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DATE: June 3, 2009

TO: Honorable Mayor and Members of the City Council

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A GENERAL PLAN AMENDMENT (GPA-1-08) AND ZONE AMENDMENT (ZA-1-08) FOR THE EL CORAZON SPECIFIC PLAN, INCLUDING AMENDMENTS TO THE RANCHO DEL ORO SPECIFIC PLAN AND OCEAN RANCH MASTER DEVELOPMENT PLAN TO REMOVE THE PROJECT FROM THESE PLANNING AREAS; AND CERTIFICATION OF THE FEIR FOR THE PROJECT – EL CORAZON SPECIFIC PLAN – APPLICANT: CITY OF OCEANSIDE**

### **SYNOPSIS**

The item under consideration is certification of the El Corazon Specific Plan Final Environmental Impact Report (FEIR) and associated findings, statement of overriding considerations, and mitigation monitoring and reporting; and approval of a General Plan Amendment (GPA-1-08), Zone Amendment (ZA-1-08), and amendments to the Rancho del Oro Specific Plan and Ocean Ranch Master Plan to remove the project from these planning areas. The El Corazon Specific Plan proposes a wide range of park, natural open space, hotel, and commercial land uses on a 465-acre parcel located northeast of the intersection of El Camino Real and Oceanside Boulevard. Staff is recommending that the City Council adopt the resolution certifying the FEIR and the Environmental Findings and Statement of Overriding Considerations, adopt a resolution approving the Specific Plan and General Plan Amendment, and introduce an ordinance amending the Zoning Ordinance.

### **BACKGROUND**

The public hearing and deliberations by the Planning Commission on the subject El Corazon Specific Plan and FEIR were held on April 20, 2009. The Commission recommended that the City Council certify the FEIR with a 7-0 vote and recommended adoption of the Specific Plan with Alternative 2 of the FEIR – addition of 300 residential units in the commercial areas of the plan – with a 7-0 vote. The Commission felt that allowing development of up to 300 residential units as part of a mixed-use project would promote “Transit Oriented Development (TOD)” or “Smart Growth” opportunities since the units would be above and integrated into the commercial development and would be adjacent to the Rancho del Oro Sprinter Station, Ocean Ranch Business Center, as well as parks, open space and civic uses within the Specific Plan area. Under Alternative 2,

the residential units would be allowed only above commercial uses and would not reduce the overall square footage of commercial area allowed within the Specific Plan.

The El Corazon site is a former silica sand mine that is approximately 465 acres in size and is situated south of Mesa Drive, east of El Camino Real, north of Oceanside Boulevard, and west of Rancho del Oro Drive. The site contains varied topography and has a General Plan and Zoning designation of Rancho del Oro Specific Plan, with a range of residential, commercial, open space, and industrial uses. Current uses on the site include a green waste facility, reclamation activities within a large mine tailing pond, and a recently completed Senior Center set to open on June 6, 2009.

The area surrounding El Corazon is developed with varying land uses. South of the site, across Oceanside Boulevard are a fire station, high school, concrete batch plant, plant nursery, a concrete block company, and a Sprinter Station. East of El Corazon is the Seagate Corporate Center and Ocean Ranch Business Park. West of the site, across El Camino Real is a self-storage business and multifamily residential land uses. To the north is the Oceana Senior Community.

The project site was mined for 60 years by the Silica Sand Mining Company until operations closed in 1994. After the sand mining operation closed, title for the site was transferred to the City of Oceanside with some funds set aside to reclaim the former mine site. In 1995, the City Council directed staff to develop a long-range Vision Plan to guide development of the site. Three public workshops were conducted which resulted in the development of 12 principal goals for future development of El Corazon.

Subsequent to this planning effort, the City Council created the El Corazon Planning Committee (ECPC) in 2003, comprised of 15 Oceanside residents. Over the next several years, the ECPC conducted extensive public outreach on future use of the site. RRM Design Group was hired to assist in facilitating future planning of El Corazon in 2004 and several land use concepts were developed. In June 2005, the City Council accepted the El Corazon Land Use Master Plan as a planning document for use in preparing a specific plan for the site.

After acceptance of the Master Plan in 2005, the Specific Plan was developed. At the onset of the Specific Plan process, a new committee was appointed by the City Council to oversee the process. The El Corazon Oversight Committee (ECOC) was formed with some members of the previous ECPC to provide consistency with the process. The current El Corazon Specific Plan, described below, was drafted in December 2007.

**Project Description:** The proposed project is approval of the El Corazon Specific Plan, which will replace the existing Rancho del Oro Specific Plan designation in the General Plan and Zoning Ordinance for the site. A specific plan is a regulatory tool that local governments use to implement the General Plan and to guide development in a localized area. Minor revisions could be made to the Specific Plan documents at the City Council hearing, however; any major changes could require additional environmental review and/or public review of the plan. Other required discretionary actions are a Zone Amendment from Light Industrial to El Corazon Specific Plan for a

small portion of the property that is within the Ocean Ranch Master Development along Rancho del Oro Drive and is owned by the Stirling Corporation. This portion of the project will also need to be removed from the Ocean Ranch Master Development Plan. The El Corazon Specific Plan identifies six land use districts: Parks and Recreation (PR), Habitat (HB), Civic Services (CS), Hotel (H), Village Commercial (VC), and Oceanside Boulevard Commercial (OBC). These Districts are described in more detail below and are shown within the Specific Plan. Within each District are design guidelines and standards to direct future development and public infrastructure improvements. An Implementation Plan and method for Plan Administration is included in the Specific Plan as well.

### *Specific Plan Districts*

Parks and Recreation (PR) District (212 acres) – There are nine different park sites within the PR District that range in size from 4 to 54 acres and provide a minimum 1,320 parking spaces within 11 parking lots. Program elements include athletic fields that are sized to accommodate a variety of sports including soccer, baseball, and football. The sports fields would have a combination of lighted and day-use-only fields. Park sites would also include concessions, restrooms and storage buildings. The park spaces are designed to be flexible to accommodate tournaments and special events.

Habitat (HB) District (164 acres) – The HB District would comprise land dedicated to preservation of natural habitat areas and passive trails and nature viewing areas. This District would be composed of 150 acres of existing natural and disturbed coastal sage scrub and riparian habitats along Garrison Creek just south of Mesa Drive and the large pit that contains water just east of El Camino Real. Approximately 15 acres of disturbed habitat within these areas would be restored. In addition, 20 acres of land located along Oceanside Boulevard would be restored with coastal sage scrub as required by the City's draft Subarea Plan.

The HB District would include an approximately three-mile trail system. Trails would be developed in two phases. The Phase 1 trail network would follow existing access roads and would have two access points. The first access point is from Oceanside Boulevard and the second access point is from Mesa Drive. The Phase 1 trail is planned to be opened following approval of the Specific Plan and installation of some minor improvements such as smooth wire and wooden fencing to keep users out of sensitive habitat areas. Five additional trails would be developed in later phases of the Specific Plan and would require additional environmental review due to the potential for impacts to sensitive habitat areas and unstable slopes with geotechnical issues.

Civic Services (CS) District (34 acres) – The CS District would contain four areas: Senior Center, Community/Cultural Center, Recreation Center (including a pool facility), and Green Waste Facility (currently operating, but proposed to be moved to the southwest portion of the site). As an option, the City's Public Safety Center would be located in a portion of the site. As another alternative, this area could be used as additional park space. The Senior Center and associated environmental review was approved previously and the facility is set to open in June 2009.

Hotel (H) District (11 acres) – The H District occupies two parcels of land within the northeastern portion of the Specific Plan area. The larger six-acre site is located at the highest point of El Corazon to capture views and is designated for a “Destination Hotel.” The adjacent hotel site is five acres in size and would be appropriate for a “Regional Hotel” such as the Marriott Residence Inn to the east. The City has had preliminary discussions with the Stirling Corporation concerning swapping their land at the northern access point along Rancho del Oro Drive to allow them to develop the southernmost hotel site. Future environmental and entitlement review will be required to facilitate this land exchange.

Village Commercial (VC) District (19 acres) – The commercial village site would be located at the eastern boundary of the Specific Plan, near the Rancho del Oro Drive entryway. Ideally, the VC District would contain up to 248,000 square feet of buildings, which includes 168,000 square feet of ground floor commercial space and 80,000 square feet of second floor boutique office space. This District is designed to include specialty retail that is compatible with adjacent recreational, civic, and hotel land uses. Overall, the focus would be on the pedestrian environment and public gathering spaces which are strongly encouraged.

Oceanside Boulevard Commercial (OBC) District (25 acres) – The OBC District is located in the southeastern corner of the Specific Plan. This District plans for approximately 167,000 square feet of commercial development and 165,000 square feet of office space. The OBC District would be available for traditional commercial retail and service uses that would serve the surrounding areas, such as business products stores and services, sporting goods shops, fitness clubs, and full-service and fast-food restaurants.

### *Circulation*

Multiuse Paths – A system of multiuse paths throughout the Specific Plan will provide access to all parts of the site, except the Habitat District, which will have a separate path system. The multiuse paths will have a 12-foot paved surface, bordered on one side by a four-foot compacted but unpaved surface, which meanders throughout the improved portions of the project site. These paths typically follow the streets but also travel through the park and recreation areas.

Roadways – Circulation within the park is primary provided by a two-lane Park Loop Road. Access to the Loop Road is provided from Oceanside Boulevard and Rancho Del Oro. Two roundabouts are planned at the main entrance to the site off Rancho del Oro Drive. It is anticipated that local bus service and potential future shuttle service from the Sprinter Station would be provided to the Specific Plan. These improvements will need to be coordinated with the North County Transit District (NCTD).

## *Infrastructure*

The El Corazon Specific Plan includes a variety of infrastructure improvements to foster future development of the site. These include sanitary sewer, domestic water supply, recycled water supply, storm drainage, solid waste disposal, dry utilities such as energy and telecommunications, and the roadways and paths described above. The recycled water would be available to the site when recycled water mains are constructed to the project area from the San Luis Rey Wastewater Plant. Alternative methods would for obtaining recycled water would also be investigated in the future.

## *Implementation Plan*

The Specific Plan envisions the implementation and build-out of the various land uses to span a period of 15 to 20 years. The actual completion of each element will be based on the City's ability to coordinate funding of infrastructure and other improvements. The elements of the Implementation Plan are adoption of the Specific Plan and EIR, approval of the General Plan/Zone Amendment, adoption of the El Corazon Oversight Committee (ECOC) Work Plan and establishment of the ECOC project review process (assuming the City Council wishes to continue with a citizens advisory committee such as the ECOC), implementation of landscape improvements, construction of the Senior Center (set to open in June 2009), and lease of commercial development asset properties.

The last item in the Implementation Plan discusses the preference that the Village Commercial District, Oceanside Boulevard Commercial District, and Hotel Site 1 be leased to private developers to generate revenue to fund other portions of the Specific Plan Area development. In addition, at a later date staff will be presenting an amendment to the Parks and Recreation fee program to assist in financing infrastructure improvements on El Corazon.

## *Plan Administration*

This chapter of the Specific Plan describes the authority of the Specific Plan and the administrative procedures required for amendments and/or modifications, and exceptions to the Plan. Specific Plan administration is proposed to be by the ECOC that will act in an advisory capacity to the City, however, the Planning Commission and City Council will retain all decision-making authority. The ECOC would advise the City Council and Planning Commission on development proposals for the Specific Plan area. Again, this course of implementation presupposes that the City Council wishes to continue with a citizen's advisory committee such as the ECOC.

Exceptions to the Development Standards for the Specific Plan Land Use Districts may be approved with approval of a development plan. The exception or alternative standards may be recommended by the ECOC and approved by the Planning Commission or City Council. Any exceptions would need to be equal to or better than the existing standards and must not result in any new significant environmental impacts. If the proposed changes are significant or a portion of the Specific Plan requires major

revisions, a Specific Plan Amendment will be required. An analysis of the Amendment's impacts relative to the approved environmental document would be required.

## **ANALYSIS**

### **ENVIRONMENTAL ISSUES**

An Environmental Impact Report (EIR) was prepared to serve as a program-level EIR to assess the potential environmental effects associated with implementation of the El Corazon Specific Plan, and to propose mitigation measures where required, to reduce significant impacts. The EIR also provided project-level assessment of the potential environmental effects of development of the Phase 1 trail network (described above) within the project area.

The EIR process began with the preparation of a Notice of Preparation (NOP) that was circulated in September 2006 and a scoping meeting held during the 30-day NOP review. Subsequently, a draft EIR was prepared and circulated for a 45-day public review period from September 18, 2008, to November 6, 2008. A Final EIR was prepared in March 2009 that responds to all comments received during public review and any changes to the draft EIR. The significant environmental issues and project alternatives addressed in the Final EIR are summarized below.

#### **Air Quality**

##### *Construction Related Impacts*

Construction activities associated with rough grading would result in a short-term increase in motor vehicle emissions and fugitive dust from grading and trenching activities. Construction mitigation measures and regulations for the control of fugitive dust from the San Diego Air Pollution Control District (SDAPCD) and City of Oceanside would reduce nuisance from dust and particulate matter. However, construction emissions for reactive organic gases (ROG) from construction equipment and vehicles would not be reduced to below SDAPCD thresholds and would be considered a significant and unmitigable impact.

##### *Operational Impacts*

Long-term air quality impacts for the implementation of the Specific Plan include mainly emissions from vehicles traveling to and from the site. The new development within the Specific Plan area will generate air pollution from stationary and mobile sources. Examples of stationary sources include natural gas combustion at businesses. Mobile sources include vehicle exhaust emissions.

The various phases of Specific Plan development were analyzed for air quality impacts. The analysis concluded that new development would generate pollutant emissions that will exceed SDAPCD daily threshold amounts for ROG, Oxides of Nitrogen (NOx),

Carbon Monoxide (CO), and PM10 (particulates) resulting in long-term significant and unmitigable air quality impacts. These impacts will be minimized through the implementation of an extensive list of mitigation measures that include transportation demand management techniques such as establishing carpool/vanpool programs, implementing a parking fee program, and orienting future buildings toward transit stops.

Biological Resources – The site contains a variety of natural and disturbed habitat areas, including coastal sage scrub, willow riparian, freshwater marsh, and non-native grassland. The proposed Specific Plan will preserve a minimum 164 acres of natural habitat as open space, which includes the sensitive habitats listed above, with the exception of non-native grassland. The preserved areas are coastal sage scrub and riparian habitats in the northern and western portions of the site as well as 20 acres of future restored coastal sage scrub along Oceanside Boulevard. These areas contain the least Bell's vireo and California gnatcatcher, which are protected under the Federal and State Endangered Species Acts. The preserved areas are in compliance with wildlife corridor requirements of the City's draft Subarea Plan of the Multiple Habitat Conservation Program.

No direct impacts to any rare, endangered, threatened, or sensitive species are anticipated through development of the Specific Plan. The Phase 1 trail system, which was analyzed on a project level and located in the Habitat District, will be located on an existing dirt service road used by SDG&E and the City. The Phase 1 trails will not have any direct impacts to adjacent sensitive habitat areas. Phase 2 trails would require grading and remediation of slopes and would require further environmental review prior to implementation.

Potential indirect impacts include items such as fugitive dust, invasive species, noise, and lighting to sensitive plant and animal species in the preserved areas described above. Mitigation for indirect impacts to the sensitive plants and animals in the HB District will be accomplished through mitigation measures/conditions that require a prohibition on use of invasive plant species, seasonal restrictions on grading, construction limits, lighting restrictions, and noise controls.

Cultural Resources – The Cultural Resources Report prepared for the El Corazon project does not identify any archaeological resources within the project area. However, there is the potential for previously unknown subsurface artifacts to be encountered during ground disturbance activities, particularly in areas outside the mine-tailing ponds. Therefore, Native American and archaeological monitors will be required to be on-site during ground disturbing activities as mitigation for this potential impact. Construction of the Phase 1 Trail network will be done using existing service roads and will not require significant ground-disturbing activities.

State Senate Bill 18 (SB 18) requires that local governments consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting and/or mitigating impacts to cultural places. The City initiated this consultation process by contacting NAHC in June 2008. The NAHC responded by sending a Native American Tribal Consultation contact list for further

consultation on cultural issues. The Native American tribes were contacted via mail in July 2008 and only the San Luis Rey Band responded. A consultation was held with tribal members and an attorney from California Indian Legal Services in December 2008 at the Specific Plan site. At the meeting it was indicated that Morro Hill, a very important site to the Band, was clearly visible to the northeast and that the ancestors of the Band originally inhabited this area. As a result of the meeting, the Band has requested that a pre-excavation agreement be executed prior to further grading of the site and that Native American cultural elements that honor the San Luis Rey Band be incorporated into the parks and other proposed improvements where feasible.

Geology and Soils – A majority of the El Corazon Specific Plan site contains the remains of 10 large mine-tailing ponds, which are the result of historical mine use. The ponds have been filled with unconsolidated mine tailings and capped with overburden (topsoils and other soils removed from the natural ground surface prior to extraction of sand) and screened materials. The soils types in the tailing ponds range from sands to clays. Therefore, implementation of the Specific Plan has the potential to expose people or structures to substantial adverse effects involving seismic ground failure and liquefaction. This is a potentially significant impact that would require mitigation, which includes the requirement for future geology studies prior to development of areas with structures and employing various methods to consolidate and drain the soils within the pond areas.

Traffic Impacts/Traffic Impact Analysis – Implementation of the El Corazon Specific Plan at full build-out is anticipated to generate 34,604 average daily trips (ADT) with 1,196 trips during the AM peak hour and 3,570 trips during the PM peak hour. A wide range of intersections and street segments were analyzed in the area surrounding the project site assuming build-out of the Specific Plan in the Year 2030. The traffic analysis looked at traffic impacts with and without the construction of the Rancho del Oro/SR 78 Interchange project. The project traffic study found that all intersections are calculated to continue to operate at level of service (LOS) D or better during AM and PM peak hours with the exception of:

- SR 76 at Rancho del Oro – LOS E during PM peak hour
- Mesa Drive at South El Camino Real – LOS F during the PM peak hour
- Mesa Drive at College Boulevard – LOS E during AM and PM peak hours
- College Boulevard at Old Grove Road – LOS F during AM and PM peak hours
- Oceanside Boulevard at I-5 northbound onramp – LOS E during PM peak hour
- Oceanside Boulevard at Crouch Street – LOS E during PM peak hour
- Oceanside Boulevard at El Camino Real – LOS E during AM peak hour and LOS F during PM peak hour
- Oceanside Boulevard at College Boulevard – LOS E during PM peak hour
- College Boulevard at Vista Way – LOS F during AM and PM peak hours
- El Camino Real at SR 78 westbound ramp – LOS F during AM and PM peak hours
- El Camino Real at SR 78 eastbound ramp – LOS F during PM peak hour

The following is a summary of the Year 2030 plus project roadway segment operations. The project traffic study found that all area roadway segments are anticipated to continue to operate at LOS C or better with the exception of:

- Mesa Drive from Mission Avenue to Foussat Road – LOS D
- Mesa Drive from Foussat Road to El Camino Real – LOS F
- Oceanside Boulevard from I-5 southbound ramps to Crouch Street – LOS F
- Oceanside Boulevard from Crouch Street to Foussat Road – LOS E
- Oceanside Boulevard from Foussat Road to El Camino Real – LOS F
- El Camino Real from Oceanside Boulevard to Vista Way – LOS D
- El Camino Real from Vista Way to SR 78 – LOS F
- College Boulevard from SR 76 to Mesa Drive – LOS D
- College Boulevard from Old Grove Road to Oceanside Boulevard – LOS E
- College Boulevard from Oceanside Boulevard to Thunder Drive – LOS F
- College Boulevard from Thunder Drive to Roselle Avenue – LOS D
- College Boulevard from Roselle Avenue to Waring Drive – LOS F
- College Boulevard from Waring Drive to SR 78 – LOS E

Numerous mitigation measures that address these potential traffic impacts are listed in the project resolution and Final EIR. These include implementation of a traffic control plan during project construction, several Traffic Demand Management (TDM) improvements such as shuttle service between the Specific Plan and Sprinter Station and provision of a bike/pedestrian trail system, and fair-share contribution to various traffic signals, intersection, and road segment improvements. Even with implementation of these improvements, the following intersections and roadway segments will have significant impacts with no feasible means of mitigation:

#### *Intersections*

- El Camino Real at SR 78 – Westbound and Eastbound Ramps
- Oceanside Boulevard at El Camino Real
- Oceanside Boulevard at College Boulevard
- Oceanside Boulevard at I-5 Northbound Ramp
- Oceanside Boulevard at Crouch Street

#### *Street Segments*

- Oceanside Boulevard from I-5 Southbound ramps to Crouch Street
- Oceanside Boulevard from Crouch Street to Foussat Road
- Oceanside Boulevard from Foussat Road to El Camino Real
- College Boulevard from Roselle to SR 78
- College Boulevard from Oceanside Boulevard to Roselle Avenue
- College Boulevard from Old Grove Road to Oceanside Boulevard
- College Boulevard from SR 76 to Mesa Drive
- El Camino Real from Vista Way to SR 78

- El Camino Real from Oceanside Boulevard to Vista Way
- I-5 Northbound and Southbound from SR 78 to Las Flores Road
- Mesa Drive from Fousat Road to El Camino Real

Access to the Specific Plan would be provided via two access points along Oceanside Boulevard and two access points along Rancho del Oro Drive. Public and emergency access to the site will be adequately served by these access points.

Cumulative Impacts – Climate change as a result of an increase in greenhouse gases (GHG) mainly from an increase in vehicle trips is defined by the state as a global effect, not susceptible to mitigation by any proposed project within the state. There is no minimum threshold established for reduction of GHG at this time. In the absence of a threshold, the incremental contribution of the project to climate change is considered potentially significant and unmitigable. Other cumulative impacts, with the exception of traffic discussed above, could be mitigated or were found to be not significant.

Alternatives – Three project alternatives were analyzed in the EIR – No Project or Existing Plan Alternative, Preferred Project plus 300 Residential Units, and Preferred Project plus 100,000 square feet of Office Space. Alternatives that would reduce significant traffic and air quality impacts were not analyzed in the EIR because they would require a major reduction in land uses and would not meet the project objectives which are to provide a range of park, civic, hotel and commercial uses. The alternatives analyzed in the EIR are summarized below.

*No Project/ Existing Plan*

Under this alternative, the City would not implement the El Corazon Specific Plan. The existing General Plan and Zoning designations in the Rancho del Oro Specific Plan and Ocean Ranch Master Plan would remain in effect. This includes residential, town center, industrial and open space land uses. Compared to the proposed project, this alternative is anticipated to result in greater structural development, since the majority of the site would be developed with the uses described above. Therefore, this alternative would generate greater volumes of traffic and air emissions. It would also result in greater biological impacts due to development within the City's proposed Wildlife Corridor as described in the draft Subarea Plan.

*Alternative 2 – Preferred Project plus 300 Residential Units*

This alternative was recommended for approval by the Planning Commission. Under this alternative, all land uses contained within the Specific Plan and analyzed in the EIR would remain the same except for the Village Commercial and/or Oceanside Boulevard Commercial areas where up to 300 residential units would be added as part of a mixed-use development plan. These units are anticipated to be urban-style units, with residents living above retail and other commercial uses located on the ground floor. It is anticipated that the same quantity of commercial square footage would be built under this alternative. The residences would be in proximity to the Sprinter Station located on the southwest corner of Oceanside Boulevard and Rancho del Oro Drive.

If built, this alternative would result in a greater level of environmental impact for air quality and public services. However, traffic impacts would not change significantly. This alternative received a strong endorsement from Sandag and NCTD in letters received during public review of the draft EIR. This endorsement is due to the proximity of the commercial portion of the Specific Plan to the Sprinter Station, the Ocean Ranch Business Park, and park and civic uses within the Specific Plan. The area within approximately a quarter mile of the station is designated as a "Smart Growth" or "Transit Oriented Development (TOD)" where medium to high density mixed-use development is encouraged to promote use of mass transit and fewer vehicle trips in the area.

#### *Alternative 3 – Preferred Project plus 100,000 Square Feet of Office Space*

In this alternative all land uses stated within the Specific Plan project description would remain except for a portion of the Habitat District. Approximately 20 acres of coastal sage scrub habitat to be restored along Oceanside Boulevard would be replaced with 100,000 square feet of office space. The revegetation of this area is required by the City's draft Subarea Plan as a critical part of the proposed wildlife corridor. If built, this alternative would meet the project objectives, however, would have greater environmental impacts for aesthetics, air quality, biological resources, geology/soils, land use, and traffic impacts.

#### **FISCAL IMPACT**

Not applicable.

#### **COMMISSION OR COMMITTEE REPORT**

The Planning Commission reviewed the project on April 20, 2009. After hearing considerable public testimony from area residents as well as from the applicant's representative, the Commission recommended certification of the FEIR and adoption of the project plus Alternative 2 (addition of 300 residential units in a vertical mixed use project) by a 7-0 vote and approved the project on a 7-0 vote.

The El Corazon Oversight Committee (ECOC) supports the Specific Plan as submitted to the City Council as well as the actions taken by the Planning Commission on April 20, 2009, regarding EIR Alternative 2 which will maximize the flexibility for the ultimate development of the El Corazon project.

Members of all City of Oceanside Commissions and Committees were invited to a meeting on October 27, 2008, regarding the El Corazon Specific Plan and EIR. Input on the plan was received and considered in the Final EIR.

## 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 resolution shall be adopted by the affirmative vote of not less than a majority of the total City Council membership. The Planning Commission's public hearing on April 20, 2009, and its recommendation of approval were in accord with the provisions of Section 65353 of the Government Code.

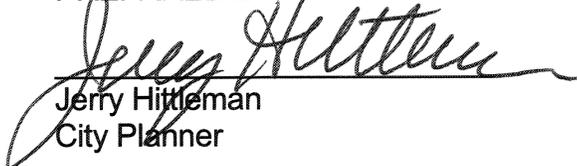
After conducting the public hearing, the Council shall affirm, modify, or reject the proposed project. A modification not previously considered by the Planning Commission shall be referred to the Commission for review and action as appropriate.

## RECOMMENDATION

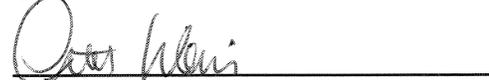
In summary, staff finds that the El Corazon Specific Plan is consistent with surrounding commercial, residential and open space uses. The Plan is also consistent with the Wildlife Corridor as outlined in the City's draft Subarea Plan. All potential environmental impacts will be mitigated to the extent feasible.

As such, staff recommends that the City Council adopt the resolution certifying the Final Environmental Impact Report (FEIR) and associated findings, statement of overriding considerations, and mitigation monitoring and reporting program; and adopt the resolution approving the General Plan Amendment (GPA-1-08); and introduce an ordinance for Zone Amendment (ZA-1-08) to amend the Rancho del Oro Specific Plan and Ocean Ranch Master Plan to remove the project from these planning areas. The City Council may adopt Alternative 2 of the EIR (addition of 300 residential units) without the need for the Specific Plan or EIR to come back for another hearing.

PREPARED BY

  
Jerry Hittleman  
City Planner

SUBMITTED BY

  
Peter A. Weiss  
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager  
George Buell, Development Services Director



## **ATTACHMENTS:**

1. City Council Resolution certifying the FEIR
2. City Council Resolution for Approval of the General Plan Amendment
3. Ordinance for adoption of the Zone Amendment
4. Planning Commission Resolutions No. 2009-P21 and 2009-P22
5. Planning Commission Staff Report dated April 20, 2009
6. Final Environmental Impact Report and Specific Plan (distributed separately)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE EL CORAZON SPECIFIC PLAN

(City of Oceanside - Applicant)

WHEREAS, a Final Environmental Impact Report was prepared and circulated for public and agency review and proper notification was given in accordance with the California Environmental Quality Act; and

WHEREAS, the City Council, did on the 3rd day of June, 2009, conduct a public meeting on the content of the Final Environmental Impact Report and Mitigation and Monitoring and Reporting Programs; and

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

For the Final Environmental Impact Report:

1. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting Program were completed in compliance with the provisions of the California Environmental Quality Act (CEQA).
2. There are certain significant environmental effects detailed in the Final Environmental Impact Report and Mitigation and Monitoring and Reporting Program which have been avoided or substantially lessened by the establishment of measures which are detailed in Exhibit "A" Environmental Findings and Statement of Overriding Considerations for the El Corazon Specific Plan Environmental Impact Report.
3. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting Program and Statement of Overriding Considerations were presented to the City Council, and the City Council reviewed and considered the information contained in

1 these documents prior to making a decision on the project. The Final Environmental  
2 Impact Report and Mitigation and Monitoring and Reporting Program and Statement of  
3 Overriding Considerations have been determined to be accurate and adequate  
4 documents which reflect the independent judgment of the City Council.

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

- 7 1. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting  
8 Program for the El Corazon Specific Plan project IS CERTIFIED, effective as of this  
9 day.
- 10 2. Pursuant to Public Resources Code Section 21081.6 the City Council adopts the  
11 Mitigation Monitoring and Reporting Program (MMRP) attached as Exhibit "B" and  
12 finds and determines that said program is designed to ensure compliance with the  
13 mitigation measures during project implementation.

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3. Pursuant to Public Resources Code Section 21081, the City Council hereby adopts the Environmental Findings and Statement of Overriding Considerations for the El Corazon Specific Plan Environmental Impact Report attached as Exhibit "A".

PASSED and ADOPTED by the City Council of the City of Oceanside, California this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by the following vote:

- AYES:
- NAYES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_

Mayor of the City of Oceanside

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_

City Clerk

  
\_\_\_\_\_  
City Attorney

## FINDINGS OF FACT FOR THE PROPOSED EI CORAZON SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT

### 1.0 INTRODUCTION

#### 1.1 Findings of Fact

The California Environmental Quality Act, Public Resources Code Section 21000-21178 (CEQA) and State CEQA Guidelines for Implementation of the California Environmental Quality Act, Cal. Code Regs. Title 14, Sections 15000-15387 (*CEQA Guidelines*) are “intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects” (Cal. Pub. Res. Code Section 21002). The mandate and principles of CEQA are implemented, in part, through the requirement that agencies adopt findings prior to approving projects for which Environmental Impact Reports (EIRs) are required (See Pub. Res. Code Section 21081(a)). For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions.

The first permissible finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoids or substantially lessens the significant environmental effect as identified in the final EIR” (*CEQA Guidelines* Section 15091(a)(1)). The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (*CEQA Guidelines* Section 15091(a)(2)). The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR” (*CEQA Guidelines* Section 15091(a)(3)). Section 21061.1 of CEQA defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” Section 15364 of *CEQA Guidelines* adds “legal” considerations as another factor. See also *Citizens of Goleta Valley v. Board of Supervisors* (“Goleta II”), 52 Cal.3d 553, 565, 276 Cal.Rptr. 419 (1990).

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (*City of Del Mar v. City of San Diego*, 133 Cal. App.3d 410, 417, 183 Cal.Rptr. 898 (1982)). “[F]easibility under CEQA encompasses ‘desirability to the extent that desirability is based on a reasonable balancing of the relevant economic, social and technological factors’ (Id.; see also *Sequoyah Hills Homeowners Ass’n v. City of Oakland*, 23 Cal.App.4th 704, 715, 29 Cal.Rptr.2d 182 (1993)).

*CEQA Guidelines* do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. The City of Oceanside must therefore glean the meaning of these terms from the other contexts in which the terms are used. Section 21081 of CEQA, on which *CEQA Guidelines* Section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which will substantially lessen the significant environmental effects of such projects” (Pub. Res. Code Section 21002).

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations are consistent with the holding in *Laurel Hills Homeowners Ass’n v. City Council*, 83 Cal.App.3d 515, 519-527, 147 Cal.Rptr. 842 (1978), in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the “loss of biological resources”) to a less than significant level. Although *CEQA Guidelines* Section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these Findings of Fact (Findings), for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant.

The following Findings are made relative to the conclusions of the Final Environmental Impact Report for the El Corazon Specific Plan (SCH No. 1998091006) (Final EIR). The Final EIR prepared analyzed a proposed project in Chapter 3. However, based upon public review and deliberation by decision makers, the City has selected the alternative that was analyzed in Section 6.2 of the EIR (Preferred Project + 300 Residential Units). Therefore, for the purposes of these Findings of Fact, the term “proposed project” refers to the Preferred Project + 300 Residential Units as discussed in Chapter 6.2 of the Final EIR.

## **1.2 Document Format**

These Findings have been organized into the following sections:

- a) Section 1 provides an introduction to these Findings.
- b) Section 2 provides a summary of the proposed project and overview of the discretionary actions required for approval of the proposed project and a statement of the proposed project’s objectives.

- c) Section 3 provides a summary of public participation in the environmental review, an overview of the administrative record that has been developed for the proposed project, as well as findings regarding the Mitigation Monitoring and Reporting Program (MMRP) and general findings regarding the proposed project and CEQA compliance.
- d) Section 4 sets forth findings regarding those environmental impacts which were determined during the Notice of Preparation period either not to be relevant to the proposed project or which were determined to clearly not manifest at levels which were deemed to be significant for consideration at the project-specific level.
- e) Section 5 sets forth findings regarding significant or potentially significant environmental impacts identified in the Final EIR which the City has determined are either not significant or can be substantially lessened or reduced to a less than significant level through the imposition of mitigation measures included in the MMRP for the proposed project.
- f) Section 6 sets forth findings regarding alternatives to the proposed project which were analyzed in the Final EIR.

## **2.0 PROJECT SUMMARY**

### **2.1 El Corazon Specific Plan Description**

The El Corazon Specific Plan site is a 465-acre property located in the approximate geographical center of the City of Oceanside, California. The project property was the former site of the U.S. Silica Mining Company. The El Corazon Land Use Master Plan (2005) recommends the general layout and configuration of land uses for future development of the El Corazon site. The general layout and configuration of land uses was further refined in the 2007 El Corazon Specific Plan, which proposes to develop the site as a mixed-use area that captures the character of the City of Oceanside. The Plan divides the site into six districts: Parks and Recreation, Habitat, Civic Services, Hotel, Village Commercial, and Oceanside Boulevard Commercial. The majority of the El Corazon site would be occupied by the Parks and Recreation and Habitat Districts with the Hotel, Village Commercial, and Oceanside Boulevard Commercial Districts concentrated on the east site of the site.

### **2.2 Discretionary Actions**

The City of Oceanside would require the following discretionary actions:

#### **Certification of the EIR**

Per §15090 of the State *CEQA Guidelines*, prior to approving a project, the lead agency shall certify that (1) the final EIR has been completed in compliance with CEQA, (2) the final EIR was presented to the decision-making body of the lead agency and that the

decision-making body reviewed and considered the information contained in the final EIR prior to approving the project, and (3) the final EIR reflects the lead agency's independent judgment and analysis.

### **General Plan Amendment**

A General Plan Amendment (GPA) is required to change the existing General Plan land use designations to Specific Plan Area for those areas that are covered by the El Corazon Specific Plan.

### **Rezone**

A Rezone is required to change the existing zoning from the Rancho del Oro Specific Plan and Light Industrial to the El Corazon Specific Plan area that corresponds to the area identified in the El Corazon Specific Plan.

### **Specific Plan Amendments/Specific Plan/Tentative Maps**

The El Corazon Specific Plan serves as the plan to guide development and buildout of the area within the Specific Plan boundary. Adoption of the Specific Plan would be a required action. However, before adoption can occur, specific plan amendments to both the Rancho del Oro Specific Plan and Ocean Ranch Master Development Plan are necessary to add the El Corazon Specific Plan. Once the specific plan amendments have occurred, the El Corazon Specific Plan would be put forward for approval. Once the El Corazon Specific Plan is approved, any proposed development within in El Corazon site would have to be reviewed and approved by the City Planning Commission or City Council, as appropriate. Additionally, since the development of the Districts is anticipated to take place over many years, a Tentative Map could be created for each District prior to development of that specific district. In lieu of creation of a Tentative Map there may be a grading plan submitted or even an improvement plan submitted identifying the proposed project improvements.

## **2.3 Statement of Project Objectives**

The objectives of the proposed El Corazon Specific Plan are as follows:

- Provide high-quality passive and active recreational opportunities for Oceanside residents;
- Maintain and restore open space and natural habitat in support of sensitive plant and wildlife species; and
- Provide commercial space to support recreational and other public land uses.

## **2.4 Background**

The El Corazon Specific Plan area, as part of a larger overall parcel, was the former site of the U.S. Silica Mining Company. After mining the site for approximately 60 years,

the Silica Sand Mining Company closed mining operations in 1994. After the sand mining operation closed, title for the larger area of the mine, primarily the eastern area, went to a private developer and subsequently the western area, El Corazon portion of the overall site, to the City of Oceanside, with some funding to reclaim the former mine site. Subsequent to the land transfer to the City of Oceanside several land use proposals were developed and abandoned over the years, including converting the site to a golf course and destination resort. Since 1994, the City-owned portion of the mine has continued to undergo mine reclamation.

In 1995, following acquisition of the property, the Oceanside City Council directed City staff to develop a long-range Vision Plan to guide the general land uses of the property. In 2003 the Oceanside City Council created the El Corazon Planning Committee (ECPC) and appointed 15 Oceanside residents as members of the committee.

Over the course of several years, the ECPC worked with the City and the public to determine an appropriate land use plan for the project site. Building on the earlier vision workshops, the ECPC developed an 11-point goal statement for the property which was approved in January of 2004. In early 2004, the ECPC conducted extensive public outreach to get feedback from the public on the future development of the El Corazon site. In August of 2004 the ECPC and the City selected RRM Design Group to create a concept plan for the property. RRM and the ECPC worked together to develop several alternative concepts to establish a comprehensive plan addressing all the goals, objectives, and program elements. The concept plan refinements were presented to the public on April 27, 2005. In June 2005, the City of Oceanside accepted the El Corazon Land Use Master Plan as a planning level document for use in the preparation of the Specific Plan. Since the Master Plan is not a regulatory document but a guiding document, it was exempt from the California Environmental Quality Act (CEQA).

After acceptance of the Land Use Master Plan in 2005, the process to develop the Specific Plan began. Prior to the acceptance of the El Corazon Land Use Master Plan, the Rancho del Oro Specific Plan identified growth and development opportunities at the El Corazon site. While the City of Oceanside General Plan is the primary guide for growth and development in the community, the Specific Plan is used to focus on the unique characteristics of the El Corazon site. At the onset of the El Corazon Specific Plan effort, a new committee was appointed by the City Council to oversee the process. The El Corazon Oversight Committee (ECOC) was formed with some members of the previous ECPC to provide consistency in the planning process.

### **3.0 Public Participation and Record of Proceedings**

#### **3.1 Public Input**

There have been numerous opportunities for public review and comment, including but not limited to the public forums set forth below:

- El Corazon Oversight Committee Meetings

- EIR Notice of Preparation, September 5, 2006 – October 4, 2006
- Draft EIR Public Review, September 18, 2008 – November 6, 2008

### **3.2 Record of Proceedings**

For purposes of CEQA and these Findings and Statement of Overriding Considerations, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation and all other public notices issued by the City in conjunction with the proposed project;
- The Draft EIR;
- The Final EIR;
- All written comments and verbal public testimony presented during the public comment period on the Draft EIR;
- The MMRP;
- All findings, ordinances, and resolutions adopted by the City in connection with the proposed project, and all documents incorporated by reference therein;
- All final reports, studies, memoranda, maps, staff reports, or other planning documents relating to the proposed project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's actions on the proposed project;
- All documents submitted to the City by other public agencies or members of the public in connection with the proposed project;
- Minutes and/or verbatim transcripts of all public information sessions, public meetings, and public hearings held by the City in connection with the proposed project;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations;
- The City's General Plan, Municipal Code, and Draft Subarea Plan/Habitat Conservation Plan (HCP);
- Any documents expressly cited in these Findings, in addition to those cited above; and
- Any other materials required to be in the record of proceedings by Section 21167.6 (e) of CEQA.

The custodian of the documents comprising the record of proceedings is the City Clerk, whose office is located at 300 North Coast Highway, Oceanside, CA 92054. At all relevant times, all these documents, which constitute the record of proceedings upon which the City's decision is based, have been available upon request at the offices of the City.

The City has relied on all of the documents listed above in reaching its decision on the proposed project, even if not every document was formally presented to the City or City Staff as part of the City files generated in connection with the proposed project. Without exception, any documents set forth above not found in the proposed project files fall into one of two categories. First, many of them reflect prior planning or legislative decisions of which the City was aware in approving the proposed project. (See *City of Santa Cruz v. Local Agency Formation Commission*, 76 Cal.App.3d 381, 391-392, 142 Cal.Rptr. 873 (1978); *Dominey v. Department of Personnel Administration*, 205 Cal.App.3d 729, 738, n.6, 252 Cal.Rptr. 620 (1988).) Second, other of the documents influenced the expert advice provided to City Staff or consultants, who then provided advice to the City. For that reason, such documents form part of the underlying factual basis for the City's decisions relating to the adoption of the Project. (See Pub. Res. Code Section 21167.6(e)(10); *Browning-Ferris Industries v. City Council of City of San Jose*, 181 Cal.App.3d 852, 866, 226 Cal.Rptr. 575 (1986); *Stanislaus Audubon Society. Inc. v. County of Stanislaus*, 33 Cal.App.4th 144, 153, 155, 39 Cal.Rptr.2d 54 (1985).)

The Final EIR was completed in compliance with CEQA, and reflects the City's independent judgment. The City believes that its decision on the proposed project is one which must be made after a hearing required by law at which evidence is required and discretion in the determination of facts is vested in the City. As a result, any judicial review of the City's decision will be governed by Section 21168 of CEQA. Regardless of the standard of review that is applicable, the City has considered evidence and arguments presented to the City prior to or at the public hearings on this matter. In determining whether the proposed project has a significant effect on the environment, and in adopting Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21081.5 and 21082.2.

### **3.3 Mitigation Monitoring and Reporting Program**

CEQA requires the Lead Agency approving a project adopt a MMRP for the changes to the project that it has adopted or made a condition of project approval in order to ensure compliance with project implementation. A MMRP has been defined and serves that function for the Final EIR. The MMRP designates responsibility and anticipated timing for the implementation of mitigation. The City will serve as the overall MMRP Coordinator. A MMRP has been prepared for the proposed project and has been adopted concurrently with these Findings (See Pub. Res. Code Section 21081.6(a)(1)). The City will use the MMRP to track compliance with all mitigation measures.

### **3.4 General Findings**

The City hereby finds as follows:

- g) The foregoing statements are true and correct;
- h) The City is the “Lead Agency” for the Project evaluated in the Final EIR and independently reviewed and analyzed the Draft EIR and Final EIR for the Project;
- i) The Notice of Preparation of the Draft EIR was circulated for public review between September 5, 2006 and October 4, 2006. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency’s specific responsibilities;
- j) The public review period for the Draft EIR was between September 18, 2008 and November 6, 2008. The Draft EIR and appendices were available for public review during that time. A Notice of Completion along with 15 copies of the Draft EIR were sent to the State Clearinghouse, and notice of availability of the Draft EIR was published in the local newspaper. The Draft EIR was available for review at the City of Oceanside Planning Department and at the City libraries;
- k) The Draft EIR and Final EIR were completed in compliance with CEQA;
- l) The Final EIR reflects the City’s independent judgment;
- m) The City evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft EIR regarding environmental impacts. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR;
- n) The City finds that the Final EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the proposed project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responses to comments made during the public review period in compliance with CEQA;
- o) The Final EIR evaluated the following direct and cumulative impacts: Aesthetics, Air Quality, Biological Resources, Cultural and Paleontological Resources, Geology/Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise, Public Services, Transportation/Traffic, and Utilities and Service Systems. All of the significant impacts of the proposed project were identified in the Final EIR.

- p) CEQA requires the Lead Agency approving a project to adopt an MMRP for the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with project implementation. The MMRP included in the Final EIR as certified by the City serves that function. The MMRP includes all of the mitigation measures identified in the Final EIR and has been designed to ensure compliance during implementation of the proposed development. In accordance with CEQA, the MMRP provides the measures to ensure that the mitigation measures are fully enforceable;
- q) The MMRP designates responsibility and anticipated timing for the implementation of mitigation; the City will serve as the MMRP Coordinator.
- r) In determining whether the proposed project may have a significant impact on the environment, and in adopting Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21081.5 and 21082.2;
- s) The impacts of the proposed project have been analyzed to the extent feasible at the time of certification of the Final EIR.
- t) Copies of all the documents incorporated by reference in the Final EIR are and have been available upon request at all times at the offices of the City Clerk and/or Planning Department, the custodians of record for such documents or other materials;
- u) Textual refinements and errata were compiled and presented to the decision-makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with the review of the proposed project. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents will contain errors and will require clarifications and corrections. Second, textual clarifications were necessitated in order to describe refinements suggested as part of the public participation process;
- v) Additionally, the responses to the comments on the Draft EIR, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR.
- w) Having reviewed the information contained in the Draft EIR and Final EIR and in the administrative record, as well as the requirements of CEQA and the State CEQA Guidelines regarding recirculation of Draft EIRs, and having analyzed the changes in the Draft EIR which have occurred since the close of the public review period, the City finds that there is no new significant information regarding adverse environmental impacts of the proposed project in the Final EIR and finds that recirculation of the Draft EIR is not required; and
- x) Having received, reviewed, and considered all information and documents in the Final EIR, as well as all other information in the record of proceedings on this matter, the following Findings are hereby adopted by the City in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for

current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the proposed project.

#### **4.0 Environmental Issues Determined Not to be Potentially Affected by the Project**

Based on the responses to the proposed project's Notice of Preparation, the following environmental issues were determined by the City to be either inapplicable to the proposed project based upon the nature of the proposed development and/or the absence of any potential impact related to that issue or because the issue was potentially impacted to a degree deemed to be less than significant, and therefore did not warrant further consideration in the Final EIR other than as set forth in Chapter 7 of the Final EIR. No substantial evidence has been presented to or identified by the City which would modify or otherwise alter the City's less than significant determination for each of the following environmental issues: (1) Agricultural Resources, (2) Mineral Resources, (3) Population/Housing, and (4) Recreation.

#### **5.0 Findings Regarding Potentially Significant Environmental Effects Which Are Determined Not to be Significant or Which Can Be Substantially Lessened or Avoided Through Feasible Mitigation Measures**

The City has determined, based on the threshold criteria for significance presented in the Draft and Final EIRs, that the following environmental effects of the proposed project will not manifest at levels which have been determined by the City to be significant. If significant, feasible mitigation measures identified in the Final EIR and adopted by the City as conditions of approval will result in the avoidance or substantial reduction of those effects.

Some of the environmental effects related to the proposed project were found to be less than significant without mitigation, including: Aesthetics, Land Use and Planning, Public Services, Hazards and Hazardous Materials, and Utilities and Service Systems. Effects to Biological Resources, Hydrology and Water Quality, Noise, Geology and Soils, and Cultural Resources were found to be significant but are mitigated to below a level of significance. While some aspects of impacts to Air Quality and Transportation and Traffic are reported as less than significant after mitigation, other aspects have the potential to be less than significant, and further effects are unable to be reduced with mitigation.

#### **5.1 Biological Resources**

**Environmental Impacts:** Implementation of the proposed project would result in direct and indirect impacts to sensitive biological resources at the El Corazon site.

- a) Implementation of the proposed project would result in significant direct and indirect impacts to sensitive vegetation communities, including non-native grassland, Diegan coastal sage scrub, baccharis scrub, willow riparian, mulefat scrub, and open water.

- b) Implementation of the proposed project would result in significant impacts to sensitive species including, but not limited to, California gnatcatcher and raptors.
- c) Implementation of the proposed project would result in a significant impact to a wildlife corridor, as delineated in the draft Oceanside Subarea Plan and adopted Multiple Habitat Conservation Plan (MHCP).

**Finding:** Pursuant to CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in, or incorporated into, the proposed project which will reduce the significant environmental effect identified in the Final EIR to below a level of significance.

**Mitigation Measure:** The following mitigation measures, which are set forth below, as well as in the Final EIR, are feasible and are made binding, through the proposed project’s MMRP, which will ensure implementation of the mitigation measures, and will mitigate the potential direct and indirect impacts to biological resources to below a level of significance.

- a) To mitigate for impacts to sensitive vegetation communities, including riparian habitat, the proposed project shall implement the following:
  - The following mitigation for impacts to non-native grassland, Diegan coastal sage scrub, disturbed Diegan coastal sage scrub, baccharis scrub, willow riparian, freshwater marsh, mulefat scrub, and open water shall apply. The project proponent shall either create new habitat or purchase mitigation credits at the following ratios and quantities:

Habitat	Impacts (Including Phase 1 Trails)	Mitigation Ratio (Mitigation:Impact)	Mitigation Acreage
Non-native Grassland	183.9	0.5:1	91.95
Diegan Coastal Sage Scrub	0.06	3:1	0.18
Disturbed Diegan Coastal Sage Scrub	0.01	3:1	0.03
Baccharis Scrub	0.06	3:1	0.18
Willow Riparian <sup>1</sup>	0.12	No net loss of functions and values (replacement ratio between 1:1 and 4:1)	Ranges between 0.12 to 0.48 acres
Freshwater Marsh <sup>1</sup>	0	No net loss goal (replacement ratio between 1:1 and 4:1)	0
Mulefat Scrub <sup>1</sup>	0.25	No net loss goal (replacement ratio between 1:1 and 4:1)	Ranges between 0.25 to 1.0 acres

Habitat	Impacts (Including Phase 1 Trails)	Mitigation Ratio (Mitigation:Impact)	Mitigation Acreage
Open Water <sup>1</sup>	3.6	No net loss goal (replacement ratio between 1:1 and 4:1)	Ranges between 3.6 to 14.4 acres

**Note:** <sup>1</sup>All impacts to wetland habitats and mitigation for such impacts must be reviewed and approved by federal and state agencies with jurisdiction over wetlands and the ratios may differ than those noted here. Wetland habitats are subject to the goal of no net loss in acreage, function, and biological value. The highest priority will be given to impact avoidance and minimization

These mitigation ratios represent the minimum requirements in accordance with the provisions of the adopted MHCP. The Oceanside Subarea Plan may require higher mitigation ratios once adopted, but cannot require less. Therefore, mitigation ratios for the El Corazon Specific Plan may be increased if the Oceanside Subarea Plan is approved with higher standards prior to the permitting for this project. These conditions will be verified by the City Planning Department prior to any ground disturbance activities.

- Final design of Phase 1 Trail network shall be placed to avoid direct impacts to riparian habitats (e.g., mulefat scrub and willow riparian).
- b) To mitigate for impacts to sensitive species during project construction, including the potential for edge effects, the project proponent shall implement the following:

**Project Personnel Training and Activities**

- A qualified biologist shall conduct a training session for all project personnel prior to any grading/construction activities. At a minimum, the training shall include a description of the target species of concern, its habitats, the general provisions of the Endangered Species Act (Act) and the MHCP, the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern as they relate to the project, any provisions for wildlife movement, and the access routes to and project site boundaries within which the project activities must be accomplished.
- To avoid attracting predators of the target species of concern, the project site shall be kept clean of debris as much as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site. Pets of project personnel shall not be allowed on site where they may come in contact with any listed species.
- Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed footprint and designated staging areas and routes of travel. The construction area(s)

shall be the minimal area necessary to complete the project and shall be specified in the construction plans.

### **Equipment and Material (Placement, Storage and Maintenance)**

- Placement of equipment and personnel within environmentally sensitive habitat areas stream channels or on sand and gravel bars, banks and adjacent upland habitats used by target species of concern shall be avoided. Activities that can not be conducted without placing equipment or personnel in sensitive habitats shall be timed to avoid the breeding season of the target species of concern.
- Equipment storage, fueling and staging areas shall be located to minimize risks of direct drainage into riparian areas or other environmentally sensitive habitats. These designated areas shall be located in such a manner as to prevent runoff from entering sensitive habitats. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. All project related spills of hazardous materials shall be reported to appropriate entities including but not limited to the City of Oceanside, USFWS, and CDFG, RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.
- Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.
- Stockpiling of materials and other aspects of construction staging shall be limited to disturbed areas without native vegetation, areas to be impacted by project development or in non sensitive habitats.
- “No-fueling zones” shall be established within a minimum of 10 meters (33 feet) from all drainages and fire sensitive areas.

### **Monitoring Biologist**

- The monitoring biologist shall oversee the installation of construction fencing to limit areas of disturbance and specify construction areas, staging areas and routes of travel. Additionally, the biologist shall oversee the installation of construction fencing and erosion control measures within or up-slope of upland restoration and/or preservation areas. This fencing and erosion control features shall be monitored on a weekly basis and daily during rain events to ensure that any breaks in the fence or erosion control measures are rapidly repaired.
- The qualified biologist (as approved by the Wildlife Agencies) shall monitor areas of initial clearing and grubbing of sensitive habitats (including nonnative grassland) and any project construction within 500 feet of preserved habitat on a weekly basis. The monitoring biologist shall

be knowledgeable of gnatcatcher and vireo ecology. The name of the monitoring biologist shall be submitted to the Wildlife Agencies at least 30 days prior to initiating the project impacts. The monitor shall also ensure that work activities do not generate excessive amounts of dust. The monitoring biologist shall submit monthly letter reports (including photographs of impact areas) to the Wildlife Agencies during clearing of habitat and/or project construction within 500 feet of avoided habitat. The weekly report shall document that authorized impacts were not exceeded, work did not occur within the 500-foot setback except as approved by the Service, and general compliance with all conditions. The reports shall also outline the duration of gnatcatcher and vireo monitoring, the location of construction activities, the type of construction which occurred, and equipment used. The reports shall specify numbers, locations and sex of gnatcatchers and vireo (if present), observed gnatcatchers and vireo behavior, and remedial measures employed to avoid, minimize and mitigated impacts to gnatcatchers and vireo. Raw field notes shall be made available to the Wildlife Agencies upon request. A final report shall be submitted to the Wildlife Agencies within 60 days of project completion including: as build construction drawing with an overlay of habitat that was impacted, avoided, photographs of habitat areas that were to be avoided and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance with all biological resources mitigation measure related to project construction were achieved.

- The monitoring biologist shall be empowered to halt work activity if necessary and to confer with staff from the City of Oceanside to ensure the proper implementation of species and habitat protection measures.

#### **Preconstruction Surveys and Limits on Construction Activity**

- A minimum of three focused surveys, on three separate days, shall be conducted to determine the presence of California gnatcatcher and vireo, nest building activities, egg incubation activities in or within 500 feet of the project impact limits. Surveys will begin a minimum of seven days prior to performing vegetation clearing/grubbing and one survey will be conducted the date immediately prior to the initiation of remaining work. If any gnatcatcher or vireo nest is found in or within 500 feet of initial vegetation clearing/grubbing or project construction, the monitoring biologist shall postpone work within 500 feet of the nest and contact and coordinate with the Wildlife Agencies. In addition, the biologist shall walk ahead of any clearing/grubbing equipment to flush birds towards areas of CSS to be avoided. The monitoring biologist will also record the number and location of gnatcatchers disturbed by vegetation clearing/grubbing. The applicant shall notify the Wildlife Agencies at least seven days prior to vegetation clearing/grubbing to allow the Service to coordinate with the biologist on bird flushing activities. Additional surveys will be done once

a week during project construction in the breeding season. The additional surveys may be suspended as approved by the Wildlife Agencies. The applicant shall notify the Wildlife Agencies at least seven day prior to the initiation of surveys and within 24 hours of locating any gnatcatchers or vireos.

- Clearing and grubbing within and construction adjacent to sensitive habitats (including nonnative grassland) shall occur outside of the California gnatcatcher and least Bell's vireo breeding season (February 15 to September 15) unless a qualified biologist demonstrates to the Wildlife Agencies that any nesting activities are complete.
- The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species. All revegetation plans shall be prepared and implemented consistent with Appendix C (Revegetation Guidelines of the Final MHCP Plan – Volume II) and shall require written concurrence of the USFWS and CDFG.
- Any habitat destroyed that is not in the identified project footprint shall be disclosed immediately to the City of Oceanside, USFWS and CDFG and shall be compensated at a minimum ratio of 5:1.
- If dead or injured listed species are located, initial notification must be made within three working days, in writing to the Service's Division of Law Enforcement in Torrance California and by telephone and in writing to the applicable jurisdiction, Carlsbad Field Office of the USFWS, and CDFG.
- If night work is necessary, night lighting should be of the lowest illumination necessary for human safety, selectively place, shielded and directed away from natural habitats.
- The City of Oceanside shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project conditions and BMPs.
- Future development/phasing within the El Corazon project area shall be required to conduct springtime surveys, prior to any ground disturbance activities, if appropriate habitat for sensitive plant species occurs within the project area. Surveys will be conducted by a qualified biologist. Should impacts occur to sensitive plant species, mitigation shall occur in a manner that is consistent with the mitigation ratios and performance criteria of the MHCP.

### **Landscaping**

- Any planting stock to be brought onto the site for landscaping or ecological restoration shall be first inspected by a qualified pest inspector

to ensure it is free of pest species that could invade natural areas, including but not limited to Argentine ants, fire ants, and other insect pests. Any planting stock found to be infested with such pests shall not be allowed on the project site or within 300 feet of natural habitats. The stock shall be quarantined, treated or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats.

- Any temporary irrigation installed for the restoration area shall be used for the shortest duration possible.
- Invasive and exotic plant species shall not be used in project landscaping. Species identified on the Invasive Plant Inventory List of the California Invasive Plant Council (Cal-IPC) shall be avoided. Additionally, landscaping shall not include plants that require intensive irrigation, fertilizers or pesticides adjacent to the preserve area.

### **Habitat Area Preservation and Maintenance**

- A biological conservation easement shall be executed and recorded easement over the habitat to be preserved, including any restoration areas. The easement should be in favor of an agent approved by the Wildlife Agencies. The Wildlife Agencies shall be named as third party beneficiaries.
  - A perpetual management, maintenance and monitoring plan for all on-site and off-site biological conservation easements shall be prepared by the applicant. The applicant shall also prepare a non-wasting endowment. The plan shall include: (1) description of perpetual management, maintenance and monitoring action and cost estimation results for the non-wasting endowment. The applicant shall also prepare a non-wasting endowment; and (2) proposed land manager's name, qualifications, business address, and contact information to the Wildlife Agencies for approval at least 30 days prior to initiating project impacts. Final plans shall be submitted to the Wildlife Agencies and a contract with the approved land manager, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity within 60 days of receiving the approval of draft plans.
- c) To mitigate for impacts to sensitive species during project operation, including the potential for edge effects, the project proponent shall implement the following:

### **Park Users**

- Human and pet access to preserve areas shall be limited to designated trails by use of natural vegetation, topography, signs and limited fencing.
- To keep Habitat District trail-users on the designated trails and out of sensitive habitats, appropriate signage shall be provided along trails within

the Habitat District. In addition, appropriate fencing shall be installed along portions of the Phase 1 Trail network, as detailed in Figure 3.2-3 of the EIR. Bicycles and motor-vehicles will not be allowed within the Habitat District, except by authorized personnel. Dogs must be leashed at all times within the Habitat District and will not be allowed outside the boundaries of designated trails. Trash receptacles shall have a secure cover. Trash receptacles and other public facilities shall be placed at trailheads outside side of the Habitat District boundary. Additionally the City Planning Department will develop operating procedures to close the Habitat District on a seasonal basis depending on the results of nesting surveys. If active nests are identified near the trails, the Habitat area would be closed until the birds have matured enough to leave the nest. The City would be required to develop these conditions prior to establishing the Habitat District trails.

### **Artificial Lighting**

- Artificial lighting adjacent to the preserve area shall be eliminated except where essential for roadway, facility use and safety and security purposes. Where use of artificial lighting is necessary it shall be limited to low-pressure sodium sources. Use of low voltage outdoor or trail lighting, spotlights or bug lights is prohibited. All light sources shall be shielded so that lighting is focused downward to restrict any light spillover onto sensitive habitat.

### **Facts in Support of Finding:**

- a) In order to mitigate for potential impacts to or loss of sensitive vegetation habitats, new habitat will be created or mitigation credits will be purchased at mitigation ratios identified above. The creation of new habitat or purchase of mitigation credit will ensure long-term preservation of habitat in perpetuity. It will also offer replacement habitat for that which will be removed due to project development. Proposed mitigation ratios represent the minimum requirements in accordance with the provisions of the adopted MHCP. Creation of new habitat or purchase of mitigation credits at these mitigation ratios will ensure that sensitive vegetation communities, and any species dependent on them, are preserved and maintained. The mitigation measures will provide comparable habitat resulting in compliance with the City of Oceanside's 'No Net Loss' policy.
- b) To ensure impacts to sensitive species on the project site (due to construction and operation) are less than significant, mitigation measures will be implemented during the construction and the operation of the project. These include measures related to project personnel training, equipment and materials storage, requirement for a monitoring biologist, provision of preconstruction surveys and limits on construction activity. For project operation impacts, mitigation measures related to habitat area preservation and maintenance. As well as park user education and restrictions on artificial lighting.

### 5.3 Cultural and Paleontological Resources

**Environmental Impacts:** Implementation of the project could potentially impact archaeological resources, paleontological resources, and human remains.

#### Archaeological Resources

- a) Although no archaeological resources were identified within the project site, there is the potential for previously unknown subsurface artifacts to be encountered during ground disturbance activities. Therefore, implementation of the proposed project could result in potentially significant impacts and mitigation is required if these resources are encountered.

#### Paleontological Resources

- b) The eastern portion of the project site consists of the Santiago Formation, which is designated as having a moderate to high potential for paleontological sensitivity. Therefore, construction of the proposed project has the potential to impact previously undiscovered paleontological resources.

#### Human Remains

- c) No evidence of human remains, including those interred outside of formal cemeteries, was discovered during the records search, literature review, field survey, or site testing and evaluation at the project site. The impact to human remains is considered less than significant; however, precautionary mitigation is proposed.

**Finding:** Pursuant to CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in, or incorporated into, the proposed project which will reduce the significant environmental effect identified in the Final EIR to below a level of significance.

**Mitigation Measure:** The following mitigation measures, which are set forth below, as well as in the Final EIR, are feasible and are made binding, through the proposed project's MMRP, which will ensure implementation of the mitigation measures, and will mitigate the potential direct and indirect impacts to cultural and paleontological resources to below a level of significance.

- a) **Cultural Resources.** To mitigate for the potential impacts to archaeological resources, the proposed project shall implement the following:
  - In construction areas located outside the historic tailing ponds both an archaeological resource monitor and a San Luis Rey Band monitor shall be required. Monitors shall be compensated.

- Prior to any ground disturbing activities, the City shall execute a “Pre-Excavation Agreement” with the San Luis Band of Mission Indians. The agreement will include the following provisions:
    - Require appropriate treatment of human remains and cultural items.
    - Require good faith effort by parties to agree on what is appropriate treatment and dignity when addressing human remains and cultural items.
    - Require that any human remains or cultural items recovered during the grading process be returned to the San Luis Rey Band and not be curated in a facility absent the express written consent of the band.
    - Require that any remains or cultural items be re-interred in the same area in which they were discovered and in a place where they would not be subject to further disturbance, if possible.
    - Require a good faith negotiation on behalf of the Tribe and City for such reburial.
    - Require avoidance for all significant and sacred archaeological sites which may be found during the development.
  - Incorporation of interpretive elements detailing Native American culture into the proposed park spaces.
- b) ***Paleontological Resources.*** To mitigate for potential impacts to paleontological resources, the proposed project shall implement the following:
- A qualified paleontological monitor will be onsite during all ground disturbing activities to monitor for any paleontological resources for construction activities located within the Santiago Formation. If paleontological resources are identified during excavation, the monitor has the authority to redirect work to another area while an evaluation takes place. Should the identified paleontological resources require curation, it should take place at an established facility such as the San Diego Museum of Natural History.
- c) ***Human Remains.*** To mitigate for potential impacts to human remains, the proposed project shall implement the following:
- If human remains are encountered during grading, all requirements of California State Health and Safety Code Section 7050.5 would be implemented. These requirements state that no further disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin. If the San Diego County Coroner determines the remains to be Native American, the Native American Heritage

Commission shall be contacted within 24 hours. Subsequently, the Native American Heritage Commission shall identify the “most likely descendant.” The most likely descendant shall have 24 hours to make recommendations to the City of Oceanside for the disposition of the remains as provided in Public Resources Code 5097.98.

**Facts in Support of Findings:**

- a) Implementation of the above-described mitigation measures would reduce the potential to disturb archaeological artifacts during grading activities to below a level of significance. The mitigation measure requires development and implementation of an archeological monitoring program that would require a pre-excavation agreement with the San Luis Rey Band of Mission Indians.
- b) Implementation of the above-described mitigation measure would reduce the project’s potential to disturb significant paleontological resources to a less than significant level. Development of the project site may uncover paleontological resources within the Santiago Formation of high scientific value. Mitigation requires a qualified paleontological monitor to be present during all ground disturbing activities within the Santiago Formation. The monitor has the authority to halt and redirect construction activity, if necessary, while a plan for the salvage and curation of found paleontological resources is underway. Found resources shall be cleaned, stored and contributed to the San Diego Natural History Museum or other scientific institution with the applicant’s approval.
- c) Implementation of the above-described mitigation measure would reduce potential impacts to human remains by defining a course of action to take in the event human remains are encountered. The course of action is in compliance with California Health and Safety Code Section 7050.5 and the California Public Resources Code 5097.98.

**5.4 Geology/Soils**

**Environmental Impacts:** The proposed project could result in potentially significant impacts from ground failure, liquefaction, landslides, and unstable and expansive soils.

**Finding:** Pursuant to CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in, or incorporated into, the proposed project which will reduce the significant environmental effect identified in the Final EIR to below a level of significance.

**Mitigation Measure:** The following mitigation measures, which are set forth below, as well as in the Final EIR, are feasible and are made binding, through the proposed project’s MMRP, which will ensure implementation of the mitigation measures, and will mitigate the potential direct and indirect impacts to geology and soil to below a level of significance.

To reduce potentially significant impacts resulting from ground failure and liquefaction, the El Corazon project shall implement the following:

- Prior to issuance of a building permit, the tailing ponds proposed for development shall be properly consolidated to support the proposed land uses. Consolidation methods shall include the use of wick drains, as specified by recommendations in Geocon's *Evaluation of Wick Drain Pilot Program and Tailing Pond Settlement* (2006). Other ground modification techniques that may be considered include vibro-replacement, deep soil mixing, and compaction grouting. Foundation alternatives that may be required are a shallow mat slab or a deep foundation system consisting of driven piles. The City Engineer will verify the findings of the geotechnical investigation and recommendations to ensure that the appropriate remedial actions are taken prior to, and during construction.

To reduce potentially significant impacts resulting from landslides, the El Corazon project shall implement the following:

- Areas within the proposed Habitat District containing unstable slopes with an unacceptable factor-of-safety, as designated by the *Slope Stability Analysis* (Geocon 2007), shall be closed and fenced-off to prohibit individuals from entering the unstable area. Signage warning of the slope instability dangers shall also be posted at appropriate locations. Areas with unstable slopes shall remain closed and fenced-off until a future project stabilizes slopes to the satisfaction of the City Engineer and City Geologist.

To reduce impacts resulting from unstable and expansive soils, the El Corazon project shall implement the following:

- Prior to issuance of a grading permit, it shall be verified that land uses proposed for the El Corazon project (Village Commercial and Hotel districts) have adequate physical support from soil types on-site such that people and structures would not be subject to substantial adverse effects. Proof of adequate support may include documentation of analysis of additional borings, laboratory testing, and consolidation analyses. If soil types on-site cannot physically support proposed land uses, the project applicant shall be responsible for the removal of these soils and shall import soils which can support the El Corazon project identified land use in that area. Any associated documentation shall be approved by the City Engineer and City Geologist.

**Facts in Support of Finding:** The El Corazon has the potential to result in significant impacts related to geology and soils. Specifically, the project may expose people and/or structures to substantial adverse effects related to ground failure, landslides, unstable soils, and expansive soils. Through implementation of mitigation measures, potential impacts resulting from ground failure would be reduced by properly consolidating the eleven large tailing ponds located on-site. Additionally, to reduce potential impacts to

the public resulting from landslides, mitigation measures would ensure that areas with unstable slopes are closed and fenced-off to keep people and animals out of potentially unsafe areas.

To reduce potential impacts resulting from unstable and/or expansive soils, mitigation measures require verification that land uses proposed for the El Corazon project can be physically supported by on-site soils. Adequate verification may require documentation of analysis of additional borings, laboratory testing, and/or consolidation analysis.

All mitigation measures must be completed to the satisfaction of the City Engineer and City Geologist. Therefore, through implementation of mitigation measures all potential impacts of the El Corazon project with regard to geology and soils would be reduced to below a level of significance.

## **5.5 Hydrology/Water Quality**

**Environmental Impacts:** The proposed project could result in potentially significant impacts due to alteration of the existing drainage pattern and increased stormwater runoff:

**Finding:** Pursuant to CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in, or incorporated into, the proposed project which will reduce the significant environmental effect identified in the Final EIR to below a level of significance.

**Mitigation Measure:** The following mitigation measures, which are set forth below, as well as in the Final EIR, are feasible and are made binding, through the proposed project's MMRP, which will ensure implementation of the mitigation measures, and will mitigate the potential direct and indirect impacts to hydrology and water quality to below a level of significance.

To reduce potential impacts due to alteration of the existing drainage pattern and increased stormwater runoff:

- Prior to issuance of a grading permit or any grading, the project applicant shall submit evidence to the satisfaction of the City Engineer, demonstrating that post-development off-site flows would not exceed their pre-existing, natural levels and surface runoff would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.
- Prior to issuance of a grading permit or any grading, the project applicant shall submit a final hydrology evaluation to the satisfaction of the City Engineer demonstrating that on-site detention basins are adequately sized and sited to hold increased stormwater runoff.

**Facts in Support of Finding:** Implementation of the El Corazon Specific Plan has the potential to result in significant impacts to hydrology due to alteration of the existing drainage pattern. To reduce potential impacts resulting the alteration of drainage

patterns, mitigation measures have been identified. This includes submission of evidence to the satisfaction of the City Engineer, demonstrating that post-development off-site flows would not exceed their pre-existing, natural levels and surface runoff would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Additionally, a final hydrology evaluation shall be conducted to the satisfaction of the City Engineer that demonstrates that on-site detention basins are adequately sized and sited to hold increase stormwater runoff. All mitigation measures must be completed to the satisfaction of the City Engineer. Therefore, through implementation of mitigation measures all potential impacts of the El Corazon project with regard to hydrology and water quality would be reduced to below a level of significance.

## **5.6 Noise**

**Environmental Impacts:** Implementation of the project may expose persons to noise levels in excess of the City's 65 dBA noise standard.

**Finding:** Pursuant to CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in, or incorporated into, the proposed project which will reduce the significant environmental effect identified in the Final EIR to below a level of significance.

**Mitigation Measure:** The following mitigation measures, which are set forth below, as well as in the Final EIR, are feasible and are made binding, through the proposed project's MMRP, which will ensure implementation of the mitigation measures, and will mitigate the potential direct and indirect noise impacts to below a level of significance.

- Prior to issuance of site-specific building permits, site-specific acoustical analyses shall be performed of individual districts where the predicted exterior noise levels are shown to be in excess of the City's 65 dBA noise threshold. The acoustical analysis will provide architectural/engineering detail to confirm that the uses (existing and proposed) will comply with City guidelines associated with noise thresholds. Site-specific projects shall comply with recommendations made in the acoustical analyses such that persons would not be exposed to noise levels in excess of 65 dBA.

**Facts in Support of Finding:** Implementation of the El Corazon project would significantly increase ambient noise levels in the project vicinity both temporarily and permanently. However, temporary increases in noise generated by construction of the El Corazon project would be allowable by the city manager under a variance to a building permit. Additionally, permanent increases in ambient noise generated by the El Corazon project would not be considered substantial because increases would be less than 3.0 dBA. However, the El Corazon project has the potential to expose people to noise levels in excess of the City's 65 dBA threshold. Therefore, implementation of the mitigation measure would ensure that persons at the El Corazon site would not be exposed to noise levels in excess of 65 dBA. Through this mitigating measure, noise impacts resulting from the El Corazon project would be less than significant.

## **5.7 Transportation/Traffic**

**Environmental Impacts:** Construction related and operational traffic associated with the proposed project could result in potentially significant traffic impacts.

### **Construction-Related Impacts**

- a) Construction activities of the proposed project will have a potentially significant impact to traffic.

### **General Project-Related Impacts**

- b) The proposed project will have potentially significant impacts to various intersections and roadway segments.

### **Existing + Project Impacts**

- c) The proposed project will have a significant impact to El Camino Real at SR-78 Westbound Ramps. Without the proposed project, this intersection operates at an acceptable level of service (LOS) D in the morning and an unacceptable LOS E in the afternoon. With the completion of Phase I of the proposed project, the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS F in the afternoon.
- d) Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to Crouch Street under existing plus project conditions. Without the project, the roadway segment operates at an acceptable LOS D. With the completion of Phase I of the proposed project, the intersection is forecasted to operate at an unacceptable LOS F.
- e) Implementation of the proposed project would degrade LOS along College Boulevard from Oceanside Boulevard to Roselle Avenue under existing plus project conditions. Without the project the roadway segment from Oceanside Boulevard to Thunder Drive operates at an unacceptable LOS F, while the roadway segment from Thunder Drive to Roselle Avenue operates at an acceptable LOS C. With the completion of Phase I, the roadway segment from Oceanside Boulevard to Thunder Drive is forecasted to operate at an unacceptable LOS F while the roadway segment from Thunder Drive to Roselle Avenue is forecasted to operate at an acceptable LOS D.

### **Year 2010 Impacts**

- f) Implementation of the proposed project would degrade LOS at the intersection of SR-76 and Rancho Del Oro Drive under year 2010 plus project conditions. Without the project the intersection is forecast to operate at an acceptable LOS C in the morning and an unacceptable LOS E in the afternoon. Under the conditions anticipated for 2010 with project phases I and II completed the LOS is forecasted

to operate at an acceptable LOS D in the morning and an unacceptable LOS E in the afternoon.

- g) Implementation of the proposed project would degrade LOS at the intersection of College Boulevard and Old Grove Road under year 2010 plus project conditions. Without the project the intersection is forecasted to operate at an unacceptable LOS E. With anticipated 2010 conditions plus the completion of Phases I and II of the proposed project, the intersection is forecasted to operate at an unacceptable LOS E in the morning and an unacceptable LOS F in the afternoon.
- h) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard and College Boulevard under year 2010 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS E in the afternoon. With the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS E in the afternoon.
- i) Implementation of the proposed project would degrade LOS at the intersection of Rancho del Oro Drive and Cameo Drive under year 2010 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D. With the project the intersection is forecasted to operate at an unacceptable LOS E.
- j) Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound and Eastbound ramps under year 2010 plus project conditions. With and without the project the westbound ramps are forecasted to operate at an unacceptable LOS E in the morning and an unacceptable LOS F. Without the project the eastbound ramps are forecasted to operate at an acceptable LOS C in the morning and an unacceptable LOS E in the afternoon. With the project the eastbound ramps are forecasted to operate at an acceptable LOS C in the morning and an unacceptable LOS F in the afternoon.
- k) Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to Crouch Street and from Foussat Road to El Camino Real under year 2010 plus project conditions. Without the project the roadway segment from I-5 to Crouch Street is forecasted to operate at an unacceptable LOS E. With the project the roadway segment is forecasted to operate at an unacceptable LOS F. With and without the project the roadway segment from Foussat Road to El Camino Real is forecasted to operate at an acceptable LOS D.
- l) Implementation of the proposed project would degrade LOS along College Boulevard from Oceanside Boulevard to Roselle Avenue under year 2010 plus project conditions. Without the project the roadway segment from Oceanside Boulevard to Thunder Drive is forecasted to operate at an unacceptable LOS F, while the roadway segment from Thunder Drive to Roselle Avenue operates at an acceptable LOS D. With the project the roadway segment from Oceanside

Boulevard to Thunder Drive is forecasted to operate at an unacceptable LOS F while the roadway segment from Thunder Drive to Roselle Avenue is forecasted to operate at an unacceptable LOS E.

- m) Implementation of the proposed project would degrade LOS along El Camino Real from Vista Way to SR-78 under year 2010 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D. With the project the intersection is forecasted to operate at an unacceptable LOS E.

### **Year 2015 Impacts**

- n) Implementation of the proposed project would degrade LOS at the intersection of SR-76 at Rancho del Oro Drive under year 2015 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS E in the afternoon. With the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS F in the afternoon.
- o) Implementation of the proposed project would degrade LOS at the intersection of College Boulevard at Old Grove Road under year 2015 plus project conditions. Without the project the intersection is forecasted to operate at an unacceptable LOS F. With the project the intersection is forecasted to operate at an unacceptable LOS F.
- p) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at College Boulevard under year 2015 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS F in the afternoon. With the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS F in the afternoon.
- q) Implementation of the proposed project would degrade LOS at the intersection of Rancho del Oro Drive at Cameo Drive under year 2015 plus project conditions. Without the project the intersection is forecasted to operate at an unacceptable LOS F. With the project the intersection is forecasted to operate at an unacceptable LOS F.
- r) Implementation of the proposed project would degrade LOS at the intersection of College Boulevard at Vista Way under year 2015 plus project conditions. Without the project the intersection is forecasted to operate at an unacceptable LOS E. With the project the intersection is forecasted to operate at an unacceptable LOS E.
- s) Implementation of the proposed project would degrade LOS at the intersection of Mesa Drive at El Camino Real under year 2015 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS E in the afternoon. With the project the

intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS F in the afternoon.

- t) Implementation of the proposed project would degrade LOS along I-15 Northbound and Southbound from SR-78 to Las Flores Road under year 2015 plus project conditions.
- u) Implementation of the proposed project would degrade LOS along SR-78 Eastbound from College Boulevard to Emerald Road under year 2015 plus project conditions.
- v) Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound and Eastbound ramps under year 2015 plus project conditions. Without the project the intersection at the westbound ramp is forecasted to operate at an unacceptable LOS E in the morning and an unacceptable LOS F in the afternoon. With the project the intersection is forecasted to operate at an unacceptable LOS E in the morning and an unacceptable LOS F in the afternoon. Without the project the eastbound ramp is forecasted to operate at an acceptable LOS C in the morning and an unacceptable LOS E in the afternoon. With the project the eastbound ramp is forecasted to operate at an acceptable LOS C in the morning and an unacceptable LOS F in the afternoon.
- w) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at El Camino Real under year 2015 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D. With the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS F in the afternoon.
- x) Implementation of the proposed project would degrade LOS along Oceanside Boulevard from the I-5 Southbound ramp to El Camino Real under year 2015 plus project conditions. Without the project the roadway segment from I-5 Southbound ramps to Crouch Street is forecasted to operate at an unacceptable LOS E, from Crouch Street to Foussat Road is forecasted to operate at an acceptable LOS C, and from Foussat Road to El Camino Real is forecasted to operate at an acceptable LOS D. With the project the roadway segment from the I-5 Southbound ramp to Crouch Street is forecasted to operate at an unacceptable LOS F, from Crouch Street to Foussat Road is forecasted to operate at an acceptable LOS D, and from Foussat Road to El Camino Real is forecasted to operate at an unacceptable LOS E.
- y) Implementation of the proposed project would degrade LOS along College Boulevard from Old Grove Road to SR-78 under year 2015 plus project conditions. Without the project the roadway segment from Old Grove Road to Thunder Road is forecasted to operate at an unacceptable LOS F, while Thunder Road to Roselle Avenue is forecasted to operate at an unacceptable LOS E, Roselle Avenue to Waring Road is forecasted to operate at an unacceptable LOS

F, and Waring Road to SR-78 is forecasted to operate at an acceptable LOS D. With the project, the roadway segment from Old Grove Road to Thunder Road is forecasted to operate at an unacceptable LOS F, while Thunder Road to Roselle Avenue is forecasted to operate at an unacceptable LOS E, Roselle Avenue to Waring Road is forecasted to operate at an unacceptable LOS F, and Waring Road to SR-78 is forecasted to operate at an unacceptable LOS E.

- z) Implementation of the proposed project would degrade LOS along Mesa Drive from Foussat Road to El Camino Real under year 2015 plus project conditions. Without the project the roadway section is forecasted to operate at an acceptable LOS C. With the project the intersection is forecasted to operate at an unacceptable LOS E.
- aa) Implementation of the proposed project would degrade LOS along El Camino Real from Vista Way to SR-78 under year 2015 plus project conditions. Without the project the intersection is forecasted to operate at an unacceptable LOS E. With the project the intersection is forecasted to operate at an unacceptable LOS E.

### **Year 2030 Impacts**

- bb) Implementation of the proposed project would degrade LOS at the intersection of SR-76 at Rancho Del Oro under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D. With the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS E in the afternoon.
- cc) Implementation of the proposed project would degrade LOS at the intersection of College Boulevard at Old Grove Road under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an unacceptable LOS F. With the project the intersection is forecasted to operate at an unacceptable LOS F.
- dd) Implementation of the proposed project would degrade LOS at the intersection of College Boulevard at Vista Way under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an unacceptable LOS F. With the project the intersection is forecasted to operate at an unacceptable LOS F.
- ee) Implementation of the proposed project would degrade LOS at the intersection of Mesa Drive at El Camino Real under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS F in the afternoon. With the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS F in the afternoon.
- ff) Implementation of the proposed project would degrade LOS at the intersection of Mesa Drive at College Boulevard under year 2030 plus project conditions.

Without the project the intersection is forecasted to operate at an unacceptable LOS E. With the project the intersection is forecasted to operate at an unacceptable LOS E.

- gg) Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound ramps under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an unacceptable LOS F. With the project the intersection is forecasted to operate at an unacceptable LOS F.
- hh) Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Eastbound ramps under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS F in the afternoon. With the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS F in the afternoon.
- ii) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at College Boulevard under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D in the morning and at an unacceptable LOS E in the afternoon. With the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS E in the afternoon.
- jj) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at El Camino Real under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS D in the morning and an unacceptable LOS E in the afternoon. With the project the intersection is forecasted to operate at an unacceptable LOS E in the morning and an unacceptable LOS F.
- kk) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at I-5 Northbound ramps under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS C in the morning and an acceptable LOS D in the afternoon. With the project the intersection is forecasted to operate at an acceptable LOS C in the morning and an unacceptable LOS E in the afternoon.
- ll) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at Crouch Street under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an acceptable LOS C in the morning and an acceptable LOS D in the afternoon. With the project the intersection is forecasted to operate at an acceptable LOS C in the morning and an unacceptable LOS E in the afternoon.
- mm) Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to El Camino Real under year 2030 plus

project conditions. Without the project the roadway segment from I-5 Southbound ramps to Crouch Street is forecasted to operate at an unacceptable LOS F, the roadway segment from Crouch Street to Foussat Road is forecasted to operate at an acceptable LOS C, and the roadway segment from Foussat Road to El Camino Real is forecasted to operate at an acceptable LOS D. With the project the roadway segment from I-5 Southbound ramps to Crouch Street is forecasted to operate at an unacceptable LOS F, the roadway segment from Crouch Street to Foussat Road is forecasted to operate at an unacceptable LOS E, and the roadway segment from Foussat Road to El Camino Real is forecasted to operate at an unacceptable LOS F.

- nn) Implementation of the proposed project would degrade LOS along College Boulevard from SR-76 to Mesa Drive and from Old Grove Road to SR-78 under year 2030 plus project conditions. Without the project the roadway section from SR-76 to Mesa Drive is forecasted to operate at an acceptable LOS D, roadway segment Old Grove Road to Oceanside Boulevard is forecasted to operate at an unacceptable LOS E, Oceanside Boulevard to Thunder Drive is forecasted to operate at an unacceptable LOS F, Thunder Drive to Roselle Avenue is forecasted to operate at an acceptable D, and Roselle Avenue to SR-78 is forecasted to operate at an unacceptable LOS E. With the project SR-76 roadway section is forecasted to operate at an acceptable LOS D. With the project, the roadway segment from Old Grove Road to Oceanside Boulevard is forecasted to operate at an unacceptable LOS E, Oceanside Boulevard to Thunder Drive is forecasted to operate at an unacceptable LOS F, Thunder Drive to Roselle Avenue is forecasted to operate at an acceptable D, Roselle Avenue to Waring Road is forecasted to operate at an unacceptable LOS F, and Waring Road is forecasted to operate at an unacceptable LOS E.
- oo) Implementation of the proposed project would degrade LOS along El Camino Real from Oceanside Boulevard to SR-78 under year 2030 plus project conditions. Without the project the roadway segment from Oceanside Boulevard to Vista Way is forecasted to operate at an acceptable LOS C, and the roadway segment from Vista Way to SR-78 is forecasted to operate at an unacceptable LOS F. With the project the roadway segment from Oceanside Boulevard to Vista Way is forecasted to operate at an acceptable LOS D and the roadway segment from Vista Way to SR-78 is forecasted to operate at an unacceptable LOS F.
- pp) Implementation of the proposed project would degrade LOS along Mesa Drive from Foussat Road to El Camino Real under year 2030 plus project conditions. Without the project the intersection is forecasted to operate at an unacceptable LOS E. With the project the intersection is forecasted to operate at an unacceptable LOS F.

**Finding:** Pursuant to CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in,

or incorporated into, the proposed project which will reduce the significant environmental effect identified in the Final EIR to below a level of significance.

**Mitigation Measure:** The mitigation measure identified in Table 1,, which are set forth below, as well as in the Final EIR, are feasible and are made binding, through the proposed project's MMRP, which will ensure implementation of the mitigation measures, and will mitigate the potential direct and indirect transportation and traffic impacts to below a level of significance. Impacts that are deemed significant and unmitigated are addressed in Section 6.2.

**Facts in Support of Finding:** As identified in Table 1, the identified mitigation measures will reduce potentially significant traffic impacts associated with construction and operational traffic to a less than significant level. The "justification" column in Table 1 specifically notes how the resultant LOS or how the proposed mitigation will reduce the impact to below a level of significance. The impacts are reduced because the identified mitigation measures provide intersection and roadway improvements, either by adding additional capacity, which allows for more vehicles to be accommodated, or by enhancing the operations of existing intersections so that operations are smoother.

## **6.0 Findings Regarding Impacts Not Fully Mitigated to a Level of Less Than Significant**

The Final EIR identifies two subject areas in which the Project will result in an impact on the environment: (1) Air Quality, and 2) Transportation/ Traffic which will have significant environmental effects, even after the application of all feasible mitigation measures identified in the Final EIR.

### **6.1 Air Quality**

#### **Environmental Impacts:**

- a. Construction of the proposed project will result in significant impacts related to  $PM_{10}$ , ROG and diesel exhaust emissions (Tables 4.2-8 through 4.2-11).
- b. Operational impacts of the project will in significant impacts related to ROG,  $NO_x$ , CO and  $PM_{10}$  (Table 4.2-16 of the EIR).

**Finding:** Pursuant to CEQA Guidelines §15091(a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures and the project alternatives identified in the EIR.

**Table 1**  
**Summary of Traffic Impacts and Mitigation Measures to**  
**Reduce Impact to Below a Level of Significance**

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation	Justification
<i>Transportation and Traffic</i> Implementation of the proposed project would result potentially significant construction-related impacts to traffic.	Significant	<p><b>TT-1</b> Prior to and during any construction, a Traffic Control Plan (TCP) will be required to manage construction related impacts of ingress and/or egress.</p>	Less than significant	Implementing a TCP during construction would mitigate potential traffic impacts with appropriate traffic management
Implementation of the proposed project would result in a significant increase in traffic at various intersections and roadway segments in the City of Oceanside.	Significant	<p><b>TT-2</b> During any phase with proposed development, the following Traffic Demand Management (TDM) improvements shall be implemented:</p> <ul style="list-style-type: none"> <li>• Provide shuttle service from the El Corazon project site to the SPRINTER station located at the southwest corner of Oceanside Boulevard and Rancho del Oro Drive to encourage the use of public transportation;</li> <li>• Provide sidewalks along all project roadways, particularly to the bus shelter and transit station;</li> <li>• Provide bike lanes on all major internal roadways connecting to the nearby major roadways. A bikeway plan shall be maintained and promoted; and,</li> <li>• Promote TDM principles such as peak hour trip reduction, staggered work hours, ride sharing, telecommuting, and the use of public transportation or other measures as appropriate.</li> </ul>	Some intersections and segments would remain significant and unmitigated	By encouraging alternative and public modes of transportation, traffic impacts from private vehicles would be lessened.

<b>Environmental Impact</b>	<b>Significance Before Mitigation</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>	<b>Justification</b>
<p>Implementation of the proposed project would degrade level of service (LOS) at the intersection of El Camino Real at SR-78 Westbound ramps under existing plus project conditions.</p>	<p>Significant</p>	<p><b>TT-3</b> Since improvements such as reconstruction of the entire SR-78 and El Camino Real interchange are considered infeasible because of economic reasons, the following alternative improvement shall be considered for mitigation:</p> <ul style="list-style-type: none"> <li>• Prior to implementation of Phase 2, the proposed project shall contribute to, and operation of, a fair-share towards an adaptive/responsive signals or other capacity enhancing program on the El Camino Real corridor at SR-78.</li> </ul>	<p>Less than significant if the alternative measure is implemented. Significant and unmitigated if the alternative measure is not implemented.</p>	<p>Contribution of fair-share toward signal improvements would improve degraded traffic levels by establishing more efficient traffic signals.</p>
<p>Implementation of the proposed project would degrade of LOS at the intersection SR-76 and Rancho del Oro Drive under year 2010 plus project conditions.</p>	<p>Significant</p>	<p><b>TT-6</b> Prior to completion of Phases 1D, 1F, and 2 the proposed project shall provide right-turn overlap signal phasing on both the eastbound and westbound approaches.</p>	<p>Less than significant</p>	<p>The mitigation measure would allow for more efficient traffic movement at the impacted intersection. With mitigation the LOS would be an acceptable D.</p>
<p>Implementation of the proposed project would degrade LOS at the intersection College Boulevard and Old Grove Road under year 2010 plus project conditions.</p>	<p>Significant</p>	<p><b>TT-7</b> Prior to completion of Phases 1D, 1F, and 2 the proposed project shall construct College Boulevard to its proposed Circulation Element standard of a six-lane Major road through this intersection or provide a dedicated northbound right-turn only lane.</p>	<p>Less than significant</p>	<p>The mitigation measures would increase the traffic load and efficient movement of traffic and allow it to handle the increase of traffic due to the project conditions.</p>

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation	Justification
Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard and College Boulevard under year 2010 plus project conditions.	Significant	<b>TT-8</b> Prior to completion of Phases 1D, 1F, and 2 the proposed project shall construct College Boulevard (north and south of Oceanside Boulevard) to the proposed Circulation Element standard of six-lane Major road.	Less than significant	Construction of College Boulevard to a six-lane major road would increase its traffic load and allow it to handle the increase of traffic due to the project conditions.
Implementation of the proposed project would degrade LOS at the intersection of Rancho del Oro Drive and Cameo Drive under year 2010 plus project conditions.	Significant	<b>TT-9</b> Prior to completion of Phases 1D, 1F, and 2 the proposed project shall provide a traffic signal at the intersection.	Less than significant	The mitigation measure would provide appropriate traffic movement to handle the increase of traffic.
Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound and Eastbound ramps under year 2010 plus project conditions.	Significant	<b>TT-10</b> Since improvements such as reconstruction of the entire SR-78 and El Camino Real interchange are considered infeasible, the following two alternative improvements shall be considered for mitigation: <ul style="list-style-type: none"> <li>• Prior to completion of Phases 1D, 1F, and 2 the proposed project shall contribute a fair-share towards an adaptive/responsive signals or other capacity enhancing program on the El Camino Real corridor at SR-78.</li> </ul>	Less than significant if the alternative measure is implemented. Significant and unmitigated if the alternative measure is not implemented.	Contribution of fair-share toward signal improvements would improve degraded traffic levels by establishing more efficient traffic signals.

<b>Environmental Impact</b>	<b>Significance Before Mitigation</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>	<b>Justification</b>
Implementation of the proposed project would degrade LOS at the intersection of SR-76 at Rancho del Oro Drive under year 2015 plus project conditions.	Significant	<b>TT-14</b> Prior to completion of Phases 1 through 4, the proposed project shall provide right-turn overlap signal phasing on both the eastbound and westbound approaches.	Less than significant	The mitigation measure would allow for more efficient traffic movement at the impacted intersection.
Implementation of the proposed project would degrade LOS at the intersection of College Boulevard at Old Grove Road under year 2015 plus project conditions.	Significant	<b>TT-15</b> Prior to completion of Phases 1 through 4, the proposed project shall construct College Boulevard to its proposed Circulation Element standard of six-lane Major road through this intersection or provide a dedicated northbound right-turn only lane.	Less than significant	The mitigation measures would increase the traffic load and efficient movement of traffic and allow it to handle the increase of traffic due to the project conditions.
Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at College Boulevard under year 2015 plus project conditions.	Significant	<b>TT-16</b> Prior to completion of Phases 1 through 4, the proposed project shall construct College Boulevard north and south of Oceanside Boulevard to the proposed Circulation Element standard of six-lane Major road.	Less than significant	Construction of College Boulevard to a six-lane major road would increase its traffic load and allow it to handle the increase of traffic due to the project conditions.
Implementation of the proposed project would degrade LOS at the intersection of Rancho del Oro Drive at Cameo Drive under year 2015 plus project conditions.	Significant	<b>TT-17</b> Prior to completion of Phases 1 through 4, the proposed project shall provide a traffic signal at the intersection.	Less than significant	The proposed mitigation measure would allow for the more efficient movement of traffic through the impacted intersection.

<b>Environmental Impact</b>	<b>Significance Before Mitigation</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>	<b>Justification</b>
Implementation of the proposed project would degrade LOS at the intersection of College Boulevard at Vista Way under year 2015 plus project conditions.	Significant	<b>TT-18</b> Prior to completion of Phases 1 through 4, the proposed project shall reconfigure the westbound approach from one thru and one thru/right lane to one thru-only and one right turn-only lane along with right turn overlap signal phasing for the westbound approach.	Less than significant	The mitigation measure would allow for additional vehicle capacity and increased traffic flow at the impacted intersection.
Implementation of the proposed project would degrade LOS at the intersection of Mesa Drive at El Camino Real under year 2015 plus project conditions.	Significant	<b>TT-19</b> Prior to completion of Phases 1 through 4, the proposed project shall provide right turn overlap signal phasing on the westbound/eastbound approach.	Less than significant	The mitigation measure would improve traffic operation and flow at the impacted intersection.
Implementation of the proposed project would degrade LOS at the intersection SR-76 at Rancho del Oro Drive under year 2030 plus project conditions.	Significant	<b>TT-28</b> Prior to completion of Phase 6 the proposed project shall provide right turn overlap signal phasing on both the eastbound and westbound approaches.	Less than significant	The mitigation measure would improve traffic operations at the impacted intersection.
Implementation of the proposed project would degrade LOS at the intersection of College Boulevard at Old Grove Road under year 2030 plus project conditions.	Significant	<b>TT-29</b> Prior to completion of Phase 6 the proposed project shall provide a dedicated northbound right turn-only lane.	Less than significant	The mitigation measure would improve the traffic flow of the impacted intersection.

<b>Environmental Impact</b>	<b>Significance Before Mitigation</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>	<b>Justification</b>
Implementation of the proposed project would degrade LOS at the intersection of College Boulevard at Vista Way under year 2030 plus project conditions.	Significant	<b>TT-30</b> Prior to completion of Phase 6 the proposed project shall reconfigure the westbound approach from one thru and one thru/right lane to one thru-only and one right turn-only lane along with right turn overlap signal phasing for the westbound approach.	Less than significant	The mitigation measure would improve traffic capacity and flow of the impacted intersection to delays that are below what is projected for the project without mitigation.
Implementation of the proposed project would degrade LOS at the intersection of Mesa Drive at El Camino Real under year 2030 plus project conditions.	Significant	<b>TT-31</b> Prior to completion of Phase 6 the proposed project shall provide right turn overlap signal phasing on the westbound/eastbound approach.	Less than significant	The provision for mitigation would increase traffic flow and improve the LOS to E, rather than an LOS F for conditions with the project and without mitigation.
Implementation of the proposed project would degrade LOS at the intersection of Mesa Drive at College Boulevard under year 2030 plus project conditions.	Significant	<b>TT-32</b> Prior to completion of Phase 6 the proposed project shall construct the Rancho del Oro at SR-78 interchange or provide a dedicated eastbound right turn-only lane.	Less than significant	The mitigation measure would improve the traffic delay from what is forecasted.

**Mitigation Measure:** The following mitigation measures, which are set forth below, as well as in the Final EIR, are feasible and are made binding, through the proposed project's MMRP, which will ensure implementation of the mitigation measure, and will mitigate some potential direct and indirect air quality impacts to below a level of significance, but not necessarily all impacts:

- a. The following measures will be implemented at the project construction site to decrease the amount of pollutants released during construction.

### **Construction Emissions**

- Adequate water or other dust palliatives shall be utilized on all disturbed areas, including staging areas.
- All paved streets from which site access is taken shall be washed down or swept to remove dirt carried from the site to the street in order to keep vehicles from pulverizing the dirt into fine particles.
- Wetting/stabilizing of disturbed soils, sweeping and clearing dirt from affected roadways, adherence to traffic mitigation measures shall occur to reduce congestion and thus pollutant.
- All vehicles shall be covered with tarps when hauling dirt to or from the site on public roadways unless additional moisture is added to prevent material blow-off during transport.
- Construction equipment shall be maintained, kept properly tuned, and operated in an efficient manner to reduce peak emission levels.
- The construction contractor(s) shall adhere to all San Diego County APCD Rules and Regulations.
- Adherence to traffic mitigation measures to reduce congestion and hence pollution.
- Cover backfill material when not actively hauled.
- Soil loader buckets should be emptied slowly and the height of the drop load shall be minimized to the extent practicable.
- Limit size of equipment staging area to the smallest footprint feasible.
- Construction vehicles shall drive 15 mph or less on unpaved roadways within the project site.
- Wheels and undercarriage of haul trucks shall be cleaned prior to leaving the site.
- Dirt trackout control devices shall be installed and maintained where paved and unpaved travel routes intersect.

- Signage shall be placed in visible areas on the project site with a name and telephone number to call for complaints related to fugitive dust. The calls shall be responded to in a timely manner.
  - A dust control plan shall be prepared for the project and submitted to the Engineering Department prior to earthwork activity.
  - Construction equipment shall use CARB-certified off road engines that are three years old or less, be alternatively fueled, or install add-on control devices to reduce emissions.
  - Require a buffer zone between sensitive receptors and construction activities.
- b. The following measures will be implemented, as feasible, to decrease the amount of pollutants released during operation of the project.

### **Operational Emissions**

- Reduce vehicular emissions by implementing TDM strategies, including, but not limited to:
  - Provide shuttle service from the El Corazon project site to the SPRINTER station located at the southwest corner of Oceanside Boulevard and Rancho del Oro Drive to encourage the use of public transportation;
  - Provide sidewalks along all project roadways, particularly to the bus shelter and transit station;
  - Provide bike lanes on all major internal roadways connecting to the nearby major roadways. A bikeway plan shall be maintained and promoted; and,
  - Promote TDM principles such as peak hour trip reduction, staggered work hours, ride sharing, telecommuting, and the use of public transportation or other measures, as appropriate.
- Identify activity centers that would benefit from increased transit access and work with North County Transit District (NCTD) to enhance service to these centers.
- Establish a carpool/vanpool program, including preferential parking for carpools and van pools.
- Implement a parking fee program or a parking cash-out program for non-driving employees.
- Orient future building entrances near transit stops, to the maximum extent practicable.

- As public transit providers expand services in the future, the City will ensure that the bus stops and other improvements for those services are available in the Specific Plan area.

*Stationary Source Emissions*

- Plant shade trees in parking lots.
- Reduce standard paving by 20%.
- Use energy-efficient and automated controls for air conditioning. Additionally, use lighting controls and energy-efficiency interior lighting and built-in energy-efficient appliances.
- Use double-paned windows and low emission water heaters.

**Facts in Support of Finding:** Construction activities for the proposed project would cause soil disturbance and a discharge of particulates into the air. Construction mitigation measures include construction practices to decrease the amount of dust particulates that are released into the air. Regulations for the control of fugitive dust from SDCAPCD and City of Oceanside would reduce nuisance from dust and particulate matter. Additionally, traffic mitigation during construction would be implemented to reduce traffic congestion and reduce the potential for the increase of pollutants from vehicular traffic. Construction equipment would be kept in proper working condition to reduce the amount of emitted pollutants.

Reducing vehicle trips represents the most effective way to reduce operation-related emissions. However, the El Corazon project will be developed with commercial, retail, and recreational uses, which necessitate vehicle trips to get employees and patrons to and from the area. While the preceding mitigation measures do not completely reduce long-term operational emissions, the project is designed to promote alternative transit use and facilitate working relationships with outside transit centers. Proposed mitigation for traffic impacts calls for the implementation of TDM principles and development of bikeways, sidewalks and shuttle services. The El Corazon Specific Plan includes circulation design features that facilitate bicycle use, walking, and running within the project area. The mixed-use development of the proposed project is designed to discourage multiple vehicle trips. Efforts to decrease traffic will work in conjunction with measures to decrease air pollutants.

Even with implementation of the above described mitigation and traffic control measures, the City finds that the air quality effects of the proposed project cannot be reduced to below a level of significance. Therefore, a Statement of Overriding Considerations is required to certify the Final EIR and approve the proposed project. The City has determined that the benefits of the proposed project are substantial and outweigh the unavoidable adverse environmental effects related to air quality. This finding is supported by the fact that the proposed project promotes mixed-use land uses through the provision of open space and recreational opportunities in addition to commercial, civic services, and office uses. The proposed project would preserve sensitive habitat in

accordance with the adopted MHCP and draft Oceanside Subarea Plan. This facilitates implementation of the goals and policies of the MHCP and City of Oceanside General Plan. Additionally, the development of commercial uses provides employment opportunities and enhances the economic vitality of the City by providing additional tax revenue. Further, the proposed project provides for the productive and attractive reuse of the dilapidated project site. The City finds that these benefits, when balanced against the unavoidable significant adverse impacts, outweigh the impacts because of the social and economic values which accrue to the community.

## **6.2 Transportation/Traffic**

**Environmental Impact:** Implementation of the project would significantly affect traffic conditions.

### **General Project Impacts**

- a) Implementation of the proposed project would result in a significant increase in traffic at various intersections and roadway segments in the City of Oceanside.

### **Existing + Project Condition**

- b) Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound ramps under existing plus project conditions.
- c) Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to Crouch Street under existing plus project conditions.
- d) Implementation of the proposed project would degrade LOS along College Boulevard from Oceanside Boulevard to Roselle Avenue under existing plus project conditions.

### **Year 2010**

- e) Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound and Eastbound ramps under year 2010 plus project conditions.
- f) Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to Crouch Street and from Foussat Road to El Camino Real under year 2010 plus project conditions.
- g) Implementation of the proposed project would degrade LOS along College Boulevard from Oceanside Boulevard to Roselle Avenue under year 2010 plus project conditions.

- h) Implementation of the proposed project would degrade LOS along El Camino Real from Vista Way to SR-78 under year 2010 plus project conditions.
- i) Implementation of the proposed project would degrade LOS along I-5 Northbound and Southbound from SR-78 to Las Flores Road under year 2015 plus project conditions.
- j) Implementation of the proposed project would degrade LOS along SR-78 Eastbound from College Boulevard to Emerald Road under year 2015 plus project conditions.

**Year 2015**

- k) Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound and Eastbound ramps under year 2015 plus project conditions.
- l) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at El Camino Real under year 2015 plus project conditions.
- m) Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to El Camino Real under year 2015 plus project conditions.
- n) Implementation of the proposed project would degrade LOS along College Boulevard from Old Grove Road to SR-78 under year 2015 plus project conditions.
- o) Implementation of the proposed project would degrade LOS along Mesa Drive from Foussat Road to El Camino Real under year 2015 plus project conditions.
- p) Implementation of the proposed project would degrade LOS along El Camino Real from Vista Way to SR-78 under year 2015 plus project conditions.

**Year 2030**

- q) Implementation of the proposed project would degrade LOS along I-5 Northbound and Southbound from SR-78 to Las Flores Road under year 2030 plus project conditions.
- r) Implementation of the proposed project would degrade LOS along SR-78 Eastbound and Westbound from College Boulevard to Emerald Road under year 2030 plus project conditions.
- s) Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound ramps under year 2030 plus project conditions.

- t) Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Eastbound ramps under year 2030 plus project conditions.
- u) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at College Boulevard under year 2030 plus project conditions.
- v) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at El Camino Real under year 2030 plus project conditions.
- w) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at I-5 Northbound ramps under year 2030 plus project conditions.
- x) Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at Crouch Street under year 2030 plus project conditions.
- y) Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to El Camino Real under year 2030 plus project conditions.
- z) Implementation of the proposed project would degrade LOS along College Boulevard from SR-76 to Mesa Drive and from Old Grove Road to SR-78 under year 2030 plus project conditions.
- aa) Implementation of the proposed project would degrade LOS along El Camino Real from Oceanside Boulevard to SR-78 under year 2030 plus project conditions.
- bb) Implementation of the proposed project would degrade LOS along Mesa Drive from Foussat Road to El Camino Real under year 2030 plus project conditions.

**Finding:** Pursuant to CEQA Guidelines §15091(a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible certain mitigation measures and the project alternatives identified in the EIR.

**Mitigation Measures:** Table 2 summarizes the adverse traffic and transportation impacts and the corresponding mitigating measures for the significant and unmitigated traffic impacts.

**Facts in Support of Finding:** Even with implementation of the mitigation measures described in Table 2 the City finds that the effects of the proposed project related to transportation and traffic cannot be reduced to below a level of significance. Therefore, a Statement of Overriding Considerations will be required to certify the Final EIR and approve the proposed project. Table 2 summarizes the reasons that the identified traffic impacts cannot be reduced to below a level of significance. Issues such as extenuating costs or the necessity to acquire right of way make additional mitigation to reduce the impacts infeasible.

**Table 2  
Summary of Mitigation Measures and Conclusions for Traffic Impacts that remain Significant and Unmitigated**

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation	Justification
<b>Transportation and Traffic</b>				
Implementation of the proposed project would result in a significant increase in traffic at various intersections and roadway segments in the City of Oceanside.	Significant	<p><b>TT-2</b> As proposed in the El Corazon Specific Plan, the following TDM improvements shall be implemented:</p> <ul style="list-style-type: none"> <li>• Provide shuttle service from the El Corazon project site to the SPRINTER station located at the southwest corner of Oceanside Boulevard and Rancho del Oro Drive to encourage the use of public transportation;</li> <li>• Provide sidewalks along all project roadways, particularly to the bus shelter and transit station;</li> <li>• Provide bike lanes on all major internal roadways connecting to the nearby major roadways. A bikeway plan shall be maintained and promoted; and,</li> <li>• Promote TDM principles such as peak hour trip reduction, staggered work hours, ride sharing, telecommuting, and the use of public transportation or other measures as appropriate.</li> </ul>	Some intersections and segments would remain significant and unmitigated	Some intersections and roadway segments would continue to operate at an unacceptable LOS even with implementation of TDM improvements.
Implementation of the proposed project would degrade level of service (LOS) at the intersection of El Camino Real at SR-78 Westbound ramps under existing plus project conditions.	Significant	<p><b>TT-3</b> Since improvements such as reconstruction of the entire SR-78 and El Camino Real interchange are considered infeasible, the following alternative improvement shall be considered for mitigation:</p> <ul style="list-style-type: none"> <li>• Contribution to, and operation of, a fair-share towards an adaptive/responsive signals or other capacity enhancing program on the El Camino Real corridor at SR-78.</li> </ul>	Less than significant if the alternative measure is implemented. Significant and unmitigated if the alternative measure is not implemented.	The costs for construction of the El Camino Real interchange are not feasible and the right of way is restrictive.

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation	Justification
Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to Crouch Street under existing plus project conditions.	Significant	<b>TT-4</b> Oceanside Boulevard is currently built-out to its Circulation Element Classification as specified in the Oceanside General Plan. Aside from implementation of TT-2, no feasible mitigation exists.	Significant and unmitigated	The cost to purchase properties and acquire right of way is prohibitive.
Implementation of the proposed project would degrade LOS along College Boulevard from Oceanside Boulevard to Roselle Avenue under existing plus project conditions.	Significant	<b>TT-5</b> No other feasible mitigation measures exist in excess of mitigation measure TT-2.	Less than significant if College Boulevard is constructed to a six-lane Major Road. Significant and unmitigated otherwise.	While the city is currently studying the potential widening, residents are opposed to the widening of College Boulevard. Property impacts also restrict the widening of College Boulevard.
Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound and Eastbound ramps under year 2010 plus project conditions.	Significant	<b>TT-10</b> Since improvements such as reconstruction of the entire SR-78 and El Camino Real interchange are considered infeasible, the following two alternative improvements shall be considered for mitigation: <ul style="list-style-type: none"> <li>• Prior to completion of Phases 1D, 1F, and 2 the proposed project shall contribute fair-share towards an adaptive/responsive signals or other capacity enhancing program on the El Camino Real corridor at SR-78.</li> </ul>	Less than significant if the alternative measure is implemented. Significant and unmitigated if the alternative measure is not implemented.	The cost to build the interchange is infeasible as is right of way acquisition.

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation	Justification
Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to Crouch Street and from Foussat Road to El Camino Real under year 2010 plus project conditions.	Significant.	TT-11 No other feasible mitigation measures exist in excess of mitigation measure TT-2.	Significant and unmitigated	Mitigation is infeasible as acquisition of commercial properties for right of way is prohibitive.
Implementation of the proposed project would degrade LOS along College Boulevard from Oceanside Boulevard to Roselle Avenue under year 2010 plus project conditions.	Significant	TT-12 No other feasible mitigation measures exist in excess of mitigation measure TT-2.	Less than significant if College Boulevard is constructed to a six-lane Major Road. Significant and unmitigated otherwise.	While the city is currently studying the potential widening, residents are opposed to the widening of College Boulevard. Property impacts also restrict the widening of College Boulevard.
Implementation of the proposed project would degrade LOS along El Camino Real from Vista Way to SR-78 under year 2010 plus project conditions.	Significant	TT-13 No other feasible mitigation measures exist in excess of mitigation measure TT-2.	Significant and unmitigated	The cost to build a new interchange along with right of way acquisition and the impact to commercial properties prohibits any mitigation measures.

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation	Justification
Implementation of the proposed project would degrade LOS along I-5 Northbound and Southbound from SR-78 to Las Flores Road under year 2015 plus project conditions.	Significant	TT-20 No other feasible mitigation measures exist in excess of mitigation measure TT-2.	Significant and unmitigated because the City cannot guarantee successful completion of the required improvements prior to completion of Phase 4	The cost of required improvements and the acquisition of right of way makes mitigation infeasible.
Implementation of the proposed project would degrade LOS along SR-78 Eastbound from College Boulevard to Emerald Road under year 2015 plus project conditions.	Significant	TT-21 No other feasible mitigation measures exist in excess of mitigation measure TT-2.	Significant and unmitigated because the City cannot guarantee successful completion of the required improvements prior to completion of Phase 4	Cost of any proposed mitigation is infeasible.
Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound and Eastbound ramps under year 2015 plus project conditions.	Significant	TT-22 No other feasible mitigation measures existing in excess of implementation of mitigation measure TT-2.	Significant and unmitigated	The cost to build the interchange is infeasible as is the acquisition of right of way.

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation	Justification
Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at El Camino Real under year 2015 plus project conditions.	Significant	<b>TT-23</b> Oceanside Boulevard and El Camino Real are currently built-out to their Circulation Element Classifications as specified in the Oceanside General Plan.	Significant and unmitigated	Built-out area and the inability to acquire right of way makes the mitigation measure infeasible.
Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to El Camino Real under year 2015 plus project conditions.	Significant	<b>TT-24</b> Oceanside Boulevard is currently built-out to its Circulation Element Classification as specified in the Oceanside General Plan. No other feasible mitigation measures exist in excess of mitigation measure TT-2.	Significant and unmitigated	Mitigation is infeasible as acquisition of commercial properties for right of way is prohibitive.
Implementation of the proposed project would degrade LOS along College Boulevard from Old Grove Road to SR-78 under year 2015 plus project conditions.	Significant	<b>TT-25</b> No other feasible mitigation measures existing in excess of implementation of mitigation measure TT-2.	Significant and unmitigated	While the city is currently studying the potential widening, residents are opposed to the widening of College Boulevard. Property impacts also restrict the widening of College Boulevard.

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation	Justification
Implementation of the proposed project would degrade LOS along Mesa Drive from Foussat Road to El Camino Real under year 2015 plus project conditions.	Significant	TT-26 Mesa Drive is currently built-out to its Circulation Element Classification as specified in the Oceanside General Plan. No other feasible mitigation measures exist in excess of mitigation measure TT-2.	Significant and unmitigated	Right of way acquisition and impacts to residents make mitigation measures infeasible.
Implementation of the proposed project would degrade LOS along El Camino Real from Vista Way to SR-78 under year 2015 plus project conditions.	Significant	TT-27 Prior to completion of Phase 1, the proposed project shall contribute a fair-share towards an adaptive/responsive signals or other capacity enhancing program on the El Camino Real Corridor at SR-78.	Significant and unmitigated	
Implementation of the proposed project would degrade LOS along I-5 Northbound and Southbound from SR-78 to Las Flores Road under year 2030 plus project conditions.	Significant	TT-33 Prior to completion of Phase 6 the proposed project shall contribute fair-share towards the future widening of I-5.	Significant and unmitigated because the City cannot guarantee successful completion of the required improvements prior to completion of Phase 6	The cost of mitigation makes the measure infeasible.
Implementation of the proposed project would degrade LOS along SR-78 Eastbound and Westbound from College Boulevard to Emerald Road under year 2030 plus project conditions.	Significant	TT-34 Prior to completion of Phase 6 the proposed project shall contribute fair-share towards the future widening of I-5.	Significant and unmitigated because the City cannot guarantee successful completion of the required improvements prior to completion of Phase 6	The cost of mitigation makes the measure infeasible.

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation	Justification
Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Westbound ramps under year 2030 plus project conditions.	Significant	<b>TT-35</b> No other feasible mitigation measures exist in excess of implementation of mitigation measure TT-2.	Significant and unmitigated	The costs for construction of the El Camino Real interchange are not feasible and acquisition of the right of way is restrictive.
Implementation of the proposed project would degrade LOS at the intersection of El Camino Real at SR-78 Eastbound ramps under year 2030 plus project conditions.	Significant	<b>TT-36</b> No other feasible mitigation measures exist in excess of implementation of mitigation measure TT-2.	Significant and unmitigated	The costs for construction of the El Camino Real interchange are not feasible and acquisition of the right of way is restrictive.
Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at College Boulevard under year 2030 plus project conditions.	Significant	<b>TT-37</b> Oceanside Boulevard and College Boulevard would be built-out to their Circulation Element Classifications as specified in the Oceanside General Plan. No other feasible mitigation measures exist in excess of implementation of mitigation measure TT-2.	Significant and unmitigated	Area proposed for mitigation is currently built out and impacts to commercial property make right of way acquisition infeasible.
Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at El Camino Real under year 2030 plus project conditions.	Significant	<b>TT-38</b> Oceanside Boulevard and El Camino Real would be built-out to their Circulation Element Classifications as specified in the Oceanside General Plan. No other feasible mitigation measures exist in excess of implementation of mitigation measure TT-2.	Significant and unmitigated	Built-out area prohibits further development.

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation	Justification
Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at I-5 Northbound ramps under year 2030 plus project conditions.	Significant	<b>TT-39</b> Oceanside Boulevard is currently built-out to its Circulation Element Classification as specified in the Oceanside General Plan. No other feasible mitigation measures exist in excess of implementation of mitigation measure TT-2.	Significant and unmitigated	Acquisition of right of way and cost make mitigation measures infeasible.
Implementation of the proposed project would degrade LOS at the intersection of Oceanside Boulevard at Crouch Street under year 2030 plus project conditions.	Significant	<b>TT-40</b> Oceanside Boulevard is currently built-out to its Circulation Element Classification as specified in the Oceanside General Plan. No other feasible mitigation measures exist in excess of implementation of mitigation measure TT-2.	Significant and unmitigated	Mitigation is infeasible due to impacts to commercial property and acquisition of right of way.
Implementation of the proposed project would degrade LOS along Oceanside Boulevard from I-5 Southbound ramps to El Camino Real under year 2030 plus project conditions.	Significant	<b>TT-41</b> Oceanside Boulevard is currently built-out to its Circulation Element Classification as specified in the Oceanside General Plan. No other feasible mitigation measures exist in excess of implementation of mitigation measure TT-2.	Significant and unmitigated	The cost to purchase properties and acquire right of way is prohibitive.
Implementation of the proposed project would degrade LOS along College Boulevard from SR-76 to Mesa Drive and from Old Grove Road to SR-78 under year 2030 plus project conditions.	Significant	<b>TT-42</b> The proposed project shall contribute a fair-share towards adaptive/responsive signals or other capacity enhancing program along College Boulevard between Old Grove Road and SR-78.	Significant and unmitigated	The City cannot guarantee successful completion of the required improvements.

<b>Environmental Impact</b>	<b>Significance Before Mitigation</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>	<b>Justification</b>
Implementation of the proposed project would degrade LOS along El Camino Real from Oceanside Boulevard to SR-78 under year 2030 plus project conditions.	Significant	TT-43 Contribution of fair-share towards an adaptive/responsive signals or other capacity enhancing program on the El Camino Real corridor at SR-78.	Significant and unmitigated	The City cannot guarantee successful completion of the required improvements.
Implementation of the proposed project would degrade LOS along Mesa Drive from Foussat Road to El Camino Real under year 2030 plus project conditions.	Significant	TT-44 Mesa Drive is currently built-out to its Circulation Element Classification as specified in the Oceanside General Plan. No other feasible mitigation measures exist in excess of implementation of mitigation measure TT-2.	Significant and unmitigated	Right of way acquisition and impacts to residents make mitigation measures infeasible.

The City has determined that the benefits of the proposed project are substantial and outweigh the unavoidable adverse environmental effects related to traffic. This finding is supported by the facts that the proposed project promotes mixed-use land uses through the provision of open space and recreational opportunities in addition to commercial, civic services, and office uses. The proposed project would preserve sensitive habitat in accordance with the adopted MHCP and draft Oceanside Subarea Plan. This facilitates implementation of the goals and policies of the MHCP and City of Oceanside General Plan. Additionally, the development of commercial uses provides employment opportunities and enhances the economic vitality of the City by providing additional tax revenue. Further, the proposed project provides for the productive and attractive reuse of the dilapidated project site. The City finds that these benefits, when balanced against the unavoidable significant adverse impacts, outweigh the impacts because of the social and economic values which accrue to the community.

### **6.3 Greenhouse Gas Emissions/Global Climate Change**

**Environmental Impacts:** The proposed project could result in significant cumulative impacts related to greenhouse gas emissions and global climate change.

**Finding:** Pursuant to CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in, or incorporated into, the proposed project which will reduce the significant environmental effect identified in the Final EIR to below a level of significance.

**Mitigation Measure:** Air quality mitigation measures identified for the project relating to vehicular and stationary source emissions (Mitigation Measure AIR-18 through AIR-27) will also reduce the project contribution of greenhouse gas emissions; however, these reductions would not be enough to reduce the cumulative impact to below a level of significance.

**Facts in Support of Finding:** Even with implementation of air quality mitigation to minimize greenhouse gas emissions, the project will still have a significant and unmitigated cumulative impact for greenhouse gas emissions and global climate change. Therefore, a Statement of Overriding Considerations will be required to certify the Final EIR and approve the proposed project. The City has determined that the benefits of the proposed project are substantial and outweigh the unavoidable adverse environmental effects related to greenhouse gases and global climate change. This finding is supported by the facts that the proposed project promotes mixed-use land uses through the provision of open space and recreational opportunities in addition to commercial, civic services, and office uses. The proposed project would preserve sensitive habitat in accordance with the adopted MHCP and draft Oceanside Subarea Plan. This facilitates implementation of the goals and policies of the MHCP and City of Oceanside General Plan. Additionally, the development of commercial uses provides employment opportunities and enhances the economic vitality of the City by providing additional tax revenue. Further, the proposed project provides for the productive and attractive reuse of the dilapidated project site. The City finds that these benefits, when balanced against the

unavoidable significant adverse impacts, outweigh the impacts because of the social and economic values which accrue

## **7. Findings Regarding Alternatives**

Under CEQA, whenever a public agency considers approving a project for which the EIR concludes that notwithstanding the incorporated mitigation measures, there will nonetheless remain significant impacts that are not avoided or lessened below a level of significance, the public agency must consider and make findings regarding the feasibility of alternatives discussed in the EIR. As stated in CEQA §21002:

“[It] is the policy of the State that public agencies should not approve projects as proposed if there are feasible alternatives or mitigation measures available which would substantially lessen the significant effects of such projects...The legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or mitigation measures, individual project may be approved in spite of one or more significant effects thereof.”

The Final EIR concludes that after incorporation of the mitigation measures outlined in Section 5 above, the proposed project would still have significant and unmitigable environmental impacts on air quality and transportation/traffic.

CEQA Guidelines §15091 states that the determination of the feasibility of alternatives must evaluate any economic, social, or other considerations related to the alternatives and compare these effects to those identified for the proposed project. “Feasible” is defined in CEQA Guidelines §15364 as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” At the same time, infeasibility is not equated with impossibility, and case law recognizes that an alternative or mitigation measure may also be infeasible if it is undesirable or impractical from a policy standpoint.

In undertaking the comparative analysis called for under CEQA in considering the feasibility of project alternatives, it is also necessary to keep in mind the project objectives as expressed in the Final EIR. The project objectives, as listed in the EIR, are as follows:

- Provide high-quality passive and active recreational opportunities for Oceanside residents;
- Maintain and restore open space and natural habitat in support of sensitive plant and wildlife species; and
- Provide commercial space to support recreational and other public land uses.

The Draft EIR for El Corazon Specific Plan examined the following alternatives: No Project/Existing Plan Alternative, Preferred Project + 300 Residential Units Alternative, and Preferred Project + 100,000 Square Feet of Office Space Alternative. The

environmentally superior alternative is the proposed project, as described in Chapter 3 of the Final EIR. In rejecting the other alternatives considered in the Draft EIR, the City has examined the objectives of the proposed project and weighed the ability of the various alternatives to meet those objectives. The City believes that the proposed project, as described and evaluated in the Draft EIR, meets these objectives with the least environmental impact. Therefore, pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines 15091 (a)(3), the City finds that (i) the Final EIR considers a reasonable range of project alternatives and mitigation measures and (ii) specific economic, legal, social, technological or other considerations make infeasible the alternatives as follows:

### **7.1 No Project/Existing Plan Alternative**

Under the No Project/Existing Plan Alternative, the City of Oceanside would not implement the El Corazon Specific Plan analyzed in the Draft EIR. The existing zoning and General Plan land use designations would remain as outlined in the Rancho del Oro Specific Plan, with a small portion (five acres) to be developed according to the Ocean Ranch Community Development Plan. The site would also continue to undergo active reclamation until the conditions for mine closure were met and approved of by the State. As part of the active reclamation, the site would continue to be closed to the public with only the operation of the Green Waste Facility and reclamation area continuing.

**Finding:** The City finds that specific economic, legal, social, technological, or other considerations make infeasible the No Project/Existing Plan Alternative identified in the Final EIR.

**Facts in Support of Finding:** The alternative is rejected because it would not achieve project objectives. The majority of the site would be developed with light industrial, residential, and town center uses. This would eliminate a majority of the open space, recreational, and habitat land uses proposed under the El Corazon Specific Plan. Additionally, this alternative proposes substantially more development in the western portion of the project site, which is a designated wildlife corridor in the adopted MHCP and sensitive species habitat. Further, the increase in development would generate a greater volume of criteria air pollutant emissions, more noise during construction, more vehicle trips during construction and operation, and result in a greater demand for public services and utilities and service systems, including water, wastewater, and solid waste services. Therefore, the No Project/Existing Plan Alternative would substantially increase the development intensity at the project site, thereby conflicting with the identified project objectives.

### **7.2 Specific Plan without 300 Residential Units**

Under this alternative, the Specific Plan would be implemented without the additional 300 residential units within the Village Commercial or Oceanside Boulevard areas, as detailed in Chapter 3 of the Final EIR.

**Finding:** The City finds that specific economic, legal, social, technological, or other considerations make infeasible the Specific Plan without 300 Residential Units alternative identified in the Final EIR.

**Facts in Support of the Finding:** Overall, the Specific Plan without 300 Residential Units alternative would decrease the degree of environmental impact compared to the proposed project. Removal of 300 residential units would result in a proportional decrease in vehicular traffic, noise and air quality emission generation.

The Specific Plan without 300 Residential Units alternative is anticipated to decrease the construction-related and operational emissions over the proposed project because of the reduction in the size of structures constructed and operational vehicle trips associated with the residential uses

The Specific Plan without 300 Residential Units alternative would not increase the proposed project footprint and, therefore, impacts to biological resources would be the same as those identified for the proposed project. Therefore, this alternative would result in significant but mitigable impacts to sensitive vegetation communities, sensitive wildlife species, and a wildlife corridor, as identified Section 4.3 of the Final EIR.

The Specific Plan without 300 Residential Units alternative would not exacerbate the impacts to geology and soils identified for the proposed project. The geology and soils impacts were identified primarily in the Habitat District and the overall Specific Plan area were designed with the site's geologic constraints in mind. Therefore, since this alternative would not change the location of any proposed buildings, there would not be any additional impacts associated with this alternative over the proposed project.

The Specific Plan without 300 Residential Units alternative would not increase the runoff or change the anticipated hydrology impacts of the proposed project. This alternative would include the stormwater detention basins identified in the evaluation of the proposed project. There would likely be an increased demand for potable water with the addition of residences to the project site.

The Specific Plan without 300 Residential Units alternative would change the anticipated land use slightly for the Village Commercial and/or the Oceanside Boulevard areas in that residential uses would no longer be permitted. The anticipated changes would be the zoning and planning designations

The Specific Plan without 300 Residential Units alternative would decrease the noise impacts from the proposed project due to the decrease in vehicular traffic associated with the removal of the residential component.

The Specific Plan without 300 Residential Units alternative would cause a decrease in the need for public services, primarily the local schools, as well as a slight decrease in the need for police protection and fire protection services.

There would likely be a decrease in the use of the local public parks with the removal of residential uses.

The Specific Plan without 300 Residential Units alternative would decrease the traffic impacts above those identified for the proposed project. This decrease would be associated with the removal of the 300 residential units and would not change any of the conclusions of traffic impacts or required mitigation.

The Specific Plan without 300 Residential Units alternative would not increase the number of buildings or ground disturbance over that identified for the proposed project. Since there would not be an increase in ground disturbance there would not be any additional impact to cultural resources over that identified for the proposed project. Additionally, impacts related to hazards and hazardous materials would not be different than those identified for the proposed project because the project footprint is the same.

If built, the Specific Plan without 300 Residential Units alternative would meet the project objectives, but would result in a slightly decreased level of environmental impact to air quality, noise, traffic and public services.

### **7.3 Preferred Project + 100,000 Square Feet of Office Space Alternative**

Under this alternative, approximately 14 acres of the habitat assemblage located along Oceanside Boulevard would be replaced with 100,000 square feet of office space. This alternative was proposed to include office uses on the project site and to further maximize the projects function as a mixed-use project.

**Finding:** The City finds that specific economic, legal, social, technological, or other considerations make infeasible the Preferred Project + 100,000 Square Feet of Office Space Alternative identified in the Final EIR.

**Facts in Support of the Finding:** Overall, the Preferred Plan + 100,000 Square Feet of Office Space Alternative would increase the degree of environmental impact due to the addition of office space. The addition of buildings along Oceanside Boulevard would increase aesthetic impacts since this area was evaluated as habitat area under the proposed project evaluation. The additional buildings would be of the same character and design of other structures at the El Corazon site, but replacing open space with a built environment would create a visual impact along Oceanside Boulevard. This alternative is anticipated to have a greater, though less than significant, environmental impact than the proposed project.

The Preferred Plan + 100,000 Square Feet of Office Space Alternative is anticipated to increase the construction-related and operational emissions over the proposed project because of the additional structures constructed and operational vehicle trips associated with the office space. The increase in emissions would exacerbate the overall air quality impacts to the local and surrounding area. Although alternative transportation is available to visitors and employees of the site, vehicle trips would still be expected to

increase. Vehicle usage is the number one cause of an increased air quality impact, including an increase in greenhouse gas emissions from the project.

The Preferred Plan + 100,000 Square Feet of Office Space Alternative would increase the impact to biological resources over those identified by the proposed project. The proposed location for the 100,000 square feet of office space is within an area identified for habitat conversion to coastal sage scrub to support the California gnatcatcher. Both the adopted MHCP and the draft Oceanside Subarea Plan identify this area as part of key wildlife corridor for the California gnatcatcher. By eliminating this critical linkage of habitat, impacts to biological resources would be considered regionally significant since the migration of California gnatcatcher would be inhibited.

The Preferred Plan + 100,000 Square Feet of Office Space Alternative could increase the impacts to geology and soil over those identified from the proposed project. This area was not evaluated for the ability to support structures and therefore additional geotechnical studies would be required to determine whether this area is geologically stable. Since stability cannot be determined at this time, it is anticipated that this would be a significant impact over that identified from the proposed project.

The Preferred Plan + 100,000 Square Feet of Office Space Alternative would slightly increase the runoff and potentially change the anticipated hydrology impacts of the proposed project. This alternative would still include the storm water detention basins as identified in the evaluation of the proposed project. There would likely be an increased demand for potable water with the addition of office space to the project site. Although the anticipated square footage of office space is not enough to require a domestic Water Supply Assessment pursuant to Senate Bill 610, one may be required by the City. Based on the Water System Study and Sewer System Analysis conducted for the project, it is not anticipated that this alternative would increase the need for additional infrastructure over what was identified for the proposed project (Tetra Tech 2006a, 2006b).

The Preferred Plan + 100,000 Square Feet of Office Space Alternative would change the anticipated land use near the Habitat District. By eliminating a project feature that would promote the survival and migration of the California gnatcatcher, this alternative would conflict with the goals and policies of the adopted MHCP and draft Oceanside Subarea Plan. This would result in a significant impact and a greater degree of impact to land use and planning over what was identified for the proposed project.

The Preferred Plan + 100,000 Square Feet of Office Space Alternative would increase the noise impacts from the proposed project due to the increase in vehicular traffic associated with the office space. However, since these vehicle trips are anticipated to be dispersed throughout the City, a new impact over what was evaluated for the proposed project is not expected.

The Preferred Plan + 100,000 Square Feet of Office Space Alternative would cause an increase in the need for public services, specifically fire and police protection services. As with all projects proposed within the City the fire and police departments would need

to make a determination regarding the ability to provide adequate services. Based on the increase in buildings on the site, the increase in demand would be an additional impact over what was evaluated by the proposed project.

The Traffic Impact Analysis for the proposed project indicates that the Preferred Plan + 100,000 Square Feet of Office Space Alternative would generate 1,700 additional vehicle trips per day over what was estimated for the proposed project (LLG 2008). These 1,700 trips would exacerbate the significant and unmitigable impacts associated with the proposed project. Compared to the proposed project, this would result in a greater impact to transportation and traffic.

The Preferred Plan + 100,000 Square Feet of Office Space Alternative could potentially increase the impact to cultural resources since construction would occur in an area identified as habitat under the proposed project. However, any potential impacts would be reduced with mitigation similar to that identified for the proposed project. Compared to the proposed project, this would result in a similar level of impact.

The Preferred Plan + 100,000 Square Feet of Office Space Alternative would change the overall project footprint of the site over that identified for the proposed project. This increase in project footprint would potentially increase the likelihood for exposure to additional hazards or hazardous waste; however, the impact would be less than significant.

If built, this alternative would meet the project objectives; however, some open space and natural habitat would be lost with construction of 100,000 square feet of office space rather than 14 acres of habitat along Oceanside Boulevard. Passive and active recreational opportunities and commercial space would still be provided. However, the Preferred Plan + 100,000 Square Feet of Office Space Alternative would potentially result in a greater level of environmental impacts related to aesthetics, air quality, biological resources, geology and soils, land use, public services, and transportation and traffic. Therefore, the proposed project is preferred over this alternative.

## **8. Findings Regarding Growth Inducing Impacts**

The El Corazon Specific Planning area is located near the center of the City of Oceanside which has developed around the Site as the City expanded. The El Corazon was not previously developed because of the silica mining occurring onsite. Once the mine closed, planning for the post mining use of this site started with the recognition that large areas surrounding the site have already been developed. Currently, the land use designations with the Rancho del Oro Specific Plan, allow for large areas of industrial development, as well as both a town center and residential units, very little open space or natural areas were designated. Under the current Plan almost the entirety of the site would be developed but with less density of development. With the El Corazon Specific Plan, there would be an anticipated increase in commercial/retail activities over current levels, but not to the level of the previous plans. Since the proposed project would lessen the intensity of development previously anticipated, the project would not be considered growth inducing. Therefore a less than significant impact is identified for this issue area.

## 9. Statement of Overriding Considerations

As discussed in Section 6 of these Findings, the Final EIR concludes that the proposed project, even with incorporation of all feasible mitigation measures and consideration of alternatives, will nonetheless have significant impacts to air quality and transportation and traffic.

The City has adopted all feasible mitigation measures with respect to air quality and traffic, which may have substantially lessened the impacts, but have not been successful in reducing them below a level of significance. Under CEQA, before a project which is determined to have significant, unmitigated environmental effects can be approved, the public agency must consider and adopt a “statement of overriding considerations” pursuant to CEQA Guidelines 15043 and 15093. As the primary purpose of CEQA is to fully inform decision-makers and the public of the environmental effects of a project and to include feasible mitigation measures and alternatives to reduce any such adverse effects below a level of significance, CEQA nonetheless recognizes and authorizes the approval of projects where not all adverse impacts can be fully lessened or avoided. However, the Lead Agency must explain and justify its conclusion to approve such a project through the statement of overriding considerations setting forth the proposed project’s general social, economic, policy or other public benefits which support the Lead Agency’s informed conclusion to approve the project.

The City finds that the proposed project has the following substantial social, economic, policy and other public benefits justifying its approval and implementation, notwithstanding the fact that not all environmental impacts were fully reduced below a level of significance:

1. **City General Plan and Policies.** Although the proposed project would require a General Plan Amendment, the project otherwise implements the policies of the City of Oceanside General Plan. This helps achieve the goals of the General Plan including, but not limited to, provision of a mix of land uses that meets the diverse needs of Oceanside residents, offering a variety of employment opportunities, allowing for capture of regional growth, and ensuring compatibility of land uses.
2. **Habitat Preservation.** The proposed project will implement the goals of the draft Oceanside Subarea Habitat Conservation Plan and adopted General Plan policies relating to preservation of natural resources by providing protected habitat for endangered species and wildlife corridor improvements. The Habitat District within the El Corazon site would comprise land dedicated to natural habitat, conservation, and native open space areas. The Habitat District would be composed of 150 acres of existing natural and disturbed coastal sage scrub habitat and riparian areas along Garrison Creek plus an additional 20 acres located along Oceanside Boulevard that would be restored to native coastal sage scrub habitat. This 20-acre area is identified as critical to the connectivity of the wildlife corridor on both sides of Oceanside Boulevard. These habitat benefits would not be realized under the current Rancho del Oro Specific Plan which anticipated the

majority of the site being developed with light industrial, residential and town center uses.

3. **Recreational Opportunities.** Implementation of the proposed project will enhance the recreational opportunities in the City as well as the north San Diego County areas. This includes the provision of soccer fields, a skate park and an aquatics center, as detailed below:

**Soccer Fields.** Based on an analysis of soccer participation in Oceanside, population growth, and other factors, the following table is a summary of projections for local demand for additional soccer fields in Oceanside, excluding major tournaments. It is estimated that about 200 to 300 children are “turned away” each year due to a shortage of fields. There is overcrowding at school fields, especially for practices.

Year 2010	Year 2015	Year 2020	Year 2025
10 fields	14 fields	18 fields	22 fields

In addition, local soccer organizations representatives report there is a need for a major soccer tournament complex. The project will provide 16 soccer fields.

**Skateboarding.** There has been a substantial increase (approximately 55 percent) in skateboard participation over the last five years. Van’s Triple Crown professional was held for several years in Oceanside and typically attracted between 20,000 and 30,000 spectators over a weekend. The event has been temporarily discontinued; however, because of development of the event site.

**Aquatics Center.** The City of Oceanside Master Plan of Parks and Recreation standards indicate that one additional aquatic center is needed. The existing city-operated facilities at Brooks Street and Marshall Street are old (they both opened in 1957) and are heavily used. Development of a new aquatic center at El Corazon would result in the following benefits:

- Provide a public swimming facility on the east side of the I-5 where much of the growth in the City has taken place in recent years.
- Provide a competitive venue for the City’s high schools.
- Allow the City’s aquatic facilities keep up with population growth by relieving some of the pressure on the Brooks Street and Marshall Street Swim Centers.

**Park Features.** The following park features are also identified for the project which will enhance recreational opportunities for the citizens of Oceanside and San Diego County.

- Four Little League baseball fields
- Three softball fields
- Two football fields
- Three basketball courts
- Six open play areas
- Eight community playgrounds
- One destination playground
- One water play feature
- One bandstand
- One public plaza
- Festival booths
- One docent center
- One dog park
- One pond feature
- One significant public art feature
- 13 picnic pavilions
- Individual picnic tables
- Eleven parking lots
- Six storage buildings
- Nine restroom locations
- Six concessions areas
- Seven press boxes
- Fourteen bleacher sets
- One park maintenance facility
- Buffer areas
- Public trails

4. **Economic Development.** Establishment of a major soccer tournament facility will enhance Oceanside as a tourist destination, foster economic development and provide direct and indirect revenues based on analysis of similar facilities in Temecula, San Bernardino, and Lancaster. Given the lack of quality dedicated tournament-oriented soccer facilities in San Diego County, there is good potential to host local, regional and national tournaments in Oceanside.

5. **Employment Opportunities.** The proposed project will create approximately 2,400 jobs in addition to temporary, construction-related employment opportunities.
6. **Tax Revenue to the City.** The commercial, retail/restaurant, and hotel components of the proposed project would generate approximately \$1,900,000 in tax revenue for the City.
7. **Productive Reuse.** The proposed project will make productive and attractive reuse of the project site which is currently undergoing mining reclamation.
8. **Provision of Housing.** The proposed project will construct up to 300 mixed-use residential units to meet the future demand for housing in the City and northern San Diego area.

### 0.4 MITIGATION MONITORING AND REPORTING PROGRAM

#### 0.4.1 INTRODUCTION AND SUMMARY

Pursuant to Section 21081.6 of the Public Resources Code and the *California Environmental Quality Act* (CEQA) *Guidelines* Section 15097, public agencies are required to adopt a monitoring or reporting program to assure that the mitigation measures and revisions identified in the Environmental Impact Report (EIR) are implemented. As stated in Section 21081.6 of the Public Resources Code:

*“...the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.”*

Pursuant to Section 21081(a) of the Public Resources Code, findings must be adopted by the decision-maker coincidental to certification of the EIR. The Mitigation Monitoring and Reporting Program (MMRP) must be adopted when making the findings (at the time of approval of the project).

As defined in the *CEQA Guidelines*, Section 15097, “reporting” is suited to projects that have readily measurable or quantitative measures or which already involve regular review. “Monitoring” is suited to projects with complex mitigation measures, such as wetland restoration or archaeological protection, which may exceed the expertise of the local agency to oversee, are expected to be implemented over a period of time, or require careful implementation to assure compliance. Both reporting and monitoring would be applicable to the proposed project.

The EIR prepared for the El Corazon Specific Plan (SCH No. 1998091006) provided an analysis of the environmental effects resulting from construction and operation of the project. A thorough scientific and engineering evaluation of each alternative was undertaken in compliance with CEQA, including the identification of measures designed to avoid or substantially reduce the potential adverse effects of each alternative.

#### 0.4.2 MITIGATION MATRIX

To sufficiently track and document the status of mitigation measures, a mitigation matrix has been prepared and includes the following components:

- Mitigation measure (text)
- Type
- Monitor
- Schedule

Mitigation measure timing of verification has been apportioned into several specific timing increments. Of these, the most common are:

1. During construction of the project
2. During operation of the El Corazon Specific Plan

The mitigation matrix is included in Table 0.4-1.

# 0.4 Mitigation Monitoring and Reporting Program

**Table 0.4-1. Mitigation Monitoring and Reporting Program Checklist**

AIR QUALITY	Mitigation Measure	Type	Monitor	Schedule
	Adequate water or other dust palliatives shall be utilized on all disturbed areas, including staging areas.	Construction Monitoring (CM)	Planning Division	During construction.
	All paved streets from which site access is taken shall be washed down or swept to remove dirt carried from the site to the street in order to keep vehicles from pulverizing the dirt into fine particles.	CM	Planning Division	During construction.
	Wetting/stabilizing of disturbed soils, sweeping and clearing dirt from affected roadways, adherence to traffic mitigation measures shall occur to reduce congestion and thus pollutant.	CM	Planning Division	During grading and construction.
	All vehicles shall be covered with tarps when hauling dirt to or from the site on public roadways unless additional moisture is added to prevent material blow-off during transport.	CM	Planning Division	During construction.
	Construction equipment shall be maintained, kept properly tuned, and operated in an efficient manner to reduce peak emission levels.	CM	Planning Division	During construction.
	The construction contractor(s) shall adhere to all San Diego County APCD Rules and Regulations.	CM	Planning Division	During construction.
	Adherence to traffic mitigation measures to reduce congestion and hence pollution.	CM	Planning Division	During construction.
	Cover backfill material when not actively hauled.	CM	Planning Division	During construction.
	Soil loader buckets should be emptied slowly and the height of the drop load shall be minimized to the extent practicable.	CM	Planning Division	During construction.
	Limit size of equipment staging area to the smallest footprint feasible.	CM	Planning Division	During construction.
	Construction vehicles shall drive 15 mph or less on unpaved roadways within the project site.	CM	Planning Division	During construction.
	Wheels and undercarriage of haul trucks shall be cleaned prior to leaving the site.	CM	Planning Division	During construction.
	Dirt trackout control devices shall be installed and maintained where paved and unpaved travel routes intersect.	CM	Planning Division	During construction.
	Signage shall be placed in visible areas on the project site with a name and telephone number to call for complaints related to fugitive dust. The calls shall be responded to in a timely manner.	CM	Planning Division	During grading and construction.
	A dust control plan shall be prepared for the project and submitted to the Engineering Department prior to earthwork activity.	CM	Engineering Division	Prior to ground disturbing activities.
	Construction equipment shall use CARB-certified off road engines that are three years old or less, be alternatively fueled, or install add-on control devices to reduce emissions.	CM	Planning Division	During construction.
	Require a buffer zone between sensitive receptors and construction activities.			

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure	Type	Monitor	Schedule
<p>Reduce vehicular emissions by implementing TDM strategies, including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Provide shuttle service from the El Corazon project site to the SPRINTER station located at the southwest corner of Oceanside Boulevard and Rancho del Oro Drive to encourage the use of public transportation;</li> <li>• Provide sidewalks along all project roadways, particularly to the bus shelter and transit station;</li> <li>• Provide bike lanes on all major internal roadways connecting to the nearby major roadways. A bikeway plan shall be maintained and promoted; and,</li> <li>• Promote TDM principles such as peak hour trip reduction, staggered work hours, ride sharing, telecommuting, and the use of public transportation or other measures, as appropriate.</li> </ul>	Operation Management (OM)	Planning Division	During final design of project-level activities.
<p>Identify activity centers that would benefit from increased transit access and work with North County Transit District (NCTD) to enhance service to these centers.</p>	OM	Planning Division	During operation.
<p>The preceding mitigation measures are not adequate to reduce long-term operational emissions. No other feasible mitigation measures are available to substantially reduce long-term operational emissions.</p>	OM	Planning Division	Prior to occupancy of buildings.
<p>Establish a carpool/vanpool program, including preferential parking for carpools and van pools.</p>	OM	Planning Division	Prior to occupancy of buildings.
<p>Implement a parking fee program or a parking cash-out program for non-driving employees.</p>	OM	Planning Division	Prior to occupancy of buildings.
<p>Orient future building entrances near transit stops, to the maximum extent practicable.</p>	CM	Planning and Engineering Divisions	During final design of project-level activities
<p>As public transit providers expand services in the future, the City will ensure that the bus stops and other improvements for those services are available in the Specific Plan area.</p>	OM	Planning Division	As public transit providers expand service throughout the life of the project.
<p>Plant shade trees in parking lots.</p>	CM	Engineering Division	During landscaping activities.
<p>Reduce standard paving by 20%.</p>	CM	Planning Division	During final design of project-level activities.
<p>Use energy-efficient and automated controls for air conditioning. Additionally, use lighting controls and energy-efficiency interior lighting and built-in energy-efficient appliances.</p>	OM	Planning Division	During final design of project-level activities.
<p>Use double-paned windows and low emission water heaters</p>	OM	Planning Division	During final design of project-level activities.

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure	Type	Monitor	Schedule																																				
<p><b>BIOLOGICAL RESOURCES</b></p> <p>The following mitigation for impacts to non-native grassland, Diegan coastal sage scrub, disturbed Diegan coastal sage scrub, baccharis scrub, willow riparian, freshwater marsh, mulefat scrub, and open water shall apply, the project proponent shall either create new habitat or purchase mitigation credits at the following ratios and quantities:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 15%;">Habitat</th> <th style="width: 15%;">Impacts (including Phase 1 Trails)</th> <th style="width: 20%;">Mitigation Ratio (Mitigation : Impact)</th> <th style="width: 50%;">Mitigation Acreage</th> </tr> </thead> <tbody> <tr> <td>Non-native Grassland</td> <td style="text-align: center;">183.9</td> <td style="text-align: center;">0.5:1</td> <td style="text-align: center;">91.95</td> </tr> <tr> <td>Diegan Coastal Sage Scrub</td> <td style="text-align: center;">0.06</td> <td style="text-align: center;">3:1</td> <td style="text-align: center;">0.18</td> </tr> <tr> <td>Disturbed Diegan Coastal Sage Scrub</td> <td style="text-align: center;">0.01</td> <td style="text-align: center;">3:1</td> <td style="text-align: center;">0.03</td> </tr> <tr> <td>Baccharis Scrub</td> <td style="text-align: center;">0.06</td> <td style="text-align: center;">3:1</td> <td style="text-align: center;">0.18</td> </tr> <tr> <td>Willow Riparian<sup>1</sup></td> <td style="text-align: center;">0.12</td> <td style="text-align: center;">No net loss of functions and values (replacement ratio between 1:1 and 4:1)</td> <td style="text-align: center;">Ranges between 0.12 to 0.48</td> </tr> <tr> <td>Freshwater Marsh<sup>1</sup></td> <td style="text-align: center;">0</td> <td style="text-align: center;">No net loss goal (replacement ratio between 1:1 and 4:1)</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Mulefat Scrub<sup>1</sup></td> <td style="text-align: center;">0.25</td> <td style="text-align: center;">No net loss goal (replacement ratio between 1:1 and 4:1)</td> <td style="text-align: center;">Ranges between 0.25 to 1.0 acres</td> </tr> <tr> <td>Open Water<sup>1</sup></td> <td style="text-align: center;">3.6</td> <td style="text-align: center;">No net loss goal (replacement ratio between 1:1 and 4:1)</td> <td style="text-align: center;">Ranges between 3.6 to 14.4 acres</td> </tr> </tbody> </table> <p style="font-size: small; margin-top: 10px;"><sup>1</sup> All impacts to wetland habitats and mitigation for such impacts must be reviewed and approved by federal and state agencies with jurisdiction over wetlands and the ratios may differ than those noted here. Wetland habitats are subject to the goal of no net loss in acreage, function, and biological value. The highest priority will be given to impact avoidance and minimization.</p> <p style="font-size: small; margin-top: 10px;">These mitigation ratios represent the minimum requirements in accordance with the provisions of the adopted MHCP and draft Oceanside Subarea Plan. On-site mitigation for coastal sage scrub and other habitat areas will be proposed as appropriate for the future trails and other development under the El Corazon Specific Plan.</p> <p style="font-size: small; margin-top: 10px;">Final design of Phase 1 Trail network shall be placed to avoid direct impacts to riparian habitats (e.g., mulefat scrub and willow riparian).</p>	Habitat	Impacts (including Phase 1 Trails)	Mitigation Ratio (Mitigation : Impact)	Mitigation Acreage	Non-native Grassland	183.9	0.5:1	91.95	Diegan Coastal Sage Scrub	0.06	3:1	0.18	Disturbed Diegan Coastal Sage Scrub	0.01	3:1	0.03	Baccharis Scrub	0.06	3:1	0.18	Willow Riparian <sup>1</sup>	0.12	No net loss of functions and values (replacement ratio between 1:1 and 4:1)	Ranges between 0.12 to 0.48	Freshwater Marsh <sup>1</sup>	0	No net loss goal (replacement ratio between 1:1 and 4:1)	0	Mulefat Scrub <sup>1</sup>	0.25	No net loss goal (replacement ratio between 1:1 and 4:1)	Ranges between 0.25 to 1.0 acres	Open Water <sup>1</sup>	3.6	No net loss goal (replacement ratio between 1:1 and 4:1)	Ranges between 3.6 to 14.4 acres	CM	Planning Division	Upon project completion.
Habitat	Impacts (including Phase 1 Trails)	Mitigation Ratio (Mitigation : Impact)	Mitigation Acreage																																				
Non-native Grassland	183.9	0.5:1	91.95																																				
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	CM	Engineering Division	Prior to ground disturbing activities associated with the Phase 1 Trail network.																																				

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure	Type	Monitor	Schedule
A qualified biologist shall conduct a training session for all project personnel prior to any grading/construction activities. At a minimum the training shall include a description of the target species of concern, its habitats, the general provisions of the Endangered Species Act (Act) and the MHCP, the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern as they relate to the project, any provisions for wildlife movement, and the access routes to and project site boundaries within which the project activities must be accomplished.	CM	Planning Division	Prior to grading and construction activities.
Placement of equipment and personnel within environmentally sensitive habitat areas, stream channels, or on sand and gravel bars, banks and adjacent upland habitats used by target species of concern shall be avoided. Activities that can not be conducted without placing equipment or personnel in sensitive habitats shall be timed to avoid the breeding season of the target species of concern.	CM	Planning Division	During construction.
Equipment storage, fueling, and staging areas shall be located to minimize risks of direct drainage into riparian areas or other environmentally sensitive habitats. These designated areas shall be located in such a manner as to prevent runoff from entering sensitive habitats. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. All project related spills of hazardous materials shall be reported to appropriate entities including but not limited to the City of Oceanside, USFWS, and CDFG, SWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.	CM	Planning Division	During construction.
Erodible fill material shall not be deposited into watercourses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.	CM	Planning Division	During construction.
Stockpiling of materials and other aspects of construction staging shall be limited to disturbed areas without native vegetation, areas to be impacted by project development or in non-sensitive habitats.	CM	Planning Division	During construction.
"No-fueling zones" shall be established within a minimum of 10 meters (33 feet) from all drainages and fire sensitive areas.	CM	Planning Division	During construction.
If night work is necessary, night lighting should be of the lowest illumination necessary for human safety, selectively placed, shielded and directed away from natural habitats.	CM	Planning Division	During construction.
To avoid attracting predators of the target species of concern, the project site shall be kept clean of debris as much as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site. Pets of project personnel shall not be allowed on site where they may come in contact with any listed species.	CM and OM	Planning Division	During construction and operation.
Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans.	CM	Planning Division	During construction.

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure	Type	Monitor	Schedule
<p>The monitoring biologist shall oversee the installation of construction fencing to limit areas of disturbance and specify construction areas, staging areas and routes of travel. Additionally, the biologist shall oversee the installation of construction fencing and erosion control measures within or up-slope of upland restoration and/or preservation areas. This fencing and erosion control features shall be monitored on a weekly basis and daily during rain events to ensure that any breaks in the fence or erosion control measures are rapidly repaired.</p>	CM	Planning Division	During construction.
<p>A minimum of three focused surveys, on three separate days, shall be conducted to determine the presence of California gnatcatcher and vireo, nest building activities, egg incubation activities in or within 500 feet of the project impact limits. Surveys will begin a minimum of seven days prior to performing vegetation clearing/grubbing and one survey will be conducted the date immediately prior to the initiation of remaining work. If any gnatcatcher or vireo nest is found in or within 500 feet of initial vegetation clearing/grubbing or project construction, the monitoring biologist shall postpone work within 500 feet of the nest and contact and coordinate with the Wildlife Agencies. In addition, the biologist shall walk ahead of any clearing/grubbing equipment to flush birds towards areas of CSS to be avoided. The monitoring biologist will also record the number and location of gnatcatchers disturbed by vegetation clearing/grubbing. The applicant shall notify the Wildlife Agencies at least seven days prior to vegetation clearing/grubbing to allow the Service to coordinate with the biologist on bird flushing activities. Additional surveys will be done once a week during project construction in the breeding season. The additional surveys may be suspended as approved by the Wildlife Agencies. The applicant shall notify the Wildlife Agencies at least seven days prior to the initiation of surveys and within 24 hours of locating any gnatcatchers or vireos.</p>	CM	Planning Division	Prior to construction.
<p>Clearing and grubbing within and construction adjacent to sensitive habitats (including nonnative grassland) shall occur outside of the California gnatcatcher and least Bell's vireo breeding season (February 15 to September 15) unless a qualified biologist demonstrates to the Wildlife Agencies that any nesting activities are complete.</p>	CM	Planning Division	During construction
<p>The qualified biologist (as approved by the Wildlife Agencies) shall monitor areas of initial clearing and grubbing of sensitive habitats (including nonnative grassland) and any project construction within 500 feet of preserved habitat on a weekly basis. The monitoring biologist shall be knowledgeable of gnatcatcher and vireo ecology. The name of the monitoring biologist shall be submitted to the Wildlife Agencies at least 30 days prior to initiating the project impacts. The monitor shall also ensure that work activities do not generate excessive amounts of dust.</p>	CM	Planning Division	During construction.
<p>The monitoring biologist shall submit monthly letter reports (including photographs of impact areas) to the Wildlife Agencies during clearing of habitat and/or project construction within 500 feet of avoided habitat. The weekly report shall document that authorized impacts were not exceeded, work did not occur within the 500-foot setback except as approved by the Service, and general compliance with all conditions. The reports shall also outline the duration of gnatcatcher and vireo monitoring, the location of construction activities, the type of construction which occurred, and equipment used. The reports shall</p>	CM	Planning Division	During habitat clearing and/or project construction.

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure	Type	Monitor	Schedule
<p>specify numbers, locations and sex of gnatcatchers and vireo (if present), observed gnatcatchers and vireo behavior, and remedial measures employed to avoid, minimize and mitigated impacts to gnatcatchers and vireo. Raw field notes shall be made available to the Wildlife Agencies upon request.</p> <p>A final report shall be submitted to the Wildlife Agencies within 60 days of project completion including: as build construction drawing with an overlay of habitat that was impacted, avoided, photographs of habitat areas that were to be avoided and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance with all biological resources mitigation measure related to project construction were achieved.</p>	OM	Planning Division	Upon project completion.
<p>The monitoring biologist shall be empowered to halt work activity if necessary and to confer with staff from the City of Oceanside to ensure the proper implementation of species and habitat protection measures.</p>	CM	Planning Division	During construction.
<p>The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species. All revegetation plans shall be prepared and implemented consistent with Appendix C (Revegetation Guidelines of the Final MHCP Plan – Volume II) and shall require written concurrence of the USFWS and CDFG.</p>	CM	Planning Division	During construction.
<p>Any habitat destroyed that is not in the identified project footprint shall be disclosed immediately to the City of Oceanside, USFWS, and CDFG and shall be compensated at a minimum ratio of 5:1.</p>	CM	Planning Division	During construction.
<p>If dead or injured listed species are located, initial notification must be made within three working days, in writing to the Service's Division of Law Enforcement in Torrance, California and by telephone and in writing to the applicable jurisdiction, Carlsbad Field Office of the USFWS, and CDFG.</p>	CM	Planning Division	During construction.
<p>The City of Oceanside shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project conditions and BMPs.</p>	CM and OM	Planning Division	During construction and operation.
<p>Any planting stock to be brought onto the site for landscaping or ecological restoration shall be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including but not limited to Argentine ants, fire ants, and other insect pests. Any planting stock found to be infested with such pests shall not be allowed on the project site or within 300 feet of natural habitats. The stock shall be quarantined, treated or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats.</p>	CM	Planning Division	Prior to landscaping and ecological restoration.
<p>Any temporary irrigation installed for the restoration area shall be used for the shortest duration possible.</p>	CM	Planning Division	During construction.
<p>Invasive and exotic plant species shall not be used in project landscaping. Species identified on the Invasive Plant Inventory List of the California Invasive Plant Council (Cal-IPC) shall be avoided. Additionally, landscaping shall not include plants that require intensive irrigation, fertilizers or pesticides adjacent to the preserve area.</p>	CM	Planning Division	During landscaping.

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure	Type	Monitor	Schedule
A biological conservation easement shall be executed and recorded easement over the habitat to be preserved, including any restoration areas. The easement should be in favor of an agent approved by the Wildlife Agencies. The Wildlife Agencies shall be named as third-party beneficiaries.	OM	Planning Division	Prior to project completion.
A perpetual management, maintenance and monitoring plan for all on-site and off-site biological conservation easements shall be prepared by the applicant. The applicant shall also prepare a non-wasting endowment. The plan shall include: (1) description of perpetual management, maintenance and monitoring action and cost estimation results for the non-wasting endowment. The applicant shall also prepare a non-wasting endowment; and (2) proposed land manager's name, qualifications, business address, and contact information to the Wildlife Agencies for approval at least 30 days prior to initiating project impacts. Final plans shall be submitted to the Wildlife Agencies and a contract with the approved land manager, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity within 60 days of receiving the approval of draft plans.	OM	Planning Division	At least 30 days prior to initiating project impacts.
Human and pet access to preserve areas shall be limited to designated trails by use of natural vegetation, topography, signs and limited fencing.	OM	Planning Division	During operation.
Artificial lighting adjacent to the preserve area shall be eliminated except where essential for roadway, facility use and safety and security purposes. Where use of artificial lighting is necessary it shall be limited to low-pressure sodium sources. Use of low voltage outdoor or trail lighting, spotlights or bug lights is prohibited. All light sources shall be shielded so that lighting is focused downward to restrict any light spillover onto sensitive habitat.	OM	Planning Division	During operation.
To keep Habitat District trail-users on the designated trails and out of sensitive habitats, appropriate signage shall be provided along trails within the Habitat District. In addition, appropriate fencing shall be installed along portions of the Phase 1 Trail Network, as detailed in Figure 3.2-3 of the EIR. Bicycles and motor-vehicles will not be allowed within the Habitat District, except by authorized personnel. Dogs must be leashed at all times within the Habitat District and will not be allowed outside the boundaries of designated trails. Trash receptacles shall have a secure cover. Trash receptacles and other public facilities shall be placed at trailheads outside side of the Habitat District boundary. Additionally the City Planning Department will develop operating procedures to close the Habitat District on a seasonal basis depending on the results of nesting surveys. If active nests are identified near the trails, the Habitat area would be closed until the developing birds have matured enough to leave the nest. The City would be required to develop these conditions prior to establishing the Habitat District trails.	OM	Planning Division	During operation.
To prevent impacts to sensitive plant species, future development/phasing within the El Corazon project area would be required to conduct springtime surveys, prior to any ground disturbance activities, if appropriate habitat for sensitive plant species occurs within the project area. Surveys will be conducted by a qualified biologist. Should impacts occur to sensitive plant species, adherence to local, state, and federal regulations and mitigation would be required.	CMI	Planning Division	Prior to construction of various phases of development.

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure		Type	Monitor	Schedule
<b>GEOLOGY AND SOILS</b>				
<p>Prior to issuance of a building permit, the tailing ponds proposed for development shall be properly consolidated to support the proposed land uses. Consolidation methods shall include the use of wick drains, as specified by recommendations in Geocoon's <i>Evaluation of Wick Drain Pilot Program and Tailing Pond Settlement</i> (2006). Other ground modification techniques that may be considered include vibro-replacement, deep soil mixing, and compaction grouting. Foundation alternatives that may be required are a shallow mat slab or a deep foundation system consisting of driven piles. The City Engineer will verify the findings of the geotechnical investigation and recommendations to ensure that the appropriate remedial actions are taken prior to, and during construction.</p>		CM	Engineering Division	Prior to issuance of a building permit.
<p>Areas within the proposed Habitat District containing unstable slopes with an unacceptable factor-of-safety, as designated by the <i>Slope Stability Analysis</i> (Geocon 2007), shall be closed and fenced-off to prohibit individuals from entering the unstable area. Signage warning of the slope instability dangers shall also be posted at appropriate locations. Areas with unstable slopes shall remain closed and fenced-off until a future project stabilizes slopes to the satisfaction of the City Engineer and City Geologist.</p>		OM	Engineering Division	Upon project completion.
<p>Prior to issuance of a grading permit, it shall be verified that land uses proposed for the El Corazon project (Village Commercial and Hotel districts) have adequate physical support from soil types on-site such that people and structures would not be subject to substantial adverse effects. Proof of adequate support may include documentation of analysis of additional borings, laboratory testing, and consolidation analyses. If soil types on-site cannot physically support proposed land uses, the project applicant shall be responsible for the removal of these soils and shall import soils which can support the El Corazon project identified land use in that area. Any associated documentation shall be approved by the City Engineer and City Geologist.</p>		CM	Engineering Division	Prior to issuance of a grading permit.
<b>HYDROLOGY AND WATER QUALITY</b>				
<p>Prior to issuance of a grading permit or any grading, the project applicant shall submit evidence to the satisfaction of the City Engineer, demonstrating that post-development off-site flows would not exceed their pre-existing, natural levels and surface runoff would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.</p>		CM	Engineering Division	Prior to issuance of a grading permit.
<p>Prior to issuance of a grading permit or any grading, the project applicant shall submit a final hydrology evaluation to the satisfaction of the City Engineer demonstrating that on-site detention basins are adequately sized and sited to hold increased stormwater runoff.</p>		CM	Engineering Division	Prior to issuance of a grading permit.
<b>LAND USE AND PLANNING</b>				
<p>Implementation of the proposed project would not result in any significant impacts related to land use and planning.</p>				

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure	Type	Monitor	Schedule
<b>NOISE</b>			
<p>Prior to issuance of site-specific building permits, site-specific acoustical analyses shall be performed of individual districts where the predicted exterior noise levels are shown to be in excess of the City's 65 dBA noise threshold. The acoustical analysis will provide architectural/engineering detail to confirm that the uses (existing and proposed) will comply with City guidelines associated with noise thresholds. Site-specific projects shall comply with recommendations made in the acoustical analyses such that persons would not be exposed to noise levels in excess of 65 dBA.</p>	CM	Engineering Division	Prior to issuance of site-specific building permits.
<b>TRANSPORT AND TRAFFIC</b>			
<p>Prior to and during any construction, a Traffic Control Plan (TCP) will be required to manage construction related impacts of ingress and/or egress.</p>	CM	Engineering Division	Prior to construction activities.
<p>As projects are proposed in El Corazon, the following Traffic Demand Management (TDM) improvements shall be implemented:</p> <ul style="list-style-type: none"> <li>• Provide shuttle service from the El Corazon project site to the SPRINTER station located at the southwest corner of Oceanside Boulevard and Rancho del Oro Drive to encourage the use of public transportation;</li> <li>• Provide sidewalks along all project roadways, particularly to the bus shelter and transit station;</li> <li>• Provide bike lanes on all major internal roadways connecting to the nearby major roadways. A bikeway plan shall be maintained and promoted; and,</li> <li>• Promote TDM principles such as peak hour trip reduction, staggered work hours, ride sharing, telecommuting, and the use of public transportation or other measures, as appropriate.</li> </ul> <p>Since improvements such as reconstruction of the entire SR-78 and El Camino Real interchange are considered infeasible because of economic reasons, the following alternative improvement shall be considered for mitigation:</p> <ul style="list-style-type: none"> <li>• Prior to implementation of Phase 2, the proposed project shall contribute fair-share towards an adaptive/responsive signals or other capacity enhancement program on the El Camino Real corridor at SR-78.</li> </ul>	OM	Engineering Division	Prior to completion of Phase 1.  Prior to implementation of Phase 2.
<p>Prior to completion of Phases 1D, 1F, and 2 the proposed project shall provide right-turn overlap signal phasing on both the eastbound and westbound approaches for SR-76 at Rancho del Oro Drive.</p>	OM	Engineering Division	Prior to completion of Phase 1D, 1F, and 2.
<p>Prior to completion of Phases 1D, 1F, and 2 the proposed project shall construct College Boulevard to its proposed Circulation Element standard of a six-lane Major road through this intersection or provide a dedicated northbound right-turn only lane.</p>	OM	Engineering Division	Prior to completion of Phases 1D, 1F, and 2.

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure	Type	Monitor	Schedule
Prior to completion of Phases 1D, 1F, and 2 the proposed project shall construct College Boulevard (north and south of Oceanside Boulevard) to the proposed Circulation Element standard of six-lane Major road.	OM	Engineering Division	Prior to completion of Phases 1D, 1F, and 2.
Prior to completion of Phases 1D, 1F, and 2 the proposed project shall provide a traffic signal at the intersection of Rancho del Oro Drive and Cameo Drive.	OM	Engineering Division	Prior to completion of Phases 1D, 1F, and 2.
Since improvements such as reconstruction of the entire SR-78 and El Camino Real interchange are considered infeasible, the following alternative improvement shall be considered for mitigation: <ul style="list-style-type: none"> <li>• Prior to completion of Phases 1D, 1F, and 2 the proposed project shall contribute fair-share towards an adaptive/responsive signals program on the El Camino Real corridor at SR-78.</li> </ul>	OM	Engineering Division	Prior to completion of Phases 1D, 1F, and 2.
Prior to completion of Phases 1 through 4, the proposed project shall provide right-turn overlap signal phasing on both the eastbound and westbound approaches for SR-76 at Rancho del Oro Drive.	OM	Engineering Division	Prior to completion of Phases 1 through 4.
Prior to completion of Phases 1 through 4, the proposed project shall construct College Boulevard to its proposed Circulation Element standard of six-lane Major road through this intersection or provide a dedicated northbound right-turn only lane.	OM	Engineering Division	Prior to completion of Phases 1 through 4.
Prior to completion of Phases 1 through 4, the proposed project shall construct College Boulevard north and south of Oceanside Boulevard) to the proposed Circulation Element standard of six-lane Major road.	OM	Engineering Division	Prior to completion of Phases 1 through 4.
Prior to completion of Phases 1 through 4, the proposed project shall provide a traffic signal at the intersection of Rancho del Oro Drive and Cameo Drive.	OM	Engineering Division	Prior to completion of Phases 1 through 4.
Prior to completion of Phases 1 through 4, the proposed project shall reconfigure the westbound approach from one thru and one thru/right lane to one thru-only and one right turn-only lane along with right turn overlap signal phasing for the westbound approach at the intersection of College Boulevard and Vista Way.	OM	Engineering Division	Prior to completion of Phases 1 through 4.
Prior to completion of Phases 1 through 4, the proposed project shall provide right turn overlap signal phasing on the westbound/eastbound approach at the intersection of Mesa Drive and El Camino Real.	OM	Engineering Division	Prior to completion of Phases 1 through 4.
Prior to completion of Phase 1, the proposed project shall contribute a fair-share towards an adaptive/responsive signals program on the El Camino Real Corridor at SR-78.	OM	Engineering Division	Prior to completion of Phase 1.
Prior to completion of Phase 6 the proposed project shall provide right turn overlap signal phasing on both the eastbound and westbound approaches at the intersection of SR-76 and Rancho del Oro Drive.	OM	Engineering Division	Prior to completion of Phase 6.
Prior to completion of Phase 6 the proposed project shall provide a dedicated northbound right turn-only lane for the intersection of College Boulevard at Old Grove Road.	OM	Engineering Division	Prior to completion of Phase 6.
Prior to completion of Phase 6 the proposed project shall reconfigure the westbound approach from one thru and one thru/right lane to one thru-only and one right turn-only lane along with right turn overlap signal phasing for the westbound approach for the intersection of College Boulevard at Vista Way.	OM	Engineering Division	Prior to completion of Phase 6.

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure	Type	Monitor	Schedule
Prior to completion of Phase 6 the proposed project shall provide right turn overlap signal phasing on the westbound/eastbound approach for the intersection of Mesa Drive at El Camino Real.	OM	Engineering Division	Prior to completion of Phase 6.
Prior to completion of Phase 6 the proposed project shall construct the Rancho del Oro at SR-78 interchange or provide a dedicated eastbound right turn-only lane on Mesa Drive.	OM	Engineering Division	Prior to completion of Phase 6.
Prior to completion of Phase 6 the proposed project shall contribute fair-share towards the future widening of I-5.	OM	Engineering Division	Prior to completion of Phase 6.
Prior to completion of Phase 6, the proposed project shall contribute a fair-share towards adaptive/responsive signals or other capacity enhancing program along College Boulevard between Old Grove Road and SR-78.	OM	Engineering Division	Prior to completion of Phase 6.
Prior to completion of Phase 6, the proposed project shall contribute fair-share towards an adaptive/responsive signals or other capacity enhancing program on the El Camino Real corridor at SR-78.	OM	Engineering Division	Prior to completion of Phase 6.
<b>CULTURAL RESOURCES</b>			
A qualified paleontological monitor will be onsite during all ground disturbing activities to monitor for any paleontological resources for construction activities located within the Santiago Formation. If paleontological resources are identified during excavation, the monitor has the authority to redirect work to another area while an evaluation takes place. Should the identified paleontological resources require curation, it should take place at an established facility such as the San Diego Museum of Natural History.	CM.	Planning Division	During grading and construction.
In construction areas located outside the historic tilling ponds both an archaeological resource monitor and a San Luis Rey Band monitor shall be required. Monitors shall be compensated	CM	Planning Division	During grading and construction.
Prior to any ground disturbing activities, the City shall execute a "Pre-Excavation Agreement" with the San Luis Band of Mission Indians. The agreement will include the following provisions: <ul style="list-style-type: none"> <li>• Require appropriate treatment of human remains and cultural items.</li> <li>• Require good faith effort by parties to agree on what is appropriate treatment and dignity when addressing human remains and cultural items.</li> <li>• Require that any human remains of cultural items recovered during the grading process be returned to the San Luis Rey Band and not be curated in a facility absent the express written consent of the Band.</li> <li>• Require that any remains or cultural items be re-interred in the same area in which they were discovered and in a place where they would not be subject to further disturbance, if possible.</li> <li>• Require a good faith negotiation on behalf of the Tribe and City for such reburial.</li> <li>• Require avoidance for all significant and sacred archaeological sites which may be found during the development.</li> </ul>	CM	Planning Division	Prior to ground disturbing activities.

## 0.4 Mitigation Monitoring and Reporting Program

Mitigation Measure	Type	Monitor	Schedule
<p>Incorporation of interpretive elements detailing Native American culture into the proposed park spaces.</p> <p>If human remains are encountered during grading, all requirements of California State Health and Safety Code Section 7050.5 would be implemented. These requirements state that no further disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin. If the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall have 24 hours to make recommendations to the City of Oceanside for the disposition of the remains as provided in Public Resources Code 5097.98.</p>	<p>OM</p> <p>CM</p>	<p>Engineering Division</p> <p>Planning Division</p>	<p>Upon project completion.</p> <p>During grading and construction.</p>

## 0.4 Mitigation Monitoring and Reporting Program

### 0.4.3 PROJECT DESIGN CONSIDERATIONS

The project incorporates several design measures which will minimize project impacts. Specifically, design measures are provided for aesthetics, air quality, biological resources, geology and soils, hydrology/water quality, land use, noise, public services, traffic, and utilities. A complete list of the design considerations for the project is presented in Table 0.4-2.

**Table 0.4-2. Project Design Features**

<b>Aesthetics</b>
<b><i>Light or Glare Pollution</i></b> The El Corazon project will comply with Section 39, Light Pollution Regulations, of the City of Oceanside Municipal Code for appropriate lamp source and light shielding for outdoor light fixtures to restrict light pollution.
<b>Air Quality</b> Grading emissions related to fugitive dust will be managed in a manner that is consistent with the City of Oceanside Grading Ordinance and San Diego Air Pollution Control District.
<b>Biological Resources</b>
<b><i>Sensitive Natural Community</i></b> Several existing habitats will be protected by the plan by a "No Net Loss Policy". Maximum avoidance of impact and minimization of impacts along with mitigation strategies will be required to achieve a zero net loss of vegetation and wetland acreage and biological value. To comply with the policy, transition buffer zones will be planned between riparian wetlands and vegetation and the Parks and Recreation District. In order to have as minimal an impact as possible, trails within the Habitat District will be constructed along existing pathways and maintenance of the trails will be as minimal as possible.
<b><i>Wildlife Movement</i></b> To provide adequate habitat for the California gnatcatcher, open space will be maintained for breeding and foraging along Oceanside Boulevard and east and west of El Camino Real.  In compliance with the Oceanside Subarea Plan structures will not be allowed within the designated 120 acres of open space although pedestrian use of trails will be permitted as a compatible use.  Construction in federal, state, and county wildlife and habitat protection jurisdictions will follow standard restrictions, best management practices, and erosion and runoff requirements including the federal CWA, National Pollution Discharge Elimination System (NPDES), and the preparation of a SWPPP. Construction of the El Corazon project will be in cooperation with the SDG&E NCCP for usage of the SDG&E easements included in the project.
<b>Geology and Soils</b> To control erosion during construction, Best Management Practices (BMPs) will be implemented through a Storm Water Pollution Prevention Program.
<b>Hydrology/ Water Quality</b> Storm water and pollutant discharge on the project site will be regulated by the Regional Water Quality Control Board (RWQCB) of San Diego and comply with the Water Quality Control Plan for the San Diego Basin. Regulation of water quality, use of water resources by the State Water Quality Control Board and the RWQCB will also be followed in addition to prescribed best management practices. All applicable federal, state and local regulations regarding stormwater runoff and water quality will be complied with.  Development of the project will result in several drainage improvements to the existing site, including onsite stormwater detention basins. Construction of the site will follow a designated Storm Water Pollution Prevention Plan (SWPPP). At the completion of construction a Standard Urban Storm Water Mitigation Plan (SUSMP) will be implemented on the site and stipulations of the current NPDES permit will be complied with.

## 0.4 Mitigation Monitoring and Reporting Program

<b>Land Use</b>
<p>The project will conserve 120 acres of contiguous biological open space on the property with buffering area around the open space. A wildlife corridor will also extend through the open space and 35 acres of existing habitat will be restored as functional coastal sage scrub habitat.</p> <p><b>Multiple Habitat Conservation Plan and Oceanside Subarea Plan</b></p> <p>The El Corazon plan sets aside a separated 150 acres for the Habitat District and a wildlife corridor adjacent to the District. Further open space will be conserved which will include Garrison Creek and adjacent wetlands and associated vegetation. Structures will not be permitted within 120 acres of the open space area. Trails through the Habitat District will be of specified width and unpaved. Appropriate and specified maintenance would be conducted of the trails.</p>
<b>Noise</b>
<p>The project will adhere to construction hours as set by the City of Oceanside Building Department and if necessary will request authorization to exceed the set limits.</p>
<b>Public Services</b>
<p><b>Schools</b></p> <p>The Project will be subject to City of Oceanside Municipal Code Ordinance 91-34, Section 1, Chapter 32E and will make payment of \$0.42 per square foot of commercial development to the Oceanside Unified School District to offset potential increase of demand for school services. In this way the project will also be in compliance with the School Facilities Act (SB 50). The project will be subject to approval by the City Council based on whether existing school facilities would be adequate for growth induced by the project.</p> <p><b>Fire</b></p> <p>The Project will comply with the Uniform Fire Code, Uniform Building Code, and applicable City of Oceanside Fire Codes to achieve acceptable levels of fire protection. The project shall also comply with all applicable fire codes and ordinances for access, water mains, fire flow, fire hydrants, mandatory automatic fires sprinklers, and fire lanes and during construction and project operation.</p> <p><b>Police</b></p> <p>The project will be subject to approval by the police department based on whether growth induced by the project can be adequately served by existing police protection facilities in accordance with City policies and standards.</p> <p><b>Public Facilities</b></p> <p>The project shall be in compliance with the City of Oceanside Municipal Code Ordinance 88-45, Section 1, Chapter 32B and Ordinance 91-09, Section 1, Chapter 32C and will pay imposed impact fees to offset impacts to public facilities.</p>
<b>Transportation/ Traffic</b>
<p>Parking for the El Corazon project will follow City standards outlined in Article XIII, Parking Controls, of the Oceanside Traffic Code.</p> <p>Special events will be subject to the requirements of the City's Special Events Ordinance as it relates to parking controls and traffic management.</p>
<b>Hazards and Hazardous Materials</b>
<p>Construction activities of the project site will be in compliance with existing federal and state standards for the handling, storage and transport of necessarily hazardous materials. Operation of the project at the completion of construction will adhere to federal and state standards in the handling, storage and transport of hazardous materials.</p>
<b>Utilities and Service Systems</b>
<p><b>Stormwater</b></p> <p>Stormwater discharge from the project site will adhere to orders issued by the Regional Water Board. Onsite stormwater detention basins will be designed and constructed in compliance with the Regional Water Quality Control Board and current City Standard Urban Stormwater Mitigation Plans to manage stormwater generated by the El Corazon site.</p>

## 0.4 Mitigation Monitoring and Reporting Program

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RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE APPROVING A GENERAL PLAN AMENDMENT (GPA-1-08) FOR CERTAIN REAL PROPERTY LOCATED NORTHEAST OF THE INTERSECTION OF EL CAMINO REAL AND OCEANSIDE BOULEVARD – EL CORAZON SPECIFIC PLAN GENERAL PLAN AMENDEMENT - (GPA-1-08)**

**(Applicant: City of Oceanside)**

WHEREAS, an application for a General Plan Amendment (GPA-1-08) has been submitted to amend the Land Use Element of the General Plan for the 465- acre El Corazon Specific Plan (“the project”) that will replace the existing Rancho del Oro Specific Plan and IL General Plan and zoning for the Stirling parcel on the eastern portion of the project site located northeast of the intersection of El Camino Real and Oceanside Boulevard.

WHEREAS, on April 20, 2009, after a duly noticed public hearing, the Planning Commission found the proposed El Corazon Specific Plan land uses to be consistent to the General Plan and Zoning Ordinance.

WHEREAS, on June 3, 2009 the City Council held a duly noticed public hearing and heard and considered written evidence and oral testimony by all interested parties on the above identified GPA-1-08;

WHEREAS, the Planning Division has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has prepared an Environmental Impact Report in accordance with CEQA. Based upon the results of the Final Environmental Impact Report, the City’s Environmental Coordinator has determined that El Corazon Specific Plan (“the project”) may have significant effects on the environment.

WHEREAS, a Final Environmental Impact Report was prepared and reviewed by the Resource Officer of the City of Oceanside for the General Plan Amendment and certified by the City Council based on the findings of fact enumerated in Resolution No. \_\_\_\_\_, and attachments thereto; pursuant to the California Environmental Quality Act of 1970 and the

1 State Guidelines;

2 WHEREAS, based on such evidence and testimony, including but not limited to the report  
3 of the Planning Division, the City Council finds as follows:

4 For the General Plan Amendment:

- 5 1. The proposed land use changes as specified in the attached documents and within the  
6 Environmental Impact Report are compatible with the surrounding land uses such as  
7 residential to the north and west and industrial/commercial uses to the east and south. In  
8 addition, the Specific Plan will be consistent with existing uses such as the recently  
9 completed Senior Center and Green Waste Facility.
- 10 2. Future developments associated with the land use changes would need to conform with  
11 the El Corazon Specific Plan and would undergo further discretionary and  
12 environmental review as appropriate.

13 NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve General  
14 Plan Amendment (GPA-1-08) as shown on Exhibit 2.1 of the Specific Plan, subject to the  
15 following conditions:

16 Engineering:

- 17 1. The project shall modify the traffic signal at the intersection of SR 76 at Rancho Del Oro  
18 Drive with the installation of additional right-turn overlap phasing. Additional right-turn  
19 overlap phasing shall be installed on both eastbound and westbound approaches of State Route  
20 76 at Rancho Del Oro Drive to the satisfaction of the City Traffic Engineer and Caltrans and  
21 prior to the issuance of certificate of occupancy for Phase 4.
- 22 2. The project shall construct an additional dedicated northbound right-turn lane with  
23 related traffic signal modifications on College Boulevard at Old Grove Road. The additional  
24 right-turn pocket shall be constructed to the satisfaction of the City Traffic Engineer and prior  
25 to the issuance of certificate of occupancy for Phase 4. If the City of Oceanside widens College  
26 Boulevard to six lanes, then the project shall be required to contribute 50 percent toward the  
27 total cost to construct the northbound right turn pocket.

1 3. The project shall contribute 8 percent toward the cost of future capacity enhancement  
2 measures for College Boulevard between Thunder Drive and Aztec Street. The project's fair  
3 share shall be paid to the City prior to the issuance of building permits for Phase 4.

4 4. The project shall modify the traffic signal at the intersection of College Boulevard at  
5 Oceanside Boulevard with the installation of additional right-turn overlaps on northbound  
6 College Boulevard. These improvements shall be completed to the satisfaction of the City  
7 Traffic Engineer prior to the issuance of certificate of occupancy for Phase 6.

8 5. The project shall improve westbound approach of the intersection of Vista Way at  
9 College Boulevard. The project reconfigure the westbound approach to include one through  
10 lane, with exclusive right turn lane with overlapping phase. These improvements shall be  
11 completed to the satisfaction of the City Traffic Engineer and prior to the issuance of certificate  
12 of occupancy for Phase 4.

13 6. The project shall construct a dedicated eastbound right-turn lane at the intersection of  
14 Mesa Drive at College Boulevard. Construction of the new eastbound right-turn lane on Mesa  
15 Drive at College Boulevard shall be completed to the satisfaction of the City Traffic Engineer  
16 and prior to the issuance of certificate of occupancy for Phase 6.

17 7. The project shall contribute their fair share of 8 percent toward the future Traffic  
18 Management Center (TMC) for Citywide adaptive traffic signals. The project's fair share shall  
19 be paid to the City prior to the issuance of building permits for Phase 1.

20 8. The project shall contribute their fair share of 5 percent toward the cost of the future  
21 widening of the bridge on El Camino Real at State Route 78. The project's fair share shall be  
22 paid to the City prior to the issuance of building permits for Phase 1.

23 **Planning:**

24 9. All mitigation measures in the Final EI Corazon EIR dated March 2009 shall be  
25 implemented in accordance with the Mitigation Monitoring and Reporting Program.

26 ///

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28

1 10. The City and San Luis Rey Band of Mission Indians through the SB 18 consultation  
2 process have agreed in concept to incorporate cultural elements that honor the San Luis Rey  
3 Band. This shall be accomplished through future agreements and/or project conditions as  
4 specific projects or improvements are processed in accordance with the Specific Plan.

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

7 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,  
8 this \_\_\_\_\_ day of \_\_\_\_\_ 2009, by the following vote:

- 9 AYES:  
10 NAYS:  
11 ABSENT:  
12 ABSTAIN:  
13

14 MAYOR OF THE CITY OF OCEANSIDE

15  
16 ATTEST:  
17  
18 \_\_\_\_\_  
19 CITY CLERK

20 APPROVED AS TO FORM:  
21  
22   
23 \_\_\_\_\_  
24 CITY ATTORNEY

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING THE ZONING DISTRICT MAP FROM RANCHO DEL ORO SPECIFIC PLAN AND LIGHT INDUSTRIAL (IL) TO EL CORAZON SPECIFIC PLAN FOR PROPERTY LOCATED NORTHEAST OF THE INTERSECTION OF OCEANSIDE BOULEVARD AND EL CAMINO REAL

(City of Oceanside –Applicant)

WHEREAS, an application for Zone Amendment (ZA-1-08) has been filed which would amend the zoning from Rancho del Oro Specific Plan and Light Industrial (IL) to El Corazon Specific Plan for property located northeast of the intersection of El Camino Real and Oceanside Boulevard, which is attached as Exhibit “A”;

WHEREAS, the El Corazon Specific Plan includes all contents, required by Government Code Section 65451;

WHEREAS, the Planning Commission of the City of Oceanside did, on April 20, 2009, conduct a duly advertised public hearing as required by law and did, by the adoption of Planning Commission Resolution No. 2009-P22, recommend approval of said Zone Amendment (ZA-1-09);

WHEREAS, said Planning Commission recommendation was made in conjunction with a recommendation for approval of a General Plan Amendment (G-1-08);

WHEREAS, the City Council of the City of Oceanside did hold a duly advertised public hearing on April 20, 2009, to consider said Zone Amendment (ZA-1-08) application and the recommendation of the Planning Commission thereon and did hear all persons supporting or opposing the proposed Zone Amendment (ZA-1-08);

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

///

1           1.     The granting of the Specific Plan is consistent with the purposes of the Zoning  
2 Ordinance. The El Corazon Specific Plan includes design and development standards that are  
3 consistent with or improved compared with existing Rancho del Oro Specific Plan design  
4 standards.

5           2.     The Specific Plan, which is attached as Exhibit “B”, is consistent with the Land Use  
6 Element of the General Plan and other applicable policies and is compatible with the surrounding  
7 land uses. Residential uses to the north and west of El Corazon will be buffered by a natural open  
8 space corridor. The proposed commercial districts will be adjacent to El Camino Real and Rancho  
9 del Oro Drive and across from the Sprinter Stations.

10          3.     The design aspects of the Specific Plan will increase the potential for high quality  
11 development of parks, hotels, civic buildings, and commercial projects in comparison with  
12 development that might otherwise occur if the Specific Plan were not approved.

13           WHEREAS, an Environmental Impact Report was prepared by the Resource Officer of the  
14 City of Oceanside covering this Zone Amendment and the associated development project  
15 pursuant to the California Environmental Quality Act of 1970 and the State Guidelines thereto as  
16 amended to date and has been certified by the Planning Commission in conjunction with its  
17 recommendation on the application;

18           NOW, THEREFORE, the City Council of the City of Oceanside DOES ORDAIN as  
19 follows:

20          1.     The Zone Amendment (ZA-1-08) application and Specific Plan Exhibit “B”  
21 attached hereto is hereby approved, and the City Planner is directed to amend the appropriate  
22 Zoning Map to show the Zone Amendment.

23          2.     This ordinance shall not be codified.

24          3.     The City Clerk of the City of Oceanside is hereby directed to publish this ordinance  
25 once within fifteen (15) days after its passage in the North County Times, a newspaper of general  
26 circulation published in the City of Oceanside.

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28 ///





El Corazon - Specific Plan

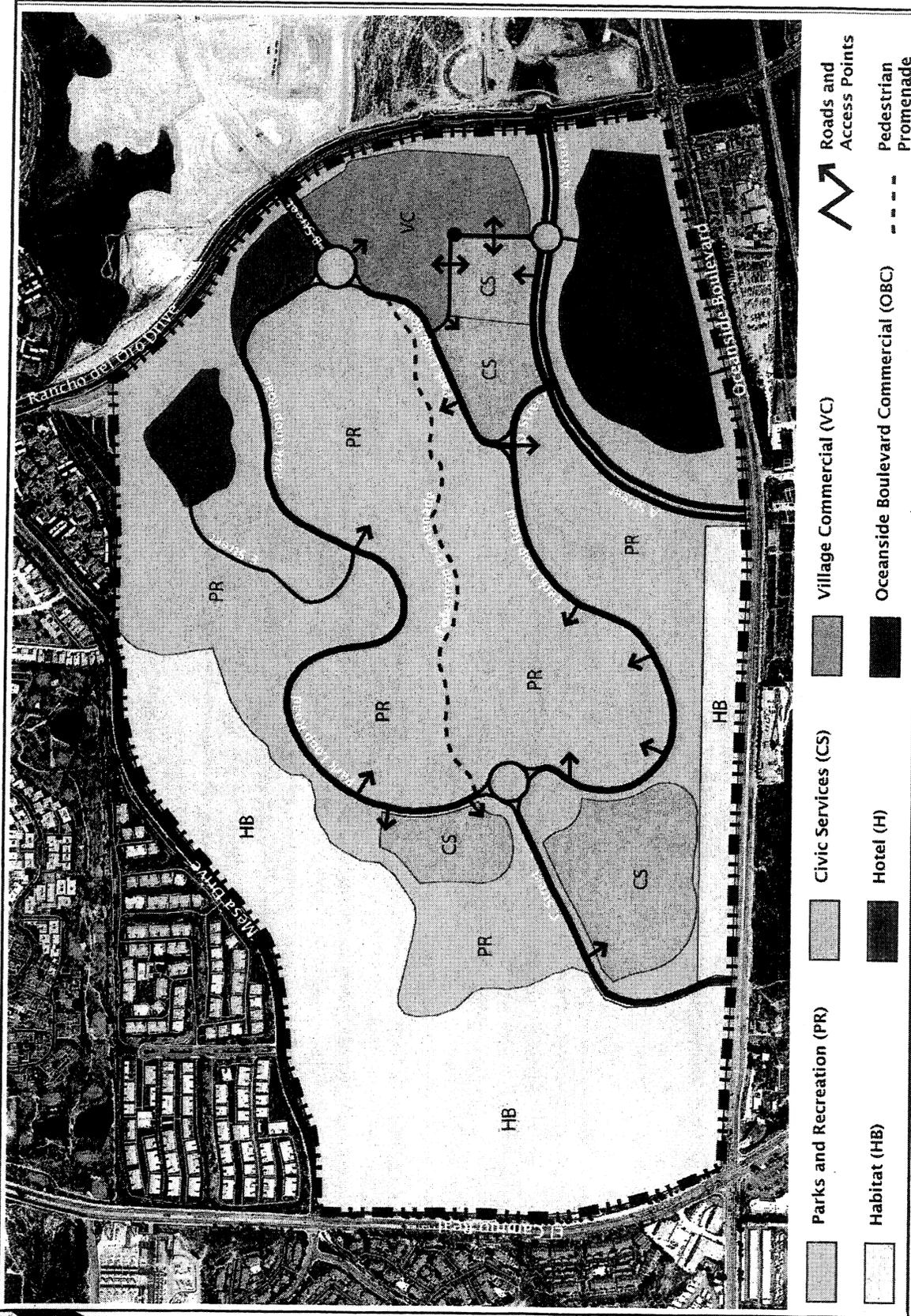


Figure 2-1 Conceptual District Map

# MEMORANDUM

**DATE:** June 3, 2009

**TO:** Honorable Mayor and Councilmembers

**FROM:** Patricia Allison, City Manager's Office

**SUBJECT: AVAILABILITY OF SPECIFIC PLAN FOR REVIEW**

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Due to its size, the Specific Plan document related to this item has not been included in the packet. A copy of this document is available for review in both the City Manager's Office and the City Clerk's Office, and may be viewed on the Internet at the following address:

<http://www.elcorazon.ci.oceanside.ca.us/visualpres.asp>

PLANNING COMMISSION  
RESOLUTION NO. 2009-P21

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF OCEANSIDE, CALIFORNIA CERTIFYING THE  
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE EL  
CORAZON SPECIFIC PLAN ON CERTAIN REAL PROPERTY  
IN THE CITY OF OCEANSIDE

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APPLICATION NO: GPA-1-08, ZA-1-08  
APPLICANT: City of Oceanside  
LOCATION: Northeast of the intersection of Oceanside Boulevard and El  
Camino Real

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

WHEREAS, an Environmental Impact Report was prepared and circulated for public  
and agency review and proper notification was given in accordance with the California  
Environmental Quality Act; and

WHEREAS, the Planning Commission, after giving the required notice, did on the 20th  
day of April 2009, conduct a duly advertised public hearing on the content of the Final  
Environmental Impact Report; and

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

For the Final Environmental Impact Report:

1. The Final Environmental Impact Report was completed in compliance with the  
provisions of the California Environmental Quality Act (CEQA).
2. There are certain significant environmental effects detailed in the Environmental Impact  
Report which have been avoided or substantially lessened by the establishment of  
measures which are detailed in Exhibit "A" Environmental Findings and Statement of  
Overriding Considerations for the El Corazon Specific Plan.
3. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting  
Programs for the project (included in the Final EIR) and were presented to the Planning  
Commission, and the Planning Commission reviewed and considered the information  
contained in these documents prior to making a decision on the shopping center and  
revised reclamation plan. The Final Environmental Impact Report and Mitigation and

1 Monitoring and Reporting Program for the Specific Plan have been determined to be  
2 accurate and adequate document, which reflect the independent judgment of the City.

3 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
4 recommend that the City Council certify the Final Environmental Impact Report for the El Corazon  
5 Specific Plan General Plan Amendment (GPA-1-08) and Zone Amendment (ZA-1-08) subject to  
6 the following recommendations and conditions:

- 7 1. Pursuant to Public Resources Code Section 21081.6 the Planning Commission  
8 recommends that the City Council adopt the Mitigation Monitoring and Reporting Program  
9 (MMRP) for the Specific Plan and finds and determines that said programs are designed to  
10 ensure compliance with the mitigation measures during project implementation.
- 11 2. Notice is HEREBY GIVEN that the time within which judicial review must be sought on  
12 this decision is governed by the provisions of the California Environmental Quality Act.

13 PASSED AND ADOPTED Resolution No. 2009-P21 on April 20, 2009, by the  
14 following vote, to wit:

15 AYES: Troisi, Balma, Martinek, Neal, Bertheaud, Rosales and Scrivener  
16 NAYS: None  
17 ABSENT: None  
18 ABSTAIN: None



19 Claudia Troisi, Chairperson  
20 Oceanside Planning Commission

21 ATTEST:

22   
23 Jerry Hittleman, Secretary

24 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
this is a true and correct copy of Resolution No. 2009-P21.

Dated: April 20, 2009

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PLANNING COMMISSION  
RESOLUTION NO. 2009-P22

A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF OCEANSIDE RECOMMENDING  
APPROVAL OF A GENERAL PLAN AND ZONING  
AMENDMENT ON CERTAIN REAL PROPERTY IN THE  
CITY OF OCEANSIDE

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APPLICATION NO: GPA-1-08, ZA-1-08  
APPLICANT: City of Oceanside  
LOCATION: Northeast of the Intersection of Oceanside Boulevard and El  
Camino Real

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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 under  
the provisions of Articles 45 of the Zoning Ordinance of the City of Oceanside for the following:

a land use change and zoning designation changes for the 465- acre El Corazon Specific  
Plan that will replace the existing Rancho del Oro Specific Plan and IL General Plan and  
zoning for the Stirling parcel on the eastern portion of the project site;

on certain real property described in the project description.

WHEREAS, the Planning Commission voted to recommend that Alternative 2, the  
addition of 300 residential units in the commercial districts, be adopted by the City Council;

WHEREAS, the Planning Commission, after giving the required notice, did on the 20th  
day of April, 2009 conduct a duly advertised public hearing as prescribed by law to consider said  
application;

WHEREAS, pursuant to the California Environmental Act of 1970, the Planning  
Commission finds that a Environmental Impact Report has been prepared in conformance with  
the California Environmental Quality Act (CEQA);

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

1 described in this resolution begins on the effective date of this resolution and any such protest must  
2 be in a manner that complies with Section 66020;

3 WHEREAS, the Environmental Impact Report, together with any comments received,  
4 incorporated into the conditions of approval for the project, were presented to the Planning  
5 Commission, and the Planning Commission reviewed and considered the information  
6 contained in these documents prior to making a decision on the project.

7 WHEREAS, the documents or other material which constitute the record of  
8 proceedings upon which the decision is based will be maintained by the City of Oceanside  
9 Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

12 FINDINGS:

13 For the General Plan Amendment:

- 14 1. The proposed land use changes as specified in the attached documents and within the  
15 Environmental Impact Report are compatible with the surrounding land uses such as  
16 residential to the north and west and industrial/commercial uses to the east and south. In  
17 addition, the Specific Plan will be consistent with existing uses such as the recently  
18 completed Senior Center and Green Waste Facility.
- 19 2. Future developments associated with the land use changes would need to conform with the  
20 El Corazon Specific Plan and would undergo further discretionary and environmental  
21 review as appropriate.

22 For the Zone Amendment:

- 23 1. The proposed new El Corazon Specific Plan proposed uses and design guidelines are  
24 compatible with surrounding residential, commercial, and industrial land uses and would  
25 allow the property to development in a safe and orderly fashion. Approximately 120 acres  
26 of natural open space will be preserved along the north west and south perimeters of the  
27 site.
- 28 2. The proposed uses are consistent with the City of Oceanside draft Subarea Plan in terms of  
29 providing sufficient open space in the northern and western portions of the Specific Plan  
that will help build the proposed wildlife corridor through the center of the City.

1 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
2 recommend approval to the City Council of General Plan Amendment (GPA-1-08), Zone  
3 Amendment (ZA-1-08) subject to the following recommendations and conditions:

4 **Engineering:**

- 5 1. The project shall modify the traffic signal at the intersection of SR 76 at Rancho Del Oro  
6 Drive with the installation of additional right-turn overlap phasing. Additional right-turn  
7 overlap phasing shall be installed on both eastbound and westbound approaches of SR  
8 76 at Rancho Del Oro Drive to the satisfaction of the City Traffic Engineer and Caltrans  
9 and prior to the issuance of certificate of occupancy for Phase 4.
- 10 2. The project shall construct an additional dedicated northbound right-turn lane with  
11 related traffic signal modifications on College Boulevard at Old Grove Road. The  
12 additional right-turn pocket shall be constructed to the satisfaction of the City Traffic  
13 Engineer and prior to the issuance of certificate of occupancy for Phase 4. If the City of  
14 Oceanside widens College Boulevard to six lanes, then the project shall be required to  
15 contribute 50 percent toward the total cost to construct the northbound right turn pocket.
- 16 3. The project shall contribute 8 percent of \$2,228,438 for a total contribution of \$178,270  
17 to be applied toward future capacity enhancement measures for College Boulevard  
18 between Thunder Drive and Aztec Street. The project's fair share shall be paid to the  
19 City prior to the issuance of building permits for Phase 4.
- 20 4. The project shall modify the traffic signal at the intersection of College Boulevard at  
21 Oceanside Boulevard with the installation of additional right-turn overlaps on  
22 northbound College Boulevard. These improvements shall be completed to the  
23 satisfaction of the City Traffic Engineer prior to the issuance of certificate of occupancy  
24 for Phase 6.
- 25 5. The project shall improve westbound approach of the intersection of Vista Way at  
26 College Boulevard. The project reconfigure the westbound approach to include one  
27 through lane, with exclusive right turn lane with overlapping phase. These  
28 improvements shall be completed to the satisfaction of the City Traffic Engineer and  
29 prior to the issuance of certificate of occupancy for Phase 4.

- 1 6. The project shall construct a dedicated eastbound right-turn lane at the intersection of  
2 Mesa Drive at College Boulevard. Construction of the new eastbound right-turn lane on  
3 Mesa Drive at College Boulevard shall be completed to the satisfaction of the City  
4 Traffic Engineer and prior to the issuance of certificate of occupancy for Phase 6.
- 5 7. The project shall contribute their fair share of 8 percent of \$1,008,000 for a total  
6 contribution of \$80,640 toward the future Traffic Management Center (TMC) for  
7 Citywide adaptive traffic signals. The project's fair share shall be paid to the City prior  
8 to the issuance of building permits for Phase 1.
- 9 8. The project shall contribute their fair share of 5 percent of 3.2 million for a total  
10 contribution of \$160,000 toward the future widening of the bridge on El Camino Real at  
11 SR 78. The project's fair share shall be paid to the City Prior to the issuance of building  
12 permits for Phase 1.

13 **Planning:**

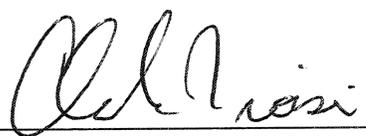
- 14 9. All mitigation measures in the Final EI Corazon EIR dated March 2009 shall be  
15 implemented as appropriate.

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1 10. The City and San Luis Rey Band of Mission Indians through the SB 18 consultation  
2 process, have agreed in concept to incorporate cultural elements that honor the San Luis  
3 Rey Band. This shall be accomplished through future agreements and/or project  
4 conditions as specific projects or improvements are processed in accordance with the  
5 Specific Plan.

6 PASSED AND ADOPTED Resolution No. 2009-P22 on April 20, 2009 by the  
7 following vote, to wit:

8 AYES: Troisi, Balam, Martinek, Neal, Bertheaud, Rosales and Scrivener  
9 NAYS: None  
10 ABSENT: None  
11 ABSTAIN: None



12 \_\_\_\_\_  
13 Claudia Troisi, Chairperson  
Oceanside Planning Commission

14 ATTEST:  
15 \_\_\_\_\_  
16 Jerry Hittleman, Secretary

17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
18 this is a true and correct copy of Resolution No. 2009-P22.

19 Dated: April 20, 2009

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**PLANNING COMMISSION****STAFF REPORT**

DATE: April 20, 2009

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A GENERAL PLAN AMENDMENT (GPA-1-08) AND ZONE AMENDMENT (ZA-1-08) FOR THE EL CORAZON SPECIFIC PLAN, INCLUDING AMENDMENTS TO THE RANCHO DEL ORO SPECIFIC PLAN AND OCEAN RANCH MASTER DEVELOPMENT PLAN TO REMOVE THE PROJECT FROM THESE PLANNING AREAS. THE SPECIFIC PLAN WILL BE LOCATED ON A 465-ACRE SITE AT THE NORTHEAST CORNER OF OCEANSIDE BOULEVARD AND EL CAMINO REAL – EL CORAZON SPECIFIC PLAN – APPLICANT: CITY OF OCEANSIDE**

**RECOMMENDATION**

Staff recommends that the Planning Commission by motion;

- (1) Certify the Environmental Impact Report (EIR) and associated findings, statement of overriding considerations, and mitigation monitoring and reporting program, by adopting Planning Commission Resolution No. 2009-P21.
- (2) Recommend approval of the General Plan Amendment (GPA-1-08), Zone Amendment (ZA-1-08), and amendments to the Rancho del Oro Specific Plan and Ocean Ranch Master Plan to remove the project from these planning areas by Adopting Planning Commission Resolution No. 2009-P22 with findings and conditions of approval attached herein.

**PROJECT DESCRIPTION AND BACKGROUND**

**Site Review and Background:** The subject site is former silica sand mine that is approximately 465 acres in size and is situated south of Mesa Drive, east of El Camino Real, north of Oceanside Boulevard, and west of Rancho del Oro Drive. The site

contains varied topography and has a General Plan and Zoning designation of Rancho del Oro Specific Plan with a range of residential, commercial, open space, and industrial uses. Current uses on the site include a green waste facility, reclamation activities within a large mine tailing pond, and a recently completed Senior Center set to open on June 6, 2009.

The area surrounding El Corazon is developed with varying land uses. South of the site, across Oceanside Boulevard is a fire station, high school, concrete batch plant, plant nursery, a concrete block company, and a Sprinter Station. East of El Corazon is the Seagate Corporate Center and Ocean Ranch Business Park. West of the site, across El Camino Real is a self-storage business and multi-family residential land uses. To the north is the Oceana Senior Community.

The project site was mined for 60 years by the Silica San Mining Company until operations closed in 1994. After the sand mining operation closed, title for the site was transferred to the City of Oceanside with some funds set aside to reclaim the former mine site. In 1995, the City Council directed staff to develop a long-range Vision Plan to guide development of the site. Three public workshops were conducted which resulted in the development of 12 principal goals for future development of El Corazon.

Subsequent to this planning effort, the City Council created the El Corazon Planning Committee (ECPC) in 2003, comprised of 15 Oceanside residents. Over the next several years, the ECPC conducted extensive public outreach on future use of the site. RRM Design Group was hired to assist in facilitating future planning of El Corazon in 2004 and several land use concepts were developed. In June 2005, the City Council accepted the El Corazon Land Use Master Plan as a planning document for use in preparing a specific plan for the site.

Subsequent to acceptance of the Master Plan in 2005, the Specific Plan was developed. At the onset of the Specific Plan process, a new committee was appointed by the City Council to oversee the process. The El Corazon Oversight Committee (ECOC) was formed with some members of the previous ECPC to provide consistency with the process. The current El Corazon Specific Plan, described below, was drafted in December 2007.

**Project Description:** The proposed project is approval of the El Corazon Specific Plan, which will replace the existing Rancho del Oro Specific Plan designation in the General Plan and Zoning Ordinance for the site. A specific plan is a regulatory tool that local governments use to implement the General Plan and to guide development in a localized area. Other required discretionary actions are a Zone Amendment from Light Industrial to El Corazon Specific Plan for a small portion of the property that is within the Ocean Ranch Master Development along Rancho del Oro Drive and is owned by the Stirling Corporation. This portion of the project will also need to be removed from the Ocean Ranch Master Development Plan.

The El Corazon Specific Plan identifies six land use districts: Parks and Recreation (PR), Habitat (HB), Civic Services (CS), Hotel (H), Village Commercial (VC), and Oceanside Boulevard Commercial (OBC). These Districts are described in more detail below and are shown within the Specific Plan. Within each District are design guidelines and standards to direct future development and public infrastructure improvements. An Implementation Plan and method for Plan Administration is included in the Specific Plan as well.

### *Specific Plan Districts*

Parks and Recreation (PR) District (212 acres) - There are nine different park sites within the PR District that range in size from 4 to 54 acres and provide a minimum 1,320 parking spaces within 11 parking lots. Program elements include athletic fields that are sized to accommodate a variety of sports including soccer, baseball, and football. The sports fields would have a combination of lighted and day-use-only fields. Park sites would also include concessions, restrooms and storage buildings. The park spaces are designed to be flexible to accommodate tournaments and special events.

Habitat (HB) District (170 acres) – The HB District would comprise land dedicated to preservation of natural habitat areas and passive trails and nature viewing areas. This District would be composed of 150 acres of existing natural and disturbed coastal sage scrub and riparian habitats along Garrison Creek just south of Mesa Drive and the large pit that contains water just east of El Camino Real. Approximately 15 acres of disturbed habitat within these areas would be restored. In addition, 20 acres of land, located along Oceanside Boulevard would be restored with coastal sage scrub as required by the City's draft Subarea Plan.

The HB District would include an approximately three-mile trail system. Trails would be developed in two phases. The Phase 1 trail network would follow existing access roads and would have two access points. The first access point is from Oceanside Boulevard and the second access point is from Mesa Drive. The Phase 1 trail is planned to be opened following approval of the Specific Plan and installation of some minor improvements such as smooth wire and wooden fencing to keep users out of sensitive habitat areas. Five additional trails would be developed in later phases of the Specific Plan and would require additional environmental review due to the potential for impacts to sensitive habitat areas and unstable slopes with geotechnical issues.

Civic Services (CS) District (34 acres) – The CS District would contain four areas: Senior Center, Community/Cultural Center, Recreation Center (including a pool facility), and Green Waste Facility (currently operating, but proposing to move to the southwest portion of the site). As an option, the City's Public Safety Center would be located in a portion of the site. As another alternative, this area could also be used as additional park space. The Senior Center and associated environmental review was approved previously and the facility is set to open in June 2009.

Hotel (H) District (11 acres) – The H District occupies two parcels of land within the northeastern portion of the Specific Plan area. The larger six-acre site is located at the highest point of El Corazon to capture views and is designated for a “Destination Hotel.” The adjacent hotel site is five acres in size and would be appropriate for a “Regional Hotel” such as the Marriott Residence Inn to the east. The City has had preliminary discussions with the Stirling Corporation concerning swapping their land at the northern access point along Rancho del Oro Drive to allow them to develop the southernmost hotel site. Future environmental and entitlement review will be required to facilitate this land exchange.

Village Commercial (VC) District (19 acres) – The commercial village site would be located at the eastern boundary of the Specific Plan, near the Rancho del Oro Drive entryway. Ideally, the VC District would contain up to 248,000 square feet of buildings, which includes 168,000 square feet of ground floor commercial space and 80,000 square feet of second floor boutique office space. This District is designed to include specialty retail that is compatible with adjacent recreational, civic, and hotel land uses. Overall, the focus would be on the pedestrian environment and public gathering spaces which are strongly encouraged.

Oceanside Boulevard Commercial (OBC) District (25 acres) – The OBC District is located in the southeastern corner of the Specific Plan. This District plans for approximately 167,000 square feet of commercial development and 165,000 square feet of office space. The OBC District would be available for traditional commercial retail and service uses that would serve the surrounding areas, such as business products stores and services, sporting goods shops, fitness clubs, and full-service and fast-food restaurants.

### *Circulation*

Multi Use Paths - A system of multi-use paths throughout the Specific Plan will provide access to all parts of the site, except the Habitat District, which will have a separate path system. The multi-use paths will have a 12-foot paved surface, bordered on one side by a four-foot compacted but unpaved surface, which meanders throughout the improved portions of the project site. These paths typically follow the streets but also travel through the park and recreation areas.

Roadways – Circulation within the park is primary provided by a two-lane Park Loop Road. Access to the Loop Road are provided from Oceanside Boulevard and Rancho Del Oro. Two roundabouts are planned at the main entrance to the site off Rancho del Oro Drive. It is anticipated that local bus service and potentially future shuttle service from the Sprinter Station would be provided to the Specific Plan. These improvements will need to be coordinated with the North County Transit District (NCTD).

### *Infrastructure*

The El Corazon Specific Plan includes a variety of infrastructure improvements to foster future development of the site. These include sanitary sewer, domestic water supply, recycled water supply, storm drainage, solid waste disposal, dry utilities such as energy and telecommunications, and the roadways and paths described above. The recycled water would be available to the site when recycled water mains are constructed to the project area from the San Luis Rey Wastewater Plant. Alternative methods would for obtaining recycled water would also be investigated in the future.

### *Implementation Plan*

The Specific Plan envisions the implementation and build-out of the various land uses to span a period of 15 to 20 years. The actual completion of each element will be based on the City's ability to coordinate funding of infrastructure and other improvements. The elements of the Implementation Plan are adoption of the Specific Plan and EIR, approval of the General Plan/Zone Amendment, adoption of the El Corazon Oversight Committee (ECOC) Work Plan and establishment of the ECOC project review process (assuming the City Council wishes to continue with a citizens advisory committee such as the ECOC), implementation of landscape improvements, construction of the Senior Center (set to open in June 2009), and lease of commercial development asset properties.

The last item in the Implementation Plan discusses the preference that the Village Commercial District, Oceanside Boulevard Commercial District, and Hotel Site 1 be leased to private developers to generate revenue to fund other portions of the Specific Plan Area development. In addition, at a later date staff will be presenting an amendment to the Parks and Recreation fee program to assist in financing infrastructure improvements on El Corazon

### *Plan Administration*

This chapter of the Specific Plan describes the authority of the Specific Plan and the administrative procedures required for amendments and/or modifications, and exceptions to the Plan. Specific Plan administration is proposed to be by the ECOC that will act in an advisory capacity to the City, however, the Planning Commission and City Council will retain all decision-making authority. The ECOC would advise the City Council and Planning Commission on development proposals for the Specific Plan area. Again, this course of implementation presupposes that the City Council wishes to continue with a citizens advisory committee such as the ECOC.

Exceptions to the Development Standards for the Specific Plan Land Use Districts may be approved with approval of a development plan. The exception or alternative standards may be recommended by the ECOC and approved by the Planning

Commission or City Council. Any exceptions would need to be equal to or better than the existing standards and must not result in any new environmental impacts. If the proposed changes are significant or a portion of the Specific Plan requires major revisions, a Specific Plan Amendment will be required. An analysis of the Amendment's impacts relative to the approved environmental document would be required.

## **ANALYSIS**

### **ENVIRONMENTAL ISSUES**

An Environmental Impact Report (EIR) was prepared to serve as a program-level EIR to assess the potential environmental effects associated with implementation of the El Corazon Specific Plan, and to propose mitigation measures where required, to reduce significant impacts. The EIR also provided project-level assessment of the potential environmental effects of development of the Phase 1 trail network (described above) within the project area.

The EIR process began with the preparation of a Notice of Preparation (NOP) that was circulated in September 2006 and a scoping meeting held during the 30-day NOP review. Subsequently, a draft EIR was prepared and circulated for a 45-day public review period from September 18, 2008 to November 6, 2008. A Final EIR was prepared in March 2009 that responds to all comments received during public review and any changes to the draft EIR. The significant environmental issues and project alternatives addressed in the Final EIR are summarized below.

#### **Air Quality**

##### *Construction Related Impacts*

Construction activities associated with rough grading would result in a short-term increase in motor vehicle emissions and fugitive dust from grading and trenching activities. Construction mitigation measures and regulations for the control of fugitive dust from the San Diego Air Pollution Control District (SDAPCD) and City of Oceanside would reduce nuisance from dust and particulate matter. However, construction emissions for reactive organic gasses (ROG) from construction equipment and vehicles would not be reduced to below SDAPCD thresholds and would be considered a significant and unmitigable impact.

##### *Operational Impacts*

Long-term air quality impacts for the implementation of the Specific Plan include mainly emissions from vehicles traveling to and from the site. The new development within the Specific Plan area will generate air pollution from stationary and mobile sources.

Examples of stationary sources are power plants that supply power to the area and natural gas combustion at businesses. Mobile sources include vehicle exhaust emissions.

The various phases of Specific Plan development were analyzed for air quality impacts. The analysis concluded that new development would generate pollutant emissions that will exceed SDAPCD daily threshold amounts for ROG, Oxides of Nitrogen (NO<sub>x</sub>), Carbon Monoxide (CO), and PM<sub>10</sub> (particulates) resulting in long-term significant and unmitigable air quality impacts. These impacts will be minimized through the implementation of an extensive list of mitigation measures that include transportation demand management techniques such as establishing carpool/vanpool programs, implementing a parking fee program, and orienting future buildings toward transit stops.

Biological Resources - The site contains a variety of natural and disturbed habitat areas, including coastal sage scrub, willow riparian, freshwater marsh, and non-native grassland. The proposed Specific Plan will preserve a minimum 170 acres of natural habitat as open space, which includes the sensitive habitats listed above, with the exception of non-native grassland. The preserved areas are coastal sage scrub and riparian habitats in the northern and western portions of the site as well as 20 acres of future restored coastal sage scrub along Oceanside Boulevard. These areas contain the least Bell's vireo and California gnatcatcher, which are protected under the Federal and State Endangered Species Acts. The preserved areas are in compliance with wildlife corridor requirements of the City's draft Subarea Plan of the Multiple Habitat Conservation Program.

No direct impacts to any rare, endangered, threatened, or sensitive species are anticipated through development of the Specific Plan. The Phase 1 trail system, which was analyzed on a project level and located in the Habitat District, is on an existing dirt service road used by SDG&E and the City. The Phase 1 trails will not have any direct impacts to adjacent sensitive habitat areas. Phase 2 trails would require grading and remediation of slopes and would require further environmental review prior to implementation.

Potential indirect impacts include items such as fugitive dust, invasive species, noise, and lighting to sensitive plant and animal species in the preserved areas described above. Mitigation for indirect impacts to the sensitive plants and animals in the HB District will be accomplished through mitigation measures/conditions that require a prohibition on use of invasive plant species, seasonal restrictions on grading, construction limits, lighting restrictions, and noise controls.

Cultural Resources – The Cultural Resources Report prepared for the El Corazon project does not identify any archaeological resources within the project area. However, there is the potential for previously unknown subsurface artifacts to be encountered during ground disturbance activities, particularly in areas outside the mine tailing ponds. Therefore

Native American and archaeological monitors will be required to be on-site during ground disturbing activities as mitigation for this potential impact. Construction of the Phase 1 Trail network will be done using existing service roads and will not require significant ground-disturbing activities.

State Senate Bill 18 (SB 18) requires that local governments consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. The City initiated this consultation process by contacting NAHC in June 2008. The NAHC responded by sending a Native American Tribal Consultation contact list for further consultation on cultural issues. The Native American tribes were contacted via mail in July 2008 and only the San Luis Rey Band responded. A consultation was held with tribal members and an attorney from California Indian Legal Services in December 2008 at the Specific Plan site. At the meeting it was indicated that Morro Hill, a very important site to the Band, was clearly visible to the northeast and that the ancestors of the Band originally inhabited this area. As a result of the meeting, the Band has requested that a pre-excavation agreement be executed prior to further grading of the site and that Native American cultural elements that honor the San Luis Rey Band be incorporated into the parks and other proposed improvements where feasible.

Geology and Soils – A majority of the El Corazon Specific Plan site contains the remains of 10 large mine-tailing ponds, which are the result of historical mine use. The ponds have been filled with unconsolidated mine tailings and capped with overburden (topsoils and other soils removed from the natural ground surface prior to extraction of sand) and screened materials. The soils types in the tailing ponds range from sands to clays. Therefore, implementation of the Specific Plan has the potential to expose people or structures to substantial adverse effects involving seismic ground failure and liquefaction. This is a potentially significant impact that would require mitigation, which includes the requirement for future geology studies prior to development of areas with structures and employing various methods to consolidate and drain the soils within the pond areas.

#### Traffic Impacts/Traffic Impact Analysis

Implementation of the El Corazon Specific Plan is anticipated to generate 34,604 average daily trips (ADT) with 1,196 trips during the AM peak hour and 3,570 trips during the PM peak hour. A wide range of intersections and street segments were analyzed in the area surrounding the project site assuming build-out of the Specific Plan in the Year 2030. The traffic analysis looked at traffic impacts with and without the construction of the Rancho del Oro/SR 78 Interchange project. The project traffic study found that all intersections are calculated to continue to operate at level of service (LOS) D or better during AM and PM peak hours with the exception of:

- SR 76 at Rancho del Oro – LOS E during PM peak hour
- Mesa Drive at South El Camino Real – LOS F during the PM peak hour
- Mesa Drive at College Boulevard – LOS E during AM and PM peak hours
- College Boulevard at Old Grove Road – LOS F during AM and PM peak hours

- Oceanside Boulevard at I-5 northbound onramp – LOS E during PM peak hour
- Oceanside Boulevard at Crouch Street – LOS E during PM peak hour
- Oceanside Boulevard at El Camino Real – LOS E during AM peak hour and LOS F during PM peak hour
- Oceanside Boulevard at College Boulevard – LOS E during PM peak hour
- College Boulevard at Vista Way – LOS F during AM and PM peak hours
- El Camino Real at SR 78 westbound ramp – LOS F during AM and PM peak hours
- El Camino Real at SR 78 eastbound ramp – LOS F during PM peak hour

The following is a summary of the Year 2030 + project roadway segment operations. The project traffic study found all area roadway segments are anticipated to continue to operate at LOS C or better with the exception of:

- Mesa Drive from Mission Avenue to Foussat Road – LOS D
- Mesa Drive from Foussat Road to El Camino Real – LOS F
- Oceanside Boulevard from I-5 southbound ramps to Crouch Street – LOS F
- Oceanside Boulevard from Crouch Street to Foussat Road – LOS E
- Oceanside Boulevard from Foussat Road to El Camino Real – LOS F
- El Camino Real from Oceanside Boulevard to Vista Way – LOS D
- El Camino Real from Vista Way to SR 78 – LOS F
- College Boulevard from SR 76 to Mesa Drive – LOS D
- College Boulevard from Old Grove Road to Oceanside Boulevard – LOS E
- College Boulevard from Oceanside Boulevard to Thunder Drive – LOS F
- College Boulevard from Thunder Drive to Roselle Avenue – LOS D
- College Boulevard from Roselle Avenue to Waring Drive – LOS F
- College Boulevard from Waring Drive to SR 78 – LOS E

Numerous mitigation measures that address these potential traffic impacts are listed in the project resolution and Final EIR. These include implementation of a traffic control plan during project construction, several Traffic Demand Management (TDM) improvements such as shuttle service between the Specific Plan and Sprinter Station and provision of a bike/pedestrian trail system, and fair-share contribution to various traffic signals, intersection, and road segment improvements. Even with implementation of these improvements, the following intersections and roadway segments will have significant impacts with no feasible means of mitigation:

#### *Intersections*

- El Camino Real at SR 78 – Westbound and Eastbound Ramps
- Oceanside Boulevard at El Camino Real
- Oceanside Boulevard at College Boulevard
- Oceanside Boulevard at I-5 Northbound Ramp
- Oceanside Boulevard at Crouch Street

### *Street Segments*

- Oceanside Boulevard from I-5 Southbound ramps to Crouch Street
- Oceanside Boulevard from Crouch Street to Foussat Road
- Oceanside Boulevard from Foussat Road to El Camino Real
- College Boulevard from Roselle to SR 78
- College Boulevard from Oceanside Boulevard to Roselle Avenue
- College Boulevard from Old Grove Road to Oceanside Boulevard
- College Boulevard from SR 76 to Mesa Drive
- El Camino Real from Vista Way to SR 78
- El Camino Real from Oceanside Boulevard to Vista Way
- I-5 Northbound and Southbound from SR 78 to Las Flores Road
- Mesa Drive from Foussat Road to El Camino Real

Access to the Specific Plan would be provided via two access points along Oceanside Boulevard and two access points along Rancho del Oro Drive. Public and emergency access to the site will be adequately served by these access points.

Cumulative Impacts – Climate change as a result of an increase in greenhouse gasses (GHG) mainly from an increase in vehicle trips is defined by the state as a global effect, not susceptible to mitigation by any proposed project within the state. There is no minimum threshold established for reduction of GHG at this time. In the absence of a threshold, the incremental contribution of the project to climate change is considered potentially significant and unmitigable. Other cumulative impacts, with the exception of traffic discussed above, could be mitigated or were found to be not significant.

Alternatives – Three project alternatives were analyzed in the EIR – No Project or Existing Plan Alternative, Preferred Project + 300 Residential Units, and Preferred Project + 100,000 square feet of Office Space. Alternatives that would reduce significant traffic and air quality impacts were not analyzed in the EIR because they would require a major reduction in land uses and would not meet the project objectives which are to provide a range of park, civic, hotel and commercial uses. The alternatives analyzed in the EIR are summarized below:

#### *No Project/ Existing Plan*

Under this alternative, the City would not implement the El Corazon Specific Plan. The existing General Plan and Zoning designations in the Rancho del Oro Specific Plan and Ocean Ranch Master Plan would be in effect. This includes residential, town center, industrial and open space land uses. Compared to the proposed project, this alternative is anticipated to result in greater structural development, since the majority of the site would be developed with the uses described above. Therefore, this alternative would generate greater volumes of traffic and air emissions. It would also result in greater biology impacts due to development within the City's proposed Wildlife Corridor as described in the draft Subarea Plan.

### *Alternative 2 – Preferred Project + 300 Residential Units*

Under this alternative, all land uses contained within the Specific Plan and analyzed in the EIR would remain the same except for the Village Commercial and/or Oceanside Boulevard Commercial areas where up to 300 residential units would be added as part of a mixed-use development plan. These units are anticipated to be urban style units, with residents living above retail and other commercial uses located on the ground floor. It is anticipated that the same quantity of commercial square footage would be built under this alternative. The residences would be in proximity to the Sprinter Station located on the southwest corner of Oceanside Boulevard and Rancho del Oro Drive.

If built, this alternative would result in a greater level of environmental impact for air quality and public services. Traffic impacts would not change significantly. This alternative received a strong endorsement from Sandag and NCTD in letters received during public review of the draft EIR. This endorsement is due to the proximity of the commercial portion of the Specific Plan to the Sprinter Station. The area within approximately a quarter mile of the station is designated as a “Smart Growth” or “Transit Oriented Development (TOD)” where medium to high density mixed-use development is encouraged to promote use of mass transit and fewer vehicle trips in the area.

### *Alternative 3 – Preferred Project + 100,000 Square Feet of Office Space*

In this alternative all land uses stated within the Specific Plan project description would remain except for a portion of the Habitat District. Approximately 20 acres of coastal sage scrub habitat to be restored along Oceanside Boulevard would be replaced with 100,000 square feet of office space. The revegetation of this area is required by the City’s draft Subarea Plan as a critical part of the proposed wildlife corridor. If built, this alternative would meet the project objectives, however, would have greater environmental impacts for aesthetics, air quality, biological resources, geology/soils, land use, and traffic impacts.

## **PUBLIC NOTIFICATION**

Pursuant to Article 41 of the Oceanside Zoning Ordinance, legal notice was published in the North County Times and notices were sent to property owners of record/and occupants within a 1500-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant. A postcard notification was also sent to the Oceana, Loma Alta, Ivey Ranch/Rancho del Oro, Mira Costa, and Fire Mountain neighborhoods.

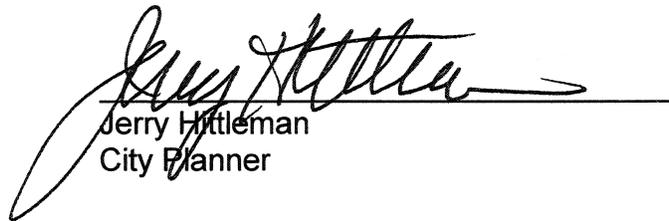
## **SUMMARY**

In summary, staff finds that the El Corazon Specific Plan is consistent with surrounding commercial, residential and open space uses. The Plan is also consistent with the Wildlife Corridor as outlined in the City’s draft Subarea Plan. All potential environmental

impacts will be mitigated to the extent feasible. As such, staff recommends that the Planning Commission approve the Specific Plan and Phase 1 Habitat Trails project. The Commission's action should be:

- Certify the Environmental Impact Report (EIR) and associated findings, statement of overriding considerations, and mitigation monitoring and reporting program by adopting Planning Commission Resolution No. 2009-P21.
  
- Recommend approval of the General Plan Amendment (GPA-1-08), Zone Amendment (ZA-1-08), and amendments to the Rancho del Oro Specific Plan and Ocean Ranch Master Plan to remove the project from these planning areas by adopting Planning Commission Resolution No. 2009-P22 with findings and conditions of approval attached herein.

PREPARED AND SUBMITTED BY:



Jerry Hittleman  
City Planner

JH//fil

Attachments:

1. Planning Commission Resolution No. 2009-P21
2. Planning Commission Resolution No. 2009-P22