

STAFF REPORT



ITEM NO. **19**
CITY OF OCEANSIDE

DATE: March 7, 2007

TO: Honorable Mayor and Members of the City Council

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF AN APPEAL OF A TENTATIVE MAP (T-9-99), DEVELOPMENT PLAN (D-24-99), CONDITIONAL USE PERMIT (C-33-99), GENERAL PLAN AMENDMENT (GPA-5-04) AND A WAIVER OF THE UNDERGROUNDING OF THE UTILITIES FOR A 44-LOT RESIDENTIAL SUBDIVISION ON AN 82.5-ACRE SITE LOCATED NORTH OF THE INTERSECTION OF SPUR AVENUE AND BELMONT PARK ROAD, SOUTH OF HIGHWAY 76 – JEFFRIES RANCH – APPLICANT: THE BREHM COMPANIES; APPELLANTS: DOREEN STADTLANDER AND LESLIE BROOKS**

SYNOPSIS

The item under consideration is a resolution denying the appeal of the Planning Commission's decision approving the 44-lot Jeffries Ranch subdivision on an 82.5-acre located north of the intersection of Spur Avenue and Belmont Park Road. Doreen Stadlander and Leslie Brooks have filed the appeal. Staff is recommending that the City Council deny the appeal and affirm the Planning Commission's decision, by approving the project and adopting the resolutions as attached. An environmental impact report (EIR) has been prepared for the project and General Plan Amendment and the City Council will need to certify the EIR prior to approval of these actions and adoption of resolutions as attached.

BACKGROUND

The Planning Commission public hearing and deliberations on the proposed subdivision and General Plan Amendment were held on November 20, 2006. The Commission approved the project by a 4-to-0 vote (with one abstention) and recommended that the City Council approve the General Plan – Circulation Element Amendment. An appeal has been filed on the project to the City Council for further review on behalf of Doreen Stadlander and Leslie Brooks, two surrounding property owners. The Transportation Commission recommended approval of the General Plan Circulation Element Amendment to remove the future "Secretariat Street" connection to Mission Avenue/SR-

76 from the project site on January 16, 2007, by an 8-to-0 vote. Attached to the report is the appeal letter, which outlines the specific issues/concerns.

Site Review: The subject site is vacant; however, several sensitive plant and animal species were observed on-site, which will be preserved on four open space lots. The majority of the site has been previously disturbed; dirt roads and trails extend throughout the site and are used by motorcyclists and hikers.

As mentioned, the project will maintain four open space lots that total approximately 53 acres in size. Open space Lot A is 45 acres of natural open space (54.5 percent of the total site) that supports six sensitive vegetation communities (riparian woodland, coast live oak woodland, coastal sage scrub and native and non-native grasslands). One federally listed plant and one animal species occur on-site, the San Diego ambrosia and the California gnatcatcher respectively.

The topography of the site is characterized by a series of ridge fingers, separated by a large northwest-southwest trending drainage and several smaller drainages. The high point of the subject site is a ridge near the southwest corner, which has an elevation of 383 feet above mean sea level (MSL) and the low point is located at the northern portion of the site at 133 MSL (adjacent to Highway 76).

Section 2808 of the EQ Overlay Zone allows the Planning Commission to grant waivers from other sections of the ordinance (i.e., Hillside Development Criteria) that conflict with the EQ Overlay Zone in terms of a project being developed at or near the designated base density, with the stipulation that the EQ regulations take precedence.

Surrounding land uses include single-family homes and multifamily (Jeffries Ranch and Rancho Rose respectively) located west of the site; south of the site is single-family residential (Marlborough Country Estates); north and east of the site is undeveloped or agriculture land. The underlying zoning designation for the site is Residential Estate B Equestrian Overlay (RE-B-EQ; 1 to 3.5 dwelling units per acre) and the General Plan Land Use Category is Estate B Residential Equestrian Overlay. The proposed density is .53 dwelling units per acre, which is well below the base density of 1 dwelling unit per acre.

Project Description: The project application consists of several components, which include a Tentative Map, Development Plan, General Plan Amendment, and Conditional Use Permit. Each discretionary request is described as follows:

Tentative Map and Development Plan: The proposed project consists of a 44-unit, 48-lot single-family subdivision on an 82.5-acre site. The minimum lot size for the RE-B-EQ Zone is 10,000 square feet and the project proposes an average lot size of 24,738 square feet.

Due to several factors, including changing real estate market conditions and the time delay between project entitlement and delivery of the product to the market, the applicant

has not yet developed a specific product for the development but will be conditioned to bring the design of the residences back before the Planning Commission for review and approval. In order to secure Development Plan entitlement, the applicant has submitted development standards to govern the future home development. Future development would also be required to meet minimum development standards for the RE-B-EQ zone. Staff believes that the ability of the Planning Commission to approve the ultimate product is sufficient to secure the Development Plan entitlements.

Vehicle and pedestrian access will be provided from Spur Avenue into the project from Jeffries Ranch Road. Spur Avenue has a capacity of 7,000 average daily trips (ADT) and currently there exist 1,978 ADT. The existing traffic conditions plus the 44 new residences totals 2,388 ADT on Spur Avenue which is approximately 34 percent of capacity. The public streets will allow for parking on both sides of the street.

It should be noted that staff has approved the applicant's request for exceeding the 500-foot maximum length of a cul-de-sac (proposed at 1,700 lineal feet) and for exceeding the nonstandard turnarounds, which are spaced at a maximum of 300 feet (proposed at 700 feet).

The project will be landscaped with planting themes that will be consistent with the neighborhood. Specifically, the project calls for the utilization of trees such as the Canary Island Palm, Coast Live Oak and White Alder. The shrubs will include Indian Hawthorne, and Lily, and groundcover will include Dwarf Rosemary. The landscape plan also proposes to revegetate transition slopes with trees such as Coast Live Oak and Sycamores, and California Buckwheat and Sage as shrubs. Perimeter fencing will also be provided by the project. Depending on the location, the fence will be either a 6-foot-high cedar privacy fence, tubular steel view fence, fire wall, or an equestrian fence.

The project is situated within the Equestrian Overlay Zone, overlaid to create a trail system network around Guajome Regional Park, provide recreational opportunities, preserve trails and a rural atmosphere and provide a visually pleasing relationship between buildings, accessory structures and "horse activities".

The development criteria for a single-family project located within an Equestrian Overlay Zone requires that 85 percent of the units (37 units) provide a minimum useable yard of 7,500 square feet. In addition, all lots fronting on streets are required to provide a 10-foot-wide equestrian trail on the street frontage. The proposed project meets or exceeds all these standards.

The project also includes construction of a waterline in cooperation with the Vista Irrigation District to complete a second waterline connection source for the entire Jeffries Ranch Community.

General Plan Amendment: A General Plan Circulation Element Amendment is proposed to remove the future "Secretariat Street" connection to Mission Avenue/SR-76 from the project site. The primary purpose for deleting this connection from the

Circulation Element is to protect sensitive plants known as Ambrosia Pumilla located on the northern portion of the project site. Both the U.S. Fish and Wildlife Service and the California Department of Fish and Game have reviewed the project and required that the open space corridor be preserved without the road segment and that the property be dedicated to and managed by an open space conservancy. The elimination of the roadway will also preserve an important wildlife corridor through the site that will connect the San Luis Rey River to open space areas south of the project site.

The traffic report included in the environmental impact report concluded that elimination of this roadway connection will not have a significant effect on local traffic within the Jeffries Ranch neighborhood nor will it negatively affect the larger communitywide circulation system. Traffic assumptions used in the study included analysis both with and without the extension of Melrose Drive in the future. The study also recommended that Caltrans be consulted to seek the modification of the Jeffries Ranch Road intersection with Mission Avenue/SR-76 to a safer right-in/right-out configuration. However, the City's current freeway agreement with Caltrans has Jeffries Ranch Road closing at SR 76 with all traffic going to Melrose Drive.

Conditional Use Permit: A Conditional Use Permit is required for the eight panhandle lots.

The applicant is also requesting a waiver of the requirement to underground some of the existing overhead utility lines located on the eastern portion of the site. The City Council may grant a waiver to the above requirements only at the time of tentative map approval based solely on one or more of the following:

- The existing overhead electric lines are transmission lines in excess of thirty-four thousand five hundred volts (34.KV).
- The existing overhead communication lines are solely long-distance/trunk facilities.
- Extreme topographic, geologic, soils or other conditions make conversion of the facilities unreasonable or impractical for the long term.

The applicant is requesting the waiver due to the high sensitivity of habitat within the transmission corridor and the high cost of undergrounding the existing utilities on-site. The applicant believes that Subsection C of the waiver provisions is applicable to the project site.

Staff has reviewed the request and has concluded that the requirements of the waiver of the overhead utilities has been met. Staff believes that the existing slope gradients and associated sensitive biological habitat (mainly coastal sage scrub) appear to make it infeasible to underground the overhead utilities located on the eastern boundary of the subject site. The Wildlife Agencies support the waiver because it results in the protection of sensitive biological resources.

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

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

Environmental Issues: An Environmental Impact Report (EIR) has been prepared stating that if the mitigation measures/conditions of approval are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the City Council will need to certify and consider the Environmental Impact Report during its hearing on the project. A summary of the findings of the EIR, including project alternatives is provided below.

Land Use – The project was found to be consistent with surrounding land use patterns and development.

Biological Resources – The project site is uniquely situated between the San Luis Rey River and open space areas south of the project site. The Federal and State Wildlife Agencies considered a wildlife corridor connection with a minimum width of 150 feet through the project site to be of utmost importance. The preservation of a rare plant known as San Diego Ambrosia (*Ambrosia Pumilla*) that thrives on the northern portion of the site as well as preservation of wetlands, coastal sage scrub, and restoration of coastal sage scrub was determined to be important.

The proposed project design achieves these goals through preservation of 53 acres of the 82.5-acre project site. Open space Lot A includes 45 acres of natural open space and habitat. However, development on the remaining 29 acres will result in impacts to 0.02 acre of riparian woodland, 21.6 acres of coastal sage scrub, 2.5 acres of disturbed coastal sage scrub, and 6.1 acres of non-native grassland/coastal sage scrub, and 5.8 acres of non-native grassland. All of these impacts would be mitigated through on-site preservation of the remaining existing coastal sage scrub, San Diego Ambrosia, creation of 0.7 acre of coastal sage scrub, and preservation of a critical wildlife corridor as agreed upon by the Wildlife Agencies. The open space on-site will be placed under protection of a conservation easement and will be managed in perpetuity by a qualified nonprofit open space management entity.

Cultural Resources – Potential impacts to buried archaeological resources could occur during project grading. Therefore, a qualified archaeologist and Native American monitor will be required to monitor all grading activities. If any cultural resources are found, grading will be temporarily stopped so the resource(s) can be identified and catalogued appropriately.

Alternatives – The following three project alternatives were analyzed in the EIR: (1) No Project Alternative which assumes that no development occurs on the proposed project site; (2) Alternative Footprint Alternative that analyzes moving the developed portion of the project (with a reduction to 34 single-family lots) to the northern portion of the project site and preserves open space on the southern project site area and; (3) An Alternative that considers potential impacts/benefits of connecting Secretariat Street through the project site to Mission Avenue/SR-76. The conclusions of the analysis of these alternatives in the EIR are presented below.

No Project Alternative – Implementation of this alternative would result in no physical impacts.

Alternative Project Footprint – This alternative would slightly reduce impacts associated with air quality, traffic, and public services, but would increase impacts to the proposed wildlife corridor, the sensitive San Diego Ambrosia, and wetlands. The wildlife corridor was a critical factor in the proposed project design.

Alternative with Secretariat Street – This alternative would increase biological resource and land use impacts through construction and implementation of this road connection. It would also change traffic patterns in the existing Jeffries Ranch neighborhood although impacts would be the same as the proposed project.

ANALYSIS

Listed below are the issues raised by the appellants, along with staff responses. Staff has reviewed the issues and believes that all of the concerns have been addressed by the project design and conditions of approval. The project is a high-quality design and is consistent with the Land Use Element of the General Plan, Zoning Ordinance and all other applicable documents regulating development.

1. Issue

Failure of the EIR to adequately address traffic and circulation within the Jeffries Ranch community. The traffic analysis for the project did not model traffic conditions with the closure of Jeffries Ranch Road due to the forthcoming SR 76 improvements, but rather assumed Jeffries Ranch Road would have a right-turn-in and right-turn-out access to SR 76. Caltrans has repeatedly provided written comments to the City stating Jeffries Ranch Road would not have access to SR 76 and traffic models for the project should reflect this condition.

Caltrans has not made a final determination on whether or not Jeffries Ranch Road (JRR) will remain open with right-in and right-out movements allowed when SR-76 is improved in the Jeffries Ranch area. The final decision will be based on City and neighborhood input and analysis of safety concerns by Caltrans.

An analysis to determine what effect the complete closure of Jeffries Ranch Road at SR76 would have in the vicinity of Jeffries Ranch was completed prior to the Transportation Commission meeting on January 16, 2007 (Kimley-Horn Associates, 2007). The analysis was based on shift in traffic from JRR using the worst case Level of Service (LOS) results from the February 2006 traffic study. The worst-case results from the study on the intersections and roadways segments were all LOS D or better, which is acceptable under the City's Circulation Element of the General Plan.

The scenarios studied were 2010 base conditions without Secretariat and with the Jeffries Ranch project and 2020 conditions without Secretariat and with the Jeffries Ranch project.

The intersections of SR-76/Melrose Drive, Melrose Drive/Depot Road, and Melrose Drive/Old Ranch Road were analyzed with the shift in traffic from Jeffries Ranch Road. The analysis indicates that under 2010 and 2020 traffic conditions, the shift in traffic would cause no change in LOS at these intersections. The highest increase in delay at any of the three intersections was 0.7 second. All three intersections would operate at LOS D or better.

2. Issue

Issuance of a waiver to the Hillside Development Ordinance for manufactured slopes that will exceed the maximum length and height specified in the ordinance.

The project is subject to the provisions of the Hillside Development Regulations. In an effort to conform to existing topography many design techniques have been utilized throughout the project. For instance, the rounding of graded slopes where possible to transition into existing natural slopes and benchmarks. The overall grading is anticipated to be a balanced 315,000 cubic yards of cut-and-fill for 35.1 graded acres, which equates to 5,665 cubic yards per graded acre, which is below the maximum allowable of 7,500 cubic yards per graded acre for hillside development.

Staff's review of the project identified an additional issue regarding the project's compliance with the hillside development regulations. Since the project site maintains a variety of "qualifying" slopes the hillside development regulations are in effect. Of the applicable regulations, the criteria for the height and length of manufactured slopes warrants further discussion. The hillside regulations limit the length and height of manufactured slopes throughout a project. Manufactured slopes cannot exceed 30 feet in height nor can they exceed 400 feet in length. This slope is situated along Lots 12 – 14 (approximately 40 feet in height and 500 feet in length) and Lots 36 – 44 (approximately 40 feet in height and 1,100 feet in length).

The Planning Commission may and did approve the creation of the manufactured slopes greater than the maximum allowed by the Zoning Ordinance provided that the slopes are necessary to remediate any adverse geologic conditions and that no development is allowed in the area where the slopes are created. In addition, a relatively flat lot is

required to meet the EQ Overlay District requirements for horse facilities necessitating the construction of some larger slopes described above. These deviations from the Hillside regulations are allowed when EQ Overlay requirements need to be met.

In staff's opinion, these increases in manufactured slope heights and length are acceptable. The Geotechnical Report indicates that creation of the manufactured slopes is due to the unstable alluvial soil. In addition, no feasible alternative exists to the proposed grading without creating a more substantial impact on the biological habitats being preserved in the open space and surrounding areas. Furthermore, the grading of these slopes will be rounded and contoured where feasible to simulate the existing topography and will be landscaped with native plants in further blending these slopes visually with the adjacent open space.

3. Issue

Failure of the Project to provide connection from the Jeffries Ranch neighborhood to the San Luis Rey Trail System.

No connection from the project site to the San Luis Rey River Trail System is shown in the City's Recreational Trails Element Subelement of the General Plan. The open space on the project site contains sensitive biological habitat and provides a critical wildlife corridor connection between the river and creek area to the south. The State and Federal Wildlife Agencies would not be in favor of a trail connection through these areas. In addition, the Recreational Trails Elements show north/south connections to the trail at Melrose Drive and North Santa Fe where there are signalized intersections and the opportunity for a safe crossing for pedestrian, bike, and equestrian users.

4. Issue

Failure to implement the Alternative Project Footprint Alternative that was identified in the EIR as the Environmentally Superior Alternative.

As stated above, the Alternative Project Footprint alternative would slightly reduce impacts associated with air quality, traffic, and public services, but would increase impacts to the proposed wildlife corridor, the sensitive San Diego Ambrosia, and wetlands. The wildlife corridor connection between the river and open space areas to the south was a critical factor in the proposed project design, and both the U.S. Fish and Wildlife Service and California Department of Fish and Game endorsed the proposed project open space design and layout. Even though the Alternate Footprint Alternative was identified under CEQA as the Environmentally Superior Alternative it could not be implemented due to lack of outside agency support.

FISCAL IMPACT

Not applicable.

COMMISSION OR COMMITTEE REPORT

The Planning Commission public hearing and deliberations on the proposed subdivision and General Plan Amendment were held on November 20, 2006. The Commission approved the project by a 4-to-0 vote and recommended that the City Council approve the General Plan – Circulation Element Amendment. The Transportation Commission recommended approval of the General Plan Circulation Element Amendment to remove the future “Secretariat Street” connection to Mission Avenue/SR-76 from the project site on January 16, 2007, by an 8-to-0 vote.

CITY ATTORNEY’S ANALYSIS

The City Attorney’s Office has reviewed the proposed resolutions and approved them as to form.

In accordance with Section 4605 of the Zoning Ordinance, the City Council shall consider the same application, plans, and related project materials that were the subject of the Planning Commission decision approving the project.

Prior to affirming, modifying or reversing the Planning Commission decision, the City Council shall certify that the Environmental Impact Report (EIR) has been completed in compliance with California Environmental Quality Act (CEQA), that the information therein was reviewed and considered by the City Council, and that the adoption of the EIR reflects the independent judgment and analysis of the City Council.

The City Council shall review the record of the decision and hear testimony of the appellant, the applicant, and any other interested parties.

After the public hearing, the City Council shall affirm, modify or reverse the Planning Commission decision. If a decision is modified or reversed, the City Council shall state the specific reasons for the modification or reversal.

The General Plan Amendment must be approved by a majority of the total membership of the City Council pursuant to Gov’t C. Section 65356.

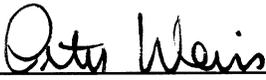
RECOMMENDATION

Staff has reviewed the issues raised by the appellants and believes that all of the concerns have been thoroughly addressed through the findings and conditions of approval. It is staff's recommendation that the City Council affirm the Planning Commission's decision and deny the appeal based on the findings contained in the attached City Council resolution, approve the General Plan Circulation Element Amendment, certify the EIR, and adopt the resolutions as attached.

PREPARED BY


Jerry Hittleman
Acting City Planner

SUBMITTED BY


Peter A. Weiss
Interim City Manager

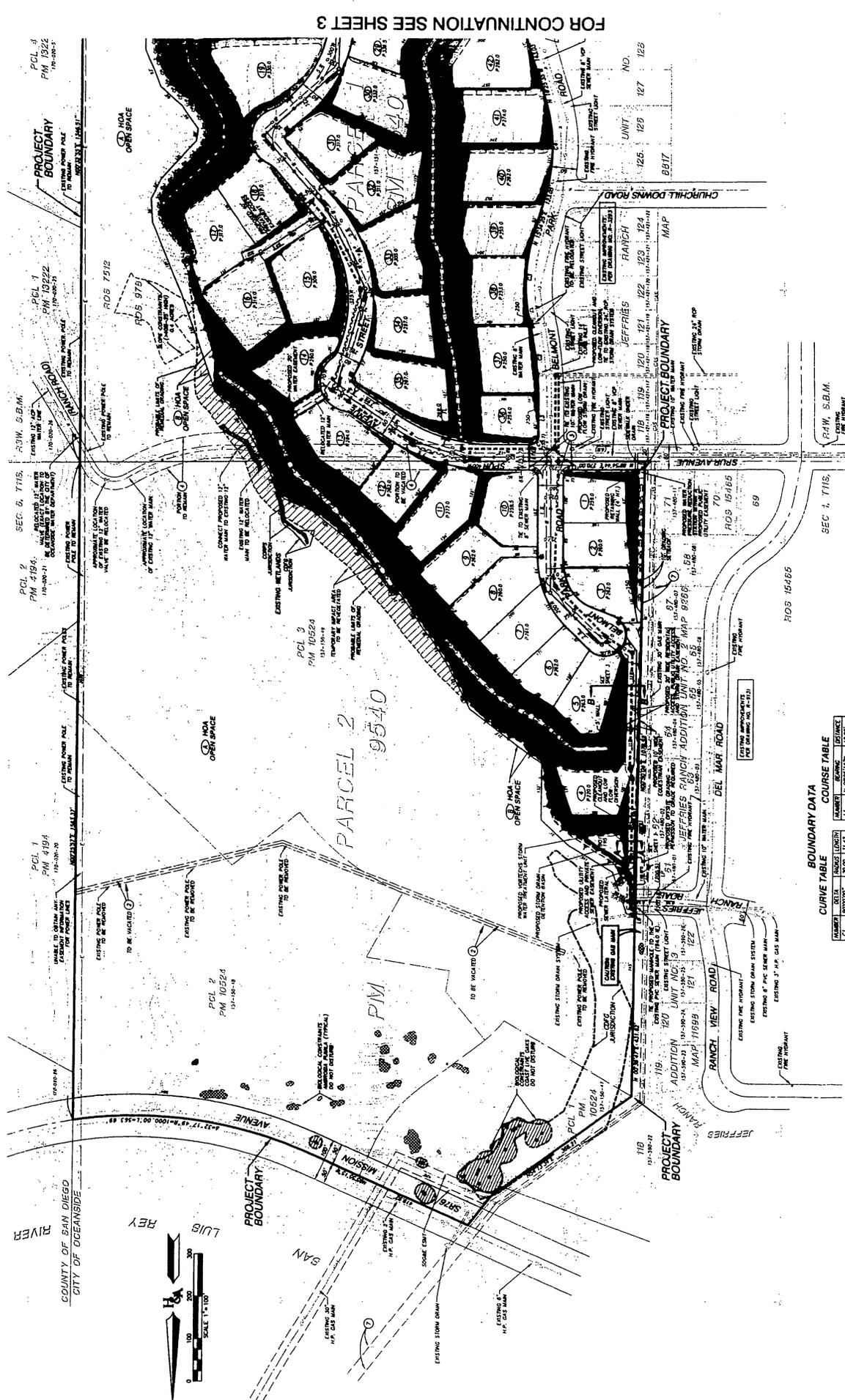
REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager
Mike Blessing, Deputy City Manager



ATTACHMENTS:

1. Area Map, Site Plan
2. City Council Resolution denying the appeal
3. City Council Resolution approving GPA-5-04 to the Circulation Element
4. City Council Resolution certifying the EIR
5. Planning Commission Resolution No. 2006-P70 approving the project
6. Planning Commission Resolution No. 2006-P69 certifying the EIR
7. Planning Commission Staff Report Dated November 20, 2006
8. Appeal Letter
9. Environmental Impact Report (previously distributed)



FOR CONTINUATION SEE SHEET 3

BOUNDARY DATA

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 DEL MAR ROAD
 SPUR AVENUE
 CHURCH HILL DOWNS ROAD

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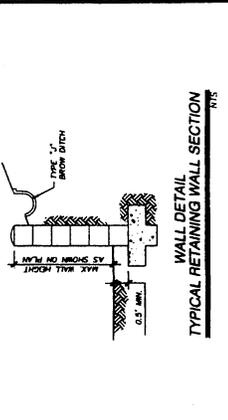
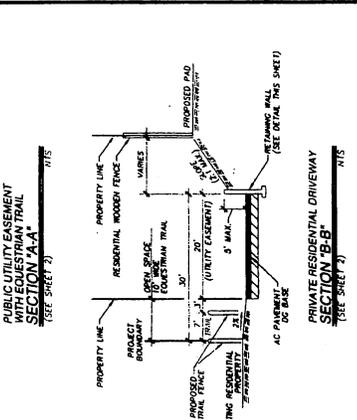
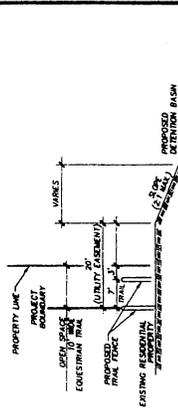
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EASEMENT NOTES

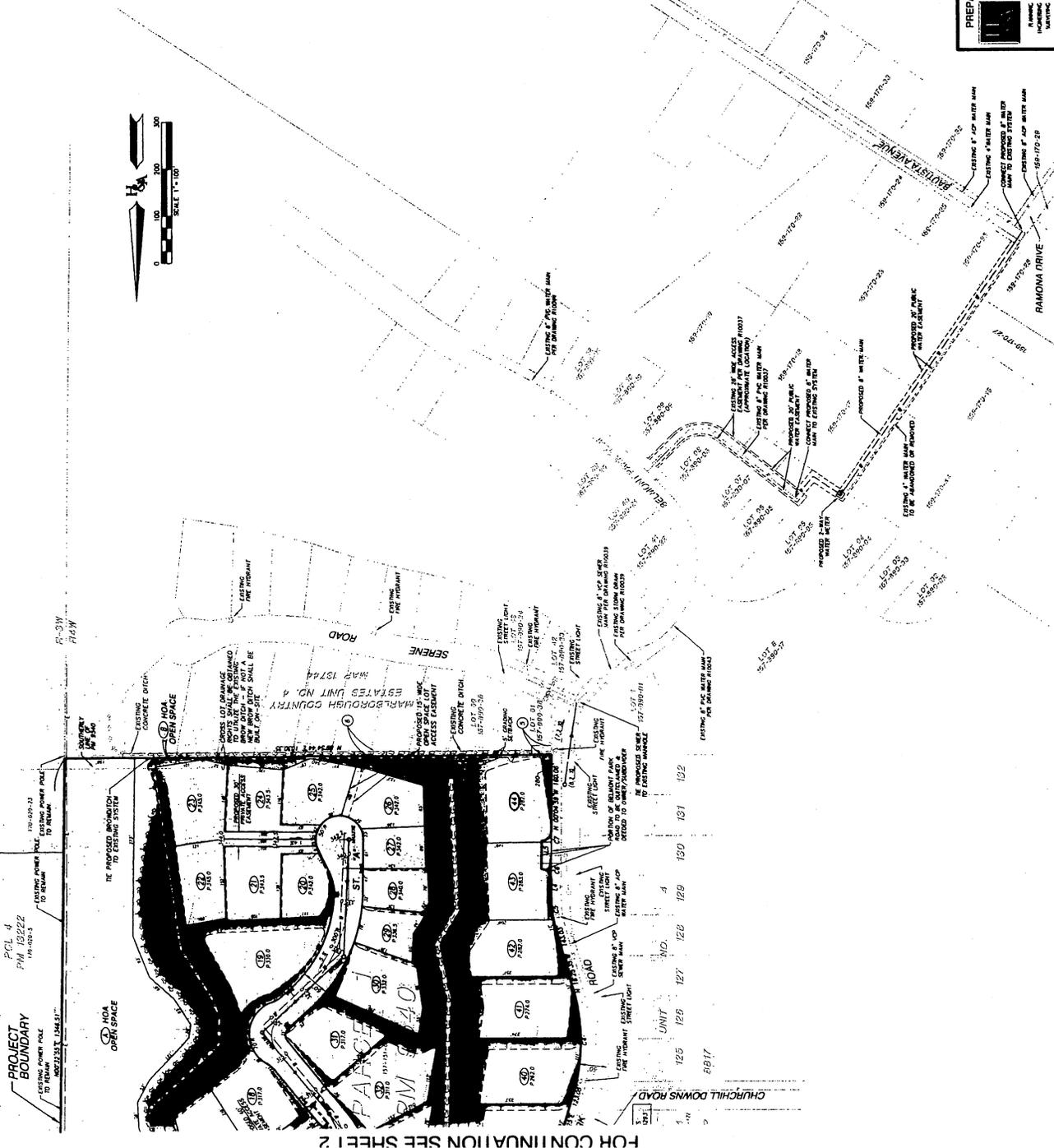
- UNLESS OTHERWISE NOTED, THE FOLLOWING EASEMENTS ARE PER FIRST AMERICAN TITLE COMPANY'S PRELIMINARY TITLE REPORT NO. 1215713-22 DATED APRIL 29, 1994. THE EASEMENTS ARE TO BE RECORDED, PROVIDED, AS REQUIRED BY THE CITY ENGINEER, THE RESPECTIVE PUBLIC UTILITIES AND THEIR APPROPRIATE DISTRICTS.
- AN EXISTING EASEMENT FOR OPERATION AND MAINTENANCE OF TELEPHONE AND/OR PURPOSES, GRANTED TO THE SOUTHERN CALIFORNIA TELEPHONE COMPANY, RECORDED DECEMBER 2, 1941 IN BOOK 1288, PAGE 20 OF OFFICIAL RECORDS.
 - AN EXISTING 14' WIDE EASEMENT FOR UTILITY POLES, UNDERGROUND CONDUITS, ACCESS AND EGRESS PURPOSES, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED AUGUST 31, 1982 AS FILE NO. 15101 OF OFFICIAL RECORDS.
 - AN EXISTING 80' WIDE EASEMENT FOR PUBLIC HIGHWAY PURPOSES, GRANTED TO THE CITY OF OCEANSIDE, RECORDED MARCH 10, 1978 AS FILE NO. 78-098473 OF OFFICIAL RECORDS.
 - AN EXISTING 80' WIDE EASEMENT FOR PUBLIC HIGHWAY PURPOSES, GRANTED TO THE CITY OF OCEANSIDE, RECORDED JUNE 20, 1979 AS FILE NO. 79-04764 OF OFFICIAL RECORDS TO BE VACATED.
 - AN EXISTING 20' WIDE STORM DRAIN EASEMENT.
 - AN EXISTING 6' WIDE PRIVATE DRAINAGE EASEMENT.
 - AN EXISTING 30' WIDE GAS EASEMENT.



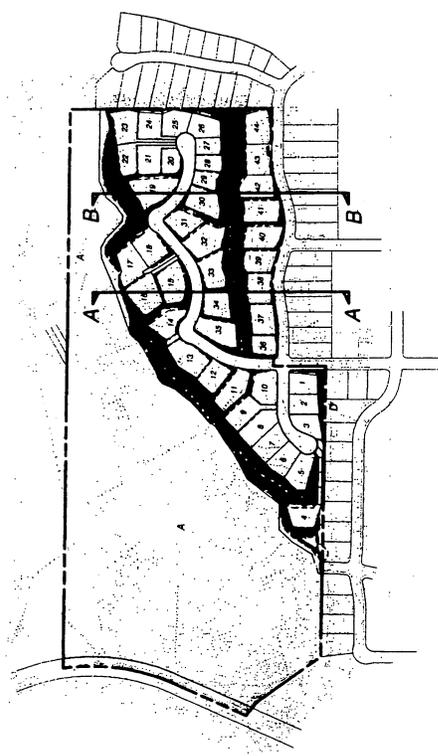
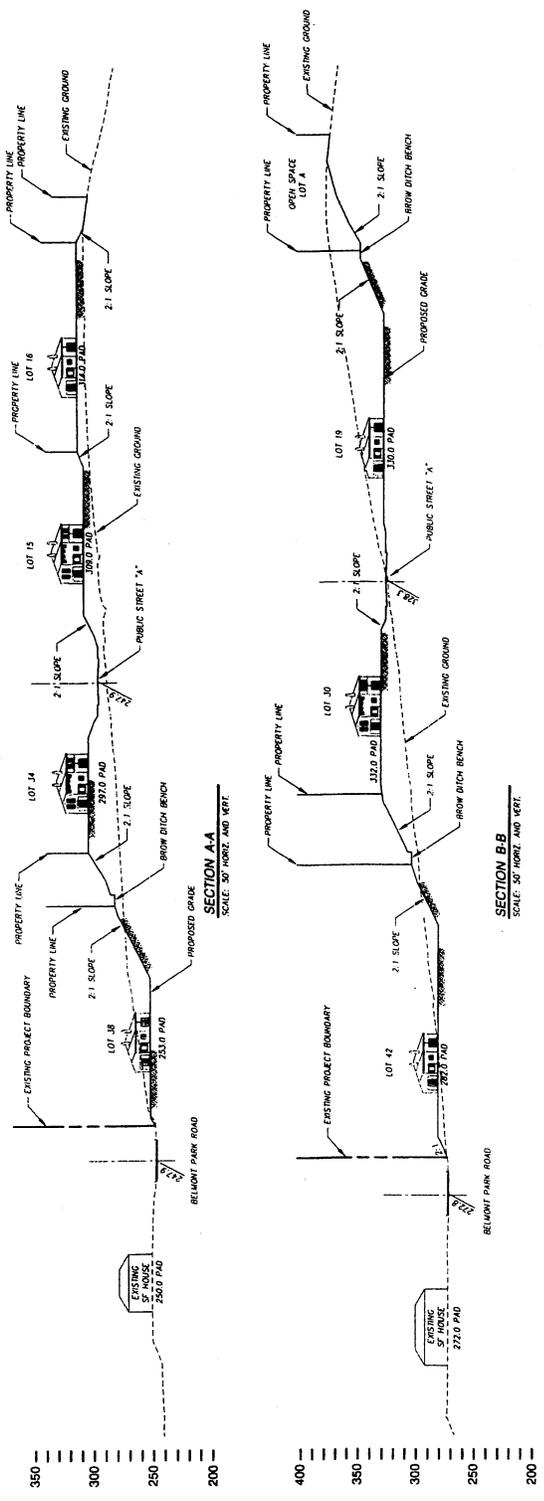
PREPARED BY:
HUNSAKER & ASSOCIATES
LAND SURVEYORS
1075 Mission Street
San Diego, California 92108
TELEPHONE: 534-2800

TENTATIVE TRACT MAP
JEFFRIES RANCH
CITY OF OCEANSIDE, CALIFORNIA

SHEET **3** OF **4**



FOR CONTINUATION SEE SHEET 2



CROSS SECTION PLAN
SCALE: 1"=100'

PREPARED BY:

HUNSAKER ASSOCIATES
 A PROFESSIONAL CORPORATION
 10000 Wilshire Blvd., Suite 1000
 Beverly Hills, CA 90210
 (310) 276-1111
 FAX: (310) 276-1111

TENTATIVE TRACT MAP
JEFFRIES RANCH
 CITY OF OCEANSIDE, CALIFORNIA

SHEET
4
 OF
4

DATE: 11/15/2011 10:58:00 AM

1 NOW, THEREFORE, the City Council of the City of Oceanside DOES RESOLVE as
2 follows:

3 1. The appeal of Planning Commission Action of November 20, 2006: Approval of
4 Tentative Map (T-9-99), Development Plan (D-24-99) and Conditional Use Permit (C-33-99)
5 and adoption of Resolution No. 2006-P70 is denied.

6 2. The decision of the Planning Commission is affirmed, including the finding of
7 consistency with the City's General Plan. The project is consistent with the Land Use Element
8 of the General Plan and the City's Zoning Ordinance implementing the General Plan. The
9 proposed subdivision creates parcels that are consistent and exceed the requirements of the RE-
10 B-EQ zoning designation. The subdivision map is consistent with the General Plan of the City.
11 The proposed building pads on the site will conform to the topography of the site, therefore,
12 making it suitable for residential development. The 82.5-acre site is physically suitable to allow
13 for the development of 44 residential lots. The subdivision complies with all other applicable
14 ordinances, regulations and guidelines of the City. The design of the subdivision or proposed
15 improvements will not conflict with easements, acquired by the public at large, for access
16 through the use of property within the subdivision. That the design of the subdivision or the
17 proposed improvements will not cause substantial environment damage with the proposed
18 mitigation or substantially and avoidably injure fish or wildlife or their habitat.

19 3. The Tentative Map (T-9-99), Development Plan (D-24-99) and Conditional Use
20 Permit (C-33-99) are approved subject to all the conditions set forth in Planning Commission
21 Resolution No. 2006-P70 incorporated herein by this reference.

22 ///
23 ///

1 4. Pursuant to CCP Section 1094.6 (f), notice is hereby given that the time within
2 which judicial review must be sought on this decision is governed by CCP Section 1094.6 as set
3 forth in Oceanside City Code Section 1.10.

4 PASSED and ADOPTED by the City Council of the City of Oceanside, California this
5 _____ day of _____, 2007 by the following vote:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

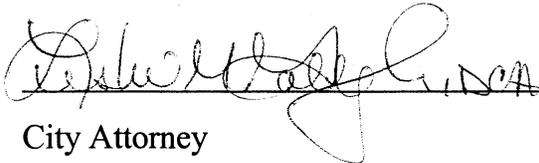
10
11 _____
12 Mayor of the City of Oceanside

13 ATTEST:

14 APPROVED AS TO FORM:

15 OFFICE OF THE CITY ATTORNEY

16
17 _____
18 City Clerk

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City Attorney

JEFFRIES RANCH

LEGAL DESCRIPTION

APN 157-150-(47-49) & 157-151-06

PARCELS 1, 2 AND 3 OF PARCEL MAP NO. 10524, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 1, 1980 AS FILE NO. 80-322292 OF OFFICIAL RECORDS.

PARCELS 1 OF PARCEL MAP NO. 9540, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 27, 1979 AS FILE NO. 79-541335 OF OFFICIAL RECORDS.

THAT PORTION OF LOTS 8 AND 9 OF FRACTIONAL SECTION 1, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

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

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____ day of _____ 2007, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

CITY CLERK



CITY ATTORNEY

1 the project. The Final Environmental Impact Report and Mitigation and Monitoring and
2 Reporting Program have been determined to be accurate and adequate documents which
3 reflect the independent judgment of the City Council.

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

- 6 1. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting
7 Program for the Jeffries Ranch project IS CERTIFIED, effective as of this day.
- 8 2. Pursuant to Public Resources Code Section 21081.6 the City Council adopts the
9 Mitigation Monitoring and Reporting Program (MMRP) attached as Exhibit "B" and
10 finds and determines that said program is designed to ensure compliance with the
11 mitigation measures during project implementation.
- 12 3. Notice is HEREBY GIVEN that the time within which judicial review must be sought
13 on this decision is governed by the provisions of the California Environmental Quality
14 Act.

15 PASSED and ADOPTED by the City Council of the City of Oceanside, California this
16 _____ day of _____, 2007 by the following vote:

17 AYES:

18 NAYES:

19 ABSENT:

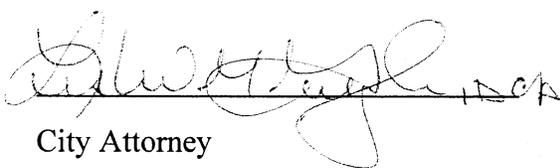
20 ABSTAIN:

21 _____
22 Mayor of the City of Oceanside

23
24 ATTEST:

25 APPROVED AS TO FORM:

26 _____
27 City Clerk

28 
City Attorney



THE JEFFRIES RANCH PROJECT (T-9-99, D-24-99, GPA-5-04, C-33-99) STATEMENT OF FACTS AND FINDINGS

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a Lead Agency issue two sets of findings prior to approving a project that will generate a significant impact on the environment. The Statement of Facts and Findings is the first set of findings where the Lead Agency identifies the significant impacts, presents facts supporting the conclusions reached in the analysis, makes one or more of three findings for each impact, and explains the reasoning behind the agency's findings.

There are three finding categories available for the Statement of Facts and Findings pursuant to Section 15091 of the CEQA Guidelines.

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Such 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.
3. Specific 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.

These findings are presented later in Sections VI and VII.

The Statement of Overriding Considerations is the second set of findings. Where a project will cause unavoidable significant impacts, the Lead Agency may still approve the project where its benefits outweigh the adverse impacts. Further, as provided in the Statement of Overriding Considerations, the Lead Agency sets forth specific reasoning by which benefits are balanced against effects, and approves the project.

The City of Oceanside, the CEQA Lead Agency, finds and declares that the Jeffries Ranch Final Environmental Impact Report (EIR) has been completed in compliance with CEQA and the State CEQA Guidelines. The City of Oceanside (the "City") finds and certifies that the EIR was reviewed and information contained in the EIR was considered prior to approving the Project, the No Project Alternative, the Alternate Project Footprint Alternative, or the With Secretariat Street Alternative.



Based upon its review of the EIR, the Lead Agency finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the Jeffries Ranch Project and represents the independent judgment of the City.

The Final EIR is composed of the following elements:

- a. *The Jeffries Ranch Project Environmental Impact Report*, September 2006; and
- b. *Responses to Comments*, September 2006.

The remainder of this document is organized as follows:

- II) Description Of Alternatives Analyzed In EIR;
- III) Description Of Project Proposed For Approval;
- IV) Effects Determined To Be Less Than Significant in the Initial Study/Notice of Preparation;
- V) Effects Determined To Be Less Than Significant;
- VI) Effects Determined To Be Less Than Significant With Mitigation;
- VII) Environmental Effects Which Remain Significant And Unavoidable After Mitigation;
- VIII) Alternatives To The Proposed Project; and
- IX) Other Mandatory CEQA Topics



II. DESCRIPTION OF ALTERNATIVES ANALYZED IN EIR

Alternatives Analyzed in Environmental Impact Report

Three alternatives were analyzed equally in the Environmental Impact Report: 1) the No Project Alternative; 2) the Alternate Project Footprint Alternative; and 3) the With Secretariat Street Alternative. The three alternatives are described below.

Background

As described in greater detail in Section 3.0 of the EIR, The Jeffries Ranch Project proposes the development of 44 single-family detached homes within the northeast portion of Jeffries Ranch. The project would require City approval of a General Plan Circulation Element Amendment (GPA-5-04), a Tentative Map (T-9-99), Development Plan (D-24-99), Conditional Use Permit (C-23-99) and engineering waivers. The Project also proposes to retain approximately 46 acres of biologically sensitive open space on-site through establishment of a conservation easement.

Three alternatives are reviewed equally in the EIR:

- No Project Alternative: The No Project Alternative assumes that no development occurs on the proposed project site. The site would remain as an undeveloped, vacant parcel of land.
- Alternate Project Footprint Alternative: The Alternate Project Footprint Alternative would generally place residential development in the area proposed by the Project as open space, and place open space in the area proposed by the Project as residential development. In a sense, this Alternative would “swap” the development and open space areas proposed by the Project. Under this Alternative, approximately 28.9 acres would be disturbed for the development of 34 residential lots, while 53.6 acres would be preserved as natural open space. This alternative would also include undergrounding of the utility lines along the eastern boundary of the site as this area will already be disturbed as part of the development. Undergrounding of the lines would require the construction of a 16-foot wide access road for use by San Diego Gas and Electric.
- With Secretariat Street Alternative: This Alternative considers the retention of the Secretariat Street connection through the northern portion of the project site. The Project proposes a General Plan Circulation Element Amendment to delete a secondary, future connection (“Secretariat Street”) through the proposed project site to Mission Avenue/SR-76. Under this Alternative, Secretariat Street would connect from SR-76 to the proposed extension of Belmont Park Road through the project site as contemplated in the existing General Plan. Also, under this Alternative, Jeffries Ranch Road, which currently terminates at the project boundary would extend into the site and connect with the proposed Secretariat Street alignment.



III. DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL

Project Proposed for Approval

The project proposed for approval by the City in these Findings is the Jeffries Ranch Project, consisting of the following City discretionary actions:

- Tentative Tract T-9-99/ Development Plan D-24-99 to subdivide 82.5 gross acres into 44 single-family residential lots, streets, and four open space lots. One of the open space lots would remain in natural open space, while three open space lots would consist of landscaped, manufactured slopes. Also included as part of the Project is the extension of an off-site secondary water line from the project site to the Vista Irrigation District water system.
- Conditional Use Permit C-23-99 to allow eight panhandle lot configurations on residential lots 4, 9, 16, 17, 21, 22, 23, and 24. In accordance with Section 1050(Y) of the City's Zoning Ordinance, panhandle lots are permitted with a Conditional Use Permit, subject to meeting specific development standards.
- General Plan Circulation Element Amendment GPA-05-04 to amend the City's General Plan to remove from the project site the designation for the future Secretariat Street connection to Mission Avenue/SR-76.
- Engineering Waivers 1) to not under-ground existing SDG&E power poles and lines along the site's eastern most boundary that are not utilized by the Project to prevent impacts to biological resources and topography associated with trenching and construction that would not otherwise be disturbed; and 2) an exception for a cul-de-sac street in excess of 500 feet in length with non-standard "turn-arounds" for emergency vehicle purposes at distances in excess of 300 feet apart.



IV. EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE INITIAL STUDY/NOTICE OF PREPARATION

An Initial Study was prepared for the proposed Project on August 4, 2005, to determine significant effects of the Project. In the course of this evaluation, certain impacts of the Jeffries Ranch Project were found to be less than significant due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The following effects for the Jeffries Ranch Project were determined not to be significant and were not analyzed in the Draft EIR (refer to Appendix A, Initial Study/Notice of Preparation, in Draft EIR).

GEOLOGY AND SOILS

- *Rupture of Earthquake Fault;*
- *Strong Seismic Ground Shaking;*
- *Seismic-Related Ground Failure, Including Liquefaction;*
- *Landslides or Mudflow;*
- *Seiche, tsunami, or volcanic hazard*
- *Substantial Soil Erosion or the Loss of Topsoil;*
- *Unstable Geologic Units or Soil;*
- *Expansive Soils; and*
- *Unique geologic or physical features*

HAZARDS AND HAZARDOUS MATERIALS

- *Hazardous Materials Transport, Use, and Disposal;*
- *Release of Hazardous Materials;*
- *Hazardous Materials Sites;*
- *Conflict with Emergency Response Plan or Emergency Evacuation Plan; and*
- *Wildland Fires.*

ENERGY AND MINERAL RESOURCES

- *Conflict with an adopted energy conservation plan*
- *Use nonrenewable resources in a wasteful or inefficient manner*
- *Loss of Mineral Resources; and*
- *Loss of Mineral Resource Recovery Sites.*

RECREATION

- *Physical Deterioration of Existing Neighborhood and Regional Parks; and*
- *Existing recreational opportunities;*



PUBLIC UTILITIES AND SERVICE SYSTEMS

- *Power or natural gas systems or supplies;*
- *Communication systems;*
- *Wastewater Treatment Requirements;*
- *Construction of New Water or Wastewater Treatment Facilities or Expansion of Existing Facilities;*
- *Construction of New Storm Water Drainage Facilities or Expansion of Existing Facilities;*
- *Available Water Supplies;*
- *Wastewater Treatment;*
- *Landfill Capacity; and*
- *Federal, state, and local statutes and regulations related to solid waste.*



V. EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT

The EIR found that the Jeffries Ranch Project would have a less than significant impact on a number of environmental topics. A less than significant environmental impact determination was made for each of the following topic areas listed below.

LAND USE AND PLANNING

1. *Conflicts with the General Plan Designation or Zoning.* As described in Sections 4.1.1 and 4.1.2 of the Final EIR, the Project would have significant land use impacts if it would conflict with the General Plan Designation or Zoning. The Project complies with the requirements of both the underlying zoning designation of Residential Estate B with an Equestrian Overlay and would not conflict with the General Plan designation of Estate B. The average lot size is almost 25,000 square feet and the residential lots range in size from approximately 11,000 square feet to approximately 46,800 square feet. The Project's base density is slightly more than ½ of the maximum base density allowed and all other applicable development regulations were satisfied. The Project does not comply with the Hillside Development Provisions because it proposes two manufactured slopes exceeding height and length requirements. However, this noncompliance is consistent with the zoning because the Project is required to provide 7,500 sf of usable horse yard on 58% of lots pursuant to the EQ Overlay zoning, and the EQ Overlay ordinance specifically provides that underlying zoning requirements are modified by the designation of an EQ Overlay District to accomplish the purposes of the EQ Overlay. As such, land use impacts associated with the height and length of the manufactured slope heights are considered to be less than significant. Finally, the traffic analysis demonstrates that Secretariat Street could be deleted without any significant impact to the levels of service of other roadway segments and intersections and the elimination of Secretariat Street avoids significant adverse impacts to biological resources such as the federally listed San Diego Ambrosia and two jurisdictional drainage areas. Thus, deletion of this connection through the project site would remain consistent with the General Plan's goals, policies and objectives and no land use impact would result as long as the General Plan Amendment proposed with this Project is approved.
2. *Incompatibility with existing Land Use in the Vicinity.* As described in Sections 4.1.1 and 4.1.2 of the Final EIR, the Project would have significant land use impacts if it would be incompatible with existing land use in the vicinity. The proposed Project will have a less than significant impact on existing land use because the Project would be compatible with surrounding land use and existing residential development patterns within the vicinity of the project site. This is because most of the area adjacent to the Project site is vacant or contains single-family development. The Project would be an extension of the existing single family residential development in the area.
3. *Agricultural Resources or Operations.* As described in Sections 4.1.1 and 4.1.2 of the Final EIR, the Project would have significant land use impacts if it would affect agricultural



resources or operations. The project site is not used for agricultural pursuits, is not zoned for agriculture, and is not designated as CEQA-significant Farmland of the State. The Project is also surrounded by residential and vacant lands, but not immediately adjacent to lands currently being cultivated. As such, development of the Project is not likely to interfere with existing agricultural operations and would result in less than significant impacts to agricultural resources or operations.

4. *Divide the Physical Arrangement of an Existing Community.* As described in Sections 4.1.1 and 4.1.2 of the Final EIR, the Project would have significant land use impacts if it would disrupt or divide the physical arrangement of an established community. The proposed Project, which represented the last phase of a larger development, would not divide the physical arrangement of an established community. The Project would result in construction of single family residences and preservation of open space. Both of these uses are consistent with adjacent residential and vacant lands. Indeed, they would expand and continue the pattern of uses in the existing community.

BIOLOGICAL RESOURCES

1. *Locally Designated Species.* As described in Sections 4.2.2 and 4.2.3 of the Final EIR, a significant biological impact would occur if the Project significantly impacts a locally designated species. The City of Oceanside has no locally designated species; therefore, the proposed Project's impact on locally designated species is less than significant.
2. *Wildlife Dispersal or Migration Corridors.* As described in Sections 4.2.2 and 4.2.3 of the Final EIR, a significant biological impact would occur if the Project results in significant impacts to wildlife dispersal or migration corridors. The Project site is not designated as a Wildlife Corridor Planning Zone by the City's draft Subarea Plan, but the USFWS and CDFG (collectively, the "Wildlife Agencies") believe the site is part of a coastal California gnatcatcher dispersal corridor. Despite this, development of the Project will not impact wildlife dispersal or migration corridors. The project site is subject to a hardline agreement between the USFWS, CDFG, City of Oceanside, County of San Diego, and the Project Applicant that provides for a complete package of compensatory mitigation for all Project effects on public fish and wildlife resources and their habitats. Consistent with that agreement, the Project will preserve a large block of on-site habitat for the coastal California gnatcatcher (12.5 acres—see Final EIR, Table 4-2) and create a 150-wide wildlife corridor, which is sufficiently large to provide wildlife movement across the Project site. The Project site also provides habitat connectivity between the San Luis Rey River, Guajome Park and areas of wildlife habitat between these two expanses. As further set forth in Section 4.2.1E of the Final EIR, the Wildlife Agencies have determined that maintenance of these sites provide adequate conservation to ensure the long-term survival of the California gnatcatcher. Additionally, a belt of continuous wildlife habitat extends from SR-76 to a strip of coastal sage scrub on the southeast corner of the Project site pursuant to an agreement with a neighboring developer. Given the substantial amount of preserved habitat and corridors currently existing and to be provided by the Project, and the determinations already made by



the applicable agencies as referenced in the hardline agreement, the Project would result in less than significant impacts to wildlife dispersal and migration corridors.

CULTURAL RESOURCES

1. *Paleontological Resources.* As described in Sections 4.3.2 and 4.3.3 of the Final EIR, a significant cultural resources impact would occur if the Project would disturb significant paleontological resources. Paleontological resources to be impacted by development of the Project are Granitic bedrock (Kg) and alluvium (Qal). The Paleontological Monitoring Determination Matrix provides that the sensitivity rating is zero for Granitic bedrock (Kg) and it is low for alluvium (Qal). This means that the potential for discovery of paleontological resources on the site is none to low. Accordingly, development of the proposed Project site would have a less than significant impact on paleontological resources.
2. *Historic Resources.* As described in Sections 4.3.2 and 4.3.3 of the Final EIR, a significant cultural resources impact would occur if the Project would affect significant historical resources. Under CEQA, a significant historic resource is one that (1) is listed in, or determined to be eligible for listing in the California Register of Historic Resources; (2) listed in a local register or historical resources, or (3) the lead agency determines to be significant. No historic resources satisfying these criteria were identified with the proposed Project site. Therefore, no significant impacts to historic resources would occur as a result of the Project.
3. *Affect Unique Ethnic Cultural Values.* As described in Sections 4.3.2 and 4.3.3 of the Final EIR, a significant cultural resources impact would occur if the Project has the potential to cause a physical change which would affect unique ethnic cultural values. The site does not hold any unique ethnic or cultural values according to the Archaeological Resources Inventory prepared by Affinis (August 2001). Therefore, the proposed Project's impact to unique ethnic cultural values would be less than significant.
4. *Restrict Religious or Sacred Uses.* As described in Sections 4.3.2 and 4.3.3 of the Final EIR, a significant cultural resources impact would occur if the Project restricts existing religious or sacred uses within the potential impact area. The site does not support any existing religious or sacred uses according to the Archaeological Resources Inventory prepared by Affinis (August 2001). Therefore, the proposed Project's impacts to religious or sacred uses would be less than significant.

AIR QUALITY

1. *Temporary Construction-Related Impacts.* As described in Sections 4.4.2 and 4.4.3 of the Final EIR, a significant air quality impact would occur if the Project violates any air quality standard or contributes to an existing or projected air quality violation. Project-related construction activities from diesel powered construction equipment and vehicle exhaust, and



from dust generated during grading, will create short term air quality impacts, but they will not violate any air quality standard or contribute to an existing or projected air quality violation. As shown on Tables 4-5 through 4-7 of the Final EIR, construction related emission levels will not exceed air quality standards established by the San Diego Air Pollution Control District (“SDAPCD”) or contribute to an existing or projected air quality violation. As such, short term air quality impacts associated with construction activities will be less than significant.

2. *Long-Term Operational Impacts.* As described in Sections 4.4.2 and 4.4.3 of the Final EIR, a significant air quality impact would occur if the Project violates any air quality standard or contributes to an existing or projected air quality violation. Long term air quality impacts for a residential development such as the Project result from automobile or operational emissions. The Project is only expected to generate 440 average daily trips (“ADT”). As shown on Table 4-8 of the Final EIR, the projected 440 ADT will not exceed SDAPCD thresholds of significance. Furthermore, because the Project is consistent with the General Plan (density is actually 40% less than the General Plan contemplates), it is also consistent with San Diego Regional Air Quality Strategy (RAQS) “emissions budget” for the San Diego Air Basin which is based on General Plan buildout and the State Implementation Plan for criteria pollutants under examination. The foregoing illustrates that the Project’s long term operational air quality impacts will not violate any air quality standard or contribute to an existing or projected air quality violation. Therefore, the Project’s long term air quality impacts are less than significant.
3. *Expose Sensitive Receptors to Pollutants.* As described in Sections 4.4.2 and 4.4.3 of the Final EIR, a significant air quality impact would occur if the Project exposes sensitive receptors to pollutants. Sensitive receptors are persons most susceptible to respiratory distress such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. Table 4.9 of the Final EIR illustrates that the Project would not expose sensitive receptors to air pollutants at levels greater than allowed by SDAPCD. In fact, exposure would be far below the levels the SDAPCD establishes as potentially dangerous to sensitive receptors. Furthermore, the Project will be required to protect sensitive receptors from dust, which could be a nuisance to nearby residents, during construction by spraying water on unpaved, unvegetated, surfaces pursuant to the City’s Grading Ordinance. Under these circumstances, air quality impacts resulting from exposure of sensitive receptors to pollutants will be less than significant.
4. *Change in Climate.* As described in Sections 4.4.2 and 4.4.3 of the Final EIR, a significant air quality impact would occur if the Project would alter air movement, moisture, or temperature, or cause any change in the climate. Development of 44 residential lots on approximately 35.1 acres of an 82.5-gross acre site will not result in the alteration of air movement, moisture, or temperature, or cause any climate change. As such, the Project’s air quality impacts in this regard are less than significant.



5. *Create Objectionable Odors.* As described in Sections 4.4.2 and 4.4.3 of the Final EIR, a significant air quality impact would occur if the Project would create significant objectionable odors. Construction activities have the potential to generate temporary, intermittent odors, associated with paving, painting and related activities. Because such impacts are intermittent and would terminate upon completion of the Project, these impacts relating to the creation of objectionable odors are considered less than significant.

NOISE

1. *Short-term Construction Noise.* As described in Sections 4.5.2 and 4.5.3 of the Final EIR, a significant noise impact would occur if the Project would increase noise above levels specified in the City's General Plan Noise Element. The General Plan Noise Element identifies the maximum noise level for individual pieces of construction equipment as 85 dBA at a distance of 100-feet. As illustrated on Table 4-11, the aggregate sum of noise levels during construction at 100-feet from the noise source would range from 74.9 dBA to 78.7 dBA. Such levels do not exceed the threshold specified in the General Plan Noise Element. Furthermore, short term noise impacts generated by construction activities would generally occur between 7:00 a.m. and 4:00 p.m. Monday through Friday pursuant to City regulations. Because temporary noise level generated by Project construction would be regulated by the City's Noise Ordinance and would be less than 85 dBA, impacts are regarded as less than significant.
2. *Long-term Vehicular Noise.* As described in Sections 4.5.2 and 4.5.3 of the Final EIR, a significant noise impact would occur if the Project would increase noise above levels specified in the City's General Plan Noise Element. The General Plan establishes the maximum acceptable exterior noise level for the Project at 65 dBA Ldn. Additionally, City regulations require that residential dwellings located where exterior CNEL exceeds 60 dBA obtain an acoustical analysis showing the proposed design will limit interior noise to less than 45 dBA CNEL. The primary source of future noise to the Project site will be from traffic along adjacent roadways. Based on future peak hour traffic volume projections, Investigative Science and Engineering determined future exterior noise levels will not exceed 60 dBA (see Table 4-14), and are therefore below the City's noise abatement thresholds. As shown on Table 4-15, the Project will also generate traffic that increases noise levels by as much as 0.2 dBA CNEL. This increase in noise levels is well below 3.0 dBA (the noise level perceptible to the human ear) threshold of significance. Project noise impacts will be less than specified in the City's General Plan Noise Element and other applicable regulations; therefore noise impacts are considered less than significant.
3. *Expose People to Severe Noise Levels.* As described in Sections 4.5.2 and 4.5.3 of the Final EIR, a significant noise impact would occur if the Project would expose people to severe noise levels. As detailed in Paragraphs 1 and 2 above, both short term and long term noise impacts will be below applicable thresholds of significance (less than 85 dBA for construction, less than 65 dBA for exterior noise, less than 60 dBA for interior noise, and less than 3dBA overall increase in noise impacts). Under these circumstances, Project generated noise levels cannot be characterized as "severe." Construction noise is most



likely to be a nuisance, and pursuant to City regulations, will generally occur only between the hours of 7:00 a.m. and 4:00 p.m. Monday through Friday, when people are typically at work or school or otherwise away from home (surrounding land uses are residential and vacant lands). Construction noise is also not considered severe because it is temporary and intermittent. Because these Project related noise will be below thresholds of significance, noise impacts caused by exposing people to severe noise levels is considered less than significant.

TRAFFIC

1. *Hazards to Safety from Design Features.* As described in Section 4.6 of the Final EIR, the Project does not propose any street design features that pose a safety hazard or introduce an incompatible uses. Although the Project proposes some non-standard turn arounds and cul-de-sac lengths, the design has been modified such that it will not result in a significant safety hazard impact. All street design on the project site will be approved by the City Engineering Department; therefore, the proposed Project would result in less than significant impacts.
2. *Inadequate Emergency Access or Access to Nearby Uses.* As described in Section 4.6(C) of the Final EIR, although the Project proposes some non-standard turn arounds and cul-de-sac lengths, the design has been modified such that adequate emergency access will exist. The Fire Marshal has also reviewed the proposed Project and given his approval of the design. The Project would result in less than significant impacts to emergency access.
3. *Inadequate Parking Capacity On- or Off-Street.* As described in Section 4.6 (D) of the Final EIR, the adequacy of parking is assured through compliance with the City of Oceanside's Zoning Regulations and parking requirements for residential uses. Therefore, Project impacts would be less than significant.
4. *Hazards for Pedestrians or Bicyclists.* As described in Section 4.6 (E), the Project will provide a seven foot wide equestrian/pedestrian trail on either side of the streets, plus at least 20 feet of pavement width. Therefore, the proposed Project would not present hazards or barriers for pedestrians or bicyclists and potential impacts would be less than significant.
5. *Conflict with Alternative Transportation Policies.* As described in Section 4.6 (F), the Project complies with all applicable policies pertaining to alternative transportation. Therefore, impacts on alternative transportation policies will be less than significant.
6. *Rail, Waterborne, or Air Traffic Impacts.* The proposed project site is not located within proximity to any rail line or water body, or within any Airport Land Use Compatibility Zone or influence area. Therefore, impacts to rail, waterborne, or air traffic are less than significant.

PUBLIC FACILITIES (SCHOOLS)



1. *New or altered services in regard to schools.* As described in Sections 4.7.2 and 4.7.3 of the Final EIR, a significant impact on public facilities (schools) would occur if the Project would have an effect upon, or result in the need for new or altered government services in regard to schools. The Project is expected to generate 22 school-aged children. Pursuant to State of California Senate Bill 50, the Project will mitigate all school impacts by paying specified mitigation fees. Accordingly, with the payment of school fees, California law provides that the proposed Project's impact to school facilities would be less than significant.

VISUAL QUALITY/AESTHETICS

1. *Adversely Affect a Scenic Vista or Highway.* As described in Sections 4.8.2 and 4.8.3 of the Final EIR, a significant visual quality/aesthetics impact would occur if the Project would adversely affect a scenic vista or highway. The proposed Project is not located within or adjacent to any scenic Highway Corridor identified by the City of Oceanside or County of San Diego and will therefore not be visible from or adversely affect views of any identified scenic corridors. The Project also will not result in obstruction of any scenic vista or view open to the public because there are no scenic vistas visible when looking towards the site from public viewing points around the property. The Project site itself is not a significant or unique visual resource either because it does not contain or comprise part of a mountaintop, ridgeline, or any unique visual resource identified in the City's General Plan or Community Plan. Accordingly, the Project's visual quality/aesthetic impacts are less than significant because it will not adversely affect any scenic vista or highway.
2. *A Demonstrable Negative Aesthetic Effect.* As described in Sections 4.8.2 and 4.8.3 of the Final EIR, a significant visual quality/aesthetics impact would occur if the Project would have a significant, demonstrable negative aesthetic effect. The Project will convert approximately 35 acres of vacant land to low-density residential development containing 44 single family residences and associated structures. Approximately 45 acres of the northernmost portion of the site would remain as open space and approximately 8 acres would consist of landscaped, manufactured open-space slopes. Manufactured slopes have been designed to retain much of the natural topography. Additionally, 0.4 acres of existing steep natural slopes will not be impacted by the development, thus no negative aesthetic effect will occur in this regard. Also note that this development will be compatible with the pattern of single family residential development and open space currently surrounding the Project site. Under these circumstances, the Project's impact on visual quality/aesthetics is less than significant as it will not have a significant, demonstrable negative aesthetic effect.
3. *Create Light or Glare.* As described in Sections 4.8.2 and 4.8.3 of the Final EIR, a significant visual quality/aesthetics impact would occur if the Project would create significant light or glare. The proposed Project will increase artificial nighttime light and incrementally contribute to a reduction of nighttime views in the area. However, the Project would be required to adhere to the City of Oceanside's Light Pollution Regulations (Ord. No. 91-46, § 1, 10-9-91), a City ordinance specifically adopted to ensure that new projects



do not result in significant adverse light and glare impacts. Therefore, the Project will have a less than significant impact associated with light and glare.

HYDROLOGY

1. *Absorption Rates, Surface Runoff or Drainage.* As described in Sections 4.9.2 and 4.9.3 of the Final EIR, the Project would have significant hydrology impacts if it would change absorption rates, drainage patterns, or the rate and amount of surface runoff. Project implementation will result in small changes to onsite drainage patterns, absorption rates and the amount of surface runoff. Table 4-36 of the Final EIR illustrates that the overall peak-flow runoff will increase by 7.7 cfs. The Project will also increase impervious surface area by 17.5%, resulting in a slight decrease of absorption rates. However, the Project will implement a drainage system making use of new and existing drain systems, a diversion structure, and a filtration basin. These systems will accommodate decreased absorption rates, continue to direct all drainage in the location it currently flows, and reduce potential for flooding currently occurring at Belmont Park Road. Because existing drainage patterns would generally be retained on-site and the Project's drainage system is sized to accommodate increased runoff and decreased absorption rates, the Project's hydrology impacts in this regard are less than significant.
2. *Expose People to Water Hazards such as Flooding.* As described in Sections 4.9.2 and 4.9.3 of the Final EIR, the Project would have significant hydrology impacts if it would expose people or property to significant water related hazards such as flooding. According to the City's General Plan, the Project's Hydrology Study and FEMA Flood Maps, the Project site is not within a major drainage area, floodplain or floodway. Therefore, implementation of the Project does not have the potential to expose people or property to flood hazards and hydrology impacts in this regard are less than significant.
3. *Discharge into Surface Waters/Other Water Quality.* Discharges into surface waters and other related water quality issues are heavily regulated. As described in Sections 4.9.2 and 4.9.3 of the Final EIR, the Project's compliance with the requirements of the NPDES permit and 401 water quality certification and other applicable regulatory programs would reduce water quality impacts to less than significant levels.
4. *Changes in the Amount of Surface Water in Any Water Body.* As described in Sections 4.9.2 and 4.9.3 of the Final EIR, the rate, volume and location of runoff discharged by the Project would not be substantively increased or decreased compared to existing conditions. As a result, the Project would have a less than significant impact on the amount of surface water in any river, or its currents or course.
5. *Change in Currents, or the Course and Direction of Water Movement.* As described in Sections 4.9.2 and 4.9.3 of the Final EIR, the rate, volume and location of runoff discharged by the Project would not be substantively increased or decreased compared to existing



conditions. Therefore, implementation of the proposed Project would not result in changes in currents or the course or direction of water movement.

6. *Change in the Quantity of Groundwater.* As described in Sections 4.9.2 and 4.9.3 of the Final EIR, the proposed Project would not extract or require the extraction of or a material change in groundwater. Therefore, the Project would have a less than significant impact on the alteration of the amount and/or flow of groundwater supplies.
7. *Altered Direction or Rate of Flow of Groundwater.* As described in Sections 4.9.2 and 4.9.3 of the Final EIR, the proposed Project would have a less than significant effect on the direction, rate or flow of groundwater as the Project will not use groundwater or impact a groundwater resource.
8. *Groundwater Quality.* As described in Sections 4.9.2 and 4.9.3 of the Final EIR, the Project will be required to comply with the City's Urban Runoff and Discharge Control Ordinance (Ord. No. 02-OR103-1§1) and other applicable regulatory programs that regulate the significance of impacts to groundwater quality as a standard condition of Project approval. Thus, the Project will have a less than significant impact on potential groundwater quality impacts to a less than significant level.
9. *The Amount of Groundwater Available for Public Supplies.* As described in Sections 4.9.2 and 4.9.3 of the Final EIR, the proposed Project would not use groundwater or impact groundwater resources. Therefore, the Project would not result in a substantial reduction in the amount of groundwater otherwise available for public water supplies.



VI. EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION

LAND USE AND PLANNING

The Jeffries Ranch Project's potential impacts in regards to land use and planning that can be mitigated or are otherwise less than significant are discussed in Section 4.1, *Land Use and Planning*, of the EIR. The identified impact is a conflict with the Oceanside Draft Subarea Plan in relation to the mitigation ratio for coastal sage scrub.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

1. *Conflict with the Draft Oceanside Subarea Plan.* The Project would conflict with the draft Oceanside Subarea Plan because the Project provides mitigation for coastal sage scrub impacts at a ratio of 1.4:1 whereas the draft Subarea Plan recommends a ratio of 2:1.

Findings

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Facts in Support of Findings

EIR Section 4.1.3(B) acknowledges that the proposed Project would not preserve coastal sage scrub at the ratio specified by the City's draft Subarea Plan, identifies this as a significant impact, and specifies that the impact would be reduced to a less than significant level through compliance with the agreement made between the USFWS, CDFG, City of Oceanside, County of San Diego, and the Project Applicant. That agreement is an explicit agreement made between the parties for a complete package of compensatory mitigation for all project effects on public fish and wildlife resources and their habitats. The map in Appendix B shows a "hard line" dividing the agreed area of biological impact from the agreed area of on-site open space preservation. The agreement was approved, after consideration of all relevant factors including the preservation ratio for coastal sage scrub, as a plan that preserves substantial resources and allows the project to move forward while still furthering regional conservation goals. Further, the Draft EIR describes how compliance with the formal wildlife agencies agreement and implementation the mitigation measures contained in Section 4.2.4 of the Final EIR, fully reduces the Project's impacts to biological resources to below a level of significance. Mitigation Measure 4.1-1 requires monitoring by the City to ensure compliance with the hardline agreement. Therefore, the impact of inconsistency with the Draft Oceanside Subarea Plan has been substantially lessened to a less than significant level.

Mitigation Measures:



- 4.1-1 Prior to the approval of final engineering plans, the City shall verify that the Project design and limits of grading and disturbance conform to the provisions for biological mitigation set forth in the May 30, 2002, agreement among the U.S. Fish and Wildlife Service, the California Department of Fish and Game, the County of San Diego, the City of Oceanside and the Project proponent. The agreement supercedes the Subarea Plan, and thus, the terms of agreement are binding over the Project in regards to biological mitigation. The mitigation measures for biological impacts are listed in Section 4.2.4 of the EIR.

BIOLOGICAL RESOURCES

The Jeffries Ranch Project's potential impacts in regards to biological resources that can be mitigated or are otherwise less than significant are discussed in Section 4.2, *Biological Resources*, of the EIR. Impacts identified include impacts to sensitive species and their habitats and wetland habitat.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

1. *Loss of Upland Vegetation Communities.* Implementation of the Jeffries Ranch Project may result in impacts to plant communities identified as sensitive habitats.

Findings

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
2. The effects identified in the EIR have been determined not to be significant.

Facts in Support of Findings

The proposed Project would construct 44 homes, directly impacting 36.2 acres on-site. Impacts to 0.04 acres of riparian woodland, 21.6 acres of coastal sage scrub, 2.5 acres of disturbed coastal sage scrub, 6.1 acres of annual grassland/coastal sage scrub and 5.8 acres of annual grassland are regarded as significant, without mitigation. Off-site, a temporary disturbance would occur to approximately 0.004-acre from installation of a secondary water line in Ramona Drive (Vista) adjacent to existing graded property. Temporary impacts would result from the removal of four on-site utility poles that support above-ground utility lines extending from just northeast of Jeffries Ranch Road to the east of the project site. Removal of the poles would impact a total of 400 square feet (0.009-acre) of annual grassland/coastal sage scrub. All of the areas temporarily affected by pole removal would be returned to pre-existing topography and revegetated with coastal sage scrub, as set forth in the habitat restoration plan. With revegetation, the impact is less than significant. The Project proposes the relocation of a 12-inch water valve from near the Ranch Road terminus off-site at the intersection of Old Ranch Road on the eastern border of the site. This would temporarily impact a 200-foot square area (0.04-acre). The affected area would be returned to pre-existing topography and revegetated with coastal sage scrub. With revegetation, the impact is less than significant. The Project's impacts to upland vegetation



communities have been substantially lessened to a level of less than significant by virtue of mitigation measure 4.2-1. That mitigation measure will accomplish this result by requiring preservation of existing on-site sensitive habitat, restoration of disturbed habitat, proper management and establishment of an endowment.

The identified mitigation for significant direct impacts to sensitive upland vegetation communities is based on a mitigation agreement reached among the USFWS, CDFG, the County, the City and the Project proponent on May 30, 2002. The explicit, hard-line agreement provides for a complete package of compensatory mitigation for all project effects on public fish and wildlife resources and their habitats.

Mitigation Measures:

Mitigation Measures 4.2-1 reduces impacts to below a level of significance and includes the following:

MITIGATION FOR IMPACTS TO SENSITIVE UPLAND VEGETATIVE COMMUNITIES

VEGETATION COMMUNITY	ACREAGE			
	PRESENT ON SITE	IMPACTS	PRESERVED ON SITE	CREATION ON SITE
Coastal sage scrub	34.1	21.6	12.5	0.7
Disturbed coastal sage scrub	2.6	2.5	0.1	0.0
Annual grassland/coastal sage scrub	35.4	6.1	29.3	0.0
Annual grassland	5.8	5.8	0.0	0.0
TOTAL	77.9	36.0	41.9	0.7

SOURCE: HELIX ENVIRONMENTAL PLANNING, JANUARY 28, 2004

4.2-1(A) Prior to the approval of final engineering plans, the City shall verify that the Project design and limits of grading and disturbance conform to the provisions for biological mitigation set forth in the May 30, 2002, agreement among the USFWS, CDFG, the County, the City and the Project proponent. The City shall verify that the final engineering plans: a) allow for a 150-foot wide wildlife corridor on the eastern side of the project site to provide connectivity between the on-site habitats and the San Luis Rey River and Lake Guajome; b) preserve 100 percent of the San Diego ambrosia present on site; c) preserve at least 58 percent of the disturbed and undisturbed coastal sage scrub (includes annual grassland/coastal sage scrub habitat) as a large block of habitat for coastal California gnatcatcher; and d) preserve 99 percent of the riparian habitat and 100 percent of the oak trees on-site. (In consideration of the above listed specific conservation measures, the wildlife agencies agreed that all biological and habitat preserve issues were mitigated on site and that no off-site mitigation for the Project's effects on biological resources is required).



- 4.2-1(B) Prior to the issuance of grading permits, direct impacts to 21.6 acres of coastal sage scrub shall be mitigated on-site through preservation of 12.5 acres of habitat and the creation of 0.7 acres, per the mitigation agreement.
- 4.2-1(C) Prior to the issuance of grading permits, direct impacts to 2.5 acres of disturbed coastal sage scrub shall be mitigated on-site through the preservation of 0.1-acre of habitat, per the mitigation agreement.
- 4.2-1(D) Prior to the issuance of grading permits, direct impacts to 6.1 acres of annual grassland/coastal sage scrub shall be mitigated on-site through preservation of 29.3 acres of habitat, per the mitigation agreement.
- 4.2-1(E) Prior to the issuance of grading permits, direct impacts to 5.8 acres of annual grassland shall be mitigated by the on-site preservation of 5.8 acres within the annual grassland/coastal sage scrub habitat.
- 4.2-1(F) On-site habitat preservation shall be accomplished by the following:
- i. As part of Final Map approval, the applicant shall grant an open space easement to the City of Oceanside or an open space conservation entity approved by the City, USFWS and CDFG for the 41.9 acres of habitat preserved on-site.
 - ii. The on-site preserved habitat and resources (supporting San Diego ambrosia and coastal California gnatcatcher) shall be managed by a qualified conservation entity according to a management plan. The management plan shall be approved by the City, USFWS and CDFG prior to the issuance of grading permits.
 - iii. The applicant shall provide an endowment for funding the management of the 41.9 acre on-site open space easement in order to protect it for perpetuity.
 - iv. Prior to issuance of grading permits, a habitat restoration plan and landscape plans shall be submitted and approved by the appropriate City Departments and/or USFWS and CDFG. The habitat restoration plan shall include the following:
 - a. Restoration mechanisms for 0.7-acre of coastal sage scrub and wetlands and for 0.009-acre of annual grassland/coastal sage scrub, associated with removal of the utility poles.
 - b. A list of plant materials, which are acceptable for landscaping of manufactured slopes and open space areas adjacent to the open space preserve. The plant materials shall consist of native species that are similar to and compatible with the preserve plant communities, and shall be inspected by a qualified pest inspector to ensure that they are free of pest species that could invade natural areas including but not limited to,



- Argentine ants (*Iridomyrmex humil*), fire ants (*solenopsis invicta*) and other insect pests.
- c. A fencing and signage plan that includes fencing and signage at the terminus of Jeffries Ranch Road to block unauthorized access to the open space preserve area.
 - d. A plan for ripping existing trails and a prescription for reseeding ripped areas with a coastal sage scrub hydroseed mix.
 - e. Removal of two stands of olive trees near the northwestern corner and near the central portion of the eastern border of the open space preserve. All olive trees shall be cut, chipped and left on-site as mulch.
 - f. All habitat restoration and landscaping plans shall specify irrigation systems for approval by the City and/or USFWS and CDFG.
 - g. Appropriate monitoring and success criteria.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

2. *Direct Habitat loss for California Gnatcatcher (Three Pair)*. Implementation of the Jeffries Ranch Project may result in direct impacts to habitat for the California gnatcatcher.

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Facts in Support of Findings

Implementation of the proposed Project would result in impacts to 36.2 acres of sensitive vegetative habitat including, impacts to 21.6 acres of coastal sage scrub. The Project would impact three of four on-site coastal California gnatcatcher pairs through direct habitat loss. The California gnatcatcher is a federally threatened species, and direct impacts to the gnatcatcher would be considered significant and require mitigation. The direct impacts to habitat for the California gnatcatcher have been substantially lessened to a level of less than significant by virtue of mitigation measure 4.2-2, identified in the EIR. This result is accomplished by requiring the applicant to preserve and create approximately 47 acres of coastal sage scrub and other habitat consistent with the hardline agreement agreed to by the City, CDFG and USFWS. Compliance with mitigation measure 4.1-1, and the protections it requires for the preserved habitat, also help to reduce potential impacts to a less than significant level.



Mitigation Measures:

- 4.2-2 Mitigation for impacts to the coastal California gnatcatcher shall consist of the on-site preservation of 46.3 acres of coastal sage scrub, disturbed coastal sage scrub, and annual grassland/coastal sage scrub as shown in Table 4-3 of the EIR. In addition, 0.7-acre of coastal sage scrub shall be created at the disturbed old home site in the north-central portion of the site.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

3. *Indirect Impacts to Riparian Area Water Quality.* Implementation of the Jeffries Ranch Project may result in impacts to plant communities identified as sensitive habitats.

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Facts in Support of Findings

Water quality in riparian areas can be adversely affected by surface runoff and sedimentation during construction. The use of petroleum products (fuels, oils, and/or lubricants) and erosion of cleared land during construction could potentially contaminate surface water on site and then downstream in the San Luis Rey River. Additionally, runoff from roads within the occupied development could carry pollutants into these waterways. Decreased water quality may adversely affect vegetation, aquatic animals, and terrestrial wildlife that depend upon these resources. Degradation of surface water quality by the Project could result in a significant impact. The EIR discusses that the Project could potentially result in indirect impacts to riparian area water quality. Mitigation measure 4.2-3 avoids or reduces potential impacts from runoff by requiring implementation of erosion, pollution and sedimentation control measures ranging from collection of runoff to runoff diversion devices and maintenances. Through implementation of that measure, the potentially significant impacts have been substantially lessened to a level of less than significant.

Mitigation Measures:

- 4.2-3 During and after Project construction, the applicant shall implement measures to control erosion, sedimentation, and pollution that could impact water resources on and off site. Standard measures that shall apply to the proposed Project include:
- i. Surface drainage shall be designed to collect and move runoff away from the on-site drainage, and run-off water from landscaped areas shall be directed away from the on-site open space preserve or treated within the development footprint before discharged into natural open space areas.



- ii. Erosion control measures associated with the Project shall include techniques for both short- and long-term erosion hazards. These are likely to include such measures as the short-term use of sandbags, matting, mulches, berms, hay bales, or similar devices along all pertinent graded areas to minimize sediment transport. A hydrologic or engineering consultant shall determine the exact design, location, and schedule of use for such devices.
- iii. Native vegetation shall be preserved whenever feasible and all disturbed areas shall be reclaimed as soon as possible after completion of grading. Native topsoil shall be stockpiled and reapplied as part of the site revegetation whenever possible.
- iv. Use of energy dissipating structures (e.g., detention ponds, riprap, or drop structures) as deemed necessary by a hydrologic or engineering consultant shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.
- v. A maintenance plan for temporary erosion control facilities shall be established. This will typically involve inspection, cleaning, repair operations being conducted after runoff-producing rainfall.
- vi. Removal and disposal of ground water (if any) encountered during construction activities shall be coordinated with the Regional Water Quality Control Board to ensure proper disposal methods and locations under a General Dewatering Permit. This may involve specific measures such as removing excess sediment (through the use of desilting basins, etc.) and limiting discharge velocity.
- vii. Specified fueling and maintenance procedures shall be designated to preclude the discharge of hazardous materials used during construction (e.g., fuels, lubricants, solvents). Such designations shall include specific measures to preclude spill including proper handling and disposal techniques.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

4. *Indirect Impact to Sensitive Habitats from Human Activity.* Implementation of the Jeffries Ranch Project may result in indirect impacts to sensitive habitats from human activity.

Findings

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
2. The effects identified in the EIR have been determined not to be significant.



Facts in Support of Findings

Increases in human activity in the area could result in the degradation of sensitive habitats by the creation and use of additional unauthorized roads or trails. Illegal dumping of lawn and garden clippings, trash, or other refuse could also occur. These impacts would be considered significant and require mitigation. Because equestrian trails in the on-site open space could have substantial impact to biological resources, including the trampling of plants, introduction of invasive plants through seed in manure, soil loosening and compaction by hoofs, etc., the USFWS and CDFG have required a prohibition of trails in the proposed on-site open space area. All proposed equestrian trails would be located adjacent to paved roadways throughout the development. No mitigation for equestrian trails would be required. The potential indirect impacts to sensitive habitats from human activity have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures 4.2-4, identified in the EIR. That mitigation measure accomplishes this result through a combination of required signage and fencing and prohibitions on exotic and invasive plant species.

Mitigation Measures:

- 4.2-4(A) Prior to issuance of the first occupancy permit, the applicant shall post the on-site open space with signage containing information regarding habitat sensitivity and citing that dumping, vehicular activity, equestrian use, or disturbance of habitat are prohibited. The size, location and content of the signs shall be approved by the City and included in the Project's CC&R's to be enforced by the homeowner's association. Also, the applicant shall be required to comply with any additional measures to minimize or prohibit human activity that shall be included in the wildlife agency-approved management plan for the on-site open space.
- 4.2-4(B) No gates or other openings allowing human access shall be permitted in the perimeter fence separating the residential lots and the open space. The fence design shall be approved by the City of Oceanside prior to the issuance of building permits, and the fence shall be installed prior to the issuance of occupancy permits. The prohibition of gates and other openings in the perimeter fence shall be specified in the Project's CC&R's and enforced by the Project's homeowners association.
- 4.2-4(C) The Project's CC&R's shall specify a list of plant materials which are acceptable for landscaping on private lots adjacent to the open space preserve. Exotic and invasive plant species shall be prohibited adjacent to natural open space areas.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

5. *Indirect Impact to Nesting California Gnatcatcher and Raptors.* Implementation of the Jeffries Ranch Project may result in indirect impacts to nesting California gnatcatchers and raptors.

Findings



Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Facts in Support of Findings

Any removal of coastal sage scrub, disturbed coastal sage scrub, and/or annual grassland/coastal sage scrub during the gnatcatcher breeding season (February 15 through August 31) would be potentially significant because of the potential impacts on nesting gnatcatchers. Any construction activity within 300 feet of occupied habitat during the breeding season would be significant and require mitigation. Any construction activity within 500 feet of an active coastal California gnatcatcher nest or within 500 feet of an active raptor nest or other sensitive bird nest also would be significant and require mitigation. Through imposition of mitigation measure 4.2-5, which prohibits potential construction activities that could have an adverse impact on nesting gnatcatchers, the potential indirect impacts to nesting California gnatcatchers and raptors have been eliminated or substantially lessened to a level of less than significant.

Mitigation Measures:

- 4.2-5(A) No grading or clearing of coastal sage scrub, disturbed coastal sage scrub, and annual grassland/coastal sage scrub on site shall occur during the gnatcatcher breeding season (February 15 through August 31).
- 4.2-5(B) No construction activity shall occur within 300 feet of occupied gnatcatcher habitat during the gnatcatcher breeding season (February 15 through August 31). If construction were to occur during the gnatcatcher breeding season:
- i. A pre-construction survey for the gnatcatcher shall be conducted by a qualified biologist (i.e., possesses a section 10(a)(1)(A) gnatcatcher recovery permit from the USFWS) to determine if the gnatcatcher is still present on site.
 - ii. If present, the biologist shall delineate the area in which construction is restricted until the end of the breeding season.
- 4.2-5(C) No construction activity shall occur within 300 feet of an active gnatcatcher nest or within 300 feet of raptor or other active sensitive bird nests. If construction were to begin during the breeding season:
- i. A pre-construction survey for active gnatcatcher nests, raptor nests and other bird nests shall be conducted by a qualified biologist (i.e., holds a section 10(a)(1)(A) gnatcatcher recovery permit from the USFWS) to determine the location of any active nests.
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- ii. The biologist shall clearly define the area in which construction is restricted as long as the nest is active. The biologist shall also determine when the nest becomes inactive and construction can move back into the restricted area.
- iii. If construction begins outside the breeding season (September 1 and February 14) and does not stop for more than three days during the breeding season, then no nest-locating survey shall be required. If construction stops during the breeding season for a period of more than three days, then a nest-locating survey shall be required and subsequent work area restrictions may have to take effect to protect breeding.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

6. *Indirect Impacts to Wildlife from Domestic Animal Predation.* Implementation of the Jeffries Ranch Project may result in indirect impacts to wildlife from domestic animal predation.

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Facts in Support of Findings

Domesticated animals living in the Project have the potential to impact native wildlife. This introduction of additional domesticated animal species into open space would be potentially significant and require mitigation. The EIR addresses this issue through the imposition of a combination of fencing and resident education measures. With implementation of mitigation measure 4.2-6, the potential indirect impacts to wildlife from domestic animal predation have been eliminated or substantially lessened to a level of less than significant.

Mitigation Measures:

- 4.2-6(A) Prior to issuance of the first occupancy permit, the applicant shall construct a 6-foot tall ornamental iron fence along the rear yards of view lots that face the on-site open space. The fence shall have ¾-inch vertical picket railings or other fence type that prevents or discourages domestic pets from escaping the yards and entering the open space. No gates shall access the open space preserve from any private lot.
- 4.2-6(B) Per the wildlife agency-approved management plan for the on-site open space, the applicant shall be required to educate the residents of the development as to the sensitivity of the open space. The management plan shall be approved prior to the issuance of grading permits.



LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

7. *Indirect Impacts to Wildlife from Artificial Lighting.* Implementation of the Jeffries Ranch Project may result in indirect impacts to wildlife from artificial lighting.

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Facts in Support of Findings

Night-time lighting of native habitats can provide nocturnal predators with an unnatural advantage over their prey. This could cause an increased loss in native wildlife that would be potentially significant and require mitigation. The potential indirect impacts to wildlife from artificial lighting have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measure 4.2-7, identified in the EIR which limits light spill from the Project into native habitats.

Mitigation Measures:

- 4.2-7 All construction and subsequent development lighting within 100 feet of the open space preserve shall be confined to areas necessary to ensure public safety and shall be limited to low pressure sodium fixtures directed down and away from the on-site open space preserve.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

8. *Indirect and Short-Term Noise Impact to California Gnatcatcher.* Implementation of the Jeffries Ranch Project may result in indirect and short-term noise impacts to the California gnatcatcher.

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Facts in Support of Findings

Coastal California gnatcatchers occur on the Project site and also may occur near the off-site water line connection. Gnatcatchers could be significantly impacted by indirect noise during Project construction. Noise levels greater than 60 dB(A) L_{eq} at the outside perimeter of gnatcatcher habitat, if they were to affect gnatcatcher breeding, would be significant.



Gnatcatcher breeding season occurs between February 15 through August 31. Mitigation measure 4.2-8 requires testing and monitoring to identify potential impacts and prohibits construction activities within the applicable breeding period that would cause an exceedance of the identified significance threshold. Through implementation of these measures, the potential indirect and short-term noise impacts to the California gnatcatcher have been eliminated or substantially lessened to a level of less than significant.

Mitigation Measures:

Mitigation measures 4.2-8(A) to (D) apply only if construction would occur between February 15 and August 31.

- 4.2-8(A) From February 15 through August 31, no construction activities shall occur on any portion of the site (or area off site near the off-site sewer connection) where such activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied gnatcatcher habitat.
- 4.2-8(B) An analysis showing that noise generated by construction would not exceed 60 dB(A) hourly average at the edge of occupied habitat shall be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with list animal species) at least two weeks prior to the commencement of construction activities during the breeding season.
- 4.2-8(C) Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist, OR,
- 4.2-8(D) At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls, limitations on construction equipment placement and/or simultaneous use of equipment) shall be implemented to ensure that noise levels resulting from construction will not exceed 60dB(A) hourly average at the edge of occupied habitat.
- i. Noise monitoring shall be conducted to ensure the limit is not exceeded. Monitoring shall continue twice weekly on varying days, or more frequently depending on the construction activity.
 - ii. The implementation of any noise attenuation measures (e.g., construction of berms, walls) shall also not exceed noise levels of 60 dB(A) hourly average at the edge of occupied habitat during the breeding season. If the noise attenuation measures are not adequate, then construction activities shall be scaled back or stopped until adequate noise attenuation is achieved or the end of the breeding season (August 31) is reached.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED



9. *Indirect and Short-Term Errant Construction Impacts.* Implementation of the Jeffries Ranch Project may result in indirect and short-term noise errant construction impacts.

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Facts in Support of Findings

Another potentially significant indirect impact of Project construction is errant impacts outside the construction limits. These impacts could result from activities such as grading or habitat clearing outside the limits in sensitive habitat. The potential indirect and short-term errant construction impacts have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measure 4.2-9, identified in the EIR because it requires delineation of sensitive areas, monitoring of work and fencing or other barriers.

Mitigation Measures:

- 4.2-9(A) Prior to the commencement of construction, the applicant shall clearly delineate the construction and construction staging area limits with orange construction fencing and silt fencing or fiber rolls to ensure that construction activity remains within the defined impact area evaluated in this analysis.
- 4.2-9(B) During construction, a qualified biologist shall inspect the delineated areas and shall monitor all coastal sage scrub clearing and grubbing, and all construction activities within 500-feet of the open space preserve in accordance with City, USFWS and CDFG requirements to avoid unauthorized impacts.
- 4.2-9(C) The applicant shall ensure that the construction supervisor and monitoring biologist implement the following conditions during Project construction:
- i. Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced Project disturbance footprint.
 - ii. To avoid attracting predators to the gnatcatcher, the Project site shall be kept as clean of debris as possible during construction. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site.
 - iii. Pets of construction personnel shall not be allowed on the Project site.
 - iv. Disposal or temporary placement of excess fill, brush or other debris shall not be allowed in Waters of the United States or their banks.



- v. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities, shall occur in designated areas outside waters of the United States within the fenced Project impact limits. These designated areas shall be located in previously compacted or disturbed areas to the maximum extent practicable in such a manner as to prevent any run-off from entering waters of the United States and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100-feet from Waters of the United States. Contractor equipment shall be checked for leaks prior to operation and shall be repaired a necessary. "No-fueling zones" shall be designated on the construction plans.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

10. *Direct Impacts to Jurisdictional Waters.* Implementation of the Jeffries Ranch Project would result in direct impacts to jurisdictional waters.

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Facts in Support of Findings

The relocation of a 12-inch water line would temporarily affect waters under the jurisdiction of the ACOE and CDFG. Significant direct impacts would occur to 0.02-acre of Waters of the United States under jurisdiction of the ACOE, and 0.04-acre of Waters of the State under the jurisdiction of the CDFG. Impacts to the ACOE and CDFG jurisdictional areas are potentially significant and require special state and federal permits and the provision of compensatory mitigation. The direct impacts to jurisdictional waters have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measure 4.2-10, identified in the EIR, that requires creation and restoration of compensatory habitat and compliance with applicable permitting requirements.

Mitigation Measures:

- i. 4.2-10(A) Prior to the issuance of grading permits, the ACOE, via the Section 404 permit, shall determine final mitigation for impacts to waters of the U.S. Compensatory mitigation for the Project's effects on 0.02-acre of waters of the U.S. is based upon typical ACOE ratios. A total of 0.04-acre of riparian woodland habitat is proposed as compensatory mitigation. Creation of 0.02-acre and restoration/enhancement of 0.02-acre of riparian woodland habitat would occur within the preserved area where disturbed habitat is present adjacent to riparian woodland in the northern end of the property.



- ii. In the event that on-site mitigation is not possible, off-site mitigation shall be provided within an approved mitigation bank or at a location acceptable to the Corps and the City to mitigate riparian woodland impacts.
- iii. The habitat creation shall be maintained and monitored for five years. Detailed maintenance and monitoring requirements and success criteria will be specified in the Project's Section 404 Permit.

4.2-10(B) Prior to issuance of grading permits, the California Department of Fish and Game (CDFG), via the 1603 Streambed Alteration Agreement, shall determine final mitigation for impacts to CDFG jurisdictional areas. Compensatory mitigation for the Project's effects on 0.04-acre of CDFG jurisdictional area is based on typical CDFG ratios. A total of 0.04-acre of riparian woodland habitat is proposed as compensatory mitigation. Creation of 0.02-acre and restoration/enhancement of 0.02-acre of riparian habitat would occur within the preserved area, where disturbed habitat is present adjacent to riparian woodland in the northern end of the property, or within an approved mitigation bank.

CULTURAL RESOURCES

The Jeffries Ranch Project's potential impacts in regards to cultural resources that can be mitigated or are otherwise less than significant are discussed in Section 4.3, *Cultural Resources*, of the Draft EIR. Impacts identified include impacts to sensitive species and their habitats and wetland habitat.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

1. *Potential Disturbance of Buried Archaeological Resources.* Implementation of the Jeffries Ranch Project may result in impacts to buried archaeological resources.

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Implementation of the following mitigation measure will reduce potentially significant impacts to a less than significant level.

Facts in Support of Findings

The potential impacts to buried cultural resources have been eliminated or substantially lessened to a level of less than significant by virtue of the mitigation measure identified in the Draft EIR. Mitigation Measure 4.3-1 will reduce the potentially significant impact of disturbance of buried cultural resources to a less than significant level. The mitigation measure requires a qualified archaeologist and Native American monitor to be present during pregrading meetings and ground disturbing activities that will likely encounter sensitive cultural resources. The mitigation measures authorize the archaeologist and monitors to temporarily direct ground disturbing



activities away the sensitive resource and to implement to implement a data recovery plan in the event any significant cultural resources are discovered. The monitoring and potential data recovery programs have proven to be effective in avoiding impacts from ground disturbing activities on archeological resources. Therefore, with the adoption of mitigation measure 4.3-1, the project will have a less than significant impact on buried archaeological resources.

Mitigation Measures:

4.3-1 A qualified archaeologist and Native American monitor shall conduct an archaeological monitoring program as follows:

- i. A qualified archaeologist and Native American monitor approved by the City of Oceanside shall attend pre-grading meetings with the Project's grading and construction contractors to explain and ensure the understanding of monitoring program requirements.
- ii. A City-approved archaeologist and Native American monitor shall be on-site during clearing, grading, trenching, and other ground-disturbing activities until the project archaeologist determines that resources are not likely to be encountered.
- iii. If archaeological artifact deposits or cultural features are discovered, grading activities shall be temporarily directed away from these deposits to allow a determination of potential importance. The archaeological monitor shall coordinate with City Oceanside staff regarding assessment of significance and the need for further data recovery in the event that cultural material is encountered.
- iv. Recovered materials shall be catalogued and analyzed.
- v. A report shall be completed describing the methods and results of the monitoring and data recovery program.
- vi. Artifacts shall be removed and curated with accompanying catalogue to current professional repository standards, such as at the San Diego Archaeological Center.

TRAFFIC

The Jeffries Ranch Project's potential impacts in regards to traffic that can be mitigated or are otherwise less than significant are discussed in Section 4.6, *Traffic*, of the Draft EIR. Impacts identified include: a short-term, direct impact to the unsignalized intersection of SR-76 and Jeffries Ranch Road and a short-term construction related impact to neighborhood roads.



LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

1. *Increased Vehicular Trips or Traffic Congestion.* Implementation of the Jeffries Ranch Project may result in short-term, direct traffic impacts to the unsignalized intersection of SR-76 and Jeffries Ranch Road.

Findings

1. Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the EIR.
2. The effects identified in the EIR have been determined not to be significant.

Facts in Support of Findings

The Final EIR discloses existing traffic conditions and conditions with and without the Project in the short term (year 2010) and long term (year 2020). The analysis studied 12 different intersections along SR-76 and local streets while taking into consideration issues such as the future extension of Melrose Drive and the future widening of SR-76. As described in Section 4.6 and the technical appendices, except as described below, from both a roadway segments and intersection operations standpoint the Project would not result in significant traffic impacts.

While the Jeffries Ranch project would not have a significant traffic impact at the intersection of SR-76 and Jeffries Ranch Road, it is recognized that the northbound left turn movement operates at an unacceptable level of service, and the proposed Project would contribute to this poor level of service. It is the City intention, and all recent inquiries with Caltrans indicate that, this intersection will be restricted to right turns in and out only once SR-76 is widened to four travel lanes. With the restriction to right turns in and out only, the intersection would operate with acceptable delay levels and levels of service. A short-term, direct impact would occur if the right-turn only restriction were not in place by the issuance of building permits for the proposed Project. The potential short-term, direct traffic impact to the unsignalized intersection of SR-76 and Jeffries Ranch Road would be substantially lessened, to a level of less than significant, by virtue of mitigation measure 4.6-1, identified in the EIR as it will result in the intersection functioning like it would in a right turn in and out configuration during the am and pm peak periods.

Mitigation Measures:

- 4.6-1 If the intersection of SR-76 and Jeffries Ranch Road is not restricted to right-turns only by Caltrans prior to issuance of the first building permit, the applicant shall install signage at the intersection of SR-76 and Jeffries Ranch Road restricting left-turns from Jeffries Ranch Road onto SR-76 (west bound) during peak hours (7AM to 9AM and 4PM to 6PM, Monday through Friday), subject to the approval of Caltrans and in consultation with the City of Oceanside. The signage shall be removed at the time Caltrans improves the intersection and physically prohibits the left-turn movement.



LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

2. *Short-term, construction-related traffic impact to neighborhood roads.* Implementation of the Jeffries Ranch Project would potentially result in short-term, construction-related traffic impacts to neighborhood roads.

Findings

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
2. The effects identified in the EIR have been determined not to be significant.

Facts in Support of Findings

Section 4.6 of the Final EIR discloses that temporary construction-related traffic has the potential to result in short-term traffic impacts, including increased traffic volumes on roads serving the Mission Meadows Elementary School in the existing Jeffries Ranch neighborhood and at SR-76 and Jeffries Ranch Road. Construction traffic would be limited to project start-up, project tear-down, deliveries of building materials to and from the site, and the arrival and departure of construction workers as the grading plan for the proposed Project indicates that grading would be balanced on site such that there would be no need to remove or deliver dirt to the Project site for preparation of the home pads. To mitigate any potentially significant impact associated with the above referenced traffic conflicts, mitigation measure 4.6-2 requires approval and implementation of a construction traffic plan that avoids potential impacts by restricting the travel routes that construction traffic may utilize. Through this measure, the short-term, construction-related traffic impacts to neighborhood roads has been substantially lessened to a level of less than significant.

Mitigation Measures:

- 4.6-2 Prior to the issuance of grading permits, the applicant shall submit a construction truck routing plan to the City of Oceanside, Department of Planning for approval. Trucks covered by the provisions of the plan shall include those vehicles which are used primarily for construction activities (such as delivery trucks and construction equipment. (This would not include personal or company vehicles used for construction-worker commuting to and from the site.) The construction truck routing plan shall be based on recommendations set forth in the Jeffries Ranch Traffic Study, included as *Appendix J* of the EIR. The plan shall adhere to the following recommendations:
 - i. Construction trucks shall be restricted from traveling on Spur Avenue during the grading and construction phase of the proposed Project.



- ii. Construction trucks shall use the routes depicted on Figure 4-14 for travel to and from the project site. Trucks shall approach on SR-76 and enter the existing Jeffries Ranch neighborhood via Melrose Drive or Jeffries Ranch Road. Trucks entering from Melrose Drive shall turn left on Old Ranch Road, travel to Jeffries Ranch Road and turn right, then travel the length of Jeffries Ranch Road to a temporary construction entrance at the eastern terminus of Jeffries Ranch Road. Trucks entering from Jeffries Ranch Road shall travel the length of Jeffries Ranch Road to the construction entrance. The exit route shall be the same, in the reverse sequence, with one exception. Construction trucks exiting the neighborhood and traveling west shall be required to travel to Melrose Drive and turn left at the signal.

- iii. Construction trucks shall not be permitted to make left turns at the intersection of Jeffries Ranch Road and SR-76.



VII. ENVIRONMENTAL EFFECTS WHICH REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION

The Jeffries Ranch Project would not result in impacts which remain significant and unavoidable after mitigation.



VIII. ALTERNATIVES TO THE PROPOSED PROJECT

Pursuant to Section 15126(d) of the CEQA Guidelines, Section 7 of the EIR describes and evaluates the relative environmental impacts of several project alternatives. In accordance with CEQA, alternatives are to be defined which (i) Are capable of either eliminating or reducing significant adverse impacts associated with the proposed project; and (ii) Have the potential to feasibly attain the basic objectives of the proposed project. CEQA Guidelines (Section 15126.6) requires that "...an EIR shall describe a range of reasonable alternatives to the project.... An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation."

In determining an appropriate range of alternatives to be evaluated in the EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. Alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, (2) they would not have resulted in a reduction of environmental impacts or 3) they were considered infeasible. Reasons for not electing each alternative are discussed below.

Alternative Sites

CEQA does not require that an analysis of alternatives sites always be included in an EIR. In making the decision to include or exclude analysis of an alternative site, the "key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR" (CEQA Guidelines § 15126.6(f)(2)). Among the factors that may be considered when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site [CEQA Guidelines, Section 15126.6(f)(1)].

The proposed residential development is consistent with the Estate B residential land use designation assigned to the property by the City of Oceanside General Plan, and public utilities and roads are available to the site. The Project would not result in any unavoidable environmental impacts that could not be mitigated to below a level of significance. The Project also benefits from a hardline agreement with the City, CDFG and USFWS that approved a plan for mitigation Project impacts on sensitive biological resources. Other properties in the City of Oceanside would not likely result in fewer significant environmental impacts than would development of the project site as proposed.

Alternatives Considered, But Rejected

Alternative Land Use



Development of an alternative land use, such as higher density residential, commercial, or industrial use, would be inconsistent with the City of Oceanside General Plan and Zoning Ordinance and would not meet the objective of the Project, to provide single-family housing on the site. Further, such a development would likely have similar or greater environmental impacts compared to the Project.

Clustered Residential

The development of residential housing in a clustered development pattern consisting of either small single-family lots or attached homes was considered to reduce the disturbance footprint, thereby reducing impacts to on-site biological resources. A clustered design concept was rejected from further consideration because development of residential housing on lot sizes less than minimum 10,000 s.f. would be inconsistent with the City of Oceanside General Plan and Zoning regulations. The site's Residential Estate B zoning designation requires minimum 10,000 s.f. lot sizes.

Previous Project Designs

Planning for the development of the Project site has been ongoing since the late 1980's. Several residential development designs were previously considered by the City of Oceanside for the proposed project site. The proposals included a 153 unit project design with 15,000 square foot lots, and 82 unit design and a 51 unit project design. These designs are described in detail in the EIR and were rejected from further consideration due to inconsistency with current City policies and regulations and/or inconsistency with USFWS and CDFG permit requirements.

Project Alternatives

The EIR includes three project alternatives evaluated at an equal level of detail: the No Project Alternative, the Alternate Project Footprint Alternative, and the With Secretariat Street Alternative. CEQA requires the review of a No Project Alternative. Further, the EIR discloses three previous project designs that were submitted to the City of Oceanside between 1989 and 2002. In consideration of the many past iterations of the Project, along with the alternatives analyzed in the EIR, the alternatives analysis satisfies the CEQA requirement for a "reasonable range."

The following section provides a comparison of the No Project Alternative, the Alternate Project Footprint Alternative, and the With Secretariat Street Alternative with the Jeffries Ranch Project. The City's findings are listed below.

A. NO PROJECT ALTERNATIVE

Under the No Project Alternative, the site would remain vacant and undeveloped. The residential lots, on-site circulation system and on-site trails proposed by the Project would not be constructed. The site would remain in private ownership. There would be no permanent open space easement applied to the property and no open space management plan for the property



would be developed. The property owner, could, at its discretion, fence the site to deter illegal trespassing.

Findings

As described in detail in Section 7.0, *CEQA Project Alternatives*, of the EIR, if implemented, the No Project Alternative would result in one "Less Than Significant Impact," seven "No Impacts" and one potentially "Significant and Unavoidable Impact". The one potential "Significant and Unavoidable Impact" pertains to biological resources. If the property owner were to elect to fence the property to prohibit trespassing/unauthorized use, then impacts to non-avian wildlife movement would be significant and unavoidable. In comparison, if implemented, the Jeffries Ranch Project would result in nine "Less Than Significant Impacts," (four with and five without mitigation).

The No Project Alternative would leave the Project site in its current undeveloped state and it would not achieve the Project Objectives identified in Section 3.0 of the EIR. Although a finding of infeasibility is not required as all potentially significant Project impacts are reduced to a less than significant level, this alternative is also infeasible. For example, this alternative denies the property owner the beneficial use of its property. In addition, under CEQA Guidelines section 15092(c), the lead agency is precluded from reducing housing density if it finds that other specific mitigation measures are available that will provide comparable levels of mitigation. The EIR identifies specific mitigation measures to reduce potential significant impacts to a less than significant level. Thus, the reduction in housing that would result from this alternative is inconsistent with CEQA. The No Project alternative also does not assure the General Plan goals of promoting estate residential development on and environmental protection of the site.

B. THE ALTERNATE PROJECT FOOTPRINT ALTERNATIVE

The Alternate Project Footprint Alternative would place residential development in the area proposed by the Project as open space, and place open space in the area proposed by the Project as residential development. This Alternative would "swap" the development and open space areas proposed by the Project. Under this Alternative, approximately 28.9 acres would be disturbed for the development of 34 residential lots, while 53.6 acres would be preserved as natural open space. This alternative would also include undergrounding of the utility lines along the eastern boundary of the site as this area will already be disturbed as part of the development. Undergrounding of the lines would require the construction of a 16-foot wide access road for use by San Diego Gas and Electric.

Findings

As described in detail in Section 7.0, *CEQA Project Alternatives*, of the EIR, if implemented, the Alternate Project Footprint Alternative would result in seven "Less Than Significant Impacts," (two with and five without mitigation) and two "Significant and Unavoidable Impacts." This alternative would result in reduced traffic and school impacts due to the reduction in the number



of dwelling units, it would reduce impacts to coastal sage scrub habitat and reduce the visibility of the development from the west and south. For these reasons, and because it is generally the least impactful alternative other than the “No Project” alternative, the EIR identifies the Alternate Project Footprint Alternative as the “environmentally superior alternative.”

As explained in the EIR and the record, the Alternate Project Footprint Alternative is not environmentally superior to the Project in all respects or even environmentally superior overall. The Alternate Project Footprint Alternative would not be in compliance with the formal, hardline agreement that was made among the City of Oceanside, USFWS, CDFG, the County of San Diego and the Jeffries Ranch project proponent regarding biological resource preservation on the project site. Non-compliance with this agreement would result in a significant and unavoidable land use and planning impact. Also, non-compliance with the agreement would create impacts to San Diego ambrosia, resulting in a significant and unavoidable biological impact. Further, this alternative would increase the visibility of the project from the north and east, increase air quality and noise impacts during construction as grading at the site would no longer balance and it would not correct flooding that can occur due to the existing insufficiency of the 24 inch RCP in Belmont Park Road.

The Alternate Project Footprint Alternative, compared to the Project, will have greater adverse environmental impacts. Although a finding of infeasibility is not required as all potentially significant Project impacts are reduced to a less than significant level, this alternative is also infeasible. For example, this alternative reduces the financial feasibility by decreasing the number of homes by more than 20%. In addition, under CEQA Guidelines section 15092(c), the lead agency is precluded from reducing housing density if it finds that other specific mitigation measures are available that will provide comparable levels of mitigation. The EIR identifies specific mitigation measures to reduce potential significant impacts to a less than significant level. Thus, the reduction in housing that would result from this alternative is inconsistent with CEQA. The Alternate Project Footprint Alternative also directly conflicts with the approved approach agreed to by the City, USFWS, CDFG and the County of San Diego for properly balancing the regional conservation value of the various resources found on the property.

C. THE WITH SECRETARIAT STREET ALTERNATIVE

This Alternative considers the retention of the Secretariat Street connection through the northern portion of the project site. The Project proposes a General Plan Circulation Element Amendment to delete a secondary, future connection (“Secretariat Street”) through the proposed project site to Mission Avenue/SR-76, as shown in Figure 3-6, General Plan Amendment Exhibit. Under this Alternative, Secretariat Street would connect from SR-76 to the proposed extension of Belmont Park Road through the project site. Also, under this Alternative, Jeffries Ranch Road, which currently terminates at the project boundary would extend into the site and connect with the proposed Secretariat Street alignment.



Findings

As stated in Section 7.0, *CEQA Project Alternatives*, of the EIR, if implemented, the With Secretariat Street Alternative would result in seven “Less Than Significant Impacts,” (three with and four without mitigation) and two “Significant and Unavoidable Impacts”. Compared to the Project, potentially significant land use impact would be reduced as a General Plan Amendment would not be needed to delete the Secretariat Street extension. In addition, traffic volumes in the Jeffries Ranch neighborhood to the west of the Project site would be reduced because of the additional roadways.

Section 7.0 of the EIR also discloses that this alternative will result in greater impacts with respect to some areas. The With Secretariat Street Alternative would not be in compliance with the formal, hardline agreement that was made among the City of Oceanside, USFWS, CDFG, the County of San Diego and the Jeffries Ranch project proponent regarding biological resource preservation on the Project site. Non-compliance with this agreement would result in a significant and unavoidable land use and planning impact. Also, non-compliance with the agreement would create impacts to San Diego ambrosia, resulting in a significant and unavoidable biological impact. This alternative would increase air quality and noise impacts during construction as grading at the site would no longer balance and increase impacts to biological resources such as riparian woodland, coastal live oak woodland and graceful tarplant.

The With Secretariat Street Alternative, compared to the Project, will have greater adverse environmental impacts. Further, although a finding of infeasibility is not required as all potentially significant Project impacts are reduced to a less than significant level, this alternative is also infeasible. For example, the Alternate Project Footprint Alternative directly conflicts with the approved approach agreed to by the City, USFWS, CDFG and the County of San Diego for properly balancing the regional conservation value of the various resources found on the property.

IX. OTHER MANDATORY CEQA TOPICS

SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

As described in Section 6.2 of the Final EIR, natural resources in the form of construction materials and energy resources would be utilized as part of the Property. Based on factors such as the quantity of materials required for the Project, the general availability of those resources and the energy conservation measures required by the Uniform Building Code, the Project will not have a significant adverse environmental impact as a result of its use of natural resources. Similarly, although the Project will disturb sensitive biological resources such as graceful tarplant and coastal sage scrub, the Project’s adherence to the mitigation measures specified in Section 4.2 of the Final EIR will reduce potentially significant impacts to a less than significant level.



GROWTH INDUCING IMPACTS

Section 6.3 of the Final EIR analyzes the potential growth inducing impacts of the Project. The project represents the final phase of a built out, planned community known as Jeffries Ranch. As disclosed in Section 6.3, the Project's density and intensity are consistent with planned growth identified in the City of Oceanside General Plan and related regional growth forecasts. Residential development already exists to the south and west of the Project site. All required infrastructure exists at the Project boundaries and the Project will not result in the extension of roads or other infrastructure utilities beyond its boundaries. Further, approximately 45 acres along the north and east portions of the Project site will be preserved in perpetuity as natural open space. Therefore, implementation of the Project will not result in significant growth inducing impacts.

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Table 1-2: MITIGATION MONITORING AND REPORTING PROGRAM

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
<p>4.1 LAND USE CONSISTENCY</p> <p>Impact 4.1-1: The Project would not comply with the coastal sage scrub mitigation ratio specified in potential impacts resulting from conflicts with the draft Oceanside Subarea Habitat Conservation Plan / Natural Communities Conservation Plan may occur.</p>	<p>Less than significant</p>	<p>4.1-1</p> <p>Prior to the approval of final engineering plans, the City shall verify that the project design and limits of grading and disturbance conform to the provisions for biological mitigation set forth in the May 30, 2002, agreement among the U.S. Fish and Wildlife Service, the California Department of Fish and Game, the County of San Diego, the City of Oceanside and the project proponent. The agreement pre-dates Subarea Plan approval, and thus, the terms of agreement are binding over the project in regards to biological mitigation. The mitigation measures for biological impacts are listed in Section 4.2.4 of this EIR.</p>	<p>City of Oceanside</p>	<p>Prior to approval of final engineering plans</p>
<p>4.2 BIOLOGICAL RESOURCES</p> <p>Impact 4.2-1: Impacts to 0.04 acres of riparian woodland, 21.6 acres of coastal sage scrub, 2.5 acres of disturbed coastal sage scrub, 6.1 acres of non-native grassland/coastal sage scrub and 5.8 acres of non-native grassland are regarded as significant direct impacts to upland vegetation communities.</p>	<p>Less than significant</p>	<p>4.2-1</p> <p>(A) Prior to the approval of final engineering plans, the City shall verify that the project design and limits of grading and disturbance conform to the provisions for biological mitigation set forth in the May 30, 2002, agreement among the USFWS, CDFG, the County, the City and the project proponent. The City shall verify that the final engineering plans: a) allow for a 150-foot wide wildlife corridor on the eastern side of the project site to provide connectivity between the on-site habitats and the San Luis Rey River and Lake Guajome; b) preserve 100 percent of the San Diego ambrosia present on site; c) preserve at least 58 percent of the disturbed and undisturbed coastal sage scrub (includes non-native grassland/coastal sage scrub habitat) as a large block of habitat for coastal California gnatcatcher; and d) preserve 99 percent of the riparian habitat and 100 percent of the oak trees on-site. <i>(In consideration of the above listed specific conservation measures, the wildlife agencies agreed that all biological and habitat preserve issues were mitigated on site and that no off-site mitigation for the project's effects on biological resources is required).</i></p> <p>(B) Prior to the issuance of grading permits, direct impacts to 21.6 acres of coastal sage scrub shall be mitigated on-site through preservation of 12.5 acres of habitat and the creation of 0.7 acres, per the mitigation agreement.</p>	<p>City of Oceanside</p>	<p>Prior to approval of final engineering plans</p> <p>Prior to issuance of grading permits</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
		<p>(C) Prior to the issuance of grading permits, direct impacts to 2.5 acres of disturbed coastal sage scrub shall be mitigated on-site through the preservation of 0.1-acre of habitat, per the mitigation agreement.</p> <p>(D) Prior to the issuance of grading permits, direct impacts to 6.1 acres of annual grassland/coastal sage scrub shall be mitigated on-site through preservation of 29.3 acres of habitat, per the mitigation agreement.</p> <p>(E) Prior to the issuance of grading permits, direct impacts to 5.8 acres of non-native grassland shall be mitigated by the on-site preservation of 5.8 acres within the non-native grassland/coastal sage scrub habitat.</p> <p>(F) On-site habitat preservation shall be accomplished by the following:</p> <ol style="list-style-type: none"> i. As part of Final Map approval, the applicant shall grant an open space easement to the City of Oceanside or an open space conservation entity approved by the USFWS and CDFG for the 41.9 acres of habitat preserved on-site. ii. The on-site preserved habitat and resources (supporting San Diego ambrosia and coastal California gnatcatcher) shall be managed by a qualified conservation entity according to a management plan. The management plan shall be approved by the USFWS and CDFG prior to the issuance of grading permits. iii. The applicant shall provide an endowment for funding the management of the 41.9 acre on-site open space easement in order to protect it for perpetuity. iv. Prior to issuance of grading permits, a restoration plan and landscape plans shall be submitted for restoration of 0.7 acres of coastal sage scrub and wetlands. These plans shall be approved by the appropriate City Departments. The habitat restoration plan shall include the following: <ol style="list-style-type: none"> a. Restoration mechanisms for 0.7-acre of coastal sage scrub and wetlands and for 	<p>City of Oceanside</p> <p>City of Oceanside</p> <p>City of Oceanside</p> <p>City of Oceanside, USFWS and CDFG</p>	<p>Prior to issuance of grading permits</p> <p>Prior to issuance of grading permits</p> <p>Prior to issuance of grading permits</p> <p>Prior to final map approval and prior to the issuance of grading permits</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
<p>Impact 4.2-2: Impacts to three coastal California gnatcatcher pairs through direct habitat loss would be considered significant direct impact to sensitive wildlife.</p>	<p>Less than significant</p>	<p>0.009-acre of annual grassland/coastal sage scrub, associated with removal of the utility poles.</p> <p>b. A list of plant materials, which are acceptable for landscaping of manufactured slopes and open space areas adjacent to the open space preserve. The plant materials shall consist of native species that are similar to and compatible with the preserve plant communities, and shall be inspected by a qualified pest inspector to ensure that they are free of pest species that could invade natural areas including, but not limited to, Argentine ants (<i>Iridomyrmex humil</i>), fire ants (<i>Solenopsis invicta</i>) and other insect pests.</p> <p>c. A fencing and signage plan that includes fencing and signage at the terminus of Jeffries Ranch Road to block unauthorized access to the open space preserve area.</p> <p>d. A plan for ripping existing trails and a prescription for reseeding ripped areas with a coastal sage scrub hydroseed mix.</p> <p>e. Removal of two stands of olive trees near the northwestern corner and near the central portion of the eastern border of the open space preserve. All olive trees shall be cut, chipped and left on-site as mulch.</p> <p>f. All habitat restoration and landscaping plans shall specify irrigation systems for approval by the City and/or USFWS and CDFG.</p> <p>g. Appropriate monitoring and success criteria.</p> <p>4.2-2 Mitigation for impacts to the coastal California gnatcatcher shall consist of the on-site preservation of 46.3 acres of coastal sage scrub, disturbed coastal sage scrub, and non-native grassland/coastal sage scrub as shown in Table 4-3. In addition, 0.7-acre of coastal sage scrub shall be created at</p>	<p>City of Oceanside</p>	<p>Prior to issuance of grading permits</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
<p>Impact 4.2-3: Any degradation of surface water quality by the Project would be considered a potentially significant indirect impact to downstream aquatic resources.</p>	<p>Less than significant</p>	<p>4.2-3</p> <p>the disturbed old home site in the north-central portion of the site.</p> <p>During and after project construction, the applicant shall implement measures to control erosion, sedimentation, and pollution that could impact water resources on and off site. Standard measures that shall apply to the proposed project include:</p> <ul style="list-style-type: none"> i. Surface drainage shall be designed to collect and move runoff away from the on-site drainage, and run-off water from landscaped areas shall be directed away from the on-site open space preserve or treated within the development footprint before discharged into natural open space areas. ii. Erosion control measures associated with the project shall include techniques for both short- and long-term erosion hazards. These are likely to include such measures as the short-term use of sandbags, matting, mulches, berms, hay bales, or similar devices along all pertinent graded areas to minimize sediment transport. A hydrologic or engineering consultant shall determine the exact design, location, and schedule of use for such devices. iii. Native vegetation shall be preserved whenever feasible, all disturbed areas shall be reclaimed as soon as possible after completion of grading. Native topsoil shall be stockpiled and reapplied as part of the site revegetation whenever possible. iv. Use of energy dissipating structures (e.g., detention ponds, riprap, or drop structures) as deemed necessary by a hydrologic or engineering consultant shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion. v. A maintenance plan for temporary erosion control facilities shall be established. This will typically involve inspection, cleaning, repair operations being conducted after runoff-producing rainfall. 	<p>City of Oceanside</p>	<p>Prior to issuance of grading permits, through the completion of construction.</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
<p>Impact 4.2-4: Increases in human activity in the area could result in the degradation of sensitive habitats by the creation and use of additional unauthorized roads or trails. Increased human activity is considered a potentially significant indirect impact.</p>	<p>Less than significant.</p>	<p>vi. Removal and disposal of ground water (if any) encountered during construction activities shall be coordinated with the Regional Water Quality Control Board to ensure proper disposal methods and locations under a General Dewatering Permit. This may involve specific measures such as removing excess sediment (through the use of desilting basins, etc.) and limiting discharge velocity.</p> <p>vii. Specified fueling and maintenance procedures shall be designated to preclude the discharge of hazardous materials used during construction (e.g., fuels, lubricants, solvents). Such designations shall include specific measures to preclude spill including proper handling and disposal techniques.</p> <p>(A) Prior to issuance of the first occupancy permit, the applicant shall post the on-site open space with signage containing information regarding habitat sensitivity and citing that dumping, vehicular activity, or disturbance of habitat are prohibited. The size, location and content of the signs shall be approved by the City and included in the Project's CC&R's to be enforced by the homeowner's association. Also, the applicant shall be required to comply with any additional measures to minimize or prohibit human activity that shall be included in the wildlife agency-approved management plan for the on-site open space.</p> <p>(B) No gates or other openings allowing human access shall be permitted in the perimeter fence separating the residential lots and the open space. The fence design shall be approved by the City of Oceanside prior to the issuance of building permits, and the fence shall be installed prior to the issuance of occupancy permits. The prohibition of gates and other openings in the perimeter fence shall be specified in the Project's CC&R's and enforced by the Project's homeowners association.</p> <p>(C) The Project's CC&R's shall specify a list of plant materials which are acceptable for landscaping on private lots adjacent to the open space preserve. Exotic and invasive plant species shall be prohibited adjacent to natural open space areas.</p>	<p>City of Oceanside</p>	<p>Prior to issuance of first occupancy permit</p>
			<p>City of Oceanside</p>	<p>Prior to issuance of first occupancy permit</p>
			<p>City of Oceanside</p>	<p>Prior to issuance of the first occupancy permit.</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
<p>Impact 4.2-5: Significant impacts to the coastal California gnatcatcher or breeding raptors could occur with Project implementation, including: any removal of coastal sage scrub, disturbed coastal sage scrub, and/or non-native grassland/coastal sage scrub during the gnatcatcher breeding season (February 15 through August 31); any construction activity within 300 feet of occupied habitat during the breeding season; any construction activity within 500 feet of an active coastal California gnatcatcher nest or within 500 feet of an active raptor nest.</p>	<p>Less than significant.</p>	<p>4.2-5</p> <p>(A) No grading or clearing of coastal sage scrub, disturbed coastal sage scrub, and non-native grassland/coastal sage scrub on site shall occur during the gnatcatcher breeding season (February 15 through August 31).</p> <p>(B) No construction activity shall occur within 300 feet of occupied gnatcatcher habitat during the gnatcatcher breeding season (February 15 through August 31). If construction were to occur during the gnatcatcher breeding season:</p> <ul style="list-style-type: none"> i. A pre-construction survey for the gnatcatcher shall be conducted by a qualified biologist (i.e., possesses a section 10(a)(1)(A) gnatcatcher recovery permit from the USFWS) to determine if the gnatcatcher is still present on site. ii. If present, the biologist shall delineate the area in which construction is restricted until the end of the breeding season. <p>(C) No construction activity shall occur within 500 feet of an active gnatcatcher or within 300 feet of a raptor nest or other sensitive active bird nests. If construction were to begin during the breeding season:</p> <ul style="list-style-type: none"> i. A pre-construction survey for active gnatcatcher nests, raptor nests and other bird nests shall be conducted by a qualified biologist (i.e., holds a section 10(a)(1)(A) gnatcatcher recovery permit from the USFWS) to determine the location of any active nests. ii. The biologist shall clearly define the area in which construction is restricted as long as the nest is active. The biologist shall also determine when the nest becomes inactive and construction can move back into the restricted area. iii. If construction begins outside the breeding season (September 1 and February 14) and does not stop for more than three days during the breeding season, then no nest-locating survey shall be required. If construction stops during the breeding season for a period of more than three days, then a 	<p>City of Oceanside</p> <p>City of Oceanside</p> <p>City of Oceanside</p>	<p>Prior to cleaning, grubbing or grading</p> <p>During grading and construction</p> <p>During construction</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
<p>Impact 4.2-6: Domestic animals could significantly impact native wildlife in the immediate area. The introduction of domesticated animal species into open space would be a potentially significant indirect impact.</p>	<p>Less than significant</p>	<p>nest-locating survey shall be required and subsequent work area restrictions may have to take effect to protect breeding.</p> <p>4.2-6 (A) Prior to issuance of the first occupancy permit, the applicant shall construct a 6-foot tall ornamental iron fence along the rear yards of view lots that face the on-site open space. The fence shall have ¾-inch vertical picket railings or other fence type that prevents or discourages domestic pets from escaping the yards and entering the open space. No gates shall access the open space preserve from any private lot.</p> <p>(B) Per the wildlife agency-approved management plan for the on-site open space, the applicant shall be required to educate the residents of the development as to the sensitivity of the open space. The management plan shall be approved prior to the issuance of grading permits.</p>	<p>City of Oceanside</p>	<p>Prior to issuance of the first occupancy permit</p>
<p>Impact 4.2-7: Night-time lighting on native habitats can provide nocturnal predators with an unnatural advantage over their prey. This could cause an increased loss in native wildlife that would be potentially significant</p>	<p>Less than significant.</p>	<p>4.2-7 All construction and subsequent development lighting within 100 feet of the open space preserve shall be confined to areas necessary to ensure public safety and shall be limited to low pressure sodium fixtures directed down and away from the on-site open space preserve.</p>	<p>City of Oceanside</p>	<p>Prior to issuance of building permits</p>
<p>Impact 4.2-8: Coastal California gnatcatchers could be impacted significantly by indirect noise during Project construction. Noise levels greater than 60 dB(A) L_{eq} at the outside perimeter of gnatcatcher habitat, if they were to affect gnatcatcher breeding (February 15 through August 31), could result in significant indirect impacts.</p>	<p>Less than significant</p>	<p>4.2-8 Mitigation measures 4.2-8(A) to (D) shall apply if construction would occur between February 15 and August 31.</p> <p>A) From February 15 through August 31, no construction activities shall occur on any portion of the site (or area off site near the off-site sewer connection) where such activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied gnatcatcher habitat.</p> <p>(B) An analysis showing that noise generated by construction would not exceed 60 dB(A) hourly average at the edge of occupied habitat shall be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with list animal species) at least two weeks prior to the commencement of construction activities during the breeding season.</p>	<p>City of Oceanside</p>	<p>Prior to commencement of grading and construction</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
<p>Impact 4.2-9: Any grading or habitat clearing impacts outside the limits in sensitive habitat would be significant.</p>	<p>Less than significant.</p>	<p>(C) Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist, OR,</p> <p>(D) At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls, limitations on construction equipment placement and/or simultaneous use of equipment) shall be implemented to ensure that noise levels resulting from construction will not exceed 60dB(A) hourly average at the edge of occupied habitat.</p> <p>i. Noise monitoring shall be conducted to ensure the limit is not exceeded. Monitoring shall continue twice weekly on varying days, or more frequently depending on the construction activity.</p> <p>ii. The implementation of any noise attenuation measures (e.g., construction of berms, walls) shall also not exceed noise levels of 60 dB(A) hourly average at the edge of occupied habitat during the breeding season. If the noise attenuation measures are not adequate, then construction activities shall be scaled back or stopped until adequate noise attenuation is achieved or the end of the breeding season (August 31) is reached.</p> <p>4.2-9</p> <p>(A) Prior to the commencement of construction, the applicant shall clearly delineate the construction and construction staging area limits with orange construction fencing and silt fencing or fiber rolls to ensure that construction activity remains within the defined impact area evaluated in this analysis.</p> <p>(B) During construction, a qualified biologist shall inspect the delineated areas and shall monitor all coastal sage scrub clearing and grubbing, and all construction activities within 500-feet of the open space preserve in accordance with City, USFWS and CDFG requirements to avoid unauthorized impacts.</p> <p>(C) The applicant shall ensure that the construction supervisor and monitoring biologist implement the following conditions during project construction:</p> <p>i. Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced</p>	<p>City of Oceanside</p> <p>City of Oceanside</p> <p>City of Oceanside</p> <p>City of Oceanside</p> <p>City of Oceanside, Project Biologist</p>	<p>Prior to commencement of grading</p> <p>Prior to commencement of grading</p> <p>Prior to commencement of grading</p> <p>From the commencement of grading to the completion of construction</p> <p>From the commencement of grading to the completion of construction</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
<p>Impact 4.2-10: Significant direct impacts would occur to 0.02-acre of Waters of the United States under jurisdiction of the ACOE, and 0.04-acre of Waters of the State under the jurisdiction of the CDFG.</p>	<p>Less than significant.</p>	<p>Project disturbance footprint.</p> <p>ii. To avoid attracting predators to the gnatcatcher, the project site shall be kept as clean of debris as possible during construction. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site.</p> <p>iii. Pets of construction personnel shall not be allowed on the project site.</p> <p>iv. Disposal or temporary placement of excess fill, brush or other debris shall not be allowed in Water of the United States or their banks.</p> <p>v. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities, shall occur in designated areas outside waters of the United States within the fenced Project Impact limits. These designated areas shall be located in previously compacted or disturbed areas to the maximum extent practicable in such a manner as to prevent any run-off from entering waters of the United States and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100-feet from Waters of the United States. Contractor equipment shall be checked for leaks prior to operation and shall be repaired as necessary. "No-fueling zones" shall be designated on the construction plans.</p> <p>4.2-10</p> <p>(A) Prior to the issuance of grading permits, the ACOE, via the Section 404 permit, shall determine final mitigation for impacts to Waters of the U.S. Compensatory mitigation for the project's effects on 0.02-acre of Waters of the U.S. is based upon typical ACOE ratios. A total of 0.06-acre of riparian woodland habitat is proposed as compensatory mitigation. Creation of 0.02-acre and restoration/enhancement of 0.04-acre of riparian woodland habitat would occur within the preserved area where disturbed habitat is present adjacent to riparian woodland in the northern end of the property.</p> <p>i. In the event that on-site mitigation is not possible, off-site mitigation shall be provided within an approved mitigation bank or at a location acceptable to the Corps and the City to mitigate riparian woodland impacts.</p>	<p>US Army Corps of Engineers, California Department of Fish and Game</p>	<p>Prior to the issuance of grading permits</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
		<p>ii. The habitat creation shall be maintained and monitored for five years. Detailed maintenance and monitoring requirements and success criteria will be specified in the Project's Section 404 Permit.</p> <p>(B) Prior to issuance of grading permits, the California Department of Fish and Game (CDFG), via the 1603 Streambed Alteration Agreement, shall determine final mitigation for impacts to CDFG jurisdictional areas. Compensatory mitigation for the project's effects on 0.04-acre of CDFG jurisdictional area is based on typical CDFG ratios. A total of 0.12-acre of riparian woodland habitat is proposed as compensatory mitigation. Creation of 0.04-acre and restoration/enhancement of 0.08-acre of riparian habitat would occur within the preserved area, where disturbed habitat is present adjacent to riparian woodland in the northern end of the property.</p> <p>i. In the event that on-site mitigation is not possible, off-site mitigation shall be provided within an approved mitigation bank or at a location acceptable to the CDFG and the City to mitigate riparian woodland impacts.</p> <p>ii. The habitat creation shall be maintained and monitored for a period of five years.</p>	<p>California Department of Fish and Game</p>	<p>Prior to the issuance of grading permits</p>
<p>4.3 CULTURAL RESOURCES</p> <p>Impact 4.3-1: Potential impacts to buried archaeological resources could occur during Project grading.</p>	<p>Less than significant.</p>	<p>4.3-1</p> <p>A qualified archaeologist and Native American monitor shall conduct an archaeological monitoring program as follows:</p> <p>i. A qualified archaeologist and Native American monitor approved by the City of Oceanside shall attend pre-grading meetings with the project's grading and construction contractors to explain and ensure the understanding of monitoring program requirements.</p> <p>ii. A City-approved archaeologist and Native American monitor approved by the City of Oceanside shall be on-site during clearing, grading, trenching, and other ground-disturbing activities until the project archaeologist determines that resources are not likely to be encountered.</p> <p>iii. If archaeological artifact deposits or cultural features are</p>	<p>City of Oceanside, Project Archaeologist, Native American Monitor</p>	<p>Prior to commencement of grading through the completion of grading</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
<p>4.4 AIR QUALITY</p> <p>Construction-related air emissions would be below SDAPCD significance thresholds. Because the proposed Project's residential land use intensity is below the permitted base density allowed on the site by the Oceanside General Plan, projected air quality impacts from developing the site are accounted for in the San Diego Regional Air Quality Strategy; therefore, long-term air quality impacts would not be significant.</p>	<p>Less than significant</p>	<p>discovered, grading activities shall be temporarily directed away from these deposits to allow a determination of potential importance. The archaeological monitor shall coordinate with City Oceanside staff regarding assessment of significance and the need for further data recovery in the event that cultural material is encountered.</p> <p>iv. Recovered materials shall be catalogued and analyzed.</p> <p>v. A report shall be completed describing the methods and results of the monitoring and data recovery program.</p> <p>vi. Artifacts shall be removed and curated with accompanying catalogue to current professional repository standards, such as at the San Diego Archaeological Center.</p>	<p>Not applicable</p>	<p>Not applicable</p>
<p>4.5 NOISE</p> <p>Construction-related noise and vehicular noise would occur, but noise levels would be below acceptable noise levels for noise sensitive land uses.</p>	<p>Less than significant</p>	<p>None required.</p>	<p>Not applicable</p>	<p>Not applicable</p>
<p>4.6 TRAFFIC</p> <p>Impact 4.6-1: A short-term, direct impact would result from Project implementation to the unsignalized intersection of SR-76 and Jeffries Ranch Road.</p>	<p>Less than significant</p>	<p>4.6-1 If the intersection of SR-76 and Jeffries Ranch Road is not restricted to right-turns only by Caltrans prior to issuance of the first building permit, the applicant shall install signage at the intersection of SR-76 and Jeffries Ranch Road restricting left-turns from Jeffries Ranch Road onto SR-76 (west</p>	<p>City of Oceanside, Department of Public Works</p>	<p>Prior to issuance of building permits</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
<p>Impact 4.6-2: Project implementation could result in potential short-term construction-related impacts to neighborhood roads.</p>	<p>Less than significant</p>	<p>bound) during peak hours (7AM to 9AM and 4PM to 6PM, Monday through Friday), subject to the approval of Caltrans and in consultation with the City of Oceanside. The signage shall be removed at the time Caltrans improves the intersection and physically prohibits the left-turn movement.</p> <p>4.6-2 Prior to the issuance of grading permits, the applicant shall submit a construction truck routing plan to the City of Oceanside, Department of Planning for approval. Trucks covered by the provisions of the plan shall include those vehicles which are used primarily for construction activities (such as delivery trucks and construction equipment. (This would not include personal or company vehicles used for construction-worker commuting to and from the site.) The construction truck routing plan shall be based on recommendations set forth in the Jeffries Ranch Traffic Study, included as Appendix J of this EIR. The plan shall adhere to the following recommendations:</p> <ul style="list-style-type: none"> i. Construction trucks shall be restricted from traveling on Spur Avenue during the grading and construction phase of the proposed Project. ii. Construction trucks shall use the routes depicted on Figure 4-14 for travel to and from the project site. Trucks shall approach on SR-76 and enter the existing Jeffries Ranch neighborhood via Melrose Drive or Jeffries Ranch Road. Trucks entering from Melrose Drive shall turn left on Old Ranch Road, travel to Jeffries Ranch Road and turn right, then travel the length of Jeffries Ranch Road to a temporary construction entrance at the eastern terminus of Jeffries Ranch Road. Trucks entering from Jeffries Ranch Road shall travel the length of Jeffries Ranch Road to the construction entrance. The exit route shall be the same, in the reverse sequence, with one exception. Construction trucks exiting the neighborhood and traveling west shall be required to travel to Melrose Drive and turn left at the signal. iii. Construction trucks shall not be permitted to make left turns at the intersection of Jeffries Ranch Road and SR-76. 	<p>City of Oceanside, Planning Department</p>	<p>Prior to issuance of grading permits</p>

Impacts	Level of Significance After Mitigation	Mitigation Measures	Responsible Party / Monitoring Party	Implementation Stage
4.7 PUBLIC FACILITIES (SCHOOLS)				
The Project would generate approximately 10 students grades K through 5; 5 students grades 6 through 8; and 7 students grades 9 through 12. The Project would not result in the need for new or expanded school facilities.	Less than significant	None required. In accordance with the requirements of the State of California Senate Bill 50, the project is required to pay school impact fees. No additional mitigation is necessary.	Not applicable	Not applicable
4.8 VISUAL QUALITY/AESTHETICS				
The Project would not result in the obstruction of any scenic vista or view open to the public. The creation of manufactured slopes in excess of 30 feet would not be considered adverse with the installation of landscaping, resulting in a less than significant impact to visual quality.	Less than significant	None required.	Not applicable	Not applicable
4.9 HYDROLOGY				
The Project would not significantly change drainage patterns or resulting flooding. No adverse impacts would occur to surface or ground water quality. The Project proposes on site water quality features to filter urban pollutants before discharge.	Less than significant	None required.	Not applicable	Not applicable

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PLANNING COMMISSION
RESOLUTION NO. 2006-P70

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE MAP, DEVELOPMENT PLAN, GENERAL PLAN AMENDMENT, AND CONDITIONAL USE PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: T-9-99, D-24-99, GPA-5-04 and C-33-99
APPLICANT: Brehm Companies
LOCATION: North of the intersection of Spur Avenue and Belmont Park Road, south of Highway 76

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 Tentative Map, Development Plan, General Plan Amendment, and Conditional Use Permit under the provisions of Articles 10, 30, 41 & 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

44-lot single-family residential subdivision;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 20th day of November, 2006 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, the Planning Commission after considering the General Plan Circulation Element amendment whereby the Secreteriat Street connection to SR-76 through the project site will be deleted, recommends to the City Council that this amendment be approved.

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

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

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

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. R91-38	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 89-231	\$2,843 - \$15,964 depending on location
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. R91-39	\$2,072 per unit
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot (Vista)
10	Traffic Signal Fee	Ordinance No. 87-19	\$15.71 per vehicle trip
11	Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
12			
13			
14	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 02-OR-332-1	Fee based on meter size Typical fee is \$3,746
15			
16			
17			
18	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 02-OR-333-1	Fee based on meter size Typical fee is \$4,587
19			
20			
21	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2000-3	Based on meter size. Residential is typically \$4,154 per unit
22			
23	Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code	\$1,000 per development project + \$100 per unit plus \$10,275 per unit
24			
25			

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

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

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

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

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

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

15 FINDINGS:

16 For the Tentative Map:

- 17 1. The proposed subdivision creates parcels that are consistent and exceed the requirements
18 of the RE-B-EQ zoning designation. The subdivision map is consistent with the General
19 Plan of the City.
- 20 2. The proposed building pads on the site will conform to the topography of the site,
21 therefore, making it suitable for residential development. The 82.5-acre site is physically
22 suitable to allow for the development of 44 residential lots.
- 23 3. The subdivision complies with all other applicable ordinances, regulations and
24 guidelines of the City.
- 25 4. The design of the subdivision or proposed improvements will not conflict with
26 easements, acquired by the public at large, for access through the use of property within
27 the subdivision.
- 28 5. That the design of the subdivision or the proposed improvements will not cause
29 substantial environment damage with the proposed mitigation or substantially and
avoidably injure fish or wildlife or their habitat.

1 For the Development Plan:

- 2 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
3 and the underlying Estate Residential (RE-B-EQ).
- 4 2. The Development Plan conforms to the General Plan of the City.
- 5 3. The project site can be adequately served by existing public facilities, services and
6 utilities.
- 7 4. The project, as proposed, is compatible with the existing and potential development on
8 adjoining properties or in the surrounding neighborhood.
- 9 5. The site plan and parameters for the architecture and physical design of the project is
10 consistent with the policies contained within Sections 1.24 and 1.25 of the Land Use
11 Element of the General Plan.

12 For the General Plan Amendment:

- 13 1. The proposal to eliminate the connection of Secretariat Street to SR-76 through the
14 project site is in keeping with the residential character of the area. The elimination of
15 this roadway connection will ensure that no regional traffic enters the Jeffries Ranch
16 neighborhood and existing traffic patterns are maintained and protected.
- 17 2. The elimination of this roadway connection will ensure that sensitive plant (San Diego
18 Ambrosia) and wildlife habitat is protected and a functional wildlife corridor is preserved.

19 For the Conditional Use Permit for the Panhandle Access:

- 20 1. The proposed use of a panhandle access design on 8 lots and the proposed location of the
21 access on the lots are in accord with the objectives of the Zoning Ordinance and
22 purposes of the districts in which it is located.
- 23 2. The use of panhandle access design, and the proposed conditions under which they
24 would be established or maintained will be consistent with the General Plan; will not be
25 detrimental to the public health, safety or welfare of persons residing or working in or
26 adjacent to the neighborhood of such use; and will not be detrimental to properties or
improvements in the vicinity or to the general welfare of the City.

27 ////////////////

28 ////////////////

29 ////////////////

1 For the Waiver for the Requirement to Underground Facilities:

2 1. The topography of the site and sensitive biological habitat surrounding the power poles
3 and utility lines makes the conversion of the overhead utilities unreasonable and
4 impractical.

5 WHEREAS, the Environmental Impact Report and Mitigation and Monitoring and
6 Reporting Program (MMRP) have been determined to be accurate and adequate documents,
7 which reflect the independent judgment and analysis of the Planning Commission. On the basis
8 of the entire record before it, the Planning Commission finds that there is no substantial
9 evidence that the project, with implementation of the mitigation measures proposed, will have a
10 significant impact on the environment.

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

14 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
15 approve Tentative Map (T-9-99), Development Plan (D-24-99), General Plan Amendment (GPA-
16 5-04) and Conditional Use Permit (C-33-99) subject to the following conditions:

17 **Building:**

- 18 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
19 Building Division plan check.
- 20 2. The granting of approval under this action shall in no way relieve the applicant/project
21 from compliance with all State and local building codes.
- 22 3. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
23 property shall be underground except that portion per the waiver (City Code Sec. 6.30).
- 24 4. The building plans for this project are required by State law to be prepared by a licensed
25 architect or engineer and must be in compliance with this requirement prior to submittal
26 for building plan review.
- 27 5. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance)
28 and shall be shielded appropriately. Where color rendition is important high-pressure
29 sodium, metal halide or other such lights may be utilized and shall be shown on final
building and electrical plans.

1 6. The developer shall monitor, supervise and control all building construction and supportive
2 activities so as to prevent these activities from causing a public nuisance, including, but not
3 limited to, strict adherence to the following:

4 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
5 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
6 work that is not inherently noise-producing. Examples of work not permitted on
7 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
8 producing nature. No work shall be permitted on Sundays and Federal Holidays
9 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
10 Christmas Day) except as allowed for emergency work under the provisions of the
11 Oceanside City Code Chapter 38 (Noise Ordinance).

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

17 **Engineering:**

18 7. All right-of-way alignments, street dedications, exact geometrics and widths shall be
19 dedicated and improved as required by the City Engineer and/or Public Works Director.

20 8. Design and construction of all improvements shall be in accordance with standard plans,
21 specifications of the City of Oceanside and subject to approval by the City Engineer
22 and/or Public Works Director.

23 9. Prior to issuance of a building permit all improvement requirements shall be covered by
24 a development agreement and secured with sufficient improvement securities or bonds
25 guaranteeing performance and payment for labor and materials, setting of monuments,
26 and warranty against defective materials and workmanship.

27 10. The approval of the tentative map shall not mean that closure, vacation, or abandonment
28 of any public street, right-of-way, easement, or facility is granted or guaranteed to the
29 developer. The developer is responsible for applying for all closures, vacations, and
abandonments as necessary. The application(s) shall be reviewed and approved or

1 rejected by the City of Oceanside under separate process(es) per codes, ordinances, and
2 policies in effect at the time of the application.

3 11. Prior to approval of the final map all improvement requirements shall be covered by a
4 subdivision agreement and secured with sufficient improvement securities or bonds
5 guaranteeing performance and payment for labor and materials, setting of monuments, and
6 warranty against defective materials and workmanship.

7 12. Prior to approval of the final map a phasing plan for the construction of public and private
8 improvements including landscaping and streets shall be approved by the City Engineer
9 and/or Public Works Director. All improvements shall be under construction to the
10 satisfaction of the City Engineer and/or Public Works Director prior to the issuance of any
11 building permits. All improvements shall be completed prior to issuance of any certificates
12 of occupancy.

13 a) The tract shall be recorded as one. The tract may be developed in phases. A
14 construction-phasing plan for the construction of on-site public and private
15 improvements shall be reviewed and approved by the City Engineer and/or Public
16 Works Director prior to the recordation of the final map. Prior to the issuance of
17 any building permits all off-site improvements including landscaping, frontage
18 improvements shall be under construction to the satisfaction of the City Engineer
19 and/or Public Works Director. Prior to issuance of any certificates of occupancy
20 the City Engineer and/or Public Works Director shall require the dedication and
21 construction of necessary utilities and streets and other improvements outside the
22 area of any particular final map, if such is needed for circulation, parking, access or
23 for the welfare or safety of future occupants of the development.

24 13. Where proposed off-site improvements, including but not limited to slopes, public utility
25 facilities (except for the off-site waterline), and drainage facilities, are to be constructed,
26 the applicant shall, at his own expense, obtain all necessary easements or other interests
27 in real property and shall dedicate the same to the City of Oceanside as required. The
28 applicant shall provide documentary proof satisfactory to the City of Oceanside that such
29 easements or other interest in real property have been obtained prior to issuance of any
grading, building or improvement permit for the development/project. Additionally, the

1 City of Oceanside, may at its sole discretion, require that the applicant obtain at his sole
2 expense a title policy insuring the necessary title for the easement or other interest in real
3 property to have vested with the City of Oceanside or the applicant, as applicable.

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

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

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

16 a) Dirt, debris and other construction material shall not be deposited on any public
17 street or within the City's stormwater conveyance system.

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

29 c) The construction site shall accommodate the parking of all motor vehicles used by
persons working at or providing deliveries to the site.

1 d) A haul route shall be obtained at least 7 days prior the start of hauling operations
2 and must be approved by the City Engineer and/or Public Works Director.
3 Hauling operations shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

4 17. A traffic control plan shall be prepared according to the City traffic control guidelines
5 and be submitted to and approved by the City Engineer and/or Public Works Director
6 prior to the start of work within open City rights-of-way. Traffic control during
7 construction of streets that have been opened to public traffic shall be in accordance with
8 construction signing, marking and other protection as required by the Caltrans Traffic
9 Manual and City Traffic Control Guidelines. Traffic control plans shall be in effect from
10 8:00 a.m. to 3:30 p.m. unless approved otherwise.

11 18. Approval of this development project is conditioned upon payment of all applicable
12 impact fees and connection fees in the manner provided in chapter 32B of the Oceanside
13 City Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare
14 fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be
15 paid prior to recordation of the map or the issuance of any building permits, in
16 accordance with City Ordinances and policies. The developer shall also be required to
17 join into, contribute, or participate in any improvement, lighting, or other special district
18 affecting or affected by this project. Approval of the tentative map (project) shall
19 constitute the developer's approval of such payments, and his agreement to pay for any
20 other similar assessments or charges in effect when any increment is submitted for final
21 map or building permit approval, and to join, contribute, and/or participate in such
22 districts.

23 19. Project Streets (Belmont Park Road, Spur Avenue and "A" Street) shall be improved with
24 curbs, gutters and structural sections (traffic index) acceptable to the City of Oceanside.

25 20. A minimum of 10' parkways and equestrian easements shall be provided along the
26 project streets (Belmont Park Road, Spur Avenue and "A" Street) as shown on the
27 typical street section on the approved tentative map. All equestrian easements and trails
28 shall be maintained by an owner's association., unless annexed into the LMAD.
29

- 1 21. Sight distance requirements at the project driveway or street shall conform to the corner
2 sight distance criteria as provided by the California Department of Transportation Highway
3 Design Manual.
- 4 22. Streetlights shall be maintained and installed on all public streets per City Standards. The
5 system shall provide uniform lighting, and be secured prior to occupancy. The developer
6 shall pay all applicable fees, energy charges, and/or assessments associated with City-
7 owned (LS-2 rate schedule) streetlights and shall also agree to the formulation of, or the
8 annexation to, any appropriate street lighting district.
- 9 23. Pavement sections for all streets and driveways shall be based upon approved soil tests and
10 traffic indices. The pavement design is to be prepared by the developer's soil engineer and
11 must be approved by the City Engineer and/or Public Works Director, prior to paving.
- 12 24. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
13 construction of the project, shall be repaired or replaced as directed by the City Engineer
14 and/or Public Works Director.
- 15 25. The developer shall comply with all the provisions of the City's cable television ordinances
16 including those relating to notification as required by the City Engineer and/or Public
17 Works Director.
- 18 26. Grading and drainage facilities shall be designed and installed to adequately accommodate
19 the local stormwater runoff and shall be in accordance with the City's Engineers Manual
20 and as directed by the City Engineer and/or Public Works Director.
- 21 27. The applicant shall obtain any necessary permits and clearances from all public agencies
22 having jurisdiction over the project due to its type, size, or location, including but not
23 limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U.
24 S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
25 (including NPDES), San Diego County Health Department, prior to the issuance of grading
26 permits.
- 27 28. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
28 investigation shall be conducted of the soils, slopes, and formations in the project. All
29 necessary measures shall be taken and implemented to assure slope stability, erosion
control, and soil integrity. No grading shall occur until a detailed grading plan, to be

1 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
2 the City Engineer and/or Public Works Director.

3 29. This project shall provide year-round erosion control including measures for the site
4 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
5 control plan, designed for all proposed stages of construction, shall be reviewed, secured
6 by the applicant with cash securities and approved by the City Engineer and/or Public
7 Works Director.

8 30. A precise grading and private improvement plan shall be prepared, reviewed, secured and
9 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
10 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,
11 footprints of all structures, walls, drainage devices and utility services.

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

24 32. Open space areas and down-sloped areas visible from a collector-level or above roadway
25 and not readily maintained by the property owner, shall be maintained by a homeowners'
26 association or conservancy, or LMAD, that will insure installation and maintenance of
27 landscaping in perpetuity. These areas shall be indicated on the final map and reserved for
28 an association. Future buyers shall be made aware of any estimated monthly costs. The
29

1 disclosure, together with the CC&R's, shall be submitted to the City Engineer and/or
2 Public Works Director for review prior to the recordation of final map.

3 33. The drainage design on the project is conceptual only. The final design shall be based
4 upon a hydrologic/hydraulic study to be approved by the City Engineer and/or Public
5 Works Director during final engineering. All drainage picked up in an underground
6 system shall remain underground until it is discharged into an approved channel, or as
7 otherwise approved by the City Engineer and/or Public Works Director. All public storm
8 drains shall be shown on City standard plan and profile sheets. All storm drain easements
9 shall be dedicated where required. The applicant shall be responsible for obtaining any off-
10 site easements for storm drainage facilities.

11 34. A storm drain easement acceptable to the City of Oceanside shall be dedicated across the
12 property for the continuation of the storm drain from the cul-de-sac at Belmont Park Road
13 in northerly direction to the proposed outlet structure northwesterly of lot 4. Easement and
14 access road for maintenance of the outlet structure shall be required. The proposed
15 stormwater treatment unit and the proposed filtration basin near lot 4 shall be maintained
16 by an owner's association.

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

20 36. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high
21 barrier, approved by the City Engineer and/or Public Works Director, shall be provided at
22 the top of all slopes whose height exceeds 20 feet or where the slope exceeds 4 feet and is
23 adjacent to an arterial street or state highway.

24 37. The development shall comply with all applicable regulations established by the United
25 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
26 Discharge Elimination System (NPDES) permit requirements for urban runoff and
27 stormwater discharge and any regulations adopted by the City pursuant to the NPDES
28 regulations or requirements. Further, the applicant may be required to file a Notice of
29 Intent with the State Water Resources Control Board to obtain coverage under the
NPDES. General Permit for Storm Water Discharges Associated with Construction

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

11 38. Upon acceptance of any fee waiver or reduction by the developer, the entire project will
12 be subject to prevailing wage requirements as specified by Labor Code section
13 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing
14 wage requirements prior to the granting of any fee reductions or waivers.

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

27 40. The developer shall enter into a City-Standard Stormwater Facilities Maintenance
28 Agreement with the City obliging the project proponent to maintain, repair and replace
29 the Storm Water Best Management Practices (BMPs) identified in the project's approved
Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan into perpetuity.

1 The Agreement shall be approved by the City Attorney prior to issuance of any precise
2 grading permit and shall be recorded at the County Recorder's Office prior to issuance of
3 any building permit. Security in the form of cash (or certificate of deposit payable to the
4 City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance
5 of a precise grading permit. The amount of the security shall be equal to 10 years of
6 maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall
7 prepare the O&M cost estimate. The O&M cost estimate shall be approved by the City
8 Engineer and/or Public Works Director prior to approval of any engineering plans for the
9 project.

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

15 42. The Agreement shall include a copy of executed on-site and off-site access easements
16 necessary for the operation and maintenance of BMPs that shall be binding on the land
17 throughout the life of the project to the benefit of the party responsible for the O&M of
18 BMPs, until such time that the stormwater BMP requiring access is replaced, satisfactory
19 to the City Engineer and/or Public Works Director. The agreement shall also include a
20 copy of the O&M Plan approved by the City Engineer and/or Public Works Director.

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

28 44. The project applicant shall modify the intersection of SR-76 at Jeffries Ranch Road to
29 right turn access in and out only subject to Caltrans approval. Appropriate signing and

1 striping shall be installed to the satisfaction of the City Engineer. This improvement
2 shall be completed prior to certification of occupancy, or as required by the City
3 Engineer and/or Public Works Director in association with Caltrans.

4 45. The project applicant shall pay their fair share toward the future signalization of Old
5 Ranch Road at Melrose Drive. The project's fair share is 6.23 percent or \$15,584 to be
6 paid to the City prior to the issuance of building permits.

7 46. During construction, the project applicant shall keep construction truck traffic away from
8 the school on Spur Avenue. The final haul route shall be approved to the satisfaction of
9 the City Engineer prior to beginning of construction.

10 47. The project applicant shall pay all applicable traffic signal and thoroughfare fees.

11 48. All construction traffic shall be limited to Jeffries Ranch Road with no construction traffic
12 allowed on Spur Drive.

13 **Fire:**

14 49. A minimum fire flow of 1,500 gallons per minute shall be provided.

15 50. The size of fire hydrant outlets shall be 2 1/2" X 4".

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

18 52. Provide on-site fire hydrants and mains capable of supplying the required fire flow.

19 53. All-weather access roads shall be installed and made serviceable prior to and during time
20 of construction (Sec. 902 Uniform Fire Code).

21 54. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per City
22 Vehicle Code Section 22500.1.

23 55. All security gates shall have a Knox-box override and as required have strobe activation
24 capability, unless otherwise approved by the Fire Marshall.

25 56. The project shall comply with all applicable fire codes at the time that building permits are
26 approved for the project.

27 57. Buildings shall meet Oceanside Fire Department current adopted codes at the time of
28 building permit application.
29

- 1 58. All open areas that are not needed for biological resources shall be landscaped with
2 approved fire retardant/anti-erosion type plants with an approved permanent irrigation
3 system and maintenance program.
- 4 59. In accordance with the Uniform Fire Code Sec.901.4.4, approved addresses for residential
5 occupancies, shall be placed on the structure in such a position as to be plainly visible and
6 legible from the street or roadway fronting the property. Numbers shall contrast with their
7 background.
- 8 60. Single-Family dwellings require 4-inch address numbers (with a ¼-inch wide stroke).
- 9 61. A fire hydrant shall be placed near lots 15 and 18. Fire hydrants should be spread 300 feet
10 apart and 150 feet from any structure.
- 11 62. The residences on lots 4, 16, 17, 22 and 23 will be required to provide a 13-D Fire
12 Sprinkler System. The system should be designed per NFPA 13 D and U.B.C. Standard
13 9-3.
- 14 63. Blue hydrant identification markers shall be placed in the center of the street, adjacent to
15 the street hydrants.
- 16 64. The Fire Technical Report must be approved by the Fire Department prior to the
17 issuance of building permits and must be submitted to the Building Division with the
18 building plans to the building department for plan review.
- 19 65. Future development of the property will require compliance with all applicable Fire
20 Department Codes and Standards.
- 21 66. Fire Department Requirements shall be placed on plans in the notes section, and details
22 section.
- 23 67. A 100-foot fire buffer measured on a horizontal plane from the farthest projection of the
24 structures to the native habitat is required. This buffer zone does not include a native
25 habitat buffer zone, unless otherwise specified in the Fire Technical Report approved by
26 the Fire Department.
- 27 68. Show photographs and an aerial map showing a 1000 ft beyond the property line in a
28 360-degree view as part of the Fire Report.
- 29

1 69. All structural mitigation notes and details resulting from the wildland urban interface
2 report and Fire Department conditions shall be included on the architectural plans when
3 submitted to the Building Department for building permit.

4 70. Roof covering:

5 Roofs shall be a class A assembly. Roofs shall have a class "A" roof covering. For roof
6 coverings where the profile allows a space between the roof covering and roof decking,
7 the space at the eave ends shall be fire stopped to preclude entry of flames or embers.

8 **Insulation:**

9 In the urban wildland interface areas, paper faced insulation shall be prohibited in attics
10 or ventilated spaces.

11 **Protection of eaves:**

12 Eave assembly must be 1 hour fire rated construction.

13 Eaves and soffits shall be protected on the exposed underside by materials approved for
14 a minimum 1-hour fire resistance rated construction. Fascias are required and must be
15 protected on the backside by materials approved for a minimum of 1-hour fire resistance
16 rated construction or 2 inch (51mm) nominal dimension lumber.

17 **Gutters and downspouts:**

18 Gutters and downspouts shall be constructed of noncombustible material.

19 Gutters shall be designed to reduce the accumulation of leaf litter and debris that
20 contributes to roof edge ignition.

21 **Exterior walls:**

22 Exterior walls of buildings or structures shall be constructed with materials approved for
23 a minimum of 1-hour fire resistance rated construction on the exterior side or
24 constructed with approved noncombustible materials.

25 Exterior wall coverings must meet the 1-hour fire resistance requirement.

26 Exception: Heavy timber or log wall construction. Such material shall extend from the
27 top of the foundation to the underside of the roof sheathing.

28 **Unenclosed under floor protection:**

29 Buildings or structures shall have all under floor areas enclosed to the ground with
exterior walls with a 1-hour fire rating. Exception: Complete enclosure may be omitted

1 where the underside of all exposed floors and all exposed structural columns, beams and
2 supporting walls are protected as required for exterior 1-hour fire resistance rated
3 construction or heavy timber construction.

4 **Appendages and projections:**

5 Where fencing attached to or immediately adjacent to structures face the vegetative
6 fuels, the first 5 feet (1 524 mm) of such fencing, which connects to the structure, shall
7 be constructed of noncombustible, heavy timber or fire retardant pressure treated wood
8 or material.

9 Unenclosed accessory structures attached to buildings with habitable spaces and
10 projections such as deck assemblies shall be a minimum of a 1-hour fire rated assembly,
11 which includes railings.

12 When the attached structure is located and constructed so that the structure or any
13 portion thereof projects over a descending slope surface greater than 10 percent, the area
14 below the structure shall have all under floor areas enclosed to within 6 inches (152 mm)
15 of the ground, with exterior wall construction in accordance with Section 504.5.

16 **Exterior glazing, and skylights:**

17 Exterior glazing or other transparent, translucent or opaque glazing shall be tempered
18 glass, multilayered glass panels, or glass block each having a fire protection rating of not
19 less than 20 minutes. Glazing frames made of vinyl materials shall have welded corners,
20 metal reinforcement in the interlock area, and be certified to ANSI/AAMA/NWDA
21 101/I.S.2-97 structural requirements. Skylights shall be tempered glass or a class "A"
22 rated assembly.

23 Exterior windows, window walls and glazed doors, windows within exterior doors, and
24 skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire
25 protection rating of not less than 20 minutes.

26 **Exterior doors:**

27 Exterior doors shall be approved noncombustible construction, solid core wood not less
28 than 1 3/4 inches thick (45mm), or have a fire protection rating of not less than 20
29 minutes. Windows within doors and glazed doors shall be in accordance with Section
30 504.8. of the ICC code. Exception: Vehicle access doors.

1 **Vents:**

2 Attic ventilation openings, foundation or under floor vents, or other ventilation openings
3 in vertical exterior walls and vents through roofs shall not exceed 144 square inches
4 (0.0929 m²) each. Such vents shall be covered with noncombustible corrosion resistant
5 mesh with openings not to exceed ¼ inch (6.4 mm), or shall be designed and approved to
6 prevent flame or ember penetration into the structure.

7 Turbine attic vents shall be equipped to allow only one-way direction rotation and shall
8 not free spin in both directions.

9 Attic ventilation openings shall not be located in soffits, in eave overhangs, between
10 rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located
11 at least 10 feet (3048 mm) from property lines. Under floor ventilation openings shall be
12 located as close to grade as practical.

13 **Detached accessory structures:**

14 Detached accessory structures located less than 50 feet (15 240 mm) from a building
15 containing a habitable space shall be a minimum 1-hour fire resistance rated assembly.
16 When the detached structure is located and constructed so that the structure or any
17 portion thereof projects over a descending slope surface greater than 10 percent, the area
18 below the structure shall have all under floor areas enclosed to within 6 inches (152 mm)
19 of the ground, with exterior wall construction with a 1-hour fire resistance rating.
20 Exception: The enclosure may be omitted where the underside of all exposed floors and
21 all exposed structural columns, beams and supporting walls are protected as required for
22 exterior 1-hour fire resistance rated construction or heavy timber construction.

23 71. Trees and large shrubs must be 10 feet off of structures measured at maturity of the tree
24 from the dripline of the tree to the farthest projection of the structure.

25 72. Brush management zones shall be measured on a horizontal plane from the farthest
26 projection of the structure (including decks) outward. Brush management zone 1 is the
27 area from the structure to a point 40 feet away. This zone shall be modified and planted
28 with succulent plants. Native plants and hydro seeding will not be allowed in this zone.
29 Groundcovers must be low growing less than one foot in height. Shrubs shall not be
30 located within 20 feet of the dripline of the trees at maturity. Shrubs shall be planted in

1 small groups six feet or less, with 20 feet of clear spacing in-between the groups of
2 shrubs. Grass and other vegetation located more than 50 feet from buildings or
3 structures and less than 4 inches in height need not be removed where necessary to
4 stabilize the soil and prevent erosion, but it must be maintained at a height of 4 inches.
5 Irrigation is required for zone 1 and 2. The second zone is the area between 41 to 70 feet
6 from the structure. This zone shall be modified and planted with succulent plants.
7 Shrubs shall not be located within 20 feet of the dripline of the trees at maturity. Shrubs
8 shall be planted in small groups 6 feet or less, with 20 feet of clear spacing in-between
9 the groups of shrubs. Groundcovers must be low growing less than 1 foot in height. All
10 dead and dying vegetation in addition to undesirable plants and weeds listed in the Fire
11 Department plant guidelines shall be removed; this zone shall be permanently irrigated.
12 Zone three is the area between 71 and 100 feet from the building. In this zone 50 percent
13 of the native vegetation may remain, but it must be broken up. All dead and dying
14 vegetation in addition to undesirable plants species and weeds as listed in the Fire
15 Department plant guidelines shall be removed.

16 73. Zone one shall contain no habitable structures, structures that are directly attached to
17 habitable structures, or other combustible construction that provides a means for
18 transmitting fire to the habitable structures. Structures such as fences, walls, trellises,
19 and non-habitable gazebos shall be of non-combustible construction, and not plantable.

20 74. Off-site fuel modification is not recommended due to problems inherent with
21 enforcement of regulations on adjacent property and the potential for confusion
22 regarding responsibility for fuel modification on areas outside of legal ownership.
23 Proper on-site fuel modification design should determine where development can safely
24 be located and should be an integral part of the development proposal. Should off-site
25 fuel modification be deemed a necessity, appropriate legally recorded instruments must
26 be established that clearly state the responsibilities and rights of the parties involved
27 relative to the establishment and maintenance of the fuel modification area. It should be
28 understood that the allowance of off-site fuel modification by an adjacent property owner
29 may affect the rights and/or use of the off-site property. All agreements for any off-site

1 fuel modifications shall be integrated into fuel modification plans with a letter from
2 adjoining property owner giving rights to maintain fuels.

3 75. The fuel modification zones shall be located within common lettered lots owned and
4 maintained by associations representing common ownership; i.e. homeowners'
5 associations. The integrity and longevity of the fuel modification zones shall be
6 maintained with sufficient tract/project conditions and CC&Rs to specifically identify
7 the restrictions within the fuel modification areas. When fuel modification zones are
8 located on private property, deed restrictions are required to specifically identify the
9 restrictions on any portion of the property subject to fuel modification.

10 76. Site Inspection – site inspection may reveal conditions which have changed since the
11 plan review. When such discrepancies arise, field inspection shall take precedence.
12 Final approval is contingent upon field inspection. If the field inspection reveals that the
13 conditions have not been met, you will be required to bring the project into compliance
14 with the conditions, or your final approval will be rescinded until the project is
15 compliant.

16 77. Two-story structures must have a 30-foot setback from the top of the slope, single story
17 structures must have a 15-foot setback from the top of the slope.

18 78. The following shall be included on the conceptual fuel modification plan:

- 19 a) Trees and shrubs represented on the landscape plans must be diagrammatically
20 shown at 100 percent maturity. The distance from the structure to the dripline
21 edge of the tree at maturity must be accurate and called out on the plans. It is the
22 landscape architects responsibility to confirm that the distances of trees and large
23 shrubs are accurate on the plans and out in the field. If on final field inspection
24 the conditions are not met, you will be required to correct them.
- 25 b) Trees and large shrubs must be 10 feet off of the structure measured at maturity
26 from the dripline to the farthest projection of the structure. Landscape architects
27 are responsible for making sure that their plans are accurate. At final inspection
28 if the Fire Department conditions have not been met, the landscaping will be
29 changed in order to meet the conditions imposed upon the project, or the project
final will not be signed off.

- c) Tree and shrub dimensions must be put in the planting legend at 100 percent maturity. Shrubs with dimensions over 5 feet in height must also be called out on the landscape plans, and the dimensions of that shrub must be shown. If shrubs are over 5 feet in height they must also be 10 feet off of the structure measured at shrub edge at maturity to the farthest projection of the structure.
- d) Remove undesirable plant species in accordance with the Oceanside Fire Department Plant List (refer to fuel modification packet).
- e) Identify the design of the proposed development, showing all property lines, contour lines, and the proposed location of all structures nearest to the fuel modification area, if available.
- f) Identify all proposed off-site fuel modification areas and appropriate legal agreements with adjacent property owners.
- g) Existing and new plants will be in accordance with the Oceanside Fire Department's approved plant palette.

79. Precise fuel modification plans shall include all information required on conceptual fuel modification plans and the following additional information.

- a) Location and detail of permanent zone markers (refer to fuel modification packet).
- b) Plant palette to be installed in accordance to acceptable guidelines.
- c) Irrigation plans and specifications.
- d) Building footprints or statements that clearly indicates the limits of proposed development.
- e) All applicable maintenance requirements and assignments of responsibility.
- f) Tracked or project conditions, CC&R and/or deed restrictions relative to fuel modifications (refer to fuel modification packet).

Planning:

80. This Tentative Map, Development Plan and Conditional Use Permit shall expire on November 20, 2008, unless the Planning Commission grants a time extension.

81. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or

1 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
2 annul an approval of the City, concerning Tentative Map T-9-99, Development Plan D-24-
3 99 and Conditional Use Permit C-33-99. The City will promptly notify the applicant of any
4 such claim, action or proceeding against the city and will cooperate fully in the defense. If
5 the City fails to promptly notify the applicant of any such claim action or proceeding or
6 fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to
7 defend, indemnify or hold harmless the City.

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

- 14 a) Median and parkway tree plantings along collector and arterial roads shall be a
15 minimum of two-inch diameter trees so as to ensure a mature landscape theme is
16 achieved in a reasonable amount of time.
- 17 b) The developer shall be responsible for irrigating and landscaping all embankments
18 within the project, and all slopes along major streets.
- 19 c) Street/parkway trees (minimum 15-gallon) shall be planted at a minimum of one
20 tree per unit or lot and two trees per corner lot. Approved root barriers shall be
21 incorporated.
- 22 d) Arterial street trees in parkways shall be planted at a minimum of 30 feet on center,
23 each side of street, as a solitary planting. Approved root barriers shall be
24 incorporated.
- 25 e) Local street trees in parkways shall be planted at a minimum of 30 feet on center,
26 each side of street, as a solitary planting. Approved root barriers shall be
27 incorporated.
- 28 f) To mitigate the loss of landmark and/or mature existing trees on-site the
29 determination of replacement shall be based on tree number, type, and caliper
(caliper measured 2 1/2 feet from the base of the tree at existing grade). The total

1 number of tree caliper lost shall be equal to the total number of caliper replaced.
2 Replacement trees shall be a minimum of 15-gallon container stock. A field survey
3 shall be performed under the supervision of the City Landscaping Section to
4 evaluate the existing tree population and the replacement requirements. The
5 existing trees to remain or proposed for removal shall be identified on the
6 Preliminary Grading Plan, Precise Grading Plan and Landscape Plan. The existing
7 tree type, location, and caliper shall be shown on the above plans. Replacement
8 trees shall be identified and shown on the Landscape Plan and shall be subject to
9 review and approval by the City Engineer and City Planner.

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

19 84. Model Landscape plans and Front Yard Landscape plans, designed in compliance with
20 Water Conservation Ordinance No. 91-15 shall be submitted as schematic drawings and
21 shall be approved and signed by the Engineering Department and the Planning Division
22 prior to the issuance of building permits. No bonding shall be required. Precise Grading
23 Plans for model homes shall be prepared by a Civil Engineer and shall be approved by the
24 City Engineer prior to the issuance of building permits. Prior to the issuance of occupancy
25 permits, the City's Landscape Technician/Inspector shall review each unit requested for
26 occupancy to ensure that the installation of planting and irrigation has occurred in
27 conformance with the approved schematic drawings. The irrigation system will also be
28 tested to ensure adequate operation and coverage

29 85. All single-family projects shall dispose of or recycle solid waste in a manner provided in
City Ordinance 13.3.

- 1 86. A covenant or other recordable document approved by the City Attorney shall be prepared
2 by the subdivider and recorded prior to the approval of the final map. The covenant shall
3 provide that the property is subject to this resolution, and shall generally list the conditions
4 of approval.
- 5 87. Prior to the issuance of building permits, compliance with the applicable provisions of the
6 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
7 and approved by the Planning Division. These requirements, including the obligation to
8 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
9 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
10 property.
- 11 88. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
12 written copy of the applications, staff report and resolution for the project to the new owner
13 and or operator. This notification's provision shall run with the life of the project and shall
14 be recorded as a covenant on the property.
- 15 89. Failure to meet any conditions of approval for this development shall constitute a violation
16 of the Tentative Map, Conditional Use Permit and Development Plan.
- 17 90. Unless expressly waived, all current zoning standards and City ordinances and policies in
18 effect at the time building permits are issued are required to be met by this project. The
19 approval of this project constitutes the applicant's agreement with all statements in the
20 Description and Justification, Management Plan and other materials and information
21 submitted with this application, unless specifically waived by an adopted condition of
22 approval.
- 23 91. The developer's construction of all fencing and walls associated with the project shall be in
24 conformance with the approved Development Plan. Any substantial change in any aspect
25 of fencing or wall design from the approved Development Plan shall require a revision to
26 the Development Plan or a new Development Plan.
- 27 92. The homeowners' association shall be responsible for maintenance of the right-of-way
28 trees that will be located on-site, above the equestrian trail, unless annexed into the LMAD.
29

- 1 93. The shrubs proposed for the right-of-way between back of curb and the equestrian fence,
2 (3'-0"), shall be maintained by the homeowners' association, if it is not to be maintained
3 by LMAD.
- 4 94. If any aspect of the project fencing and walls is not covered by an approved Development
5 Plan, the construction of fencing and walls shall conform to the development standards of
6 the City Zoning Ordinance. In no case, shall the construction of fences and walls
7 (including combinations thereof) exceed the limitations of the zoning code, unless
8 expressly granted by a Variance or other development approval.
- 9 95. All rear wood fences adjacent to public right-of-way and/or visible from the public right-
10 of-way will be stained or otherwise finished with a waterproof material.
- 11 96. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's)
12 shall provide for the maintenance of all common open space, medians and commonly
13 owned fences and walls and adjacent parkways. The maintenance shall include normal
14 care and irrigation of landscaping, repair and replacement of plant material and irrigation
15 systems as necessary; and general cleanup of the landscaped and open area, parking lots
16 and walkways. The C.C. & R's shall be subject to the review and approval of the City
17 Attorney prior to the approval of the final map. The C.C. & R's are required to be recorded
18 prior to or concurrently with the final map. Any amendments to the C.C. & R's in which
19 the association relinquishes responsibility for the maintenance of any common open space
20 shall not be permitted without the specific approval of the City of Oceanside. Such a
21 clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions for
22 the following:
- 23 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
 - 24 b) Provisions regulating individual patio covers, room additions and other
25 appurtenances.
 - 26 c) Maintenance of median landscaping by the association.
 - 27 d) Provisions for the maintenance of all common open space and open space
28 easements on private lots, including provisions establishing mechanisms to ensure
29 adequate and continued monetary funding for such maintenance by the
homeowners' association.

- 1 e) Provisions that restrict any private use of open space easement areas. Restrictions
2 shall include, but are not limited to, removing retaining walls, installing structures
3 such as trellises, decks, retaining walls and other hardscape and any individual
4 landscape improvements.
- 5 f) Provisions prohibiting the homeowners' association from relinquishing its
6 obligation to maintain the common open space and open space easement areas
7 without prior consent of the City of Oceanside.
- 8 g) An acknowledgement that the City of Oceanside does not have a view
9 preservation ordinance and that views may be subject to change with maturing
10 off-site landscape and the potential for future off-site building.

11 97. All street names shall be approved by the Planning Division prior to the approval of the
12 final map for each phase of development.

13 98. Any project entrance signs shall meet the requirements of the Sign Ordinance and be
14 approved by the City Planner.

15 99. The panhandle access driveway shall have a minimum of 16 feet of pavement.

16 100. Panhandle access ways shall have recorded joint maintenance agreements and cross
17 easements for use. The developer is prohibited from entering into any agreement with a
18 cable television franchisee of the City, which gives such franchisee exclusive rights to
19 install, operate, and/or maintain its cable television system in the development.

20 101. This project is subject to the provisions of Chapter 14C of the City Code regarding
21 Inclusionary Housing.

22 102. This project shall comply with all provisions of the City's Affirmative Fair Housing
23 Marketing Agreement policy. Such agreement shall be submitted to and approved by the
24 Housing and Neighborhood Services Director prior to the recordation of a final map or
25 the issuance of a building permit for the project, whichever comes first.

26 103. The Planning Commission shall view and approve the future architecture plans for the
27 project.

28 104. All required Resource Agency permits shall be obtained prior to issuance of grading
29 permits, for the subdivision or any related improvements. Hard copies of these permits
must be submitted to the Planning Division.

- 1 105. Prior to issuance of grading permits, a conservation easement shall be placed over the
2 45-acre habitat area to be preserved on-site. The habitat shall be managed in perpetuity
3 by a qualified conservation entity in conformance with the Multiple Habitat
4 Conservation Program (MHCP) Biological Monitoring and Management Plan (MHCP
5 Volume III).
- 6 106. Prior to issuance of grading permits, 0.7-acre of coastal sage scrub shall be created at the
7 disturbed old home site in the north-central portion of the site. Landscape plans shall be
8 submitted to the City for approval prior to revegetation activities. The habitat creation
9 shall meet specific success criteria and be maintained and monitored for a period of five
10 years. As an option, off-site mitigation may occur at an approved wetland mitigation
11 bank.
- 12 107. Prior to issuance of grading permits, a plan for creation of 0.02-acre and
13 restoration/enhancement of 0.02-acre of riparian woodland habitat for a total of 0.04-
14 acre within the preserved area shall be submitted to and approved by the City. Physical
15 work on the creation and restoration sites shall be commenced prior to the issuance of
16 building permits. The habitat creation shall meet specific success criteria and be
17 maintained and monitored for a period of five years. As an option, off-site mitigation
18 may occur at an approved wetland mitigation bank.
- 19 108. Prior to commencement of grading, an erosion barrier, such as silt fencing or plastic
20 tarping shall be placed on the edge of the habitat to be protected. A qualified biologist
21 shall flag the construction limits for grading in sensitive areas and shall monitor initial
22 grading activities.
- 23 109. If construction occurs during the raptor-breeding season of February 1 to August 30, a
24 pre-construction survey for nesting Cooper's hawks and other raptors is required to
25 avoid impacts to these species. If an active raptor nest is located on-site during
26 construction, mitigation measures to avoid impacting the nest shall include the
27 following: avoiding of the nest area during construction by allowing a 500-foot buffer
28 between the construction and the nest, having a biological monitor present to assure that
29 nesting activities are not interrupted, and consultation with CDFG.

- 1 110. Removal of vegetation from the site will occur outside the bird-breeding season (March
2 1 to August 1) to avoid impacts to nesting birds. Vegetation may be removed during this
3 time only if a qualified biologist conducts a survey for nesting within 24 hours of the
4 vegetation removal and ensures no nesting birds shall be impacted by the project.
- 5 111. Removal of coastal sage scrub, disturbed coastal sage scrub, or non-native
6 grassland/coastal sage scrub shall not occur during the coastal California gnatcatcher-
7 breeding season (February 15 through August 31). Furthermore, construction activity
8 shall not occur within 500 feet of an active gnatcatcher nest or 500 feet of an active
9 raptor nest.
- 10 112. Noise impacts to the California gnatcatcher shall be minimized during construction as
11 follows: From February 15 through August 31, no construction activities shall occur
12 within any portion of the site (or area off-site near the off-site water connection) where
13 they would result in noise levels exceeding 60 decibels dBA hourly average at the edge
14 of occupied gnatcatcher habitat. An analysis showing that noise generated by
15 construction would not exceed 60 dBA hourly average at the edge of occupied habitat
16 shall be completed by a qualified acoustician at least two weeks prior to the
17 commencement of construction activities during the breeding season. Areas restricted
18 from such activities shall be staked or fenced under the supervision of a qualified
19 biologist.
- 20 113. If construction is to occur in the vicinity of gnatcatchers during the breeding season, at
21 least two weeks prior to the commencement of construction activities, under the
22 direction of a qualified acoustician, noise attenuation measures (e.g. berms, walls,
23 limitations on construction equipment placement and/or simultaneous use of equipment)
24 shall be implemented to ensure that noise levels resulting from construction will not
25 exceed 60 dBA hourly average at the edge of occupied habitat. Noise monitoring shall
26 be conducted to ensure the limit is not exceeded. Monitoring shall occur twice weekly
27 on varying days, or more frequently depending on the construction activity. The
28 implementation of any noise attenuation measures (e.g. construction of berms, walls)
29 shall also not exceed noise levels of 60 dBA hourly average at the edge of occupied
habitat during the breeding season. If noise attenuation measures are not adequate, then

1 the construction activities shall be scaled back or stopped until adequate noise
2 attenuation is achieved or the end of the breeding season (August 31) is reached.

3 114. All lighting installed along the outer edge of the development shall be shielded to
4 prevent light over spill. Shielding shall consist of the installation of fixtures that
5 physically direct lights away from the habitat preserve area to prevent light over spill.

6 115. Native vegetation shall be preserved whenever feasible, all disturbed areas shall be
7 reclaimed as soon as possible after completion of grading. Native topsoil shall be
8 stockpiled and reapplied as part of the site revegetation whenever possible.

9 116. The on-site natural open space area shall be posted with signage containing information
10 regarding habitat sensitivity and citing dumping, vehicular activity, or disturbance of
11 habitat are prohibited. Additional measures to minimize or prohibit human activity shall
12 be included in the City and Wildlife Agency approved management plan for the on-site
13 open space.

14 117. A minimum 6-foot high fence shall protect all natural open space areas that border the
15 residential portions of the project. This fence shall have $\frac{3}{4}$ inch vertical picket railings
16 spaced at three inches on center, allowing a 2 $\frac{1}{2}$ -inch gap between railings or be a fire
17 wall as per the Fire Report.

18 118. All areas disturbed by removal of utility poles in the north-central part of the site shall be
19 returned to the original topography and revegetated with coastal sage scrub species.

20 119. Construction equipment staging areas shall not be located within 100 feet of any existing
21 residence.

22 120. Adjacent homeowners shall be notified of planned construction activities and times
23 approximately one week prior to the start of work.

24 121. All lots identified to be horse lots are subject to the requirements of Article 28
25 "Equestrian Overlay." Trail area shall not be modified unless approved by the City
26 Planner.

27 122. To prevent the spread of non-native vegetation and noxious weeds, landscaping within
28 the development area shall avoid the use of invasive, non-native plants. Such species
29 shall not be included in any landscaping plans for the project.

- 1 123. No plant materials included on the California Invasive Plant Council's current inventory
2 of invasive plants shall be used within the project.
- 3 124. All open space areas will be posted with signage containing information regarding
4 habitat sensitivity and citing that dumping or disturbance of habitat is prohibited.
- 5 125. Adjacent homeowners shall be notified of planned construction activities and times
6 approximately one week prior to the start of work.
- 7 126. A pre-excavation agreement shall be executed between the applicant and the San Luis
8 Rey Band of Mission Indians, specifying the treatment of any cultural resources
9 uncovered and requiring Native American monitoring for all ground-disturbing
10 activities.
- 11 127. An archaeological monitor shall be on-site during ground-disturbing activities, such as
12 brushing, scarification, grading and trenching within the boundaries of known
13 archaeological sites due to the potential for encountering cultural features.
- 14 128. Native American monitors shall be present throughout the development during all
15 ground-disturbing activities such as brushing, scarification, grading and trenching. The
16 powers of the monitors and the details of their work shall be laid out in the pre-
17 excavation agreement.
- 18 129. The archaeological monitors and Native American monitors shall have the authority to
19 temporarily halt or redirect grading in order to examine any finds made during the course
20 of monitoring. The monitors shall determine the need for further studies to assess
21 unexpected cultural material encountered during monitoring.
- 22 130. Any cultural material removed from the site shall be returned to the San Luis Rey Band.
23 This provision shall be addressed in the pre-excavation agreement.
- 24 131. No parties shall disclose the locations of any cultural resources located on the property.
- 25 132. A comprehensive report shall be produced detailing the methods and results of the
26 preservation and monitoring program.
- 27 133. The proposed project shall be subject to all mitigation measures contained in the
28 mitigation, monitoring and reporting program contained in the Final Environmental
29 Impact Report for the Jeffries Ranch Project dated September 2006.

1 **Water Utilities:**

2 134. All public water and/or sewer facilities not located within the public right-of-way shall be
3 provided with easements sized according to the Water, Sewer, and Reclaimed Water
4 Design and Construction Manual. Easements shall be constructed for all weather access
5 and provided a 30-foot turning radius at the end of easements.

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

8 136. The property owner will maintain private water and wastewater utilities located on private
9 property.

10 137. The developer shall construct a public reclamation water system that will serve each lot
11 and or parcels that are located in the proposed project in accordance with the City of
12 Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located
13 in the public right-of-way or in a public utility easement.

14 138. A final water study must be prepared by the developer at the developer's expense, and
15 reviewed and approved by the Water Utilities Department. The study must verify that
16 maximum day demand plus fire flow can be supplied to all segments of the new system
17 and prove that the City's hydraulic parameters are not exceeded.

18 139. A final sewer study must be prepared by the developer at the developer's expense, and
19 reviewed and approved by the Water Utilities Department. The study must show the
20 effect this project will have on the city's sewer system along Hwy 76 to North Santa Fe
21 Ave.

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

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

28 142. All lots with a finish pad elevation located below the elevation of the next upstream
29 manhole cover of the public sewer shall be protected from backflow of sewage by

1 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
2 Code (U.P.C.).

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

6 144. All Water and Wastewater construction shall conform to the most recent edition of the
7 Water, Sewer, and Reclaimed Water Design and Construction Manual, or as approved
8 by the Water Utilities Director.

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

13 146. The construction and activation of the water line interconnection with Vista Irrigation
14 District and the pressure regulating station must be completed prior to the proposed
15 relocation of the existing 12-inch water line.

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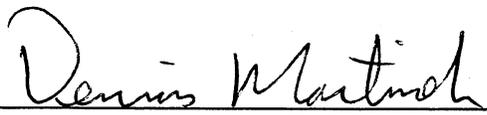
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1 147. The City will secure the necessary easements for the new water line connection with the
2 Vista Irrigation District (VID). It will be the applicant's responsibility to design and
3 construct the secondary line and interconnection with VID at their expense. The
4 applicant will be entitled to 100 percent reimbursement of these costs at project
5 completion.

6 PASSED AND ADOPTED Resolution No. 2006-P70 on November 20, 2006 by the
7 following vote, to wit:

- 8 AYES: Martinek, Parker, Blom and Balma
9 NAYS: None
10 ABSENT: Horton, Beach
11 ABSTAIN: McLeod

12
13 
14 _____
15 Dennis Martinek, Chairman
16 Oceanside Planning Commission

17 ATTEST:
18 
19 _____
20 Jerry Hittleman, Secretary

21 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
22 this is a true and correct copy of Resolution No. 2006-P70.

23 Dated: November 20, 2006

24
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27
28
29

1 PLANNING COMMISSION
2 RESOLUTION NO. 2006-P69

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA CERTIFYING THE
5 FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
6 JEFFRIES RANCH PROJECT ON CERTAIN REAL PROPERTY
7 IN THE CITY OF OCEANSIDE

6 APPLICATION NO: T-9-99, D-24-99, GPA-5-04 and C-33-99
7 APPLICANT: Brehm Companies
8 LOCATION: North of the intersection of Spur Avenue and Belmont Park Road,
south of Highway 76

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

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

14 WHEREAS, the Planning Commission, after giving the required notice, did on the 20th
15 day of November 2006, conduct a duly advertised public hearing on the content of the Final
16 Environmental Impact Report and the Mitigation Monitoring and Reporting program; and

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

19 For the Final Environmental Impact Report:

- 20 1. The Final Environmental Impact Report was completed in compliance with the
21 provisions of the California Environmental Quality Act (CEQA).
- 22 2. There are certain significant environmental effects detailed in the Environmental Impact
23 Report which have been avoided or substantially lessened by the establishment of
24 measures which are detailed in Exhibit "A" Environmental Findings for the Jeffries
25 Ranch Project.
- 26 3. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting
27 Programs for the project (included in the Final EIR) and were presented to the Planning
28 Commission, and the Planning Commission reviewed and considered the information
29 contained in these documents prior to making a decision on the 44-lot single-family
30 subdivision. The Final Environmental Impact Report and Mitigation and Monitoring

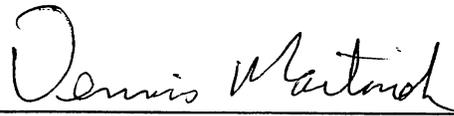
1 and Reporting Program for the business park have been determined to be accurate and
2 adequate documents, which reflect the independent judgment of the City.

3 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
4 CERTIFY the Final Environmental Impact Report for the Jeffries Ranch project Tentative Map (T-
5 9-99), Development Plan (D-24-99), General Plan Amendment (GPA-5-04), Conditional Use
6 Permit (C-33-99), and a waiver of the undergrounding of utilities subject to the following
7 recommendations and conditions:

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

14 PASSED AND ADOPTED Resolution No. 2006-P69 on November 20, 2006 by the
15 following vote, to wit:

16 AYES: Martinek, Parker, Blom and Balma
17 NAYS: None
18 ABSENT: Horton, Beach
19 ABSTAIN: McLeod

20 
21 _____
22 Dennis Martinek, Chairman
23 Oceanside Planning Commission

24 ATTEST:

25 
26 _____
27 Jerry Hittleman, Secretary

28 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
29 this is a true and correct copy of Resolution No. 2006-P69.

30 Dated: _____ November 20, 2006



DATE: November 20, 2006

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T-9-99), DEVELOPMENT PLAN (D-24-99), CONDITIONAL USE PERMIT (C-33-99), GENERAL PLAN AMENDMENT (GPA-5-04) AND A WAIVER OF THE UNDERGROUNDING OF THE UTILITIES FOR A 44-LOT RESIDENTIAL SUBDIVISION ON AN 82.5-ACRE SITE LOCATED NORTH OF THE INTERSECTION OF SPUR AVENUE AND BELMONT PARK ROAD, SOUTH OF HIGHWAY 76 – JEFFRIES RANCH – APPLICANT: THE BREHM COMPANIES**

RECOMMENDATION

Staff recommends that the Planning Commission approve Tentative Map (T-9-99), Development Plan (D-24-99), Conditional Use Permit (C-33-99), a waiver of the undergrounding of utilities, and make a recommendation of approval to the City Council of a General Plan Circulation Element Amendment (GPA-5-04) and adopt Planning Commission Resolution No. 2006-P70 as attached. Staff also recommends that the Planning Commission adopt Planning Commission Resolution No. 2006-P69 certifying the Environmental Impact Report for the project.

PROJECT DESCRIPTION AND BACKGROUND

Background: The project proposes a 44-unit (48-Lots) single-family subdivision on an 82.5-acre site located north of the intersection of Spur Avenue and Belmont Park Road and south of Highway 76. The project also proposes to amend the General Plan Circulation Element to remove the future “Secretariat Street” connection to Mission Avenue/SR-76 from the project site.

Site Review: The subject site is vacant, however, several sensitive plant and animal species were observed on-site, which will be preserved on four open space lots. The majority of the site has been previously disturbed, dirt roads and trails extend throughout the site and are used by motorcycles and hikers.

As mentioned, the project will maintain four open space lots that totals approximately 53 acres in size. Open space Lot A is 45 acre of natural open space (54.5 percent of the total site) that supports six sensitive vegetation communities (riparian woodland, coast live oak woodland, coastal sage scrub and native and non-native grasslands). One federally listed plant and animal species occurs on-site, the San Diego ambrosia and the California gnatcatcher respectfully.

The topography of the site is characterized by a series of ridge fingers, separated by a large northwest-southwest trending drainage and several smaller drainages. The high point of the subject site is a ridge near the southwest corner, which has an elevation of 383 feet above mean sea level (MSL) and the low point is located at the northern portion of the site at 133 MSL (adjacent to Highway 76).

Section 2808 of the EQ Overlay Zone allows the Planning Commission to grant waivers from other sections of the ordinance (i.e. Hillside Development Criteria) that conflicts with the EQ Overlay Zone in terms of a project being developed at or near the designated base density, with the stipulation that the EQ regulations take precedence.

Surrounding land uses include single-family homes and multi-family (Jeffries Ranch and Rancho Rose respectfully) located west of the site, south of the site is single-family residential (Marlborough Country Estates) north and east of the site is undeveloped or agriculture land. The underlying zoning designation for the site is Residential Estate B Equestrian Overlay (RE-B-EQ; 1 to 3.5 dwelling units per acre) and the General Plan Land Use Category is Estate B Residential Equestrian Overlay. The proposed density is .53 dwelling units per acre, which is well below the base density of 1 dwelling unit per acre.

Project Description: The project application consists of several components, which include a Tentative Map, Development Plan, General Plan Amendment, and Conditional Use Permit. Each discretionary request is described as follows:

Tentative Map and Development Plan: The proposed project consists of a 44-unit, 48-lot single-family subdivision on an 82.5-acre site. The minimum lot size for the RE-B-EQ Zone is 10,000 square feet and the project proposes an average lot size of 24,738 square feet.

Due to several factors, including changing real estate market conditions and the time delay between project entitlement and delivery of the product to the market, the applicant has not yet developed a specific product for the development but will be conditioned to bring the design of the residences back before the Planning Commission for review and approval. In order to secure Development Plan entitlement, the applicant has submitted development standards to govern the future home development. Future development would also be required to meet minimum development standards for the RE-B-EQ zone. Staff believes that the ability of the Planning Commission to approve the ultimate product is sufficient to secure the Development Plan entitlements.

Vehicle and pedestrian access will be provided from Spur Avenue into the project from Jeffries Ranch. Spur Avenue has a capacity of 7,000 average daily trips (ADT) and currently there exist 1,978 ADT. The existing traffic conditions plus the 44 new residences totals 2,388 ADT on Spur Avenue which is approximately 34 percent of capacity. The public streets will allow for parking on both sides of the street.

It should be noted that staff has approved the applicant's request for exceeding the 500-foot maximum length of a cul-de-sac (proposed at 1,700 lineal feet) and for exceeding the non-standard turnarounds, which are spaced at a maximum of 300 feet (proposed at 700 feet).

The project will be landscaped with planting themes that will be consistent with the neighborhood. Specifically, the project calls for the utilization of trees such as the Canary Island Palm, Coast Live Oak and White Alder. The shrubs will include Indian Hawthorne, and Lilly and groundcover will include Dwarf Rosemary. The landscape plan also proposes to re-vegetate transitions slopes with trees such as Coast Live Oak and Sycamores and California Buckwheat and Sage as shrubs. Perimeter fencing will also be provided by the project. Depending on the location, the fence will either be a 6-foot high cedar privacy fence, tubular steel view fence, fire wall, or an equestrian fence.

The project is situated within the Equestrian Overlay Zone whose purpose is to create a trail system network around the Guajome Regional Park, provide recreational opportunities, preservation of trails and rural atmosphere and provide a visually pleasing relationship between buildings, accessory structures and "horse activities".

The development criteria for a single-family project located within an Equestrian Overlay Zone requires that 85 percent of the units (37 units) provide a minimum useable yard of 7,500 square feet. In addition, all lots fronting on streets are required to provide a 10-foot wide equestrian trail on the street frontage. The proposed project meets or exceeds all these standards.

The project also includes construction of a waterline in cooperation with the Vista Irrigation District to complete a second waterline connection source for the entire Jeffries Ranch Community.

General Plan Amendment: A General Plan Circulation Element Amendment is proposed to remove the future "Secretariat Street" connection to Mission Avenue/SR-76 from the project site. The primary purpose for deleting this connection from the Circulation Element is to protect sensitive plants known as *Ambrosia pumilla* located on the northern portion of the project site. Both the U.S. Fish and Wildlife Service and the California Department of Fish and Game have reviewed the project and required that the open space corridor be preserved without the road segment and that the property be dedicated to and managed by an open space conservancy. The elimination of the roadway will also preserve an important wildlife corridor through the site that will connect the San Luis Rey River to open space areas south of the project site.

The traffic report included in the environmental impact report concluded that elimination of this roadway connection will not have a significant effect on local traffic within the Jeffries Ranch neighborhood nor will it negatively affect the larger community-wide circulation system. Traffic assumptions used in the study included analysis both with and without the extension of Melrose Drive in the future. The study also recommended that Caltrans be consulted to seek the modification of the Jeffries Ranch intersection with Mission Avenue/SR-76 to a safer right-in/right-out configuration.

Conditional Use Permit: A Conditional Use Permit is required for the eight panhandle lots.

The applicant is also requesting a waiver of the requirement to underground some of the existing overhead utility lines located on the eastern portion of the site.

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

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

ANALYSIS

KEY PLANNING ISSUES

1. Is the proposed project consistent with the existing neighborhood in regards to the density (RE-B-EQ 1–3.5 dwelling units per acre)?
2. Is the proposed project consistent with the underlying land use designation and zoning development criteria?
3. Is the proposed use permit consistent with the regulations of the Zoning Ordinance?
4. Is the proposed project consistent with the Hillside Development regulations?
5. Is the proposed project consistent the Equestrian Overlay Zone?
6. Is the requested waiver for underground the overhead utilities consistent with the waiver provisions of the Subdivision Ordinance?
7. Are environmental issues adequately addressed through project design and mitigation measures?

DISCUSSION

In reviewing the application staff's analysis focused on the compatibility of the project with existing development patterns of the area.

The analysis centered on the project's compatibility with the existing residential patterns. The Guajome Neighborhood primary development pattern consists of tract subdivision intermixed with estate residential development. The areas steep topography has created a lot pattern of various shapes and sizes. Staff believes that the lots created by this subdivision are consistent and compatible with the development pattern within the surrounding neighborhood under the same site constraints. In addition, the project exceeds the minimum lot size of 10,000 square feet with an average lot size of 24,738 square feet.

The analysis centered on the project's compatibility with the existing residential patterns. Due to this concern staff has inventoried the adjacent single-family developments as a basis of comparison. Listed below are the areas residential square footages:

Surrounding Single-Family Residential Units			
	<u>Jeffries Ranch</u>	<u>Marlborough Est.</u>	<u>Project</u>
<u>Lot Size:</u>	10,000	10,000	10,000
<u>Unit Size:</u>	1,636	2,377	Subject to future
	1,737	2,866	Planning Commission
	2,072	2,963	Approval

A Conditional Use Permit (CUP) is required when using a panhandle access design for vehicular access. The project is proposing a panhandle access for eight lots. Article 10 of the Zoning Ordinance outlines development standards for designing a panhandle access. The proposed accesses meet all of the standards required.

The project is subject to the provisions of the Hillside Development Regulations. In an effort to conform to existing topography many design techniques have been utilized throughout the project. For instance, the rounding of graded slopes where possible to transition into existing natural slopes and benchmarks. The overall grading is anticipated to be a balanced 315,000 cubic yards of cut and fill for 35.1 graded acres, which equates to 5,665 cubic yards per graded acre, which is below the maximum allowable of 7,500 cubic yards per graded acre for hillside development.

Staff's review of the project identified an additional issue regarding the project compliance with the hillside development regulations. Since the project site maintains a variety of "qualifying" slopes the hillside development regulations are in effect. Of the applicable regulations, the criteria for the height and length of manufactured slopes warrants further discussion. The hillside regulations limit the length and height of manufactured slopes throughout a project. Manufactured slopes cannot exceed 30 feet in height nor can they exceed 400 feet in length. This slope is situated along Lots 12 – 14 (approximately 40 feet in height and 500 feet in length) and Lots 36 – 44 (approximately 40 feet in height and 1,100 feet in length).

The Planning Commission may approve the creation of the manufactured slopes greater than the maximum allowed by the Zoning Ordinance provided that the slopes are necessary to remediate any adverse geologic conditions and that no development is allowed in the area where the slopes are created. In addition, a relatively flat lot is required to meet the EQ Overlay District requirements for horse facilities necessitating the construction of some larger slopes described above. These deviations from the Hillside regulations are allowed when EQ Overlay requirements need to be met.

In staff's opinion, these increases in manufactured slope heights and length are acceptable. The Geotechnical Report indicates that creation of the manufactured slopes is due to the unstable **alluvial** soil. In addition, no feasible alternative exists to the proposed grading without creating a more substantial impact on the biological habitats being preserved in the open space and surrounding areas. Furthermore, the grading of these slopes will be rounded and contoured where feasible to simulate the existing topography and will be landscaped with native plants in further blending these slopes visually with the adjacent open space.

Undergrounding Overhead Utilities: Currently, Article IX Section 901 G., of the Subdivision Ordinance outlines the requirements for undergrounding overhead utilities. Also included within this section are the waiver and deferral provisions. Attached to the staff report is Article IX of the Subdivision Ordinance. The waiver provisions are as follows:

Waiver Provisions: The Planning Commission or City Council upon appeal, may grant a waiver to the above requirements only at the time of tentative map approval based solely on one or more of the following:

- The existing overhead electric lines are transmission lines in excess of thirty-four thousand five hundred volts (34.KV).
- The existing overhead communication lines are solely long distance/trunk facilities.
- Extreme topographic, geologic, soils or other conditions make conversion of the facilities unreasonable or impractical for the long term.

The applicant is requesting the waiver due to the high sensitivity of habitat within the transmission corridor and the high cost of undergrounding the existing utilities on-site. The applicant believes that Subsection C., of the waiver provisions is applicable to the project site.

Staff has reviewed the request and has concluded that the requirements of the waiver of the overhead utilities has been met. Staff believes that the existing slope gradients and associated sensitive biological habitat (mainly coastal sage scrub) appear to make it infeasible to underground the overhead utilities located on the eastern boundary of the subject site. The Wildlife Agencies support the waiver because it results in the protection of sensitive biological resources.

General Plan Circulation Element Amendment: The removal of the connection of Secretariat Street through the project site to Mission Avenue/SR-76 is supported by staff and the Wildlife Agencies. Removal of this connection will allow the preservation of a significant wildlife corridor through the site while maintaining and avoiding impacts to a major and critical plant species scattered throughout the northern portion of the project site. The traffic report concludes that elimination of this roadway will not significantly impact local traffic patterns and volume west of the project site.

ENVIRONMENTAL DETERMINATION

An Environmental Impact Report (EIR) has been prepared stating that if the mitigation measures/conditions of approval are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission will need to certify and consider the Environmental Impact Report during its hearing on the project. A summary of the findings of the EIR, including project alternatives is provided below.

Land Use – The project was found to be consistent with surrounding land use patterns and development.

Biological Resources – The project site is uniquely situated between the San Luis Rey River and open space areas south of the project site. The Federal and State Wildlife Agencies considered a wildlife corridor connection with a minimum width of 150 feet through the project site to be of utmost importance. The preservation of a rare plant known as San Diego Ambrosia (*Ambrosia pumilla*) that thrives on the northern portion of the site as well as preservation of wetlands, coastal sage scrub, and restoration of coastal sage scrub was determined to be important.

The proposed project design achieves these goals through preservation of 53 acres of the 82.5-acre project site. Open space Lot A includes 45 acres of natural open space and habitat. However, development on the remaining 29 acres will result in impacts to 0.02 acre of riparian woodland, 21.6 acres of coastal sage scrub, 2.5 acres of disturbed coastal sage scrub, and 6.1 acres of non-native grassland/coastal sage scrub, and 5.8 acres of non-native grassland. All of these impacts would be mitigated through on-site preservation of the remaining existing coastal sage scrub, San Diego Ambrosia, creation of 0.7 acre of coastal sage scrub, and preservation of a critical wildlife corridor as agreed upon by the Wildlife Agencies. The open space on-site will be placed under protection of a conservation easement and will be managed in perpetuity by a qualified non-profit open space management entity.

Cultural Resources – Potential impacts to buried archaeological resources could occur

Cultural Resources – Potential impacts to buried archaeological resources could occur during project grading. Therefore, a qualified archaeologist and Native American monitor will be required to monitor all grading activities. If any cultural resources are found, grading will be temporarily stopped so the resource(s) can be identified and catalogued appropriately.

Alternatives – The following three project alternatives were analyzed in the EIR: (1) No Project Alternative which assumes that no development occurs on the proposed project site; (2) Alternative Footprint Alternative that analyzes moving the developed portion of the project (with a reduction to 34 single-family lots) to the northern portion of the project site and preserves open space on the southern project site area and; (3) An Alternative that considers potential impacts/benefits of connecting Secretariat Street through the project site to Mission Avenue/SR-76. The conclusions of the analysis of these alternatives in the EIR are presented below.

No Project Alternative – Implementation of this alternative would result in no physical impacts.

Alternative Project Footprint – This alternative would slightly reduce impacts associated with air quality, traffic, and public services, but would increase impacts to the proposed wildlife corridor, the sensitive San Diego Ambrosia, and wetlands. The wildlife corridor was a critical factor in the proposed project design.

Alternative with Secretariat Street – This alternative would increase biological resource and land use impacts through construction and implementation of this road connection. It would also change traffic patterns in the existing Jeffries Ranch neighborhood although impacts would be the same as the proposed project.

SUMMARY

Staff believes that the proposed Tentative Map, Development Plan, General Plan Amendment, and Conditional Use Permit are consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets or exceeds all development standards. The project is compatible in residential lot type, lot sizes and density with the surrounding neighborhood. As such, staff recommends that the Planning Commission approve the project. The Commission's action should be:

- Move to certify the Environmental Impact Report affirming that it has been prepared in compliance with the provisions of the California Environmental Quality Act and adopting the Findings of Fact supporting this fact and adopt Planning Commission Resolution No. 2006-P69 as attached.

- Move to approve Tentative Map (T-9-99), Development Plan (D-24-99), Conditional Use Permit (C-33-99), the waiver of a portion of the project undergrounding of utilities requirement, and recommend that the City Council approve General Plan Circulation Element Amendment (GPA-5-04), and adopt Planning Commission Resolution No. 2004-P70 as attached.

PREPARED BY:



Jerry Hittleman
City Planner

JHH/fil

Attachments:

1. Tentative Map, Site Plan, Landscape Plan
2. Planning Commission Resolution Nos. 2006-P69 and 2006-P70
3. Exhibit "A"
4. Waiver of Underground Utilities Letter

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RECEIVED

NOV 30 2006

ACCEPTANCE OF APPEAL

(OFFICE USE ONLY)

RECEIVED
CITY CLERK DEPARTMENT
CITY OF OCEANSIDE

Planning Department

2006-P-70
2006-P-69

Appeal of: Jeffries Ranch Project TMT-9-99, D-24-99, C-23-99
GPA-05-04, Engineering Waivers

Date of Final Action: 11-20-06 Date Filed: 11-30-06

Form of Appeal: \$656 Appeal Fee _____ Petition X

Person Submitting Appeal: Doreen Stadlander / LESLIE BROOKS

Company/Developer Representative, Company

Name: Resident

Name of Person who Prepared the Appeal: _____

Doreen Stadlander

Name of Spokesperson for the Appeal: _____

Doreen Stadlander / LESLIE BROOKS

Address: 1544 Belmont Park Rd Oceanside
1524

Phone Number: 760 945-6703
630-1758

E-mail and/or Fax: Doreens@cox.net

Appeals must be filed within 10 days of the date of final action. **Section 4604:** To appeal by petition for a waiver of the appeal fee, the appeal must be accompanied by the signatures of 50% of the property owners within the noticed area or 25 signatures of the property owners or tenants within the noticed area, whichever is less.

I hereby certify that this appeal is being submitted in accordance with the Zoning Ordinance and meets the criteria specified in Section 4604 for an appeal by petition.

Signature: Leslie Brooks, for
DOREEN STADLANDER

Date: 11/30/06

We are filing an appeal to the City of Oceanside Planning Commission's approval of the Jeffries Ranch Residential Housing Development that includes Tentative Tract Map (T-9-99), Development Plan (D-24-99), Conditional Use Permit (C-23-99), General Plan Circulation Element Amendment (GPA-5-04), Engineering Waiver and Hillside Development Waiver. This appeal is based on the following:

-Failure of the Environmental Impact Report (EIR) to adequately address traffic and circulation within the Jeffries Ranch community. The traffic analysis for the project did not model traffic conditions with the closure of Jeffries Ranch Road due to the forthcoming SR 76 improvements but rather assumed Jeffries Ranch Road would have a right turn in and right turn out access to SR 76. Caltrans has repeatedly provided written comments to the City stating Jeffries Ranch road would not have access to SR 76 and traffic models for the project should reflect this condition

-Issuance of a waiver to the Hillside Development Ordinance for manufactured slopes that will exceed the maximum length and height specified in the ordinance.

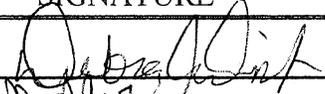
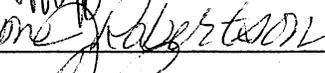
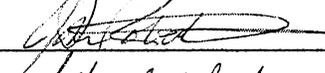
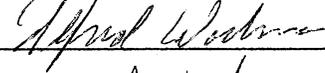
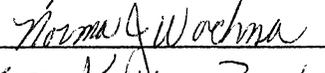
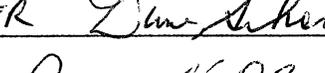
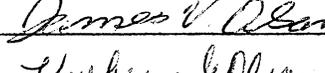
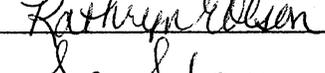
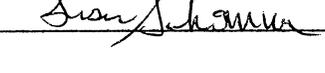
-Failure of the Project to provide a connection from the Jeffries Ranch neighborhood to the San Luis Rey Regional Trail system.

-Failure to implement the Alternative Project Footprint Alternative that was identified in the EIR as the Environmentally Superior Alternative

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CITY CLERK DEPARTMENT
CITY OF OCEANSIDE

2006 NOV 30 P 2:47

We, the undersigned, object to the City of Oceanside's approval of the Jeffries Ranch Residential Housing Development that includes Tentative Tract Map (T-9-99), Development Plan (D-24-99), Conditional Use Permit (C-23-99), General Plan Circulation Element Amendment (GPA-5-04), Engineering Waiver and Hillside Development Waiver and are appealing to the City Council for further consideration.

PRINT Name	SIGNATURE	ADDRESS
Debra Dinkson		5779 Spur Avenue
Mike Kricfalusi		5779 Spur Avenue
Jennifer Robertson		5838 Spur Ave.
JOHN ROBERTSON		5838 Spur Ave.
ALFRED WOCHNA		5834 Spur Ave
NARMA WOCHNA		5834 Spur Ave
KATHY BURKE		5759 Spur Ave
Coree Burke		5759 Spur Ave
BOB Conlin		5757 Spur Ave, Oceanside
Betty Conlin		5757 Spur Ave, Oceanside
GEORGE M. COLE		1520 BELMONT PARK ROAD, OCEANSIDE
Kenae Cole		1520 Belmont PK Rd. Oceanside
DAVE SCHOMMER		1512 Belmont Park Oceanside
James V. Olson		5719 Shetland Ct Oceanside
Kathryn Olson		5719 Shetland Ct Oceanside
SUSAN Schommer		1512 Belmont Park Rd.

