

STAFF REPORT



ITEM NO. 17
CITY OF OCEANSIDE

DATE: February 13, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A GENERAL PLAN AMENDMENT, ZONE AMENDMENT, TENTATIVE MAP, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND ZONE TEXT AMENDMENT TO ALLOW FOR THE CONSTRUCTION OF 22 SINGLE-FAMILY DETACHED HOMES AND TO ALLOW RV PARKING AT THE INTERSECTION OF MAXSON STREET AND COUNTRY CLUB LANE – APPLICANT: THE OLSON COMPANY AND THE ELKS CLUB**

SYNOPSIS

Staff recommends approval of the proposed General Plan Amendment (GPA-3-05), Zone Amendment (ZA-4-05) to change the designation from Single Family Detached and Public/Semi-Public (PS) to Medium Density Residential – C on the northern 1.6-acres of the parcel, a Tentative Map (T-11-05) and Development Plan (D-22-05) for the entire 4.4-acre parcel, Conditional Use Permit (C-44-05) for the RV parking on the southern 2.8-acre portion of the parcel, and a Zone Text Amendment to allow RV parking in the Public/Semi-public Zone Citywide. The project site is located southeast of Maxson Street and Country Club Lane. Staff recommends that the City Council:

- Adopt the resolution approving General Plan Amendment (GPA-3-05) to change the designation from Single-Family Detached and Public – Semi-Public (PS) to Medium Density Residential – C on the northern 1.6-acres of the parcel;
- Adopt the resolution approving Tentative Map (T-11-05) and Development Plan (D-22-05) for the entire 4.4-acre parcel, and Conditional Use Permit (C-44-05) for the RV parking on the southern 2.8-acre portion of the parcel; and
- Introduce the Ordinance for Zone Amendment (ZA-4-05) to change the zoning and a Zone Text Amendment to allow RV parking in the Public – Semi-public Zone Citywide as recommended by the Planning Commission.

BACKGROUND

The site is located within the Loma Alta Neighborhood at the southeast corner of Maxson Street and Country Club Lane. The applicant originally applied for a General Plan Amendment to change the land use designation from Single-Family Detached to High Density Residential and change in Zoning from Public/Semi-Public to High Density Residential on the 1.6-acre northern portion of the Elks Club site and Zone Text Amendment to allow RV parking in the Public/Semi-public zone with approval of a Conditional Use Permit. This would allow RV parking to continue on the southern portion of the property to be retained by the Elks Club.

Staff recommended denial of this request, however, the Planning Commission on a 5 to 1 vote recommended approval to change the land use designation on the northern 1.6 acres of the property to Medium Density Residential at a public hearing on July 24, 2006. However, the City Council concurred with the staff recommendation and denied the requested land use change without prejudice by a vote of 5 to 0 at an August 9, 2006, public hearing. The City Council also requested that any future land use change request be accompanied by a development plan, tentative map, and CUP for actual development of the site. The previous General Plan and Zone Change request for a High Density designation would allow up to 31 multi family homes to be built on the site. The current request for a medium-density residential designation is for 22 detached homes.

The Planning Commission reviewed the current request at their December 17, 2007, meeting. They recommended by a vote of 5-1 that the City Council approve the Mitigated Negative Declaration and requested land use changes, tentative map, development plan, conditional use permit and zone text change.

The site is located within the Loma Alta neighborhood at the southeast corner of Maxson Street and Country Club Lane. The site is proposed to be divided into two areas with the existing Elks Lodge located on 2.8-acres at the southern end of the parcel. No change in land use designation or zoning is requested for this portion of the site. The northern 1.6 acres where recreational vehicle (RV) and other parking for the Elks Lodge currently exists is the subject of the General Plan Amendment and Zone Change from PS and Single-Family Residential (RS) to Residential Medium Density. The Elks Club currently uses the north end of the site for RV parking for guests and members of the club. To the north and east of the site are single-family homes zoned RS; to the west is an apartment building zoned RH (Residential High Density). Also to the west is a park/open-space area for the Boys and Girls Club zoned Open Space.

The project description includes the following key elements:

General Plan and Zone Amendment: The applicant requests to change the land use designation and zoning on the northern 1.6-acre portion of the site from the current zoning of Public/Semi-Public (PS) and land use designation of Single-Family Detached Residential to Medium Density Residential-C, which would allow a range of 15.1 to 20.9

dwelling units (du) per acre. The current request for 22 homes at a density of 13.75 dwelling units/acre is below the base density for this designation. As stated above, no change would occur in the southern 2.8 acres of the site that contains the Elks Club.

Zone Text Amendment: The Public and Semipublic Zoning District permits clubs and lodges per Article 16 of the Zoning Ordinance. An amendment to this section of the code is proposed to allow an additional regulation under “Clubs and Lodges” that would allow recreational vehicle (RV) parking as an ancillary use if exclusively used by members and/or guests. The RV parking area is subject to maximum density, screening and outdoor development regulations per Section 3029 of the Zoning Ordinance.

Liberty Walk Tentative Map and Development Plan: The proposed Liberty Walk project would occupy the northern 1.6 acres of the parcel, which is currently a gravel lot used as RV parking for guests and members of the Elks Lodge. The proposed project would include construction of 22 detached single-family homes to be sold as condominiums. There are two plan types, both of which include two-story homes with a 2-car garage. Plan 1 (13 units) is 1,425 square feet and has 3 bedrooms and 2.5 baths. Plan 2 (9 units) is 1,535 square feet with 3-4 bedrooms and 2.5 baths. Each unit will have an average 309 square feet of private open space. The project will also include 5,150 square feet of common open space. A total of 11 on-site parking spaces for guests will be provided averaging 0.5 guest parking spaces per home. Access to the site will be via Country Club Lane.

The project would connect to an existing sewer line in Country Club Lane. Along the proposed project’s boundary the line is currently 6 inches in diameter. The project is required to upgrade 100 feet of the sewer line along its frontage to 8 inches in diameter. Stormwater runoff will be directed to drains and inlets on and adjacent to the project site. Most of the site will be drained to the northeast, to an infiltration basin, prior to flowing toward existing drains in the street. The remaining runoff will be directed to a bioswale in the southwest portion of the site, along Country Club Lane, prior to flowing into drains in the street. The Liberty Walk project will install a wall along its southern boundary with the Elks Club and a six-foot-tall wood fence will be constructed along the remaining site perimeter.

Elks Lodge Conditional Use Permit: The Elks Lodge proposes to reconfigure their parking lot to accommodate a total of 20 RV parking spaces. These spaces would be situated along the parcel’s northern and western perimeter. Currently, the RV dump station is located on the eastern boundary of the site. The project would relocate the tank to the site’s western boundary or as an alternative provide sewer laterals to each parking space to connect with the existing sewer system. The remaining area on the Elks Lodge property would be used for vehicular parking – 108 regular spaces and one loading space, resulting in a total of 128 parking spaces. The project would also install a detention basin to allow infiltration and treatment of runoff, with overflow to the golf course. The project will also be required to increase the size of the existing 10-foot-wide sewer easement on the southern perimeter of the site to 20 feet, of which 10 feet will be paved to allow better access for maintenance of the sewer line in this area.

ANALYSIS

The proposed General Plan Land Use Map designation on the subject property is Medium Density Residential – C (MDR-C). The proposed subdivision is consistent with this designation and compatible with surrounding multifamily and single-family land uses. The following table provides comparisons with adjacent development.

Land use compatibility with surrounding developments

Location	General Plan	Zoning	Land Use
Subject Property:	SFD-R	RS	Residential
North of the site	HD-R & RS	RH & RS	Residential
East of the site	SFD-R	RS	Residential
South of the site	OS	OS	Open Space
West of the site	HD-R	RH	Residential

Adjoining development includes medium and higher density residential uses to the north and west of the subject property and lower density single-family residences to the northeast and east of the subject site on Cadillac Circle. The Center City Golf Course is located south of the Elks Lodge. The proposed medium density project would provide a good transition between the higher density development to the west and lower density housing to the east. The project, although at a higher density, will include a single-family detached housing product that is compatible with existing single-family residences.

The applicant proposes a density of 13.75 dwelling units per gross acre, which is below the base density of 15.1 dwelling units in the RM-C General Plan and Zoning Designation. The proposed subdivision will contribute to the overall vitality of the existing neighborhood. This proposal to subdivide a 1.6-acre site into 22 residential units will continue an appropriate and orderly community enhancement with respect to single-family and multifamily developments within the Loma Alta Neighborhood.

Although the project is denser than the residences to the east, all units within the project are designed as single-family detached units. In addition, there will be only two units along the eastern edge of the site along with a passive open space area with picnic tables and a barbeque pit. This will enhance the compatibility of these uses. The applicant, since their denial without prejudice decision at the City Council, has redesigned the project and had numerous meetings with the surrounding neighbors who have noted support for the project on a preliminary basis.

The redesigned RV parking area within the Elks Club parking lot will be separated from the proposed residential development by a 6-foot-high masonry wall and a landscape buffer. This will ensure compatibility and separation between these uses. Additionally, the revised RV parking area will be compatible with existing residences to the east in that no RV parking spaces are provided along the eastern portion of the parking lot.

Staff has reviewed the environmental assessment and determined that no significant impacts are anticipated as a result of the proposed project that could not be mitigated to a level of insignificance with proper design. Subsequently, a Mitigated Negative Declaration was prepared pursuant to the provisions of the California Environmental Quality Act.

The Planning Division advertised that a draft Mitigated Negative Declaration would be posted for twenty (20) days with the Office of the San Diego County Clerk commencing on October 2, 2007, and ending on October 22, 2007. No comments were received during public review of the environmental document.

FISCAL IMPACT

The applicant has paid application fees for the processing of the General Plan and Zone Amendment.

COMMISSION OR COMMITTEE REPORT

On July 24, 2006, the Planning Commission considered the original proposed amendments. After hearing public testimony, the Planning Commission on a 5-to-1 vote recommended approval to change the land use designation on the subject property to Medium Density Residential (15-20 units per acre) rather than High Density Residential (21-29 units per acre) as requested by the applicant. The Commission felt this designation would be compatible with the variety of dwellings that already exists in the neighborhood, and would provide a buffer between the Single Family Residential to the east and the Multifamily apartments to the west.

The Planning Commission reviewed the current request at their December 17, 2007, meeting. They recommended by a vote of 5-1 that the City Council approve the Mitigated Negative Declaration and requested land use changes, tentative map, development plan, conditional use permit and zone text change.

CITY ATTORNEY'S ANALYSIS

The City Council, under the provisions of Section 65356 of the Government Code, has the ability to amend the General Plan by resolution. The Planning Commission's public hearing on December 17, 2007, and its recommendation of approval were in accord with the provisions of Section 65353 of the Government Code.

Pursuant to Oceanside Zoning Ordinance, Article 4506, the City Council is authorized to hold a public hearing on the proposed Amendments. Consideration of the amendments should be based on the record of the decision of the Planning Commission and evidence presented at the public hearing.

After conducting the public hearing, the Council shall affirm, modify, or reject the Planning Commission's recommendation. A modification not previously considered by

the Commission shall be referred to the Commission for review and action as appropriate.

RECOMMENDATION

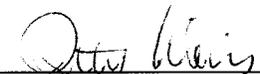
Staff recommends approval of the proposed General Plan Amendment (GPA-3-05), Zone Amendment (ZA-4-05) to change the designation from Single Family Detached and Public/Semi-Public (PS) to Medium Density Residential – C on the northern 1.6-acres of the parcel, a Tentative Map (T-11-05) and Development Plan (D-22-05) for the entire 4.4-acre parcel, Conditional Use Permit (C-44-05) for the RV parking on the southern 2.8-acre portion of the parcel, and a Zone Text Amendment to allow RV parking in the Public/Semi-public Zone Citywide. The project site is located southeast of Maxson Street and Country Club Lane. Staff recommends that the City Council:

- Adopt the resolution approving General Plan Amendment (GPA-3-05) to change the designation from Single-Family Detached and Public – Semi-Public (PS) to Medium Density Residential – C on the northern 1.6-acres of the parcel;
- Adopt the resolution approving Tentative Map (T-11-05) and Development Plan (D-22-05) for the entire 4.4-acre parcel, and Conditional Use Permit (C-44-05) for the RV parking on the southern 2.8-acre portion of the parcel; and
- Introduce the Ordinance for Zone Amendment (ZA-4-05) to change the zoning and a Zone Text Amendment to allow RV parking in the Public – Semi-public Zone Citywide as recommended by the Planning Commission.

PREPARED BY

SUBMITTED BY


 Jerry Hittleman
 City Planner


 Peter A. Weiss
 City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager _____
 Lauren Wasserman, Interim Development Services Director _____

ATTACHMENTS:

1. City Council Resolution approving the General Plan Amendment
2. City Council Resolution approving the project
3. City Council Ordinance
4. Map
5. Planning Commission Resolution No. 2007-P67
6. Planning Commission Staff Report dated December 17, 2007
7. Mitigated Negative Declaration

1 2. Future residential development of the site will be compatible in height and scale with
2 surrounding land uses in the Medium Residential Density category to the north and west
3 and lower density land uses to the east.

4 WHEREAS, a Negative Declaration was prepared by the Resource Officer of the City of
5 Oceanside for the General Plan Amendment pursuant to the California Environmental Quality
6 Act of 1970 and the State Guidelines; and

7 WHEREAS, The Planning Division has reviewed the proposed project for compliance
8 with the California Environmental Quality Act (CEQA) and has conducted an Initial Study in
9 accordance with CEQA. Based upon the results of the Initial Study, the City's Environmental
10 Coordinator has determined that the project will not result in significant effects on the
11 environment.

12 WHEREAS, a Mitigated Negative Declaration was prepared by the Resource Officer of
13 the City of Oceanside for the General Plan Amendment pursuant to the California
14 Environmental Quality Act of 1970 and the State Guidelines;

15 WHEREAS, the City Council does hereby find that the Initial Study/Mitigated Negative
16 Declaration has been prepared in accordance with requirements of CEQA, the State CEQA
17 Guidelines, and the Ordinance 04-OR300-1 of the City of Oceanside adopting procedures and
18 guidelines to implement CEQA, and hereby adopts the Mitigated Negative Declaration and the
19 Mitigation, Monitoring and Reporting Program; and

20 WHEREAS, the Mitigated Negative Declaration and Mitigation and Monitoring and
21 Reporting Program (MMRP) have been determined to be accurate and adequate documents,
22 which reflect the independent judgment and analysis of the City Council. On the basis of the
23 entire record before it, the City Council finds that there is no substantial evidence that the
24 project, with implementation of the mitigation measures proposed, will have a significant
25 impact on the environment.

26 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

27 1. General Plan Amendment (GPA-3-05) and Zone Amendment (ZA-4-05) to rezone the
28 subject property from Public – Semi-public and Single-Family Residential to Medium

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Density Residential C is hereby approved.

2. Notice is hereby given that the time within which judicial review must be sought on this decision is governed by Govt.C. Section 65009.

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____ day of _____, 2008, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

CITY CLERK


CITY ATTORNEY

1 independent judgment and analysis of the City Council. On the basis of the entire record before it, the
 2 City Council finds that there is no substantial evidence that the project, with implementation of the
 3 mitigation measures proposed, will have a significant impact on the environment.

4 WHEREAS, there is hereby imposed on the subject development project certain fees,
 5 dedications, reservations and other exactions pursuant to state law and city ordinance;

6 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the
 7 project is subject to certain fees, dedications, reservations and other exactions as provided below:

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,395 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,035 per unit.

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit.
Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code	\$1,000 per development project + \$100 per unit plus \$10,275 per unit

WHEREAS, the current fees referenced above are merely fee amount estimates of the impact fees that would be required if due and payable under currently applicable ordinances and resolutions, presume the accuracy of relevant project information provided by the applicant, and are not necessarily the fee amount that will be owing when such fee becomes due and payable;

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside City Code and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law;

WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law;

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period 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;

WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

WHEREAS, the Mitigated Negative Declaration together with any comments received, and Mitigation and Monitoring and Reporting Program (MMRP) incorporated into the conditions of approval for the project, were presented to the City Council, and the City Council reviewed and considered the information contained in these documents prior to making a decision on the project.

WHEREAS, the Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program (MMRP) have been determined to be accurate and adequate documents, which reflect the independent judgment and analysis of the City Council. On the basis of the entire record before it, the

1 City Council finds that there is no substantial evidence that the project, with implementation of the
2 mitigation measures proposed, will have a significant impact on the environment.

3 WHEREAS, the documents or other material which constitute the record of proceedings upon
4 which the decision is based will be maintained by the City of Oceanside Planning Department, 300
5 North Coast Highway, Oceanside, California 92054.

6 WHEREAS, studies and investigations made by this Commission and in its behalf reveal the
7 following facts:

8 FINDINGS:

9 For the Tentative Subdivision Map (T-11-05):

- 10 1. The Tentative Subdivision Map is consistent with the Community Enhancement Sections 1.2,
11 1.22, 1.24, 1.3, and 1.33 of the Land Use Element of the General Plan and it is consistent with
12 the Community Development Sections 2.0, 2.02, 2.3, and 2.32 of the Land Use Element of the
13 General Plan.
- 14 2. The 1.6-acre site has been found to be physically suitable for residential development.
- 15 3. A residential density of 13.75 dwelling units per gross acre is suitable for the site.
- 16 4. The subdivision design will not cause substantial environmental damage or substantially and
17 avoidably injure fish or wildlife or their habitat.
- 18 5. The subdivision and the construction of 22 detached residential units will not conflict with
19 easements, acquired by the public at large, for access through or use of, property within the
20 proposed subdivision.
- 21 6. The Tentative Map complies with all other applicable ordinances, regulations, and guidelines of
22 the City of Oceanside.

23 For the Development Plan (D-22-05):

- 24 1. The site plan and physical design of the project is consistent with the purposes of the Zoning
25 Ordinance, including Articles 10, 22, 30, and 43.
- 26 2. The Development Plan conforms to the General Plan of the City of Oceanside, including the
27 goals and objectives of Community Development Sections 2.0, 2.02, 2.3, and 2.32 the Land Use
28 Element of the General Plan.
3. The area covered by the Development Plan can be adequately, reasonably and conveniently
served by existing and planned public services, utilities, and public facilities.

- 1 4. The 22 detached residential units are compatible with the existing and potential development on
2 adjoining properties and the surrounding Loma Alta Neighborhood.
- 3 5. The site plan and parameters for the architecture and physical design of the project is consistent
4 with the policies contained within Sections 1.24 and 1.25 of the Land Use Element of the General
5 Plan.

6 For the Conditional Use Permit (C-44-05):

- 7 1. The proposed use will be in accord with the objectives of the Zoning Ordinance and the
8 purposes of the Public/Semi-Public District in which the site is located.
- 9 2. The proposed conditional use and the proposed conditions under which it will be operated and
10 maintained will be consistent with the General Plan; will not be detrimental to the public health,
11 safety, welfare of persons residing or working in or adjacent to the neighborhood of such use; and
12 will not be detrimental to properties or improvements in the vicinity or to the general welfare of the
13 City. The RV Parking sites will only be for guests of the Elks Lodge and will not be open to the
14 general public.
- 15 3. The proposed conditional use will comply with the provisions of the Zoning Ordinance, including
16 any specific condition required for the proposed conditional use in the district in which it will be
17 located.
- 18 4. A reduced 20-space RV parking lot on a portion of the remaining Elks Club parking lot will not
19 adversely effect surrounding property owners. They will be blocked from view of the public street
20 (Country Club Lane) by a block wall and no RVs would be parked directly adjacent to existing
21 residential development. The new residential units will be buffered from the RVs by a block wall
22 and landscaping.
- 23 5. The RV parking area will be compatible with the Elks Club and will leave enough parking spaces
24 for users of the lodge.

25 NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve the
26 Mitigated Negative Declaration and adopt the mitigation measures provided therein of Tentative Parcel
27 Map (T-11-05), Development Plan (D-22-05), and Conditional Use Permit (C-44-05) subject to the
28 following conditions:

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1 **FOR THE LIBERTY WALK PROJECT - PHASE 1 OF THE DEVELOPMENT PLAN:**

2 **Building:**

- 3 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building
4 Division plan check. (Currently the 2001 California Code of Regulations, and 2004 California
5 Electrical Code)
- 6 2. The granting of approval under this action shall in no way relieve the applicant/project from
7 compliance with all State and Local building codes.
- 8 3. Site development, common use areas, access and adaptability of apartments and condominiums
9 shall comply with the State's Disabled Accessibility Regulations. (2001 California Building
10 Code (CBC), Chapter 11A).
- 11 4. Site development, parking, access into buildings and building interiors shall comply with the
12 State's Disabled Accessibility Regulations. (2001 California Building Code (CBC), Chapter
13 11B).
- 14 5. The building plans for this project are required by State law to be prepared by a licensed
15 architect or engineer and must be in compliance with this requirement prior to submittal for
16 building plan review.
- 17 6. All electrical, communication, CATV, etc. service lines within the exterior lines of the property
18 shall be underground (City Code Sec. 6.30).
- 19 7. All outdoor lighting must comply with Chapter 39 of the City Code (Light Pollution
20 Ordinance). Where color rendition is important, high-pressure sodium, metal halide or other
21 such lights may be utilized and shall be shown on building and electrical plans.
- 22 8. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
- 23 9. The developer shall monitor, supervise and control all building construction and supporting
24 activities so as to prevent these activities from causing a public nuisance, including, but not limited
25 to, strict adherence to the following:
- 26 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m.
27 Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not
28 inherently noise-producing. Examples of work not permitted on Saturday are concrete and
grout pours, roof nailing and activities of similar noise-producing nature. No work shall be
permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th,

1 Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work
2 under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

3 b) The construction site shall be kept reasonably free of construction debris as specified in
4 Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste
5 containers shall be considered compliance with this requirement. Small amounts of
6 construction debris may be stored on-site in a neat, safe manner for short periods of time
7 pending disposal.

8 10. Separate/unique addresses will/may be required to facilitate utility releases. Verification that the
9 addresses have been properly assigned by the City's Planning Division must accompany the
10 Building Permit application.

11 11. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation will be
12 required at time of plans submittal to the Building Division for plan check.

13 12. If this project is submitted after Jan. 1, 2008 it must meet the requirements of the newly adopted
14 ICC codes.

15 13. Private sewer and water systems must have plans submitted and approved by the Building
16 Division prior to construction on-site.

17 **Fire Prevention:**

18 14. A minimum fire flow of 1500 gallons per minute shall be provided.

19 15. The size of fire hydrant outlets shall be 2 ½ "X 4".

20 16. The fire hydrants shall be installed and tested prior to placing any combustible materials on the
21 job site.

22 17. Detailed plans of underground fire service mains shall be submitted to the Oceanside Fire
23 Department for approval prior to installation.

24 18. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design and
25 Processing Manual Standard Drawing No. M-13.

26 19. The Fire Department access roadway shall be provided with adequate turning radius for Fire
27 Department apparatus a 50-foot outside and 30-foot inside radius.

28 20. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per Vehicle
Code Section 22500.1 and in accordance with the Fire Department Standard Guidelines for
Emergency Access.

- 1 21. In accordance with the California Fire Code Sec. 901.4.4, approved address for commercial,
2 industrial, and residential occupancies shall be placed on the structure in such a position as to be
3 plainly visible and legible from the street or roadway fronting the property. Numbers shall be
4 contrasting with their background.
- 5 22. Single family dwellings require 4-inch address numbers.
- 6 23. Buildings shall meet Oceanside Fire Department's current codes at the time of building permit
7 application.
- 8 24. Future development of the property will require compliance with all applicable Fire Department
9 Standards.

10 **Engineering Landscape (Please note: the project will be built in two phases – Liberty Walk**
11 **Improvements are Phase I and Elks Club Improvements are Phase 2):**

- 12 25. For the demolition of any existing structures or surface improvements, grading plans shall be
13 submitted and erosion control plans be approved by the City Engineer prior to the issuance of a
14 demolition permit. No demolition shall be permitted without an approved erosion control plan.
- 15 26. With the exception of approved vehicular access rights to Maxson Street and Country Club
16 Lane shall be relinquished by the property owner to the City from all abutting lots prior to or
17 concurrent with the recordation of any final or parcel map.
- 18 27. All right-of-way alignments, street dedications, exact geometrics and widths shall be dedicated and
19 improved as required by the City Engineer.
- 20 28. Design and construction of all improvements shall be in accordance with standard plans,
21 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 22 29. Prior to issuance of any building permit a phasing plan for the construction of all public and
23 private improvements including landscaping, shall be approved by the City Engineer.
- 24 30. Unless all improvements are covered by a valid subdivision agreement for each "Phase" of the
25 Development, prior to issuance of any building permit all improvement requirements shall be
26 covered by a development agreement and secured with sufficient improvement securities or
27 bonds guaranteeing performance and payment for labor and materials, setting of monuments,
28 and warranty against defective materials and workmanship for each "Phase" of the
Development.

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- 1 31. Prior to approval of the first final or parcel map a phasing plan for the construction of all
2 appropriate public and private improvements including landscaping and streets shall be approved
3 by the City Engineer. All improvements shall be under construction to the satisfaction of the City
4 Engineer prior to the issuance of any building permits. All improvements shall be completed prior
5 to issuance of any certificates of occupancy.
- 6 32. Prior to approval of the final or parcel map or any increment, all improvement requirements, within
7 such increment or outside of it if required by the City Engineer, shall be covered by a subdivision
8 agreement and secured with sufficient improvement securities or bonds guaranteeing performance
9 and payment for labor and materials, setting of monuments, and warranty against defective
10 materials and workmanship.
- 11 33. The tract shall be recorded as one. The tract may be developed in phases. A construction-phasing
12 plan for the "Phased" construction of on-site public and private improvements shall be reviewed
13 and approved by the City Engineer prior to the recordation of any final or parcel map. Prior to the
14 issuance of any building permits or release of securities for grading or improvements for each
15 "Phase" of the Development where building permit is not required, all off-site improvements
16 including streets, landscaping, and frontage improvements shall be under construction to the
17 satisfaction of the City Engineer. Prior to issuance of any certificates of occupancy the City
18 Engineer shall require the dedication and construction of necessary utilities, and streets and other
19 improvements outside the area of any particular final or parcel map or "Phase" of the
20 Development , if such is needed for circulation, parking, access or for the welfare or safety of
21 future occupants of the development. The boundaries of any multiple final map increment shall be
22 subject to the approval of the City Engineer.
- 23 34. Prior to the issuance of any grading, improvement or building permits for a model complex, a
24 construction-phasing plan for the entire project shall be reviewed and approved by the City
25 Planner, City Engineer and Building Official. All improvements shall be under construction to
26 the satisfaction of the City Engineer prior to the issuance of any building permits for the model
27 complex. All public and private improvements including landscaping and offsite streets or
28 arterials that are found to be required to serve the model complex shall be completed prior to the
issuance of any certificates of occupancy.
35. Where off-site improvements, including but not limited to slopes, public utility facilities, and

1 drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain all
2 necessary easements or other interests in real property and shall dedicate the same to the City of
3 Oceanside as required. The applicant shall provide documentary proof satisfactory to the City of
4 Oceanside that such easements or other interest in real property have been obtained prior to the
5 approval of the final or parcel map or issuance of any grading, building or improvement permit for
6 the development. Additionally, the City of Oceanside, may at its sole discretion, require that the
7 applicant obtain at his sole expense a title policy insuring the necessary title for the easement or
8 other interest in real property to have vested with the City of Oceanside or the applicant, as
9 applicable.

10 36. Pursuant to the State Map Act, improvements shall be required at the time of development. A
11 covenant, reviewed and approved by the City Attorney, shall be recorded attesting to these
12 improvement conditions and a certificate setting forth the recordation shall be placed on the map.

13 37. Prior to the issuance of a grading permit, the developer shall notify and host a neighborhood
14 meeting with all of the area residents located within 300 feet of the project site, and residents of
15 property along any residential streets to be used as a "haul route", to inform them of the grading
16 and construction schedule, haul routes, and to answer questions.

17 38. The developer shall monitor, supervise and control all construction and construction-supportive
18 activities, so as to prevent these activities from causing a public nuisance, including but not limited
19 to, insuring strict adherence to the following:

20 a) Dirt, debris and other construction material shall not be deposited on any public street or
21 within the City's storm water conveyance system.

22 b) All grading and related site preparation and construction activities shall be limited to the
23 hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering related
24 construction activities shall be conducted on Saturdays, Sundays or legal holidays unless
25 written permission is granted by the City Engineer with specific limitations to the working
26 hours and types of permitted operations. All on-site construction staging areas shall be as
27 far as possible (minimum 100 feet) from any existing residential development. Because
28 construction noise may still be intrusive in the evening or on holidays, the City of
Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive noise
which causes discomfort or annoyance to reasonable persons of normal sensitivity."

- c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
- d) A haul route shall be obtained at least 7 days prior the start of hauling operations and must be approved by the City Engineer. Hauling operations shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

39. A traffic control plan shall be prepared according to the City traffic control guidelines and be submitted to and approved by the City Engineer prior to the start of work within open City rights-of-way. Traffic control during construction of streets that have been opened to public traffic shall be in accordance with construction signing, marking and other protection as required by the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

40. Approval of this development project is conditioned upon payment of all applicable impact fees and connection fees in the manner provided in chapter 32B of the Oceanside City Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to recordation of any final or parcel map, the issuance of any building permits, or release of securities for grading or engineering improvements for each "Phase" of the Development, in accordance with City Ordinances and policies. The subdivider or developer of each "Phase" of the Development shall also be required to join into, contribute, or participate in any improvement, lighting, or other special district affecting or affected by this project. Approval of the tentative map (project) shall constitute the developer's approval of such payments, and his agreement to pay for any other similar assessments or charges in effect when any increment is submitted for final map or building permit approval, and to join, contribute, and/or participate in such districts.

41. Maxson Street and Country Club Lane shall be improved with concrete curbs, gutters, and sidewalks along the frontage of each "Phase" of the Development to the satisfaction of the City Engineer.

42. Maxson Street and Country Club Lane shall provide a minimum of 10 feet parkway between the face of curb and the right-of-way line. Sidewalk improvements shall comply with ADA requirements.

///

- 1 43. Intersectional sight distance shall be provided at Maxson Street and Country Club Lane and at the
2 project driveway or street shall conform to the corner sight distance criteria as provided by SDRSD
3 DS-20A and or DS-20B.
- 4 44. At the main access point to Parcel 1 (the condominium project), twenty-feet of red curb shall be
5 installed on the curb on either side of the project driveway. Landscaping within the parkway on
6 either side of the project driveway shall not obscure the corner sight distance.
- 7 45. Streetlights shall be maintained and installed on all public streets within the project and along the
8 project's frontage per City Standards. The system shall provide uniform lighting, and be secured
9 prior to occupancy. The developer of each "Phase" of the Development shall pay all applicable
10 fees, energy charges, and/or assessments associated with City-owned (LS-2 rate schedule)
11 streetlights and shall also agree to the formulation of, or the annexation to, any appropriate street
12 lighting district.
- 13 46. This project's interior streets shall remain private and shall be maintained by an association.
14 The pavement sections, traffic indices, alignments, and all geometrics shall meet public street
15 standards.
- 16 47. Prior to approval of the grading plans for any "Phase" of the Development, the developer shall
17 contract with a geotechnical engineering firm to perform a field investigation of the existing
18 pavement on all streets adjacent to the project boundary. The limits of the study shall be half-
19 street plus twelve (12) feet along the subdivision's frontage on Maxson Street and Country Club
20 Lane. The field investigation shall include a minimum of one pavement boring per every 50
21 linear feet of street frontage. Should the existing AC thickness be determined to be less than
22 three inches or without underlying Class II base material, the developer shall remove and
23 reconstruct the pavement section as determined by the pavement analysis submittal process
24 detailed in Item No. 2 below.
- 25 48. Upon review of the pavement investigation, the City Engineer shall determine whether the
26 Developer shall: 1) Repair all failed pavement sections, header cut and grind per the direction of
27 the City Engineer, and construct a two-inch thick rubberized AC overlay; or 2) Perform R-value
28 testing and submit a study that determines if the existing pavement meets current City
standards/traffic indices. Should the study conclude that the pavement does not meet current
requirements, rehabilitation/mitigation recommendations shall be provided in a pavement

1 analysis report, and the developer shall reconstruct the pavement per these recommendations,
2 subject to approval by the City Engineer.

3 49. Pavement sections for all streets, alleys, driveways and parking areas within the project and along
4 the project's frontage shall be based upon approved soil tests and traffic indices. The pavement
5 design is to be prepared by the subdivider's soil engineer and must be approved by the City
6 Engineer, prior to paving.

7 50. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
8 construction of any "Phase" of the Development the project, shall be repaired or replaced as
9 directed by the City Engineer.

10 51. All existing overhead utility lines within the subdivision and within any full width street or right-
11 of-way abutting the subdivision and all new extension services for the development of the project,
12 including but not limited to, electrical, cable and telephone, shall be placed underground per
13 Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the City Engineer and
14 current City policy.

15 52. A conceptual utility design, prepared by the appropriate utility companies or accepted utility design
16 professionals, shall be submitted for review and approval by the City Engineer with the first
17 submittal of engineering plans. The design shall clearly show the layout of the existing utilities as
18 well as the undergrounding per Section 901.G. requirements. No engineering permits shall be
19 issued prior to the approval of the undergrounding design. The undergrounding of existing utilities
20 shall be completed to the satisfaction of the City Engineer prior to issuance of any building
21 permits.

22 53. The developer shall comply with all the provisions of the City's cable television ordinances
23 including those relating to notification as required by the City Engineer.

24 54. Grading and drainage facilities shall be designed and installed to adequately accommodate the
25 local stormwater runoff for each "Phase" of the Development and shall be in accordance with the
26 City's Engineers Manual and as directed by the City Engineer.

27 55. The applicant shall obtain any necessary permits and clearances from all public agencies having
28 jurisdiction over the project due to its type, size, or location, including but not limited to the U. S.
Army Corps of Engineers, California Department of Fish & Game, U. S. Fish and Wildlife Service
and/or San Diego Regional Water Quality Control Board (including NPDES), San Diego County

1 Health Department, prior to the issuance of grading permits.

2 56. The approval of the tentative map shall not mean that proposed grading or improvements on
3 adjacent properties (including any City properties/Right-of-Way or easements) is granted or
4 guaranteed to the developer. The developer is responsible for obtaining permission to grade to
5 construct on adjacent properties. **Should such permission be denied, the Tentative
6 Map/project shall be subject to going back to the public hearing or subject to a substantial
7 conformity review.**

8 57. Prior to any grading of any part of the tract or any "Phase" of the Development, a comprehensive
9 soils and geologic investigation shall be conducted of the soils, slopes, and formations in the
10 project. All necessary measures shall be taken and implemented to assure slope stability, erosion
11 control, and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in
12 accordance with the Grading Ordinance and Zoning Ordinance, is approved by the City Engineer.

13 58. This project shall provide year-round erosion control including measures for the site required for
14 the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed
15 for all proposed stages of construction, shall be reviewed, secured by the applicant with cash
16 securities and approved by the City Engineer.

17 59. A precise grading and private improvement plan shall be prepared, reviewed, secured and
18 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
19 flatwork, landscaped areas, special surfaces, curbs, gutters, striping, and signage, footprints of all
20 structures, walls, drainage devices and utility services. Parking lot striping and any on-site traffic
21 calming devices shall be shown on all Precise Grading and Private Improvement Plans.

22 60. Landscaping plans, including plans for the construction of walls, fences or other structures at or
23 near intersections, must conform to intersection sight distance requirements. Landscape and
24 irrigation plans for disturbed areas must be submitted to the City Engineer prior to the issuance of
25 a preliminary grading permit and approved by the City Engineer prior to the issuance of
26 occupancy permits. Frontage landscaping shall be installed prior to the issuance of any certificates
27 of occupancy. Any project fences, sound or privacy walls and monument entry walls/signs shall
28 be shown on, bonded for and built from the landscape plans. These features shall also be shown on
the precise grading plans for purposes of location only. Plantable, segmental walls shall be
designed, reviewed and constructed by the grading plans and landscaped/irrigated through project

1 landscape plans. All plans must be approved by the City Engineer and a pre-construction meeting
2 held, prior to the start of any improvements.

3 61. Open space areas and down-sloped areas visible from a collector-level or above roadway and not
4 readily maintained by the property owner, shall be maintained by a homeowners' association that
5 will insure installation and maintenance of landscaping in perpetuity. These areas shall be
6 indicated on the final map and reserved for an association. Future buyers shall be made aware of
7 any estimated monthly costs. The disclosure, together with the CC&R's, shall be submitted to the
8 City Engineer for review prior to the recordation of final map.

9 62. The drainage design on the tentative map is conceptual only. The final design shall be based upon
10 a hydrologic/hydraulic study to be approved by the City Engineer during final engineering for
11 each "Phase" of the Development. All drainage picked up in an underground system shall remain
12 underground until it is discharged into an approved channel, or as otherwise approved by the City
13 Engineer. All public storm drains shall be shown on City standard plan and profile sheets. All
14 storm drain easements shall be dedicated where required. The applicant shall be responsible for
15 obtaining any off-site easements for storm drainage facilities.

16 63. The development shall not increase runoff or change drainage patterns to adjacent properties from
17 any "Phase" of the Development. Maintenance of detention facilities preventing increase of
18 runoff or change of drainage patterns from any "Phase" of the Development shall be guaranteed
19 into perpetuity by an appropriate association for a tract or management plan for a development
20 to the satisfaction of the City Engineer, the City Planner, and the City Attorney.

21 64. Storm drain facilities shall be designed and located such that the inside travel lanes on streets with
22 Collector or above design criteria shall be passable during conditions of a 100-year frequency
23 storm.

24 65. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed of in
25 accordance with all state and federal requirements, prior to stormwater discharge either off-site or
26 into the City drainage system.

27 66. The development shall comply with all applicable regulations established by the United States
28 Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge
Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge
and any regulations adopted by the City pursuant to the NPDES. regulations or requirements.

1 Further, the applicant may be required to file a Notice of Intent with the State Water Resources
2 Control Board to obtain coverage under the NPDES. General Permit for Storm Water
3 Discharges Associated with Construction Activity and may be required to implement a Storm
4 Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading
5 activities. SWPPPs include both construction and post construction pollution prevention and
6 pollution control measures and identify funding mechanisms for post construction control
7 measures. The developer shall comply with all the provisions of the Clean Water Program
8 during and after all phases of the development process, including but not limited to: mass
9 grading, rough grading, construction of street and landscaping improvements, and construction
10 of dwelling units. The applicant shall design the Project's storm drains and other drainage
11 facilities to include Best Management Practices to minimize non-point source pollution,
satisfactory to the City Engineer.

12 67. Upon acceptance of any fee waiver or reduction by the subdivider or developer of each "Phase"
13 of the Development the entire project will be subject to prevailing wage requirements as
14 specified by Labor Code section 1720(b)(4). The subdivider or developer for each "Phase" of
15 the Development shall agree to execute a form acknowledging the prevailing wage requirements
16 prior to the granting of any fee reductions or waivers.

17 68. If the project required the submission and approval of a Storm Water Mitigation Plan (SWMP),
18 the subdivider shall prepare and submit an Operations & Maintenance (O&M) Plan to the to the
19 City Engineer with the first submittal of engineering plans for each "Phase" of the
20 Development. The O&M Plans shall be prepared by the applicant's Civil Engineer. It shall be
21 directly based on the project's SWMP previously approved by the project's approving authority
22 (Planning Commission/City Council). At a minimum the O&M Plans shall include the
23 designated responsible parties to manage the stormwater BMP(s), employee's training program
24 and duties, operating schedule, maintenance frequency, routine service schedule, specific
25 maintenance activities, copies of resource agency permits, cost estimate for implementation of
the O&M Plan and any other necessary elements.

26 69. The subdivider shall enter into a City-Standard Stormwater Facilities Maintenance Agreement
27 for each "Phase" of the Development with the City obliging the project proponent to maintain,
28 repair and replace the Storm Water Best Management Practices (BMPs) identified in the

1 project's approved SWMP, as detailed in the O&M Plan into perpetuity. The Agreement(s)
2 shall be approved by the City Attorney prior to issuance of any precise grading permit and shall
3 be recorded at the County Recorder's Office prior to issuance of any building permit or release
4 of grading or improvement securities if no building permit is required for the "Phase" of the
5 Development. Security in the form of cash (or certificate of deposit payable to the City) or an
6 irrevocable, City-Standard Letter of Credit shall be required prior to issuance of a precise
7 grading permit for each "Phase" of the Development. The amount of the security shall be equal
8 to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed a total of
9 \$25,000 for each "Phase" of the Development. The applicant's Civil Engineer shall prepare the
10 O&M cost estimate for each "Phase" of the Development.

11 70. At a minimum, maintenance agreements shall require the staff training, inspection and
12 maintenance of all BMPs on an annual basis. The project proponent shall complete and
13 maintain O&M forms to document all maintenance activities. Parties responsible for the O&M
14 plan shall retain records at the subject property for at least 5 years. These documents shall be
15 made available to the City for inspection upon request at any time.

16 71. The Agreement(s) shall include a copy of executed on-site and off-site access easements
17 necessary for the operation and maintenance of BMPs that shall be binding on the land
18 throughout the life of the project to the benefit of the party responsible for the O&M of BMPs,
19 satisfactory to the City Engineer. The agreement(s) shall also include a copy of the O&M Plan
20 approved by the City Engineer.

21 72. The BMPs described in the project's approved SWMP(s) shall not be altered in any way, shape
22 or form without formal approval by either an Administrative Substantial Conformance issued by
23 the City Planner or the project's final approving authority (Planning Commission/City Council)
24 at a public hearing. The determination of whatever action is required for changes to a project's
25 approved SWMP(s) shall be made by the City Planner.

26 73. The subdivider or developer shall provide a copy of the title/cover page of either an approved
27 SWMP or Runoff Assessment Report (RAR) with the first engineering submittal package for
28 each "Phase" of the Development. If the project triggers the City's Stormwater requirements
but no approved Stormwater document (SWMP or RAR) exists, the appropriate document shall

1 be submitted for review and approval by the City Engineer. The RAR or SWMP shall be
2 prepared by the applicant's Civil Engineer. All Stormwater documents shall be in compliance
3 with the latest edition of submission requirements.

4 74. The approval of the tentative map shall not mean that closure, vacation, or abandonment of any
5 public street, right-of-way, easement, or facility is granted or guaranteed to the developer. The
6 developer is responsible for applying for all closures, vacations, and abandonments as
7 necessary. The application(s) shall be reviewed and approved or rejected by the City of
8 Oceanside under separate process (es) per codes, ordinances, and policies in effect at the time of
9 the application. **The City of Oceanside retains its full legislative discretion to consider any
10 application to vacate a public street or right-of-way.**

11 75. Landscape plans, meeting the criteria of the City's Landscape Guidelines or City Engineer
12 criteria, Water Conservation Ordinance No. 91-15 and Zoning Ordinance including the
13 maintenance of such landscaping, shall be approved by the City Engineer prior to the issuance
14 of building permits. Landscaping shall not be installed until bonds have been posted, fees paid,
15 and plans signed for final approval. The following special landscaping requirements shall be
16 met.

17 76. Landscape plans shall comply with the City of Oceanside Guidelines and Specifications for
18 Landscape Developments 1985, addenda 1997, Water Conservation Ordinance No. 91-15,
19 SWMP, Zoning Ordinance and current Street Tree Memorandum. The landscape plans shall
20 match all plans affiliated with the project. Street trees shall be a minimum of 2" caliper, located
21 30'-0" center, meeting the City of Oceanside spacing requirements.

22 77. Obtain approval from the City Planner for walls, fences and gates. The combination wall
23 condition on the east side of the property adjacent to the neighboring property shall meet the
24 approval of the City Planner. Irrigated landscaping shall be located within property lines on the
25 proposed project site and be accessible for maintenance by the owner or homeowners
26 association.

27 78. Utility easements, storm drain, sewer easements and sightline requirements shall be field
28 verified by a Landscape Architect of work and planting of all species located to meet the

1 satisfaction of the City Engineer. The trees provided for the site shall consist of native,
2 naturalized, transitional and surrounding historical tree species. Trees shall be relocated if
3 necessary; not omitted from the approved conceptual landscape plan. Invasive species of any
4 kind shall be omitted from the landscape plan.

5 79. Turf shall not exceed 35 percent of the front yard. Front yards shall consist of the following
6 minimum: one 15-gallon tree, 18 shrubs, ground cover or shredded bark mulch to cover bare
7 areas.

8 80. An irrigation system shall be provided for all landscaped areas. Irrigation system shall be in
9 compliance with Engineering, Water and Landscape ordinances, manuals and policies.

10 81. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and in any
11 adjoining public parkways shall be permanently maintained by the owner, his assigns or any
12 successors-in-interest in the property. The maintenance program shall include normal care and
13 irrigation of the landscaping; repair and replacement of plant materials; irrigation systems as
14 necessary; and general cleanup of the landscaped and open areas, parking lots and walkways,
15 walls, fences, etc. Failure to maintain landscaping shall result in the City taking all appropriate
16 enforcement actions by all acceptable means including but not limited to citations and/or actual
17 work with costs charged to or recorded against the owner. This condition shall be recorded with
18 the covenant required by this resolution.

19 **Planning:**

20 82. This Tentative Subdivision Map (T-11-05) and Development Plan (D-22-05) approvals shall
21 lapse two years after the effective date of approval.

22 a) Unless a grading permit has been issued and grading has been substantially completed
23 and or a building permit has been issued, and construction diligently pursued; or an
24 occupancy permit has been issued; or

25 b) Unless a time extension is granted by the Planning Commission.

26 c) The Development Plan (D-22-05) shall be effective for an additional 24 months from the
27 date of recordation of the Final Map.
28

- 1 83. This Development Plan (D-22-05) approves only 22 single-family homes as shown on the plans
2 and exhibits presented to the Planning Commission for review and approval. No deviation from
3 these approved plans and exhibits shall occur without Planning Division approval. Substantial
4 deviations shall require a revision to the D-22-05 or a new Development Plan.
- 5 84. A covenant or other recordable document approved by the City Attorney shall be prepared by
6 the property owner and recorded prior to the approval of the Final Map. The covenant shall
7 provide that the property is subject to this resolution, and shall generally list the conditions of
8 approval.
- 9 85. Prior to the transfer of ownership and or operation of the site the owner shall provide a written
10 copy of the applications, staff report and resolutions for the project to the new owner and or
11 operator. This notification's provision shall run with the life of the project and shall be recorded
12 as a covenant on the property.
- 13 86. Failure to meet any conditions of approval for this development shall constitute a violation of
14 the Tentative Subdivision Map and Development Plan.
- 15 87. Unless expressly waived, all current zoning standards and City ordinances and policies in effect
16 at the time building permits are issued are required to be met by this project. The approval of
17 this project constitutes the property owner's and developer's agreement with all statements in
18 the Description and Justification, and other materials and information submitted with this
19 application, unless specifically waived by an adopted condition of approval.
- 20 88. The street name for the private street shall be approved by the City Planner prior to the approval
21 of the Final Map.
- 22 89. The developer is prohibited from entering into any agreement with a cable television franchisee
23 of the City, which gives such franchisee exclusive rights to install, operate, and or maintain its
24 cable television system in the development.
- 25 90. This project is subject to the provisions of Chapter 14C of the City Code regarding Inclusionary
26 Housing.
- 27 91. This project shall comply with all provisions of the City's Affirmative Fair Housing Marketing
28 Agreement policy. Such agreement shall be submitted to and approved by the Housing and

1 Neighborhood Services Director prior to the recordation of a Final Map or the issuance of a
2 building permit for the project, whichever comes first.

3 92. Future residential units shall meet the following development standards: minimum unit sizes
4 range from 1,425 to a maximum of 1,535 square feet; 2 stories; 4 bedrooms with two-car
5 garages.

6 93. The proposed residential unit mix and size shall be as follows:

Plan Type	Bedrooms	Baths	Garage	Units
1,425 SF total	3 bed	2.5 bath	2 car	13
1,535 SF total	4 bed	2.5 bath	2 car	9

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13 94. The property owner, permittee or any successor-in-interest shall defend, indemnify and old
14 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
15 proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul
16 an approval of the City, concerning Tentative Subdivision Map (T-11-05) and Development
17 Plan (D-22-05). The City will promptly notify the property owner of any such claim, action or
18 proceeding against the city and will cooperate fully in the defense. If the City fails to promptly
19 notify the applicant of any such claim action or proceeding or fails to cooperate fully in the
20 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless
21 the City.

22 95. The Declaration of Covenants Conditions and Restrictions shall identify the following
23 conditions of approval:

24 a) The property owner shall disclose yard requirements to the buyer of each lot. Lots 1, 2,
25 3, 4, 6, and 7 have proposed locating the structures in close proximity to required yards
26 and therefore, reduce the potential (or eliminate the opportunity) for nonresidential
27 accessory structures (e.g. patio covers) in some of the side and or rear yards.

28 b) The garage(s) is intended to store vehicles. Obstructing the area provided for vehicle

1 storage is prohibited. The garage (vehicle storage) is dimensionally defined as 19-foot
2 deep, 20-foot wide, and having a minimum vertical clearance of 7 feet. The additional
3 one-car garage is 19 feet deep, 9 feet wide, and has the same minimum vertical
4 clearance.

5 96. The side and rear facades of the proposed structures shall have the same architectural details as
6 the front of the structures.

7 97. Prior to issuance of grading permits, the applicant shall confirm with the City Planner that a
8 qualified paleontologist has been retained to carry out a paleontological monitoring and
9 mitigation program. A paleontological monitor shall be on-site during grading initial site
10 grading operations to evaluate the presence of fossils within previously undisturbed sediments
11 of the Santiago formation to inspect cuts for fossils. When fossils are discovered, the
12 paleontologist shall recover them. Some fossil specimens may require an extended salvage
13 time. In these instances, the paleontologist shall be allowed to temporarily direct, divert, or halt
14 grading. Prepared fossils along with copies of all pertinent field notes, photos, and maps shall
15 be deposited in a scientific institution with paleontological collections such as the San Diego
16 Natural History Museum. A final summary report shall be completed and distributed to the City
17 Planner and other interested agencies.

18 **Water Utilities:**

19 98. The developer will be responsible for developing all water and sewer utilities necessary to develop
20 the property. Any relocation of water and/or sewer utilities is the responsibility of the developer
21 and shall be done by an approved licensed contractor at the developer's expense.

22 99. The property owner will maintain private water and wastewater utilities located on private
23 property.

24 100. Water services and sewer laterals constructed in existing right-of-way locations are to be
25 constructed by approved and licensed contractors at developer's expense.

26 101. All Water and Wastewater construction shall conform to the most recent edition of the Water,
27 Sewer, and Reclaimed Water Design and Construction Manual or as approved by the Water
28 Utilities Director.

1 **The following conditions shall be met prior to the approval of engineering design plans:**

- 2 102. All public water and/or sewer facilities not located within the public right-of-way shall be provided
3 with easements sized according to the Water, Sewer, and Reclaimed Water Design and
4 Construction Manual. Easements shall be constructed for all weather access.
5
- 6 103. No trees, structures or building overhang shall be located within any water or wastewater utility
7 easement.
- 8 104. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover
9 of the public sewer shall be protected from backflow of sewage by installing and maintaining an
10 approved type backwater valve, per the Uniform Plumbing Code (U.P.C.).
- 11 105. The developer shall construct a public reclamation water system that will serve each lot and or
12 parcels that are located in the proposed project in accordance with the City of Oceanside Ordinance
13 No. 91-15. The proposed reclamation water system shall be located in the public right-of-way or
14 in a public utility easement.
- 15 106. A sewer study shall be prepared by the developer at the developer's expense and approved by the
16 Water Utilities Department.
- 17 107. A separate irrigation meter and approved backflow prevention device is required and shall be
18 displayed on the plans.
- 19 108. Per current City standards, no building foundations are allowed within 10 feet of the outside
20 edge of an easement without written approval from the Water Utilities Director. Such approval
21 must be provided along with an agreement to hold harmless the City for any damage to the
22 building while performing maintenance on the sewer system within the easement.
23

24 **The following conditions of approval shall be met prior to building permit issuance:**

- 25 109. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to be paid
26 to the City and collected by the Water Utilities Department at the time of Building Permit issuance.
27
28

1 **The following conditions of approval shall be met prior to occupancy:**

2 110. All new development of single-family and multi-family residential units shall include hot water
3 pipe insulation and installation of a hot water recirculation device or design to provide hot water to
4 the tap within 15 seconds in accordance with City of Oceanside Ordinance No. 02-OR126-1.

5
6 **CONDITIONS FOR THE ELKS CLUB RV PARKING CUP AND PHASE 2 OF THE**
7 **DEVELOPMENT PLAN:**

8 **Planning:**

9 111. This Conditional Use Permit is granted for the following use only: 20 RV parking spaces on within
10 the Elks Club parking lot. Any change in the use or expansion of the activities beyond that, which
11 is approved by the Planning Commission, will require a revision to the Conditional Use Permit or a
12 new Conditional Use Permit.

13 112. Phase 2, Elks Club RV Parking and parking lot improvements shall be completed prior to the
14 RV Parking use being allowed on this portion of the site.

15 113. This Conditional Use Permit shall be called for review by the Planning Commission if complaints
16 are filed and verified as valid by the City Planner or the Code Enforcement Officer concerning the
17 violation of any of the approved conditions or the project assumptions demonstrated under the
18 application approval.

19 114. This Conditional Use Permit shall expire on February 13, 2010, unless implemented as required
20 by the Zoning Ordinance.

21 115. This Conditional Use Permit is only granted to the Elks Club. Any change of ownership will
22 terminate this permit.

23 116. Failure to meet any conditions of approval for this development shall constitute a violation of the
24 Conditional Use Permit.

25 117. Unless expressly waived, all current zoning standards and City ordinances and policies in effect
26 at the time building permits are issued are required to be met by this project. The approval of
27 this project constitutes the applicant's agreement with all statements in the project Description
28 and Justification and other materials and information submitted with this application, unless
specifically waived by an adopted condition of approval.

- 1 118. A covenant or other recordable document approved by the City Attorney shall be prepared by
2 the applicant and recorded prior to the issuance of grading permits. The covenant shall provide
3 that the property is subject to this resolution, and shall generally list the conditions of approval.
- 4 119. The final design and construction of the facility shall be in accordance with the plans representing
5 the approved project and the conditions of approval. These requirements shall be shown and
6 demonstrated on the plans submitted for grading permits and shall be reviewed and approved by
7 the City Planner prior to the issuance of building permits.
- 8 120. Prior to the issuance of building permits, compliance with the applicable provisions of the City's
9 anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed and approved
10 by the Planning Division. These requirements, including the obligation to remove or cover with
11 matching paint all graffiti within 24 hours, shall be noted on the Landscape Plan and shall be
12 recorded in the form of a covenant affecting the subject property.
- 13 121. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water Conservation
14 Ordinance No. 91-15, including the maintenance of such landscaping, shall be reviewed and
15 approved by the City Engineer and/or Public Works Director and City Planner prior to the issuance
16 of building permits. Landscaping shall not be installed until bonds have been posted, fees paid,
17 and plans signed for final approval. The following special landscaping requirements shall be met:
- 18 a) The developer shall be responsible for irrigating and landscaping the proposed landscaped
19 areas associated with the block wall and planter.
 - 20 b) The location and species shall be approved by the Fire Marshall and City Inspector.
 - 21 c) Landscape plans shall comply with Section 3019 of the City of Oceanside Zoning
22 Ordinance and the City of Oceanside Guidelines and Specifications for Landscape
23 Development.
- 24 122. Landscaping shall comply with Section 1330 (G) of the City of Oceanside Zoning Ordinance. A
25 minimum of 50 percent of the 10-foot front yard setback area shall be planting area.
- 26 123. No metallic and/or reflective paints or surfaces shall be permitted.
- 27 124. All signage shall be in accordance with the plans representing the approved project. The signage
28 shall be shown on the plans submitted for building permits and shall be reviewed and approved by
the City Planner prior to the issuance of building permits.

1 **Water Utilities:**

- 2
- 3 125. The developer will be responsible for developing all water and sewer utilities necessary to develop
- 4 the property. Any relocation of water and/or sewer utilities is the responsibility of the developer
- 5 and shall be done by an approved licensed contractor at the developer's expense.
- 6 126. The property owner will maintain private water and wastewater utilities located on private
- 7 property.
- 8 127. If the Elks Club chooses to construct sewer and/or water laterals to each RV parking space, water
- 9 services and sewer laterals constructed in existing right-of-way locations are to be constructed by
- 10 approved and licensed contractors at developer's expense. If an RV dump station is chosen, a new
- 11 RV dump station shall be constructed on the western side of the Elks Club property to be approved
- 12 by the Water Utilities Department, City Planner, and City Engineer.
- 13 128. All Water and Wastewater construction shall conform to the most recent edition of the Water,
- 14 Sewer, and Reclaimed Water Design and Construction Manual or as approved by the Water
- 15 Utilities Director.
- 16

17 **The following conditions shall be met prior to the approval of engineering design plans:**

- 18 129. All public water and/or sewer facilities not located within the public right-of-way shall be provided
- 19 with easements sized according to the Water, Sewer, and Reclaimed Water Design and
- 20 Construction Manual. Easements shall be constructed for all weather access.
- 21
- 22 130. No trees, structures or building overhang shall be located within any water or wastewater utility
- 23 easement.
- 24 131. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover
- 25 of the public sewer shall be protected from backflow of sewage by installing and maintaining an
- 26 approved type backwater valve, per the Uniform Plumbing Code (U.P.C.).
- 27 132. A sewer study shall be prepared by the developer at the developer's expense and approved by the
- 28 Water Utilities Department.

1 133. A separate irrigation meter and approved backflow prevention device is required and shall be
2 displayed on the plans.

3 134. Per current City standards, no building foundations are allowed within 10 feet of the outside
4 edge of an easement without written approval from the Water Utilities Director. Such approval
5 must be provided along with an agreement to hold harmless the City for any damage to the
6 building while performing maintenance on the sewer system within the easement.

7
8 **The following conditions of approval shall be met prior to building permit issuance:**

9 135. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to be paid
10 to the City and collected by the Water Utilities Department at the time of Building Permit issuance.

11 PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this
12 _____ day of _____, 2008 by the following vote:

13 AYES:

14 NAYS:

15 ABSENT:

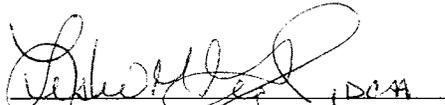
16 ABSTAIN:

17
18 MAYOR OF THE CITY OF OCEANSIDE

19 ATTEST:

APPROVED AS TO FORM:

20
21 _____
22 CITY CLERK

23
24
25
26
27
28


CITY ATTORNEY

1 WHEREAS, the City Council does hereby find that the Initial Study/Mitigated Negative
2 Declaration has been prepared in accordance with requirements of CEQA, the State CEQA
3 Guidelines, and the Ordinance 04-OR300-1 of the City of Oceanside adopting procedures and
4 guidelines to implement CEQA, and hereby adopts the Mitigated Negative Declaration and the
5 Mitigation, Monitoring and Reporting Program; and
6

7 WHEREAS, the Mitigated Negative Declaration and Mitigation and Monitoring and
8 Reporting Program (MMRP) have been determined to be accurate and adequate documents,
9 which reflect the independent judgment and analysis of the City Council. On the basis of the
10 entire record before it, the City Council finds that there is no substantial evidence that the
11 project, with implementation of the mitigation measures proposed, will have a significant
12 impact on the environment.
13

14 WHEREAS, based upon such evidence, testimony and staff reports, this Council finds
15 as follows:

16 1. The proposed new Residential Medium – C Zone is in compliance with the new
17 Residential Medium Density Land Use Designation.

18 2. The Residential Medium Density – C (RM-C) Zone is compatible with
19 surrounding RM-C and Residential High Density Zones in the project vicinity. The zoning also
20 allows a single family detached product type that is proposed by the project applicant.
21

22 3. The Zone Text Amendment, as proposed, conforms to the General Plan of the
23 City.

24 4. That the granting of the Zoning Amendment is consistent with the purposes of
25 the Zoning Ordinance. The requirement to process a Conditional Use Permit to allow RV
26 Parking for guests of clubs and lodges will allow conditions and restrictions to be placed on the
27 project to ensure compatibility with surrounding properties.
28

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NOW, THEREFORE, the City Council of the City of Oceanside does ordain as follows:

1. That Zone Amendment (ZA-4-05), amending the text of the Oceanside Zoning Ordinance as specified in Exhibit "B" is hereby approved and the City Planner is hereby directed to amend the Zoning Ordinance text as specified by this Ordinance.

2. Land Use Regulations of Exhibit "B", as incorporated, have been included for informational purposes and reflect the amended sections of the Zoning Ordinance which have been stricken, removed or otherwise modified by the enactment of this Ordinance.

3. Notice is hereby given that the time within which judicial review must be sought on this decision is governed by CCP Section 1094.6.

4. This Ordinance shall not be codified.

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5. The City Clerk of the City of Oceanside is hereby directed to publish the title of this Ordinance and a summary of Exhibit "B" once within fifteen (15) days after its passage in the North County Times, a newspaper of general circulation published in the City of Oceanside. This Ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California, held on the _____ day of _____, 2008, and, thereafter,

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____ the day of _____, 2008 by the following vote:

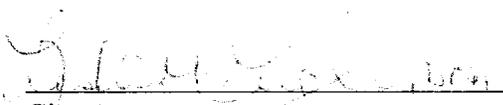
- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

Mayor of the City of Oceanside

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney

LEGAL DESCRIPTION

RECEIVED
SEP 14 2005
Planning Department

APN: 148-292-41

LOT TEN (10) OF MAXSON AND GRIFFIN'S SUBDIVISION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP OF SAID SUBDIVISION NO. 433, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 29, 1887.

1620 Land Use Regulations

PS DISTRICT: LAND USE REGULATIONS

- P - Permitted
- U - Use Permit
- L - Limited, (See Additional Use Regulations)
- - Not Permitted

	PS	Additional Regulations
Public and Semi-public		
Clubs and Lodges	U	(I)

PS District: Additional Use Regulations (continued)

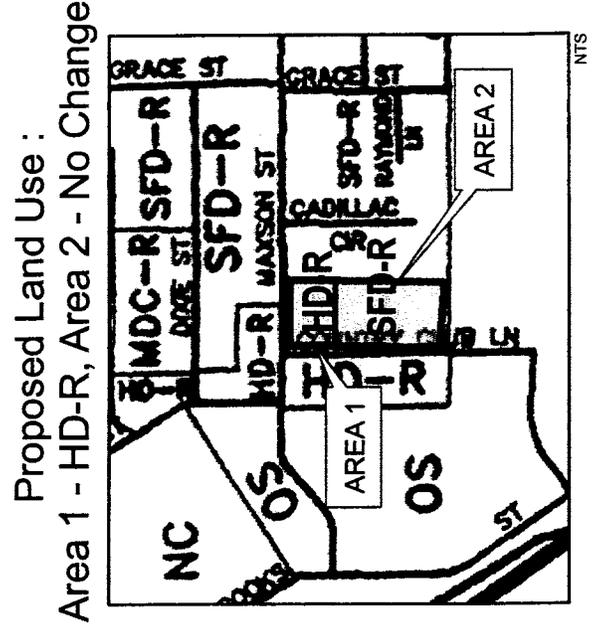
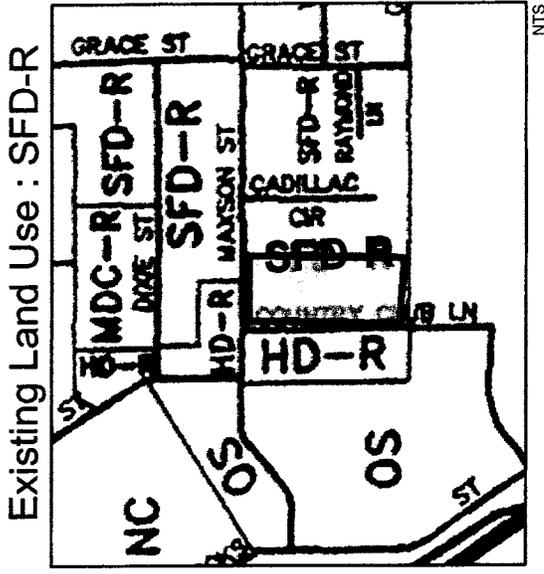
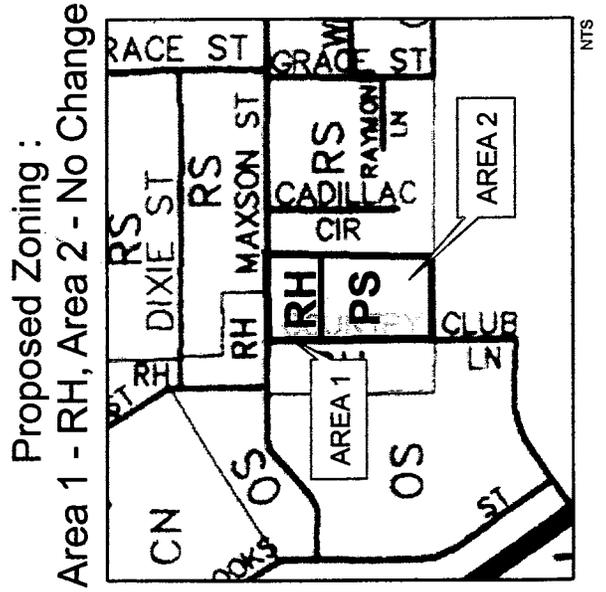
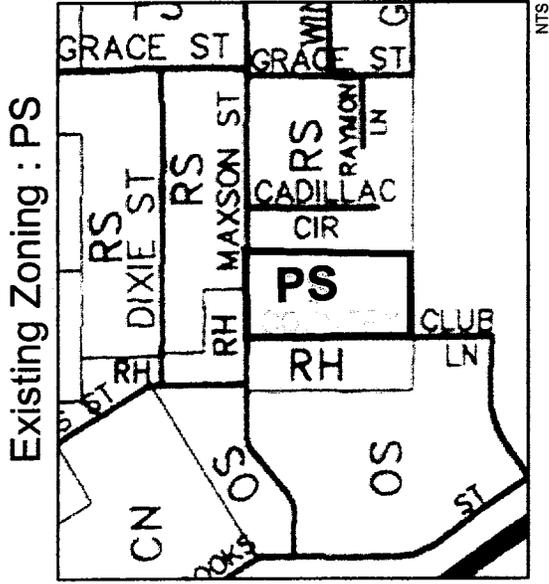
(I) Recreational vehicle (RV) parking is permitted as an ancillary use if exclusively used by members and/or guests. The RV parking area is subject to maximum density, screening, and outdoor facilities development regulations per Section 3029.

General Plan Amendment & Zone Amendment Exhibit

Maxson Street & Country Club Lane

APN: 148-292-41

- CL - Limited Commercial
- CN - Neighborhood Commercial
- NC - Neighborhood Commercial
- PD-3 - Sterling
- PS - Public and Semipublic
- RE-B - Residential Estate B
- RM-B - Medium Density Residential B
- RM-C - Medium Density Residential C
- RS - Single Family Residential
- HD-R - High Density Residential
- MD-B-R - Medium Density B Residential
- MD-C-R - Medium Density C Residential
- SFD-R - Single Family Detached Residential
- OS - Open Space



DEVELOPMENT SUMMARY

LEGAL DESCRIPTION: LOT 15, (0.01) MAXSON, ANTI-DEVELOPMENT SUBDIVISION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP OF SAID SUBDIVISION NO. 434, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DOCUMENT NO. 1482.			
ASSASSORS PANEL NO.:	1482-20-4		
CHUCKS SITE AREA:	1.6 ACRES		
DENSITY:	22 UNITS/1.6 ACRES = 13.75 D.U./AC		
PROJECT SUMMARY:			
PLAN 1	1 BEDROOM/2.5 BATH	1,483 SF (GROSS)	14 HOMES
PLAN 2	4 BEDROOM/2.5 BATH	1,653 SF (GROSS)	8 HOMES
		TOTAL	22 HOMES
PARKING CALCULATIONS:			
RESIDENCE UNIT	22	22 X 1.5	33
GUEST - 1 SPACE / 20% TOTAL	4	4 X 1.5	6
TOTAL SPACES REQUIRED			39
PARKING PROVIDED:			43
COVERED			11
UNCOVERED			32

ATTACHMENT

4

RECEIVED

DEC - 4 2007

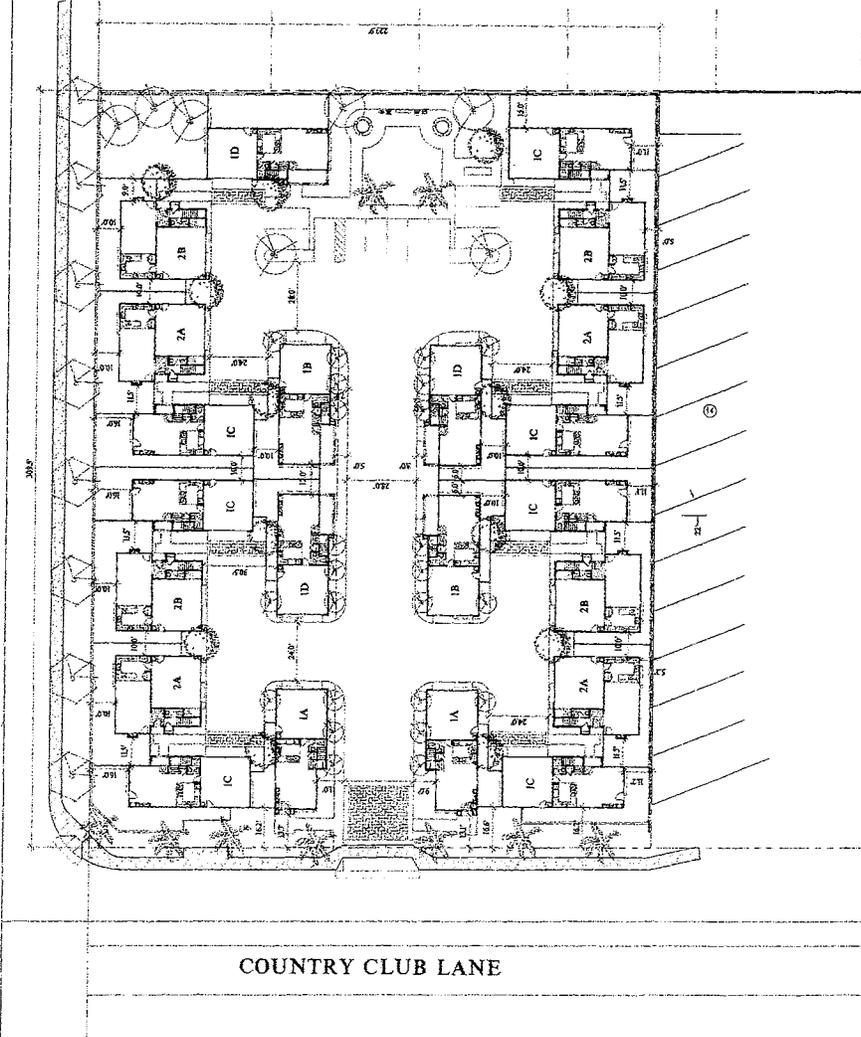
Planning Department



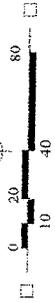
KTGY GROUP
ARCHITECTURAL PLANNING
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL DESIGN
CONSTRUCTION MANAGEMENT

11.14.07

MAXSON STREET



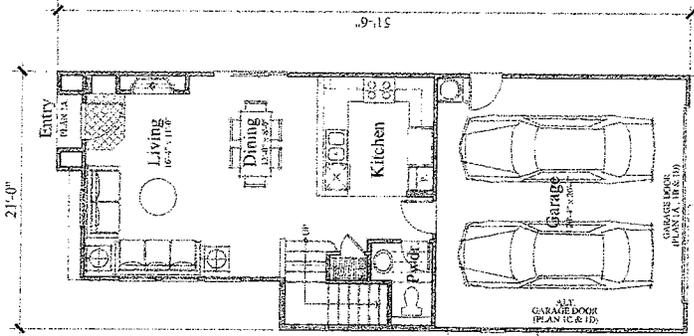
COUNTRY CLUB LANE



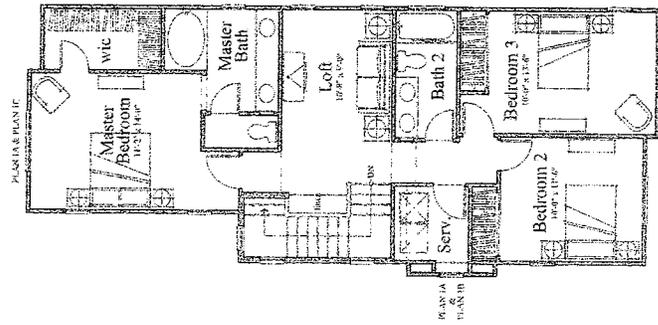
ARCHITECTURAL SITE PLAN
LIBERTY WALK
OCEANSIDE, CA



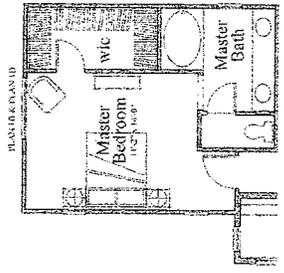
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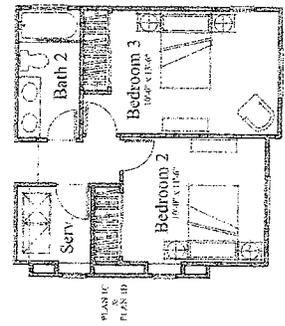
FIRST FLOOR



SECOND FLOOR



ALT. MASTER BEDROOM

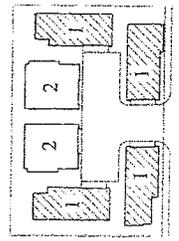


ALT. BEDROOM 2 / SERVICE

PLAN 1
 3 BEDROOM + LOFT / 2.5 BATH
 1,485 SF (GROSS)

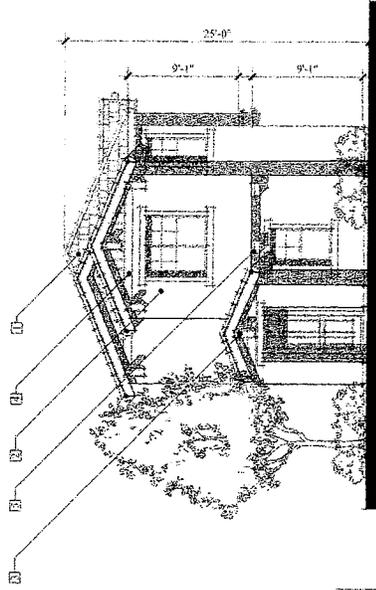


CONCEPTUAL FLOOR PLANS
LIBERTY WALK
 OCEANSIDE, CA

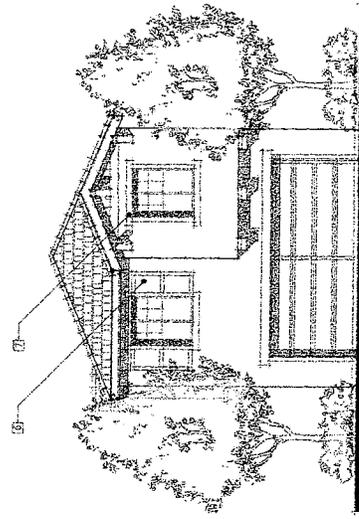


Typical Cluster

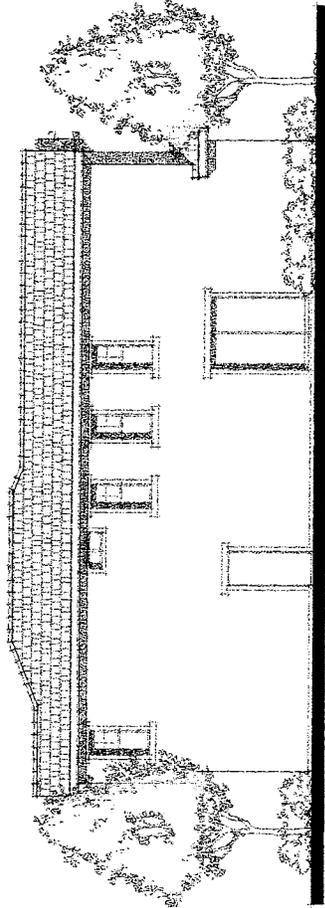
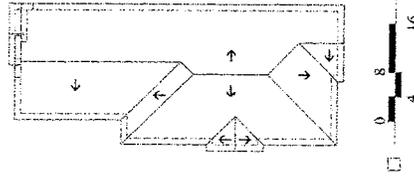




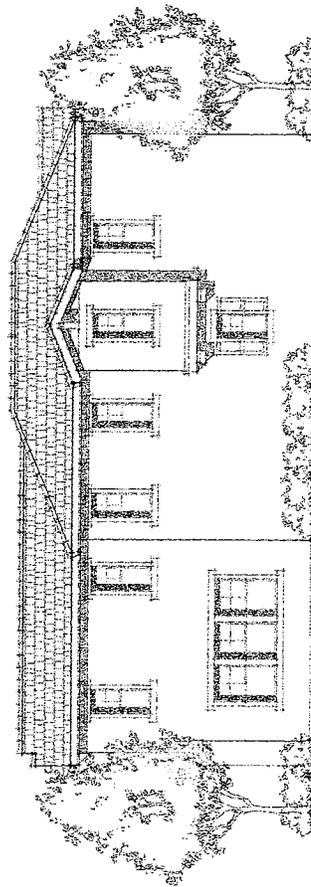
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



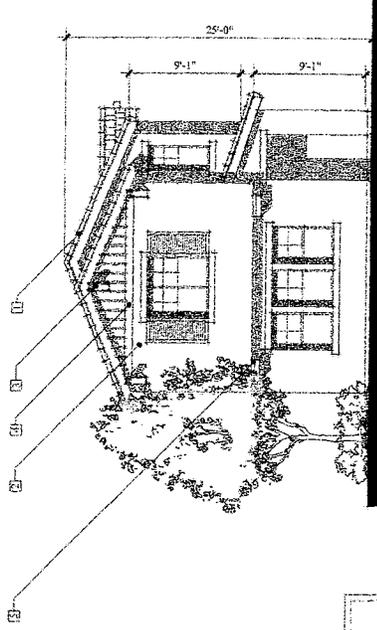
RIGHT ELEVATION

- 1 FLAT CONCRETE TILE ROOF
- 2 STUCCO
- 3 SICKERS
- 4 DECORATIVE GABLE END
- 5 FOAM CORBELS W/ STUCCO OVER
- 6 DECORATIVE SHUTTERS
- 7 FOAM TRIM W/ STUCCO OVER

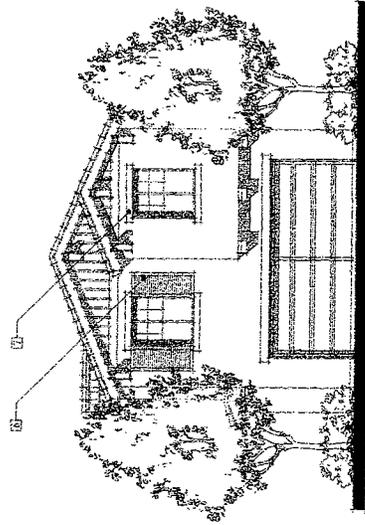


PLAN 1A
 CONCEPTUAL ELEVATIONS
 LIBERTY WALK
 OCEANSIDE, CA

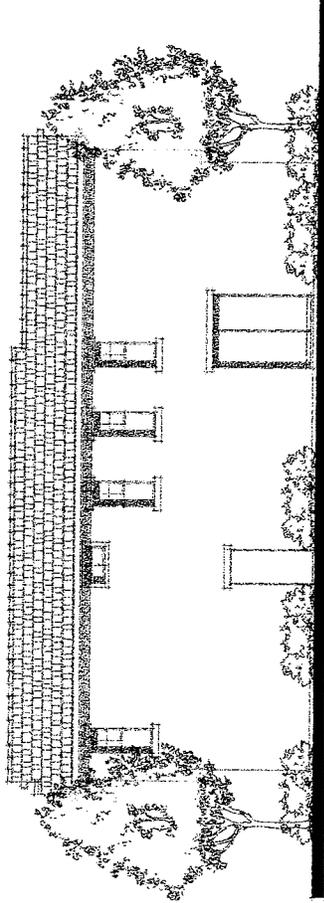
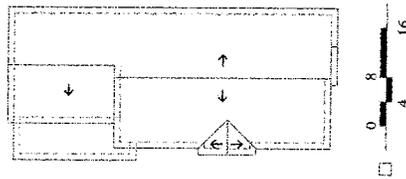




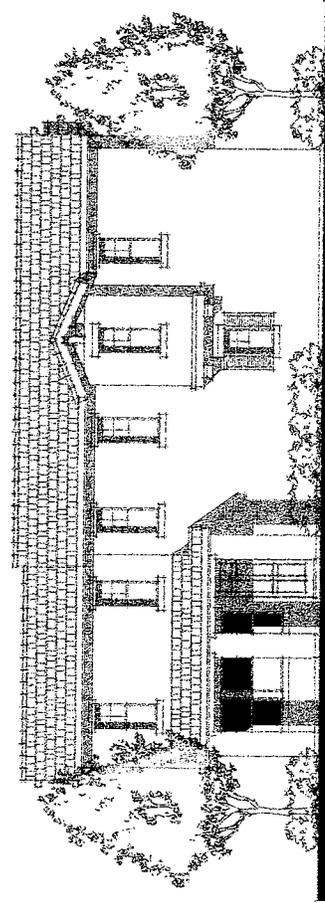
FRONT ELEVATION



REAR ELEVATION

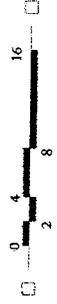


LEFT ELEVATION



RIGHT ELEVATION

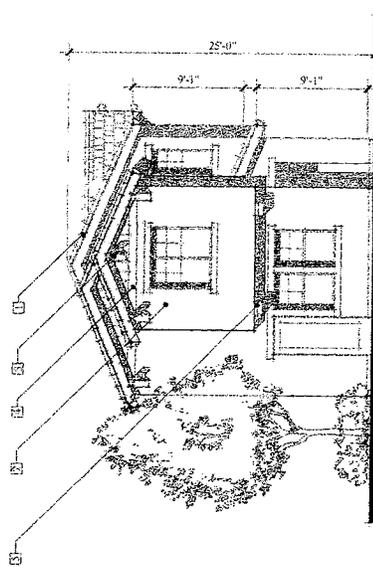
- 1 PLAT CONCRETE TILE ROOF
- 2 STUCCO
- 3 STUCCO
- 4 DECORATIVE GABLE END
- 5 FOAM CUBICLES W/STUCCO OVER
- 6 DECORATIVE SHUTTERS
- 7 FOAM TRIM W/STUCCO OVER



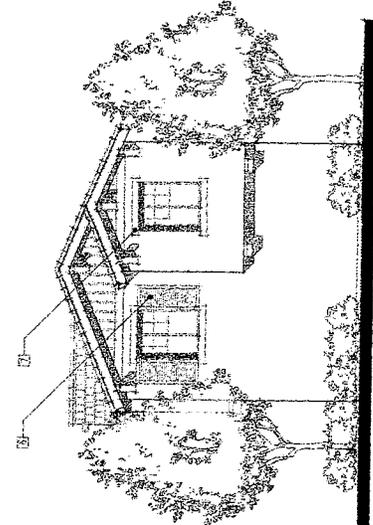
PLAN 1B
 CONCEPTUAL ELEVATIONS
 LIBERTY WALK
 OCEANSIDE, CA



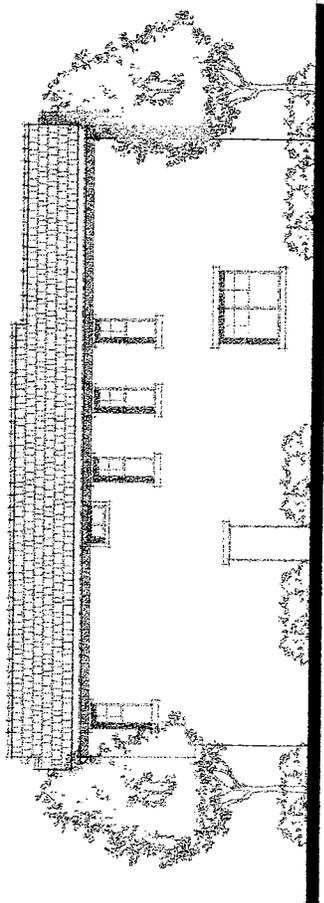
KTGY NO. 21040357



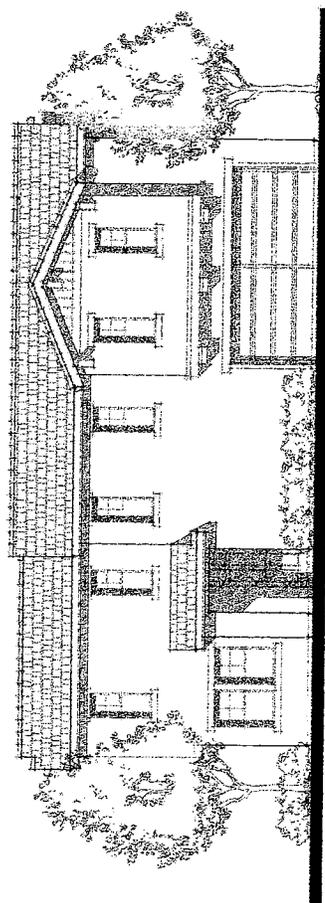
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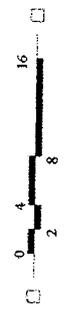
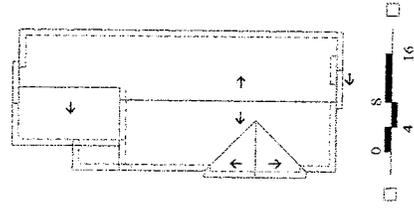
REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

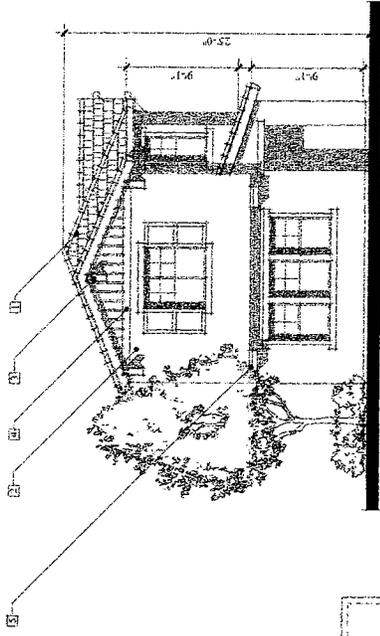


CONCEPTUAL ELEVATIONS
LIBERTY WALK
OCEANSIDE, CA

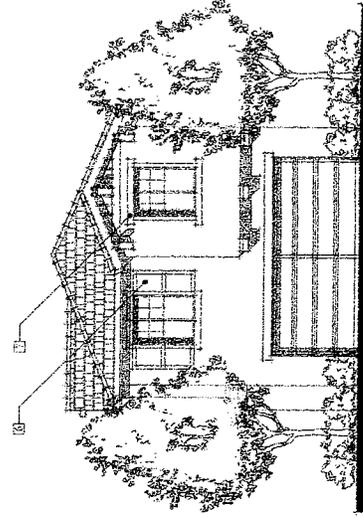
- 1 FLAT CONCRETE FIBER ROW
- 2 STUCCO
- 3 KICKERS
- 4 DECORATIVE GABLE END
- 5 FOAM CORNERS W/ STUCCO OVER
- 6 DECORATIVE SHUTTERS
- 7 FOAM TRIM W/ STUCCO OVER



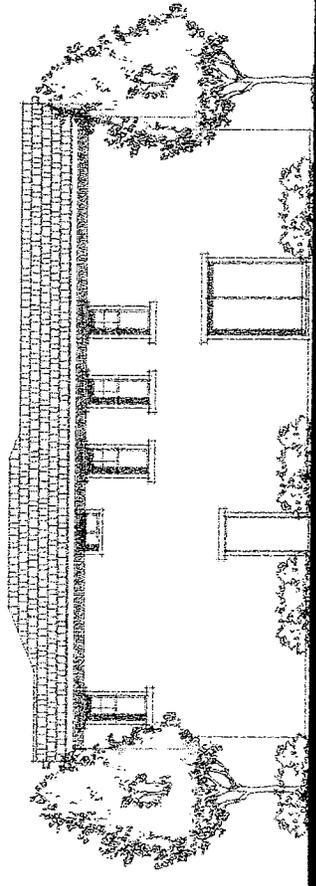
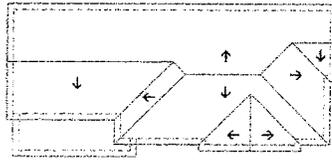
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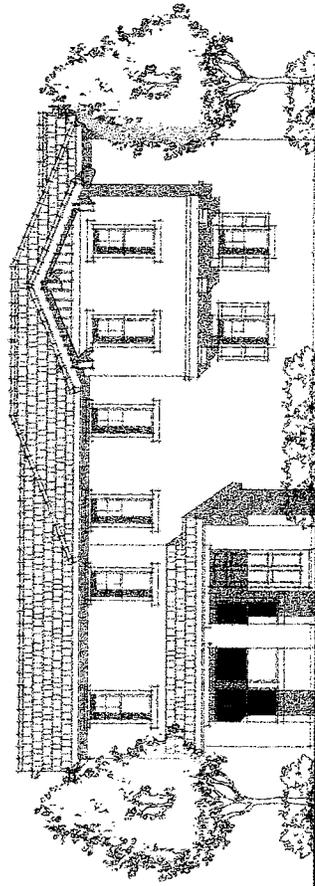
FRONT ELEVATION



REAR ELEVATION

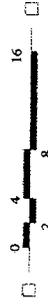


LEFT ELEVATION



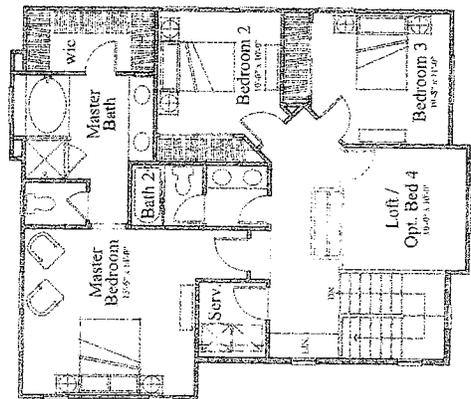
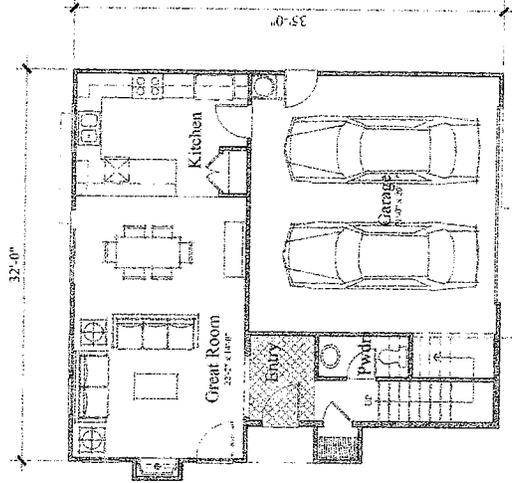
RIGHT ELEVATION

- 1 FLAT CONCRETE TILE ROOF
- 2 STUCCO
- 3 ROCKERS
- 4 1/2" POLYURETHANE INSULATION
- 5 1/2" POLYURETHANE INSULATION OVER STUCCO
- 6 FOAM TERRAZZO STUCCO OVER



PLAN ID
 CONCEPTUAL ELEVATIONS
 LIBERTY WALK
 OCEANSIDE, CA



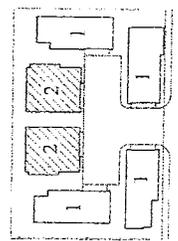


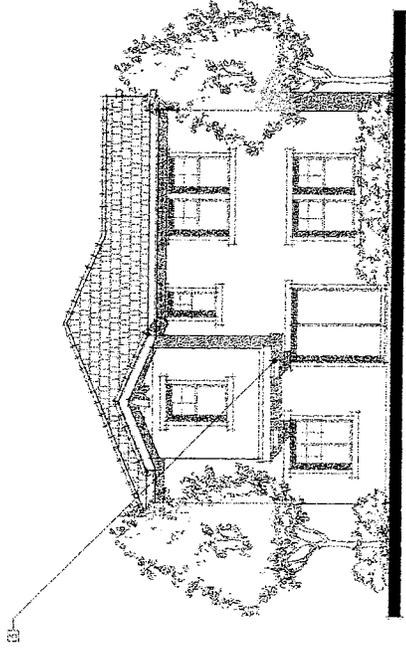
PLAN 2

4 BEDROOM / 2.5 BATH
1,655 SF (GROSS)

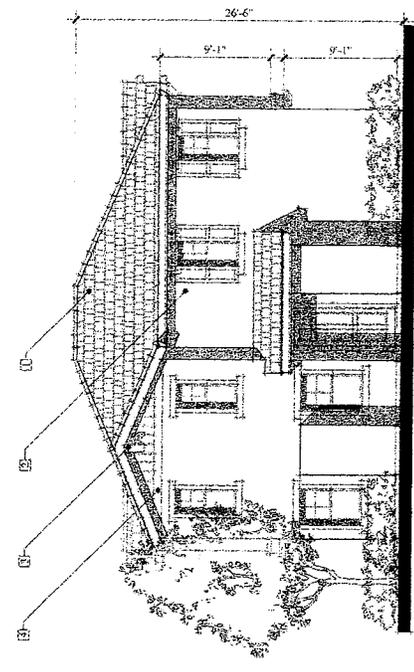


CONCEPTUAL FLOOR PLANS
LIBERTY WALK
OCEANSIDE, CA

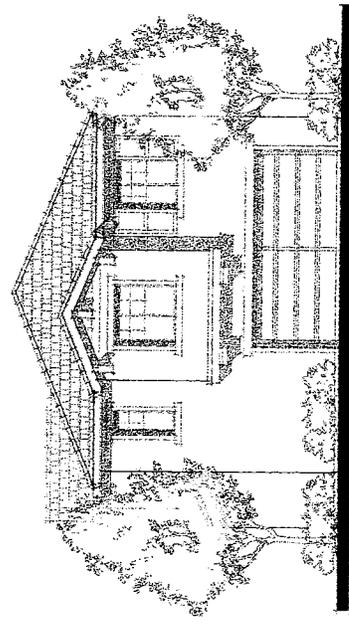
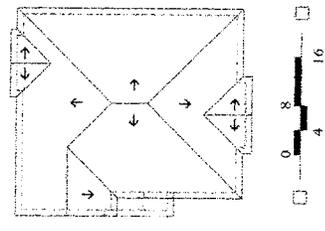




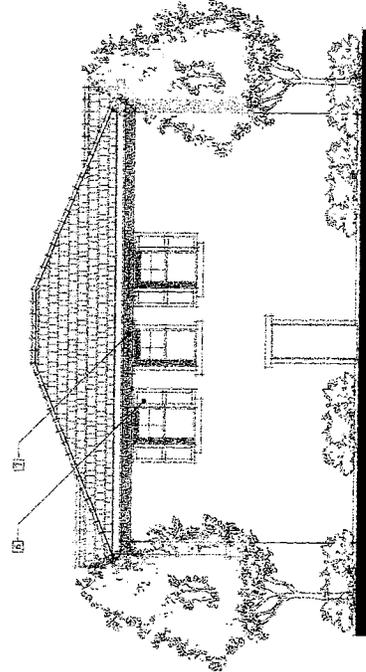
LEFT ELEVATION



FRONT ELEVATION

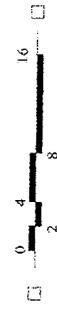


RIGHT ELEVATION



REAR ELEVATION

- 1 FLAT CONCRETE TILE ROOF
- 2 STUCCO
- 3 KITCHERS
- 4 DECORATIVE CABLE BRID
- 5 FOAM CORBELS W/ STUCCO OVER
- 6 DECORATIVE SILLERS
- 7 FOAM TRIM W/ STUCCO OVER



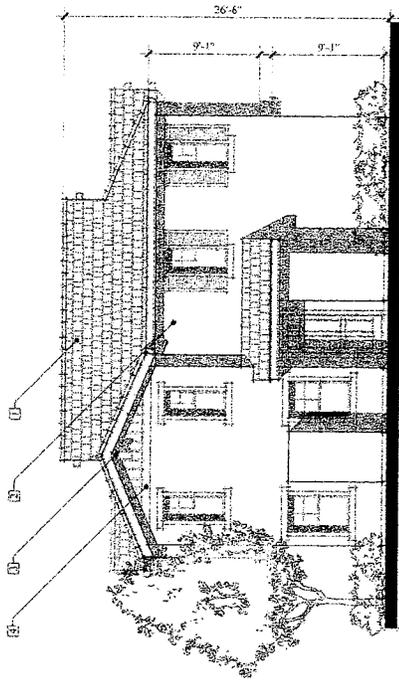
PLAN 2A
 CONCEPTUAL ELEVATIONS
 LIBERTY WALK
 OCEANSIDE, CA



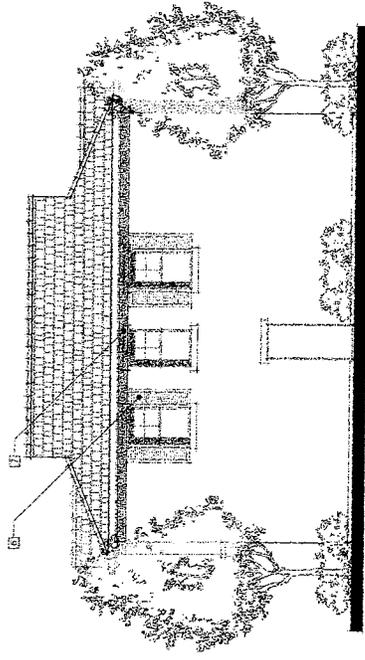
KTYG GROUP, INC.
 ARCHITECTS
 18000 S. CALIFORNIA STREET
 SUITE 100
 OCEANSIDE, CA 92056
 ALL RIGHTS RESERVED

KTYG NO. 20040327

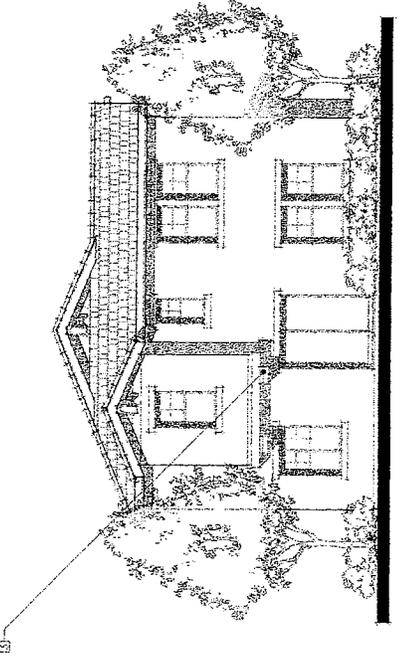
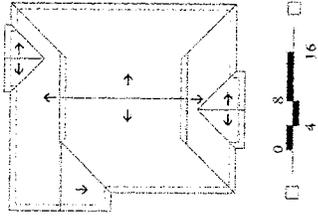
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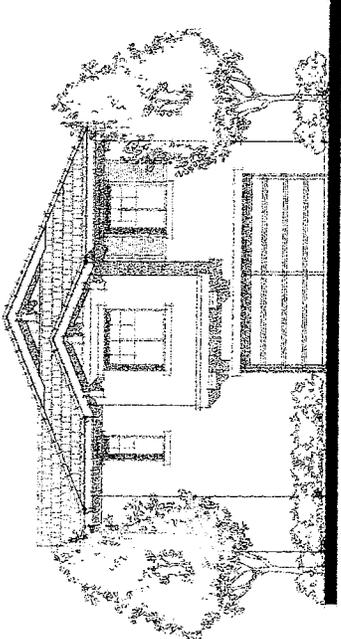
FRONT ELEVATION



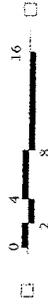
REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



PLAN 2B
 CONCEPTUAL ELEVATIONS
 LIBERTY WALK
 OCEANSIDE, CA

- 1 FLAT CONCRETE TILE ROOF
- 2 STUCCO
- 3 SIDINGS
- 4 DEPRESSIVE GABLE END
- 5 3/4" INSULATED CONCRETE OVER
- 6 FOAM THERM-W-STUCCO OVER



KTOY NO. 20040357



11.14.07

PLANNING COMMISSION
RESOLUTION NO. 2007-P67

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING APPROVAL OF A GENERAL PLAN AMENDMENT, ZONE AMENDMENT, DEVELOPMENT PLAN, TENTATIVE SUBDIVISION MAP, CONDITIONAL USE PERMIT, AND A ZONE TEXT AMENDMENT TO THE CITY COUNCIL ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: GPA-3-05, ZA-4-05, T-11-05, D-22-05, C-44-05, and a Zone Text Amendment
APPLICANT: The Olson Company and Elks Club
LOCATION: Southeast corner of Maxson Street and Country Club Lane

THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES RESOLVE AS FOLLOWS:

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a General Plan Amendment, Zone Amendment, Zone Text Amendment, tentative subdivision map, development plan, and conditional use permit under the provisions of Articles 10, 30, 40, 41, and 43 of the Zoning Ordinance of the City of Oceanside and Articles III and IV of the Subdivision Ordinance of the City of Oceanside to permit the following:

the construction of a 22-unit residential project and redesigned RV parking lot for the elks club through allowance of RV parking for clubs and lodges with approval of a Conditional Use Permt;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 17th day of December, 2007 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the mitigation measures are met there will not be an adverse impact upon the environment;

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and city ordinance;

1 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the
 2 project is subject to certain fees, dedications, reservations and other exactions as provided below:

3 <u>Description</u>	4 <u>Authority for Imposition</u>	5 <u>Current Estimate Fee or 6 Calculation Formula</u>
7 Parkland Dedication/Fee	8 Ordinance No. 91-10 9 Resolution No. 06-R0334-1	\$3,503 per unit
10 Drainage Fee	11 Ordinance No. 85-23 12 Resolution No. 06-R0334-1	13 Depends on area (range is 14 \$2,843-\$15,964 per acre)
15 Public Facility Fee	16 Ordinance No. 91-09 17 Resolution No. 06-R0334-1	\$2,072 per unit for residential
18 School Facilities Mitigation 19 Fee	20 Ordinance No. 91-34	21 \$2.63 per square foot 22 residential
23 Traffic Signal Fee	24 Ordinance No. 87-19 25 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
26 Thoroughfare Fee 27 (For commercial and 28 industrial please note the .75 29 per cent discount)	30 Ordinance No. 83-01 31 Resolution No. 06-R0334-1	32 \$255 per vehicle trip (based 33 on SANDAG trip generation 34 table available from staff and 35 from SANDAG)
36 Water System Buy-in Fees	37 Oceanside City Code 38 §37.56.1 39 Resolution No. 87-96 40 Ordinance No. 05-OR 0611-1	41 Fee based on water meter 42 size. Residential is typically 43 \$3,746 per unit.
44 Wastewater System Buy-in 45 fees	46 Oceanside City Code § 47 29.11.1 48 Resolution No. 87-97 49 Ordinance No. 05-OR 0610-1	50 Based on capacity or water 51 meter size. Residential is 52 typically \$4,587 per unit.
53 San Diego County Water 54 Authority Capacity Fees	55 SDCWA Ordinance No. 56 2005-03	57 Based on meter size. 58 Residential is typically 59 \$4,154 per unit.
60 Inclusionary housing in lieu 61 fees—Residential only.	62 Chapter 14-C of the City 63 Code	64 \$1,000 per development 65 project + \$100 per unit plus 66 \$10,275 per unit

67 WHEREAS, the current fees referenced above are merely fee amount estimates of the
 68 impact fees that would be required if due and payable under currently applicable ordinances and
 69

1 resolutions, presume the accuracy of relevant project information provided by the applicant, and
2 are not necessarily the fee amount that will be owing when such fee becomes due and payable;

3 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be
4 calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside
5 City Code and the City expressly reserves the right to amend the fees and fee calculations
6 consistent with applicable law;

7 WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee,
8 dedication, reservation or other exaction to the extent permitted and as authorized by law;

9 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
10 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction
11 described in this resolution begins on the effective date of this resolution and any such protest must
12 be in a manner that complies with Section 66020;

13 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes
14 effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

15 WHEREAS, the Mitigated Negative Declaration together with any comments received,
16 and Mitigation and Monitoring and Reporting Program (MMRP) incorporated into the
17 conditions of approval for the project, were presented to the Planning Commission, and the
18 Planning Commission reviewed and considered the information contained in these documents
19 prior to making a decision on the project.

20 WHEREAS, the Mitigated Negative Declaration and Mitigation and Monitoring and
21 Reporting Program (MMRP) have been determined to be accurate and adequate documents,
22 which reflect the independent judgment and analysis of the Planning Commission. On the
23 basis of the entire record before it, the Planning Commission finds that there is no substantial
24 evidence that the project, with implementation of the mitigation measures proposed, will have a
25 significant impact on the environment.

26 WHEREAS, the documents or other material which constitute the record of proceedings
27 upon which the decision is based will be maintained by the City of Oceanside Planning
28 Department, 300 North Coast Highway, Oceanside, California 92054.

29 WHEREAS, studies and investigations made by this Commission and in its behalf reveal
the following facts:

1 FINDINGS:

2 For the General Plan Amendment:

- 3 1. A Residential Medium Density Land Use designation is compatible with the existing
4 residential surroundings and with the Elks Club to the south. The medium density
5 designation will provide for a transition from higher density designated lands to the west
6 and north to lower density residential properties to the east.
- 7 2. Future residential development of the site will be compatible in height and scale with
8 surrounding land uses in the High Density Residential category to the north and west and
9 lower density land uses to the east.

10 For the Medium Density Residential Zone Amendment:

- 11 1. The proposed new Residential Medium – C Zone is in compliance with the new
12 Residential Medium Density Land Use Designation.
- 13 2. The Residential Medium Density – C (RM-C) Zone is compatible with surrounding RM-C
14 and Residential High Density Zones in the project vicinity. The zoning also allows a
15 single family detached product type that is proposed by the project applicant.

16 For the RV Parking Zone Amendment:

- 17 1. The Zone Text Amendment, as proposed, conforms to the General Plan of the City.
- 18 2. That the granting of the Zoning Amendment is consistent with the purposes of the
19 Zoning Ordinance. The requirement to process a Conditional Use Permit to allow RV
20 Parking for guests of clubs and lodges will allow conditions and restrictions to be placed
21 on the project to ensure compatibility with surrounding properties.

22 For the Tentative Subdivision Map T-11-05:

- 23 1. The Tentative Subdivision Map is consistent with the Community Enhancement
24 Sections 1.2, 1.22, 1.24, 1.3, and 1.33 of the Land Use Element of the General Plan and
25 it is consistent with the Community Development Sections 2.0, 2.02, 2.3, and 2.32 of the
26 Land Use Element of the General Plan.
- 27 2. The 1.6-acre site has been found to be physically suitable for residential development.
- 28 3. A residential density of 13.75 dwelling units per gross acre is suitable for the site.
- 29 4. The subdivision design will not cause substantial environmental damage or substantially
and avoidably injure fish or wildlife or their habitat.

1 5. The subdivision and the construction of 22 detached residential units will not conflict
2 with easements, acquired by the public at large, for access through or use of, property
3 within the proposed subdivision.

4 6. The Tentative Map complies with all other applicable ordinances, regulations, and
5 guidelines of the City of Oceanside.

6 For the Development Plan D-22-05:

7 1. The site plan and physical design of the project is consistent with the purposes of the
8 Zoning Ordinance, including Articles 10, 22, 30, and 43.

9 2. The Development Plan conforms to the General Plan of the City of Oceanside, including
10 the goals and objectives of Community Development Sections 2.0, 2.02, 2.3, and 2.32
11 the Land Use Element of the General Plan.

12 3. The area covered by the Development Plan can be adequately, reasonably and
13 conveniently served by existing and planned public services, utilities, and public
14 facilities.

15 4. The 22 detached residential units are compatible with the existing and potential
16 development on adjoining properties and the surrounding Loma Alta Neighborhood.

17 For the Conditional Use Permit C-44-04:

18 1. A reduced 20-space RV parking lot on the a portion of the remaining Elks Club parking
19 lot will not adversely effect surrounding property owners. They will be blocked from
20 view of the public street (Country Club Lane) by a block wall and no RVs would be
21 parked directly adjacent to existing residential development. The new residential units
22 will be buffered from the RVs by a block wall and landscaping.

23 2 The RV parking area will be compatible with the Elks Club and will leave enough
24 parking spaces for users of the lodge.

25 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
26 approve the Mitigated Negative Declaration and adopt the mitigation measures provided therein,
27 and recommend approval to the City Council of General Plan Amendment (GPA-3-05), Zone
28 Amendment (ZA-4-05), the Zone Text Amendment for RV Parking, Tentative Parcel Map (T-11-
29 05), Development Plan (D-22-05), and Conditional Use Permit (C-44-05) subject to the following
conditions:

1 **FOR THE LIBERTY WALK PROJECT - PHASE 1 OF THE DEVELOPMENT PLAN:**

2 **Building:**

- 3 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
4 Building Division plan check. (Currently the 2001 California Code of Regulations, and
5 2004 California Electrical Code)
- 6 2. The granting of approval under this action shall in no way relieve the applicant/project
7 from compliance with all State and Local building codes.
- 8 3. Site development, common use areas, access and adaptability of apartments and
9 condominiums shall comply with the State's Disabled Accessibility Regulations.
10 (2001 California Building Code (CBC), Chapter 11A).
- 11 4. Site development, parking, access into buildings and building interiors shall comply with
12 the State's Disabled Accessibility Regulations. (2001 California Building Code (CBC),
13 Chapter 11B).
- 14 5. The building plans for this project are required by State law to be prepared by a licensed
15 architect or engineer and must be in compliance with this requirement prior to submittal
16 for building plan review.
- 17 6. All electrical, communication, CATV, etc. service lines within the exterior lines of the
18 property shall be underground (City Code Sec. 6.30).
- 19 7. All outdoor lighting must comply with Chapter 39 of the City Code (Light Pollution
20 Ordinance). Where color rendition is important, high-pressure sodium, metal halide or
21 other such lights may be utilized and shall be shown on building and electrical plans.
- 22 8. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
23 plans.
- 24 9. The developer shall monitor, supervise and control all building construction and
25 supporting activities so as to prevent these activities from causing a public nuisance,
26 including, but not limited to, strict adherence to the following:
- 27 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
28 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
29 work that is not inherently noise-producing. Examples of work not permitted on
Saturday are concrete and grout pours, roof nailing and activities of similar noise-

1 producing nature. No work shall be permitted on Sundays and Federal Holidays
2 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
3 Christmas Day) except as allowed for emergency work under the provisions of the
4 Oceanside City Code Chapter 38 (Noise Ordinance).

5 b) The construction site shall be kept reasonably free of construction debris as
6 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
7 approved solid waste containers shall be considered compliance with this
8 requirement. Small amounts of construction debris may be stored on-site in a neat,
9 safe manner for short periods of time pending disposal.

10 10. Separate/unique addresses will/may be required to facilitate utility releases. Verification
11 that the addresses have been properly assigned by the City's Planning Division must
12 accompany the Building Permit application.

13 11. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation
14 will be required at time of plans submittal to the Building Division for plan check.

15 12. If this project is submitted after Jan. 1, 2008 it must meet the requirements of the newly
16 adopted ICC codes.

17 13. Private sewer and water systems must have plans submitted and approved by the
18 Building Division prior to construction on site.

19 **Fire Prevention:**

20 14. A minimum fire flow of 1500 gallons per minute shall be provided.

21 15. The size of fire hydrant outlets shall be 2 ½ "X 4".

22 16. The fire hydrants shall be installed and tested prior to placing any combustible materials
23 on the job site.

24 17. Detailed plans of underground fire service mains shall be submitted to the Oceanside
25 Fire Department for approval prior to installation.

26 18. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design
27 and Processing Manual Standard Drawing No. M-13.

28 19. The Fire Department access roadway shall be provided with adequate turning radius for
29 Fire Department apparatus a 50-foot outside and 30-foot inside radius.

- 1 20. All streets less than 32 feet wide shall be posted “NO PARKING FIRE LANE” per
2 Vehicle Code Section 22500.1 and in accordance with the Fire Department Standard
3 Guidelines for Emergency Access.
- 4 21. In accordance with the California Fire Code Sec. 901.4.4, approved address for
5 commercial, industrial, and residential occupancies shall be placed on the structure in
6 such a position as to be plainly visible and legible from the street or roadway fronting the
7 property. Numbers shall be contrasting with their background.
- 8 22. Single family dwellings require 4-inch address numbers.
- 9 23. Buildings shall meet Oceanside Fire Department’s current codes at the time of building
10 permit application.
- 11 24. Future development of the property will require compliance with all applicable Fire
12 Department Standards.

13 **Engineering Landscape (Please note: the project will be built in two phases – Liberty**
14 **Walk Improvements are Phase I and Elks Club Improvements are Phase 2):**

- 15 25. For the demolition of any existing structures or surface improvements, grading plans shall
16 be submitted and erosion control plans be approved by the City Engineer prior to the
17 issuance of a demolition permit. No demolition shall be permitted without an approved
18 erosion control plan.
- 19 26. With the exception of approved vehicular access rights to Maxson Street and Country Club
20 Lane shall be relinquished by the property owner to the City from all abutting lots prior to
21 or concurrent with the recordation of any final or parcel map.
- 22 27. All right-of-way alignments, street dedications, exact geometrics and widths shall be
23 dedicated and improved as required by the City Engineer.
- 24 28. Design and construction of all improvements shall be in accordance with standard plans,
25 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 26 29. Prior to issuance of any building permit a phasing plan for the construction of all public
27 and private improvements including landscaping, shall be approved by the City
28 Engineer.
- 29 30. Unless all improvements are covered by a valid subdivision agreement for each “Phase”
of the Development, prior to issuance of any building permit all improvement

1 requirements shall be covered by a development agreement and secured with sufficient
2 improvement securities or bonds guaranteeing performance and payment for labor and
3 materials, setting of monuments, and warranty against defective materials and
4 workmanship for each "Phase" of the Development.

5 31. Prior to approval of the first final or parcel map a phasing plan for the construction of all
6 appropriate public and private improvements including landscaping and streets shall be
7 approved by the City Engineer. All improvements shall be under construction to the
8 satisfaction of the City Engineer prior to the issuance of any building permits. All
9 improvements shall be completed prior to issuance of any certificates of occupancy.

10 32. Prior to approval of the final or parcel map or any increment, all improvement
11 requirements, within such increment or outside of it if required by the City Engineer, shall
12 be covered by a subdivision agreement and secured with sufficient improvement securities
13 or bonds guaranteeing performance and payment for labor and materials, setting of
14 monuments, and warranty against defective materials and workmanship.

15 33. The tract shall be recorded as one. The tract may be developed in phases. A construction-
16 phasing plan for the "Phased" construction of on-site public and private improvements
17 shall be reviewed and approved by the City Engineer prior to the recordation of any final
18 or parcel map. Prior to the issuance of any building permits or release of securities for
19 grading or improvements for each "Phase" of the Development where building permit is
20 not required, all off-site improvements including streets, landscaping, and frontage
21 improvements shall be under construction to the satisfaction of the City Engineer. Prior to
22 issuance of any certificates of occupancy the City Engineer shall require the dedication and
23 construction of necessary utilities, and streets and other improvements outside the area of
24 any particular final or parcel map or "Phase" of the Development , if such is needed for
25 circulation, parking, access or for the welfare or safety of future occupants of the
26 development. The boundaries of any multiple final map increment shall be subject to the
27 approval of the City Engineer.

28 34. Prior to the issuance of any grading, improvement or building permits for a model
29 complex, a construction-phasing plan for the entire project shall be reviewed and
approved by the City Planner, City Engineer and Building Official. All improvements

1 shall be under construction to the satisfaction of the City Engineer prior to the issuance of
2 any building permits for the model complex. All public and private improvements
3 including landscaping and offsite streets or arterials that are found to be required to serve
4 the model complex shall be completed prior to the issuance of any certificates of
5 occupancy.

6 35. Where off-site improvements, including but not limited to slopes, public utility facilities,
7 and drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain
8 all necessary easements or other interests in real property and shall dedicate the same to the
9 City of Oceanside as required. The applicant shall provide documentary proof satisfactory
10 to the City of Oceanside that such easements or other interest in real property have been
11 obtained prior to the approval of the final or parcel map or issuance of any grading,
12 building or improvement permit for the development. Additionally, the City of Oceanside,
13 may at its sole discretion, require that the applicant obtain at his sole expense a title policy
14 insuring the necessary title for the easement or other interest in real property to have vested
15 with the City of Oceanside or the applicant, as applicable.

16 36. Pursuant to the State Map Act, improvements shall be required at the time of development.
17 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to
18 these improvement conditions and a certificate setting forth the recordation shall be placed
19 on the map.

20 37. Prior to the issuance of a grading permit, the developer shall notify and host a
21 neighborhood meeting with all of the area residents located within 300 feet of the project
22 site, and residents of property along any residential streets to be used as a "haul route", to
23 inform them of the grading and construction schedule, haul routes, and to answer
24 questions.

25 38. The developer shall monitor, supervise and control all construction and construction-
26 supportive activities, so as to prevent these activities from causing a public nuisance,
27 including but not limited to, insuring strict adherence to the following:

- 28 a) Dirt, debris and other construction material shall not be deposited on any public
29 street or within the City's storm water conveyance system.

- 1 b) All grading and related site preparation and construction activities shall be
2 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
3 engineering related construction activities shall be conducted on Saturdays,
4 Sundays or legal holidays unless written permission is granted by the City Engineer
5 with specific limitations to the working hours and types of permitted operations.
6 All on-site construction staging areas shall be as far as possible (minimum 100
7 feet) from any existing residential development. Because construction noise may
8 still be intrusive in the evening or on holidays, the City of Oceanside Noise
9 Ordinance also prohibits “any disturbing excessive or offensive noise which
10 causes discomfort or annoyance to reasonable persons of normal sensitivity.”
11 c) The construction site shall accommodate the parking of all motor vehicles used by
12 persons working at or providing deliveries to the site.
13 d) A haul route shall be obtained at least 7 days prior the start of hauling operations
14 and must be approved by the City Engineer. Hauling operations shall be 8:00 a.m.
15 to 3:30 p.m. unless approved otherwise.

16 39. A traffic control plan shall be prepared according to the City traffic control guidelines
17 and be submitted to and approved by the City Engineer prior to the start of work within
18 open City rights-of-way. Traffic control during construction of streets that have been
19 opened to public traffic shall be in accordance with construction signing, marking and
20 other protection as required by the Caltrans Traffic Manual and City Traffic Control
21 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
22 approved otherwise.

23 40. Approval of this development project is conditioned upon payment of all applicable impact
24 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
25 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,
26 park fees, reimbursements, and other applicable charges, fees and deposits shall be paid
27 prior to recordation of any final or parcel map, the issuance of any building permits, or
28 release of securities for grading or engineering improvements for each “Phase” of the
29 Development, in accordance with City Ordinances and policies. The subdivider or
developer of each “Phase” of the Development shall also be required to join into,

1 contribute, or participate in any improvement, lighting, or other special district affecting or
2 affected by this project. Approval of the tentative map (project) shall constitute the
3 developer's approval of such payments, and his agreement to pay for any other similar
4 assessments or charges in effect when any increment is submitted for final map or building
5 permit approval, and to join, contribute, and/or participate in such districts.

6 41. Maxson Street and Country Club Lane shall be improved with concrete curbs, gutters, and
7 sidewalks along the frontage of each "Phase" of the Development to the satisfaction of
8 the City Engineer.

9 42. Maxson Street and Country Club Lane shall provide a minimum of 10 feet parkway
10 between the face of curb and the right-of-way line. Sidewalk improvements shall comply
11 with ADA requirements.

12 43. Intersectional sight distance shall be provided at Maxson Street and Country Club Lane
13 and at the project driveway or street shall conform to the corner sight distance criteria as
14 provided by SDRSD DS-20A and or DS-20B.

15 44. At the main access point to Parcel 1 (the condominium project), twenty-feet of red curb
16 shall be installed on the curb on either side of the project driveway. Landscaping within
17 the parkway on either side of the project driveway shall not obscure the corner sight
18 distance.

19 45. Streetlights shall be maintained and installed on all public streets within the project and
20 along the project's frontage per City Standards. The system shall provide uniform lighting,
21 and be secured prior to occupancy. The developer of each "Phase" of the Development
22 shall pay all applicable fees, energy charges, and/or assessments associated with City-
23 owned (LS-2 rate schedule) streetlights and shall also agree to the formulation of, or the
24 annexation to, any appropriate street lighting district.

25 46. This project's interior streets shall remain private and shall be maintained by an association.
26 The pavement sections, traffic indices, alignments, and all geometrics shall meet public
27 street standards.

28 47. Prior to approval of the grading plans for any "Phase" of the Development, the developer
29 shall contract with a geotechnical engineering firm to perform a field investigation of the
existing pavement on all streets adjacent to the project boundary. The limits of the study

1 shall be half-street plus twelve (12) feet along the subdivision's frontage on Maxson Street
2 and Cuntry Club Lane. The field investigation shall include a minimum of one pavement
3 boring per every 50 linear feet of street frontage. Should the existing AC thickness be
4 determined to be less than three inches or without underlying Class II base material, the
5 developer shall remove and reconstruct the pavement section as determined by the
6 pavement analysis submittal process detailed in Item No. 2 below.

7 48. Upon review of the pavement investigation, the City Engineer shall determine whether the
8 Developer shall: 1) Repair all failed pavement sections, header cut and grind per the
9 direction of the City Engineer, and construct a two-inch thick rubberized AC overlay; or 2)
10 Perform R-value testing and submit a study that determines if the existing pavement meets
11 current City standards/traffic indices. Should the study conclude that the pavement does
12 not meet current requirements, rehabilitation/mitigation recommendations shall be
13 provided in a pavement analysis report, and the developer shall reconstruct the pavement
14 per these recommendations, subject to approval by the City Engineer.

15 49. Pavement sections for all streets, alleys, driveways and parking areas within the project and
16 along the project's frontage shall be based upon approved soil tests and traffic indices.
17 The pavement design is to be prepared by the subdivider's soil engineer and must be
18 approved by the City Engineer, prior to paving.

19 50. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
20 construction of any "Phase" of the Development the project, shall be repaired or replaced
21 as directed by the City Engineer.

22 51. All existing overhead utility lines within the subdivision and within any full width street or
23 right-of-way abutting the subdivision and all new extension services for the development
24 of the project, including but not limited to, electrical, cable and telephone, shall be placed
25 underground per Section 901.G. of the Subdivision Ordinance (R91-166) and as required
26 by the City Engineer and current City policy.

27 52. A conceptual utility design, prepared by the appropriate utility companies or accepted
28 utility design professionals, shall be submitted for review and approval by the City
29 Engineer with the first submittal of engineering plans. The design shall clearly show the
layout of the existing utilities as well as the undergrounding per Section 901.G.

1 requirements. No engineering permits shall be issued prior to the approval of the
2 undergrounding design. The undergrounding of existing utilities shall be completed to the
3 satisfaction of the City Engineer prior to issuance of any building permits.

4 53. The developer shall comply with all the provisions of the City's cable television ordinances
5 including those relating to notification as required by the City Engineer.

6 54. Grading and drainage facilities shall be designed and installed to adequately accommodate
7 the local stormwater runoff for each "Phase" of the Development and shall be in
8 accordance with the City's Engineers Manual and as directed by the City Engineer.

9 55. The applicant shall obtain any necessary permits and clearances from all public agencies
10 having jurisdiction over the project due to its type, size, or location, including but not
11 limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U.
12 S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
13 (including NPDES), San Diego County Health Department, prior to the issuance of grading
14 permits.

15 56. The approval of the tentative map shall not mean that proposed grading or improvements
16 on adjacent properties (including any City properties/Right-of-Way or easements) is
17 granted or guaranteed to the developer. The developer is responsible for obtaining
18 permission to grade to construct on adjacent properties. **Should such permission be**
19 **denied, the Tentative Map/project shall be subject to going back to the public hearing**
20 **or subject to a substantial conformity review.**

21 57. Prior to any grading of any part of the tract or any "Phase" of the Development, a
22 comprehensive soils and geologic investigation shall be conducted of the soils, slopes, and
23 formations in the project. All necessary measures shall be taken and implemented to
24 assure slope stability, erosion control, and soil integrity. No grading shall occur until a
25 detailed grading plan, to be prepared in accordance with the Grading Ordinance and
Zoning Ordinance, is approved by the City Engineer.

26 58. This project shall provide year-round erosion control including measures for the site
27 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
28 control plan, designed for all proposed stages of construction, shall be reviewed, secured
29 by the applicant with cash securities and approved by the City Engineer.

1 59. A precise grading and private improvement plan shall be prepared, reviewed, secured and
2 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
3 flatwork, landscaped areas, special surfaces, curbs, gutters, striping, and signage, footprints
4 of all structures, walls, drainage devices and utility services. Parking lot striping and any
5 on-site traffic calming devices shall be shown on all Precise Grading and Private
6 Improvement Plans.

7 60. Landscaping plans, including plans for the construction of walls, fences or other structures
8 at or near intersections, must conform to intersection sight distance requirements.
9 Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer
10 prior to the issuance of a preliminary grading permit and approved by the City Engineer
11 prior to the issuance of occupancy permits. Frontage landscaping shall be installed prior
12 to the issuance of any certificates of occupancy. Any project fences, sound or privacy
13 walls and monument entry walls/signs shall be shown on, bonded for and built from the
14 landscape plans. These features shall also be shown on the precise grading plans for
15 purposes of location only. Plantable, segmental walls shall be designed, reviewed and
16 constructed by the grading plans and landscaped/irrigated through project landscape plans.
17 All plans must be approved by the City Engineer and a pre-construction meeting held,
18 prior to the start of any improvements.

19 61. Open space areas and down-sloped areas visible from a collector-level or above roadway
20 and not readily maintained by the property owner, shall be maintained by a homeowners'
21 association that will insure installation and maintenance of landscaping in perpetuity.
22 These areas shall be indicated on the final map and reserved for an association.
23 Future buyers shall be made aware of any estimated monthly costs. The disclosure,
24 together with the CC&R's, shall be submitted to the City Engineer for review prior to the
25 recordation of final map.

26 62. The drainage design on the tentative map is conceptual only. The final design shall be
27 based upon a hydrologic/hydraulic study to be approved by the City Engineer during final
28 engineering for each "Phase" of the Development. All drainage picked up in an
29 underground system shall remain underground until it is discharged into an approved
channel, or as otherwise approved by the City Engineer. All public storm drains shall be

1 shown on City standard plan and profile sheets. All storm drain easements shall be
2 dedicated where required. The applicant shall be responsible for obtaining any off-site
3 easements for storm drainage facilities.

4 63. The development shall not increase runoff or change drainage patterns to adjacent
5 properties from any "Phase" of the Development. Maintenance of detention facilities
6 preventing increase of runoff or change of drainage patterns from any "Phase" of the
7 Development shall be guaranteed into perpetuity by an appropriate association for a tract
8 or management plan for a development to the satisfaction of the City Engineer, the City
9 Planner, and the City Attorney.

10 64. Storm drain facilities shall be designed and located such that the inside travel lanes on
11 streets with Collector or above design criteria shall be passable during conditions of a 100-
12 year frequency storm.

13 65. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
14 disposed of in accordance with all state and federal requirements, prior to stormwater
15 discharge either off-site or into the City drainage system.

16 66. The development shall comply with all applicable regulations established by the United
17 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
18 Discharge Elimination System (NPDES) permit requirements for urban runoff and
19 stormwater discharge and any regulations adopted by the City pursuant to the NPDES.
20 regulations or requirements. Further, the applicant may be required to file a Notice of
21 Intent with the State Water Resources Control Board to obtain coverage under the
22 NPDES. General Permit for Storm Water Discharges Associated with Construction
23 Activity and may be required to implement a Storm Water Pollution Prevention Plan
24 (SWPPP) concurrent with the commencement of grading activities. SWPPPs include
25 both construction and post construction pollution prevention and pollution control
26 measures and identify funding mechanisms for post construction control measures. The
27 developer shall comply with all the provisions of the Clean Water Program during and
28 after all phases of the development process, including but not limited to: mass grading,
29 rough grading, construction of street and landscaping improvements, and construction of
dwelling units. The applicant shall design the Project's storm drains and other drainage

1 facilities to include Best Management Practices to minimize non-point source pollution,
2 satisfactory to the City Engineer.

3 67. Upon acceptance of any fee waiver or reduction by the subdivider or developer of each
4 "Phase" of the Development the entire project will be subject to prevailing wage
5 requirements as specified by Labor Code section 1720(b)(4). The subdivider or
6 developer for each "Phase" of the Development shall agree to execute a form
7 acknowledging the prevailing wage requirements prior to the granting of any fee
8 reductions or waivers.

9 68. If the project required the submission and approval of a Storm Water Mitigation Plan
10 (SWMP), the subdivider shall prepare and submit an Operations & Maintenance (O&M)
11 Plan to the to the City Engineer with the first submittal of engineering plans for each
12 "Phase" of the Development. The O&M Plans shall be prepared by the applicant's Civil
13 Engineer. It shall be directly based on the project's SWMP previously approved by the
14 project's approving authority (Planning Commission/City Council). At a minimum the
15 O&M Plans shall include the designated responsible parties to manage the stormwater
16 BMP(s), employee's training program and duties, operating schedule, maintenance
17 frequency, routine service schedule, specific maintenance activities, copies of resource
18 agency permits, cost estimate for implementation of the O&M Plan and any other
19 necessary elements.

20 69. The subdivider shall enter into a City-Standard Stormwater Facilities Maintenance
21 Agreement for each "Phase" of the Development with the City obliging the project
22 proponent to maintain, repair and replace the Storm Water Best Management Practices
23 (BMPs) identified in the project's approved SWMP, as detailed in the O&M Plan into
24 perpetuity. The Agreement(s) shall be approved by the City Attorney prior to issuance
25 of any precise grading permit and shall be recorded at the County Recorder's Office
26 prior to issuance of any building permit or release of grading or improvement securities
27 if no building permit is required for the "Phase" of the Development. Security in the
28 form of cash (or certificate of deposit payable to the City) or an irrevocable, City-
29 Standard Letter of Credit shall be required prior to issuance of a precise grading permit
for each "Phase" of the Development. The amount of the security shall be equal to 10

1 years of maintenance costs, as identified by the O&M Plan, but not to exceed a total of
2 \$25,000 for each "Phase" of the Development. The applicant's Civil Engineer shall
3 prepare the O&M cost estimate for each "Phase" of the Development .

4 70. At a minimum, maintenance agreements shall require the staff training, inspection and
5 maintenance of all BMPs on an annual basis. The project proponent shall complete and
6 maintain O&M forms to document all maintenance activities. Parties responsible for the
7 O&M plan shall retain records at the subject property for at least 5 years. These
8 documents shall be made available to the City for inspection upon request at any time.

9 71. The Agreement(s) shall include a copy of executed on-site and off-site access easements
10 necessary for the operation and maintenance of BMPs that shall be binding on the land
11 throughout the life of the project to the benefit of the party responsible for the O&M of
12 BMPs, satisfactory to the City Engineer. The agreement(s) shall also include a copy of
13 the O&M Plan approved by the City Engineer.

14 72. The BMPs described in the project's approved SWMP(s) shall not be altered in any way,
15 shape or form without formal approval by either an Administrative Substantial
16 Conformance issued by the City Planner or the project's final approving authority
17 (Planning Commission/City Council) at a public hearing. The determination of whatever
18 action is required for changes to a project's approved SWMP(s) shall be made by the
19 City Planner.

20 73. The subdivider or developer shall provide a copy of the title/cover page of either an
21 approved SWMP or Runoff Assessment Report (RAR) with the first engineering
22 submittal package for each "Phase" of the Development. If the project triggers the
23 City's Stormwater requirements but no approved Stormwater document (SWMP or
24 RAR) exists, the appropriate document shall be submitted for review and approval by
25 the City Engineer. The RAR or SWMP shall be prepared by the applicant's Civil
26 Engineer. All Stormwater documents shall be in compliance with the latest edition of
27 submission requirements.

28 74. The approval of the tentative map shall not mean that closure, vacation, or abandonment
29 of any public street, right-of-way, easement, or facility is granted or guaranteed to the

1 developer. The developer is responsible for applying for all closures, vacations, and
2 abandonments as necessary. The application(s) shall be reviewed and approved or
3 rejected by the City of Oceanside under separate process (es) per codes, ordinances, and
4 policies in effect at the time of the application. **The City of Oceanside retains its full**
5 **legislative discretion to consider any application to vacate a public street or right-**
6 **of-way.**

7 75. Landscape plans, meeting the criteria of the City's Landscape Guidelines or City
8 Engineer criteria, Water Conservation Ordinance No. 91-15 and Zoning Ordinance
9 including the maintenance of such landscaping, shall be approved by the City Engineer
10 prior to the issuance of building permits. Landscaping shall not be installed until bonds
11 have been posted, fees paid, and plans signed for final approval. The following special
12 landscaping requirements shall be met:

13 76. Landscape plans shall comply with the City of Oceanside Guidelines and Specifications
14 for Landscape Developments 1985, addenda 1997, Water Conservation Ordinance No.
15 91-15, SWMP, Zoning Ordinance and current Street Tree Memorandum. The landscape
16 plans shall match all plans affiliated with the project. Street trees shall be a minimum of
17 2" caliper, located 30'-0" center, meeting the City of Oceanside spacing requirements.

18 77. Obtain approval from the City Planner for walls, fences and gates. The combination
19 wall condition on the east side of the property adjacent to the neighboring property shall
20 meet the approval of the City Planner. Irrigated landscaping shall be located within
21 property lines on the proposed project site and be assessable for maintenance by the
22 owner or homeowners association.

23 78. Utility easements, storm drain, sewer easements and sightline requirements shall be field
24 verified by a Landscape Architect of work and planting of all species located to meet the
25 satisfaction of the City Engineer. The trees provided for the site shall consist of native,
26 naturalized, transitional and surrounding historical tree species. Trees shall be relocated
27 if necessary; not omitted from the approved conceptual landscape plan. Invasive species
28 of any kind shall be omitted from the landscape plan.

1 79. Turf shall not exceed 35 percent of the front yard. Front yards shall consist of the
2 following minimum: one 15-gallon tree, 18 shrubs, ground cover or shredded bark
3 mulch to cover bare areas.

4 80. An irrigation system shall be provided for all landscaped areas. Irrigation system shall
5 be in compliance with Engineering, Water and Landscape ordinances, manuals and
6 policies.

7 81. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and
8 in any adjoining public parkways shall be permanently maintained by the owner, his
9 assigns or any successors-in-interest in the property. The maintenance program shall
10 include normal care and irrigation of the landscaping; repair and replacement of plant
11 materials; irrigation systems as necessary; and general cleanup of the landscaped and
12 open areas, parking lots and walkways, walls, fences, etc. Failure to maintain
13 landscaping shall result in the City taking all appropriate enforcement actions by all
14 acceptable means including but not limited to citations and/or actual work with costs
15 charged to or recorded against the owner. This condition shall be recorded with the
16 covenant required by this resolution.

17 **Planning:**

18
19 82. This Tentative Subdivision Map (T-11-05) and Development Plan (D-22-05) approvals
20 shall lapse two years after the effective date of approval.

21 a) Unless a grading permit has been issued and grading has been substantially
22 completed and or a building permit has been issued, and construction diligently
23 pursued; or an occupancy permit has been issued; or

24 b) Unless a time extension is granted by the Planning Commission.

25 c) The Development Plan (D-22-05) shall be effective for an additional 24 months
26 from the date of recordation of the Final Map.

27 83. This Development Plan (D-35-05) approve only 22 single-family homes as shown on the
28 plans and exhibits presented to the Planning Commission for review and approval. No
29 deviation from these approved plans and exhibits shall occur without Planning Division

1 approval. Substantial deviations shall require a revision to the D-22-05 or a new
2 Development Plan.

3 84. A covenant or other recordable document approved by the City Attorney shall be
4 prepared by the property owner and recorded prior to the approval of the Final Map. The
5 covenant shall provide that the property is subject to this resolution, and shall generally
6 list the conditions of approval.

7 85. Prior to the transfer of ownership and or operation of the site the owner shall provide a
8 written copy of the applications, staff report and resolutions for the project to the new
9 owner and or operator. This notification's provision shall run with the life of the project
10 and shall be recorded as a covenant on the property.

11 86. Failure to meet any conditions of approval for this development shall constitute a
12 violation of the Tentative Subdivision Map and Development Plan.

13 87. Unless expressly waived, all current zoning standards and City ordinances and policies
14 in effect at the time building permits are issued are required to be met by this project.
15 The approval of this project constitutes the property owner's and developer's agreement
16 with all statements in the Description and Justification, and other materials and
17 information submitted with this application, unless specifically waived by an adopted
18 condition of approval.

19 88. The street name for the private street shall be approved by the City Planner prior to the
20 approval of the Final Map.

21 89. The developer is prohibited from entering into any agreement with a cable television
22 franchisee of the City, which gives such franchisee exclusive rights to install, operate,
23 and or maintain its cable television system in the development.

24 90. This project is subject to the provisions of Chapter 14C of the City Code regarding
25 Inclusionary Housing.

26 91. This project shall comply with all provisions of the City's Affirmative Fair Housing
27 Marketing Agreement policy. Such agreement shall be submitted to and approved by the
28
29

1 Housing and Neighborhood Services Director prior to the recordation of a Final Map or
2 the issuance of a building permit for the project, whichever comes first.

3 92. Future residential units shall meet the following development standards: minimum unit
4 sizes range from 1,425 to a maximum of 1,535 square feet; 2 stories; 4 bedrooms with
5 two-car garages.

6 93. The proposed residential unit mix and size shall be as follows:
7

8 Plan Type	Bedrooms	Baths	Garage	Units
9 1,425 SF total	3 bed	2.5 bath	2 car	13
10 1,535 SF total	4 bed	2.5 bath	2 car	9

11
12
13 94. The property owner, permittee or any successor-in-interest shall defend, indemnify and
14 hold harmless the City of Oceanside, its agents, officers or employees from any claim,
15 action or proceeding against the City, its agents, officers, or employees to attack, set
16 aside, void or annul an approval of the City, concerning Tentative Subdivision Map (T-
17 11-05) and Development Plan (D-22-05). The City will promptly notify the property
18 owner of any such claim, action or proceeding against the city and will cooperate fully in
19 the defense. If the City fails to promptly notify the applicant of any such claim action or
20 proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be
21 responsible to defend, indemnify or hold harmless the City.

22 95. The Declaration of Covenants Conditions and Restrictions shall identify the following
23 conditions of approval:

- 24 a) The property owner shall disclose yard requirements to the buyer of each lot.
25 Lots 1, 2, 3, 4, 6, and 7 have proposed locating the structures in close proximity
26 to required yards and therefore, reduce the potential (or eliminate the
27 opportunity) for nonresidential accessory structures (e.g. patio covers) in some of
28 the side and or rear yards.
29

1 b) The garage(s) is intended to store vehicles. Obstructing the area provided for
2 vehicle storage is prohibited. The garage (vehicle storage) is dimensionally
3 defined as 19-foot deep, 20-foot wide, and having a minimum vertical clearance
4 of 7 feet. The additional one-car garage is 19 feet deep, 9 feet wide, and has the
5 same minimum vertical clearance.

6 96. The side and rear facades of the proposed structures shall have the same architectural
7 details as the front of the structures.

8 97. Prior to issuance of grading permits, the applicant shall confirm with the City Planner
9 that a qualified paleontologist has been retained to carry out a paleontological
10 monitoring and mitigation program. A paleontological monitor shall be on-site during
11 grading initial site grading operations to evaluate the presence of fossils within
12 previously undisturbed sediments of the Santiago formation to inspect cuts for fossils.
13 When fossils are discovered, the paleontologist shall recover them. Some fossil
14 specimens may require an extended salvage time. In these instances, the paleontologist
15 shall be allowed to temporarily direct, divert, or halt grading. Prepared fossils along
16 with copies of all pertinent field notes, photos, and maps shall be deposited in a
17 scientific institution with paleontological collections such as the San Diego Natural
18 History Museum. A final summary report shall be completed and distributed to the City
19 Planner and other interested agencies.

20 **Water Utilities:**

21 98. The developer will be responsible for developing all water and sewer utilities necessary to
22 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
23 the developer and shall be done by an approved licensed contractor at the developer's
24 expense.

25 99. The property owner will maintain private water and wastewater utilities located on private
26 property.

27 100. Water services and sewer laterals constructed in existing right-of-way locations are to be
28 constructed by approved and licensed contractors at developer's expense.
29

1 101. All Water and Wastewater construction shall conform to the most recent edition of the
2 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
3 the Water Utilities Director.

4 **The following conditions shall be met prior to the approval of engineering design plans:**
5

6 102. All public water and/or sewer facilities not located within the public right-of-way shall be
7 provided with easements sized according to the Water, Sewer, and Reclaimed Water
8 Design and Construction Manual. Easements shall be constructed for all weather access.

9 103. No trees, structures or building overhang shall be located within any water or wastewater
10 utility easement.

11
12 104. All lots with a finish pad elevation located below the elevation of the next upstream
13 manhole cover of the public sewer shall be protected from backflow of sewage by
14 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
15 Code (U.P.C.).

16 105. The developer shall construct a public reclamation water system that will serve each lot
17 and or parcels that are located in the proposed project in accordance with the City of
18 Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located
19 in the public right-of-way or in a public utility easement.

20
21 106. A sewer study shall be prepared by the developer at the developer's expense and approved
22 by the Water Utilities Department.

23 107. A separate irrigation meter and approved backflow prevention device is required and shall
24 be displayed on the plans.

25
26 108. Per current City standards, no building foundations are allowed within 10 feet of the
27 outside edge of an easement without written approval from the Water Utilities Director.
28 Such approval must be provided along with an agreement to hold harmless the City for
29 any damage to the building while performing maintenance on the sewer system within
the easement.

1 **The following conditions of approval shall be met prior to building permit issuance:**

2
3 109. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
4 be paid to the City and collected by the Water Utilities Department at the time of Building
5 Permit issuance.

6 **The following conditions of approval shall be met prior to occupancy:**

7
8 110. All new development of single-family and multi-family residential units shall include hot
9 water pipe insulation and installation of a hot water recirculation device or design to
10 provide hot water to the tap within 15 seconds in accordance with City of Oceanside
11 Ordinance No. 02-OR126-1.

12 **CONDITIONS FOR THE ELKS CLUB RV PARKING CUP AND PHASE 2 OF THE**
13 **DEVELOPMENT PLAN:**

14 **Planning:**

15 111. This Conditional Use Permit is granted for the following use only: 20 RV parking spaces
16 on within the Elks Club parking lot. Any change in the use or expansion of the activities
17 beyond that, which is approved by the Planning Commission, will require a revision to the
18 Conditional Use Permit or a new Conditional Use Permit.

19 112. Phase 2, Elks Club RV Parking and parking lot improvements shall be completed prior
20 to the RV Parking use being allowed on this portion of the site.

21 113. This Conditional Use Permit shall be called for review by the Planning Commission if
22 complaints are filed and verified as valid by the City Planner or the Code Enforcement
23 Officer concerning the violation of any of the approved conditions or the project
24 assumptions demonstrated under the application approval.

25 114. This Conditional Use Permit shall expire on December 17, 2009 unless implemented as
26 required by the Zoning Ordinance.

27 115. This Conditional Use Permit is only granted to the Elks Club. Any change of ownership
28 will terminate this permit.
29

- 1 116. Failure to meet any conditions of approval for this development shall constitute a violation
2 of the Conditional Use Permit.
- 3 117. Unless expressly waived, all current zoning standards and City ordinances and policies
4 in effect at the time building permits are issued are required to be met by this project.
5 The approval of this project constitutes the applicant's agreement with all statements in
6 the project Description and Justification and other materials and information submitted
7 with this application, unless specifically waived by an adopted condition of approval.
- 8 118. A covenant or other recordable document approved by the City Attorney shall be
9 prepared by the applicant and recorded prior to the issuance of grading permits. The
10 covenant shall provide that the property is subject to this resolution, and shall generally
11 list the conditions of approval.
- 12 119. The final design and construction of the facility shall be in accordance with the plans
13 representing the approved project and the conditions of approval. These requirements shall
14 be shown and demonstrated on the plans submitted for grading permits and shall be
15 reviewed and approved by the City Planner prior to the issuance of building permits.
- 16 120. Prior to the issuance of building permits, compliance with the applicable provisions of the
17 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
18 and approved by the Planning Division. These requirements, including the obligation to
19 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
20 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
21 property.
- 22 121. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
23 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall
24 be reviewed and approved by the City Engineer and/or Public Works Director and City
25 Planner prior to the issuance of building permits. Landscaping shall not be installed until
26 bonds have been posted, fees paid, and plans signed for final approval. The following
27 special landscaping requirements shall be met:
- 28 a) The developer shall be responsible for irrigating and landscaping the proposed
29 landscaped areas associated with the block wall and planter.
- b) The location and species shall be approved by the Fire Marshall and City Inspector.

1 c) Landscape plans shall comply with Section 3019 of the City of Oceanside Zoning
2 Ordinance and the City of Oceanside Guidelines and Specifications for Landscape
3 Development.

4 122. Landscaping shall comply with Section 1330 (G) of the City of Oceanside Zoning
5 Ordinance. A minimum of 50 percent of the 10-foot front yard setback area shall be
6 planting area.

7 123. No metallic and/or reflective paints or surfaces shall be permitted.

8 124. All signage shall be in accordance with the plans representing the approved project. The
9 signage shall be shown on the plans submitted for building permits and shall be reviewed
10 and approved by the City Planner prior to the issuance of building permits.

11 **Water Utilities:**

12 125. The developer will be responsible for developing all water and sewer utilities necessary to
13 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
14 the developer and shall be done by an approved licensed contractor at the developer's
15 expense.

16 126. The property owner will maintain private water and wastewater utilities located on private
17 property.

18
19 127. If the Elks Club chooses to construct sewer and/or water laterals to each RV parking space,
20 water services and sewer laterals constructed in existing right-of-way locations are to be
21 constructed by approved and licensed contractors at developer's expense. If an RV dump
22 station is chosen, a new RV dump station shall be constructed on the western side of the
23 Elks Club property to be approved by the Water Utilities Department, City Planner, and
24 City Engineer.

25 128. All Water and Wastewater construction shall conform to the most recent edition of the
26 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
27 the Water Utilities Director.
28
29

The following conditions shall be met prior to the approval of engineering design plans:

129. All public water and/or sewer facilities not located within the public right-of-way shall be provided with easements sized according to the Water, Sewer, and Reclaimed Water Design and Construction Manual. Easements shall be constructed for all weather access.

130. No trees, structures or building overhang shall be located within any water or wastewater utility easement.

131. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing and maintaining an approved type backwater valve, per the Uniform Plumbing Code (U.P.C.).

132. A sewer study shall be prepared by the developer at the developer's expense and approved by the Water Utilities Department.

133. A separate irrigation meter and approved backflow prevention device is required and shall be displayed on the plans.

134. Per current City standards, no building foundations are allowed within 10 feet of the outside edge of an easement without written approval from the Water Utilities Director. Such approval must be provided along with an agreement to hold harmless the City for any damage to the building while performing maintenance on the sewer system within the easement.

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1 **The following conditions of approval shall be met prior to building permit issuance:**

2
3 135. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
4 be paid to the City and collected by the Water Utilities Department at the time of Building
5 Permit issuance.

6 PASSED AND ADOPTED Resolution No. 2007-P67 on December 17, 2007 by the
7 following vote, to wit:

8 AYES: Martinek, Neal, Troisi, Balma and Bertheaud

9 NAYS: Parker

10 ABSENT: Horton

11 ABSTAIN: None

12 
13 _____
14 Dennis Martinek, Chairman
Oceanside Planning Commission

15 ATTEST:

16 
17 _____
18 Jerry Hittleman, Secretary

19 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
20 this is a true and correct copy of Resolution No. 2007-P67.

21 Dated: December 17, 2007
22
23
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29



DATE: December 17, 2007

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A GENERAL PLAN AMENDMENT (GPA-3-05), ZONE AMENDMENT (ZA-4-05), TENTATIVE MAP (T-11-05) DEVELOPMENT PLAN (D-22-05), AND CONDITIONAL USE PERMIT (C-44-05) TO CHANGE THE LAND USE DESIGNATION AND ZONING FROM SINGLE-FAMILY DETACHED RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL – C AND ZONING FROM PUBLIC/SEMI-PUBLIC TO RESIDENTIAL MEDIUM DENSITY – C AND CONSTRUCT 22 SINGLE-FAMILY DETACHED HOMES ON THE NORTH 1.6 ACRES OF THE SITE AND APPROVE A CONDITIONAL USE PERMIT FOR RV PARKING ON THE SOUTHERN 2.8 ACRES OF THE ELKS CLUB SITE LOCATED AT THE SOUTHEAST CORNER OF MAXSON STREET AND COUNTRY CLUB LANE. A ZONE TEXT AMENDMENT IS ALSO REQUESTED TO ALLOW RV PARKING IN THE PUBLIC/SEMI-PUBLIC ZONE. THE PROJECT SITE IS SITUATED WITHIN THE LOMA ALTA NEIGHBORHOOD – LIBERTY WALK DEVELOPMENT AND ELKS LODGE RV PARKING C.U.P. – APPLICANT: THE OLSON COMPANY AND THE ELKS CLUB**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

1. Adopt the Mitigated Negative Declaration for the Liberty Walk and Elks Club Conditional Use Permit, in light of the whole record that the project will not have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the independent judgment of the Planning Commission; and
2. Adopt Planning Commission No. Resolution 2007-P67 recommending that the City Council approve the requested General Plan Amendment (GPA-3-05) and

Zone Amendment (ZA-4-05) and Zone Text Amendment, Tentative Map (T-11-05), Development Plan (D-22-05) and Conditional Use Permit (C-44-05) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The site is located within the Loma Alta neighborhood at the southeast corner of Maxson Street and Country Club Lane. The applicant originally applied for a General Plan Amendment to change the land use designation from Single-Family Detached to High Density Residential and change in Zoning from Public/Semi-Public to High Density Residential on the 1.6-acre northern portion of the Elks Club site and Zone Text Amendment to allow RV parking in the Public/Semi-public zone with approval of a Conditional Use Permit. This would allow RV parking to continue on the southern portion of the property to be retained by the Elks Club.

Staff recommended denial of this request, however, the Planning Commission on a 5 to 1 vote recommended approval to change the land use designation on the northern 1.62 acres of the property to Medium Density Residential at a public hearing on July 24, 2006. However, the City Council concurred with the staff recommendation and denied the requested land use change without prejudice by a vote of 5 to 0 at an August 9, 2006, public hearing. The City Council also requested that any future land use change request be accompanied by a development plan, tentative map, and CUP for actual development of the site. The previous General Plan and Zone Change request would allow up to 31 multi-family homes to be built on the site. The current request for a medium density residential designation is for 22 detached homes.

The site is divided into two areas with the existing Elks Lodge located on approximately 2.8 acres at the southern end of the parcel. No change in land use designation or zoning is requested for this portion of the site. The northern 1.6 acres where Recreational Vehicle (RV) and other parking for the Elks Lodge currently exists is the subject of the General Plan Amendment and Zone Change from PS and Single-Family Residential (RS) to Residential Medium Density-C. To the north and east of the site are single-family homes zoned RS, to the west is an apartment building zoned RH (Residential High Density). Also to the west is the Boys and Girls Club facilities zoned Open Space.

Project Description:

General Plan and Zone Amendment: The applicant requests to change the land use designation and zoning on the northern 1.6-acre portion of the site from the current zoning of Public/Semi-Public (PS) and land use designation of Single-Family Detached Residential to Medium Density Residential-C, which would allow a range of 15.1 to 20.9 dwelling units (du) per acre. The current request for 22 homes at a density of 13.75 dwelling units/acre is below the base density for this designation. As stated above, no change would occur in the southern 2.8 acres of the site that contains the Elks Club.

Zone Text Amendment: The Public and Semipublic Zoning District permits clubs and lodges per Article 16 of the Zoning Ordinance. An amendment to this section of the code is proposed to allow an additional regulation under “Clubs and Lodges” that would allow recreational vehicle (RV) parking as an ancillary use if exclusively used by members and/or guests. The RV parking area is subject to maximum density, screening and outdoor development regulations per Section 3029 of the Zoning Ordinance.

Liberty Walk Tentative Map and Development Plan: The proposed Liberty Walk project would occupy the northern 1.6 acres of the parcel, which is currently a gravel lot used as RV parking for guests and members of the Elks Lodge. The proposed project would include construction of 22 detached single-family homes to be sold as condominiums. There are two plan types, both of which include two story homes with a 2-car garage. Plan 1 (13 units) is 1,425 square feet and has 3 bedrooms and 2.5 baths. Plan 2 (9 units) is 1,535 square feet with 3-4 bedrooms and 2.5 baths. Each unit will have an average 309 square feet of private open space. The project will also include 5,150 square feet of common open space. A total of 11 onsite parking spaces for guests will be provided averaging 0.5 guest parking spaces per home. Access to the site will be via Country Club Lane.

The project would connect to an existing sewer line in Country Club Lane. Along the proposed project’s boundary the line is currently 6-inches in diameter. The project is required to upgrade 100 feet of the sewer line along it’s frontage to 8-inches in diameter. Stormwater runoff will be directed to drains and inlets on the on and adjacent to the project site. Most of the site will be drained to the northeast, to an infiltration basin, prior to flowing toward existing drains in the street. The remaining runoff will be directed to a bioswale in the southwest portion of the site, along Country Club Lane, prior to flowing into drains in the street. The Liberty Walk project will install a wall along its southern boundary with the Elks Club and a six foot tall wood fence will be constructed along the remaining site perimeter.

Elks Lodge Conditional Use Permit: The Elks Lodge proposes to reconfigure their parking lot to accommodate a total 20 RV parking spaces. These spaces would be situated along the parcel’s northern and western perimeter. Currently, the RV dump station is located on the eastern boundary of the site. The project would relocate the tank to the site’s western boundary or as an alternative provide sewer laterals to each parking space to connect with the existing sewer system. The remaining area on the Elks Lodge property would be used for vehicular parking – 108 regular spaces and one loading space, resulting in a total of 128 parking spaces would be provided. The project would also install a detention basin to allow infiltration and treatment of runoff, with overflow to the golf course. The project will also be required to increase the size of the existing 10-foot wide sewer easement on the southern perimeter of the site to 20-feet of which 10 feet will be paved to allow better access for maintenance of the sewer line in this area.

ANALYSIS

The project is subject to the following ordinances and City policies:

1. General Plan Land Use Element
2. Zoning Ordinance
3. Subdivision Ordinance
4. California Environmental Quality Act (CEQA)

KEY PLANNING ISSUES

1. General Plan Conformance

A. Neighborhood Conformance

Goal The consistent, significant, long term preservation and improvement of the environment, values, aesthetics, character and image of Oceanside as a safe, attractive, desirable and well-balanced community.

Objective 1.2 Site Design: To provide high-quality site design, all proposed land development projects shall take advantage of natural or manmade environments to maximize energy conservation, natural air circulation, public safety, visual aesthetics, private and common open spaces, privacy, and land use compatibility.

B. Land Use Element II. Community Development

Goal: The continual long term enhancement of the community through the development and use of land which is appropriate and orderly with respect to type, location, timing, and intensity.

Objective 2.0 Subdivision of Land or Real Property: To create legal divisions of land or real property that shall provide long-term enhancement for the community.

Policies:

A. Any City action creating a legal division of land or real property shall identify and consider adjacent and surrounding land uses and land divisions to assure compatibility and proper integration.

C. A subdivision of land or real property must provide adequate on-site improvements consistent with the general plan, including street design, drainage and sanitary facilities, and easements.

D. A subdivision of land or real property must include provisions for off-site improvements or the payment of fees for off-site improvements consistent with the General Plan, including temporary and permanent school facilities, road and bridge improvements, parks, and sewers.

E. A subdivision of land or real property must be designed to accommodate, protect, and preserve environmentally sensitive areas identified in the General Plan.

The proposed General Plan Land Use Map designation on the subject property is Medium Density Residential – C (MDR-C). The proposed subdivision is consistent with this designation and compatible with surrounding multi-family and single family land uses. The following table provides comparisons with adjacent development.

Land Use compatibility with surrounding developments

Location	General Plan	Zoning	Land Use
Subject Property:	SFD-R	RS	Residential
North of the site	HD-R & RS	RH & RS	Residential
East of the site	SFD-R	RS	Residential
South of the site	OS	OS	Open Space
West of the site	HD-R	RH	Residential

Adjoining development includes medium and higher density residential uses to the north and west of the subject property and lower density single family residences to the northeast and east of the subject site on Cadillac Circle. The Center City Golf Course is located south of the Elks Lodge. The proposed medium density project would provide a good transition between the higher density development to the west and lower density housing to the east. The project, although at a higher density, will include a single family detached housing product that is compatible with existing single family residences.

Objective 2.3 Residential Development: To direct and encourage the proper type, location, timing, and design of housing to benefit the community consistent with the enhancement and establishment of neighborhoods and a well balanced and organized City.

The applicant proposes a density of 13.75 dwelling units per gross acre, which is below the base density of 15.1 dwelling units in the RM-C General Plan and Zoning Designation. The proposed subdivision will contribute to the overall vitality of the existing neighborhood. This proposal to subdivide a 1.6-acre site into 22 residential units will continue an appropriate and orderly community enhancement with respect to single-family and multi-family developments within the Loma Alta Neighborhood.

2. Zoning Compliance

This project is proposed to be in the Residential Medium Density - C District (RM-C). The proposal complies with the requirements of this district. RV parking will be a continued use on the reduced Elks Club parking lot with approval of the Conditional Use Permit.

DISCUSSION

Issue: The proposed detached residences will be situated next to existing single family homes and the redesigned RV Parking area for the Elks Club.

Recommendation: Although the project is denser than the residences to the east, all units within the project are designed as single family detached units. In addition, there will be only two units along the eastern edge of the site along with a passive open space area with picnic tables and a barbeque pit. This will enhance the compatibility of these uses. The applicant, since their denial without prejudice decision at the City Council, has redesigned the project and had numerous meetings with the surrounding neighbors who have noted support for the project on a preliminary basis.

The redesigned RV parking area within the Elks Club parking lot will be separated from the proposed residential development by a 6-foot high masonry wall and a landscape buffer. This will ensure compatibility and separation between these uses. Additionally, the revised RV parking area will be compatible with existing residences to the east in that no RV parking spaces are provided along the eastern portion of the parking lot.

Issue: Would the proposed Zone Text Amendment to allow RV parking for guests at Clubs and Lodges with approval of a Conditional Use Permit adversely effect surrounding properties.

Recommendation: The Zone text amendment would not result in adverse effects to surrounding properties. The requirement for a CUP would allow in-depth review of such proposals and the imposition of appropriate conditions, if needed. There are very few clubs and lodges in Oceanside that have enough land area to allow RV parking for guests in conformance with the zoning ordinance.

ENVIRONMENTAL DETERMINATION

Staff has reviewed the environmental assessment and determined that no significant impacts are anticipated as a result of the proposed project that could not be mitigated to a level of insignificance with proper design. Subsequently, a Mitigated Negative Declaration was prepared pursuant to the provisions of the California Environmental Quality Act.

The Planning Division advertised that a draft Mitigated Negative Declaration would be posted for twenty (20) days with the Office of the San Diego County Clerk commencing on October 2, 2007 and ending on October 22, 2007. No comments were received during public review of the environmental document.

Prior to any action on December 17, 2007, it is necessary for the Planning Commission to review and act on the Mitigated Negative Declaration. Staff, in its initial study of the project, is recommending that the Mitigated Negative Declaration be approved with the attached findings and mitigation measures.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times on Friday, December 7, 2007, and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals and or organizations requesting notification, the applicant, and other interested parties. The 300-foot notice was allowed since the project was deemed complete prior to the effective date required for the 1500-foot notice. As stated above, the applicant has had numerous meetings with the surrounding neighbors and the Loma Alta Mission Park Association over the last year.

SUMMARY

The proposed General Plan Amendment (GPA-3-05), Zone Amendment (ZA-4-05), Tentative Map (T-11-05), Development Plan (D-22-05), Conditional Use Permit (C-44-05) and Zone Text Change are consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets or exceeds all applicable development standards. The project is compatible in terms of residential product type and density with the surrounding neighborhood. As such, staff recommends that the Planning Commission recommend approval of the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

- Move to recommend approval of General Plan Amendment (GPA-3-05), Zone Amendment (ZA-4-05), Tentative Map (T-11-05), Development Plan (D-22-05), Conditional Use Permit (C-44-05) and Zone Text Change and adopt Planning Commission Resolution 2007-P67 as attached.

SUBMITTED BY:



Jerry Hittleman
Acting City Planner

JH/fil

Attachments:

1. Map
2. Planning Commission Resolution No. 2007-P67
3. Mitigated Negative Declaration



DATE POSTED: 10/2/07
 REMOVE POST: 10/22/07
 20 days; or,
 30 day for SCH review

MITIGATED NEGATIVE DECLARATION ATTACHMENT
 city of oceanside, california

1. **APPLICANT:** The Olson Company
2. **ADDRESS:** 3020 Old Ranch Parkway, Suite 400, Seal Beach CA 90740
3. **PHONE NUMBER:** 562-547-8307
4. **LEAD AGENCY:** City of Oceanside, 300 N. Coast Hwy., 92054
5. **PROJECT MGR.:** Jerry Hittleman
6. **PROJECT TITLE:** Liberty Walk Development and Elks Lodge RV Parking CUP
7. **DESCRIPTION:** General Plan Amendment and Zoning Amendment from Public/Semi-Public to Medium Residential C on the northern 1.6 acres of the site, a 22-unit single-family detached development on the same site, a Zone Text Amendment to allow Recreational Vehicle (RV) Parking at Clubs and Lodges with approval of a Conditional Use Permit (CUP), and a CUP for RV Parking at the Elk's Lodge.

CITY PLANNER DETERMINATION: This project has been evaluated by the City Planner of the City of Oceanside in accordance with the Section 21080(c) of the California Environmental Quality Act (CEQA). On September 26, 2007, the City Planner determined that this project will not have a potentially significant adverse effect on the environment and issued a Mitigated Negative Declaration (MND). The basis for the City Planner's determination is the Initial Study prepared pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines. Copies may be reviewed or obtained from the Planning Division in City Hall located at 300 N. Coast Hwy. South Building. All public comments on the negative declaration must be provided in writing to the Planning Division on or before the "Posting Removal Date" cited above.


 Jerry Hittleman, Acting City Planner

cc: County Clerk
 Project file (project manager)
 CEQA file
 Project Applicant
 Posting: Civic Center; Public Library;

FILED
 Gregory J. Smith, Recorder/County Clerk

OCT 02 2007

BY A. Consul DEPUTY

FILED IN THE OFFICE OF THE COUNTY CLERK
 San Diego County on OCT 02 2007
 Posted OCT 02 2007 Removed _____
 Returned to agency on _____
 Deputy A. Consul



NOTICE OF INTENT TO ADOPT A MITGATED NEGATIVE DECLARATION
city of oceanside

Subject: GPA-3-05, ZA-4-05, D-22-05, T-11-05, and C-44-05, Liberty Walk Development and Elks Lodge RV Parking CUP; applications for a General Plan Amendment and Zone Change to allow medium density development on the northern portion of the site, the development of 22 single family detached dwellings; and relocation of the Elks Lodge RV Parking on the southeast corner of Maxson Street and Country Club Lane.

NOTICE IS HEREBY GIVEN that the City of Oceanside has prepared and intends to adopt a Negative Declaration in connection with the subject project. The Negative Declaration identifies potential effects with respect to cultural resources. The Negative Declaration also includes proposed mitigation measures that will ensure that the proposed project will not result in any significant, adverse effects on the environment. The City's decision to prepare a Negative Declaration should not be construed as a recommendation of either approval or denial of this project.

PROJECT DESCRIPTION: General Plan Amendment and Zoning Amendment from Public/Semi-Public to Medium Residential C on the northern 1.6 acres of the site, a 22-unit single-family detached development on the same site, a Zone Text Amendment to allow Recreational Vehicle (RV) Parking at Clubs and Lodges with approval of a Conditional Use Permit (CUP), and a CUP for RV Parking at the Elk's Lodge.

PUBLIC REVIEW PERIOD: the public review period is from Tuesday, October 2, 2007 to Monday, October 22, 2007.

PROJECT MANAGER: Jerry Hittleman, City Planner; 760-435-3535; email: jhittleman@ci.oceanside.ca.us; Fax number: (760) 754-2958; mailing address: Planning Division, 300 N. Coast Hwy., Oceanside, CA 92054.

NOTICE IS FURTHER GIVEN that the City invites members of the general public to review and comment on this environmental documentation. Written comments may be mailed, e-mailed, or faxed to the project manager. Copies of the Negative Declaration and supporting documents are available for public review and inspection at the Planning Division located in City Hall at, 300 N. Coast Hwy., Oceanside, CA 92054. The City's Planning Commission and City Council will conduct public hearings at future dates to be determined. You will receive a separate public notice for those hearings. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised during the public review period on the proposed Mitigated Negative Declaration (MND) or at the future public hearings.


By order of Jerry Hittleman, City Planner



INITIAL STUDY

city of oceanside california

1. **PROJECT:** Liberty Walk (GPA-3-05; ZA-4-05; D-22-05; T-11-05) and Elks Lodge (C-44-05)
2. **LEAD AGENCY:** City of Oceanside
3. **CONTACT PERSON & PHONE:** Jerry Hittleman (760) 435-3535
4. **PROJECT LOCATION:** The project is located on the southeast corner of Maxson Street and Country Club Drive in the City of Oceanside.
5. **APPLICANT: The Olson Company**
 3020 Old Ranch Parkway, Suite 400
 Seal Beach, CA 90740
6. **GENERAL PLAN DESIGNATION:** Single Family Detached Residential (SFD-R)
7. **ZONING:** Public and Semipublic (PS)
8. **PROJECT DESCRIPTION:** The project site is located in the central portion of the City of Oceanside, south of Mission Avenue and east of Interstate 5 (Figure 1). The site is on the southeast corner of Maxson Street and Country Club Drive (Figure 2). The overall parcel (APN 148-292-41) is 4.4 acres.

The Elks Lodge is located on the southern end of the parcel, with parking uses on the remainder. The project includes a Conditional Use Permit for the Elks Lodge, along with a zone text amendment to allow RV parking onsite. The Public and Semipublic zoning district conditionally permits clubs and lodges per Article 16 of the Zoning Ordinance. This project includes an amendment to Section 1620 of the Zoning Ordinance, Public and Semipublic District "Land Use Regulations" to include the following "Additional Regulation" under *Clubs and Lodges*:

PS DISTRICT: LAND USE REGULATIONS		P – Permitted U – Use Permit L – Limited, (See Additional Use Regulations) -- Not Permitted
PS		Additional Regulations
Public and Semipublic		
Clubs and Lodges	U	(I)
PS DISTRICT: Additional Use Regulations (continued)		
(I) Recreational vehicle (RV) parking is permitted as an ancillary use if exclusively used by members and/or guests. The RV parking area is subject to maximum density, screening, and outdoor facilities development regulations per Section 3029.		

The Elks Lodge proposes to reconfigure their parking lot, so that a total of 20 parking spaces designated for RV use would be situated along the sub-parcel's northern and western perimeter (Figure 3). Currently, the RV waste tank is located on the eastern boundary of the site. The project would relocate the tank to the site's western boundary, off of Country Club Lane. Alternatively, the Elks Lodge may opt to install

sewer laterals in the site and connect to the existing sewer system. The remaining area on the Elks Lodge property would be used for parking as well – 108 regular spaces and one loading space, yielding a total of 128 parking spaces. The area currently drains stormwater to the southeast corner and to the golf course. The project will install a detention basin to hold and allow infiltration of runoff, with overflow to the golf course. The project also proposes to improve the existing ten-foot sewer easement along the southern perimeter of the Elks Lodge by increasing it to 20 feet, 10 feet of which will be paved. No changes to zoning or the General Plan designation are proposed for the Elk's property.

The proposed Liberty Walk project would occupy only the northern 1.6 acres of the parcel (Figures 3 & 4), which is currently a gravel lot used as RV parking for guests and members of the Elks Hall Association. The proposed Liberty Walk project would change the City's General Plan zoning designation from Public and Semipublic (PS) to Residential Medium - C (RM-C), and the General Plan land use designation from Single Family Detached Residential to Medium Density Residential (MDR-C), as depicted in Figure 5. The project proposes to utilize the 1.6 acres for the development of 22 detached single family homes. There are two plan types, both of which propose two-story homes (Figure 6). Plan 1 would utilize 1,425 square feet for 3 bedroom, 2.5 bath, and 2-car garage homes. Plan 2 would occupy 1,535 square feet for 3-4 bedroom, 2.5 bath, and 2-car garage homes. Each unit will have an average of 309 square feet of private open space. The proposed Liberty Walk project will have approximately 5,150 square feet of common open space. The project plan proposes 11 onsite parking spaces for guests, averaging 2.5 spaces per home (2 garage spaces, and .5 guest space). Access to the project would be via Country Club Lane.

The project would tap into an existing sewer line running through Country Club Lane. Along Liberty Walk's western boundary, this sewer line is currently 6 inches in diameter. The project proposes to upgrade 100 feet of the sewer line to 8 inches, from Liberty Walk's entrance on Country Club Lane to the existing 8-inch sewer line at the sub-parcel's southwestern corner. Stormwater runoff will be directed to drains with inlet filters. Most of the site will be drained to the northeast, to an infiltration basin, prior to flow to the street. The remaining runoff will be directed to a bioswale in the southwest portion of the site, along Country Club Lane, prior to flow to the street. The Liberty Walk project will install a wall along its southern boundary with the Elks Lodge lot.

9. SURROUNDING LAND USE(S) & PROJECT SETTING: The project site is in the Loma Alta neighborhoods planning area of Oceanside. Land uses immediately surrounding the site include residential uses to the north and east (single family homes) and west (apartments zone RH). To the south of the Elks Lodge is a park/open space area with the Boys & Girls Club and a golf course.

10. OTHER REQUIRED AGENCY APPROVALS: None.

11. PREVIOUS ENVIRONMENTAL DOCUMENTATION:

Country Club & Maxson Site GPA/ZA Initial Study Checklist

12. CONSULTATION:

- ♦ Preliminary Hydrology Study for Liberty Walk Phase 1 (Nasland Engineering, 2007)
- ♦ Standard Urban Storm Water Mitigation Plan for Liberty Walk Phase 1 (Nasland Engineering, 2007)
- ♦ Preliminary Hydrology Study for Liberty Walk Phase 2 (Nasland Engineering, 2007)
- ♦ Standard Urban Storm Water Mitigation Plan for Liberty Walk Phase 2 (Nasland Engineering, 2007)
- ♦ Building, Structure, and Object Record (Archaeos, 2005)
- ♦ Biological Survey (EDAW, 2005)
- ♦ Geotechnical Investigation (GEOCON, 2005)
- ♦ Phase 1 Environmental Site Assessment (SECOR, 2005a)
- ♦ Methane Soil Gas Testing Investigation (SECOR, 2005b)
- ♦ Traffic Impact Analysis (LOS Engineering, Inc., 2007)

- ♦ Acoustical Analysis (Davy & Associates, 2005)
- ♦ Air Quality Analysis (Eilar & Assocaites, 2006)

13. A SUMMARY OF THE ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED BY THIS PROJECT, CONSISTING OF A POTENTIALLY SIGNIFICANT IMPACT UNLESS MITIGATED, INCLUDE:

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geological |
| <input type="checkbox"/> Hazards | <input type="checkbox"/> Water | <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 | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Utilities Systems | | |

14. ENVIRONMENTAL CHECKLIST

This section analyzes the potential environmental impacts which may result from the proposed project. For the evaluation of potential impacts, the questions in the Initial Study Checklist (Section 2) are stated and answers are provided according to the analysis undertaken as part of the Initial Study. The analysis considers the project's short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, there are four possible responses. They include:

1. No Impact. Future development arising from the project's implementation will not have any measurable environmental impact on the environment and no additional analysis is required.
2. Less Than Significant Impact. The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.
3. Potentially Significant Unless Mitigated. The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.
4. Potentially Significant Impact. Future implementation will have impacts that are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

	Potentially Significant	Potentially Significant Unless Mit.	Less than Significant	No Impact
14.1 AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Potentially Significant Unless Mit.	Less than Significant	No Impact
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Have a substantial adverse effect on a scenic vista?* **No Impact.** The site proposed for Liberty Walk is currently used as a parking lot for Elks Club members and RVs, and would not have an adverse effect on a scenic vista.
- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?* **No Impact.** The proposed Liberty Walk project site currently serves as a parking lot for the Elks Lodge, including RV parking. No damage to scenic resources is anticipated to occur with project implementation.
- c) *Substantially degrade the existing visual character or quality of the site and its surroundings?* **No Impact.** The parcel for proposed development is presently a gravel parking lot for RVs and Elks Lodge members. The surrounding area is primarily residential, with single-family homes to the north and east, and apartments to the west of the site. As the proposed Liberty Walk consists of the development of single-family homes, and as the only site-change to the Elks Lodge parcel would be the reconfiguration of its parking lot, it would be consistent with the existing visual character of its surroundings rather than degrading them.
- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* **No Impact.** The project proposes the development of single-family homes and relocation of the Elks Lodge RV parking lot, which would not create a new significant source of lighting or glare.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.2 AGRICULTURAL RESOURCES. Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance as depicted on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA. Resources Agency?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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?* **No Impact.** The proposed project would not interfere with

any Prime Farmland, unique Farmland, or Farmland of Statewide Importance. The proposed project's location has not been designated as Farmland and can therefore be developed for non-agricultural use.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?* **No Impact.** Please refer to response 14.2a, above.
- 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?* **No Impact.** Please refer to response 14.2a, above.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.3 AIR QUALITY. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate an air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under the applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Conflict with or obstruct implementation of the applicable air quality plan?* **No Impact.** Air pollution standards are regulated through the Federal Clean Air Act of 1970 and the Clean Air Amendment of 1977. Current standards are set for sulfur dioxide, carbon monoxide, hydrocarbons, ozone, and particulates of less than 10 microns in size. State of California standards, established by the Air Resources Board are generally more restrictive than national standards, and have incorporated additional pollutants, such as hydrogen sulfide.

The project would comply with all the applicable rules and regulations of the San Diego Air Pollution Control District (APCD Rule 51). Dust control through regular watering and other fugitive dust abatement measures required by APCD will reduce dust emission levels by 50 to 75 percent during project construction.

- b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?* **No Impact.** An air quality analysis was done for the project under the land use and zoning it had previously requested (Eilar Associates, 2006), which proposed to change the existing land use and zoning of the subject property from Single Family Residential (SFD-R) and Public and Semipublic (PS), respectively, to High Density Residential and Residential High (HD-R; RH respectively). This analysis concluded that development of that scale would be below any of the Air Pollution Control District's threshold criteria for all of the key pollutants. The project has since proposed development on a smaller scale: rather than High Density Residential, the project would change the existing General Plan land use designation to Medium Density Residential – C (MDR-C) and change the zoning to Residential Medium – C (RM-C). Due to the smaller scale of this proposal, it follows that Liberty Walk would be below the threshold criteria for all key pollutants as well.

Construction and operation thresholds are used to determine potentially significant air quality impacts. These thresholds, as they are applicable to the proposed project, are discussed below.

Construction Emissions

Construction activities including grading and paving would be expected to cause particulate and exhaust emissions from the activity of construction equipment. The project would adhere to the standard dust control procedures (watering down the area to prevent dust clouds from forming due to disturbance) which would reduce potential construction-related air quality impacts to less than significant levels. These potential impacts would be minor and short-term due to the small scale of the proposed development, and would cease with project completion.

Operational Emissions

Project-generated emissions from traffic would not result in significant air quality impacts. The project scale is small, and would not contribute a significant number of additional trips per day (Please refer to Section 14.14 Transportation/Traffic) nor would residential use as proposed by Liberty Walk, or the continued use of a portion of the Elks Lodge property for RV and regular parking result in any air quality violations.

- 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)?* **No Impact.** The proposed 22 single-family residences would not result in a cumulatively considerable net increase of any criteria pollutant. Please refer to response 14.3b, above for further detail.
- d) *Expose sensitive receptors to substantial pollutant concentrations?* **No Impact.** Sensitive populations include children, senior citizens, and individuals who are acutely or chronically ill. The project is not situated amidst schools, playgrounds, hospitals, or the like; therefore no concentration of these sensitive receptors occurs within the project's immediate vicinity. To the north of the property is Cape Cod Senior Villas; this would be the only potential concentration of sensitive receptors within the project's vicinity. Construction emissions associated with project development would be the only potential air pollutant to be released. As these emissions would be short-term, not resulting in a significant contribution to pollution levels, sensitive receptors would not be exposed to substantial pollutant concentrations as a result of project implementation.
- e) *Create objectionable odors affecting a substantial number of people?* **No Impact.** The proposed 22 single-family residences would not create objectionable odors affecting a substantial number of people.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.4 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 the USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
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 (DFG) or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected 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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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 the USFWS? **No Impact.** The site was surveyed by EDAW (2005). The entire area was mapped as Disturbed Habitat or Developed. No sensitive plant or animal species were detected and none are expected to occur.*
- 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 (DFG) or U.S. Fish and Wildlife Service? **No Impact.** There are no sensitive habitats on or adjacent to the site.*
- c. *Have a substantial adverse effect on federally protected 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? **No Impact.** Please refer to response 14.4a, above.*
- 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? **No Impact.** Please refer to response 14.4a, above.*
- e. *Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance? **No Impact.** The site is currently a gravel RV parking lot and has been mapped as Disturbed Habitat or Developed. The proposed project would not conflict with any existing local policies or ordinances protecting biological resources.*
- 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? **No Impact.** The location for the proposed project is currently a gravel parking lot, and would not conflict with the Sandag-adopted Multiple Habitat Conservation Plan or the City's draft Habitat Conservation Plan.*

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.5 CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of CEQA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 of CEQA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of CEQA? **No Impact.*** An historic background study of the area was done by Archaeos (2005). No sites were recorded on the project site.
- b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 of CEQA? **No Impact.*** Please refer to response 14.5a, above.
- c. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? **Potentially Significant Impact Unless Mitigated.*** The project site is underlain by the Eocene-age Santiago Formation. Project implementation would require site grading to penetrate undisturbed soils within the formation.

Mitigation

Evaluation and documentation of fossil material encountered in site grading will be done. Excavation and preservation of important fossil material will be done as well.

Prior to issuance of grading permits, the applicant shall confirm with the City of Oceanside that a qualified paleontologist has been retained to carry out the mitigation program. A paleontological monitor shall be onsite during grading operations to evaluate the presence of fossils within previously undisturbed sediments of the Santiago Formation to inspect cuts for contained fossils.

When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. Some fossil specimens may require an extended salvage time. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading.

Prepared fossils along with copies of all pertinent field notes, photos, and maps shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed and distributed to the City and other interested agencies.

- d. *Disturb any human remains, including those interred outside of formal cemeteries? **No Impact.*** Please refer to response 14.5a, above.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.6 GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to potential 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, or based on other substantial evidence of a known fault (Refer to DM&G Pub. 42)?; or, (ii) strong seismic ground shaking?; or, (iii) seismic-related ground failure, including liquefaction?; or, (iv) landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<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 1994 UBC, creating substantial risks to life or property?	<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 waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- 1) *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. **Less Than Significant Impact.** The Newport-Inglewood (offshore) Fault is the closest known active fault to the project site, being located five miles west of the property. The estimated maximum earthquake magnitude and peak ground acceleration for this fault are 7.1 and 0.37g respectively, meaning that the site could be subject to moderate to severe ground shaking in the event of a major earthquake occurring at a fault in southern California. The geotechnical investigation (GEOCON, 2005) did not identify any unique geologic features that would prevent residential development on the site; seismic shaking specific to the project site is considered comparable to the surrounding developed area. GEOCON's report includes recommendations for residential development at the site. The project will adhere to recommendations by GEOCON in regard to the seismic design of the buildings to be developed, which shall be in accordance with Uniform Building Code (UBC) guidelines.*

- 2) *Strong seismic ground shaking? **Less Than Significant Impact.** Please refer to response 14.6a(1), above.*

- 3) *Seismic-related ground failure, including liquefaction? **No Impact.** Liquefaction occurs when the strength and stiffness of a soil becomes weakened. Due to the relatively dense nature of the soils and formational materials beneath the site and the lack of permanent near-surface groundwater, the potential for soil liquefaction is very low (GEOCON, 2005).*

- 4) **Landslides? No Impact.** No landslides were encountered at the proposed project site or in an area that would affect the site. It was therefore determined that the potential for landslides occurring at the site is low (GEOCON, 2005).
- b) **Result in substantial soil erosion or the loss of topsoil? No Impact.** Topsoil encountered at the proposed project site is characterized as loose, silty and clayey, fine to medium sand. It is unsuitable in its present condition for supporting the type of development proposed. Prior to project development, the topsoil present within the areas of planned grading shall be removed and compacted as recommended by GEOCON. Compliance with these measures will render the site suitable for the proposed development. Details of this procedure are discussed in the geotechnical technical report included within the bound appendices.
- 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? No Impact.** The findings and conclusions resulting from the geotechnical study performed by GEOCON were based on the assumed development of 31 two-story residential units. The study concluded that the site is suitable for such a development, provided the project follow GEOCON's recommendations. Remedial grading would be required, and it was determined that 31 two- and/or three-story structures can be supported on conventional continuous and isolated spread footing after grading. Considering the smaller scale of the project which is currently proposed (22 single-family residences limited to two-stories), it follows that these findings should hold true for Liberty Walk as well. All recommendations for remedial grading provided by GEOCON shall be followed pursuant to project implementation.
- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property? No Impact.** A field investigation (GEOCON, 2005) determined that the majority of the soils studied at the site have a "low" to "medium" expansion potential (Expansion Index [EI] of 90 or less) as defined by *Uniform Building Code (UBC)* Table No. 18A-I-B. The site shall be graded according to GEOCON's recommendations such that soils with an EI of 90 or less shall be present to a minimum depth of 4 feet below finish grade. Should soils with an EI greater than 90 be exposed near finish grade, modifications to the foundation and/or slab-on-grade recommendations may be required. The applicant will adhere to all requirements and recommendations regarding soils and grading to mitigate any potential impacts that may result from project implementation.
- 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? No Impact.** The proposed project does not require installation of septic tanks or alternative wastewater disposal systems.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.7 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?	<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 conditions involving the release of hazardous materials into the environment?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mit.	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?	<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?	<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?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* **No Impact.** Designation of residential use does not permit that hazardous materials will be transported to, used, or disposed of on the proposed project site, therefore there is no concern regarding hazardous emissions to surrounding areas from the property.
- 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?* **No Impact.** A Phase 1 Environmental Assessment Report (SECOR, 2005a) prepared for the site concluded that no hazardous materials exist on the proposed project site. Their investigation found the theoretical potential of methane or other soil gas, due to an historic landfill to the west. Follow-up testing found concentrations well below any regulatory action levels or level of concern (SECOR, 2005b). The proposed project site is not included on a list of hazardous materials sites. Additionally, the proposed project is not located within an airport land use plan, and therefore poses no threat to people living or working in the project area.
- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* **No Impact.** The proposed project is for residential development, and would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste.
- 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?* **No Impact.** The proposed project site is not included on a list of hazardous materials sites, and would therefore not create an associated significant hazard to the public or the environment.
- 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 a safety hazard for people residing or working in the project area?* **No Impact.** The proposed project is not located within an airport land use plan, and would therefore pose no associated safety hazards to the people residing or working within the project area.

- 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?* **No Impact.** The proposed project is not within the vicinity of a private airstrip, therefore would not result in an associated safety hazard for people residing or working in the project area.
- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* **No Impact.** The proposed project would not impair implementation of or physically interfere with an adopted emergency response or evacuation plan. The project provides adequate emergency access via Country Club Lane.
- 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?* **No Impact.** The proposed project is situated in a highly urbanized area which is not adjacent to or intermixed with wildlands. Project implementation would therefore impose no impact involving wildland fires.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.8 HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 erosion or siltation on- or off-site?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Result in significant alternation of receiving water quality during or following construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Could the proposed project result in increased erosion downstream?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
n. Result in increased impervious surfaces and associated increased runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
p. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
s. Have a potentially significant adverse impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
u. Impact aquatic, wetland, or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Potentially impact stormwater runoff from construction or post construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
w. Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
x. Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
y. Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
z. Create significant increases in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Violate any water quality standards or waste discharge requirements?* **No Impact.** A Standard Urban Stormwater Mitigation Plan (SUSMP) is required under the City of Oceanside regulations for the proposed type of residential development. Two SUSMPs have been prepared by Nasland Engineering, and include project design features and Best Management Practices (BMPs). Project design and compliance with the SUSMPs will ensure no water quality standards or waste discharge requirements will be violated.
- b) *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)?* **No Impact.** The project would not deplete groundwater supplies or interfere substantially with groundwater recharge. Liberty Walk will create an infiltration basin and bioswale, and the Elks Lodge will create a detention basin, all of which will contribute to recharge.
- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?* **No Impact.** The project would not alter the course of a stream or river. The site presently drains to the south by sheet flow across the gravel lot, to drain untreated to the adjacent golf course. The Liberty Walk project will drain the area to an infiltration basin and grassy swale, and the Elks Lodge will drain to a detention basin before discharge. The project would not result in substantial erosion or siltation either on- or off-site.
- 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?* **No Impact.** The project would not alter the course of a stream or river. The amount of surface water runoff does increase, but not substantially (Nasland, 2007), and downstream drainage capacities are sufficient to not cause flooding.
- e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?* **No Impact.** Please refer to response to 14.8 d), above.
- f) *Otherwise substantially degrade water quality?* **No Impact.** The project would not degrade water quality. With the incorporation of the BMPs, including a detention basin, an infiltration basin, grassy swale, and filter inserts, the quality of runoff would be expected to be higher with the project than under existing conditions.
- g) *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?* **No Impact.** The proposed project is not within a 100-year flood hazard area.
- h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?* **No Impact.** The proposed project is not within a 100-year flood hazard area.

- i) *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?* **No Impact.** The project location is such that no flooding would be expected, nor are any levees or dams present to cause such an event.
- j) *Inundation by seiche, tsunami, or mudflow?* **No Impact.** The project site would not be subject to seiche, tsunami, or mudflow.
- k) *Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?* **No Impact.** Please see response 14.8 f).
- l) *Result in significant alteration of receiving water quality during or following construction?* **Less than Significant Impact.** Project design and implementation of the BMPs discussed in the SUSMP would prevent significant alteration of receiving water quality.
- m) *Could the proposed project result in increased erosion downstream?* **No Impact.** The project does not result in runoff beyond the capacities of the downstream systems.
- n) *Result in increased impervious surfaces and associated increased runoff?* **Less than Significant Impact.** The area is presently a gravel lot. The project will result in increased impervious surface with houses and pavement, but will also have landscaped areas, a detention basin, an infiltration basin, and grassy swale. Runoff will be increased, but by a small amount, within the capacity of the downstream systems. This is analyzed in the Hydrology Study appended to the SUSMP.
- o) *Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?* **No Impact.** Please see response to 14.8 n).
- p) *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?* **No Impact.** The project area eventually drains to the Loma Alta Slough. The design features and BMPs would be expected to result in a higher water quality of runoff.
- q) *Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?* **No Impact.** Please see response to 14.8 p).
- r) *Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?* **No Impact.** Please see response to 14.8 p).
- s) *Have a potentially significant adverse impact on groundwater quality?* **No Impact.** The small size of the site precludes its effects on groundwater quality from being significant. No significant generators of water quality degradation are associated with the residential project.
- t) *Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?* **No Impact.** Project design features and BMPs would be expected to result in an improvement in runoff water quality.
- u) *Impact aquatic, wetland, or riparian habitat?* **No Impact.** The small increase in runoff would not be expected to have a significant impact on habitats. No impacts from runoff water quality would be expected.
- v) *Potentially impact stormwater runoff from construction or post construction?* **Less than Significant Impact.** The conditions of the SUSMPs would preclude significant impacts from storm water runoff both during and post construction.

- w) *Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?* **No Impact.** These uses are not a part of the project.
- x) *Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?* **No Impact.** Please see response to 14.8 t).
- y) *Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?* **No Impact.** No significant changes to flow velocity or volume are predicted.
- z) *Create significant increases in erosion of the project site or surrounding areas?* **No Impact.** The project site is presently a gravel parking lot for recreational vehicles. The proposed residential project would not cause significant increases in on-site erosion. The project does not result in runoff beyond the capacities of the downstream systems.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.9 LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Physically divide an established community?* **No Impact.** The site is located in a residential area, with existing residential uses to the north, east, and west. To the north and east are existing single family homes (zoned RS), and to the west is an apartment building (zoned RH). It is presently designated Single Family Detached Residential (SFD-R). The site is currently a gravel parking lot, which the project proposes to develop into single-family residences. As such, project implementation would not physically divide an established community.
- 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?* **Less Than Significant Impact.** The project proposes to change the zoning of the site intended for the development of Liberty Walk from Public and Semipublic (PS) to Residential Medium - C (RM-C), and the General Plan Land Use Designation from Single Family Detached Residential (SFD-R) to Medium Density Residential (RM-C). The current surroundings of the property are primarily residential to the north, west and east. To the west of the project site are apartments, while to the north and east are single-family residences. As Liberty Walk proposes to develop single-family detached housing, it would be a transitional development between the apartments to the west and single-family residences to the north and east.

As discussed in the Project Description, the proposed project also includes a zone text amendment to allow RV parking for the Elks Lodge. As this is an existing use on the property which has been compatible thusfar with surrounding land uses, no significant impacts to land use plans and policies are anticipated.

- c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?* **No Impact.** The proposed project location is such that it would not conflict with any habitat conservation plan or natural community conservation plan.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.10 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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?* **No Impact.** No known mineral resource or delineated locally important mineral resource recovery site is located on the property. The proposed project would not result in the loss of either of these resources off-site.
- 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?* **No Impact.** Please refer to response 14.10a, above.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.11 NOISE. Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<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 expose people residing or working in the project area to excessive noise levels?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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?* **No Impact.** An acoustical analysis (Davy & Associates, Inc., 2005) performed at the site of the proposed project concluded that current noise levels are predominantly generated by traffic on the I-5 Freeway. No other significant sources of noise were noted at the time of monitoring. The California State Building Code (Part Two, Title 24, CCR) states that the maximum allowable interior noise levels of CNEL (Community Noise Equivalent Level) 45 where exterior noise from traffic exceeds CNEL 60. Section 3501.(c) of the State Building Code requires that worst-case noise levels, spanning from existing conditions to 10 years from the time of building permit application, be used to determine compliance with the Section. The traffic volume is projected to increase by 0.9 decibels (dB) over the next 10 years, resulting in a projected exterior noise level of CNEL 68.9 dB by the year 2015.

Because the projected exterior noise level is forecast to exceed CNEL 60, the buildings will provide an A-weighted noise reduction value of at least 23.9 dB to achieve an interior CNEL 45 value. The project design shall provide all south and west facing perimeter windows and glass doors with STC 29 glazing. Implementation of this design will result in a noise reduction of 29 dB, thus preventing interior noise levels from exceeding CNEL 45 and placing the buildings in compliance with the California Noise Insulation Standards as enforced by the City of Oceanside.

- b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?* **Less Than Significant Impact.** Noise generated from construction activity during project development may cause temporary disturbance to nearby receptors. This potential impact would be short-term and cease with project completion. Noise receptors are primarily residential, with apartments to the west and single-family residences to the north and east. To the south is the Elks Lodge, with a park/open space consisting of the Boys and Girls Club and a golf course. Construction activity would be conducted within the standards established by the City of Oceanside's Noise Ordinance. Construction-related activity would be limited to established daytime hours during the week, typically occurring between the hours of 7:00 a.m. and 4:00 p.m. Monday through Friday. As the project will remain in compliance with the City's Noise Ordinance standards at all times during its construction phase, no significant impact to noise is anticipated.
- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?* **No Impact.** The proposed single-family residences would not cause a permanent increase in ambient noise levels in the project vicinity above existing levels.
- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?* **No Impact.** Refer to Response 14.11b, above.
- 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?* **No Impact.** The proposed project is not located within an airport land use plan, nor is it within two miles of a public or public use airport. Therefore, the project would not expose people within the project area to associated excessive noise levels.
- 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?* **No Impact.** The proposed project is not within the vicinity of a private airstrip, therefore would not expose people within the project area to associated excessive noise levels.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.12 POPULATION & 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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)?* **No Impact.** The project proposes to develop 22 single family homes. Considering the small scale and infill nature of the project, it is not expected that implementation would induce substantial population growth in the area.
- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?* **No Impact.** The proposed project site is currently an RV parking lot, therefore no displacement of any existing housing or residents would result from project implementation.
- c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?* **No Impact.** Please refer to response 14.12b, above.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.13 PUBLIC SERVICES. Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- 1) *Fire protection?* **Less Than Significant Impact.** The nearest fire station is located at 714 Pier View Way, approximately 1 mile away from the project site. The proposed Liberty Walk project would not require significant levels of additional fire protection services as it would not be adding a significant amount of

residents to the area.

- 2) *Police protection?* **Less Than Significant Impact.** The scale of the proposed project is small, and would not require significant levels of additional police protection services as it would not be adding a significant amount of residents to the area.
- 3) *Schools?* **Less Than Significant Impact.** The proposed project is located within the Oceanside Unified School District. The property lies within the attendance boundaries of Mission Elementary, Jefferson Middle School, and Oceanside High School. The small scale of the project would not be anticipated to require significant levels of additional school services as it would not be adding a significant amount of residents to the area. Therefore, no adverse impacts would occur in relation to schools. As required by the City, the proposed project would pay school fees.
- 4) *Parks?* **Less Than Significant Impact.** A large recreation park is located one block west of the project site, consisting of a baseball field. While future residents of Liberty Walk would likely utilize this and/or other neighborhood parks, the small scale of the proposed project would not result in substantial adverse impacts to these public facilities. In addition, the proposed project would pay park fees as required by the City.
- 5) *Other public facilities?* **Less Than Significant Impact.** The proposed project would not require significant levels of additional public services as it would not be adding a significant amount of residents to the area. Therefore, no adverse impacts would occur in relation to public facilities. As required by the City, the proposed project would pay public facility fees.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.14 RECREATION. Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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?* **No Impact.** While the proposed project would add new residents who would use existing park facilities in the area, it would not increase the use of these areas such that substantial physical deterioration of the facility would occur or be accelerated. In addition, the project would pay applicable park and public facility fees.
- 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?* **No Impact.** The proposed project does not include recreational facilities, nor does it require the construction or expansion of recreational facilities, and would therefore have no associated adverse physical effects on the environment.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.14 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 (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?* **Less Than Significant Impact.** A Traffic Impact Analysis was conducted (LOS Engineering, Inc., 2007) to determine possible impacts the proposed project would have on local traffic. Using SANDAG traffic generation rates, it was determined that the project would generate 220 average daily trips (ADT), which includes 17 AM peak hour trips and 22 PM peak hour trips.

Four scenarios were analyzed: Existing, Existing + Project, Existing + Cumulative, and Existing + Cumulative + Project. One project (36-unit Dixie Street residential project) lies within the vicinity of the proposed Liberty Walk, and has been included in cumulative scenarios. Existing conditions show that the study intersections are calculated to operate at level of service (LOS) B or better, while roadway segments are calculated to operate at LOS A, except for the segment of Brooks Street, which is calculated to operate at LOS D (Tables ES-1 and ES-2, below). No impacts to existing traffic conditions were calculated under any of the study scenarios. Brooks Street currently functions at Level of Service D, and is projected to function at LOS D under all scenarios, with or without the proposed project. All other study intersections and roadway segments will continue to operate at their current levels of services as well, regardless of project implementation (Tables ES-1 and 2).

Sewer line improvements and the movement of construction equipment associated with project development would likely have a temporary impact on traffic along Country Club Lane. This street may need to be closed temporarily, and traffic re-directed during these periods. The project would

work with City staff to develop a traffic plan acceptable to the City in order to minimize the impacts to traffic, thereby reducing them to less than significant levels.

Table ES-1: Intersection Level of Service

Intersection and Control ¹	Move-ment	Peak Hour	Existing	Existing + Proj	Ex + Cumulative	Ex + Cumulative + Proj
			LOS ³	LOS ³	LOS ³	LOS ³
1) Brooks St at Division St (U)	WB LR	7:00-8:00 AM	B	B	B	B
	WB LR	4:45-5:45 PM	B	B	B	B
2) Maxson St at Barnes St (U)	SB LTR	7:00-8:00 AM	A	A	A	A
	SB LTR	4:45-5:45 PM	A	B	A	B
3) Maxson St at Country Club (U)	All	7:00-8:00 AM	A	A	A	A
	All	4:45-5:45 PM	A	A	A	A
4) Maxson St at Grace St (U)	All	7:00-8:00 AM	A	A	A	A
	All	4:45-5:45 PM	A	A	A	A
5) Project Drwy at Country Club (U)	WB LR	7:00-8:00 AM	DNE	A	DNE	A
	WB LR	4:45-5:45 PM	DNE	A	DNE	A
6) Maxson St at Cadillac Cir (U)	All	7:00-8:00 AM	A	A	A	A
	All	4:45-5:45 PM	A	A	A	A

Notes: 1) Intersection Control - S: Signalized; U: Unsignalized. 2) Delay is HCM delay measured in seconds.

3) LOS: Level of Service. 4) Delta is the increase in delay from project. 5) Significant Impact? (yes or no).

DNE - Does not exist; NA - Not Applicable. Movement: WB LR: Westbound combination Left-Right lane.

TABLE ES-2: STREET SEGMENT LEVEL OF SERVICE

Street Segment	Maxson St	Maxson St	Country Club Ln	Brooks St	Barnes St	Grace St	
	From Barnes St To Country Club Ln	Country Club Ln Grace St	Division St Maxson St	Mission Ave Maxson St	Mission Ave Maxson St	Foster St Maxson St	
<u>Existing (Year 2007)</u>	Level of Service	A	A	A (2)	D	A (2)	A
<u>Existing+Project</u>	Level of Service	A	A	A (2)	D	A (2)	A
<u>Existing+Cumulative</u>	Level of Service	A	A	A (2)	D	A (2)	A
<u>Existing+Cumulative+Project</u>	Level of Service	A	A	A (2)	D	A (2)	A

Source: LOS Engineering, Inc. Notes: (1) from City of Oceanside Proposed Standard Street Classification. "Levels of service are not applied to residential streets since their primary purpose is to service abutting lots, not carry through traffic. Levels of service normally apply to roads carrying through traffic between major trip generators and attractors." Roadways with 40 feet of pavement are characterized a collector classification on the City of Oceanside Street Classification Table, which has a capacity of 7,000 ADT at LOS C. (2) For comparison purposes, a LOS is shown based on the similarity in width between the study roadway and a 40' wide collector.

- b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?* **No Impact.** Refer to Response 14.14a, above.
- 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?* **No Impact.** The proposed project is not within an airport area of influence and thus would not result in a change in air traffic patterns.
- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* **No Impact.** The proposed project would not substantially increase hazards due to a design feature or incompatible uses.
- e) *Result in inadequate emergency access?* **No Impact.** The proposed project provides adequate emergency access via Country Club Lane.
- f) *Result in inadequate parking capacity?* **No Impact.** Each of the 22 proposed units will have a two-car garage, with an additional 11 spaces provided for guest parking. The proposed Liberty Walk will thus provide an adequate amount of on-site parking. The parcel on which the Elks Lodge is located maintains

its own parking, which the project proposes to redesign. The City's parking ordinance requires one parking space per 100 square feet of assembly area. The Elks Lodge is calculated as having 11,771 square feet of assembly area, which would require 118 parking spaces. The redesigned parking lot would accommodate 145 parking space and 21 RV spaces. As this exceeds the City's requirement of 118 spaces, no impact regarding inadequate parking capacity would be imposed by either parcel of the proposed project.

g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?* **No Impact.** Per the City's request, the applicant shall provide the following off-site improvements to enhance alternative transportation:

- Install a sidewalk on Maxson Street along the project frontage per the City's standards.
- Make infrastructure improvements at one new bus stop location on Country Club Lane along the project frontage as requested by North County Transit District.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.15 UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<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?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?* **No Impact.** Implementation of the proposed project would not exceed wastewater treatment requirements. The project would comply with standards established by the Oceanside Water Quality Control Board.
- 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?* **No Impact.** Liberty Walk would not require or result in the construction of new water or wastewater treatment facilities or the expansion of existing facilities, and would therefore have no associated significant environmental

effects. The Elks Lodge may opt to install sewer laterals and connect to the existing sewer system, but this work would be done within the project area.

- c) *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* **No Impact.** As the proposed project would not require nor result in the construction of new off-site stormwater drainage facilities, or the expansion of existing facilities, no associated significant environmental effects would be anticipated with project implementation. The project will create on-site a detention basin, an infiltration basin, and a bioswale.
- d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?* **No Impact.** The proposed project would have sufficient water supplies available to serve it from existing entitlements and resources, therefore no new or expanded entitlements would be required.
- 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?* **No Impact.** Due to the small scale of the proposed project, it is anticipated that the wastewater treatment provider would possess adequate capacity to serve the project's projected demand as well as existing commitments.
- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?* **No Impact.** The project's small scale would not require a significant increase in solid waste disposal service. It is therefore anticipated that the designated landfill for the project would have sufficient capacity to accommodate Liberty Walk's solid waste disposal needs.
- g) *Comply with federal, state, and local statutes and regulations related to solid waste?* **No Impact.** The proposed project would adhere to all federal, state, and local statutes and regulations related to solid waste, therefore no associated adverse effects are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.16 MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
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 decrease 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 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 the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have impacts which are individually limited, but cumulatively considerable (Cumulatively considerable means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
d. Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would not degrade the quality of the environment, reduce the habitat of a species, cause a population to drop below self-sustaining levels, eliminate a community, or affect a rare or endangered species, or eliminate examples of important periods of history or prehistory.

No disadvantage to long-term goals would result from project implementation.

The project does not have cumulatively considerable impacts. Any development project does contribute to cumulative traffic, but even the maximum density project that could be done under this land use and zoning request would not result in a considerable impact (LOS, 2006).

The project does not have effects which will cause substantial adverse effects on human beings.

16. **PREPARATION.** The initial study for the subject project was prepared by:


 Mike Busdosh and Nicole Wegher

17. **DETERMINATION.** (To be completed by lead agency) Based on this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described herein have been included in this project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

18. **DE MINIMIS FEE DETERMINATION** (Chapter 1706, Statutes of 1990-AB 3158)

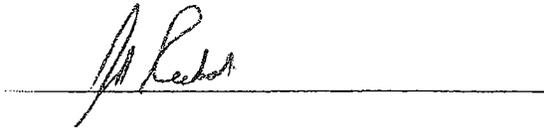
- It is hereby found that this project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.
- It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore fees shall be paid to the County Clerk in accordance with Section 711.4(d) of the Fish and Game Code.

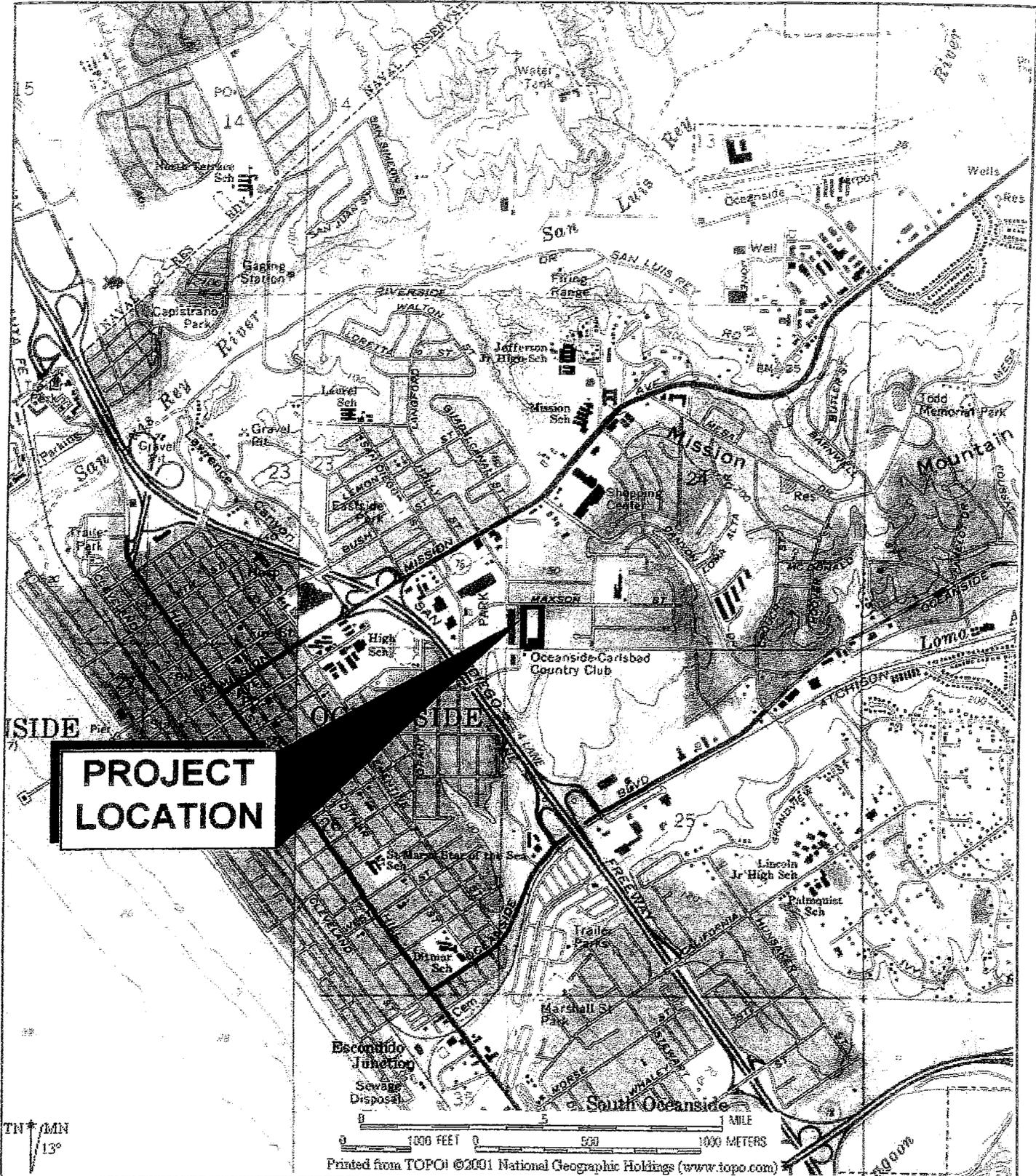
19. **ENVIRONMENTAL DETERMINATION:** The initial study for this project has been reviewed and the environmental determination, contained in Section V. preceding, is hereby approved:



Jerry Hittlerman, City Planner/ Environmental Coordinator

20. **PROPERTY OWNER/APPLICANT CONCURRENCE:** : Section 15070(b)(1) of the California Environmental Quality Act (CEQA) Guidelines provides that Lead Agencies may issue a Mitigated Negative Declaration where *the initial study identifies potentially significant effects, but, revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.* The property owner/applicant signifies by their signature below their concurrence with all mitigation measures contained within this environmental document. However, the applicant's concurrence with the Draft Mitigated Negative Declaration is not intended to restrict the legal rights of the applicant to seek potential revisions to the mitigation measures during the public review process.

John Reekstin
Sr. Vice President Community Development



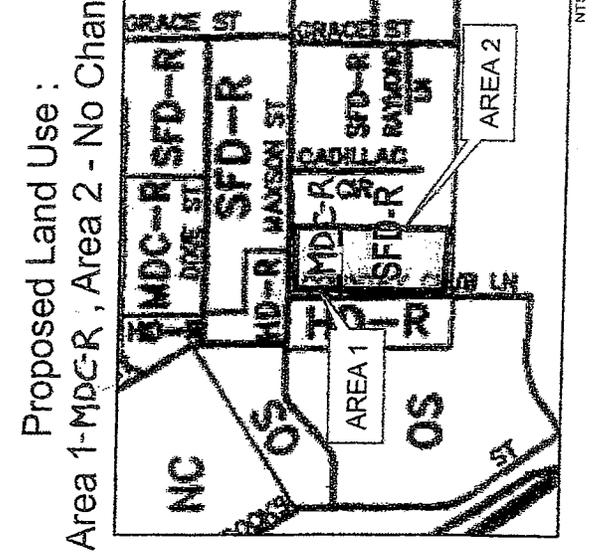
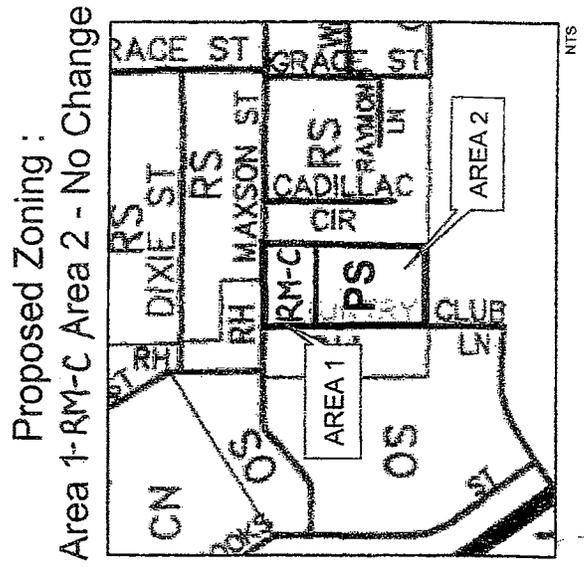
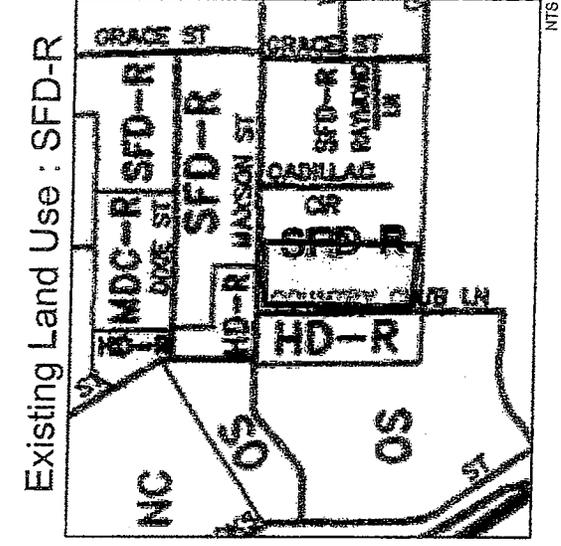
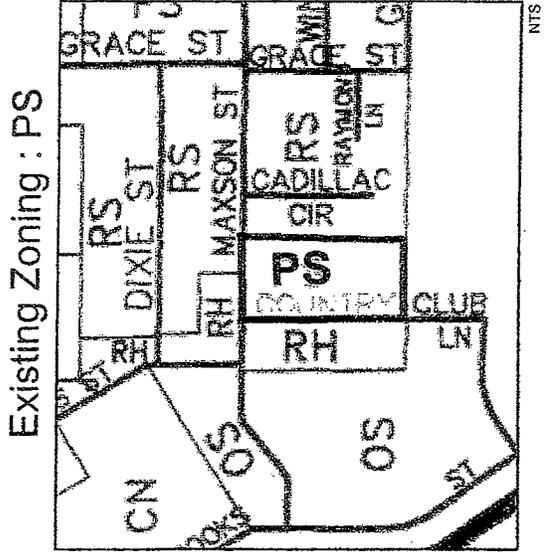
Affinis
 Shadow Valley Center
 847 Jamacha Road
 El Cajon, CA 92019

**PROJECT LOCATION ON USGS 7.5'
 SAN LUIS REY QUADRANGLE**

FIGURE 2

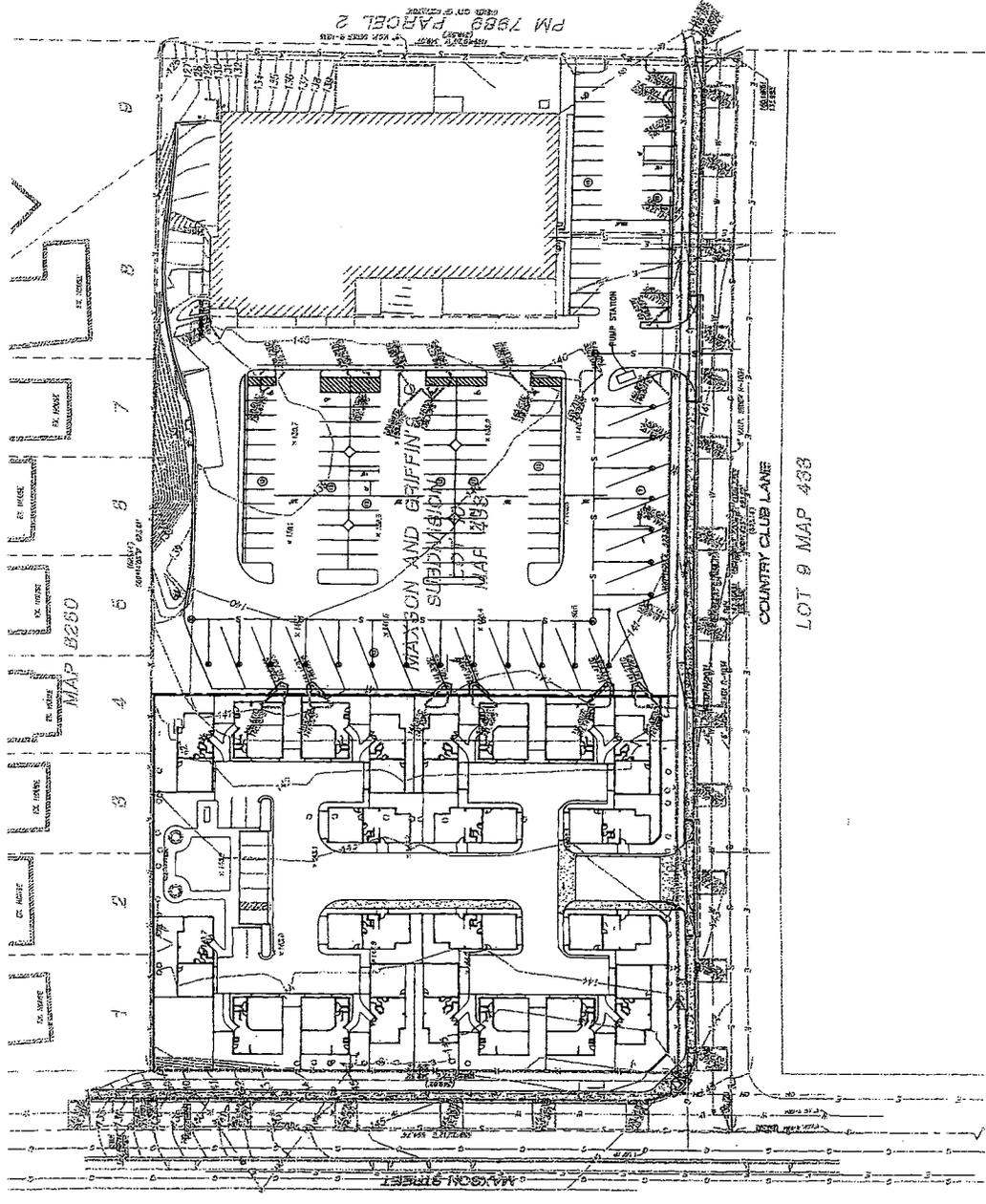
**General Plan Amendment & Zone Amendment Exhibit
 Maxson Street & Country Club Lane
 APN: 148-292-41**

**FIGURE 5
 ZONING AND LAND USE EXHIBIT**



- CL - Limited Commercial
- CN - Neighborhood Commercial
- NC - Neighborhood Commercial
- PD-3 - Sterling
- PS - Public and Semipublic
- RE-B - Residential Estate B
- RM-B - Medium Density Residential B
- RM-C - Medium Density Residential C
- RS - Single Family Residential
- HD-R - High Density Residential
- MDB-R - Medium Density B Residential
- MDC-R - Medium Density C Residential
- SFD-R - Single Family Detached Residential
- OS - Open Space

FIGURE 3
LIBERTY WALK - ELKS LODGE SITE PLAN



CIVIL ENGINEER
NASLAND ENGINEERING
4240 BURNING WOOD
CITY CENTER, WASHINGTON, D.C. 20007
(800) 272-7770
(800) 871-3241 (TOLL FREE)

PARKING NUMBERS
RV SPACES = 20
LOADING SPACES = 107
TOTAL SPACES = 127

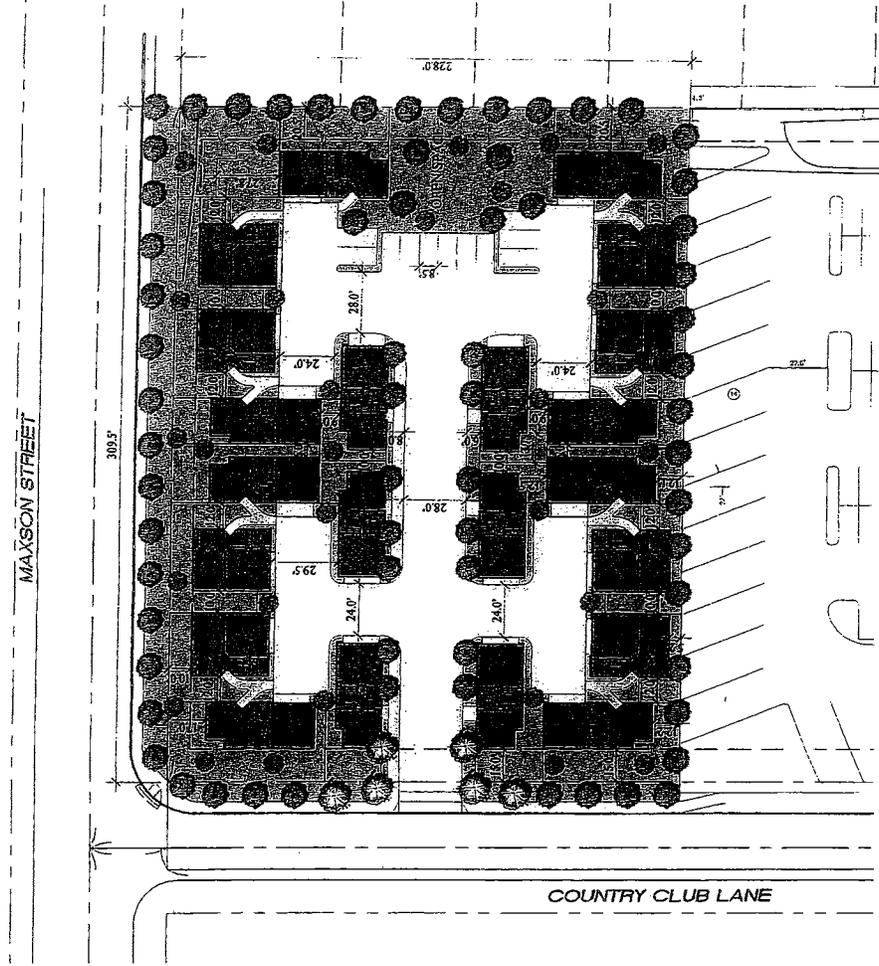
VICINITY MAP
NO SCALE

LIBERTY WALK AND ELK'S LODGE
SITE PLAN

NASLAND ENGINEERING
CITY CENTER, WASHINGTON, D.C. 20007
(800) 272-7770
(800) 871-3241 (TOLL FREE)

DESIGNER	DATE	BY	PROJECT	ENGR. P. FITZMAN
			DESIGNED BY	P. FITZMAN
			DRAWN BY	AS. FITZMAN
			CHECKED BY	AS. FITZMAN
			JOB NO.	105-45341

FIGURE 4
LIBERTY WALK - CONCEPTUAL SITE PLAN



PROJECT SUMMARY

HOMES	22 RESIDENCES		
DENSITY	17.75 DENS		
PARKING	13.75 DENS		
	2.3 SPACES/DU		
	(11 GUEST SPACES)		
PRODUCT SUMMARY			
PLAN 1	14 HOMES	3 BED / 2.5 BA	1,425 SF GROSS
PLAN 2	8 HOMES	4 BED / 2.5 BA	1,535 SF GROSS
TOTAL	22 HOMES		

OPEN SPACE REQUIRED	
22 HOMES X 300 S.F. =	6,600 S.F.
OPEN SPACE PROVIDED	
COMMON AREA	6,000 SF
PRIVATE AREA	6,800 SF
TOTAL	12,800 SF

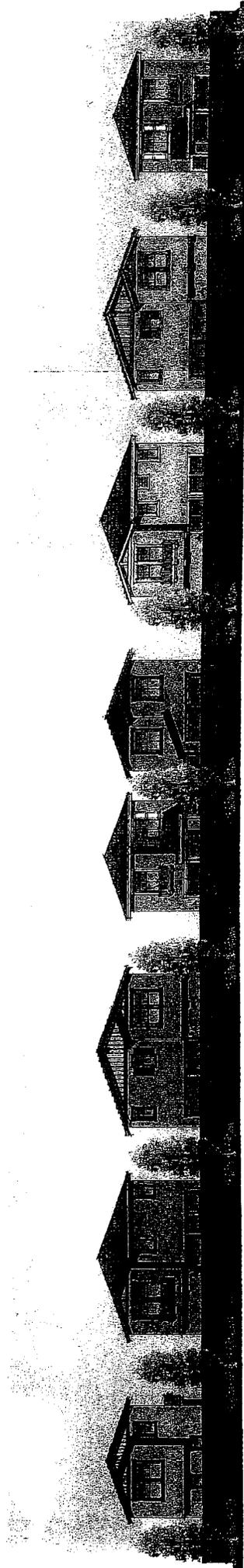
CONCEPTUAL SITE PLAN
MAXSON & COUNTRY CLUB
OCEANSIDE, CA



KTGY NO. 2004357

05.14.07

FIGURE 6
LIBERTY WALK - STREET VIEW



CONCEPTUAL STREET SCENE
MAXSON & COUNTRY CLUB
OCEANSIDE, CA



EST. 1987



EST. 1987