, Badiee Development, noted that the tenant would be a Fortune 500 tenant. He stated that they were told that the typical hours of operation would be Monday through Friday from 6:00 am to 6:00 pm. He noted that they were conditioned so that delivery vehicles had to idle 5 minutes or less, noting they were in full conformance with the City's noise ordinance. He then requested approval from the Commission.

Commissioner McNair asked if any hazardous materials would be stored on site. Mr. Merry replied in the negative.

Chairman Weber asked that the motion include a recommendation for the hours of operations.

Discussion ensued regarding establishing the hours of operation so as to minimize impacts to surrounding residences.

John Couvillion, Badiee Development, asked that the hours of operation remain flexibility. He also stated that they were able to maintain noise levels at the boundaries of the property.

Chairman Weber asked Mr. Couvillion if he would be in favor of limiting the hours of operation to 6:00 am to 10:00 pm. Although Mr. Couvillion expressed this being a potential approach, he expressed some concern with limiting the hours of operation, noting there could be instances where some deliveries occurred after hours. He then suggested limiting deliveries to the south after normal business hours, noting that there were fewer residences in this area.

Discussion ensued regarding a clarification of the code enforcement complaint process.

Chairman Weber asked if the operations would run 24 hours a day. Mr. Couvillion noted that majority of operations were from 6:00 am to 6:00 pm.

ACTION:

Moved by Commissioner Romo, seconded by Commissioner Cohen, to approve staff's recommendation. The motion included directing the applicant to develop an operational plan to the satisfaction of the Community Development Director to minimize traffic and noise impacts during evening hours. Motion carried unanimously. (7-0)

3. ZONING CODE ADMENDMENT AND CONDITIONAL USE PERMIT – AZ 17-0003 ANDPHG 17-0009:

REQUEST: An amendment to Articles 1 and 26 of the Escondido Zoning Code to establish a five (5) year pilot program allowing non-industrial incubator uses as conditional uses within the M-1 (Light Industrial) and M-2 (General Industrial) zones, and a Conditional Use Permit to allow a cryotherapy business as an incubator use within an existing 5,642 SF multi-tenant industrial building located in the M-1 (Light Industrial) zone. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The proposed Zoning Code Amendment (ZCA) would affect M-1 and M-2 zoned properties citywide. The proposed cryotherapy business would be located within an approximately 2.24-acre industrial complex on the south side of Simpson Way, between Venture Street and State Place, addressed as 1553 Simpson Way (APN 232-440-39).

Adam Finestone, Principal Planner, referenced the staff report and noted staff issues were appropriateness of the proposed ZCA to allow incubator uses within the industrial zones (M-1 and M-2), whether the subject industrial site is appropriate for the proposed incubator use, and whether the operation would impact adjacent uses. Staff recommended approval based on the following: 1) incubator uses within the M-1 and M-2 zones will provide flexibility in the use and arrangement of existing industrial space by accommodating opportunities for existing industrial users to maximize the use and efficiency of their space without changing the underlying industrial nature of the industrial building or complex; 2) promote creativity and innovation by encouraging new businesses of an experimental, non-industrial nature, that will help transform ideas into successful commercial products or local business ventures; 3) provide additional employment opportunities within the City of Escondido and thus strengthen the local economy; and 4) Staff felt the subject site was appropriate for a cryotherapy business because conditions of approval would be applied which would address any potential impacts the business may have on other adjacent businesses and adjacent properties.

Commissioner Romo asked how long the applicant had been in business. Mr. Finestone noted that the code enforcement action occurred approximately 9 months prior.

Chairman Weber and staff discussed Page 15, sub-paragraph 3 of the staff report.

Commissioner Weiler and staff discussed the hours of operation.

Commissioner Cohen felt the hours of operation would limit the proposed type of business. Discussion ensued regarding limiting the hours of operation. City staff indicated that the criterion established by the proposed draft ordinance amendment is to ensure that any ancillary use of the property is appropriately controlled and supports the primary uses on site.

Commissioner McNair asked if the CUP would be retroactive. Mr. Strong replied in the negative.

ACTION:

Moved by Commissioner Weber, seconded by Commissioner Spann, to approve staff's recommendation. Motion carried unanimously. (7-0)

CURRENT BUSINESS ITEMS: None.

ORAL COMMUNICATIONS: None.

PLANNING COMMISSIONERS:

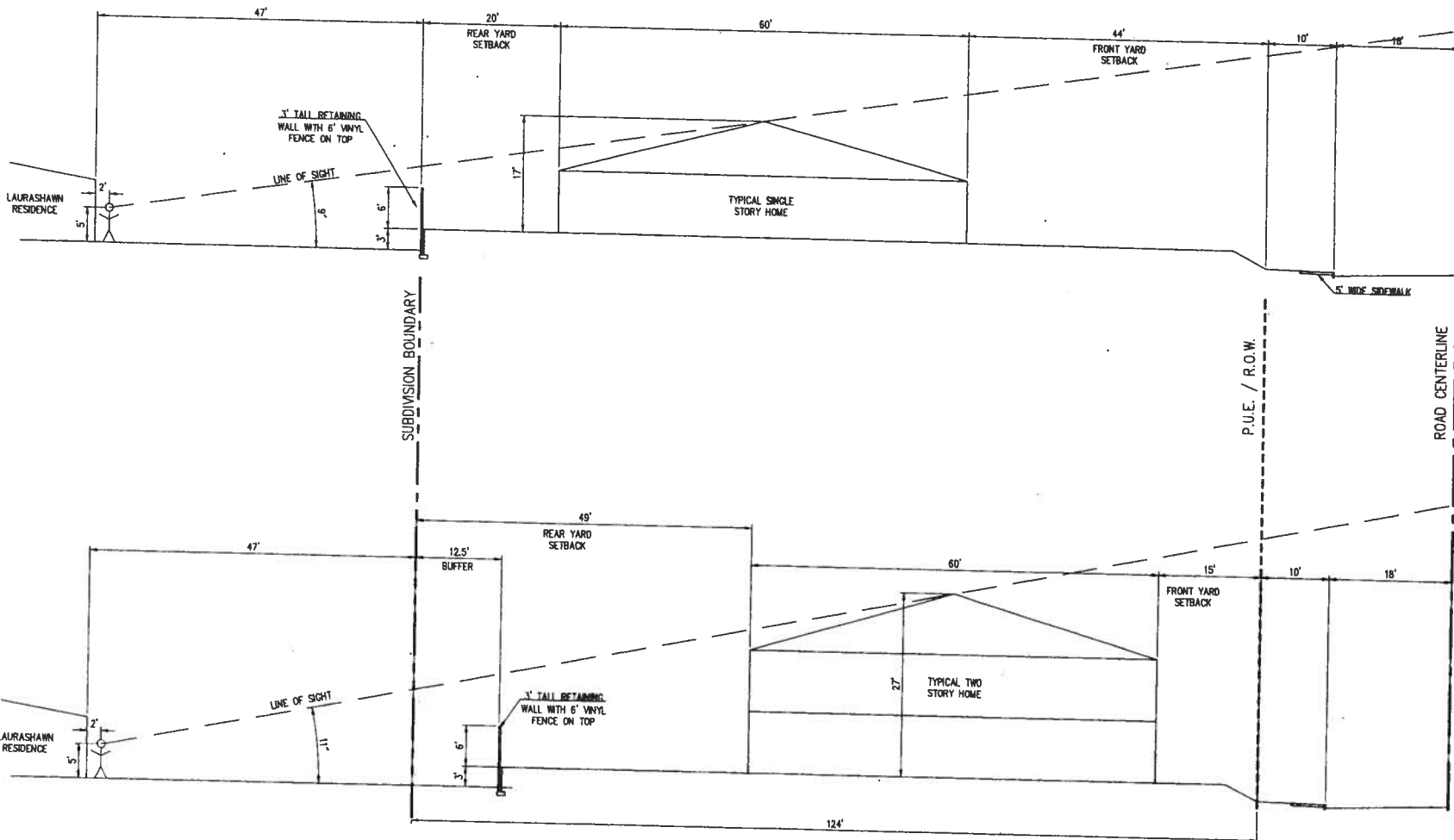
Commissioner Romo and Mr. Strong discussed Green Street opportunities.

ADJOURNMENT:

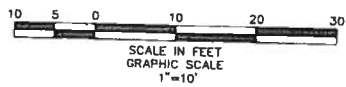
Chairman Weber adjourned the meeting at 9:24 p.m. The next meeting was scheduled for January 9, 2018, at 7:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.

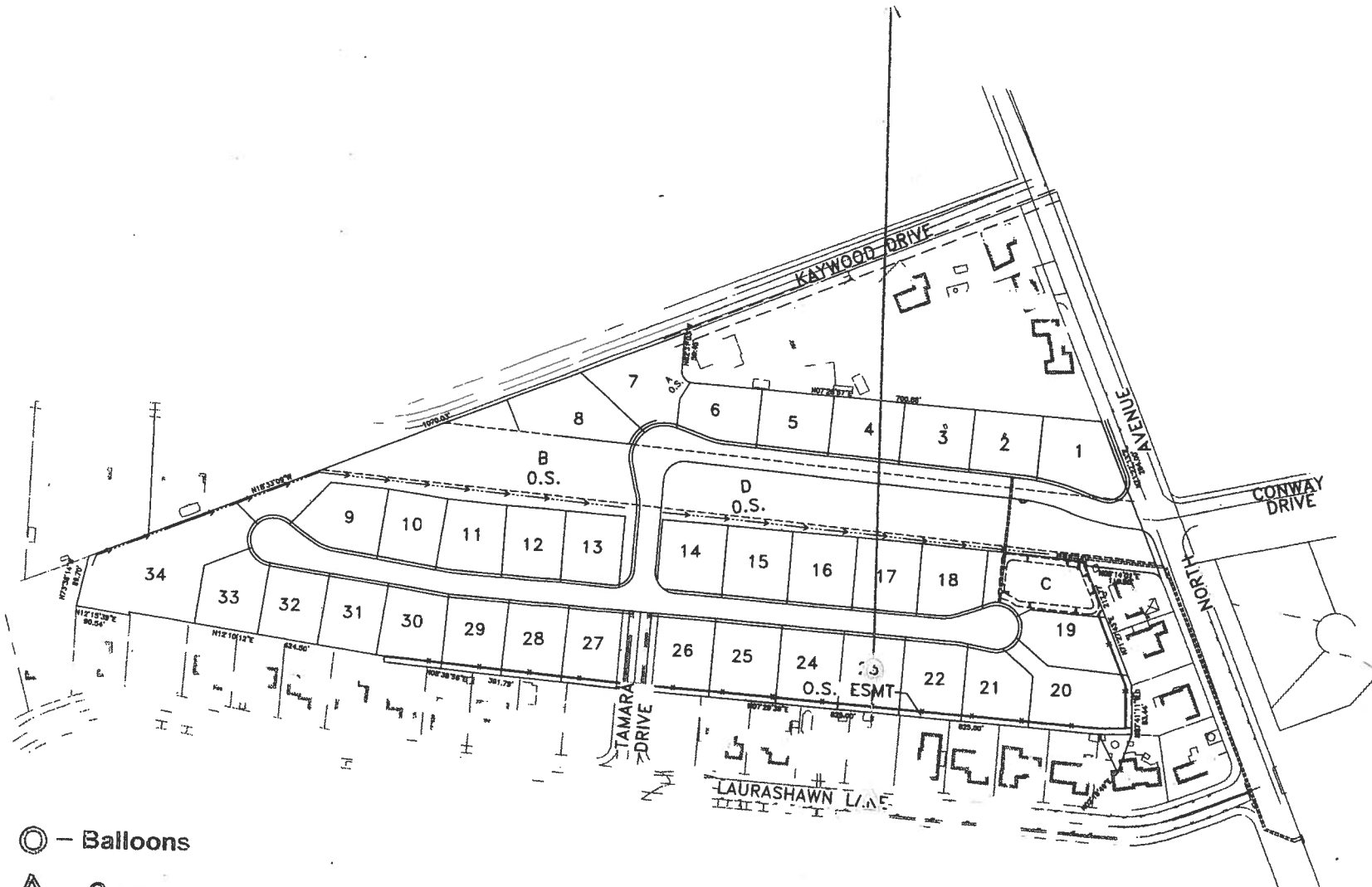
Mike Strong, Secretary to the Planning
Commission

Ty Paulson, Minutes Clerk



NORTH AVENUE LOT 24 TYPICAL SECTIONS





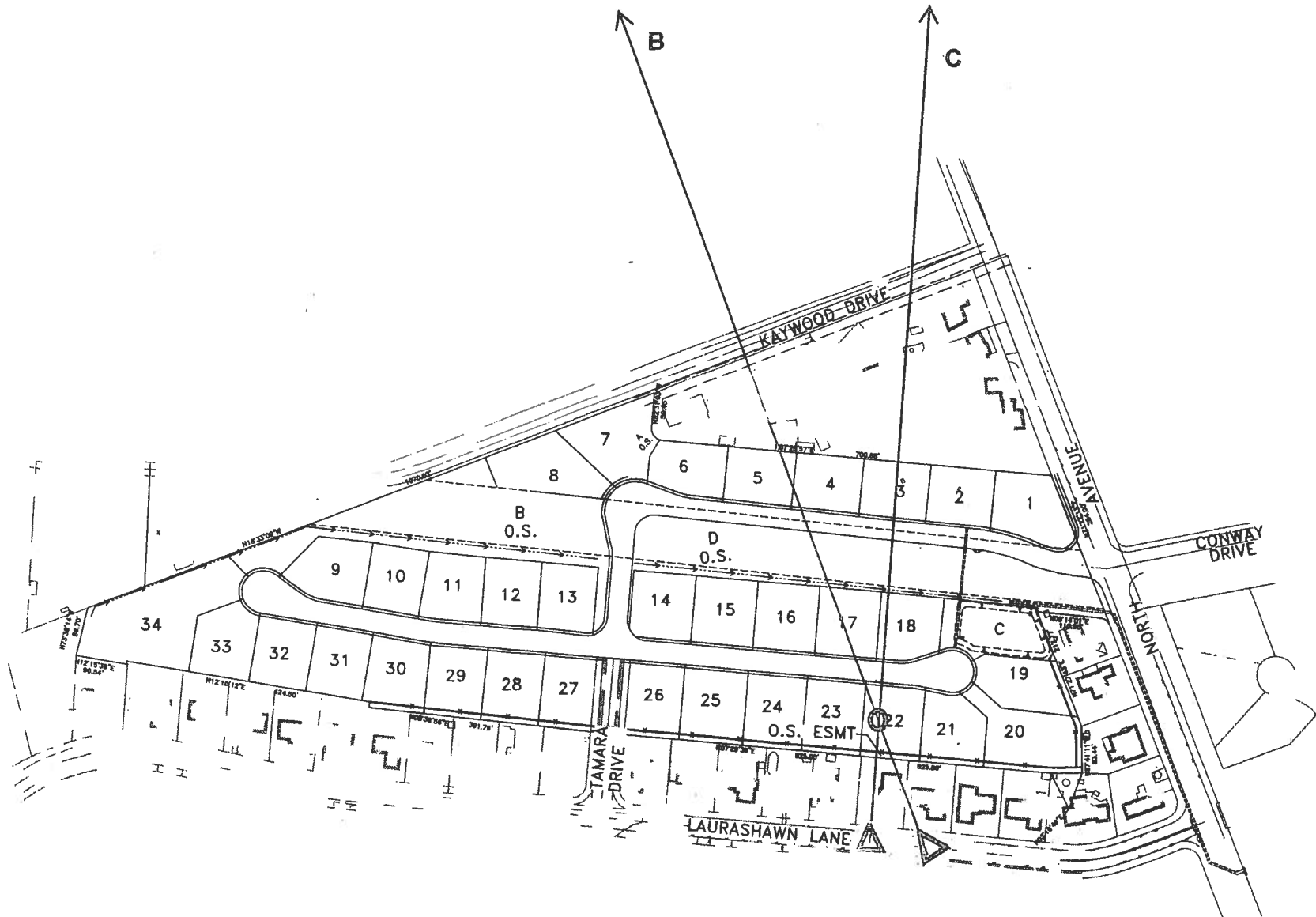
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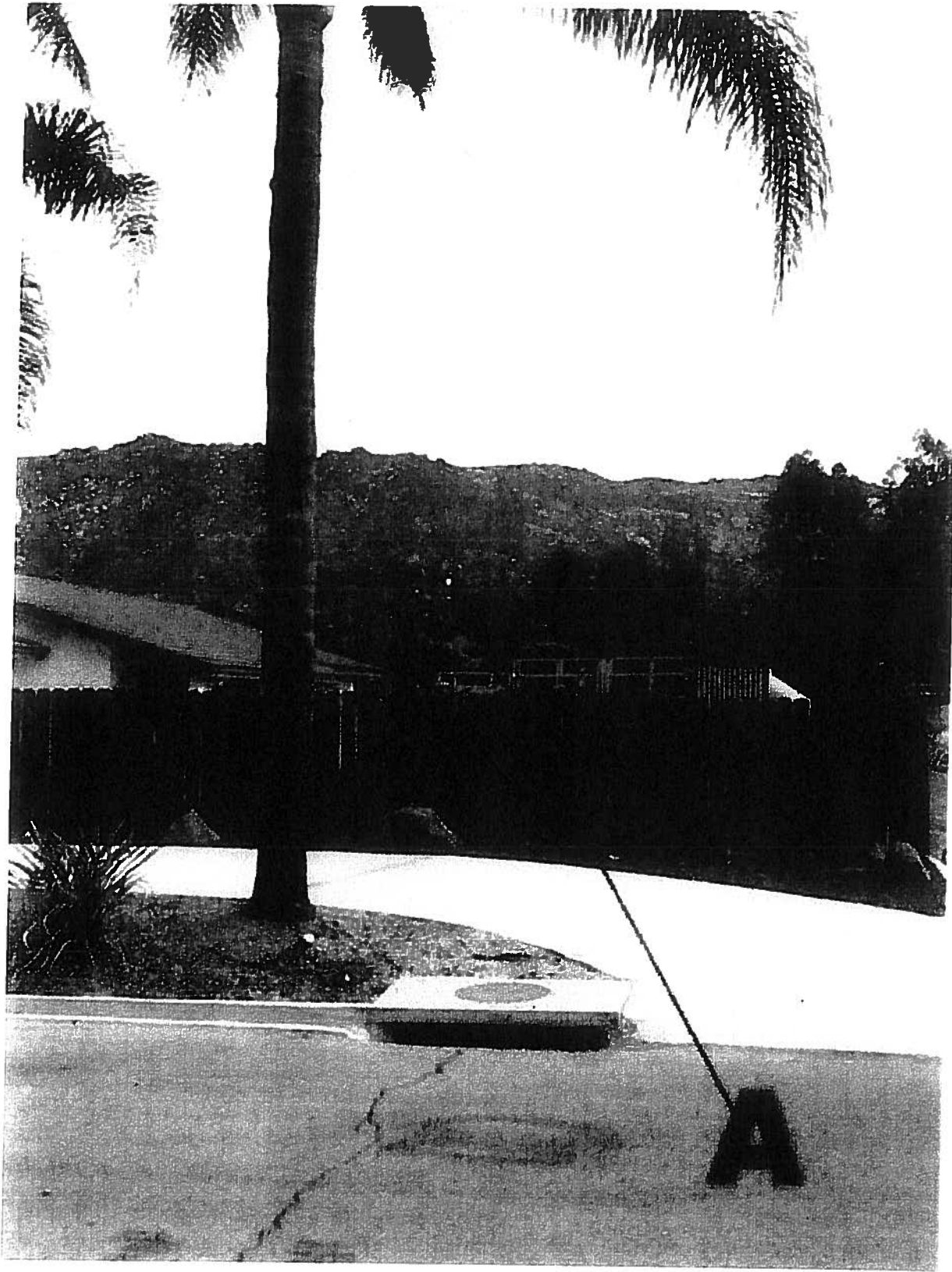
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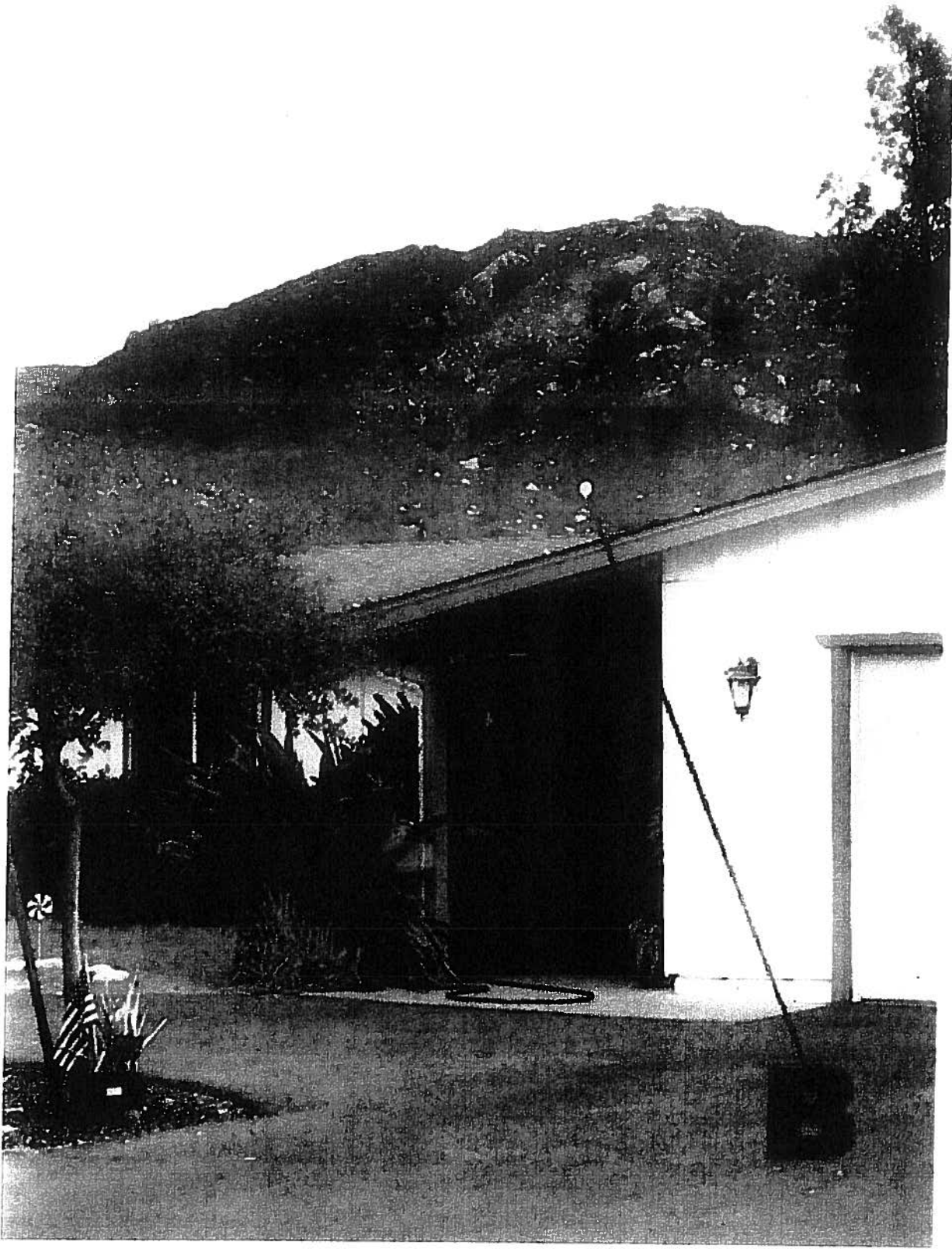


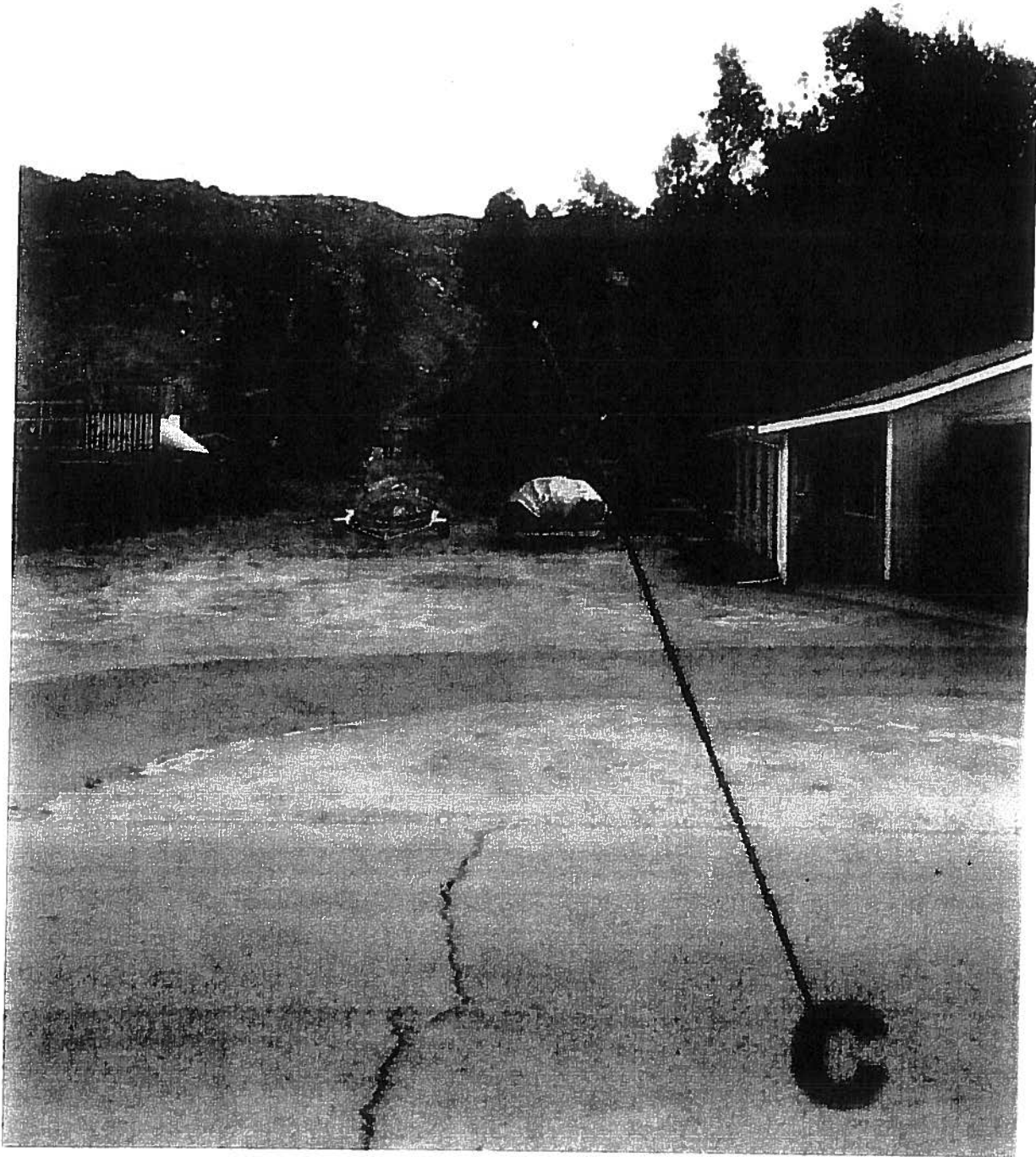
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North Avenue Area Homeowners
c/o Constance Braun
3024 Laurashawn Lane
Escondido, CA 92026
760-310-5648

November 25, 2017

Bill Martin / Ann Dolmage
City of Escondido
Planning Division
201 N. Broadway
Escondido, CA 92025

with **correction** on page 3

Re: Proposed Development and Annexation of Tract 916 (SUB 17-007)

Dear Mr. Martin and Ms. Dolmage,

Thank you for your letter of November 8, 2017 in which you addressed our concerns and answered some of our questions. We understand that you are evaluating and reviewing the proposed project and must act in consideration of the City of Escondido, the applicant for the development of Tract 916, and owners of existing properties. Balancing the needs and concerns of all involved parties is a goal that we share.

In this letter, you will find our revised requests regarding annexation, drainage, liability, the Environmental Impact Report, and the height of the proposed houses. We also have a few further questions regarding the 12.5 ft. buffer zone.

ANNEXATION

Thank you for a break-down of the process and costs of annexation and for providing an estimate per home of \$31,656 or more for annexation.

You also state, however, that a majority of survey respondents indicated they were not interested in annexation. Further, you declare that because “the small number of respondents who were interested did not share a property line with the development site, nor did they share property lines with each other” an annexation request for any nearby parcels would not be considered (with the exception of three properties already connected to City sewer). However, please recall our letter of August 18 in which we stated that many North Avenue Area Homeowners (NAAH) were unable to answer “yes” on the survey simply because they needed more information, and that inability to answer was not to be taken as a sign that respondents were or were not interested in annexation. The wording of the survey did not allow for owners who might want annexation once questions were clarified. Many homeowners reasonably felt that there were too many ambiguities regarding annexation and thus could not make an informed decision within the timeframe allowed.

Please consider that—even with the details of annexation costs you provided—each North Avenue Area Homeowner is faced with a quandary: *the impossibility of having every property owner assent to annexation means that annexation is not in fact a true option for anyone—either because of issues with preserving continuity of city borders or because of issues of prohibitive costs since expenses increase proportionately if any owners decide not to join.* Even those interested in annexation understand that it is neither reasonable nor realistic to expect that every property owner is in a position to pay the costs associated with annexation. Some are on fixed incomes; some are in the midst of raising families; some have serious health concerns.

DRAINAGE

The issue of annexation is important to NAAH primarily because of concerns regarding water drainage, septic system functionality, and liability.

We appreciate the provided illustration regarding the planned drainage devices and see that the proposed project applicant is taking storm water and drainage into consideration. The letter provided by Geocon Incorporated simply acknowledges that they “understand that storm water runoff *from adjacent properties* currently flows toward and onto the subject property” and goes on to state that the proposed site improvements will intercept that water “at the property margins” and direct it “to appropriate drainage devices” (emphasis added). We appreciate the importance of the swales which the applicant has included in plans for the proposed development, but it sounds as though those swales will be effective only in mitigating the effects of storm water runoff from “adjacent properties.” But our concerns remain regarding soil compacting, increased elevation, high groundwater during wet years, and the proposed development’s location within the watershed—none of which have been sufficiently addressed yet. So, first, we would like to know the ways and means Geocon’s conclusion was reached. Second, we would also like to hear how the applicant (or Geocon) has allowed for the possibility of drainage problems for existing homeowners due to soil compacting, increased elevation, and redirected water from the watershed. Third, are there results from a comprehensive geological study conducted when the groundwater is at high levels due to higher than average rainfalls?

LIABILITY

In August of this year, our nation watched in horror as large portions of Houston, TX flooded during a significant rain event. Homes built in the 1960’s that had never flooded before took on several feet of water. Some homes flooded for the third time in six years—but had never flooded for 40 years before that, even during heavy rains. All of America joined the experts in asking “why did this happen now?” Many experts then pointed out that recent development had disastrously impacted the drainage of water for miles around. There is now no easy solution for Houston and the surrounding areas. The sprawling development is in place, and fixing the resultant problems will cost billions of dollars and—perhaps more importantly—much time and energy.

Let us in Escondido not fall prey to the same misguided and short-sighted thinking that resulted in flooded properties in Houston. Here, we are accustomed to worrying about too little rain. But we cannot dismiss too easily the infrequent yet inevitable rainy years that this region

experiences. According to the San Diego County Water Authority, California has experienced a wetter than average year about 17 times in the past 50 years. Some of these wet years have brought more than double the average amounts of rain. Rainfall levels in California are notoriously unpredictable and the frequency of multi-year droughts make it extremely difficult to plan for and predict damage that can occur from excessive rainfall.

If the drainage features of the proposed development are not sufficient to mitigate water drainage resulting not just from storm water runoff from existing properties but also from the surrounding foothills, then there is a real possibility that homes adjacent to the new development will experience high water during rain and thus will experience septic system failure. The compacted soil and increased elevation of the proposed development may also have as-yet unforeseen effects on the drainage of storm water. Considering the dire effects of septic-system failures, we respectfully ask that the City consider requiring the developer to run a sewer line up Laurashawn Lane and along the properties adjacent to the development on North Avenue and Kaywood Drive. We understand the property owners would be responsible to pay up to \$16,834 to connect their home to the sewer.

Thank you for clarifying our questions regarding liability from damages caused by altered flow of water. We understand that the HOA of the new development and the developer could be held liable if negligent design or construction is found responsible for damages. We would also remind the City of Escondido that during previous discussions of proposals for developing Tract 916 officials from LAFCO stated that liability would rest first with the developer and secondarily with the City, as it is the City's responsibility to make sure that proposed developments are planned in such a way that damage to existing property does not ensue.

Finally, we hope we have shown that requiring the developer to provide sewer access to existing properties would guard the City, the developer, and the HOA against liability and also would ensure that existing properties remain unaffected and unharmed by the proposed development.

ENVIRONMENTAL IMPACT REPORT

You state that hydrological, soil, and traffic testing revealed that the MND from 2005 does not need to be changed. We appreciate that this testing has been conducted. However, right now in North Escondido 292 homes are in some stage of production, 390 more have been approved, and there are 57 proposed homes being considered, 34 of which are the subject of the current discussion. A total of 755 new homes are being built, have been **approved**, or are under consideration in the area of Escondido that lies north of Sheridan. This amount of development constitutes a major shift in the ecology and infrastructure of the area; such development has a significant impact upon the environment and increases the amount of greenhouse gases released. Therefore, we again must ask that a new EIR be conducted, and we ask that the City also account for the cumulative effects of development in North Escondido. While we all see the need for more housing in this area, we must also consider the negative effects of heedless urban sprawl.

HEIGHT OF PROPOSED HOUSES

In consideration of the existing homes on Laurashawn Lane, North Avenue, and Kaywood Drive that will be adjacent to the proposed homes, we ask that no 2-story homes be built on lots backing up to existing 1-story homes. While the setback from the property line is intended to minimize the impact on existing views, when the 27' roof height is added to the increased elevation of the new homes, a 2-story home will be significantly higher than lower, 1-story homes. Further, the area surrounding the proposed development is dominated by 1-story homes; new homes should be in keeping with the look and feel of the area.

12.5 FT. BUFFER

Thank you for clarifying the purpose of the 12.5 buffer area. We now understand that this space is not designed to act as a drainage feature. Now we would like to know if the concrete swales will be included in that 12.5 space? Who will maintain that buffer space—current homeowners or the HOA of the proposed development?

CONCLUDING REMARKS

In closing, we ask that as you consider the proposed development, you act with true consideration of all parties involved, including the existing property owners. Many of the current residents have lived in their homes for many years and love their homes as much as you love yours. After all, a home is not primarily a vehicle for investment, although it is that; a home is first a place where human beings find shelter, rest, nourishment, and—hopefully—happiness. As you consider the development of new homes, we hope that you act in consideration of current homeowners, making every effort to protect their homes, both as their investments and as their places of refuge and happiness.

We understand how difficult it can be to balance the well-being of so many in making such decisions and we appreciate your work on behalf of the City of Escondido and surrounding areas.

Respectfully,



North Avenue Area Homeowners

Copy: Robert Barry, LAFCO

RESOLUTION NO. 2018-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING THE EXTENSION AND REVISION OF A TENTATIVE SUBDIVISION MAP FOR THE NORTH AVENUE ESTATES PROJECT, AND APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION FOR THE INITIATION OF PROCEEDINGS FOR THE ANNEXATION/REORGANIZATION OF NORTH AVENUE ESTATES AND THREE ADDITIONAL PARCELS TOTALING APPROXIMATELY 17.72 ACRES

CASE NOS.: SUB 17-0007, PHG 17-0034, and ENV 17-0011

WHEREAS, Casey Johnson, for North Avenue Estates (“Applicant”), submitted an application to extend and revise a Tentative Subdivision Map (formerly known as Tract 916-R and currently known as SUB 17-0007), and a Master Development Plan and Development Agreement for a 34-lot single-family residential development on a site approximately 17.2 acres in size, on property located to the north of the City, along the north side of North Avenue, between Laurashawn Lane and Kaywood Drive. The Applicant also requested a jurisdictional reorganization consisting of an annexation of the residential development site and three (3) additional parcels to the City of Escondido, and concurrent detachment from County Service Area 135. The three additional parcels are addressed as 632 North Avenue (APN 224-331-16; 0.23 acre), 644 North Avenue (APN 224-331-14; 0.29 acre), and 714 North Avenue (APN 224-153-15; 0.23 acre) are located on the north side of North Avenue, on either side of Laurashawn Lane; and

WHEREAS, said residential development site, known as North Avenue Estates, and the three (3) additional parcels to be annexed are legally described in “Exhibit A to Ordinance No. 2018-02;” and

WHEREAS, said verified application was submitted to, and processed by, the Planning Division of the Community Development Department as Planning Case Nos. SUB 17-0007, PHG 17-0034, and ENV 17-0011 in accordance with the rules and regulations of the Escondido Municipal and Zoning Codes, and the applicable procedures and time limits specified by the Permit Streamlining Act (Government Code Section 65920 et seq.) and CEQA (Public Resources Code Section 21000 et seq.); and

WHEREAS, the Planning Division of the Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for November 28, 2017, at which interested persons were given the opportunity to appear and present their views with respect to said proposed Project actions. Following the public hearing on November 28, 2017, the Planning Commission adopted Resolution No. 6107, which recommended that the City Council, among other things, approve the Extension and Revision of the Tentative Subdivision Map and Annexation request; and

WHEREAS, an original copy of the proposed Tentative Subdivision Map and all other related Project materials are on file in the Office of the City Clerk, with a copy of each document submitted to the City Council for its consideration. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council's decision is based, which

documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act; and

WHEREAS, the City Council did on January 10, 2018, hold a duly noticed public hearing as prescribed by law. Evidence was submitted to and considered by the City Council, including, without limitation:

a) Written information including all application materials and other written and graphical information.

b) Oral testimony from City staff, interested parties, and the public.

c) The City Council staff report, dated January 10, 2018, which along with its attachments, is incorporated herein by this reference as though fully set forth herein, including the Planning Commission's recommendation on the request.

d) Additional information submitted during the public hearing; and

WHEREAS, the City Council has reviewed the request for the Extension and Revision of the Tentative Subdivision Map and the Annexation, and reviewed and considered the recommendation from the Planning Commission; and

WHEREAS, pursuant to the California Environmental Quality Act, an Addendum to an Amended Initial Study and Mitigated Negative Declaration (City Log No. ER 2005-12) was prepared and the City Council has adopted it, along with the Mitigation Monitoring and Reporting Program per City Council Ordinance 2018-02; and

WHEREAS, 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, on January 10, 2018, the City Council approved a Master

Development Plan, a Development Agreement, and a Prezone of 632 and 644 North Avenue per Ordinance No. 2018-02, to implement the lot clustering shown on the Revised Tentative Subdivision Map, impose Deficiency Fee Payments for the new lots as required by the Citywide Facilities Plan for new development in the North Broadway Region of Influence, and enable the annexation of 632 and 644 North Avenue; and

WHEREAS, this City Council hereby approves said Extension and Revision of a Tentative Subdivision Map as reflected in the staff report(s) and on plans and documents on file in the Office of the City Clerk, and adopts the Addendum to the Amended Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Escondido, in its independent judgment and after fully considering the totality of the record and evidence described and referenced in this Resolution, hereby declares:

1. That the foregoing recitations are true and correct and are incorporated herein by this reference as though set forth in full.

2. That the Findings of Fact/Factors to be Considered, attached as Exhibit "A" and incorporated herein by this reference as though fully set forth herein, are hereby made by this City Council, and represent the City Council's careful consideration of the record. The findings of this City Council shall be the final and determinative Findings of Fact on this matter.

4. That upon consideration of the Findings/Factors to be Considered, all material in the January 10, 2018 City Council staff report (a copy of which is on file with the Office of the City Clerk), public testimony presented at the hearing, and all other

oral and written evidence on this Project, this City Council approves the Extension and Revision of the Tentative Subdivision Map, subject to the Conditions of Approval in Exhibit "B," " and incorporated herein by this reference as though fully set forth herein.

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 before the expiration of the Development Agreement authorized under Ordinance No. 2018-02, unless an Extension of Time is granted pursuant to Section 66452.6 of the California Government Code. Copies of said Ordinance is on file with the Office of the City Clerk and are incorporated herein by this reference as though fully set forth herein.

6. That concurrently with this Resolution, the City Council is taking a number of actions in furtherance of the Project, as generally described by the January 10, 2018 City Council staff report. No single component of the series of actions made in connection with the Project shall be effective unless and until it is approved by an Ordinance or Resolution and is procedurally effective within its corporate limits as a statute in the manner provided by state law. Therefore, this Resolution shall become effective and operative only if City Council Ordinance No. 2018-02 is approved; and effective and operative on the day immediately subsequent to the date that Ordinance 2018-02 becomes effective.

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 TO RESOLUTION 2018-01

FINDINGS OF FACT/FACTORS TO BE CONSIDERED

Revised Tentative Subdivision Map Determinations:

1. The City Council makes the finding that none of the findings (a) through (g) below in Section 66474 of the California Government Code that require a City to deny approval of a Tentative Subdivision Map apply to this Project for the reasons stated as follows:

Findings for Tentative Map Approval	Explanation of Finding
A. That the proposed map is consistent with applicable general and Specific Plans as specified in Section 65451 of the Subdivision Map Act.	The project site is not included in any Specific Plans. The proposed revised tentative map is consistent with the maximum density of two (2) dwelling units/acre permitted by the Estate II designation of the General Plan, and each lot exceeds the minimum 10,000 SF size required per the clustering provisions of the General Plan. The zoning of the development site has already been changed to PD-R-1.97 to accommodate the proposed density.
B. That the design or improvement of the proposed subdivision is consistent with applicable general and Specific Plans.	The project site is not included in any Specific Plans. The proposed subdivision provides for clustering of 34 single-family residential lots, as well as five open space lots providing green space, stormwater detention, protection of an aqueduct right-of-way, and separation of new lots from existing properties. Public sewer and water services would be provided to the subdivision upon annexation, via connections to lines in North Avenue (the existing water main would be extended to allow this). The proposed project density is consistent with the rezoning of the development site, as well as the Estate II designation of the General Plan.
C. The Project site is physically suitable for the proposed type of Project.	The project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development (Addendum to an Amended MND), and as appropriate, the Addendum recommends measures to mitigate potential impacts. The residential development site is physically suited for this type of development since the Project is located on property that is surrounded by residential uses at a relatively similar size and scale. The location, access, density/building intensity, size and type of uses proposed in the Tentative Subdivision Map are compatible with the existing and future land uses in the surrounding neighborhood because this is an infill site that lends

	<p>itself to the proposed type and density of development. Adequate access and utilities can be provided to the site. The proposed grading design would not result in any manufactured slopes or pad that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views. The site has a gradual downhill slope in a north to south direction. Grading of 24,000 cubic yards of cut and 24,000 cubic yards of fill is proposed, and the project has been conditioned to require submittal and City review of grading plans, and issuance of a grading permit, prior to development.</p> <p>The site has been rezoned PD-R-1.97, to allow a development with a maximum density of 1.97 units/acre. The project would be consistent with the development standards of the Residential Development policies and goals in the General Plan (upon annexation).</p>
<p>D. That the site is physically suitable for the proposed density of development.</p>	<p>The granting of the Tentative Subdivision Map would not violate the requirements, goals, policies, or spirit of the General Plan.</p> <p>The proposed revised tentative map is consistent with the maximum density of two (2) dwelling units/acre permitted by the Estate II designation of the General Plan. Lot sizes and open space quantities exceed the amount required by Estate II development standards and Residential Clustering Policy 5.1 of the General Plan. The design of the proposed subdivision is consistent with the Zoning Code since the site has been rezoned PD-R-1.97. The proposed lot sizes are consistent with residential development in the surrounding area.</p>
<p>E. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat.</p>	<p>The design of the revised tentative map and improvements are not likely to cause substantial environmental problems or substantially and avoidably injure fish or wildlife or their habitat as detailed in the Amended MND (City Log No. ER 2005-12) and the Addendum to the Amended MND. Removal of coast live oak, mule fat scrub, and non-native grassland shall be compensated via mitigation through the Daley Ranch Mitigation Bank as described in the proposed mitigation measures, and the project is conditioned to require the replacement of oaks and ornamental trees removed by the project.</p>
<p>F. That the design of the subdivision or the type of improvements is not likely to cause serious public health concerns.</p>	<p>The design of the revised tentative map and the type of improvements are not likely to cause serious public health problems. The project would not degrade the levels of service on the adjoining streets, as described in the Amended Negative Declaration and Addendum to the Amended MND. Stormwater and drainage facilities are proposed in accordance with current requirements. The</p>

	<p>applicant has obtained the professional opinion of a geotechnical engineer that the proposed grading will not impact septic systems on adjoining properties, but as an extra level of assurance, has proposed a 12.5'-wide open space buffer along the rear property lines of Lots 1-6, 19-30, and the east and north sides of Lot 34 to keep development away from these properties. Sewer and water service are available or can be provided with minor extension of nearby facilities.</p>
<p>G. That the design of the subdivision or the type of improvements would not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.</p>	<p>The design of the revised tentative map and type of improvements will not conflict with easements of record, or easements established through court judgment, or acquired by the population at large, for access through, or use of property within the proposed map. This was based on review of all available maps and a preliminary title report submitted by the applicant. Neither the City of Escondido, nor its employees assume any responsibility for the completeness or accuracy of these documents. An aqueduct right-of-way owned by the San Diego County Water Authority occupies a portion of the development site. The Water Authority has reviewed the project and provided comments that have been incorporated into the project design. The project has been conditioned to require the applicant to obtain Water Authority review and approval of grading, improvement, and landscape plans prior to City approval of the Final Map.</p>

2. The Tentative Subdivision Map has been conditioned appropriately to provide all infrastructure improvements including interconnected street system, pedestrian connectivity, and sufficient open space and landscaping. The conditions of approval and subsequent design review of future residential development would ensure consistency with all standard requirements. All permits and approvals applicable to the proposed map pursuant to Escondido Zoning Code will be obtained prior to recordation of the map.
3. All applicable requirements of the Map Act and any ordinance of the City of Escondido regulating land divisions have been satisfied.

Annexation Determinations:

1. The proposal conforms to the annexation policies established in the Escondido General Plan Land Use and Community Form Element, which are intended to guide development to meet present and future needs, achieve a vibrant community, and enhance the character of Escondido.
2. The properties to be annexed (which include the residential development site and three nearby properties) are located within the Escondido Sphere of Influence and Escondido Planning Area. The three nearby properties have previously connected to public sewer, and signed Irrevocable Offers of Annexation at the time of connection, to confirm that they agree to annex to the City of Escondido.
3. The reorganization includes annexation to the City of Escondido and detachment from County Service Area No. 135 (San Diego Regional Communications System) and the Deer Springs Fire

Protection District. The City of Escondido Police Department and Fire Department, which serve areas to the immediate south of the project that are already within City limits, would assume responsibility for law enforcement and fire suppression duties. The development site and three additional properties to be annexed are located within the 7.5-minute emergency response time as called for in the General Plan. The City would provide sewer service to the proposed development site, and the three additional properties included in the annexation request have already connected to sewer service. 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.

4. Annexation of the development site and three nearby properties will not create an island of unincorporated territory as prohibited by Section 56744 of the Government Code.

CONDITIONS OF APPROVAL

Mitigation Measures

Biological Resources

1. Impacts to 0.29 acre of coast live oak woodland shall be mitigated at a 2:1 ratio through acquisition of 0.58 acre of coast live oak woodland at the Daley Ranch Mitigation Bank.
2. Impacts to 0.03 acre of mule fat scrub shall be mitigated at a 1:1 ratio through acquisition of 0.03 acre of woodland habitat at the Daley Ranch Mitigation Bank.
3. Impacts to 15.13 acres of non-native grassland shall be mitigated at a 0.5:1 ratio through acquisition of 7.57 acres of non-native grassland at the Daley Ranch Mitigation Bank.
4. Mitigation for impacts to the four protected coast live oak trees, the four mature coast live oak trees, one mature Engelmann oak tree, four oak hybrids, and the 178 mature ornamental trees will occur with the planting of at least 13 oak trees and 178 ornamentals within the project landscaping in the form of street trees throughout the project. The actual number and size of replacement trees as well as the planting location shall be determined through consultation with City staff and shall be specified in the project proponent's Development Agreement with the City. The habitat value of the oak trees is also being mitigated by the purchase of mitigation credits at the Daley Ranch Mitigation Bank.
5. A qualified biologist shall determine if any active raptor nests occur on or in the immediate vicinity of the project site if construction is set to commence or continue into the breeding season of raptors (January 1 to June 15). If active raptor nests are found, their situation shall be assessed based on topography, line of sight, existing disturbances and proposed disturbance activities to determine an appropriate distance or temporal buffer.

Cultural Resources

1. The project applicant shall provide archaeological monitoring for the significant subsurface archaeological deposits that might be present on the parcel. These archaeological deposits may include privies, cisterns, trash deposit, and foundations. If archaeological features are encountered, the area shall be identified and the boundaries marked to avoid further ground disturbance. The archaeological remains should then be investigated using traditional excavation techniques and, if determined to have legitimate research potential, an adequate sample for analysis should be removed or, in the case of structural remains, documented. A budget to adequately analyze the material and prepare a professional report should be obtained and analysis and report preparation completed. Copies should be provided to the Escondido City Planning Department, the Pioneer Room of the Escondido City Library, and the Escondido Historical Society.

Hazards and Hazardous Materials

1. Prior to grading, on-site water wells shall be abandoned or removed in accordance with applicable laws and regulations.

2. Prior to grading, the trash/debris shall be removed from the site and disposed of in accordance with applicable laws and regulations.

General

1. Prior to issuance of any building permits, approval of a Precise Development Plan is required for the design and architecture of the proposed residences.
2. Maintenance of all open space areas shall be the responsibility of the homeowners association (HOA). Open space areas shall preclude construction of any improvements not shown on the Master Development Plan, to the satisfaction of the Community Development Director.
3. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and Fire Chief.
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. Fire hydrant spacing and location must be approved by the Fire Department. The number, timing, and minimum GPM fire flow shall be coordinated with the Fire Chief. The applicant shall submit an updated Fire Protection Plan (FPP) for the development prior to the issuance of building permits.
6. The emergency access from Tamara Lane shall be paved with a minimum 28' turning radius. The gate shall be strobed to the satisfaction of the Fire Chief for fire emergency access.
7. Any blasting within the City of Escondido is subject to the provisions of Ordinance No. 95-6 and a blasting permit must be obtained from the Escondido Fire Department. If blasting occurs, verification of a San Diego County Explosive Permit and a policy or certificate of public liability insurance shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
8. Access for use of heavy firefighting equipment, as required by the Fire Chief, shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate flow are in service to the satisfaction of the Fire Marshal.
9. Three (3) copies of a revised Tentative Map, reflecting all modification 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.
10. All habitable buildings shall be noise-insulated to maintain interior noise levels of 45 dBA or less.
11. All requirements of the Public Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of building permit issuance for the purpose of participating in the City Public Art Program.
12. All exterior lighting shall conform to the requirements of City of Escondido Zoning Code Article 35, Outdoor Lighting (Ordinance No. 2014-20).

13. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance to the satisfaction of the Director of Community Development.
14. Prior to the issuance of building permits, the applicant shall note on the construction plans that at least six of the homes on lots 20-33 shall be limited to one story, with a maximum height of 17 feet. The remaining eight homes on these lots may have two stories and a maximum height of 27 feet. No two-story element shall be within 40 feet of the rear property line.
15. Prior to obtaining building permits, the applicant shall demonstrate compliance with the requirements of the Citywide Facilities Plan, to the satisfaction of the Planning Division.
16. All project-generated noise shall conform to the City's Noise Ordinance (Ordinance No. 90-08), to the satisfaction of the Planning Division.
17. Prior to Final Map approval, a note shall be included on the Final Map, or other documents provided, stating that grading shall conform to the submitted conceptual design.
18. No street names are part of this approval. A separate request shall be submitted prior to Final Map.
19. Copies of any CC&Rs shall be submitted to the Planning Division for review and approval prior to Final Map and grading plan approval. The CC&Rs shall detail the responsibility for the maintenance of any exterior walls/fencing, slopes, common drainage facilities, and open space areas, including the 12.5' open space buffer.
20. Prior to the issuance of a grading permit, the grading plan shall include the location and type of all trees on the site. Each tree shall be labeled on the plan as to whether it will remain or be removed, and staked in the field, as necessary, to the satisfaction of the Planning Division.
21. Annexation of the property shall be recorded prior to recordation of the Final Map or issuance of any development permits.
22. No approvals for signage are included with the approval of the project. Separate review shall be completed prior to installation of any signage.
23. Section B-B on the Tentative Map shall be revised to show the vinyl fencing on the easement line instead of the property line.
24. The City of Escondido hereby notifies the applicant that State Law (AB 3158) effective January 1, 1991, 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 the "County Clerk," in the amount of \$2,266.25 for a project with a Mitigated Negative Declaration. (These fees include an additional authorized County administrative handling fee of \$50.00, which needs to be included with each and every document submitted or filing.) Please note that the filing fee is adjusted annually based on changes to the price deflator as published by the by the US Department of Commerce. The \$2,266.25 fee went into effect on January 1, 2017, and the fee may or may not increase in subsequent years.

Landscaping

1. 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 approved by the Master Development Plan 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, except where stricter requirements are imposed by the State of California. The plans shall be prepared by, or under the supervision of, a licensed landscape architect.
2. Any existing trees to remain within the subdivision shall be identified on the landscape and grading plans.
3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.
4. All manufactured slopes, or slopes cleared of vegetation, shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping within this timeframe, then an interim landscaping solution may be acceptable. The type of plant material, irrigation, and the method of application shall be to the satisfaction of the Planning Division and City Engineer.
5. All slopes shall be landscaped with suitable material to control erosion. All manufactured slopes over three (3) feet in height shall be landscaped with a combination of trees, shrubs, and groundcover. Fill slopes shall have a minimum of six (6) trees at fifteen (15) gallons in size, and ten (10) shrubs at five (5) gallons in size, per 1,000 square feet of slope area, in addition to ground cover. Groundcover shall provide one hundred percent coverage within one year of installation. Plant material shall be low maintenance, drought resistant, and fast growing, to the satisfaction of the Planning Division. In particular, the groundcover shall be a fast-growing species that establishes quickly and is capable of choking out weeds. All slopes over three (3) vertical feet shall be irrigated with an individual lot irrigation system approved by the Planning and Building Divisions.
6. The mature tree located on the property boundary between proposed Lots 2 and 3 and the property addressed as 830 North Avenue shall be protected by fencing off at dripline, to the satisfaction of the Director of Community Development or his/her designee, prior to issuance of a grading permit.
7. Street trees shall be provided along every frontage within, or adjacent to, this subdivision in accordance with the Escondido Landscape Ordinance and Street Tree List. Specimen size trees shall be incorporated into the landscape design, to the satisfaction of the Planning Division.
8. Any proposed walls and retaining walls shall be constructed out of decorative material to the satisfaction of the Planning Division. The materials and location of the wall(s) shall be identified on the landscape and grading plans.
9. Details of project fencing, including materials and colors, shall be provided on the landscape plans.
10. 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.

ENGINEERING CONDITIONS OF APPROVAL Escondido Tract 916-R (SUB 17-0007) North Ave.

GENERAL

1. The developer shall execute a Development Agreement with the City of Escondido.
2. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering the subject property.
3. The location of all existing on-site utilities shall be determined by the project engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.
4. As surety for the construction of required off-site and on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of the Final Map.
5. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
 - a) All conditions of the Tentative Subdivision Map have been fulfilled: or
 - b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.
6. If multiple Final Maps are to be recorded for this project, the City Engineer will determine the extent of public and private improvements to be constructed with each Final Map.
7. The project engineer shall submit to the Planning Department a copy of the Substantial Conformance Tentative Map as presented to the Planning Commission. The Tentative Map will be signed by the Planning Department verifying that it is in substantial conformance with the approved Tentative Map.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.
2. The developer shall construct street improvements, including but not limited to, full structural section paving and base, concrete curb, gutter, sidewalk, street lights, street trees, on the following streets within and adjoining the project boundary:

STREET

**North Avenue
Private Streets "A" and "B"**

CLASSIFICATION

**Local Collector (42' curb to curb)
Residential (36' curb to curb)**

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The developer shall construct improvements on North Avenue in accordance with Local Collector Road Standards (21' half-width within 33' R/W half-width), from the projects easterly boundary to Laurashawn Lane, to the satisfaction of the City Engineer.
4. The project entrance off North Avenue shall be designed and constructed per current Escondido Design Standards as a new fourth (north) leg of the Conway Drive and North Avenue intersection, and shall include all removal and/or new and refreshed signing and striping on all 4 intersection legs as directed by the City Engineer and City Traffic Engineer.
5. The developer shall construct a 24' wide gated and paved emergency access and public trail from the end of existing Tamara Drive to proposed private Street "B" to the satisfaction of the City Engineer and City Fire Marshal.
6. The developer shall construct a 24' wide gated and paved emergency and utility access across proposed Lot 7 from the private Street "A" knuckle to Kaywood Drive to the satisfaction of the City Engineer and City Fire Marshal.
7. The developer shall construct Streets "A" and "B" as private residential streets with minimum street widths of 36' curb to curb with PCC curb & gutter, and sidewalk. Street "A" shall be constructed with 5' sidewalk on its east and north sides and a public 10' wide DG trail on its west and south sides. Street "B" will be constructed with 5' wide sidewalks along all sides.
8. A 10-foot-wide public trail shall be constructed throughout the project at locations approved by the Community Development Director, City Engineer, and the San Diego County Water Authority for proposed locations within their aqueduct easement.
9. The developer shall be responsible for repair and overlay of all failing sections of the existing Tamara Drive as determined by the City Engineer.
10. The address of each lot/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.
11. Sidewalk construction shall be contiguous to the curb in accordance with current Escondido Design Standards.
12. All cul-de-sacs and knuckles shall conform to the current Escondido Design Standards.
13. Improvement plans for any construction within the San Diego County Water Authority's existing aqueduct easement will be subject to their review and prior to the City's approval of the Final Map. The developer shall be solely responsible for securing all necessary approvals and permits required by the San Diego County Water Authority for this work and shall pay any required plan check, permitting, and inspection fees.

14. 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.
15. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Any removal of existing striping and all new signing and striping shall be done by the developer's contractor.
16. The developer may responsible for a grind and overlay of North Avenue not otherwise improved, due to the many utility trenches necessary to serve this project and/or general construction damage. The determination of the extent of the grind and overlay shall be to the satisfaction of the City Engineer.
17. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.
18. Street lighting in accordance with Escondido Standard Drawing E-1-E shall be required on all onsite private streets. It shall be the responsibility of the Home Owner's Association to adequately maintain the street lighting system and such maintenance responsibility shall be clearly stated in the CC&R's.
19. The developer shall be required to construct public street lights in accordance with Escondido Standard Drawing E-1-E on North Avenue to the satisfaction of the City Engineer.
20. 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.
21. 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.

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/or update letter that he/she has reviewed the revised grading design and found it to be in conformance with his/her recommendations.
2. Erosion control, including silt fences, straw wattles, interim sloping planting, gravel bags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.
3. Plans for any grading and drainage improvements within the San Diego County Water Authority's existing aqueduct easement will be subject to their review prior to the City's approval of the Final Map. The developer shall be solely responsible for securing all necessary approvals and permits required by the San Diego County Water Authority for this work and shall pay any required plan check, permitting, and inspection fees.

4. Due to the location of existing leach fields for the properties on the east side of Laurashawn Lane and along the westerly project boundary, the project's final grading design shall provide adequate setback from this westerly project boundary (as shown conceptually on the Tentative Map) to incorporate County Health Department Standards and the recommendations of the Geotechnical Engineer all to avoid impact to the existing leach fields during project grading to the satisfaction of the City Engineer. Any proposed grading work in the setback area shall be limited to minor grading to establish proper drainage flow and provide surfacing to the requirements of the City Engineer. No excavation shall take place in the setback area as part of the project grading or in the future by the home owners. The project CC&R's shall ensure maintenance of the setback area by the HOA or designee and shall prohibit any excavation within the setback area that could impact the leach fields of the westerly neighboring properties.
5. It shall be the responsibility of the developer to pay all plan check and inspection fees required by the San Diego County Health Department.
6. The developer will be required to obtain written permission from adjoining property owners for any off-site grading and reconstruction work necessary to construct the project and/or the required improvements.
7. Any proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Dept. plan review and permit process.
8. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
9. 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.
10. A General Construction Activity Permit is required from the State Water Resources Board prior to issuance of Grading Permit and the WDID number shall be listed on the Grading plans.
11. All lots shall be graded to drain per the requirements of current Escondido Design Standards and the City Engineer and shall include construction of necessary drainage facilities for conveyance and treatment.
12. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
13. Unless specifically permitted to remain by the County Health Department, all existing wells within the project or affected by the off-site improvements shall be abandoned and capped, and all existing septic tanks within the project or affected by the off-site improvements shall be pumped and backfilled per County Health Department requirements.
14. All driveway grades and profiles shall conform to current Escondido Design Standards and Escondido Standard Drawings.
15. All lot lines shall be located at the top of slope unless otherwise approved by the City Engineer.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. The developer shall construct the ultimate offsite drainage improvements within and along North Avenue including the modification or replacement of the existing large drainage culvert under North Avenue, westerly of Laurashawn Lane to the satisfaction of the City Engineer. These storm drain improvements shall be designed and installed in locations that avoid impact to any existing adjacent leach fields.
3. The developer shall grade and construct drainage improvements as may be necessary along the project's Kaywood Drive frontage to prevent concentrated drainage from coming down the proposed cut slopes and into the rear yards of Lots 7 and 8 to the satisfaction of the City Engineer.
4. The developer shall grade and construct a PCC swale within the proposed 12.5' open space easement along the project's westerly and southerly boundary to accept and convey any run-off that previously drained in this direction.
5. The developer shall construct drainage improvements to intercept and convey the concentrated drainage coming from Kaywood Drive into the rear of proposed Lot 4 to the satisfaction of the City Engineer.
6. A Final Storm Water Quality Management Plan(SWQMP) in compliance with City's latest adopted Storm Water Standards (2015 BMP Manual) shall be prepared for all onsite and newly created impervious frontage and required offsite improvements and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, treatment calculations, post construction storm water treatment measures and maintenance requirements.
7. All site drainage with emphasis on the roadway, parking and driveway areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
8. All onsite storm drains, ditches, inlets, junction structures, storm water storage facilities and bio-retention basins constructed with this project shall be considered private. The responsibility for maintenance of these storm drains and all post construction storm water treatment facilities shall be that of the Home Owners Association as designated in the recorded CC&Rs and the recorded Storm Water Control Facility Maintenance Agreement.
9. The developer will be required to submit a signed, notarized copy of a Storm Water Control Facility Maintenance Agreement to the City Engineer to be countersigned and recorded.

WATER SUPPLY

1. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
2. This project is located within the Rincon Del Diablo Municipal Water District. It will be the developer's responsibility to make arrangements with the Rincon District as may be necessary to provide water service for domestic use and fire protection. The developer shall provide evidence of such arrangements prior to recordation of the Final Map, to the satisfaction of the City Engineer. The City of Escondido and the Rincon District will sign approval of the improvement plans with respect to the water mains.
3. Water meters and back flow prevention devices shall not be installed within the driveway apron or private driveway areas.
4. No trees or deep rooted plants shall be planted within 10 feet of any water service.

SEWER

1. All proposed sewer main locations and sizing shall be to the satisfaction of the City Engineer and Director of Utilities. Required sewer main improvements include construction of a new manhole in place of an existing clean-out in the Conway Drive and North Avenue intersection and the extension of an 8-inch sewer main from this manhole northerly up Street "A" into the project. As currently shown this 8-inch sewer main will be required to extend across the San Diego County Water Authority aqueduct easement to serve Street "B" in a location and depth approved by the San Diego County Water Authority.
2. The developer shall extend an 8-inch sewer main from the Street "A" knuckle area to a sewer clean-out in the Kaywood Drive right-of-way for future sewer main extension and sewer service in this direction.
3. Sewer utilities shall be extended to the project's boundary at such locations as required by the City Engineer and/or the Director of Utilities.
4. A private 4" minimum PVC sewer lateral with a standard clean-out within 18" of the Public Utilities Easement shall be constructed for each Lot and shown on the Improvement and Grading plans.
5. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings. The construction of all sewer laterals shall be included in the improvement plans and bonding quantities.
6. No trees or deep rooted bushes shall be planted within 10' of any sewer lateral, or within 15' of any sewer main.
7. All sewer laterals will be considered a private sewer system. The property owners and/or the Home Owners Association will be responsible for all maintenance of their individual sewer laterals to the sewer main. Provisions stating this shall be included in the CC&Rs.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
2. Necessary Public Utility Easements for sewer, water, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.
3. Necessary Emergency Access Easements shall be granted to the City on the Final Map. The minimum easement width is 24 feet.
4. Public Trail easements as proposed on the tentative map shall be granted to the City on the Final Map.
5. A Public Utility Easement shall be granted over the Private Street. The public utility easement shall extend a minimum of five (5) feet beyond the improved, curb-to-curb roadway width. When sidewalks are required, the public utility easement shall extend a minimum of four (4) feet behind the back of sidewalk.
6. Private Drainage Easements shall be shown on the Final Map and granted to the Home Owners Association upon transfer of title for all private drainage facilities including brow ditches (5' min. wide) and storm drain pipes (10' min. wide) needed to convey storm water within the project.
7. Private open space setback easements as proposed on the tentative map shall be shown on the Final Map and granted to the Home Owners Association upon transfer of title.
8. 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.

REPAYMENTS AND FEES

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
2. A sewer repayment of \$1,063.09 is due to the City of Escondido for existing sewer improvements that contribute to serving this property per Repayment File No. 208 and approved by City Council Resolution 2002-45.

3. 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.

CC&Rs

1. Copies of the CC&Rs 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&Rs for maintenance by the Home Owners' Association of all onsite storm drain facilities, storm water treatment facilities, public trails, emergency access gates and roadways, and the landscaping of all common open space easements and lots. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. The developer shall make provisions in the CC&Rs for maintenance of the open space setback easements by the Home Owners' Association or their designee, and shall prohibit any excavation within these open space setback easements that could impact the leach fields of the westerly neighboring properties.
4. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan for the project.
5. The CC&R's must state that (if stamped concrete is used in the private street) the homeowners' association is responsible for replacing the stamped concrete in kind if the City or its contractor has to trench the street for repair or replacement of an existing utility.
6. The CC&Rs 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 Home Owners' Association or their contractors when repair or replacement of private utility or storm water facility is done.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance. The developer may request a waiver of this condition by writing a letter to the City Engineer explaining his/her reasons for requesting the waiver. The developer will be required to pay a waiver fee as adopted by City Council resolution.
2. 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. 2018-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA; ADOPTING THE ADDENDUM TO AN AMENDED MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM; AND APPROVING A MASTER DEVELOPMENT PLAN FOR A 34-LOT RESIDENTIAL DEVELOPMENT, A DEVELOPMENT AGREEMENT FOR THE RESIDENTIAL DEVELOPMENT, AND A PREZONE OF TWO ADDITIONAL PARCELS TO RE-20

APPLICANT: Casey Johnson, North Avenue Estates
CASE NOS.: SUB 17-0007, PHG 17-0034, and ENV 17-0011

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

SECTION 1. The City Council makes the following findings:

a) Casey Johnson of North Avenue Estates ("Applicant") submitted a verified land use development application to extend and revise a Tentative Subdivision Map (formerly known as Tract 916-R and currently known as SUB 17-0007) and a Master Development Plan and Development Agreement for a 34-lot single-family residential development on a site approximately 17.2 acres in size, on property located to the north of the City, along the north side of North Avenue, between Laurashawn Lane and Kaywood Drive. The site is currently unaddressed but includes Assessor's Parcel Numbers 224-153-19 and 224-153-20; and

b) The application also included a request for a Prezone of 632 North Avenue (0.23 acre in size) and 644 North Avenue (0.29 acre in size), also located along the north side of North Avenue; and

c) The residential development site and three additional parcels (“Project”) are legally described in Exhibit “A;” and incorporated herein by reference as though fully set forth herein; and

d) Said verified application was submitted to, and processed by, the Planning Division of the Community Development Department as Planning Case Nos. SUB 17-0007, PHG 17-0034, and ENV 17-0011 in accordance with the rules and regulations of the Escondido Municipal and Zoning Codes, and the applicable procedures and time limits specified by the Permit Streamlining Act (Government Code Section 65920 et seq.) and CEQA (Public Resources Code Section 21000 et seq.); and

e) Pursuant to CEQA (Public Resources Code Section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), 14 California Code of Regulations Section 15000 et. seq., the City is the lead agency for the Project, as the public agency with the principal responsibility for approving the proposed Project. In accordance with CEQA, an Addendum to an Amended Initial Study and Mitigated Negative Declaration was prepared for the Project.

f) The Planning Division of the Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission for November 28, 2017. Following the public hearing on November 28, 2017, the Planning Commission adopted Resolution No. 6107, which recommended that the City Council, among other things, adopt the Addendum to the Amended Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approve the Project's Master Development Plan, Development Agreement, and Prezone.

SECTION 2. An original copy of the proposed Addendum to the Amended Mitigated Negative Declaration, Master Development Plan, Development Agreement, and Prezone and all other related Project materials are on file in the Office of the City Clerk, with a copy of each document submitted to the City Council for its consideration. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council's decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

SECTION 3. The City Council did on January 10, 2018, hold a duly noticed public hearing as prescribed by law. Evidence was submitted to and considered by the City Council, including, without limitation:

- a) Written information including all application materials and other written and graphical information.
- b) Oral testimony from City staff, interested parties, and the public.
- c) The City Council staff report, dated January 10, 2018, which along with its attachments, is incorporated herein by this reference as though fully set forth herein, including the Planning Commission's recommendation on the request.
- d) Additional information submitted during the public hearing.

SECTION 4. Said Addendum to an Amended Initial Study and Mitigated Negative Declaration determines whether any significant environmental impacts which were not identified in the previously-adopted IS/MND would result or whether previously identified significant impacts would be substantially more severe. The City Council has

carefully reviewed and considered all environmental documentation comprising the Addendum to an Amended Initial Study and Mitigated Negative Declaration, including any revisions and additions thereto, the technical appendices and referenced documents (if any), and the public comments and the responses thereto (on file in the Office of the City Clerk and incorporated by this reference), and has found that none of the circumstances set forth in CEQA Guidelines Sections 15162 or 15163 calling for the preparation of a subsequent Mitigated Negative Declaration have occurred, therefore an Addendum to an Amended Initial Study and Mitigated Negative Declaration is appropriate. Furthermore, the Addendum is complete and adequate in that it considers all potentially significant environmental impacts of the Project and there is no evidence that the Project, as revised, will have a significant effect on the environment. The Addendum fully complies with all requirements of CEQA and the State CEQA Guidelines. The City Council also finds that the Addendum reflects the City's independent judgment as the lead agency for the proposed Project.

SECTION 5. That the Findings of Fact/Factors to be Considered, attached as Exhibit "C" and incorporated herein by this reference as though fully set forth herein, are hereby made by this City Council, and represent the City Council's careful consideration of the record. The findings of this City Council shall be the final and determinative Findings of Fact on this matter.

SECTION 6. That the City Council hereby approves the Addendum to the Amended Mitigated Negative Declaration, attached as Exhibit "D," subject to the Mitigation Monitoring and Reporting Program attached as Exhibit "E;" which are

attached to this Ordinance and are incorporated herein by this reference as though fully set forth herein.

SECTION 7. That the City Council desires at this time and deems it to be in the best public interest to approve the Master Development Plan, which is attached to the January 10, 2018 City Council staff report and is incorporated herein by this reference as though fully set forth herein.

SECTION 8. That the Zone District Map of the City of Escondido is hereby amended by reclassifying the real property legally described on Exhibit "A" to Prezone RE-20 (Residential Estates – 20,000 square foot minimum lot size), as set forth in Exhibit "B" and incorporated herein by reference as though fully set forth herein.

SECTION 9. That the Development Agreement is hereby approved, as set forth substantially to the same form on file with the Office of the City Clerk, and attached as Exhibit "F," and incorporated herein by this reference as though fully set forth herein.

SECTION 10. All references within this Ordinance to "Applicant," "Developer," or "Subdivider" shall be equally applicable to the current property owner and to any successors-in-interest or assigns, whether such successors of assigns own, control, or otherwise have development authority for all, a portion, or portions of that property included within the Project site.

SECTION 11. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 12. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 13. Concurrently with this Ordinance, the City Council is taking a number of actions in furtherance of the Project, as generally described by the January 10, 2018 City Council staff report. No single component of the series of actions made in connection with the Project shall be effective unless and until it is approved by an Ordinance or Resolution and is procedurally effective within its corporate limits as a statute in the manner provided by state law. Therefore, this Ordinance shall become effective after final passage and publication as required by law, and operative only if City Council Resolution No. 2018-01 is approved.

SECTION 14. The City Council authorizes all subsequent action to be taken by City Officials consistent with this Ordinance.

SECTION 15. That pursuant to Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), all documents and other materials which constitute the record of proceedings are located at the City of Escondido, City Civic Center. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council's decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

SECTION 16. 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.

SECTION 17. The Ordinance shall become effective 30 days from the date of the passage.

SUB 17-0007
LEGAL DESCRIPTION

Real property in the unincorporated area of the County of San Diego, State of California, described as follows:

PARCEL 1: (APN: 224-153-19-00)

THAT PORTION OF BLOCK 410 OF RANCHO RINCON DEL DIABLO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE GRAHAM MAP NO. 723 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHEASTERLY CORNER OF LOT 28 OF LAS LOMAS RANCHOS UNIT NO. 1, ACCORDING TO MAP THEREOF NO. 5151 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, ALSO BEING ON THE MOST NORTHERLY RIGHT OF WAY OF NORTH AVENUE, 66.00 FEET WIDE; THENCE NORTH 19°39'40" WEST 95.00 FEET; THENCE NORTH 1°10'23" EAST, 47.81 FEET; THENCE SOUTH 88°49'37" EAST, 83.45 FEET; THENCE NORTH 70°20'20" EAST, 209.62 FEET; THENCE NORTH 6°22'30" EAST, 159.70 FEET; THENCE SOUTH 83°37'30" EAST, 250.00 FEET TO THE EASTERLY LINE OF THE LAND DESCRIBED IN THE DEED TO RINCON BUILDERS, INC., RECORDED MAY 28, 1971 AS INSTRUMENT NO. 112464; THENCE SOUTH 6°22'30" WEST, 160.00 FEET ALONG SAID EASTERLY LINE TO A POINT ON THE NORTHERLY RIGHT OF WAY OF SAID NORTH AVENUE WHICH BEARS NORTH 70°20'20" EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 70°20'20" WEST, 529.12 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THAT PORTION THEREOF LYING SOUTHWESTERLY OF THE EASTERLY LINE OF THE LAND DESCRIBED IN THE DEED TO GAROLD HERBERT CARR, JR., ET UX, RECORDED MARCH 6, 1972 AS INSTRUMENT NO. 72-53694 OF OFFICIAL RECORDS.

PARCEL 2: (APN: 224-153-20-00)

THAT PORTION OF BLOCK 410 OF RANCHO RINCON DEL DIABLO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO GRAHAM MAP NO. 723 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 13, 1892, AND THAT PORTION OF THE UNNAMED STREET, 20.00 FEET WIDE, LYING EASTERLY OF AND ADJOINING SAID BLOCK 410 AS VACATED AND CLOSED TO PUBLIC USE ON JULY 1, 1927, BY ORDER OF THE BOARD OF SUPERVISORS OF SAID COUNTY OF SAN DIEGO, A CERTIFIED COPY OF SAID ORDER HAVING BEEN RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY ON JULY 2, 1927 IN BOOK 1336, PAGE 7 OF DEEDS, LYING EASTERLY OF LAS LOMAS RANCHOS UNIT NO. 1, ACCORDING TO MAP THEREOF NO. 5151, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON APRIL 5, 1963.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 410: THENCE ALONG THE EASTERLY PROLONGATION OF THE SOUTHERLY LINE THEREOF, NORTH 70°20'20" EAST, 20.00 FEET TO THE EASTERLY LINE OF RANCHO RINCON DEL DIABLO; THENCE ALONG SAID EASTERLY LINE NORTH 19°39'45" WEST, 175.00 FEET; THENCE SOUTH 70°20'20" WEST 302.32 FEET; THENCE SOUTH 6°22'30" WEST 194.77 FEET TO THE SOUTHEASTERLY LINE OF SAID BLOCK 410; THENCE NORTH 70°20'20" EAST 367.80 FEET ALONG SAID SOUTHEASTERLY LINE TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHEASTERLY CORNER OF SAID BLOCK 410; THENCE NORTH 19°39'45" WEST 175.00 FEET; THENCE NORTH 70°20'20" EAST, 20.00 FEET TO A POINT IN THE EASTERLY LINE OF RANCHO RINCON DEL DIABLO, BEING THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING ALSO BEING THE NORTHEASTERLY CORNER OF THE LAND DESCRIBED IN DEED TO OLEN K. HOOD, ET UX RECORDED MAY 4, 1962 AS INSTRUMENT NO. 77035 OF OFFICIAL RECORDS; THENCE SOUTH 70°20'20" WEST 282.32 FEET ALONG THE NORTHWESTERLY LINE OF SAID HOOD LAND AND ITS SOUTHWESTERLY PROLONGATION OF THE SOUTHWESTERLY CORNER OF THE LAND DESCRIBED IN THE DEED TO CAROL JANE CRISPIN, AN UNMARRIED WOMAN, RECORDED OCTOBER 13, 1965 AS INSTRUMENT NO. 185349 OF OFFICIAL RECORDS; THENCE NORTH 6°22'30" EAST 325.31 FEET ALONG THE WESTERLY LINE OF SAID CRISPIN LAND AND ALONG THE WESTERLY LINE OF THE LAND DESCRIBED IN THE DEED TO JOEL FREDERICK FRIBERG ET UX, RECORDED MARCH 6, 1969 AS INSTRUMENT NO. 39539 OF OFFICIAL RECORDS TO THE NORTHWESTERLY CORNER OF SAID FRIBERG LAND: THENCE CONTINUING NORTH 06°22'30" EAST, 180.83 FEET TO THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE CLOCKWISE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE OF 31.12 FEET: THENCE TANGENT TO SAID CURVE SOUTH 83°37'30" EAST, 59.44 FEET TO THE NORTHEASTERLY BOUNDARY OF SAID RANCHO RINCON DEL DIABLO; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 19°39'45" EAST 442.16 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHEASTERLY CORNER OF LOT 28 OF LAS LOMAS RANCHOS UNIT NO. 1, ACCORDING TO MAP THEREOF NO. 5151, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, ALSO BEING ON THE MOST NORTHERLY RIGHT OF WAY OF NORTH AVENUE 66.00 FEET WIDE; THENCE NORTH 19°39'40" WEST 95.00 FEET; THENCE NORTH 1°10'23" EAST 47.81 FEET; THENCE SOUTH 88°49'37" EAST 83.45 FEET; THENCE NORTH 70°20'20" EAST 209.62 FEET; THENCE NORTH 6°22'30" EAST 159.70 FEET, THENCE SOUTH 83°37'30" EAST 250.00 FEET; THENCE SOUTH 6°22'30" WEST 160.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF SAID NORTH AVENUE WHICH BEARS NORTH 70°20'20" EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 70°20'20" WEST 529.12 FEET TO THE TRUE POINT OF BEGINNING.

Property: **632 NORTH AVE, ESCONDIDO, CA 92026**

LOT 2 OF LAS LOMAS RANCHOS UNIT NO. 1, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO, 5151, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON APRIL 5, 1963.

A.P.N. 224-331-16-00

Property: 644 North Avenue, Escondido, CA 92026

LEGAL DESCRIPTION FOR APN 224-331-1400:

Lot 4 of Las Lomas Ranchos Unit No. 1, in the City of Escondido, County of San Diego, State of California, according to the Map thereof No. 5151, filed in the office of the County Recorder of San Diego, April 5, 1963.

THAT PORTION IN BLOCK 410 OF RANCHO RINCON DEL DIABLO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO GRAHAM MAP THEREOF NO. 723, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AUGUST 13, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF NORTH AVENUE (66.00 FEET WIDE) DISTANT THEREON NORTH 70 DEGREES 20' 20" EAST, 190.00 FEET FROM THE SOUTHEASTERLY CORNER OF LOS LOMAS RANCHOS UNIT NO. 1, ACCORDING TO THE MAP THEREOF NO. 5151, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, APRIL 5, 1963; THENCE ALONG THE NORTHWESTERLY LINE OF SAID NORTH AVENUE, NORTH 70 DEGREES 20' 20" EAST 54.96 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 63 DEGREES 13' 42" AN ARC DISTANCE OF 22.07 FEET; THENCE TANGENT TO SAID CURVE, NORTH 07 DEGREES 06' 38" EAST, 110.00 FEET; THENCE SOUTH 70 DEGREES 20' 20" WEST, 122.76 FEET TO A LINE THAT BEARS NORTH 19 DEGREES 39' 40" WEST FROM THE POINT OF BEGINNING; THENCE ALONG LINE SOUTH 19 DEGREES 19' 40" EAST, 110.00 FEET TO THE POINT OF BEGINNING.

APN: 224-153-15-00

Address: 714 North Avenue

EXHIBIT B TO ORDINANCE 2018-02

PREZONE

AT 632 AND 644 NORTH AVENUE, ESCONDIDO, CA
SUB 17-0007 / PHG 17-0034 / ENV 17-0011

Each parcel associated with the proposed Prezone:

APNs	Existing Zone	Proposed Zone
224-331-16	County RS (Residential-Single)	RE-20
224-331-14	County RS (Residential-Single)	RE-20

I. Official Zoning Map

That the Official Zoning Map, also known as the Zoning Map of the City, is hereby amended, incorporating SUB 17-0007 / PHG 17-0034 / ENV 17-0011 Prezone parcels described in the January 10, 2018 City Council staff report. All parcels will carry the Residential Estates – 20,000 square feet minimum lot size (RE-20) Zoning Designation. The existing, complete Map being amended is on file with the Office of the City Clerk.

EXHIBIT C TO ORDINANCE 2018-02

FINDINGS OF FACT/FACTORS TO BE CONSIDERED

Environmental Review Determinations:

1. Pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), 14 California Code of Regulations Section 15000 et. seq., the City is the lead agency for the Project, as the public agency with the principal responsibility for approving the proposed Project.
2. An Initial Study and Mitigated Negative Declaration (IS/MND, City Log No. ER 2005-12) were prepared for Tract 916, 2005-17-PZ/PD/DA, and 2005-03-AN, which represents the original project. The IS/MND identified potential environmental effects to biological resources, cultural resources, and hazards and hazardous materials, and proposed mitigation measures to minimize these impacts to a less than significant level. The IS/MND was circulated for a 20-day public review from October 28 to November 17, 2005. The City received comments during the public review period for the IS/MND from the general public as well as from the County of San Diego. To address the comments from the County of San Diego, the City amended the IS/MND with language explaining the results of a new noise study and air quality study, as well as clarification on a previously-conducted traffic study. Pursuant to CEQA Section 15073.5, the Amended MND was not recirculated. No new significant effects were identified that required new mitigation measures or project revisions to reduce the effects to insignificance, and the lead agency did not determine that proposed mitigation measures or project revisions would fail to reduce potential effects to a less than significant level. On April 5, 2006, the City Council carefully reviewed and considered all environmental documentation comprising the Amended IS/MND, including the public comments, technical appendices, and referenced documents (on file in the Office of the City Clerk and incorporated by this reference), and found that the Amended IS/MND considered all potentially significant environmental impacts of the Project and was complete and adequate, and fully complied with all requirements of CEQA and the State CEQA Guidelines. The City Council considered all significant impacts and mitigation measures identified in the Amended IS/MND and found that all potentially significant impacts of the project were lessened or avoided to the extent feasible. Pursuant to Public Resource Code Section 21082.1(c)(3) and CEQA Guidelines Section 15074(b), the City Council also found that the Amended IS/MND reflected the City's independent judgment as the lead agency for the proposed Project. The City Council adopted the Amended IS/MND on April 5, 2006.
3. Based on the revised project description provided by the applicant for SUB17-0007, and updated aesthetics, greenhouse gas, traffic, hydrology, and soils information provided by the applicant, the City has determined that substantial changes are not proposed under SUB17-0007 that would require major revision of the document due to the creation of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, nor have substantial changes occurred with respect to the circumstances under which the project would be undertaken that require major revision of the document due to the creation of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects. Therefore, an Addendum to the Amended IS/MND is an appropriate level of environmental review for SUB17-0007.
4. State CEQA Guidelines Section 15164 requires lead agencies to prepare an Addendum to a previously adopted/certified environmental document if some changes or additions to the project are necessary, but none of the conditions requiring preparation of a subsequent Environmental Impact Report or Mitigated Negative Declaration are present. The City Council has reviewed and considered the 2006 Amended IS/MND and Addendum to the Amended MND and finds that those

documents taken together contain a complete and accurate reporting of all of the environmental impacts associated with the revised project, described herein. The City Council further finds that the Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and that the 2006 Amended IS/MND and Addendum to the Amended IS/MND, taken together, reflect the City's independent judgment.

5. Based on the substantial evidence set forth in the record, including but not limited to the 2006 Amended IS/MND and Addendum to the Amended IS/MND, the City Council finds that, in its independent judgement, based on the whole record before it, none of the conditions under State CEQA Guidelines Sections 15162 or 15163, requiring subsequent environmental review, have occurred because the revised project:
 - a) will not result in substantial changes that would require major revisions of the 2006 Amended IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - b) will not result in substantial changes with respect to the circumstances under which the revised project is developed that would require major revisions of the 2006 Amended IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
 - c) does not present new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the 2006 Amended IS/MND documents were certified or adopted, as applicable, showing any of the following: (i) that the modifications would have one or more significant effects not discussed in the earlier environmental documentation; (ii) that significant effects previously examined would be substantially more severe than shown in the earlier environmental documentation; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the Applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those analyzed previously would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.
6. As required by CEQA, the City Council is also adopting a Mitigation Monitoring and Reporting Program (MMRP) for the restated mitigation measures included in the Addendum to the Amended MND. The City Council finds that the MMRP meets the requirements of California Public Resources Code (PRC) Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate the potentially significant effects of the recommended Plan.

Master Development Plan Determinations:

1. The location, design, and density of the proposed development is consistent with the goals and policies of the General Plan, since the density of the proposed development and the minimum lot size of 10,000 SF are in conformance with the Estate II land use designation. 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 or create excessive noise, and adequate on-site parking, circulation, and public services can be provided to the site.
2. The proposed location of the site allows the development to be well integrated with its surroundings near residentially-zoned property and would 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 upon adjoining streets, per the Amended Mitigated Negative Declaration and the Addendum to the Amended Mitigated Negative Declaration prepared for the

project. Primary access to the residential development site would be from North Avenue only, which would minimize project-related traffic on Laurashawn Lane.

4. All public facilities, sewer, and water service are existing or would be available to the development site, with proposed and anticipated improvements and annexation.
5. The overall design of the planned development would produce an attractive, efficient, and stable environment for living, since open space areas have been incorporated into the project design, landscaping would be provided within these open space areas and along project streets, and adequate separations will be provided between the new residences, as well as between new residences and existing residences on surrounding properties.
6. The proposed development would be well integrated into its surroundings since the design would be consistent with the surrounding single-family residential development. Adverse impacts related to aesthetics and privacy would be minimized for residents on Laurashawn Lane, since at least six of the lots between 20 and 33 would be developed with single-story homes. While the remaining eight lots in this range may be developed with two-story homes, a minimum rear setback of 40' would be maintained for any two-story structure.
7. The approval of the proposed Master 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. The project is conditioned to require submittal of a separate application for a Precise Development Plan, for approval of architectural design for the new residences.

Development Agreement Determinations:

1. The proposed Development Agreement is consistent with the objectives, policies, general land uses, and programs specified in the General Plan since there are no changes to the General Plan land use designations or policies that affect development of the site, a Citywide Facilities Plan has been adopted to address infrastructure deficiencies on a citywide basis, and the agreement has a provision for a community benefit that could not otherwise be required of the developer.
2. The proposed Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the property is located, since the General Plan land use designation of the site is Estate II, which allows the number of dwelling units approved for the development in conformance with Subdivision Ordinance Section 32.202.03.
3. The proposed Development Agreement conforms to the public convenience and general welfare because the proposed agreement provides for construction of drainage improvements in the area and payment of a fee needed to construct future improvements that resolve traffic and drainage infrastructure issues in the North Broadway area.
4. The proposed Development Agreement will not adversely affect the orderly development of property or the preservation of property values because the project will be developed with single-family residences, in conformance with the existing General Plan designation on the property.
5. The Development Agreement is consistent with the provisions of State law (Government Code, Sections 65864 – 65869.5) to develop in accordance with project approvals and existing laws. These Government Code Sections outline requirements related to the contents of agreements, the applicability of an agreement and on the public hearing and approval process. The proposed Development Agreement is consistent with Government Code Section 65864, which states that the lack of certainty in the approval of development projects can result in a waste of resources and escalated housing costs while discouraging comprehensive planning, because the proposed Development Agreement provides certainty to the applicant regarding fees required and construction obligations for associated public improvements for a period of five (5) years. In

addition, the agreement complies with Article 58 of the Escondido Zoning Code, which outlines the procedures and requirements for the review, approval and amendment of development agreements.

Prezone Determinations:

1. The public health, safety, and welfare would not be adversely affected by the proposed prezone of 632 and 644 North Avenue to RE-20. These two properties are already developed with single-family residential uses and those uses would continue after annexation. Both properties have already connected to City sewer services due to septic system issues, and have signed agreements to annex to the City as a condition of that connection. The proposed RE-20 zoning would be consistent with the Estate II General Plan designation that applies to these properties.
2. The two properties to be prezoned are suitable for the single-family residential uses allowed in the RE-20 zone, and are already developed with this type of use.
3. The uses permitted by the RE-20 zone would not be detrimental to surrounding properties. The surrounding neighborhood contains a variety of zones (both City and County) that allow single-family residential uses, and most lots in the area are occupied by this type of use. The properties to be prezoned are already developed with single-family homes and no redevelopment of these two lots is proposed at this time.
4. The proposed prezone of 632 and 644 North Avenue is consistent with the General Plan, as these lots are located within the Estate II designation as depicted on the General Plan Land Use Map (Figure II-1 of the Land Use and Community Form Element). The Residential Estates (RE) zone, as described in the Zoning Code, corresponds to the Estate II designation of the General Plan as noted in Figure II-6 of the General Plan.
5. The proposed change of zone does not establish a residential density below seventy (70) percent of the maximum permitted density of any lot or parcel of land previously zoned R-3, R-4, or R-5. The two lots to be prezoned do not have R-3, R-4, or R-5 zoning.
6. The two lots to be prezoned are not covered under any Specific Plans.

Proceedings:

1. The Record of Proceedings upon which the City Council bases its decision includes, but is not limited to: (1) the Addendum to the Amended IS/MND and the appendices and technical reports cited in and/or relied upon in preparing the Addendum; (2) the staff reports, City files and records and other documents, prepared for and/or submitted to the City relating to the Addendum and the Project itself; (3) the evidence, facts, findings and other determinations set forth in herein; (4) the General Plan and the Escondido Municipal Code; (5) all designs, plans, studies, data and correspondence submitted to the City in connection with the Addendum and the Project itself; (6) all documentary and oral evidence received at public meetings and hearings or submitted to the City during the course of the review of the Project itself; (7) all other matters of common knowledge to the to the City, including, but not limited to, City, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the City and its surrounding areas.

ADDENDUM
to the
AMENDED MITIGATED NEGATIVE DECLARATION
FOR
NORTH AVENUE ESTATES 39-LOT RESIDENTIAL LOT SUBDIVISION

Former Case Nos.: TR 916-R, 2005-17-PZ/PD(R)/ DA, 2005-03-AN, ER 2005-12

Current Case No.: SUB 17-0007

For the proposed

REVISION TO THE PREVIOUSLY APPROVED TENTATIVE SUBDIVISION MAP;
MASTER DEVELOPMENT PLAN; DEVELOPMENT AGREEMENT; PREZONE OF 632
AND 644 NORTH AVENUE; AND ANNEXATION OF THE DEVELOPMENT SITE AND
632, 644, AND 714 NORTH AVENUE

Prepared for:

City of Escondido
Planning Division
201 N. Broadway
Escondido, CA 92025

December 18, 2017

INTRODUCTION

On April 5, 2006, the Escondido City Council adopted a Mitigated Negative Declaration (City File No. ER 2005-12, the "2005 MND") for the North Avenue Estates Tentative Subdivision Map, Master and Precise Development Plan, Annexation, Prezone, and Development Agreement (City Council Resolution No. 2006-08). On April 9, 2008, the Escondido City Council approved a revision to the Tentative Subdivision Map and Precise Development Plan to reconfigure the site to provide access to the entire subdivision from North Avenue rather than using Laurashawn Lane/Tamara Drive for primary access as previously approved. The City Council reviewed the 2005 MND and determined that it adequately addressed all of the environmental issues associated with the Project, including as modified.

The 2005 MND evaluated the impacts of the proposed 39-lot residential project (34 residential lots and 5 open space lots) on the approximately 17.2-acre site located on North Avenue between Laurashawn Lane and Kaywood Drive. The analysis identified several mitigation measures for impacts related to hazardous materials and biological and cultural resources that would reduce potential impacts to less than a significant level.

The current application to the City proposes a 12.5-foot-wide buffer between the property line of the existing homes on Laurashawn Lane and the homes proposed to be built as North Avenue Estates (the "Proposed Project"). This Addendum addresses the proposed modifications to the approved project and the associated potential environmental impacts. This Addendum is an informational document, intended to be used in the planning and decision-making process as provided for under Section 15164(b) of the California Environmental Quality Act (CEQA) Guidelines. This Addendum concludes that the proposed changes to the project will not: (1) result in new significant impacts; or (2) substantially increase the severity of previously disclosed impacts beyond those already identified in the 2005 MND. Therefore, a subsequent MND would not be required under CEQA to implement the proposed project modifications.

STATUTORY BACKGROUND

The City of Escondido is the CEQA lead agency for the Proposed Project. Under CEQA, an Addendum to a certified Environmental Impact Report (EIR) or Negative Declaration may be appropriate if minor technical changes or modifications to the project are proposed (CEQA Guidelines § 15164). An Addendum is appropriate only if these minor technical changes or modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. The Addendum need not be circulated for public review (CEQA Guidelines § 15164(c)). However, an Addendum is to be considered along with the adopted MND by the decision-making body prior to making a decision on the project (CEQA Guidelines § 15164(d)).

This MND Addendum demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the 2005 MND remain substantively unchanged by the

situation described herein, and supports the finding that the proposed project modifications do not result in new significant impacts and do not exceed the level of impacts identified in the 2005 MND. Accordingly, pursuant to CEQA Guidelines Section 15164, recirculation of the adopted MND for public review is not required. The City has also determined that preparation of a subsequent EIR or MND is not required under CEQA Guidelines Section 15162. To support this decision, the following discussion describes the proposed project modifications and the associated environmental analysis.

SUMMARY OF ORIGINAL PROJECT DESCRIPTION

The original project (Tract 916, 2005-17-PZ/PD/DA, and 2005-03-AN) included a Tentative Subdivision Map, Master and Precise Development Plan, Development Agreement, Prezone, and Annexation, for a 39-lot residential subdivision (34 single-family lots and five open space lots) on approximately 17.2 acres of vacant land located at North Avenue at the terminus of Conway Drive (APNs 224-153-19, and -20) (the "Project Site"). The City Council had previously initiated annexation of the Project Site, as well as four adjacent parcels developed with single-family residences (702, 708, and 714 North Avenue), on October 27, 2004. Under the original project, the Project Site was prezoned PD-R-1.97, while the other four lots were prezoned RE-20, in anticipation of annexation. The PD-R-1.97 and RE-20 zones are consistent with the E2 land use designation of the General Plan.

The Tentative Subdivision Map and Precise Development Plan were revised in 2008 (under Tract 916-R and 2005-PD(R)) to consolidate the primary access point at the southern entrance, and to designate the western entrance as a gated emergency-only entrance.

The site is located within the City of Escondido's Sphere of Influence with a General Plan designation of Estate II (E2), a residential designation allowing 20,000-SF lots. The City's General Plan allows for clustering in this designation with minimum lot sizes of 10,000 SF with adequate open space. The original subdivision utilized lot clustering, and proposed residential lot sizes in excess of 10,000 SF. The project would have been consistent with surrounding land uses, as the area was occupied primarily by single-family residential uses, and the project proposed lot sizes compatible in size with the County lots located immediately to the west of the subject site.

The original project proposed a multi-use trail running north to south through the residential development, with connections to Kaywood Drive and North Avenue. This was a community benefit to City and County residents that have historically used the site for jogging, dog walking, and horseback riding. These recreational activities would remain available to nearby residents.

PROJECT REVISIONS

The Proposed Project (SUB 17-0007) revises the annexation boundary. The Proposed Project requests annexation of the Project Site (APNs 224-153-19 and -20; prezoned PD-R-1.97) and 714 North Avenue (APN 224-153-15; prezoned RE-20). It also includes the annexation of 632 and 644 North Avenue (APNs 224-331-14 and -16), which would be prezoned to RE-20 before the annexation as part of the Proposed Project. The properties at 632, 644, and 714 North Avenue

are included in the current annexation proposal because they have previously connected to City sewer services due to septic failure or impending septic failure, and have signed agreements to annex as a condition of that sewer connection.

The Proposed Project also revises the Tentative Subdivision Map by creating a 12.5-foot open space buffer along the rear property line of Lots 1-6, Lots 19-30, and the east and north sides of Lot 34 to eliminate any potential impact to septic systems on adjacent properties. No grading, structures, or activity will be allowed within this buffer.

The Proposed Project would also change a few previously-approved conditions of approval and development standards. First, the applicant is proposing to use vinyl fencing along the edge of the 12.5-foot open space buffer. The previous approval had required masonry walls along rear property lines, with wrought-iron or other open materials for any fencing above six feet in height.

Second, the applicant is proposing to construct no more than eight two-story homes on the fourteen lots numbered 20 through 33, which are adjacent to homes on Laurashawn Lane. Any two-story homes in this range would be limited to a height of 27 feet and would be required to maintain a 40-foot rear setback. One-story homes on the remaining six lots in this range would be limited to a height of 17 feet. The original project had limited all new residences abutting the rear property line of existing residences along Laurashawn Lane (with the exception of Lot 34) to a height of one story and 17 feet, to protect views and privacy for Laurashawn residents.

Third, the applicant is proposing a 15-foot front setback on all lots, rather than the previously approved 20 feet. Side and rear setbacks will remain the same, with the exception of the 40-foot rear setback for two-story homes on Lots 20 through 33. The original project imposed no limits on floor area ratio (FAR) or lot coverage, and the revised project will set those at 0.5 and 40%, respectively.

Finally, the Proposed Project does not include a request for a Precise Development Plan. The applicant will be required to submit a separate Precise Development Plan application, to specify details about the design and architecture of the proposed new residences. This application will be subject to the review of the Planning Division and approval by the Planning Commission.

IMPACT ANALYSIS

This Addendum analyzes the 2005 MND in conjunction with the Proposed Project and concludes that the proposed changes described in this Addendum would not result in new significant impacts or a substantial increase in the severity of significant impacts identified for the 2005 MND. Analysis of the Proposed Project is consistent with the previously approved project as follows:

AESTHETICS

The 2005 MND included a discussion of aesthetics under the heading "Land Use and Planning". Appendix G of the CEQA Guidelines includes the following to be considered:

- a) *Would the project have a substantial adverse effect on a scenic vista?*
- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*
- c) *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*
- d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The 2005 MND considered the above and concluded that there would be no impact as the Project Site is characterized as "in-fill" because development is planned within an established residential neighborhood and is virtually surrounded by development. In addition, as noted in the 2005 MND, the Project Site is not located on a ridgeline identified in the Community Open Space/Conservation Element of the General Plan. The site has a slope of approximately 10% and no grading exemptions are proposed. Further, because residential projects typically do not directly illuminate or reflect glare upon adjacent properties, the 2005 MND concluded no significant light or glare impact would result from the proposed project. Lastly, development of the proposed project will also not obstruct scenic views or vistas open to the public as neither the City nor the State designates North Avenue as a scenic resource.

The Proposed Project will not be modifying the location or footprint of the project as approved, but is requesting that two-story homes be permitted on up to eight of the fourteen lots abutting existing homes on Laurashawn Lane (lots 20-33). The single-story homes would be limited to 17' with a 20' rear setback, as previously approved, and the two-story homes will be limited to 27' in height with a 40' rear setback.

AIR QUALITY

The Proposed Project does not propose substantial changes that would require revisions to the analysis of the significance of air quality impacts in the 2005 MND. There has been no change in circumstances that would require revisions to the analysis of the significance of air quality impacts in the 2005 MND due to the occurrence of new or more severe air quality impacts. Further there is no new information of substantial importance concerning air quality impacts that could not have been known with the exercise of reasonable diligence at the time the 2005 MND was adopted. Due to the small amount of grading and with appropriate use of grading and operation procedures, the Proposed Project would not generate significant particulate matter or dust and therefore would not result in a significant impact.

BIOLOGICAL RESOURCES

The 2005 MND found potential impacts to the biological resources on the project site based on a biological assessment conducted by Helix Environmental Planning on January 7, 2005. According to the assessment the vacant site included mainly non-native vegetation, which is consistent with the vegetation characterization listed for the site on the SanGIS website. A total of five vegetation communities and disturbed and developed land occurred within the Project Site boundaries.

The 2005 MND concluded that the proposed project would directly and significantly impact sensitive vegetation communities and required implementation of Mitigation Measures 1-5 to mitigate impacts per the guidelines described in the Escondido Subarea Plan. The original project and the Proposed Project include the same use, are of similar design, and will be required to implement the same Mitigation Measures as required in the 2005 MND. The Proposed Project does not propose substantial changes that would require major revisions to the analysis of the potential impacts to the biological resources in the 2005 MND. There has been no change in circumstances that would require major revisions to the analysis of the significance of the impacts due to the occurrence of new or more severe impacts. There is no new information of substantial importance concerning impacts to biological resources that could not have been known with the exercise of reasonable diligence at the time the 2005 MND was adopted.

CULTURAL RESOURCES

No historic, cultural, or archaeological resources were identified for the 2005 MND based on the results of a cultural resources study prepared by Brian F. Smith and Associates dated April 5, 2005, a field survey conducted on March 24, 2005 by Seth A. Rosenberg and Charles Callahan, and an archaeological record search by SCIC at SDSU. The 2005 MND concluded there would be no impacts and none of the modifications would result in new or substantially increased significant impacts related to cultural resources. However, as recommended in the 2005 MND, if culturally significant human remains are found during project activities, work should be temporarily halted in that area and appropriate mitigation measures and protocols would be implemented with consultation with the City to avoid and minimize impacts.

GREENHOUSE GAS ANALYSIS

According to Appendix G of the CEQA Guidelines, impacts related to GHG emissions are normally considered significant if implementation of the proposed project would either: (a) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or (b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

The 2012 General Plan discusses the City's goals to meet the State's targets for reducing Greenhouse Gas ("GHG") emissions and includes implementation tools to reach those goals, including the Escondido Climate Action Plan (E-CAP). The EIR for the General Plan Update (GPU) determined that with the GHG-reducing GPU policies and E-CAP measures, the City's GHG emissions would be less than significant for projects consistent with the General Plan, as updated.

City Council approved the GHG Emissions Thresholds and Screening Tables as part of the E-CAP on December 4, 2013. The E-CAP provides established CEQA significance thresholds for GHG analyses.

The City has determined that projects emitting less than 2,500 metric tons of CO_{2e} will not result in a significant impact and presented a list of sample projects that generate less than 2,500 metric tons of CO_{2e}; for example, a Single Family Residential project with 86 dwelling units is estimated to produce 2,500 metric tons of CO_{2e} per year (CEQA Thresholds and Screening Tables, Appendix B, Page B-1). The Proposed Project is smaller and will produce GHG emissions that are less than significant.

The E-CAP states that "Mitigation of GHG emissions impacts through the Development Review Process ('DRP') provides one of the most substantial reduction strategies for reducing community-wide emissions associated with new development." To address the GHG from stationary sources, the E-CAP ensures that GHG emissions impacts are mitigated through the DRP.

For future projects, under the E-CAP guidelines each project subject to CEQA would follow one of three scenarios for the GHG analysis:

- If the project is below the set screening threshold for GHGs, then the project's GHG emissions are determined less than significant and no further GHG analysis would be required. OR
- If the project is above the set screening threshold, then the project would be able to tier from the GHG analysis associated with the E-CAP by accumulating 100 points from the E-CAP Screening Tables for New Development document. OR
- If the project is above the GHG screening threshold and the project has unusual characteristics that make the Screening Tables analysis inappropriate for the project, then the project would need to complete a separate, independent GHG analysis.

The Proposed Project is below the set screening threshold for GHGs, easily fits into the general project descriptions and features described in the Screening Tables provided in the E-CAP document; and therefore, a project-specific technical analysis is not necessary to quantify and mitigate GHG emissions (see first bullet above).

Accordingly, as the Proposed Project falls below the GHG emissions threshold requirements, the Proposed Project does not present new information of substantial importance concerning GHG impacts.

HAZARDS AND HAZARDOUS MATERIALS

The 2005 MND identified less than significant impacts for the original project based on a Phase I and II Environmental Assessment Report performed by Geocon Consultants, Inc. on July 7, 2004. The 2005 MND required implementation of Mitigation Measures 1 and 2 prior to grading, to abandon or remove on-site water wells in accordance with applicable laws, and regulations; and to remove trash/debris from the site and dispose of it in accordance with applicable law and regulations. Because the Proposed Project would encompass essentially the same area of grading/disturbance as the original project description and would be required to comply with the same Mitigation Measures, no new or substantially increased significant impacts related to hazards and hazardous materials would result from the Proposed Project.

HYDROLOGY/ WATER QUALITY

The 2005 MND found that project implementation would not result in any significant impacts related to alteration of drainage patterns/directions; runoff volumes/velocities; the capacity of existing/planned drainage systems; flooding/floodplains; inundation by seiche, tsunami or mudflow; or water quality based on a November 15, 2005 letter from Geocon Inc. The letter also noted the requirement for best management practices (BMPs) for grading of the site and maintenance by the development's homeowner's association. On July 11, 2017, Geocon provided a Summary of Conclusions in Previous Geotechnical Reports, concluding that grading performed at the Project Site will not impact existing septic systems on adjacent properties, and that the proposed 10-foot buffer area is an added measure of conservatism. Because the Proposed Project would encompass essentially the same area of grading/disturbance as the original project description, and would be required to comply with BMPs, no new or substantially increased significant impacts related to hydrology or water quality would result from the Proposed Project.

TRANSPORTATION/ TRAFFIC

A Traffic Study Report was prepared for the original project by Linscott, Law and Greenspan on April 15, 2005 and revised November 11, 2005. The 2005 MND concluded there would be no significant impacts to air traffic patterns, emergency access, or parking capacity and there are no design features or incompatible uses that would substantially increase hazards. Linscott, Law & Greenspan prepared a Traffic Counts Memorandum on August 29, 2017, studying traffic counts at the intersection of Broadway and North Avenue and roadway segments on Broadway south of North Avenue, north of North Avenue, and on North Avenue from Broadway to Conway. The 2017 study concluded that delays in intersection operations and the levels of service in the studied segments are similar compared to those in the November 2005 Traffic Study Report. (Linscott, Law & Greenspan, Traffic Counts Memorandum, August 29, 2017, attached).

Accordingly, the Proposed Project does not propose substantial changes that would require major revisions to the analysis of the significance of transportation/traffic circulation impacts in the 2005 MND because there has been no change in circumstances that would require major revisions to the analysis of the significance of transportation/ traffic circulation impacts in the 2005 MND due to the occurrence of new or more severe transportation/ traffic circulation impacts and there is no new information of substantial importance concerning transportation/traffic circulation

impacts that could not have been known with the exercise of reasonable diligence at the time the 2005 MND was adopted.

AGRICULTURAL RESOURCES, GEOLOGY/ SOILS, LAND USE AND PLANNING, MINERAL RESOURCES, NOISE, POPULATION/ HOUSING, PUBLIC SERVICES, RECREATION, AND UTILITIES/ SERVICE SYSTEMS

The adopted 2005 MND concluded that potential impacts associated with all the listed issues would be less than significant, based on considerations including the nature, location, and extent of project-related disturbance and development and requirements for conformance with applicable regulatory and industry standards. The original and revised project descriptions would affect the same area, include the same types of land use, and would be constructed using similar grading and building practices. Accordingly, the impact conclusions noted for the listed issues in the adopted 2005 MND would also apply to the revised project description, with all associated potential impacts to be less than significant as summarized below by topic.

Agricultural- As described for the previous project description in the adopted 2005 MND, the Project Site is not listed as Prime Agricultural Lands as identified in the General Plan Final EIR, which was prepared for the City's General Plan revisions in 2000 and is listed as "Urban and Built-up Land" in the Final Environmental Impact Report for the 2012 General Plan Update. The 2005 MND concluded there would be no impacts and none of the modifications would result in new or substantially increased significant impacts related to agricultural resources as described in the 2005 MND.

Geology/Soils- The 2005 MND identified less than significant impacts based on the location of the site relative to active faults and requirements for conformance to applicable design, construction, and inspection standards and practices. Geocon Inc. prepared the Geotechnical Investigation for the project dated September 22, 2004. Because the Proposed Project would be located in the same general location and would also be subject to the noted standards and best practices, it would not generate any new significant impacts related to geology/soils.

Land Use and Planning- The original project and Proposed Project affect the same project site and general development footprint and would include the same residential type of land use.

None of the modifications would result in new or substantially increased significant impacts related to land use and planning, including effects to an established community or conflicts with established plans, policies or regulations as described in the 2005 MND.

Mineral Resources - The adopted 2005 MND concluded that only a portion of the site includes granite rock and the limited size of the project would not substantially increase the use of, or result in the depletion of any nonrenewable natural resources. Based on the same location and similar nature of the revised project design, this conclusion would also be applicable to the Proposed Project. As a result, no new or substantially increased significant impacts related to mineral resources would result from implementation of the Proposed Project.

Noise - Based on required conformance with applicable City standards related to construction and operational noise levels (including the General Plan Noise Element and Noise Ordinance), the

adopted 2005 MND concluded that no significant noise impacts would result from implementation of the original project because the Proposed Project would be located in the same location, would still be subject to the noted standards, and would generate similar levels of volume as estimated in 2005. The 2017 report noted that the volumes on two of the three segments are lesser in 2017 than in November 2005 (Linscott, Law & Greenspan Engineers, 2017); as such, the Proposed Project is not expected to generate new significant impacts related to noise.

Population/Housing - The adopted 2005 MND concluded that the original project design would be consistent with the then applicable criteria in the City General Plan regarding the number, type, and density of proposed residential development. Because the revised project design would not change the previously proposed residential uses, the noted conclusion would also be applicable to the Proposed Project. As a result, no new or substantially increased significant impacts related to population/ housing would result from implementation of the Proposed Project.

Public Services- The adopted 2005 MND concluded that the original project design would not result in significant impacts to services including sewer and water service, fire protection, law enforcement, and schools. Because the revised project design does not increase the previously proposed residential units, the Proposed Project would not generate new significant impacts related to public services or substantially increase the severity of previously disclosed impacts.

Recreation- The adopted 2005 MND concluded that the original project would not adversely affect existing parks or recreational facilities, and that the Project Site is not listed as a park site in the City's Master Plan of Parks, Trails and Open Space. Because the revised project design does not increase the previously proposed residential units, no new or substantially increased significant impacts related to recreation would result from implementation of the Proposed Project.

Utility and Service Systems- The adopted 2005 MND concluded that the original project design would not result in impacts to services including sewer, municipal water, storm water, or refuse collection/disposal. Because the revised project design does not increase the previously proposed residential units, the Proposed Project would not generate new significant impacts related to public services/ utilities or substantially increase the severity of previously disclosed impacts.

SUMMARY AND FINDINGS

The City previously prepared and approved the 2005 MND, which is on file in the Planning Division. The CEQA Guidelines call for an addendum to an adopted Negative Declaration to be prepared if only minor technical changes or additions are necessary, or if none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. (See Section 15164.)

Pursuant to Section 15162(a) of the CEQA Guidelines and based upon a review of the current proposed project, it has been determined that:

1. No substantial changes are proposed in the project that would require major revisions of the 2005 MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. No substantial changes have occurred with respect to the circumstances under which the project is undertaken that would require major revisions of the 2005 MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the 2005 MND was certified as complete, that shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the 2005 MND;
 - (B) Significant effects previously examined will be substantially more severe than shown in the 2005 MND;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives that are considerably different from those analyzed in the 2005 MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA is clear in its preference to use previously prepared environmental documents when anticipated project specific impacts have been clearly assessed. Section 15162 of the CEQA Guidelines prescribes criteria where a previously adopted Negative Declaration can be used and when a new Negative Declaration should be prepared.

The Impact Analysis in this Addendum indicates the proposed modification is in substantial conformance with the previously approved design and operation of the Project and therefore would have no impacts not already identified in the previous 2005 MND. The 2005 MND did not identify any impacts associated with implementation of the Proposed Project that would be significant after mitigation. This Addendum does not identify any Proposed Project impacts that would be significant after mitigation and no new or additional mitigation is required.

There is substantial evidence to approve this Addendum pursuant to Sections 15164 and 15162 of the CEQA Guidelines. No additional environmental review is warranted, because the lead agency has determined that on the basis of substantial evidence in the whole record the Proposed Project does not create any of the substantial effects on the environment that are identified in Section 15162(a)(1) through (a)(3). No circulation of this Addendum for public comment is required. (CEQA Guidelines Section 15164(c)).

Mitigation Monitoring Program

City of Escondido

TR 916 Residential Project

MITIGATION MONITORING PROGRAM

Issue	Potential Impact	Mitigation Measure	Implementing Entity	Implementation Timing	Certified Initial/Date
V. Biology	Coast Live Oak Woodland	BIO-1 Impacts to 0.29 acre of coast live oak woodland shall be mitigated at a 2:1 ratio through acquisition of .58 acre of coast live oak woodland at the Daley Ranch Mitigation Bank.	Applicant	Prior to Grading Permit Issuance	
V. Biology	Mule Fat Scrub	BIO-2 Impacts to 0.03 acre of mule fat scrub shall be mitigated at a 1:1 ratio through acquisition of 0.03 acre of woodland habitat at the Daley Ranch Mitigation Bank.	Applicant	Prior to Grading Permit Issuance	
V. Biology	Non-Native Grassland	BIO-3 Impacts to 15.13 acres of non-native grassland shall be mitigated at a 0.5:1 ratio through acquisition of 7.57 acres of non-native grassland at the Daley Ranch Mitigation Bank.	Applicant	Prior to Grading Permit Issuance	
V. Biology	Coast Live Oak Trees	BIO-4 Mitigation for impacts to the four protected coast live oak trees, the four mature coast live oak trees, one mature Engelmann oak tree, four oak hybrids and the 178 mature ornamental trees will occur with the planting of at least 13 oak trees and 178 ornamentals within the project landscaping in the form of street trees throughout the project. The actual number and	Applicant	Prior to Grading Permit Issuance	

		size of replacement trees as well as the planting location shall be determined through consultation with City staff and shall be specified in the project proponent's Development Agreement with the City. The habitat value of the oak trees is also being mitigated by the purchase of mitigation credits at the Daley Ranch Mitigation Bank.			
V. Biology	Active Raptor Nests	BIO-5 A qualified biologist shall determine if any active raptor nests occur on or in the immediate vicinity of the project site if construction is set to commence or continue into the breeding season of raptors (January 1 to June 15). If active raptor nests are found, their situation shall be assessed based on topography, line of site, existing disturbances and proposed disturbance activities to determine an appropriate distance or temporal buffer.	Applicant	Prior to Grading Permit Issuance	
VI. Cultural Resources	Potential Subsurface Archaeological Deposits	CR-1 The project applicant shall provide archaeological monitoring for the significant subsurface archaeological deposits that might be present on the parcel. These archaeological deposits may include privies, cisterns, trash deposit, and foundations. If archaeological features are encountered, the area shall be identified and the boundaries marked to avoid further	Applicant	Prior to Grading Permit Issuance	

		ground disturbance. The archaeological remains should then be investigated using traditional excavation techniques and, if determined to have legitimate research potential, an adequate sample for analysis should be removed or, in the case of structural remains, documented. A budget to adequately analyze the material and prepare a professional report should be obtained and analysis and report preparation completed. Copies should be provided to the Escondido City Planning Department, the Pioneer Room of the Escondido City Library, and the Escondido Historical Society.			
VIII. Hazards and Hazardous Materials	On-Site Water Wells	HMM-1 Prior to grading, on-site water wells shall be abandoned or removed in accordance with applicable laws, and regulations.	Applicant	Prior to Grading	
VIII. Hazards and Hazardous Materials	Trash/Debris	HMM-2 Prior to grading, the trash/debris shall be removed from the site and disposed of in accordance with applicable laws and regulations.	Applicant	Prior to Grading	

Mitigation Monitoring Program

City of Escondido

TR 916 Residential Project

MITIGATION MONITORING PROGRAM

Issue	Potential Impact	Mitigation Measure	Implementing Entity	Implementation Timing	Certified Initial/ Date
V. Biology	Coast Live Oak Woodland	BIO-1 Impacts to 0.29 acre of coast live oak woodland shall be mitigated at a 2:1 ratio through acquisition of 0.58 acre of coast live oak woodland at the Daley Ranch Mitigation Bank.	Applicant	Prior to Grading Permit Issuance	
V. Biology	Mule Fat Scrub	BIO-2 Impacts to 0.03 acre of mule fat scrub shall be mitigated at a 1:1 ratio through acquisition of 0.03 acre of woodland habitat at the Daley Ranch Mitigation Bank.	Applicant	Prior to Grading Permit Issuance	
V. Biology	Non-Native Grassland	BIO-3 Impacts to 15.13 acres of non-native grassland shall be mitigated at a 0.5:1 ratio through acquisition of 7.57 acres of non-native grassland at the Daley Ranch Mitigation Bank.	Applicant	Prior to Grading Permit Issuance	
V. Biology	Coast Live Oak Trees	BIO-4 Mitigation for impacts to the four protected coast live oak trees, the four mature coast live oak trees, one mature Engelmann oak tree, four oak hybrids and the 178 mature ornamental trees will occur with the planting of at least 13 oak trees and 178 ornamentals within the project landscaping in the form of street trees throughout the project. The actual number and size of replacement trees as well as the planting location shall be determined through consultation with City staff and shall be specified in the project proponent's Development Agreement with the City. The habitat value of the oak trees is also being	Applicant	Prior to Grading Permit Issuance	

		mitigated by the purchase of mitigation credits at the Daley Ranch Mitigation Bank.			
V. Biology	Active Raptor Nests	BIO-5 A qualified biologist shall determine if any active raptor nests occur on or in the immediate vicinity of the project site if construction is set to commence or continue into the breeding season of raptors (January 1 to June 15). If active raptor nests are found, their situation shall be assessed based on topography, line of site, existing disturbances and proposed disturbance activities to determine an appropriate distance or temporal buffer.	Applicant	Prior to Grading Permit Issuance	
VI. Cultural Resources	Potential Subsurface Archaeological Deposits	CR-1 The project applicant shall provide archaeological monitoring for the significant subsurface archaeological deposits that might be present on the parcel. These archaeological deposits may include privies, cisterns, trash deposit, and foundations. If archaeological features are encountered, the area shall be identified and the boundaries marked to avoid further ground disturbance. The archaeological remains should then be investigated using traditional excavation techniques and, if determined to have legitimate research potential, an adequate sample for analysis should be removed or, in the case of structural remains, documented. A budget to adequately analyze the material and prepare a professional report should be obtained and analysis and report preparation completed. Copies should be provided to the Escondido City Planning Department, the Pioneer Room of the Escondido City Library, and the Escondido Historical Society.	Applicant	Prior to Grading Permit Issuance	
VIII. Hazards and Hazardous Materials	On-Site Water Wells	HHM-1 Prior to grading, on-site water wells shall be abandoned or removed in accordance with applicable laws, and regulations.	Applicant	Prior to Grading	
VIII. Hazards and Hazardous Materials	Trash/Debris	HHM-2 Prior to grading, the trash/debris shall be removed from the site and disposed of in accordance with applicable laws and regulations.	Applicant	Prior to Grading	

RECORDING REQUESTED BY:

CITY CLERK, CITY OF ESCONDIDO

WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF ESCONDIDO
201 N. BROADWAY
ESCONDIDO, CA 92025

THIS SPACE FOR RECORDER'S USE ONLY

APNs: 224-153-19 and 224-153-20

Recording Fees Exempt Per Government Code Section 27383

**DEVELOPMENT AGREEMENT
for North Avenue Estates**

between

CITY OF ESCONDIDO

and

NORTH AVENUE CAJ, LLC

_____, 2018

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into by and between the City and Owner.

RECITALS

WHEREAS, Government Code Sections 65864 through 65869.5 and Articles 58 and 68 of the City's Zoning Code authorize the City to enter into binding development agreements with persons or entities having legal or equitable interests in real property for the purpose of establishing certainty in the development process for both the City and the property owner, and to enable specific terms regarding property development, to be negotiated and agreed upon; and

WHEREAS, the purposes of the Agreement are to eliminate uncertainty in the planning and development of the Project by assuring Owner that it may develop the Property, in accordance with existing laws, subject to the terms and conditions contained in the Agreement; assure the orderly installation of necessary improvements and the provision for public services appropriate for the development of the Project; and enable the City to obtain substantial public benefits by virtue of the Agreement.

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties agree as follows:

ARTICLE I

Definitions

1. **"Amendment"** refers to any written amendment to this Agreement approved by the City Council as provided in Article II, Section 3.
2. **"Annual Review"** refers to the Owner's demonstration of compliance with the terms of this Agreement every 12 months.
3. **"Assignee"** refers to an assignee of this Agreement in accordance with Article II, Section 2 and approved by the City in writing.
4. **"City"** refers to the City of Escondido, its City Council, its mayors and council members, past and present, and employees and agents.
5. **"Cure Period"** refers to the period of time in which a default may be cured, which will be 30 days.

6. **"Deficiency Fee"** refers to the fees established in Exhibit B for contributions towards facilities necessary to upgrade existing deficiencies in accordance with Article 68 of the Escondido Zoning Code.
7. **"Development Fees"** refers to the development related fees as provided in the City's Fee Guide and referred to as development fees.
8. **"Director"** refers to the Director of Community Development or designee.
9. **"Effective Date"** The effective date of the Agreement shall be the day that is 30 days after the City Council's adoption of an ordinance approving this Agreement.
10. **"Entitlements"** refers to all approvals and permits necessary or incidental to the development of the Project or any portion thereof, whether discretionary or ministerial, including but not limited to, specific plans, tentative or final tract map approvals, whether standard or vesting, conditional use permits, variances, project plans, grading permits, building permits, and this Agreement and includes all conditions of approval regarding any particular Entitlement.
11. **"Exaction"** refers to any fee, tax, requirement, condition, dedication, restriction, or limitation imposed by the City upon the development of the Property at any time in accordance with the Existing Laws.
12. **"Existing Laws"** refers to the ordinances, resolutions, codes, rules, regulations, general plan, stormwater regulations and official policies of the City governing the development of the Property, including, but not limited to, the permitted uses of the Property, the density or intensity of use, the design, improvement and construction standards and specifications for the Project, including the maximum height and size of proposed buildings, and the provisions for reservation and dedication of land for public purposes, in effect on the Effective Date of this Agreement.

13. "**Future Exaction**" refers to Exactions imposed after the Effective Date, whether by ordinance, initiative, resolution, rule, regulation, policy, order or otherwise.
14. "**Future Laws**" refers to all ordinances, resolutions, codes, rules, regulations, and official policies implemented by the City after the Effective Date, whether by ordinance, initiative, resolution, rule, regulation, policy, order or otherwise. Future Laws includes changes to the Existing Laws.
15. "**General Fees**" refers to all general development fees which the City may levy pursuant to Government Code Sections 66000 et seq. ("the Mitigation Fee Act"), including, but not limited to, application fees, processing fees, utility connection fees, inspection fees, capital facilities fees, development impact fees, traffic impact fees, park fees and such other similar fees as may be enacted from time to time and generally applied throughout the City, excluding Development Fees.
16. "**General Plan**" refers to the City's General Plan in effect on the Effective Date.
17. "**Minor Modifications**" refers to minor modifications regarding the performance of this Agreement that are consistent with the Entitlements and have minimal impacts to the City's operations in terms of timing, performance, or value.
18. "**Modification**" refers to a modification approved by the City Council as provided in Article VI, Section 5.
19. "**Owner**" refers collectively to North Avenue CAJ, LLC who has legal or equitable interest in the real property which is the subject of this Agreement.
20. "**Operating Memorandum**" refers to addenda to this Agreement to document changes or adjustments in the performance of this Agreement as specified in Article III, Section 7.
21. "**Party**" City or Owner may be referred to individually as Party or collectively as Parties.

22. "**Project**" shall mean and refer to all improvements described in the Entitlements and this Agreement.
23. "**Property**" shall mean the certain real property located in the County of San Diego, State of California as described in the Exhibit A.
24. "**Public Benefits**" shall refer to the consideration given by Owner to the City, as described in Exhibit B attached hereto, in return for the City's good faith performance of all applicable terms and conditions in this Agreement.
25. "**Public Improvements**" refers to any public improvements required to be constructed as conditions of approval to the Entitlements or as additionally provided in this Agreement.
26. "**Review Letter**" refers to a letter from the City regarding a statement of Owner's compliance with this Agreement, following a positive Annual Review by the City.
27. "**Term**" shall refer to the term of this Agreement as provided in Article II, Section 1.

ARTICLE II

General Provisions

1. **Term of Agreement.** The term of this Agreement shall commence on the Effective Date and shall continue for (five) 5 years unless terminated, modified, amended or extended as permitted by this Agreement. After the expiration of the Term, this Agreement shall be deemed terminated and of no further force or effect. This Agreement shall terminate with respect to any lot and such lot shall be released and no longer subject to the Agreement, without the execution or recordation of any further document, when a certificate of occupancy has been issued for the building(s) on the lot.
2. **Assignment.** The rights and obligations of Owner under the Agreement may be assigned by Owner as part of an assignment of the Property, only after receiving written approval from the

City. Owner shall provide (thirty) 30 days advance written notice to the City of any requested assignment. The City shall have the right to ensure that the proposed assignee has the financial capability to complete and fulfill any uncompleted requirements relating to the Public Benefits. Any assignment agreement must be in writing and expressly provide that (a) the assignment shall be subject to this Agreement; and (b) the Assignee assumes all of Owner's rights and obligations with respect to the Property, or portion thereof, assigned.

3. **Amendment of Agreement.** The Agreement may be amended in writing by the mutual consent of the Parties in accordance with Article 58, Chapter 33 of the Escondido Zoning Code as well as any applicable state or federal law. The Agreement shall include any amendment properly approved and executed. Minor Modifications in the manner of performance shall not constitute an Amendment to the Agreement and may be accomplished through an Operating Memorandum.

4. **Enforcement.** Unless amended or terminated as provided herein, this Agreement is enforceable by either Party or its successors and assigns, notwithstanding any Future Laws, which alter or amend the Existing Laws.

5. **Defense and Indemnification.**

a. Owner agrees to defend, indemnify, and hold harmless, City, and provide and pay all costs for a defense of and judgment against the City, including any award for attorney's fees and litigation costs, in any legal action filed in a court of competent jurisdiction by a third party challenging the Project, or any component thereof, or this Agreement.

b. Owner shall further indemnify, defend and hold harmless the City and its officers, employees and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, administrative proceedings, damages, fines, penalties, judgments, orders, liens, levies, costs and expenses of whatever nature, including reasonable attorneys' fees and

disbursements, arising out of any violation, or claim of violation of the San Diego Municipal Storm Water Permit (Order No. R9-2015-0001) of the California Regional Water Quality Control Board Region 9, San Diego, as amended or extended, which the City might suffer, incur, or become subject by reason of or occurring as a result of or allegedly caused by the construction of the Project.

c. The City shall have no liability to the Owner or any other person for, and Owner shall indemnify, defend, protect and hold harmless the City from and against, any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorneys' fees and disbursements, which the City may suffer or incur or to which the City may become subject as a result of or allegedly caused by the payment of prevailing wages for construction of any of the Public Benefits or Public Improvements.

d. If any action or proceeding is brought against the City by reason of any of the matters against which Owner has agreed to indemnify the City as provided above, Owner, upon notice from the City, shall defend the City at Owner's expense by counsel acceptable to City, such acceptance not to be unreasonably withheld. The City need not have first paid for any of the matters to which the City is entitled to indemnification in order to be so indemnified. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

6. **Third Party Challenges.** In the event the validity, applicability, or implementation of the Agreement is challenged by means of legal proceedings by any party other than the City and Owner, it shall be the City's option, at its sole and absolute discretion, whether to undertake the defense of such challenge. If the City determines not to defend such challenge, it shall be the option of Owner, to defend the validity, applicability, or implementation of this Agreement in the

proceeding at Owner's sole expense. The City and Owner agree to cooperate in the defense of any such challenges.

7. **Notices.** All notices or communication between the City and Owner pursuant to the Agreement shall be in writing and shall be given by personal delivery, overnight delivery service, certified or registered mail, facsimile or telecopy to the addresses set forth below. The addresses may be changed by giving (ten) 10 days written notice.

A. City

City of Escondido
Attention: Director of Community Development
201 N. Broadway
Escondido, CA 92025

with a copy to:

City Attorney
201 N. Broadway
Escondido, CA 92025

B. Owner

North Avenue CAJ, LLC
Attention: Casey Johnson
PO Box 928257
San Diego, CA 92192

with a copy to:

David Ferguson, Esq.
Lounsbury, Ferguson, Altona & Peak
960 Canterbury Place, Suite 300
Escondido, Ca 92025

8. **Conflict of State or Federal Laws.** If state or federal laws or regulations enacted after the Effective Date prevent compliance with any provision of this Agreement or require changes in any Entitlements, those laws or regulations shall be controlling and the Parties shall make a good

faith, reasonable attempt to modify this Agreement to comply both with the intent of the Agreement and with the new laws or regulations.

The City shall timely assist Owner in securing any permits, including permits from other public agencies, which may be required as a result of the modifications, suspensions, or alternate courses of action.

ARTICLE III

Development of the Property

1. **Applicable Rules, Regulations, and Policies.** Owner shall have the vested right, to the fullest extent allowed by law, to develop the Property in accordance with the Entitlements, Existing Laws and this Agreement. During the Term, the Entitlements, Existing Laws and this Agreement shall control the overall design, development and construction of the Project. Notwithstanding the foregoing, nothing in this Agreement shall preclude the City from applying changes occurring from time to time in the uniform codes published in Title 24 of the California Code of Regulations and adopted by the City, including local amendments, in effect when the building permits are issued.
2. **Future Laws.** Future Laws shall not apply to the Project except as expressly provided in this Agreement. Future Laws may be applied to the Project if they are not in conflict with the Existing Laws. Owner may give the City written notice of its election to have any Future Law applied to the Property, in which case such Future Law will be considered an Existing Law for purposes of this Agreement.
3. **Future Discretionary Reviews.** Except as set forth in this Agreement, the City shall retain its discretionary rights in reviewing applications for Entitlements. Owner's applications for Entitlements and the City's review thereof, must comply with the Existing Laws and with the terms

and conditions of this Agreement. The City shall not impose any conditions upon Entitlements that are more restrictive than or inconsistent with the terms of this Agreement or the Existing Laws, except as required by state or federal law. The City may conduct, in accordance with CEQA and the Existing Laws, an environmental review for Entitlements. The City may impose, if required by CEQA, additional mitigation measures to mitigate significant adverse environmental effects that were not previously considered, or were found to be infeasible to mitigate at the time of approval of this Agreement. Nothing herein is intended to require or authorize additional CEQA environmental review or mitigation measures beyond that otherwise required by CEQA.

4. **Permitted Uses and Density.** The Agreement shall vest the right to develop the Property to the fullest extent allowed by law with respect to the permitted uses of land, density and intensity of uses, and the rate or timing and phasing of development as described in the Entitlements which are hereby incorporated as if fully set forth in this Agreement. The permitted uses, density, and intensity of use of the Project, the maximum height and size of proposed buildings and provisions for reservation or dedication of land for public purposes, shall substantially conform to those specified in the Entitlements, Existing Laws and this Agreement. The permitted uses of the Property, including a plan of development, the density and intensity of use, the maximum height and size of proposed buildings are set forth in SUB 17-0007, PHG 17-0034, ENV 17-0011, and PHG 17-0034 as they be amended from time to time, and are hereby incorporated by reference. All other aspects of the Project that are not specified in the Entitlements shall be determined by the Existing Laws, except as expressly provided herein.

5. **Time for Construction and Completion of the Project.** Owner cannot predict when or the rate or the order in which the Property or the parcels will be developed, if at all. Such decisions depend upon numerous factors that are not within the control of the Owner, such as market

orientation and demand, interest rates, absorption, completion, and other similar factors. Therefore, Owner shall have the right to develop the Property in phases, in such order, at such rate, and at such times as Owner deems appropriate in Owner's business judgment, subject only to the provisions of this Agreement and the Entitlements. Owner shall be entitled to apply for and receive approval of permits, building permits, and other Entitlements for use at any time and for any or all portions or phases of the Project, provided that application is made in a manner consistent with this Agreement and the Entitlements.

The City may require, and will process, all customary plans and agreements generally applicable to developers in the City for similar works of onsite or offsite improvements.

6. **Moratorium.** No City-imposed moratorium or other limitation (whether relating to the rate, timing or sequencing of the development or construction of all or any part of the Property, whether imposed by ordinance, initiative, resolution, policy, order or otherwise, and whether enacted by the City Council, an agency of the City, the electorate, or otherwise) affecting parcel or subdivision maps (whether tentative, vesting tentative, or final), building permits, occupancy certificates or other entitlements to use or service (including, without limitation, water and sewer) approved, issued or granted within the City, or portions of the City, shall apply to the Property to the extent such moratorium or other limitation is in conflict with this Agreement; provided, however, the provisions of this Section shall not affect the City's compliance with moratoria or other limitations mandated by other governmental agencies or court-imposed moratoria, as established by the initiative process, or as otherwise established by law.

7. **Operating Memoranda.** The Parties acknowledge that the provisions of this Agreement require cooperation between the City and Owner, and that the refinements and further development of the Project hereunder may demonstrate that changes are appropriate with respect to the details

of performance of the Parties hereunder. The Parties desire, therefore, to retain a certain degree of flexibility with respect to those items covered in general terms under this Agreement. If and when, from time to time during the Term, the Parties find that such changes or adjustments are necessary or appropriate, they may effectuate such changes or adjustments through Operating Memoranda approved by the Parties, which, after execution, shall be attached hereto as addenda and become a part hereof, and may be further changed and amended from time to time as necessary with further approval by the City and Owner. No such Operating Memorandum shall require prior notice or hearing, or constitute an amendment or modification to this Agreement; and in the case of the City, such Operating Memorandum may be acted upon by the City Manager or his designee. Failure of the Parties to enter into any such Operating Memorandum shall not affect or abrogate any of the rights, duties or obligations of the Parties hereunder or the provisions of this Agreement. An Operating Memorandum may be recorded as an addendum to this Agreement.

8. **Term of Map(s) and Other Project Approvals.** Pursuant to California Government Code Section 66452.6(a), the term of the subdivision map that is processed on all or any portion of the Property and the term of each of the Entitlements shall be extended for a period of time through the Term of the Agreement. Should this Agreement be terminated, the Owner shall have thirty (30) days to submit an application for the extension of any portion of an approved tentative map.

9. **Infrastructure Capacity.** Subject to Owner's proportionate contribution to infrastructure and the Public Benefits provided by Owner, in accordance with the requirements of the Entitlements, the City hereby acknowledges that it will have sufficient capacity in its infrastructure services and utility systems, including, without limitation, traffic circulation, flood control, sanitation service and, except for reasons beyond the City's control, sewer collection, sewer treatment, water supply, treatment, distribution and service, to accommodate the Project. To the

extent that the City renders such services or provides such utilities, the City hereby agrees that it will serve the Project and that there shall be no restriction on connections or service for the Project except for reasons beyond the City's control.

10. **Easements.** Easements dedicated for pedestrian use shall be permitted to include public easements for underground improvements, including but not limited to, drainage, water, sewer, gas, electricity, telephone, cable and other utilities and facilities, so long as they do not unreasonably interfere with pedestrian use.

11. **Public Improvements.** Owner agrees to design and construct the improvements as provided in Exhibit B to this Agreement. The requirement to design and construct the improvements in Exhibit B shall survive the termination of this Agreement.

12. **Fees.** The Owner shall pay the Development Fees and General Fees in the amounts in effect at the time Owner submits payment of the fees unless otherwise explicitly provided in this Agreement.

ARTICLE IV

Provision of Public Benefits

1. **Description of Public Benefits.** Owner shall provide the City with the Public Benefits, as further described in Exhibit B, as consideration for the City's good faith performance of all applicable terms and conditions in this Agreement.

2. **Occupancy Contingent on Construction of Public Improvements.** Owner acknowledges that the City shall not grant a certificate of occupancy for any building constructed on the Property prior to the construction of all improvements at the times described in Exhibit B. This contingency for occupancy shall survive the termination of this Agreement.

3. **Recordation of Final Map Contingent on Security for Public Benefits.** Prior to recordation of the Final Map, Owner must enter into an improvement agreement or agreements

which will detail Owner's construction obligations for Public Improvements and the Public Benefits, and will require Owner to provide financial security for completion of construction, in a form or forms as approved by the City Attorney.

4. **Processing During Third Party Litigation.** The filing of any third party lawsuit(s) against the City or Owner relating to this Agreement, any Entitlements, or to other development issues affecting the Property shall not delay or stop the development, processing or construction of the Project or approval of Entitlements, unless the third party obtains a court order preventing the activity.

ARTICLE V

Annual Review

1. **Owner Responsibilities.** At least every (twelve) 12 months during the Term, Owner shall demonstrate good faith substantial compliance with the major provisions of the Agreement and provide, to the best extent possible, the status and timing of development of the Project and related public improvements to the City for an Annual Review. If requested by the City, Owner shall provide any additional detail or information necessary to demonstrate good faith compliance with any particular provision of this Agreement identified by the City.

2. **Opportunity to be Heard.** Owner shall be permitted an opportunity to be heard orally and in writing at any noticed public hearing regarding its performance under this Agreement. Owner shall be heard before each appropriate board agency or commission and the City Council at any required public hearing concerning a review of performance under this Agreement.

3. **Information to be Provided to Owner.** The City shall mail to Owner a copy of staff reports and related exhibits concerning Agreement performance, a minimum of (ten) 10 calendar days prior to consideration and review by the City Council.

4. **Annual Review Letter.** If Owner is found to be in substantial compliance with this Agreement after the Annual Review, the City shall issue, upon written request by Owner, a Review Letter to Owner stating that, based upon information known or made known to the City Council, the City Planning Commission, and/or the City Manager, this Agreement remains in effect and Owner is in compliance. Owner may record the Review Letter in the Official Records of the County of San Diego.

5. **Failure of Annual Review.** The City's failure to perform an Annual Review of Owner's substantial compliance with the terms and conditions of the Agreement shall not constitute or be asserted as a default by Owner.

ARTICLE VI

Delay, Default, Remedies, and Termination

1. **Notice and Cure of Default.** In the event of a material default, the Party alleging a default shall give the defaulting Party a notice of default in writing. The notice of default shall specify the nature of the alleged material default. During the Cure Period, the Party charged shall not be considered in breach. If the default is cured within the Cure Period, then no breach shall be deemed to exist. Any notice given pursuant to the preceding sentence shall specify the nature of the alleged failure and, where appropriate, the manner in which such alleged failure satisfactorily may be cured.

2. **Waiver.** Failure or delay in giving notice of default shall not constitute a waiver of any other material default. Except as otherwise expressly provided in this Agreement, a failure or delay in asserting any rights or remedies as to any default shall not operate as a waiver of any default or of any rights or remedies otherwise available to a Party or deprive a Party of the right to institute

and maintain any actions or proceedings which it may deem necessary to protect, assert, or enforce any rights or remedies it may have.

3. **Default by Owner.** The Director may recommend the review and termination of this Agreement to the City Council upon an occurrence of a material default that is not cured within the Cure Period. The foregoing does not limit any of the City's other remedies upon a material breach of this Agreement by the Owner.

4. **Default by the City.** Upon a material default by the City, that is not cured within the Cure Period, Owner, without limiting any of its other remedies, shall not be obligated to complete any of its obligations under this Agreement.

5. **Termination or Modification.** Any termination or modification of this Agreement shall be done in accordance with Article 58, Chapter 33 of the Escondido Zoning Code as well as any applicable state or federal law. Owner shall have sixty (60) days from the Effective Date to sign the Agreement or the Agreement shall automatically expire.

ARTICLE VII

Encumbrances and Releases on Property

1. **Discretion to Encumber.** This Agreement shall not prevent or limit Owner, in any manner, from encumbering the Property or any portion of the Property or any improvement on the Property by any mortgage. The City acknowledges that lenders providing financing may require modifications to this Agreement and the City agrees, upon request, from time to time, to meet with Owner and/or representatives of lenders to negotiate in good faith any lender request for modification provided any modification does not will not affect the timely completion or fulfillment of any requirements in the Entitlements or this Agreement relating to the Public Benefits.

ARTICLE VIII

Miscellaneous Provisions

1. **Rules of Construction.** The singular includes the plural; the masculine gender includes the feminine; "shall" is mandatory; "may" is permissive.
2. **Severability.** If any non-material provision of this Agreement shall be adjudged by a court of competent jurisdiction to be invalid, void, or illegal, it shall in no way affect, impair, or invalidate any other provision of this Agreement. If any material part of the Agreement is adjudged by a court of competent jurisdiction to be invalid, void, or illegal, the Parties shall take all steps necessary to modify the Agreement to implement the original intent of the Parties in a valid and binding manner. These steps may include the waiver by either of the Parties of their right under the unenforceable provision. If, however, this Agreement objectively cannot be modified to implement the original intent of the Parties and the Party substantially benefited by the material provision does not waive its rights under the unenforceable provision, the executory portions of the Agreement shall become void.
3. **Entire Agreement.** Except as expressly referred to herein, this Agreement constitutes the entire understanding and agreement of the Parties with respect to the subject matter of this Agreement. This Agreement supersedes all other negotiations and previous agreements between the Parties with respect to that subject matter.
4. **Waivers.** All waivers of the provisions of this Agreement must be in writing and signed by the appropriate agents of the City or of Owner.
5. **Recording.** The City Clerk shall cause a copy of this Agreement to be recorded with the Office of the County Recorder of San Diego County, California within (ten) 10 days following the Effective Date. Upon the completion of performance of this Agreement or its revocation or

termination, a statement evidencing completion, revocation, or termination signed by the appropriate agents of Owner and the City shall be recorded in the Official Records of San Diego County, California.

6. **Project as a Private Undertaking.** It is specifically understood by the Parties that the Project is a private development and that Owner shall have the full power and exclusive control of the Property subject to the provisions of this Agreement. Any improvements completed remain the property of the Owner unless the City has explicitly accepted any improvement.

7. **Captions.** The captions of the Agreement are for convenience and reference only and shall not define, explain, modify, construe, limit, amplify or aid in the interpretation, construction or meaning of any of the provisions of the Agreement.

8. **Consent.** Where the consent or approval of a Party is required or necessary under this Agreement, the consent or approval shall not be withheld unreasonably.

9. **The City's Ongoing Statutory Authority.** Except as expressly stated, nothing in this Agreement shall limit the City's authority and responsibility under the California Constitution and applicable California statutes to act in the best interests of the public health, safety, and welfare, and nothing in this Agreement is intended to limit in any way the legislative discretion otherwise afforded the Escondido City Council under state or federal law.

10. **Covenant of Cooperation.** The Parties shall cooperate with and assist each other in the performance of the provisions of the Agreement including assistance in obtaining permits for the development of the Property which may be required from public agencies other than the City. The covenant of cooperation shall include, to the maximum extent permitted by law, that the City shall use its best efforts to prevent any ordinance, measure, moratorium or other limitation from invalidating, prevailing over or making impossible any provision of the Agreement, and the City

shall cooperate with Owner to keep this Agreement in full force and effect. Owner reserves the right to challenge any such ordinance, measure, moratorium, or other limitation in a court of law if it becomes necessary to protect the development rights vested in the Property pursuant to this Agreement.

11. **Further Actions and Instruments.** Each of the Parties shall cooperate with and provide reasonable assistance to the other in the performance of all obligations under this Agreement and the satisfaction of the conditions. Upon the request of either Party, the other Party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of the Agreement or to evidence or consummate the transactions contemplated herein.

12. **Successors and Assigns.** Subject to Article II Section 2 above, the burdens of this Agreement shall be binding upon, and the benefits of this Agreement inure to, all successors-in-interest and assigns of the Parties.

13. **Time of the Essence.** Time is of the essence of this Agreement and of each and every term and condition hereof.

14. **Applicable Laws.** This Agreement shall be construed and enforced in accordance with the laws of the State of California. All statutory references are to California statutes.

15. **No Waiver of Existing Rights or Applicable Laws.** This Agreement shall not constitute a waiver of any of Owner's existing rights or applicable laws, nor shall it limit or expand Owner's right to challenge any General Fee as being contrary to applicable law or to challenge any existing or Future Exaction as being in excess of Exactions permitted by applicable law.

16. **Authorization.** Each person executing this Agreement hereby warrants and represents that he/she has the authority to enter into this Agreement and to bind his/her respective entity to the provisions hereof. This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original.

17. **No Third Party Beneficiaries.** This Agreement and each and every provision hereof is for the exclusive benefit of the Parties hereto and not for the benefit of any third party.

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the Parties have executed this Agreement:

CITY OF ESCONDIDO

CITY OF ESCONDIDO

By: _____
Sam Abed
Its: Mayor

By: _____
Diane Halverson
Its: Clerk

NORTH AVENUE CAJ, LLC

By: _____
Casey Johnson
Its: Managing Member

APPROVED AS TO FORM:

CITY OF ESCONDIDO

By: _____
Michael R. McGuinness
City Attorney

LOUNSBERY, FERGUSON, ALTONA & PEAK

By: _____
David Ferguson, Esq.
Attorney for Owner

Exhibit A

LEGAL DESCRIPTION

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

APN224-153-20

That portion of Block 410 of Rancho Rincon Del Diablo, in the County of San Diego, State of California, according to Graham Map No. 723 filed in the Office of the County Recorder of San Diego County, August 13, 1892, and that portion of the unnamed street, 20.00 feet wide, lying easterly of and adjoining said Block 410 as vacated and closed to public use on July 1, 1927, by order of the Board of Supervisors of said County of San Diego, a certified copy of said order having been recorded in the Office of the County Recorder of said San Diego County on July 2, 1927 in Book 1336, page 7 of Deeds, lying easterly of Las Lomas Ranchos Unit No.1, according to map thereof No. 5151, filed in the Office of the County Recorder of San Diego County on April 5, 1963,

Excepting therefrom that portion thereof described as follows:

Commencing at the southeast corner of said Block 410: Thence along the easterly prolongation of the southerly line thereof, North 70°20'20" East, 20.00 feet to the easterly line of Rancho Rincon Del Diablo; thence along said easterly line north 19°39'45" west, 175.00 feet; thence south 70°20'20" west 302.32 feet; thence south 6°22'30" west 194.77 feet to the Southeasterly line of said Block 410; thence North 70°20'20" East 367.80 feet along said Southeasterly line to the true point of beginning.

Also excepting therefrom that portion thereof described as follows:

Beginning at the most Southeasterly corner of said Block 410; thence North 19°39'45" West 175.00 feet; thence North 70°20'20" East 20.00 feet to a point in the Easterly line of Rancho Rincon Del Diablo, being the true point of beginning, said true point of beginning also being the Northeasterly corner of the land described in Deed to Olen K. Hood, Et Ux recorded May 4, 1962 as Instrument No. 77035 of official records; thence South 70°20'20" West 282.32 feet along the Northwesterly line of said Hood land and its Southwesterly prolongation of the southwesterly corner of the land described in the deed to Carol Jane Crispin, an unmarried woman, recorded October 13, 1965 as Instrument No. 185349 of official records; thence North 6°22'30" East 325.31 feet along the Westerly line of said Crispin land and along the Westerly line of the land described in the Deed to Joel Frederick Friberg Et Ux, recorded March 6, 1969 as Instrument No. 39539 of official records to the Northwesterly corner of said Friberg land; thence continuing North 06°22'30" East 180.83 feet to the beginning of a tangent 20.00 foot radius curve, concave Southeasterly; thence clockwise along the arc of said curve through a central angle of 90°00'00" a distance of 31/12 feet; thence tangent to said curve South 83°37'30" East, 59.44 feet to the Northeasterly boundary of said Rancho Rincon Del Diablo; thence along said Northeasterly line South 19°39'45" East 442.16 feet to the true point of beginning.

Also excepting therefrom that portion thereof described as follows:

Beginning at the most Southesterly corner of Lot 28 of Las Lomas Ranchos Unit No.1, according to Map thereof No. 5151, filed in the office of the County Recorder of said San Diego County, also being on the most northerly right of way of North Avenue 66.00 feet wide; thence north 19°39'40" West 95.00 feet; thence North 1°10'23" East 47.81 feet; thence South 88°49'37" East 83.45 feet; thence North 70°20'20" East 209.62 feet; thence North 6°22'30" East 159.70 feet, thence South 83°37'30" East 250.00 feet; thence South 6°22'30" West 160.00 feet to a point on the Northerly

right of way of said North Avenue which bears North 70°20'20" East from the true point of beginning; thence South 70°20'20" West 529.12 feet to the true point of beginning.

APN 224-153-19

That portion of Block 410 of Rancho Rincon Del Diablo, in the County of San Diego, State of California, according to the Graham Map No. 723 filed in the office of the County recorder of said County, August 13, 1892, described as follows:

Beginning at the most Southeasterly corner of Lot 28 of Las Lomas Ranchos Unit No. 1, according to Map thereof No. 5151 filed in the office of the County recorder of said San Diego county, also being on the most Northerly right of way of North Avenue, 66.00 feet wide; thence North 19°39'40" West 95.00 feet; thence North 1°10'23", East 47.81 feet; thence South 88°49'37" East, 83.45 feet; thence North 70°20'20" East, 209.62 feet; thence North 6°22'30" East, 159.70 feet; thence South 83°37'30" East, 250.00 feet to the Easterly line of the land described in the deed to Rincon Builders, Inc., recorded May 28, 1971 as file no. 112464; thence South 6°22'30" West 160.00 feet along said Easterly line to a point on the Northerly right of way of said North Avenue which bears North 70 °20'20" East from the true point of beginning; thence South 70°20'20" West, 529.12 feet to the true point of beginning.

Excepting that portion thereof lying Southwestelry of the Easterly line of the land described in the deed to Garold Herbert Carr, Jr., Et Ux, recorded March 6, 1972 as file no. 72-53694 of Official Records.

EXHIBIT B

I. PUBLIC BENEFITS AND IMPROVEMENTS

A. DRAINAGE IMPROVEMENTS. Owner shall design and construct the following Drainage Improvements:

1. **Culvert and Pipeline.** A combination of a 42" reinforced concrete pipe and a 3'x5' reinforced concrete box culvert together with drainage inlets and clean outs along North Avenue, as specified in the extension and revision of the tentative map, SUB 17-0007. To give the Developer flexibility regarding the location of the drainage, the Developer may shift the proposed location of the drainage culvert from the design shown as part of the tentative map if approved by the Director.
2. **Outlet Headwall.** The outlet headwall for the 3' x 5' reinforced concrete box culvert as specified in the extension and revision of the tentative map, SUB 17-0007. This includes any grading necessary for the headwall and re-establishment of landscaping and irrigation for areas disturbed by the grading and outlet headwall structure construction. To give the Developer flexibility regarding the location of the box culvert and headwall, the Developer may shift the proposed location of the box culvert and headwall from the design shown as part of the tentative map if approved by the Director.
3. **Relocation.** Owner shall relocate any dry or wet utilities in conflict with the proposed Drainage Improvements as determined by the Director.

B. TREES. Owner shall provide a minimum of 13 coast live oak trees and 178 ornamental trees at a size of at least a 24" box. The location of the trees will be approved by the City as part of the submission of a landscape plan.

II. DEFICIENCY FEES, CREDITS AND REIMBURSEMENTS

A. FEE CREDITS. In exchange for Owner's design and construction of the Drainage Improvements, City will provide Owner with fee credits towards the Deficiency Fees in the amount of the actual cost of the Drainage Improvements, not to exceed One Hundred Thousand Dollars (\$100,000.00). City will defer collection of any Deficiency Fees until Owner requests the first certificate of occupancy.

B. DEFICIENCY FEE PAYMENT. Owner shall pay the Deficiency Fees of \$12,500.00 for each of the 34 lots to be developed. Owner hereby agrees that the listed Deficiency Fee is an accurate representation of the its proportionate share towards neighborhood and citywide improvements for the facility deficiency area applicable to this Project. The obligation to pay these fees will survive the termination of the development agreement.

III. TIMING AND COOPERATION

A. The City and Owner agree to cooperate towards the requirements in this Agreement including a permitting and construction schedule.



FUTURE CITY COUNCIL AGENDA ITEMS

Updated January 4, 2018

*AGENDA ITEMS AND CITY COUNCIL MEETING DATES ARE SUBJECT TO CHANGE.
CHECK WITH THE CITY CLERK'S OFFICE AT 839-4617*

January 17, 2018
NO MEETING (MLK Day)

January 24, 2018
4:30 p.m.

CONSENT CALENDAR	
	<p>Update to Chapter 22 of the Escondido Municipal Code to Comply with Order R9-2010-0086 from the Regional Water Quality Control Board (C. McKinney)</p> <p><i>Updates to Chapter 22 are required to address feedback from a pretreatment compliance inspection by the Regional Water Quality Control Board.</i></p>
	<p>Adopt Resolutions Updating the Salary Plans for the Unclassified Clerical/Technical Group, Salary Bands for the Management Group, the Unclassified Service Schedule List, and the Part-Time Hourly Compensation Plan (S. Bennett)</p> <p><i>The City is required to update positions and salaries within the Management and Unclassified Clerical/Technical Groups, as well as maintain an updated listing of all unclassified employee titles.</i></p>
	<p>Approval of ROPS 18-19 for the Period July 1, 2018 through June 30, 2019 (S. Bennett)</p> <p><i>Request the City Council approve the ROPS for the period July 1, 2018 through June 30, 2019.</i></p>
	<p>Memorandum of Understanding between the City of Escondido and the Escondido Fire Association – Safety and Non-Safety Personnel (S. Bennett)</p> <p><i>Representatives from the Firefighters' Association Safety and Non-Safety Bargaining Unit and the City of Escondido have met and conferred in good faith regarding salary and working conditions.</i></p>
	<p>Memorandum of Understanding between the City of Escondido and the Escondido Police Officers' Association – Sworn Personnel (S. Bennett)</p> <p><i>Representatives from the Police Officers' Association Sworn Bargaining Unit and the City of Escondido have met and conferred in good faith regarding salary and working conditions.</i></p>

January 24, 2018
Continued

PUBLIC HEARINGS

Change of Use to the CDBG Funded Property Located at 401 Spruce Street
(B. Martin)

The City's Public Participation Plan requires a hearing to consult with affected citizens when changing the use of a property. The City Council is being asked to approve the staff recommendation.

CURRENT BUSINESS

Council Action Plan Update
(W. Wolfe)

The City Council Action Plan represents the City Council's collective vision for Escondido's future and the key activities that will be undertaken to achieve that vision. It is developed biannually following a workshop where key policy interests are identified and discussed by the City Council and City staff. This is the first update of the 2017-2018 Action Plan that was approved by the City Council in April 2017.

FUTURE AGENDA ITEMS (D. Halverson)

Weekly Activity Report



January 4, 2018

FEATURED THIS WEEK

Progress on East Valley Parkway Widening

The bridge foundation has now been completed. If all goes as planned, the contractor will place all three sections of the precast bridge deck via crane this week. This milestone which has been months in the making will change the look of the bridge in a single day.



Congratulations to Our Art Center!



California Center for the Arts, Escondido shared Levitt Foundation's post

Yesterday at 11:23am · 🌐

WE DID IT!!

All of us here at the California Center for the Arts, Escondido are honored to be chosen by the Levitt Foundation as one of the 15 distinct communities to present our own Levitt AMP Music Series in 2018!!

Thank you to everyone who supported and voted for The Center! We look forward to providing you a free, outdoor Levitt AMP Music Series this summer for the community! #TheCCA #ThankYou

#FirstLevittAMPMusicSeriesInCalifornia

Marijuana Regulations

Recent state law regarding commercial cannabis/marijuana businesses enacted by voters with the passage of Proposition 64 (Adult Use of Marijuana Act) in 2016 is now effective with the start of the new year. The law requires commercial cannabis businesses to obtain both state

and local licenses or permits prior to commencing retail, manufacturing or cultivation operations. While several local cities are considering establishing cannabis manufacturing or cultivation regulations, retail cannabis sales are only permitted in the City of San Diego. The City of Escondido already has an ordinance prohibiting all medical-related cannabis businesses. The City Council will consider an amendment to the Zoning Code in February to expand that prohibition to all cannabis-related businesses, including those authorized under Proposition 64.

The City Welcome’s our New City Librarian!



Patricia Crosby strives for excellent customer service, community engagement, and "getting to yes" with extensive experience partnering with local governments, community organizations, and private businesses.

Patricia’s background includes over 20 years of public library service with varied and innovative experience from the private sector and volunteer activities. Welcome to Escondido, Patricia!

A Successful 2017 at the Library



Volunteers Needed to Serve on All Boards and Commissions

Applications are being accepted for the following: Building Advisory & Appeals Board, Community Services Commission, Historic Preservation Commission, Library Board of

Trustees, Personnel Board of Review, Planning Commission, Public Art Commission, and Transportation & Community Safety Commission. For information on qualifications or to apply, please contact the Escondido City Clerk's Office at City Hall, 201 N. Broadway, by calling 760-839-4617 or visiting <http://www.escondido.org/city-clerks-office.aspx>

COMMUNITY DEVELOPMENT

Major Projects Update

The following major projects are being reviewed and coordinated by Planning, Engineering, Fire, Building and Utilities. A complete description of each project can be viewed [here](#). Below are project milestones from last week.

Commercial / Office:

1. Escondido Research and Technology Center – West (ERTC) (Developer: James McCann) – A plan for a new two-story, 57,000 SF, 52-bed Palomar Rehabilitation Institute was submitted on July 31, 2017. Revised elevations were submitted to Planning on October 3, 2017. The applicant has been informed the lack of civil engineering plans is affecting project review times.
2. Centre City Commercial Center (Developer: Todd Dwyer) SE corner Centre City/Mission – Rough grading is underway. Building permits are nearly ready to be issued for the commercial buildings. The street improvement plans were approved on December 18, 2017. The carwash plans are tracking separately and revised carwash plans have now been resubmitted back to Esgil. The precise grading plan and landscape plans for the carwash lot were submitted mid-November 2017.
3. Downtown Parking Garage (Municipal Parking Lot No. 4 - NW Corner of 2nd/Kalmia) (Developer: Touchstone Communities) – The project is a three/four-story parking garage that would provide new parking spaces and recapture parking spaces relocated from the residential development of Parking Lot No. 1 (Aspire project). Revised plans were submitted on December 14, 2017.

Industrial

1. Escondido Self-Storage Facility (Developer: Brandywine Homes, Inc.) 2319 Cranston Dr. – The project plans are nearly ready for permit issuance. The applicant has recently notified staff that other issues unrelated to the project plans will delay their request for permits until March or April of 2018.
2. Exeter Harmony Grove Industrial Development (Developer: John Couvillion, Badiie Development) 1925 and 2005 Harmony Grove Road – The Planning Commission approved the Exeter project on November 28, 2017. The grading permit was issued on December 29, 2017, and it is expected the building permit will be issued soon. Both Engineering and Building are now coordinating with the applicant on a phased grading and building approach that should help get the construction underway. A press release announcing Veritiv as the tenant was released last month.

3. North American Self-Storage (Developer: Russ Colvin) 852 S. Metcalf – Building plans were approved by Esgil, Planning and Fire the last week of June. The grading permit was issued the end of September. The applicant has not started construction because he now wants to remove the basement level and increase the building height to five stories. The applicant has been advised that the lack of a revised site plan prepared by a civil engineer is affecting staff's ability to review his proposal.

City Projects

1. Micro-Filtration Reverse Osmosis (Developer: City of Escondido Utilities Department) SE corner Ash/Washington – The archaeological work plan is being finalized by staff and consultants in preparation for submittal to the State Historic Preservation Office (SHPO) for approval. Funding of the state loan for the project is contingent on completing the work plan to the satisfaction of SHPO.
2. Lake Wohlford Replacement Dam (Developer: City of Escondido Utilities Department) – A Draft EIR was prepared and issued for a 45-day public review period that began on October 4, 2016 and closed on November 17, 2016. A field visit with staff from the state and federal wildlife agencies took place on May 11, 2017, to review biological mitigation requirements including an agency request for full mitigation for emergent vegetation at the eastern end of the lake that came into existence since the lake level was reduced for safety reasons. Staff sent a follow-up letter to the wildlife agencies on June 29, 2017, seeking clarification on the proposed biological mitigation requirements. Subsequent discussions led Planning staff to believe the issue could be resolved during the permitting phase of the project. The Final EIR had been scheduled for certification by the City Council on December 20, 2017, until another letter was received from California Fish and Wildlife that restated their original mitigation request. Additional discussions with the agencies are being scheduled.

Institutional

1. Self-Realization Fellowship Center (Developer: John Pyjar, Domusstudio Architecture 1840 Del Dios Rd. – A revised project submittal was received on October 20, 2017. A Planning Commission hearing has tentatively been scheduled for February 13, 2018.
2. Chalice Unitarian Universalist Congregation (Developer: Pete Bussett, Bussett Architecture) 2324 Miller Avenue – The Mitigated Negative Declaration completed a 20-day public review period on October 18, 2017. A Planning Commission hearing has been scheduled for January 9, 2018.
3. Escondido Assisted Living (Developer: Tigg Mitchell, Mitchell Group) 1802 N. Centre City Parkway – This CUP application for a 71,300 SF three-story, assisted living and memory care facility with 90 total units was submitted on October 31, 2017. Revisions could be necessary to address fire vehicle access concerns and Engineering issues related to the existing retaining wall and a proposed extension of that wall. A letter indicating the application is incomplete was sent to the applicant on November 30, 2017.
4. Epiphany Charter School (Architect: Andy Champion, MAA Architects) 713-725 N. Escondido Blvd. – A plot plan application to remove the six modular classroom buildings from the parking lot and complete the interior building renovations to accommodate full enrollment of

697 students was submitted on November 27, 2017. Planning comments have been sent to the applicant and a resubmittal of revised plans is expected this week.

Residential

1. Citron (formerly Stella Park) (Developer: William Lyon Homes) 63 condo units at 2516 S. Esc. Blvd. – Esgil and Fire have approved the building plans. The rough grading has been completed on the site. The grading and improvement plans are ready to approve and Engineering sent out a bond and fee letter last month. Engineering and Building staff are working with the applicant to get construction of the model units underway. The City Council approved the final map on December 20, 2017.
2. Wohlford (Developer: Jack Henthorne) 55 lots at 661 Bear Valley Pkwy. – Staff provided a draft set of project conditions to the applicant last month fulfilling an agreed upon timeframe. Staff also met with the applicant to review the draft conditions of approval for the project. Staff is currently working to complete negotiations on the terms for the Development Agreement and schedule the item with the Planning Commission as soon as January 23, 2018.
3. Safari Highlands Ranch (SHR) (Developer: Jeb Hall, Concordia Homes) 550 lots east of Rancho San Pasqual – A Notice of Availability for the Draft EIR was issued on October 16, 2017. The Draft EIR was noticed for a 52-day public review period that started on October 16 and was originally scheduled to end on December 7, 2017, but was extended and ended on January 2, 2018. Staff is transmitting the comment letters and emails to the EIR consultant for preparation of responses to comments. The Draft EIR and appendices have been posted on the City's website at the following link: [Safari Highlands Ranch Specific Plan - City of Escondido](#).
4. 18 lots at 701 San Pasqual Valley Rd (Developer: Bob Stewart) – A three-year extension of time for the previously approved ten-lot subdivision (Tract 895) was approved by the City Council on June 7, 2017. Staff comments on the revised tentative map were issued the last week of July. Staff met with the applicant several months ago regarding unresolved project design issues. There has been no further response from the applicant.
5. Escondido Gateway (Developer: Carolyn Hillgren, Lyon Living) 126 condo units at 700 W. Grand – Building plans have been approved by Esgil, Planning and Fire. Grading plans have been approved by Utilities, Planning and Fire. A street vacation for right-of-way frontage along Grand Avenue has been completed. Demolition is complete and construction permits are ready to be issued once title to the site transfers to the builder.
6. The Villages at Escondido Country Club (Developer: Jason Han, New Urban West, Inc.) 380 residences – The City Council voted 3-2 to approve the project on November 15, 2017. The vacant clubhouse building was destroyed by fire several days later. A lawsuit challenging the project approval was filed in Superior Court on behalf of the Escondido Country Club Homeowners (ECCHO) on December 15, 2017. The approved tentative subdivision map, Final EIR and appendices, Specific Plan and other related information can be accessed on the City's website at the following link: [ECC - City of Escondido](#).

7. North Avenue Estates (Developer: Casey Johnson) 34 lots at North Ave./Conway Dr. – A new annexation survey of surrounding property owners was mailed out at the request of LAFCO. A neighborhood meeting hosted by staff and the project applicant occurred on August 9, 2017. The Planning Commission voted to recommend approval of the project on November 28, 2017. A City Council hearing has been scheduled for January 10, 2018.
8. Aspire (106 condo units on Municipal Lot 1) (Developer: Addison Garza, Touchstone Communities) – The proposal consists of a six-story mixed-use development on Parking Lot 1. The project was initially submitted for entitlement processing on June 23, 2017. On July 24, 2017, staff sent a letter to the applicant indicating the project application submittal was incomplete. Subsequent meetings with the applicant and staff have been on-going and a resubmittal of the project plans was received on December 12, 2017.
9. The Ivy (95 condo units at 343 E. 2nd) (Developer: Addison Garza, Touchstone Communities) - Demolition of the vacant surgery center building on The Ivy site started last month. The condo project was initially submitted for entitlement processing on June 23, 2017. On July 24, 2017, staff sent a letter to the applicant indicating the project application submittal was incomplete. The applicant submitted revised project plans on December 8, 2017.
10. Grand Avenue Apartments (Developer: Norm LaCaze, Escondido Venture 99, LLC) 15 apt. units at 1316 E. Grand Ave. – A planned development application proposing 15 multi-family units in one three-story building on a vacant 0.51-acre lot was submitted for entitlement processing on September 22, 2017. A completeness review letter was sent to the applicant on October 20, 2017 indicating the application was incomplete and that Fire and Engineering design issues would likely require a redesign of the project. A meeting with the applicant team occurred on October 26, 2017 to discuss the identified issues and there has been minimal contact since.
11. Quince Street Senior Housing (Developer: Matt Jumper, 220 Quince, L.P.) 145 apartment units at 220 N. Quince St.– The five-story affordable senior housing apartment project was submitted on November 21, 2017. Planning staff sent a letter to the applicant on December 21, 2017, indicating the application was incomplete. A meeting to discuss project issues with the applicant has been scheduled for next week.
12. Accessory Dwelling Units – Planning staff is currently working on four applications for accessory dwelling units with an additional three applications expected to be submitted soon.

Building Division:

2017 Year End Summary

1. The Building Division processed 3,377 permits in 2017 compared to 3,953 permits in 2016. However, permit valuations were significantly higher than the previous year. The total building valuation for all issued permits in 2017 was \$122,767,601 compared to \$70,171,601 for 2016.
2. The Building Division issued 236 single-family dwelling permits and 224 multi-family units in 2017. This compares with 81 single family dwellings and 88 multi-family dwellings for 2016.

3. The Building Division issued 989 solar permits during 2017 compared with 1,317 solar permits issued for 2016.
4. Building inspectors responded to 8,273 inspection requests in 2017.

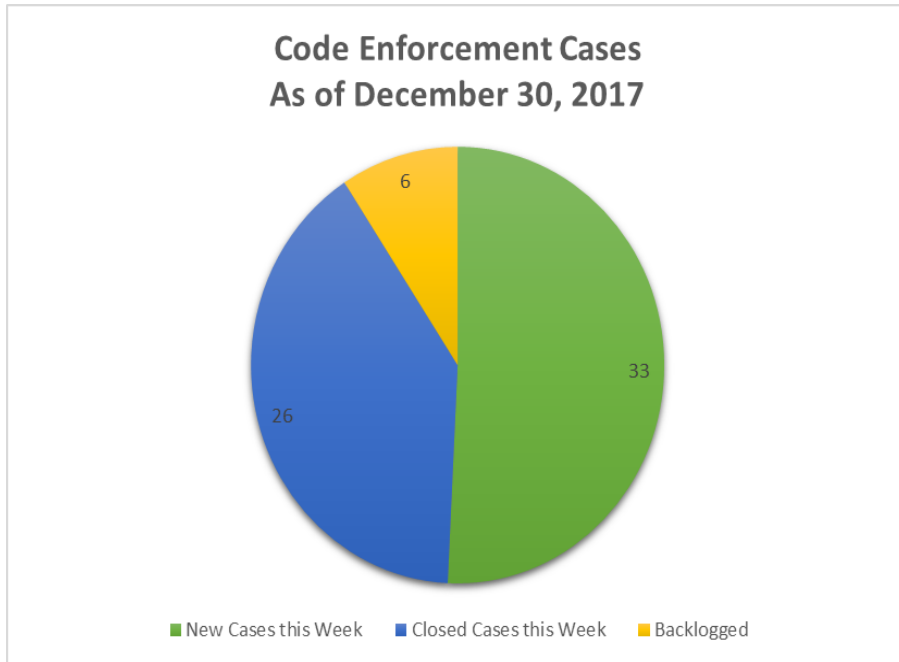
Projects

1. Projects nearing permit issuance are:
 - a. 917 W Lincoln, 3 new apartment buildings, 9 units.
 - b. 700 W Grand Ave Gateway project (former police building)
 - c. 2005 Harmony Grove Road, 212,000 square foot industrial warehouse/distribution building
2. The City Plaza three-story mixed use building at 300 S. Escondido Blvd. is requesting final inspection for specified units.
3. The Meadowbrook, three-story apartment building with underground garage at 2081 Garden Valley Glen is preparing the building for final inspection.
4. Escondido Disposal is requesting inspection for site walls and framing of the weigh station as part of their multi-phase expansion project.
5. The medical office building at 2125 Citracado Pkwy has received final inspection approval.
6. The medical office building at 1951 Citracado Pkwy is preparing for final inspection of the shell building with tenant improvement to follow.
7. The Westminster Seminary at 1725 Bear Valley Pkwy has received exterior lath inspection.
8. The children's building for Emanuel Faith Church at 639 E 17th Ave has received inspection approval for the framing of the building.
9. The Church of Resurrection at 1445 Conway is progressing through 2nd floor framing and exterior lath.
10. The Veterans Village project at 1540 S Escondido Blvd is proceeding with the framing of the building.
11. The new supermarket building shell at 999 N. Broadway is requesting roof sheathing inspection.
12. The Ford dealership at 1717 Auto Park Way has commenced on the second phase of construction which includes the interior remodel and new showroom addition.
13. The Latitude II multi-family residential development at 650 N. Centre City Parkway has requested floor sheathing inspection for Building 1. Framing continues on the other buildings.

14. The new, two-story church sanctuary building at 1864 North Broadway has completed the foundation and has inspection approval for the second lift of the masonry walls.

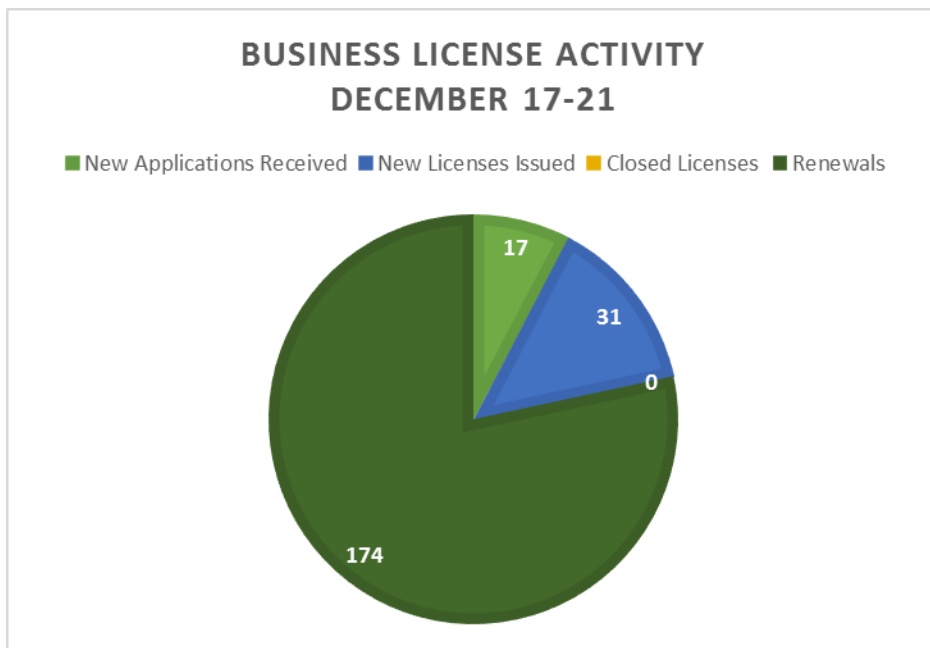
15. Exterior wall framing has been inspected and approved at the Starbucks at 302 W. El Norte Parkway.

Code Enforcement



Total Open Code Cases
298

Business Licensing



ENGINEERING

Capital Improvements

Valley Pkwy/Valley Center Road Widening Project: Day 73

The bridge subcontractor completed the pier 2 concrete wall pour on Wednesday, December 27, 2017. The delivery and installation of the prefabricated concrete deck panels is scheduled for Thursday, January 4, 2018. The dry utility contractor is continuing to install new conduit and vault structures for the overhead/underground utility conversion along the east side of the project this week. Work along the west side of the project continues with the forming and pouring of the final 6 concrete pilaster for the construction of the 8' sound wall along the dog park frontage. The installation of the masonry wall units will resume this week.

Neighborhood Lighting Project

The contractor is working in three neighborhoods this week, installing conduits and standing new street lights. The scope of work for the project includes the installation of 44 new street lights along with the replacement of 22 existing street light fixtures with the latest L.E.D. fixtures in 5 neighborhood areas.

2017 Street Rehabilitation and Maintenance Project

The contractor resumed operation on the second phase of the resurfacing program. During this phase, approximately 80 city streets will receive an application of Emulsion Aggregate Slurry (EAS) on top of the previously installed ARAM product. The EAS product provides a uniform appearance by filling all cracks and has a skid-resistant surface. Work on replacing concrete improvement throughout this year's program area is continuing this week along North Broadway.

Corrugated Metal Storm Drain Pipe Assessment Study

This project televises all City-maintained corrugated metal pipes (CMP) and assesses their condition to allow for proactive and efficient pipe maintenance. The Midway Storm Drain repair project was solicited for bid this past week. The project is located between Grand Avenue and East Valley Parkway. Bid results will be opened on January 29 with construction expected to begin after the contract is signed and the pipe line material is ordered.

Rincon del Diablo Water Main Replacement

The water district is replacing an existing water main along Nutmeg Street between Rockhoff Road and Centre City Parkway. The work requires a 30-day daytime closure of Nutmeg Street between Gary Lane and Centre City Parkway beginning on January 3, 2018. Detours signs are in place and emergency services have been notified.

PRIVATE DEVELOPMENT

Pradera - Lennar Communities

Striping of the new roadways along Ash Street and Stanley was completed this week.

Lexington Model Homes - KB Homes

The construction is continuing this week along Ash Street between Vista Avenue and Lehner Avenue. The roadway is closed during daytime hours for the final construction of the public improvement associated with the project.

Citron Project by William Lyon Homes

No changes from that reported last week: The project is idled again this week. The project is located at 2516 S. Escondido Boulevard.

Tract 932 - Canyon Grove Shea Homes Community

Onsite roadways are continuing to be prepared for the base course asphalt to the remaining section of Vista Verde Way this week.

Latitude II Condominiums by a Lyon Homes Partnership: Washington Avenue at Centre City Parkway

No changes from that previously reported: Onsite installation of the remaining storm drain system is being done this week. The remaining sections of the project are entering the framing phase of construction. The work is located adjacent to Centre City Parkway.

Veteran's Village

No changes from that reported last week: Existing utility conflicts will be lowered this week in preparation for the installation of the storm drain along Escondido Boulevard.

Victory Industrial Park

No changes from that reported last week: The grading operation is being joined with Escondido Innovation Center and will be issued a new grading permit under the name Exeter for the remainder of the project. The project is located at 2005 Harmony Grove Road and is 5.4 acres in size.

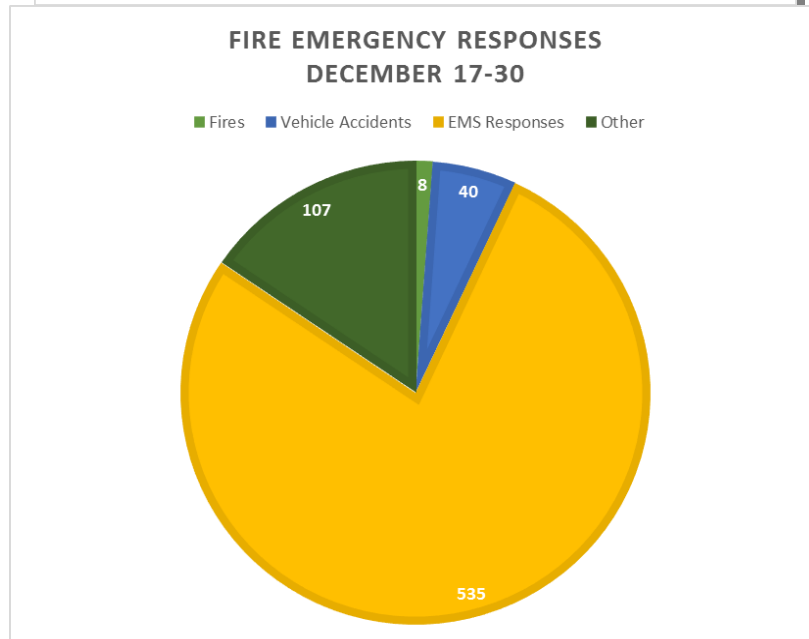
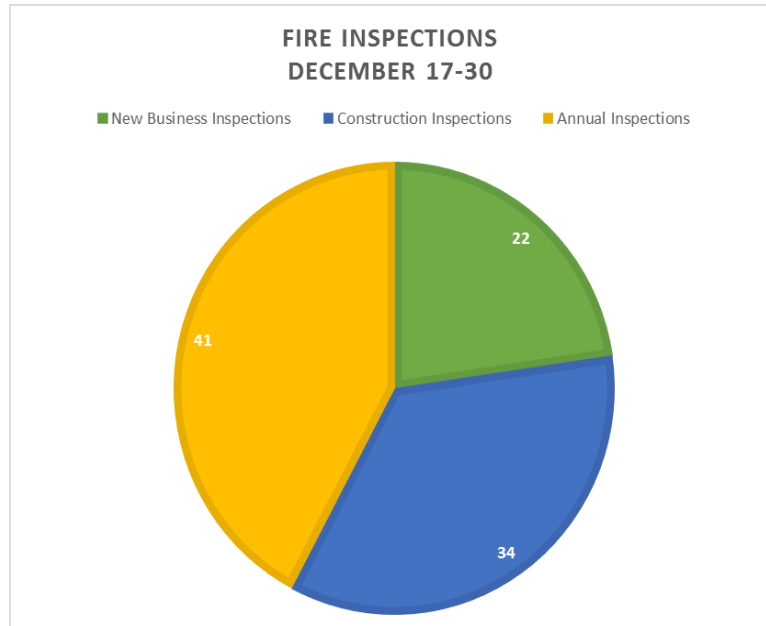
City Plaza

The offsite construction of public improvement is continuing this week with the reconstruction of the public alley between Escondido Boulevard and Maple Street. The project is located at 328 S Escondido Boulevard.

Spring Hill Suites Hotel/ La Terraza Boulevard

The grading operation is continuing this week along with the construction of sewer improvements.

FIRE



Total Emergency Responses (Year To Date)	16,591
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NEWS:

- On Monday, December 18th, The City of Escondido Fire Department deployed OES 8632 to the Thomas Incident in Ventura. They returned home safely on Friday, December 22nd.
- On Friday, December 8th, The City of Escondido Fire Department deployed Engineer Brad Bihun to the Thomas Fire as a Public Information Officer. Engineer Bihun returned home safely from his deployment as PIO for the Thomas Fire on Friday, December 22nd and covered the funeral of Cory Iverson on Saturday, December 23rd.
- On December 22, 2017 at approximately 11:00 a.m., the Escondido Police and Fire Communication Center received a report of a fire in an apartment located at 342 W 15TH Ave. A structure fire response was dispatched to the location. The first arriving engine reported a moderate amount of smoke coming from a second floor unit of a two-story building. Due to the potential for the fire to spread and the threat to life and property, a working fire upgrade was requested and dispatched. Aggressive action by the firefighters contained and controlled the fire in approximately 15 minutes. The apartment sustained moderate damage to the upstairs family room with minor to moderate smoke damage throughout the dwelling. There were no injuries to firefighters or civilians. In all 5 fire engines, 2 trucks, 1 rescue ambulance and 2 Battalion Chiefs responded to the fire. Escondido Police Units provided road closures. A gift card from California Fire Foundation was provided for immediate emergency aid to the family. The cause of the fire is under investigation.



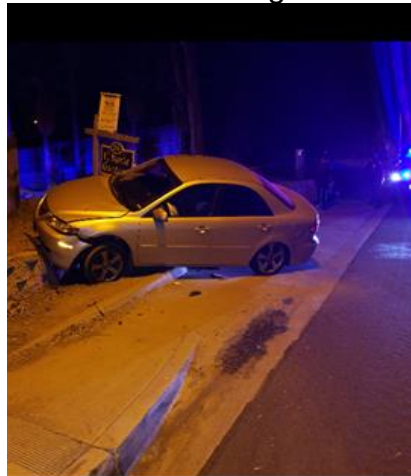
POLICE

INCIDENTS:

- On 12-17-2017, Officer St. John conducted a traffic stop for an equipment violation. The driver was found to have a felony warrant issued for his arrest. Inside the vehicle officers located multiple items believed to be stolen. The property included purses, shoes, electronics, cash, books and gift cards. Most of the items were in torn up Amazon boxes and envelopes. It is estimated there are approximately 30 separate victims.



- On 12-17-2017, officers responded to a traffic collision in the area of Country Club Lane and Eveningside Glen. Officers arrived on scene and found a car had collided with the rear of a parked truck. The truck was pushed into another parked vehicle. The gas tank of the truck ruptured and leaked a large amount of gasoline. The driver of the car was arrested for driving under the influence and possession of heroin. The driver was transported to Palomar Medical Center for medical clearance before being booked into the Vista jail. The Fire Department was called to the scene to mitigate the gas leak.
- On 12-17-17, officers responded to a single vehicle collision in the 200 Block of E. El Norte Pkwy. Officers arrived on scene and found a vehicle had collided into a retaining wall. The driver was arrested for driving under the influence of alcohol.



- On 12-20-2017, officer from the Gang Enforcement Team conducted an enforcement stop on a vehicle for a vehicle code violation in the area of Ash St. and Hubbard. Before the vehicle came to a complete stop, a rear passenger got out of the vehicle and fled on foot. As the suspect was running from the vehicle, he was seen throwing an unknown object. After a brief foot chase the suspect was detained. Officers searched the area where the item was thrown and located a loaded 9mm handgun. The suspect, a documented gang member, was arrested for felon in possession of a handgun and booked into the Vista Detention Facility.
- On 12-20-2017, an officer contacted a subject passed out behind the wheel of a vehicle in the 2100 block of E. Valley Pkwy. During a consent search of the vehicle, the officer located a loaded high capacity magazine in the vehicle and an assault rifle in the trunk. The suspect was listed as the restrained person in a domestic violence restraining order and was placed under arrest for felon in possession of a firearm and possession of an assault weapon.
- On 12-21-2017, officers responded to the 2100 block of Mountain View reference a person seen breaking the front window of a residence. The call was placed by a neighbor who witnessed the break in. Officers arrived on scene and set up a perimeter. A breaching tool was used to gain entry and a K9 was used to search the residence. A suspect was located inside the residence and arrested for burglary.
- On 10-23-2017, an officer was flagged down on the Broadway side of Grape Day park by a subject reporting a group of people were trying to take his property. A review of cameras revealed three suspects stopped the victim as he was in his wheelchair towing another cart of belongings. The suspects proceeded to block his travel and pull on the cart in an attempt to take his property. The victim got out of his wheelchair and swung a knife at the suspects. The suspects let the victim go after taking his wheelchair and pushing it into the street. All suspects were arrested for attempted robbery.
- On 12-23-17, an officer conducted a traffic stop in the area of 5th Ave and Escondido Blvd. The officer conducted a search of the vehicle and located over 100 grams of methamphetamine, a firearm and other contraband. The driver was arrested for possession of drugs and multiple firearm related charges. A passenger in the vehicle was arrested for multiple drug related charges.
- In the early morning hours of 12-23-17, a female victim was approached by a male suspect as she was in her vehicle preparing to drive to work. The suspect threatened the victim and ordered her to get out of her vehicle. The victim complied with the suspect's demands and the suspect drove off in the victim's vehicle. A few hours later, a person called 911 to report that someone had crashed into her house. Officers arrived on scene and detained the driver. The driver was identified as the suspect of the earlier theft and was arrested for carjacking and a DUI warrant.
- On 12-30-17, officers responded to the 700 block of Park Place reference a domestic violence call. The suspect threatened his girlfriend with a sword. The suspect threatened his girlfriend. Officers entered the residence and located the suspect in the hallway. The suspect was given multiple commands by officers to show his hands and to lie on the ground. The suspect refused to comply and attempted to flee into a hallway bathroom.

As the suspect attempted to flee into the bathroom, he was struck with a less lethal munition. The suspect was taken into custody without further incident and booked into the Vista Detention Facility for assault with a deadly weapon, threats and resisting a peace officer.

COPPS:

The EPD COPPS (Community Oriented Policing and Problem-Solving) Unit is dedicated to increasing the quality of life for the residents of Escondido through pro-active responses to crime trends and community issues. Addressing crime and public nuisance in Grape Day Park is one project the Unit has been tasked with, along with patrolling the Downtown Business District and surrounding areas.

- 4 arrests were made
- 4 citations were issued

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