ITEM NO. 15

STAFF REPORT

CITY OF OCEANSIDE

DATE: September 19, 2007

TO: Honorable Mayor and City Councilmembers

FROM: Community Development Department/ Planning Division

SUBJECT: **INTRODUCTION OF AN ORDINANCE FOR ZONE AMENDMENT (ZA-5-06) REZONING AN APPROXIMATELY 4-ACRE SITE ALONG THE NORTH SIDE OF NORTH RIVER ROAD BETWEEN CALLE MONTECITO AND LAMPLIGHTER OCEANSIDE MOBILE HOME PARK TO PLANNED DEVELOPMENT DISTRICT (PD-22) – LIBBY LAKE VILLAGE**

SYNOPSIS

The item under consideration is a Zone Amendment (ZA-5-06) to rezone an approximately 4-acre site to Planned Development District (PD-22) to implement the development of a 20-unit, single-family residential subdivision. The project site is located along the north side of North River Road between Calle Montecito and Lamplighter Oceanside Mobile Home Park. In accordance with Article 17 of the Oceanside Zoning Ordinance, the rezoning of the property is intended to eliminate rigid application of zoning standards in order to encourage creativity and achieve a high-quality urban design development.

The subject Zone Amendment has been considered and endorsed by the Planning Commission. The associated Tentative Map (T-5-06) and Development Plan (D-8-06) have been approved by the Planning Commission – contingent upon approval of the Zone Amendment – and no further action is required on those discretionary applications. Staff is recommending that the City Council affirm the Commission's actions by introducing an ordinance amending the City's Zoning District Map for the project site and adopt the Negative Declaration.

BACKGROUND

Site Review: The project site is located within the North Valley Neighborhood Area at 4700 North River Road. The property is owned by the City of Oceanside and consists of three parcels totaling approximately four acres. The Libby Lake Community Center is located on the southernmost parcel along North River Road. The other two parcels are undeveloped.

The applicant's project includes floor plans as summarized below:

Plan Type	No. of Units	Floor Area (Sq. Ft.)	No. of Bedrooms	Garage	Stories
1	6	1,349	4	2-car (tandem)	2
2	6	1,352	4	2-car (tandem)	2
3	4	1,635	3	1-car	2
4	4	1,751	3	2-car (tandem)	2
TOTAL	20				

The proposed rezoning is intended to promote orderly, high-quality, urban design development consistent with the General Plan – within a flexible regulatory framework that advocates for creative design solutions – and achieve the most appropriate and desirable development for the site (Libby Lake Village).

Libby Lake Village is an affordable ownership housing development consisting of 20 single-family detached homes which will provide housing for first-time homeowners with an annual income at or below 80 percent of the area medium income (AMI).

The developer, San Diego Habitat for Humanity, Inc., proposes a mix of homes that includes four different floor plans with three or four bedrooms and attached one or two-car (tandem) garages. The project features four distinctive, contemporary architectural style building elevations clad with stucco and siding. The homes are designed to be consistent with principles of sound neighborhood design and high energy-efficiency. High-quality building construction methods are proposed to be employed to ensure cost effective maintenance of the units over time. A 5-foot setback area will be combined with a 5-foot exclusive use easement on the north side of each parcel to provide each dwelling unit with a 10-foot wide usable side yard area in addition to the private rear yards.

The development proposal includes a common recreational area (Lot A) with recreational amenities including a sports court, rock-climbing structure, a gathering (picnic table) area with shade trellis. Access to the Libby Lake Village will be provided via a private street (Lot B). Said street will connect with the existing private driveway that provides access to the Libby Lake Community Center parking area from North River Road. A total of 34 on-street parking spaces will be provided along Lot B for use by Libby Lake Village residents and their quests.

ANALYSIS

The applicant proposes the rezone of the property to a Planned Development District in order to eliminate rigid application of RM-A zoning standards, encourage creativity and achieve a development proposal of quality urban design.

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

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

KEY PLANNING ISSUES

General Plan conformance

A. Land Use Element I. Community Enhancement

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

Objective 1.11 Community Values: To ensure the enhancement of long-term community and neighborhood values through effective land use planning.

Objective 1.12 Land Use Compatibility: To minimize conflicts with adjacent or related land uses.

Objective 1.16 Housing: To ensure that decent, safe and sanitary housing is available to all current and future residents of the community at a cost that is within the reach of the diverse economic segments of Oceanside.

The proposed project at a density of 7.4 du/ac is consistent with the General Plan Land Use Map designation on the subject property – Medium Density A Residential (MDA-R) – and compatible with surrounding residential uses. Table 1 provides comparisons between existing land uses, general plan and zoning designation on adjoining properties.

Table 1. Land Use compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	MDA-R	RM-A (current) PD-22 (proposed)	Public (Libby Lake Community Center) & Vacant
North of the site	MDA-R	RM-A	Residential
East of the site	MDA-R	RM-A	Residential
South of the site	LI	IL	Light Industrial (auto auction parking lot)
West of the site	MDA-R	RM-A	Residential (Mobile Home Park)

The subject proposal will contribute toward meeting the City's affordable housing goals by providing 20 high-quality, attractive single-family residences to first-time homebuyers.

B. Land Use Element II. Community Development

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

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

The proposed subdivision will implement General Plan goals and objectives by adhering to the density range for the subject land use designation of 6.0-9.9 dwelling units per gross acre. The project will contribute to the long-range enhancement of the community by incorporating adequate on-site improvements, street design, drainage, sanitary facilities, and easements. Required project off-site improvements and payment of fees are identified in staff's resolution.

Objective 2.02 Residential Subdivision: To assure residential subdivisions of land shall be of sufficient size, dimensions, and topography to promote overall community enhancement, and the aesthetic and efficient functioning of the particular residential unit.

The design of the subject subdivision will provide parcels with pad areas of sufficient size and dimension to accommodate the size of the proposed residential units and associated open space (private yard areas) and service areas (attached garages). The residential parcels will range in size from 3,131-square-foot to 3,644-square-foot. The parceling of land will be compatible with the intensity of adjoining Lamplighter Inn Mobile Home Park (approximately 3,150-square-foot) and the duplex development to the east and north of the site (approximately 4,200-square-foot). The linear subdivision design is dictated by the size and configuration of the parcel, avoids creating unusable areas of land and is laid out in a fashion that promotes a functional, safe and aesthetically pleasing neighborhood area.

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

The development regulations for Libby Lake Village, set forth by Development Plan D-8-06, promote high-quality and functional design of housing, at a cost that would be within reach of the diverse economic segments of Oceanside and will contribute in the establishment of well-balanced neighborhoods within the City of Oceanside.

Zoning Compliance

The applicant requests rezoning of the site from Residential Medium Density A (RM-A) to Planned Development (PD). The development plan for the site (D-8-06) sets forth the regulations for Libby Lake Village within the boundaries of the proposed district (PD-22). Table 2 summarizes proposed and applicable development standards for Libby lake Village.

Table 2. Development standards

	RM-A (CURRENT)	PD-22 AS IMPLEMENTED BY D-8-06 (PROPOSED)
LOT SIZE	5,000 sq. ft. (min)	3,131 - 3,644 sq. ft. (3,324 sq. ft. average)
PARKING SPACES	2-car garage	1 or 2-car garage
FRONT YARD	20-ft. (min)	Staggered w/ 15-ft. (min)
INTERIOR SIDE YARD	5;10-ft. (min)	5-feet (min)
REAR YARD	15-ft. (min)	Staggered w/ 9.25-ft.(min)
COVERAGE	50% (max)	38-48% (44% average)
LOT WIDTH	50-ft. (min)	37-ft. (min) 41.7-ft. (average)
HEIGHT	36-ft. (max)	22.83-ft. (max)

Subdivision Ordinance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance (Article IV Tentative Subdivision Maps – Five or More Parcels).

A. Article IV Tentative Subdivision Maps – Five or More Parcels. Pursuant to Section 401 of the Subdivision Ordinance, this Tentative Subdivision Map has been prepared in a manner acceptable to the Engineering Division.

California Environmental Quality Act

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and an Initial Study and Negative Declaration (IS/ND) was prepared. The environmental analysis concluded that the project will not have a significant effect on the environment.

FISCAL IMPACT

All fees required for the processing of this application have been paid by the applicant.

COMMISSION/COMMITTEE REVIEW

The Planning Commission recommended approval of the proposed Zone Amendment and approved the related Tentative Map and Development Plan on a 6-0 vote at the May 21, 2007, Planning Commission meeting.

CITY ATTORNEY'S ANALYSIS

Pursuant to Oceanside Zoning Ordinance Article 4506, the City Council is authorized to hold a public hearing on the proposed Zone Amendment. Consideration of the amendment should be based on the record of the decision of the Planning Commission and evidence presented at the public hearing. After conducting the public hearing, the Council shall affirm, modify, or reject the Planning Commission's recommendation. A modification not previously considered by the Commission shall be referred to the Commission for review and action as appropriate.

RECOMMENDATION

Staff finds that the proposed Zone Amendment is consistent with the policies and objectives of the General Plan and Zoning Ordinance. The associated project, as designed, will not have an adverse impact to the surrounding neighborhood and the single-family product type will complement existing residential uses in the surrounding area. Therefore, staff recommends that the City Council introduce the ordinance approving the Zone Amendment and amending the Zoning District Map to add a Planned Development District (PD-22) and adopt the Negative Declaration.

PREPARED BY:

Amy Volzke
Principal Planner

SUBMITTED BY:

Peter A. Weiss
City Manager

REVIEWED BY:
Michelle Skaggs Lawrence, Deputy City Manager
Mike Blessing, Deputy City Manager
Jerry Hittleman, Acting City Planner

Attachments:

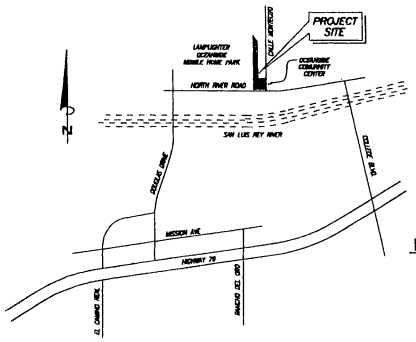
1. Area Map, PD Plan (Development Plan D-8-06) and Tentative Map Subdivision T-5-06
2. Draft Council Ordinance Approving the Zone Amendment
3. Planning Commission Resolution No. 2007-P27 Recommending Approval of Zoning Amendment and Approving Development Applications
4. Planning Commission Staff Report dated May 21, 2007
5. Initial Study/Negative Declaration

T-5-06
D-8-06

TENTATIVE MAP / DEVELOPMENT PLAN

FOR

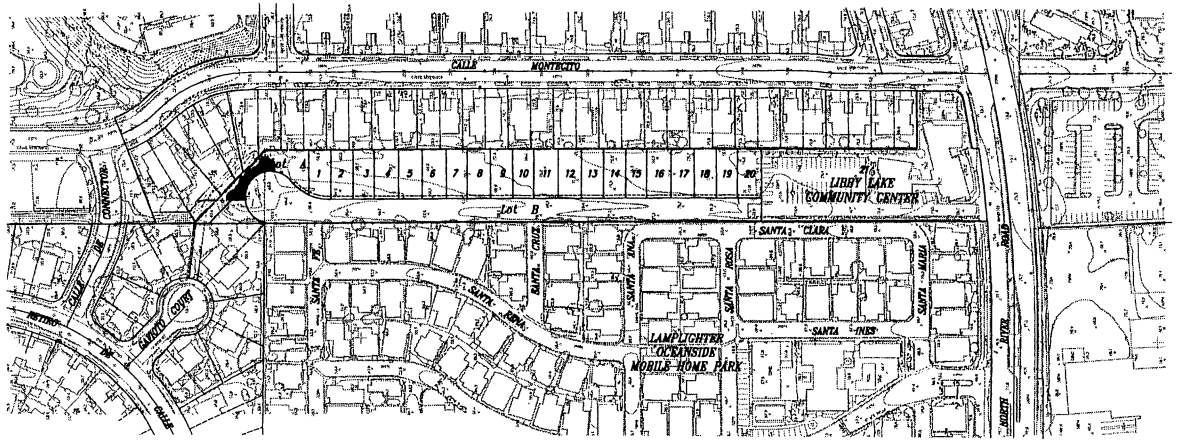
LIBBY LAKE VILLAGE



VICINITY MAP
NTS

LEGAL DESCRIPTION:

THAT PORTION OF THE WEST HALF OF SECTION 4, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, LYING WITHIN THE LAND WHICH IS DESCRIBED AND ILLUSTRATED AS PARCELS A, B AND C ON THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED ON AUGUST 20, 2001 AS DOCUMENT NO. 2001-0562046 OF OFFICIAL RECORDS OF SAID SAN DIEGO COUNTY.



INDEX MAP
1" = 100'

SOURCE OF TOPOGRAPHY

THE TOPOGRAPHY SHOWN ON THIS PLAN WAS COMPILED BY MERCATOR PHOTOGRAMMETRIC SYSTEMS – DATED FEBRUARY 6, 2006

PRELIMINARY HYDROLOGY REPORT

PREPARED BY BUCCOLA ENGINEERING INC.
DATED: JUNE 18, 2006 – REVISED NOV. 3, 2006

STORM WATER MITIGATION PLAN

PREPARED BY BUCCOLA ENGINEERING INC.
DATED: NOVEMBER 09, 2006
APPROVAL: PENDING

GEOLOGICAL REPORT

GEOLOGIC ASSOCIATES
16685 WEST BERNARDO DRIVE, SUITE 305
SAN DIEGO, CALIFORNIA, 92127
DATED MAY 2006

FLOOD INSURANCE RATE MAP

PANEL 756 OF 2375
MAP # 0607320756 G
FEDERAL EMERGENCY MANAGEMENT AGENCY
(FEMA) REVISED JANUARY, 2001

OWNER

CITY OF OCEANSIDE
MUNICIPAL CORPORATION

VESTING:

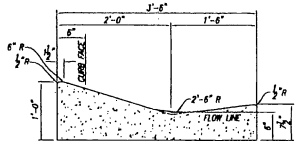
AS OF MAY 1, 2006, THE OWNER OF THE PROPERTY SHOWN ON THIS TENTATIVE MAP OF LIBBY LAKE VILLAGE IS THE CITY OF OCEANSIDE, PURSUANT TO GRANT DEED RECORDED ON MARCH 15, 1999 AS DOC. NO. 1999-0165008.

DEVELOPER

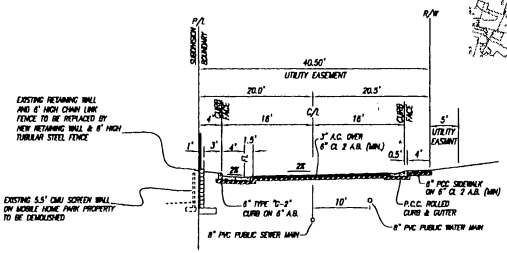
SAN DIEGO HABITAT FOR HUMANITY, INC.
10222 SAN DIEGO MISSION ROAD
SAN DIEGO, CA. 92108
TEL: (619) 283-4663 EXT. 322

CHERYL KEENAN (EXECUTIVE DIRECTOR)

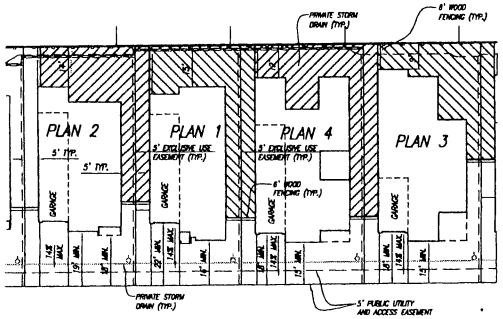
ATTACHMENT 1



ROLLED CURB DETAIL
SCALE 1"=1'



TYPICAL SECTION – PRIVATE STREET
NTS



TYPICAL LOT GRADING
NTS

RECEIVED
MAR 27 2007
Planning Department

AREAS

RESIDENTIAL LOT AREAS:	1.548 ACRES
COMMUNITY CENTER AREA:	1.324 ACRES
PRIVATE STREET LOT AREAS:	0.928 ACRES
OPEN SPACE LOT AREAS:	0.219 ACRES
TOTAL SITE AREA GROSS:	4.018 ACRES

TOTAL RESIDENTIAL LOTS:	20 LOTS
COMMUNITY CENTER LOT:	1-LOT "21"
PRIVATE STREET LOT:	1-LOT "B"
OPEN SPACE LOT:	1-LOT "A"
LOT DENSITY:	4.98 DWELLING UNITS/ACRE
AVERAGE RESIDENTIAL LOT SIZE:	3,521 SF
MINIMUM RESIDENTIAL LOT SIZE:	3,131 SF
MAXIMUM RESIDENTIAL LOT SIZE:	3,644 SF

LOT AREA TABLE

LOT #	LOT AREA	HOUSE TYPE	HOUSE AREA	LOT COVERAGE
1	3,308	2	1,357	41%
2	3,300	2	1,357	41%
3	3,131	1	1,357	43%
4	3,248	1	1,357	42%
5	3,170	3	1,535	47%
6	3,220	4	1,357	42%
7	3,170	3	1,535	47%
8	3,172	3	1,535	47%
9	3,301	2	1,357	41%
10	3,174	3	1,535	47%
11	3,644	4	1,357	40%
12	3,174	3	1,535	47%
13	3,301	2	1,357	41%
14	3,174	3	1,535	47%
15	3,301	2	1,357	41%
16	3,135	1	1,357	43%
17	3,644	4	1,357	40%
18	3,170	3	1,535	47%
19	3,308	2	1,357	41%
20	3,170	1	1,357	43%
21	57,664	–	EX. BLDG. 11,217	19%
Lot A	9,539	–	–	
Lot B	40,408	–	–	
Total	175,024		40,967	

PUBLIC SERVICES

SCHOOL DISTRICT:	OCEANSIDE UNIFIED SCHOOL DISTRICT
TELEPHONE:	AT&T
POLICE:	CITY OF OCEANSIDE
FIRE:	CITY OF OCEANSIDE
SEWER:	CITY OF OCEANSIDE
WATER:	CITY OF OCEANSIDE
CABLE TV:	COX COMMUNICATIONS
GAS & ELECTRIC:	SAN DIEGO GAS & ELECTRIC

LEGEND:

- NEW WATER MAIN
- EXISTING WATER MAIN
- NEW SEWER MANHOLE
- EXIST. SEWER MANHOLE
- NEW FH
- EXIST. FH
- NEW STREET LIGHT
- EXIST. STREET LIGHT
- EXIST. POWER POLE
- WATER VALVE
- GROW DITCH
- EXIST. OVERHEAD ELECTRICAL
- 6' WOOD FENCE
- NEW CMU RETAINING WALL
- GRADED SLOPE 2:1 MAX.

GRADING QUANTITIES:

	CUT	FILL
RAW VOLUME	1,030 C.Y.	2,245 C.Y.
10% SHRINKAGE		103 C.Y.
TOTAL	1,030 C.Y.	2,348 C.Y.
IMPORT	1,318 C.Y.	
GRADING/ACRE	383 C.Y./ACRE	

NOTES:

ASSESSOR'S PARCEL NO.:	157-060-50, 157-060-51, 157-060-52
SITE ADDRESS:	NORTH RIVER ROAD OCEANSIDE, CA. 92057
EXISTING ZONING:	RM-A
PROPOSED ZONING:	RM-A (PD)
EXISTING LAND USE	VACANT/COMMUNITY CENTER
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL/COMMUNITY CENTER
MAXIMUM SLOPE GRADIENT	2:1
OFF STREET PARKING REQUIRED	2 SPACES PER UNIT
OFF STREET PARKING PROPOSED	2 SPACES PER UNIT
PROPOSED BUILDING COVERAGE	23.4 %
PERCENT OF PROJECT IN STREETS	46.0 %
CONTOUR INTERVAL:	2 FEET
SITE AREA:	4.018 ACRES (175,024 SF)
NO. OF RESIDENTIAL LOTS:	20
NO. OF NON-BUILDABLE LOTS:	2
COMMUNITY CENTER LOTS:	1
TOTAL NO. OF LOTS:	23
DENSITY:	4.98 D.U. / ACRE

PREPARED IN THE OFFICE OF:
BUCCOLA ENGINEERING, INC 760/721-2000
3142 Vista Way, Suite 301, Oceanside, CA 92056

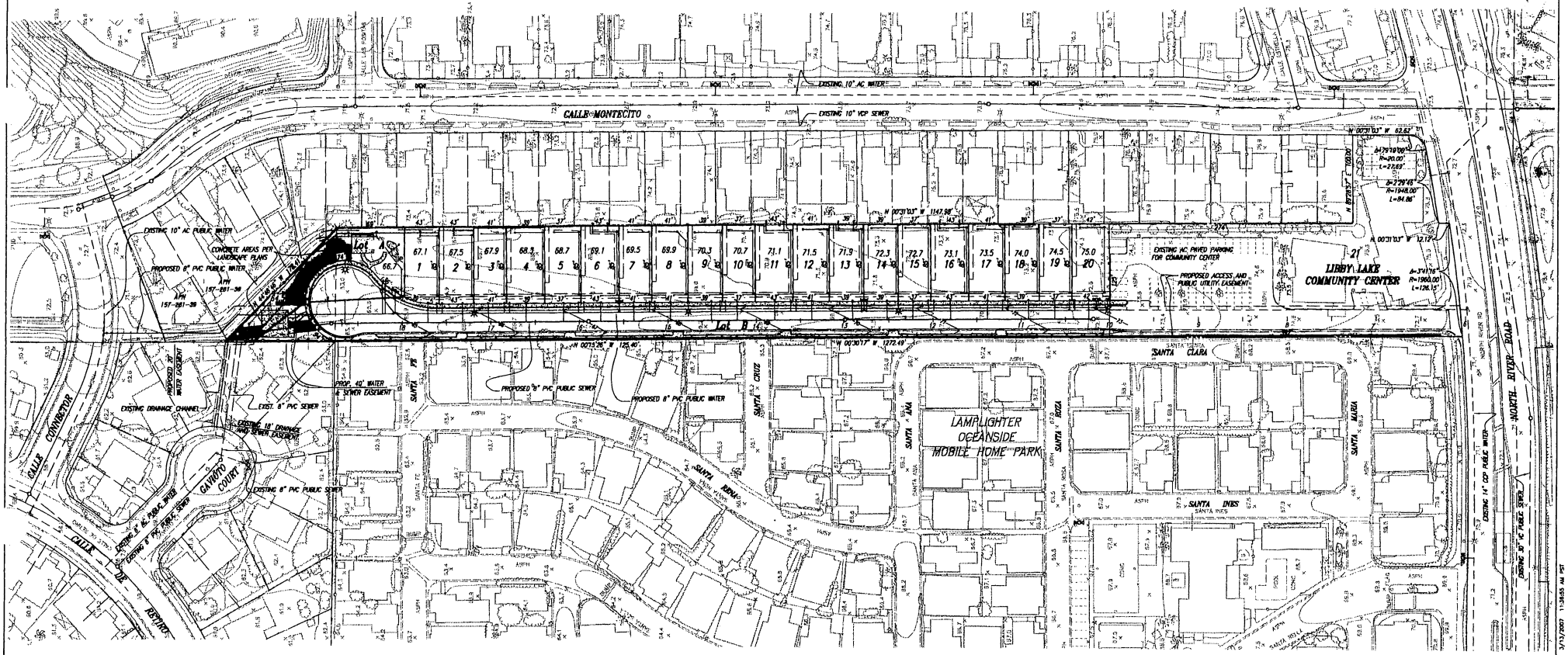
PHILIP D. BUCCOLA R.C.E. 27732 DATE

DATE REVISED: JANUARY 18, 2007
DATE PREPARED: JUNE 20, 2006
SHEET 1 OF 3

F:\1 RM Workflow\01 Libby Lake\Dwg\1803TM-01.dwg 3/13/2007 11:55:58 AM PST

T-5-06
D-8-06

TENTATIVE MAP / DEVELOPMENT PLAN
FOR
LIBBY LAKE VILLAGE



PREPARED IN THE OFFICE OF:
BUCCOLA ENGINEERING, INC 760/721-2000
3142 Vista Way, Suite 301, Oceanside, CA 92056

PHILIP D. BUCCOLA R.C.E. 27732 DATE

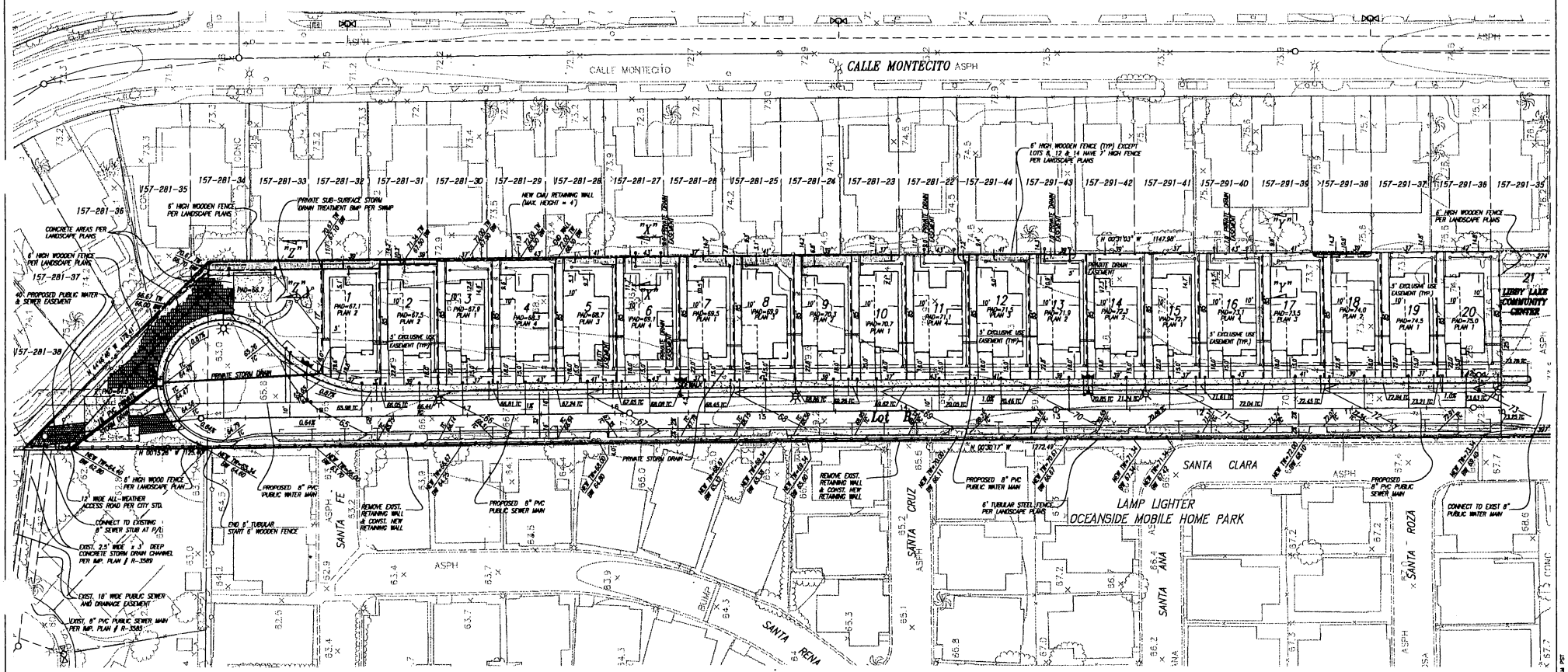
DATE REVISED: JANUARY 18, 2007
DATE PREPARED: JUNE 20, 2006
SHEET 2 OF 3

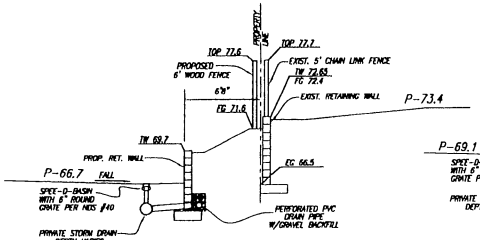
T-5-06
D-8-06

TENTATIVE MAP / DEVELOPMENT PLAN

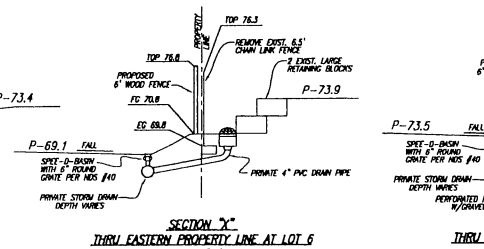
FOR

LIBBY LAKE VILLAGE

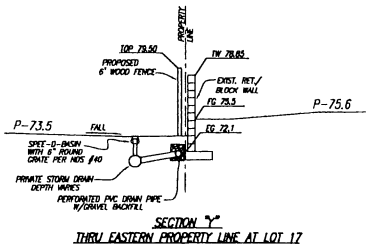




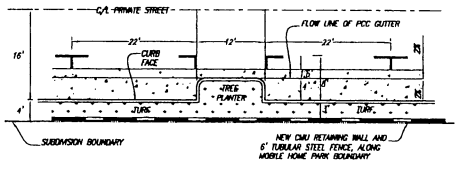
SECTION "Z"
THRU EASTERN PROPERTY LINE AT LOT A
SCALE 1"=5'



SECTION "X"
THRU EASTERN PROPERTY LINE AT LOT 6
SCALE 1"=5'



SECTION "Y"
THRU EASTERN PROPERTY LINE AT LOT 17
SCALE 1"=5'



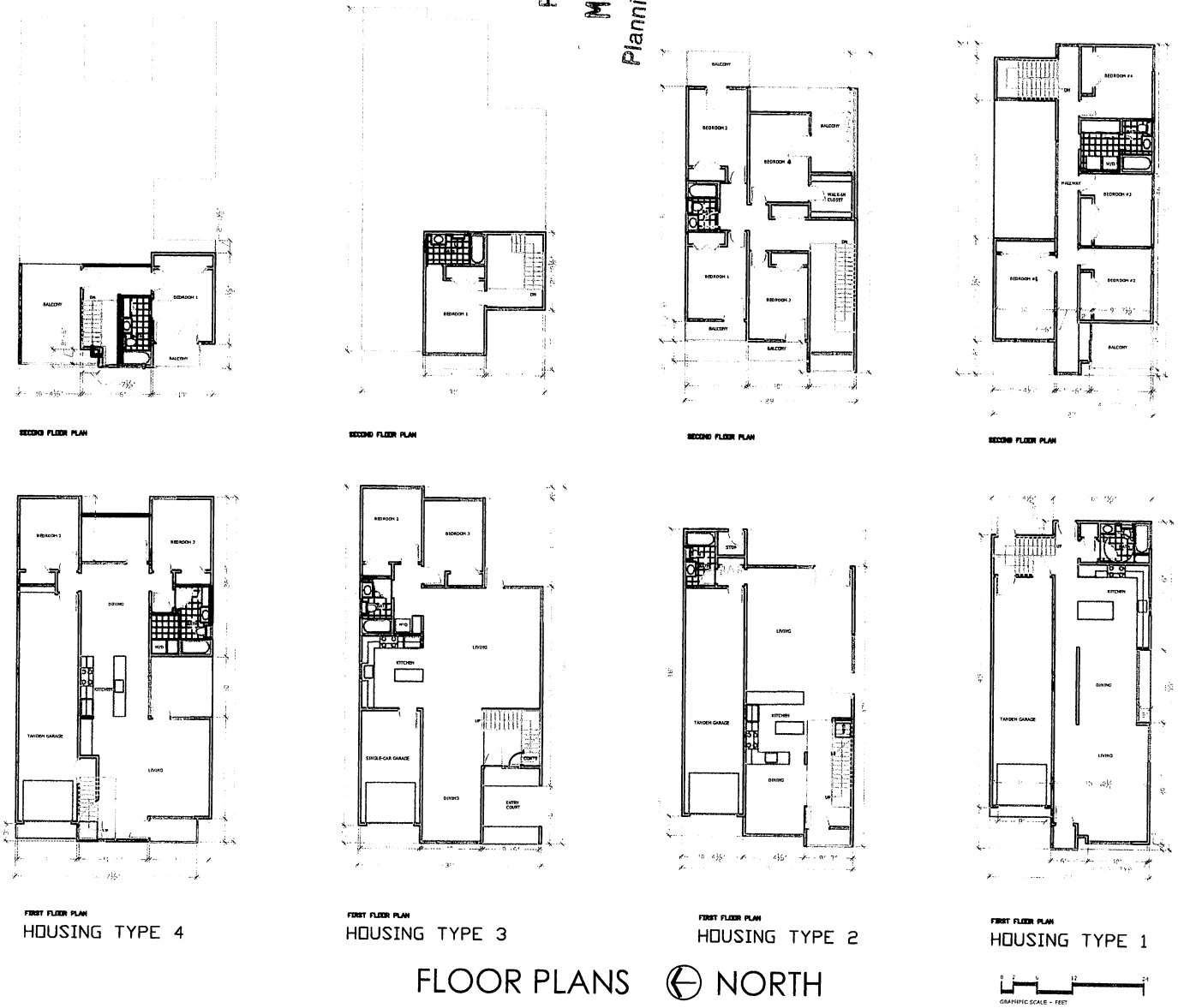
TYPICAL PARKING STALL & TREE PLANTER DETAIL
SCALE 1"=10'

PREPARED IN THE OFFICE OF:
BUCCOLA ENGINEERING, INC
760/721-2000
3142 Vista Way, Suite 301, Oceanside, CA 92056
PHILIP D. BUCCOLA R.C.E. 27132 DATE

DATE REVISED: JANUARY 18, 2007
DATE PREPARED: JUNE 20, 2006
SHEET 3 OF 3

F:\1189 Hedenkum\01 Libby Lake\dwg\1189011a-03.dwg 3/13/2007 11:22:35 AM PST

RECEIVED
MAR 27 2007
Planning Department



FLOOR PLANS NORTH

perisic design studio
urbanism + architecture + interiors + furniture
655 TENTH AVENUE, SAN DIEGO, CA 92101
TEL. 619 338 0884

LIBBY LAKE VILLAGE

OCEANSIDE, CA

HABITAT FOR HUMANITY

ELEVATIONS

perisic design studio
urbanism + architecture + interiors + furniture
655 TENTH AVENUE, SAN DIEGO, CA 92101
TEL. 619 338 0884

LIBBY LAKE VILLAGE

OCEANSIDE, CA

HABITAT FOR HUMANITY

LANDSCAPE CONCEPT PLAN
LIBBY LAKE VILLAGE

OCEANSIDE, CA

PLANTING NOTES

All planting areas shall be prepared with soil conditioner, fertilizers, and appropriate supplements based upon soil samples taken from the site. Ground covers shall fill in between the shrubs to shield the soil from the sun and evapotranspiration. All the flower and shrub beds shall be mulched to help conserve water, lower the soil temperature, and reduce weed growth. The shrubs shall be allowed to grow in their more natural forms. This will work together with the ground covers and mulches to reduce the evapotranspiration rates of the soil. Landscaping shall meet the requirements of the City of Oceanside Guidelines and Specifications for Landscape Development (1985, revised 1997).

IRRIGATION NOTES

An automatic irrigation system shall be installed or redesigned to provide coverage for all planting areas shown on the plan. Low precipitation equipment shall provide sufficient water for plant growth with a minimum of water loss due to run-off. All irrigation improvements shall be installed as per the provisions of the City of Oceanside Zoning Ordinance section 3019, City of Oceanside Guidelines and Specifications for Landscape Development (1985, revised 1997) and Water Conservation Ordinance 091-15.

CONCEPTUAL PLANT LIST

TREES (15 GALLON MIN.)
- PRUNUS CERASIFOLIA - PURPLE LEAF PLUM
- GINKGO BILOBA - GINKGO
- ARBUTUS UNEDO - STRAWBERRY TREE
- ERIOBOTRYA DEFLEXA - BRONZE LOQUAT
- MAGNOLIA GRANDIFLORA - SOUTHERN MAGNOLIA
- MORUS ALBA - WHITE MULBERRY

SHRUBS & GROUNDCOVERS - 5 GAL., 1 GAL., AND FLATS
- LIGUSTRUM JAPONICA - JAPANESE PRIVET
- TECOMARIA CAPENSIS - CAPE HONEYSUCKLE
- LAVENDULA STOECHAS - SPANISH LAVENDER
- PITTOSPORUM TOBIRA 'WHEELERS DWARF' - N.C.N.
- XYLOSMA CONGESTUM - GLOSSY PRIVET
- AGAPANTHUS HYBRIDS 'TINKERBELL' - LILY OF THE NILE
- ANIGOZANTHUS HYBRIDS - KANGAROO PAW
- ESCALLONIA RUBRA - ESCALLONIA
- DIETES 'BI COLOR' - FORTNIGHT LILY
- FESTUCA OVINA GLAUCA - BLUE FESCUE

- ACORUS GRAMINEUS - JAPANESE SWEET FLAG
- LIRIOPE MUSCARI 'BIG BLUE' - GIANT LILY TURF
- RHAPHIOLEPIS INDICA - INDIAN HAWTHORNE
- PHORMIUM 'PINK STRIPE' - DWARF VARIEGATED PHORMIUM
- ACORUS GRAMINEUS - JAPANESE SWEET FLAG
- FRAGARIA CHILOENSIS - BEACH STRAWBERRY
- COMPROSMA PUMILA - N.C.N.
- GAZANIA SPP. - GAZANIA
- TRACHELOSPERMUM JASMINOIDES - STAR JASMINE
- DISTICTIS BUCCINATORIA - BLOOD-RED TRUMPET VINE

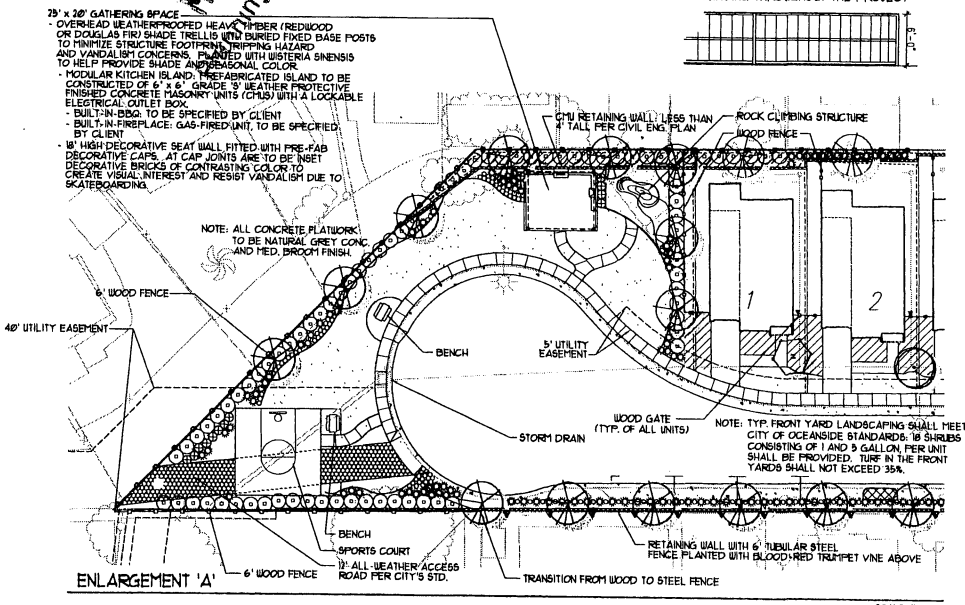
TURF GRASS - SOD

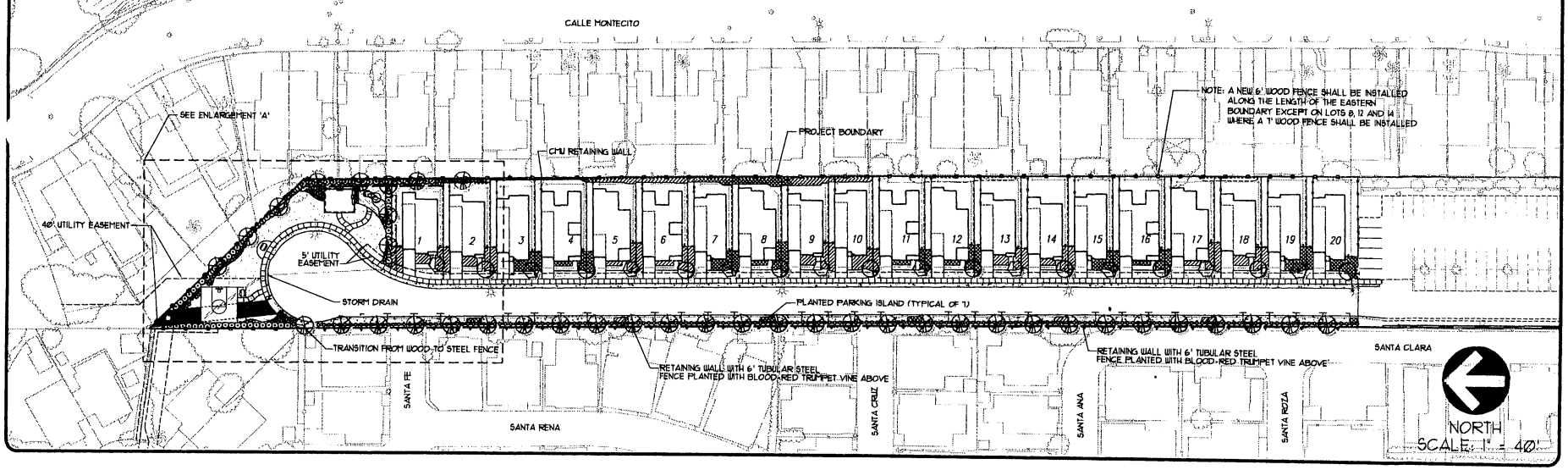
WOOD GATE (TYPICAL OF ALL UNITS)

RECEIVED MAR 27 2007 Planning Department

CONCEPTUAL SOLID WOOD FENCE

A CEDAR OR DOUGLAS FIR FENCE WILL BE USED PRIMARILY AS SIDE YARD AND PERIMETER FENCING THROUGHOUT THE PROJECT





THE LIGHTFOOT PLANNING GROUP

PLANNING
SITE DESIGN
LANDSCAPE ARCHITECTURE

5750 FLEET STREET, STE. 250
CARLSBAD, CA 92008
(760) 602-1924
FAX (760) 602-1935
LIGHTFOOT@LIGHTFOOTPG.COM

REGISTERED LANDSCAPE ARCHITECT JAMES L. TAYLOR 2961 SIGNATURE DATE 1-09-2008 STATE OF CALIFORNIA

San Diego Habitat for Humanity
Libby Lake Village
Oceanside, CA

Scale: 1" = 40'
Date: 6/19/06
Drawn By: eh, cls
Revisions:
8/23/06, 1/15/07
3/13/07

Landscape Concept Plan

Job # 1107.011

1

1107.011 Libby Lake Village

ORDINANCE NO. ___

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING THE ZONING DISTRICT MAP FROM RESIDENTIAL MEDIUM DENSITY-A (RM-A) TO PLANNED DEVELOPMENT DISTRICT (PD-22) FOR PROPERTY LOCATED ALONG THE NORTH SIDE OF NORTH RIVER ROAD BETWEEN CALLE MONTECITO AND LAMPLIGHTER OCEANSIDE MOBILE HOME PARK (ZA-5-06) LIBBY LAKE VILLAGE

(San Diego Habitat for Humanity Inc. -- Applicant)

WHEREAS, an application for Zone Amendment (ZA-5-06) has been filed which would amend the zoning from Residential Medium Density-A (RM-A) to Planned Development District (PD-22) for property generally located along the north side of North River Road between Calle Montecito and The Lamplighter Oceanside Mobile Home Park more particularly described in Exhibit "A" attached hereto and incorporated herein by reference thereto;

WHEREAS, the Planning Commission of the City of Oceanside did, on May 21, 2007 conduct a duly advertised public hearing as required by law and did, by the adoption of Resolution 2007-P27, recommend approval of said Zone Amendment application ZA-5-06;

WHEREAS, said Planning Commission recommendation was made in conjunction with an approval of a Tentative Map (T-5-06) and Development Plan (D-8-06);

WHEREAS, the City Council of the City of Oceanside did hold a duly advertised public hearing on September 19, 2007 to consider said Zone Amendment application and the recommendation of the Planning Commission thereon and did hear all persons supporting or opposing the proposed Zone Amendment;

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

1. The proposed map amendment is consistent with the policies of the General Plan and the notice and hearing provisions of the Oceanside Zoning Ordinance.

///

2. The Planned Development Plan is consistent with the Land Use Element of the General Plan and other applicable policies and is compatible with the surrounding development.

3. The Planned Development Plan will enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if they were not approved.

4. Deviations from the base district regulations that otherwise would apply are justified by compensating benefits of the Planned Development Plan.

5. The Planned Development Plan includes adequate provisions for utilities, services, and emergency vehicle access; and public service demands will not exceed the capacity of existing and planned systems.

6. The Planned Development Plan attached as Exhibit "B" will be implemented by the approved Tentative Map (T-5-06), and Development Plan (D-8-06), as revised by conditions of approval, which is on file in the Planning Department.

WHEREAS, the Acting City Planner has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has conducted an Initial Study, in accordance with the California Environmental Quality Act (CEQA). Based upon the results of the Initial Study, the Acting City Planner has determined that the project could result in significant effects on the environment. However, revisions to the project made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, the Acting City Planner has prepared a Negative Declaration;

WHEREAS, the City Council does hereby find that the Negative Declaration and Initial Study has been prepared in accordance with requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Environmental Review Procedures of the City of Oceanside, and hereby adopts the Negative Declaration and Initial Study;

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

1. The City Council has reviewed the information contained in the Negative Declaration and in the exercise of their independent review and judgment, finds that the Negative Declaration and Initial Study in the form presented has been prepared in accordance with requirements of the California Environmental Quality Act (CEQA) and the Environmental Review Procedures of the City of Oceanside and hereby adopts the same.

2. The Zone Amendment application ZA-5-06 for certain real property described in Exhibit "A" and PD Plan Exhibit "B" attached hereto is hereby approved, and the Acting City Planner is directed to amend the appropriate Zoning Map to show the Zone Amendment.

3. This ordinance shall not be codified.

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

///

///

5. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California held on the 19th, day of September, 2007, and, thereafter,

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

AYES:

NAYES:

ABSENT:

ABSTAIN:

_____
Mayor of the City of Oceanside

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

LEGAL DESCRIPTION:

THAT PORTION OF THE WEST HALF OF SECTION 4, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, LYING WITHIN THE LAND WHICH IS DESCRIBED AND ILLUSTRATED AS PARCELS B AND C ON THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED ON AUGUST 20, 2001 AS DOCUMENT NO. 2001-0592046 OF OFFICIAL RECORDS OF SAID SAN DIEGO COUNTY.

RECEIVED
JUN 22 2006
Planning Department

EXHIBIT A

ATTACHMENT 3

PLANNING COMMISSION
RESOLUTION NO. 2007-P27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING APPROVAL OF A ZONE AMENDMENT ADOPTING A NEGATIVE DECLARATION AND APPROVING A TENTATIVE SUBDIVISION MAP AND DEVELOPMENT PLAN ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: ZA-5-06, T-5-06, D-8-06
APPLICANT: San Diego Habitat for Humanity Inc.
LOCATION: 4700 North River Road

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 Zone Amendment, Tentative Subdivision Map and Development Plan under the provisions of Articles 10, 17, 40, 43, and 45 of the Zoning Ordinance of the City of Oceanside to permit the following:

a zoning district change from RM-A (Residential Medium Density A) to PD (Planned Development) on approximately 4.19 acres, a Tentative Subdivision Map to establish 23 lots, and a Development Plan to establish location of land uses, infrastructure, and development regulations for the construction of 20 single-family dwellings and associated site improvements;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 21st day of May, 2007 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; a Negative Declaration has been prepared stating that the project 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:

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is $2,843-$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	$.713 per square foot or $713 per thousand square feet for non-residential uses and $2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	$.42 per square foot non-residential for Oceanside ($.42 for Vista and Fallbrook) $2.63 per square foot residential ($2.63 for Vista; $2.63 for Fallbrook)
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically $3,746 per unit; Non-residential is $19,967 for a 2" meter.

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically $4,587 per unit; Non-residential is $24,444 for a 2" meter.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically $4,154 per unit; Non-residential is $21,599 for a 2" meter.

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

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

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

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

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

WHEREAS, the Negative Declaration together with any comments received, were presented to the Planning Commission, and the Planning Commission reviewed and considered the information contained in these documents prior to making a decision on the project.

WHEREAS, the Negative Declaration has been determined to be an accurate and adequate document, which reflects the independent judgment and analysis of the Planning Commission. On the basis of the entire record before it, the Planning Commission finds that there is no substantial evidence that the project will have a significant impact on the environment.

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

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

FINDINGS:

For the Zone Amendment (Z-5-06) changing the zoning designation from RM-A (Residential Medium Density A) to PD (Planned Development) district and establishing (PD-22)

1. The Zoning Amendment as proposed conforms to the policies of the General Plan of the City. The PD district is compatible with the General Plan Land Use category of MDA-R, which accommodates residential and public and semipublic uses. In addition the rezoning and implementation of the subject proposal will contribute toward meeting the City's affordable housing goals by providing 20 high quality, attractive single-family residences to first time homebuyers
2. The granting of the Zoning Amendment is consistent with the purposes of the Zoning Ordinance. The change in zoning allows the consideration of a development pattern that is in-keeping with uses in the North Valley Neighborhood. The proposed project at a density of 7.4 du/ac is consistent with the General Plan Land Use Map designation on the subject property - Medium Density A Residential (MDA-R) - and compatible with surrounding residential uses.

For the Planned Development Plan / Development Plan (D-8-06)

1. The PD Plan/Development Plan is consistent with the adopted Land Use Element of the General Plan and other applicable policies and is compatible with surrounding development. The proposed project will implement General Plan goals and objectives

by adhering to the density range for the subject land use designation which allows development at 6.0-9.9 dwelling units per gross acre;

2. The PD Plan/Development Plan will enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if it was not approved. The development regulations for Libby Lake Village, set forth by Development Plan D-8-06, promote high quality and functional design for single family detached housing;

3. Deviations from the base district regulations that otherwise would apply are justified by compensating benefits of the PD Plan/ Development Plan. The development regulations for Libby Lake Village, set forth by Development Plan D-8-06, promote housing, at a cost that would be within reach of the diverse economic segments of Oceanside and will contribute in the establishment of well balanced neighborhoods within the City of Oceanside;

4. The PD Plan/Development Plan includes adequate provisions for utilities, services, and emergency vehicle access; and public service demands will not exceed the capacity of existing and planned systems.

5. The site plan and physical design of the project is consistent with the purposes of the Zoning Ordinance.

6. The Development Plan conforms to the General Plan of the City.

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

8. The project is compatible with the existing and potential development on adjoining properties or in the surrounding neighborhood.

9. The site plan and physical design of the project is consistent with the policies contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan and section 3039 of the Zoning Ordinance.

<u>For the Tentative Subdivision Map (T-5-06)</u>:

1. The proposed map is consistent with the General Plan and provisions of the Subdivision Ordinance of the City of Oceanside.

2. The site is physically suitable for the proposed type of development. The design of the subject subdivision will provide parcels with pad areas of sufficient size and dimension to accommodate the size of the proposed residential units and associated open space (private yard areas) and service areas (attached garages). The residential parcels will range in size from 3,131 sq. ft. to 3,644 sq. ft. The parceling of land will be compatible with the intensity of adjoining Lamplighter Oceanside Mobile Home Park (approx. 3,150 sq. ft.) and the duplex development to the east and north of the site (approx. 4,200 sq. ft.). The linear subdivision design is dictated by the size and configuration of the parcel, avoids creating unusable areas of land and is laid out in a fashion that promotes a functional, safe and aesthetically pleasing neighborhood area

3. The site is physically suitable for the proposed density of development.

4. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

5. The design of the subdivision and type of improvements will not conflict with easements acquired by the public at large, for access through or use of property within the proposed subdivision.

6. The tentative map complies with all other ordinances, regulations and guidelines of the City of Oceanside. The project will contribute to the long range enhancement of the community by incorporating adequate on-site improvements, street design, drainage, and sanitary facilities, and easements. Required project off-site improvements and payment of fees are identified herein.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby adopt the Negative Declaration for Libby Lake Village, recommends approval of Zoning Amendment (ZA-5-06) establishing (PD-22), and approves Tentative Map (T-5-06) and Development Plan (D-8-06) subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check.

2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and Local building codes.

3. The building plans for this project shall be prepared by a licensed architect or engineer and shall be in compliance with this requirement prior to submittal for building plan review.

4. All electrical, communication, CATV, etc. service lines within the exterior lines of the property shall be underground (City Code Sec. 6.30).

5. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the plans.

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

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

8. A private sewer system design shall be submitted to the Building Division and approved prior to the construction of the sewer system. If a gravity flow system is not used, an engineered mechanical system shall be submitted and approved by all City of Oceanside Departments.

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

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

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

Engineering:

10. All right-of-way alignments, street dedications, exact geometrics and widths shall be dedicated and improved as required by the City Engineer.

11. Design and construction of all improvements shall be in accordance with standard plans, specifications of the City of Oceanside and subject to approval by the City Engineer.

12. The approval of the tentative map shall not mean that closure, vacation, or abandonment of any public street, right-of-way, easement, or facility is granted or guaranteed to the developer. The developer is responsible for applying for all closures, vacations, and abandonments as necessary. The application(s) shall be reviewed and approved or rejected by the City of Oceanside under separate process(es) per codes, ordinances, and policies in effect at the time of the application.

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

14. Where proposed off-site improvements, including but not limited to slopes, public utility facilities, and drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain all necessary easements or other interests in real property and shall dedicate the same to the City of Oceanside as required. The applicant shall provide documentary proof satisfactory to the City of Oceanside that such 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 City, may at its sole discretion, require that the applicant obtain at his sole expense a title policy insuring the necessary title for the easement or other interest in real property to have vested with the City of Oceanside or the applicant, as applicable.

15. The developer shall acquire the proposed 20 feet water and public access easement on the northerly side prior to recordation of the final map or issuance of any improvement permit whichever comes first.

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

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

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

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

b) All grading and related site preparation and construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering related construction activities shall be conducted on Saturdays, Sundays or legal holidays unless written permission is granted by the City Engineer with specific limitations to the working hours and types of permitted operations. All on-site construction staging areas shall be as far as possible (minimum 30 feet) from any existing residential development. Because construction noise may still be intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing excessive, or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."

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

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

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

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

21. The project street (Lot "B") shall be improved with curb, gutter and sidewalk per the typical section for private street on the tentative map.

22. Sidewalk improvements shall comply with ADA requirements.

23. Sight distance requirements at the project driveway or street shall conform to the corner sight distance criteria as provided by the California Department of Transportation Highway Design Manual.

24. Streetlights shall be maintained and installed on all public streets per City Standards. The system shall provide uniform lighting, and be secured prior to occupancy. The developer shall pay all applicable fees, energy charges, and/or assessments associated with City-

owned (LS-2 rate schedule) streetlights and shall also agree to the formulation of, or the annexation to, any appropriate street lighting district.

25. This project's street (Lot "B") shall remain private and shall be maintained by an association. The pavement sections, traffic indices, alignments, and all geometrics shall meet public street standards.

26. Pavement sections for all streets and driveways shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared by the developer's soil engineer and must be approved by the City Engineer, prior to paving.

27. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during construction of the project, shall be repaired or replaced as directed by the City Engineer.

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

29. Grading and drainage facilities shall be designed and installed to adequately accommodate the local storm water runoff and shall be in accordance with the City's Engineers Manual and as directed by the City Engineer.

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

31. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic investigation shall be conducted of the soils, slopes, and formations in the project. All 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 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by the City Engineer.

32. This project shall provide year-round erosion control including measures for the site required for the phasing of grading. Prior to the issuance of grading permit, an erosion

control plan, designed for all proposed stages of construction, shall be reviewed, secured by the applicant with cash securities and approved by the City Engineer.

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

34. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections, must conform to intersection sight distance requirements. Landscape and irrigation plans shall be approved by the City Engineer prior to the issuance of occupancy permits, and a pre-construction meeting held, prior to the start of any improvements.

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

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

37. The private storm drain along the front of lots 1-20 shall be located in an appropriate easement and be maintained by the home owners' association. Adjacent property owners'

permission is required for the construction of drains shown off-site on the easterly side at lots 11 and 16.

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

39. The development shall comply with all applicable regulations established by the United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and stormwater discharge and any regulations adopted by the City pursuant to the N.P.D.E.S. regulations or requirements. Further, the applicant may be required to file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the N.P.D.E.S. General Permit for Storm Water Discharges Associated with Construction Activity and may be required to implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. SWPPPs include both construction and post construction pollution prevention and pollution control measures and identify funding mechanisms for post construction control measures. The developer shall comply with all the provisions of the Clean Water Program during and after all phases of the development process, including but not limited to: mass grading, rough grading, construction of street and landscaping improvements, and construction of dwelling units. The applicant shall design the Project's storm drains and other drainage facilities to include Best Management Practices to minimize non-point source pollution, satisfactory to the City Engineer.

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

41. The developer shall prepare and submit an Operations & Maintenance (O&M) Plan to the to the City Engineer with the first submittal of engineering plans. The O&M Plan shall be prepared by the applicant's Civil Engineer. It shall be directly based on the project's Storm Water Mitigation Plan (SWMP) previously approved by the project's approving authority.

At a minimum the O&M Plan shall include the designated responsible parties to manage the stormwater BMP(s), employee's training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan and any other necessary elements.

42. The developer shall enter into a City-Standard Stormwater Facilities Maintenance Agreement with the City obliging the project proponent to maintain, repair and replace 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. The Agreement shall be approved by the City Attorney prior to issuance of any precise grading permit and shall be recorded at the County Recorder's Office prior to issuance of any building permit. Security in the form of cash (or certificate of deposit payable to the City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance of a precise grading permit. The amount of the security shall be equal to 10 years of maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall prepare the O&M cost estimate.

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

44. The Agreement shall include a copy of executed on-site and off-site access easements necessary for the operation and maintenance of BMPs that shall be binding on the land throughout the life of the project to the benefit of the party responsible for the O&M of BMPs, until such time that the storm water BMP requiring access is replaced, satisfactory to the City Engineer. The Agreement shall also include a copy of the O&M Plan approved by the City Engineer.

45. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP) shall not be altered in any way, shape or form without formal approval by either an Administrative Substantial Conformance issued by the Community Development

Department/Planning Division or the project's final approving authority at a public hearing. The determination of whatever action is required for changes to a project's approved SWMP shall be made by the Community Development Department/Planning Division.

Fire:

46. Smoke detectors shall be provided, and detector locations shall be indicated on the plans.
47. A minimum fire flow of 1,500 gallons per minute shall be provided.
48. The size of fire hydrant outlets shall be 2 ½ "X 4".
49. The fire hydrants shall be installed and tested prior to placing any combustible materials on the job site.
50. Prior to installation of underground fire service mains detailed plans shall be submitted to the Oceanside Fire Department for approval.
51. Blue hydrant identification markers shall be installed as per Oceanside's Engineers Design and Processing Manual Standard Drawing No. M-13.
52. All weather access roads shall be installed and made serviceable prior to and maintained during time of construction.
53. Fire Department emergency access shall not exceed 15 percent grade.
54. Cul-de-sacs shall be shown on the site plan with a 40 foot radius minimum.
55. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE"per Vehicle Code Section 22500.1 and in accordance with the Fire Department Standard Guidelines for Emergency Access.
56. In accordance with the California Fire Code Sec. 901.4.4, approved address for commercial, industrial, and residential occupancies shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall be contrasting with their background.
57. Four-inch address numbers shall be provided for single-family dwellings.
58. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior to the issuance of building permits. A site plan indicting the fire access and hydrant locations must also be submitted on CD Rom.

59. Buildings shall meet Oceanside Fire Department's current codes at the time of building permit application.

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

Planning:

61. Approval of Tentative Map (T-5-06) and Development Plan (D-8-06) is contingent upon approval of Zoning Amendment (Z-5-06) by the City Council and shall become effective on the effective date of the Zoning Amendment for (ZA-5-06). The effective date of the Zoning Ordinance shall be used for determining expiration dates for the attached Tentative Map and Development Plan.

62. This Tentative Map and Development Plan shall expire two years from the effective date of the City Council Ordinance approving Zone Amendment (ZA-5-06) unless a time extension is granted by the Planning Commission.

63. This Development Plan establishes the development regulations for the residential portion of (PD-22) and approves only a 20-unit residential development and associated site improvements as shown on the plans and exhibits presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without City Planner approval. Substantial deviations shall require a revision to the Development Plan or a new Development Plan.

64. 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 proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Zoning Amendment (ZA-5-06), Tentative Map (T-5-06) and Development Plan (D-8-06). The City will promptly notify the applicant of any such claim, action or proceeding against the city and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

65. All lighting shall be shown on the building plans.

66. All mechanical rooftop and ground equipment shall be screened from public view as required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks, mechanical equipment, screen and vents shall be painted with non-reflective paint to match the roof. This information shall be shown on the building plans.

67. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall be reviewed and approved by the City Engineer and Planning Director prior to the issuance of building permits. Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final approval.

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

69. Front yard landscaping with a complete irrigation system, in compliance with Water Conservation Ordinance No. 91-15, shall be required.

70. All single-family or multi-family unit dwelling projects shall dispose of or recycle solid waste in a manner provided in City Code Section 13.3.

71. A covenant or other recordable document approved by the City Attorney shall be prepared by the applicant and recorded prior to the approval of the Final Map. The covenant shall provide that the property is subject to the City Council Ordinance approving the rezoning of the site and this resolution, and shall generally list the conditions of approval.

72. Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed

and approved by the Planning Division. These requirements, including the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the Landscape Plan and shall be recorded in the form of a covenant affecting the subject property.

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

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

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

76. The developer's construction of all fencing and walls associated with the project shall be in conformance with the approved Development Plan. Any substantial change in any aspect of fencing or wall design from the approved Development Plan shall require a revision to the Development Plan or a new Development Plan.

77. If any aspect of the project fencing and walls is not covered by an approved Development Plan, the construction of fencing and walls shall conform to the development standards of the City Zoning Ordinance. In no case, shall the construction of fences and walls (including combinations thereof) exceed the limitations of the zoning code, unless expressly granted by a Variance or other development approval.

78. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's) shall provide for the maintenance of all common open space and commonly owned fences and walls. The maintenance shall include normal care and irrigation of landscaping, repair and replacement of plant material and irrigation systems as necessary; and general cleanup of the landscaped and open area, parking lots and walkways. The C.C. & R's shall be subject to the review and approval of the City Attorney prior to the approval of the Final

Map/Final Parcel Map (delete as appropriate). The C.C. & R's are required to be recorded prior to or concurrently with the Final Map. Any amendments to the C.C. & R's in which the association relinquishes responsibility for the maintenance of any common open space shall not be permitted without the specific approval of the City of Oceanside. Such a clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions for the following:

a) Prohibition of parking or storage of recreational vehicles, trailers or boats.

b) Provisions regulating individual patio covers, prohibiting room additions and other appurtenances.

c) Provisions for the maintenance of all common open space and open space easements on private lots, including provisions establishing mechanisms to ensure adequate and continued monetary funding for such maintenance by the homeowners' association.

d) Provisions that restrict any private use of open space easement areas. Restrictions shall include, but are not limited to, removing retaining walls, installing structures such as trellises, decks, retaining walls and other hardscape and any individual landscape improvements.

e) Provisions prohibiting the homeowners association from relinquishing its obligation to maintain the common open space and open space easement areas without prior consent of the City of Oceanside.

f) An acknowledgement that the City of Oceanside does not have a view preservation ordinance and that views may be subject to change with maturing off-site landscape and the potential for future off-site building.

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

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

81. The following unit type and floor plan mix, as approved by the Planning Commission, shall be indicated on plans submitted to the Building and Planning Divisions for building permit:

Plan Type	No. of Units	Floor Area (Sq. Ft.)	No. of Bedrooms	Garage	Stories
1	6	1,349	4	2-car (tandem)	2
2	6	1,352	4	2-car (tandem)	2
3	4	1,635	3	1-car	2
4	4	1,751	3	2-car (tandem)	2
TOTAL	20				

82. Side and rear elevations and window treatments shall be trimmed to substantially match the front elevations. A set of building plans shall be reviewed and approved by the Planning Division prior to the issuance of building permits.

83. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the same as those approved by the Planning Commission. These shall be shown on plans submitted to the Building Division and Planning Division.

84. In the event any subsurface archaeological resources are encountered during grading or construction activities, such activities in the locality of the find shall be halted immediately. An archaeologist, certified by the Society of Professional Archaeologists (SOPA), shall be brought in to determine the significance of the archaeological resources and implement appropriate mitigations prior to recommending earthwork.

85. A pre-excavation agreement shall be executed between the applicant and the San Luis Rey Band of Mission Indians, specifying the disposition of human remains, grave goods, or other culturally sensitive material encountered during grading, trenching or other ground disturbance in conjunction with implementation of the proposed project.

86. An archaeologist and a Native American monitor shall be on-site during grading and trenching within the project area. The archaeologist and the Native American monitor may determine, in coordination with City staff, that the full-time presence of a monitor is not required, that checking the grading at regular intervals is sufficient.

87. The monitors shall have the power to temporarily halt or redirect grading if sensitive cultural material is found.

88. An archaeologist and a Native American monitor shall be present for a pre-grade meeting to discuss the monitoring program with the grading contractor, City staff and the developer.

89. If archaeological materials are encountered, their importance must be evaluated to assess the significance of impacts. If significant cultural resources are encountered, mitigation would be accomplished through documentation and excavation of features, cataloging and analysis of cultural material collected, and preparation of a report detailing the methods and results of the monitoring/data recovery program.

90. Any cultural material recovered shall be curated at an appropriate facility, except as stipulated differently in the pre-excavation agreement.

91. Construction of the proposed project should comply with the California Administrative Code. The building must be for a minimum exterior-to-interior noise reduction resulting in interior noise levels, due to exterior sources, of 45 dBA CNEL or less. This noise reduction could be achieved using standard construction methods, including but not limited to mechanical ventilation, double-paned windows and acoustically insulated doors where they face roadways.

92. Prior to the issuance of grading permits, the applicant shall establish a program with a qualified paleontologist to monitor grading activities. The applicant shall provide the Planning Division with a copy of the paleontological resource-monitoring program.

93. A letter of clearance from the affected school district in which the property is located shall be provided as required by City policy at the time building permits are issued.

Water Utilities:

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

95. The property owner will maintain private water and wastewater utilities located on private property.

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

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

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

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

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

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

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

The following conditions of approval shall be met prior to issuance of building permits.

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

////////////////

////////////////

////////////////

////////////////

////////////////

////////////////

////////////////

The following conditions of approval shall be met prior to occupancy.

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

PASSED AND ADOPTED Resolution No. 2007-P27 on May 21, 2007 by the following vote, to wit:

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

NAYS: None

ABSENT: Horton

ABSTAIN: None

Dennis Martinek, Chairman
Oceanside Planning Commission

ATTEST:

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2007-P27.

Dated: May 21, 2007

ATTACHMENT 4

PLANNING COMMISSION *STAFF REPORT*

DATE: May 21, 2007

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF ZONING AMENDMENT (ZA-5-06) ESTABLISHING PLANNED DEVELOPMENT DISTRICT (PD-22), TENTATIVE MAP (T-5-06) AND DEVELOPMENT PLAN (D-8-06) FOR THE REZONE OF AN APPROXIMATELY FOUR-ACRE SITE, SUBDIVISION OF THE PROJECT SITE INTO 23 LOTS AND DEVELOPMENT OF 20 SINGLE-FAMILY DETACHED DWELLINGS ON A PORTION OF THE SITE LOCATED NORTH OF NORTH RIVER ROAD, BETWEEN CALLE MONTECITO AND LAMPLIGHTER MOBILE HOME PARK AT 4700 NORTH RIVER ROAD. THE PROJECT SITE IS ZONED RM-A (MEDIUM DENSITY RESIDENTIAL-A DISTRICT) AND IS SITUATED WITHIN THE NORTH VALLEY NEIGHBORHOOD – LIBBY LAKE VILLAGE – SAN DIEGO HABITAT FOR HUMANITY INC.**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

1. Adopt the Negative Declaration for the Libby Lake Village, in light of the whole record that the project will not have a significant effect on the environment, and that the Negative Declaration reflects the independent judgment of the Planning Commission;

2. Recommend that the City Council approve Zoning Amendment (ZA-5-06) establishing Planned Development District (PD-22);

3. Adopt Planning Commission Resolution No 2007-P27 approving Tentative Map (T-5-06) and Development Plan (D-8-06) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The project site is located along the north side of North River Road (4700 North River Road), west of Calle Montecito and east of the Lamplighter Oceanside Mobile Home Park. The property is owned by the City of Oceanside and consists of three parcels totaling approximately four acres. The Libby Lake Community Center is located on the southernmost parcel along North River Road. The other two parcels are undeveloped.

The site is relatively flat with surface elevations ranging from approximately 72 feet above mean sea level (MSL) along the North River Road frontage to 63 feet (MSL) on the northerly (rear) portion of the site.

Surrounding land uses include duplex residential development to the east along Calle Montecito and to the north of the site; the Lamplighter Oceanside Mobile Home Park to the west; and an auto auction parking lot and a self storage operation to the south of the site across North River Road.

The zoning designation for the site is Residential Medium Density - A (RM-A). The corresponding General Plan land use designation is Medium Density - A Residential (MDA-R) which permits 6.0-9.9 dwelling units per gross acre.

Project Description: The project application is comprised of three components: a zoning amendment, tentative subdivision map, and development plan.

Zoning Amendment No. ZA-5-06 represents a request for the following:

1. To rezone an approximately four-acre site from Residential Medium Density - A (RM-A) to Planned Development (PD) pursuant to Article 17 of the Oceanside Zoning Ordinance and establishing Planned Development District 22 (PD-22).

Tentative Subdivision Map No. T-5-06 represents a request for the following:

2. To subdivide an approximately four-acre site into 23 lots pursuant to Article IV of the Oceanside Subdivision Ordinance.

Development Plan No. D-8-06 represents a request for the following:

3. To develop 20 dwelling units and associated site improvements pursuant to Article 43 of the Oceanside Zoning Ordinance. The applicant's project includes floor plans as summarized below:

Plan Type	No. of Units	Floor Area (Sq. Ft.)	No. of Bedrooms	Garage	Stories
1	6	1,349	4	2-car (tandem)	2
2	6	1,352	4	2-car (tandem)	2
3	4	1,635	3	1-car	2
4	4	1,751	3	2-car (tandem)	2
TOTAL	20				

The proposed rezoning is intended to promote orderly, high quality, urban design development consistent with the General Plan - within a flexible regulatory framework that advocates for creative design solutions - and achieve the most appropriate and desirable development for the site (Libby Lake Village).

Libby Lake Village is an affordable ownership housing development consisting of 20 single-family detached homes which will provide housing for first time homeowners with an annual income at or below 80 percent of the area medium income (AMI).

The developer, San Diego Habitat for Humanity Inc., proposes a mix of homes that includes four different floor plans with three or four bedrooms and attached one or two-car (tandem) garages. The project features four distinctive, contemporary architectural style building elevations clad with stucco and siding. The homes are designed to be consistent with principles of sound neighborhood design and high-energy efficiency. High quality building construction methods are proposed to be employed to ensure cost effective maintenance of the units over time. A 5-ft. setback area will be combined with a 5-ft exclusive use easement on the north side of each parcel to provide each dwelling unit with a 10-ft wide usable side yard area in addition to the private rear yards.

The development proposal includes a common recreational area (Lot A) with recreational amenities including a sports court, rock climbing structure, a gathering (picnic table) area with shade trellis. Access to the Libby Lake Village will be provided via a private street (Lot B). Said street will connect with the existing private driveway that provides access to the Libby Lake Community Center parking area from North River Road. A total of 34 on-street parking spaces will be provided along Lot B for use by Libby Lake Village residents and their quests.

ANALYSIS

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

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

KEY PLANNING ISSUES

1. General Plan conformance

A. Lan d Use Element I. Community Enhancement

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

Objective 1.11 Community Values: To ensure the enhancement of long term community and neighborhood values through effective land use planning.

Objective 1.12 Land Use Compatibility: To minimize conflicts with adjacent or related land uses.

Objective 1.16 Housing: To ensure that decent, safe and sanitary housing is available to all current and future residents of the community at a cost that is within the reach of the diverse economic segments of Oceanside.

The proposed project at a density of 7.4 du/ac is consistent with the General Plan Land Use Map designation on the subject property - Medium Density A Residential (MDA-R) - and compatible with surrounding residential uses. Table 1 provides comparisons between existing land uses, general plan and zoning designation on adjoining properties.

Table 1. Land Use compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	MDA-R	RM-A (current) PD-22 (proposed)	Public (Libby Lake Community Center) & Vacant
North of the site	MDA-R	RM-A	Residential
East of the site	MDA-R	RM-A	Residential
South of the site	LI	IL	Light Industrial (auto auction parking lot)
West of the site	MDA-R	RM-A	Residential (Mobile Home Park)

The subject proposal will contribute toward meeting the City's affordable housing goals by providing 20 high quality, attractive single-family residences to first time homebuyers.

B. Lan d Use Element II. Community Development

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

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

The proposed subdivision will implement General Plan goals and objectives by adhering to the density range for the subject land use designation of 6.0-9.9 dwelling units per gross acre. The project will contribute to the long range enhancement of the community by incorporating adequate on-site improvements, street design, drainage, and sanitary facilities, and easements. Required project off-site improvements and payment of fees are identified in staff's resolution.

Objective 2.02 Residential Subdivision: To assure residential subdivisions of land shall be of sufficient size, dimensions, and topography to promote overall community enhancement, and the aesthetic and efficient functioning of the particular residential unit.

The design of the subject subdivision will provide parcels with pad areas of sufficient size and dimension to accommodate the size of the proposed residential units and associated open space (private yard areas) and service areas (attached garages). The residential parcels will range in size from 3,131 sq. ft. to 3,644 sq. ft. The parceling of land will be compatible with the intensity of adjoining Lamplighter Inn Mobile Home Park (approx. 3,150 sq. ft.) and the duplex development to the east and north of the site (approx. 4,200 sq. ft.). The linear subdivision design is dictated by the size and configuration of the parcel, avoids creating unusable areas of land and is laid out in a fashion that promotes a functional, safe and aesthetically pleasing neighborhood area.

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

The development regulations for Libby Lake Village, set forth by Development Plan D-8-06, promote high quality and functional design of housing, at a cost that would be within reach of the diverse economic segments of Oceanside and will contribute in the establishment of well balanced neighborhoods within the City of Oceanside.

2. Zoning Compliance

The applicant requests rezoning of the site from Residential Medium Density A (RM-A) to Planned Development (PD). The development plan for the site (D-8-06) sets forth the regulations for Libby Lake Village within the boundaries of the proposed district (PD-22). Table 2 summarizes proposed and applicable development standards for Libby lake Village.

Table 2. Development standards

	RM-A (CURRENT)	PD-22 AS IMPLEMENTED BY D-8-06 (PROPOSED)
LOT SIZE	5,000 sq. ft. (min)	3,131 - 3,644 sq. ft. (3,324 sq. ft. avrg)
PARKING SPACES	2-car garage	1 or 2-car garage
FRONT YARD	20-ft. (min)	Staggered w/ 15-ft. (min)
INTERIOR SIDE YARD	5;10-ft. (min)	5-feet (min)
REAR YARD	15-ft. (min)	Staggered w/ 9.25-ft.(min)
COVERAGE	50% (max)	38-48% (44% avrg)
LOT WIDTH	50-ft. (min)	37-ft. (min) 41.7-ft. (avrg)
HEIGHT	36-ft. (max)	22.83-ft. (max)

3. Subdivision Ordinance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance (Article IV T entative Subdivision Maps – Five or More Parcels).

A. Article IV Tentative Subdivision Maps – Five or More Parcels. Pursuant to Section 401 of the Subdivision Ordinance, this Tentative Subdivision Map has been prepared in a manner acceptable to the Engineering Department.

4. California Environmental Quality Act

The proposed development is considered a "project" under the California Environmental Quality Act (CEQA) and is subject to CEQA review procedures.

DISCUSSION

Issue: The applicant proposes development of single-family detached homes under a planned development plan within different development criteria than those of the currently applicable underlying zoning district.

Recommendation: Development of the site under the current RM-A development standards could occur with either single-family detached units such the proposed Single Unit Variable (SU-V) type or single-family attached units such as Two Unit Conventional (TU-C); Two Unit Variable (TU-V); or Multi-plex (MP) units. The definitions for each type of units are set forth in zoning ordinance Section 1020 and are attached to this report for reference (Attachment 3).

The definitions for both the single unit detached and attached units indicate that development and lot standards would be those of the applicable residential district or as modified by an overlay district or a PD district – as is the case with this proposal. RM-A district standards could be achieved in the development of the subject property if the site was developed with multiplex structure(s) consisting of three or more units attached by common walls or if it was developed with less units. However, given the context of the site – surrounding building types and density - it has been concluded that the most appropriate and desirable building type for development of the property is single-family detached units with modified development standards.

Staff finds that implementation of the proposed development standards under the PD-22 district at a density of 7.4 du/ac would meet the intent of the General Plan Land Use Map designation for the subject property and would establish a development compatible with surrounding residential uses. The design of the subject subdivision will provide parcels of sufficient size and dimension to accommodate the size of the proposed residential units and associated open space and service areas. The development regulations for Libby Lake Village, will promote high quality and functional design of housing, at a cost that would be within reach of the diverse economic segments of Oceanside and will contribute in the establishment of a well balanced neighborhood.

ENVIRONMENTAL DETERMINATION

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and an Initial Study and Negative Declaration (IS/ND) was prepared. The environmental analysis concluded that the project will not have a significant effect on the environment.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times on May 11, 2007, and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals/organizations requesting notification, applicant, and interested parties.

SUMMARY

The proposed project is consistent with the land use policies of the General Plan and will meet or exceed all applicable development standards set forth by the proposed planned development (PD-22) zoning district. The project is compatible in terms of density and site design within the surrounding neighborhood. As such, staff recommends that the Planning Commission:

1. Adopt the Negative Declaration for the Libby Lake Village, in light of the whole record that the project will not have a significant effect on the environment, and that the Negative Declaration reflects the independent judgment of the Planning Commission;

2. Recommend that the City Council approve Zoning Amendment (ZA-5-06) establishing Planned Development District (PD-22);

3. Adopt Planning Commission Resolution No 2007-P27 approving Tentative Map (T-5-06) and Development Plan (D-8-06) with findings and conditions of approval attached herein.

PREPARED BY:

Amy Volzke
Principal Planner

SUBMITTED BY:

Jerry Hittleman
City Planner

AV/fil

Attachments:
1. Plans/Site Map
2. Planning Commission Resolution No. 2007-P27
3. Zoning Ordinance Section 1020 Definitions: Residential Unit Types
4. Negative Declaration for Libby Lake Village (PD-22)

RECEIVED
MAY - 9 2007
Planning Department

ORIGINAL
ATTACHMENT 5

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION
city of oceanside

Subject: PD-22, T-5-06, D-8-06, Libby Lake Village; applications for the development of a 23-lot subdivision with 20 single family detached dwellings on a site located between Calle Montecito and the Lamplighter Oceanside Mobile Home Park, behind the Libby Lake Community Center at 4700 North River Road (Assessor's Parcel Numbers: 157-060-50, 157-060-51, 157-060-52)

NOTICE IS HEREBY GIVEN that the City of Oceanside has prepared and intends to adopt a Negative Declaration in connection with the subject project. The Negative Declaration identifies potential effects with respect to Geology and Soils, Hydrology and Water Quality, Noise, Population and Housing, Public Services, Recreation, Transportation/Traffic, and Utilities and Service Systems. The City's decision to prepare a Negative Declaration should not be construed as a recommendation of either approval or denial of this project.

PUBLIC REVIEW PERIOD: the public review period is from **Wednesday, April 25, 2007 to Tuesday, May 15, 2007.**

PROJECT MANAGER: Amy Volzke, Principal Planner; phone: (760) 435-3534; e-mail: avolzke@ci.oceanside.ca.us; Fax number: (760) 754-2958; mailing address: Planning Division, 300 N. Coast Hwy., Oceanside, CA 92054.

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

4/25/07
By order of Jerry Hittleman, City Planner

FILED
Gregory J. Smith, Recorder/County Clerk
MAY 0 4 2007
BY A. Consul
DEPUTY

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on MAY 0 4 2007
Posted MAY 0 4 2007 Removed
Returned to agency on
Deputy A. Consul

INITIAL STUDY
city of oceanside california

RECEIVED
APR 17 2007
Planning Department

1. **PROJECT:** Libby Lake Village Zone Amendment (PD-22), Tentative Map (T-5-06) and Planned Development Plan (D-8-06)

2. **LEAD AGENCY:** City of Oceanside

3. **CONTACT PERSON & PHONE:** Jerry Hittleman, (760) 435-3535

4. **PROJECT LOCATION:** In northern Oceanside, between Calle Montecito and the Lamplighter Oceanside Mobile Home Park, behind the Libby Lake Community Center at 4700 North River Road (Figures 1 and 2).

5. **APPLICANT:** San Diego Habitat for Humanity

6. **GENERAL PLAN DESIGNATION:** Medium Density Residential

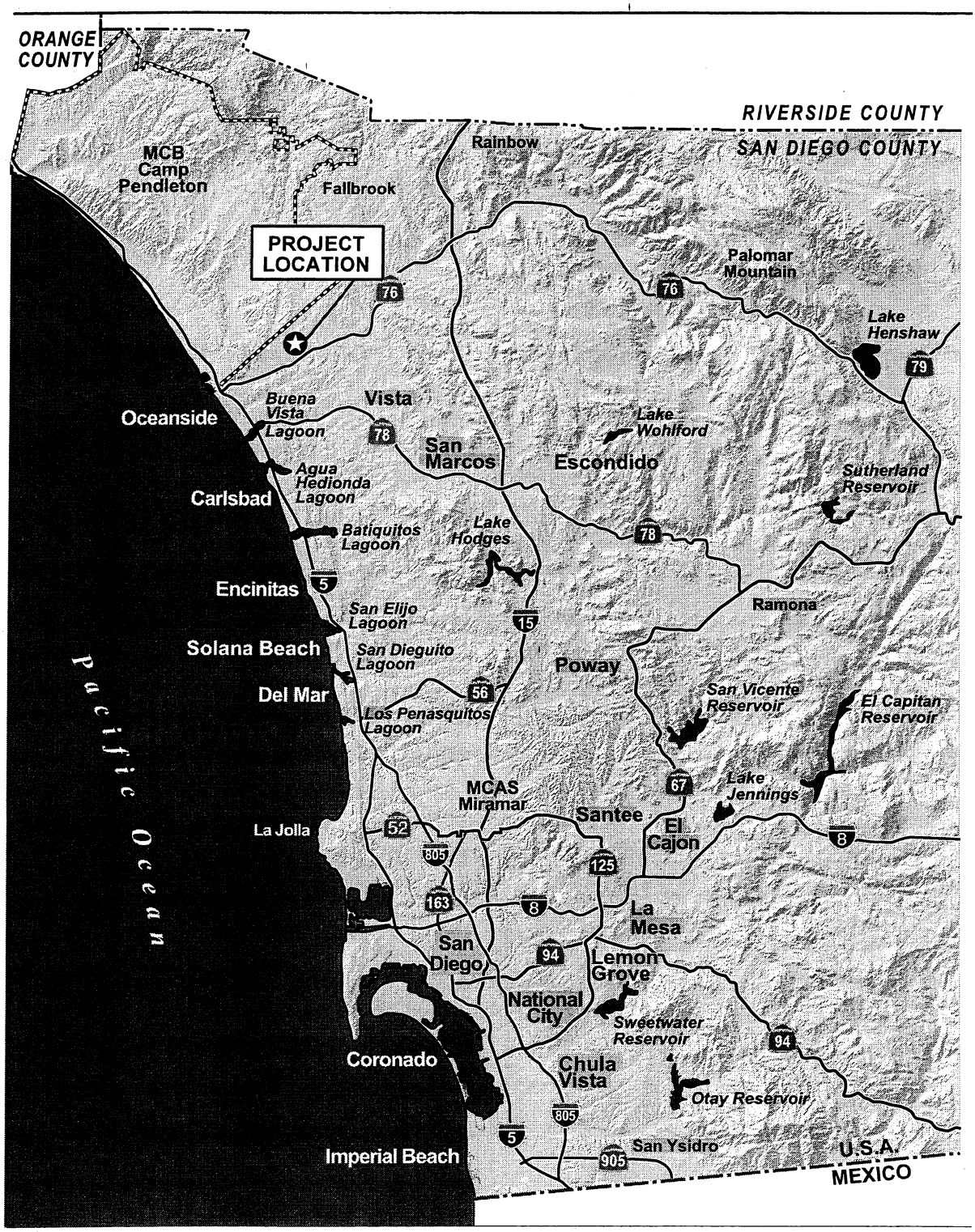
7. **ZONING:** RM-A

8. **PROJECT DESCRIPTION:** The proposed project is a Zoning Map Amendment, Tentative Map, and Planned Development Plan. The Zoning Map Amendment involves rezoning of approximately 4.0 acres from Residential Medium Density (RM-A) to Planned Development District (PD). The TM is shown in Figures 3, 4, and 5 and would create a 23-lot subdivision on 4.02 acres of City-owned property currently consisting of 3 parcels. The subdivision would create 23 parcels: 1 for the existing Libby Lake Community Center, 1 Homeowners Association (HOA) common area lot, 1 for a HOA-maintained private street, and 20 residential parcels for the construction of 20 single-family residences. The residential lots would be on the east side of a 32-foot-wide private street. Access would be from North River Road through the Community Center driveway and parking lot, ending in a cul-de-sac at the north end of the subdivision

   The detached homes will be two-story units with a maximum height of 36 feet (Figures 6 and 7). The residences will have three or four bedrooms and two bathrooms in four floor plans. Three floor plans provide tandem parking for two cars; the fourth will provide a single-car garage. Thirty-five street parking spaces will be provided for guest parking with tree planters located between each five parking spaces. A wooden privacy fence, six feet high (seven feet high at three lots) is proposed along the easterly property line and a CMU retaining wall, a maximum of four feet high, is proposed where required to maximize usable rear yard areas. The location of the retaining wall will vary but will be a minimum of two feet from the property line to the exposed face of the retaining wall.

   Along the western property line, a CMU retaining wall is to be constructed with a tubular steel fence above. The tubular steel fence will terminate at the northern property line of the mobile home park, near the beginning of the cul-de-sac. From this point northerly, the tubular steel fence will be replaced by a six foot high wooden fence extending along the remainder of the western property line. Fence height will not exceed six feet, except for front yard fences, which will not exceed 42 inches in height, and three lots will have seven foot high rear yard fences, required to screen existing fences on the adjoining properties.

9. **SURROUNDING LAND USE(S) & PROJECT SETTING:** Libby Lake Community Center is at 4700 North River Road, south of the proposed subdivision. On the east and north sides of the proposed subdivision are duplex residential units fronting Calle Montecito. On the west of the project site is the Lamplighter Oceanside Mobile Home Park. Across North River Road from the Community Center is a parking lot for an auto auction, and a self-storage operation is in the southeast quadrant of the North River Road/Calle Montecito intersection.



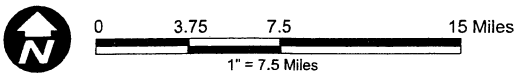
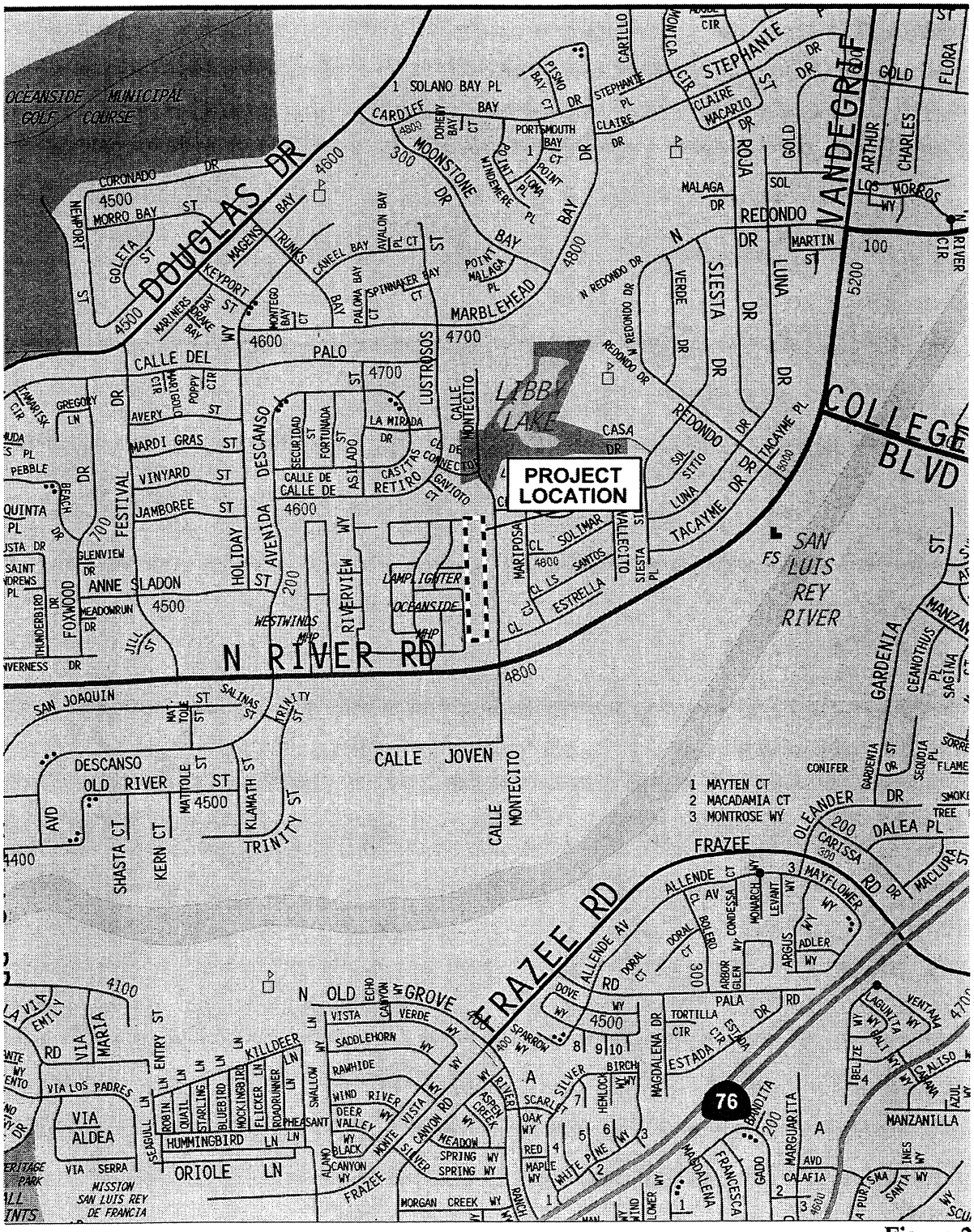


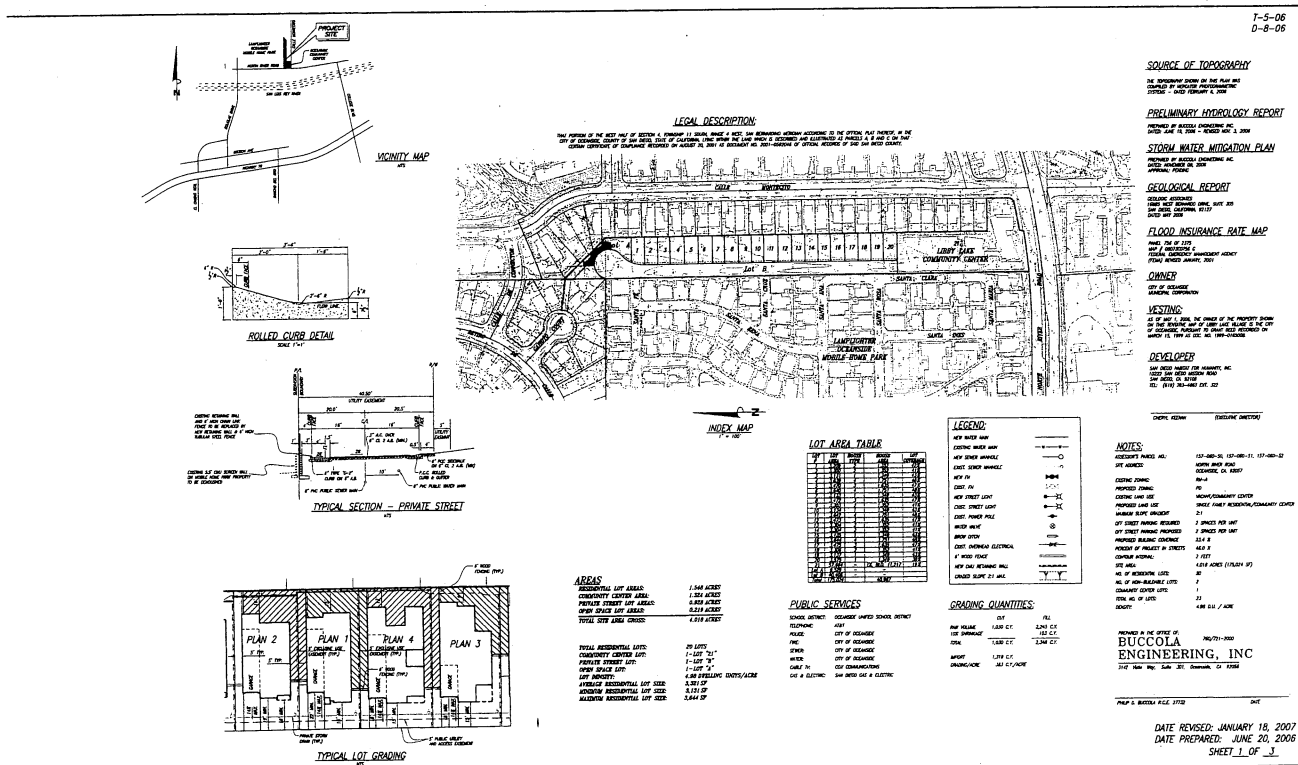
Figure 1
Regional Location



0 1300 2600 Feet

Approximate Scale

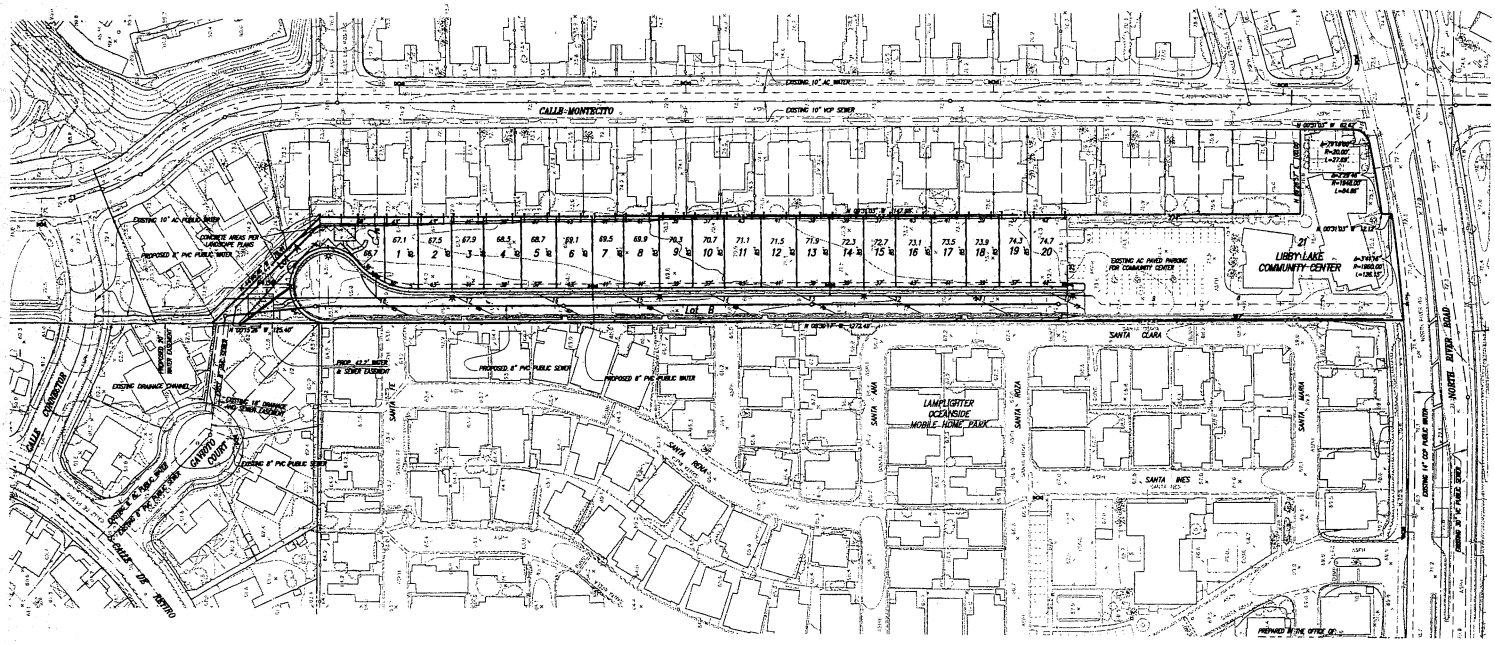
Figure 2
Vicinity Location



Source: Buccola Engineering 2006

NOT TO SCALE

Figure 3
Tentative Map, Sheet 1

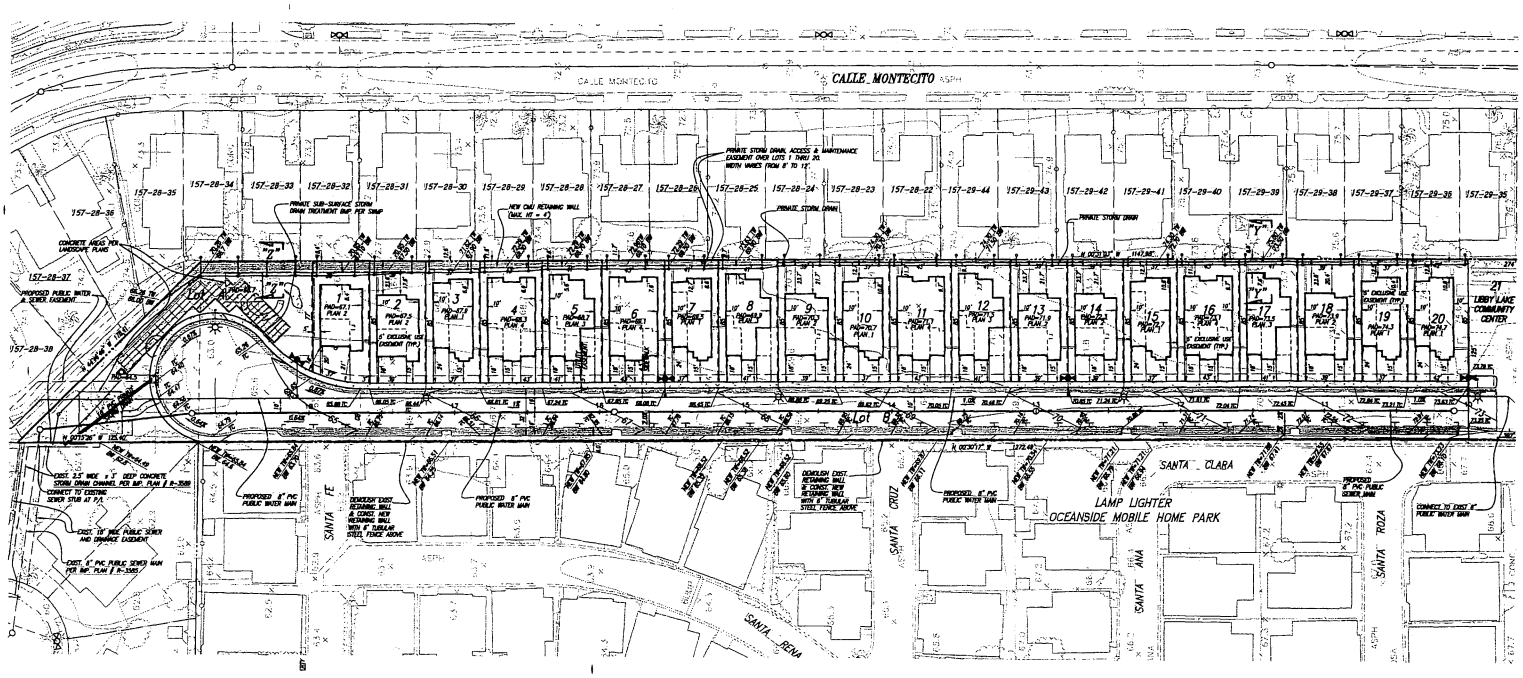


Source: Buccola Engineering 2006

110 55 0 110 Feet

1" = 110 Feet

Figure 4
Tentative Map, Sheet 2



Source: Buccola Engineering 2006

66 33 0 66 Feet

1" = 110 Feet

Figure 5
Tentative Map, Sheet 3

Source: Perisic Design Studio

24 12 0 24 Feet

Figure 6
Floor Plans

Source: Perisic Design Studio

24 12 0 24 Feet

Figure 7
Elevations

10. OTHER REQUIRED AGENCY APPROVALS: None. However, since a grant from the federal Department of Housing and Urban Development has been requested to fund construction, federal environmental documentation under the National Environmental Policy Act (NEPA) would be required.

11. PREVIOUS ENVIRONMENTAL DOCUMENTATION: None.

12. CONSULTATION:

San Diego Habitat for Humanity

13. SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The initial study which follows indicates that the project would no significant effects on the environment. No "Potentially Significant Impact" or "Potentially Significant Impact Unless Mitigated" are identified for the subject areas in the following matrix.

☐ Aesthetics	☐ Agricultural	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geological
☐ Hazards	☐ Water	☐ Land Use & Planning
☐ Mineral Resources	☐ Noise	☐ Population & Housing
☐ Public Services	☐ Recreation	☐ Transportation
☐ Utilities Systems		

14. ENVIRONMENTAL CHECKLIST

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

1. *No Impact*. Future development arising from the project's implementation will not have any measurable environmental impact on the environment and no additional analysis is required.

2. *Less Than Significant Impact*. The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.

3. *Potentially Significant Unless Mitigated*. The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.

4. *Potentially Significant Impact*. Future implementation will have impacts that are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

	Potentially Significant	Potentially Significant Unless Mit.	Less than Significant	No Impact
14.1 AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

a) *Have a substantial adverse effect on a scenic vista?* ***No Impact.*** Short-term construction-related aesthetic impacts would consist primarily of grading activities and the presence of construction equipment. Because of the project location, these impacts would affect only the rear of residences on the north, east, and west frontages of the project site and the rear of Libby Lake Community Center. The backs of residences on the east, west, and north are fenced, most with solid wooden or masonry fences. No valuable aesthetic resources would be destroyed as a result of construction-related activities. These short-term impacts are temporary and would cease when construction was completed. The completed project would not be visible from any public viewing areas other than Libby Lake Community Center.

The project site is currently a weedy vacant lot with a sump condition on the north end that held stagnant water on a March 2007 visit and has been used for illegal dumping. The proposed project would result in a well-designed, landscaped, visually pleasing small residential community that compliments the existing neighborhood. No significant adverse aesthetic impacts would result from implementation of the proposed project.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?* ***No Impact.*** No scenic resources, including trees, rock outcroppings or historic buildings are situated on-site. See the preceding response. The project site is not situated visible from any state scenic highway. The project would have no adverse aesthetic impact.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?* ***No Impact.*** Refer to Responses 14.1a and 14.1b, above.

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* ***No Impact.*** The proposed project would create no new significant source of lighting. The Oceanside Zoning Ordinance requires that all lighting use shielded luminaries with glare control to prevent light spillover onto adjacent areas. The project would have no impact.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.2 AGRICULTURAL RESOURCES. Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance as depicted on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA. Resources Agency?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* ***No Impact.*** Designated land uses within the project area do not include agricultural uses and project implementation would not result in conversion of existing farmland to non-agricultural uses. The project site is mapped as "Urban and Built-up Land" by the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, the project would not adversely affect any agricultural resource.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?* ***No Impact.*** The proposed project site is in a developed, primarily residential area and is zoned for residential uses. Therefore, implementation of the project would not result in any conflicts with existing zoning for agricultural use or a Williamson Act Contract. No impacts are anticipated in this regard.

c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?* ***No Impact.*** No farmland is located in the vicinity of the project site, so no impacts are anticipated.

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

a) *Conflict with or obstruct implementation of the applicable air quality plan?* ***No Impact.*** The project site is located within the San Diego Air Basin (SDAB), which is governed by the San Diego Air Pollution Control Board (SDAPCD). A consistency determination is important in local agency project review by comparing local planning projects to the Regional Air Quality Strategy (RAQS) in several ways. It fulfills the CEQA goal of fully informing local agency decision makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Only new or amended General Plan elements, Specific Plans and significantly unique projects need to go under a consistency review due to the RAQS being based on projections from local General Plans. Therefore, projects that are consistent with the local General Plan and do not create significant air quality impacts are considered consistent with the air quality-related regional plan. Because the proposed project is consistent with the goals of the City of Oceanside General Plan, and would not produce long-term significant quantities of criteria pollutants or violate ambient air quality standards, the proposed project is considered to be consistent with the RAQS and a more detailed consistency analysis is not warranted.

b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?* ***No Impact.*** The SDAB currently meets the federal standards for all criteria pollutants except ozone (O_3) and meets state standards for all criteria pollutants except O_3, respirable particulate matter (PM_{10}), and fine particulate matter ($PM_{2.5}$). The SDAB is classified as a "basic" nonattainment area for the federal 8-hour O_3 standard. Basic is the least severe of the six degrees of O_3 nonattainment. The SDAB is currently classified as a state "serious" O_3 nonattainment area and a state nonattainment area for PM_{10} and $PM_{2.5}$. The SDAB currently falls under a federal "maintenance plan" for carbon monoxide (CO), following a 1998 redesignation as a CO attainment area. The SDAB is in attainment status for other criteria pollutants.

The project sites is a total of approximately 4.02 acres, of which 1.32 acres is the Community Center site. Therefore, only 2.70 acres will be graded. Grading quantities are 1,030 cubic yards of cut and 2,348 cubic yards of fill. Grading will be performed in conformance with the City's Grading Ordinance, which requires dust control measures during construction. Because of the relatively small area and quantity of grading, construction of the project would not contribute substantially to existing or projected air quality violations in the SDAB.

Long-term air quality impacts consist of mobile source emissions generated from project-related traffic and stationary source emissions (generated directly from on-site activities and from the electricity and natural gas consumed). Following construction, the proposed project is anticipated to generate approximately 200 trips per day. Since the project is consistent with the Oceanside General Plan, it is also consistent with the RAQS for the SDAB. Therefore, long-term emissions are not anticipated to exceed those anticipated in the RAQS, and the project is not expected to result in significant air quality impacts on a local or regional basis.

c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?* ***No Impact.*** Refer to Responses a and b.

d) *Expose sensitive receptors to substantial pollutant concentrations?* ***No Impact.*** Sensitive populations (i.e., children, senior citizens and acutely or chronically ill people) are more susceptible to the effects of air pollution than are the general population. Land uses considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes. Although construction and operation of the project would increase vehicle trips on area roadways and result in associated air pollutants, these increases would not significantly contribute to pollution levels.

e) *Create objectionable odors affecting a substantial number of people?* ***No Impact.*** The only likely source of objectionable odors during construction would be for paving the access road. This could be noticed by

adjacent residents, but would be temporary, with strong odor generated for only a day or two. The proposed project would not create significant objectionable odors affecting a substantial number of people.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.4 BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the USFWS?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game (DFG) or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

a. *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the USFWS?* ***No Impact.*** The project area has been previously graded, is surrounded by urban development, and supports only ruderal, weedy vegetation. No habitat for any sensitive species is present, and the project would not have an adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

b. *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game (DFG) or U.S. Fish and Wildlife Service?* ***No Impact.*** No riparian or other sensitive natural community is present on the site. See the preceding response. No impacts to riparian habitat or sensitive natural communities would occur.

c. *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* ***No Impact.*** No wetlands, as defined by Section 404 of the

Clean Water Act, exist or have been identified on-site or immediately adjoining the site. Thus, the project would not result in impacts to wetlands.

d. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?* ***No Impact.*** The proposed project would affect only 2.7 acres located in the midst of urban development, with no direct connection to any natural habitat. Project implementation would not interfere with the movement of any native resident or migratory fish or wildlife species, affect any established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, since none exist within the project area.

e. *Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?* ***No Impact.*** The project site is surrounded by developed suburban or urban land uses and ornamental vegetation. No biological resources protected by local policies or ordinances are present.

f. *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?* ***No Impact.*** The project area is situated in the Multiple Habitat Conservation Plan (MHCP) area. However, it contains no significant habitat and is not designated for conservation by the MHCP. Development of the proposed project would not conflict with the MHCP or any other approved conservation plan, and would not impede the implementation of the MHCP.

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

a. *Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of CEQA?* ***No Impact.*** The existing project area has been completely disturbed. The property was surveyed by Affinis for cultural resources. According to a report of the survey dated January 31, 2006, no cultural resources, including historical resources, were observed during the survey. Development of the project would have no adverse effect on historical resources.

b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 of CEQA?* ***No Impact.*** The Affinis report cited in response a stated that no archaeological resources have been recorded within or adjacent to the property, and no archaeological resources were observed during the Affinis survey. Development of the proposed project would have no impacts on archaeological resources.

c. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?* ***No Impact***. Due to the project site's location, the relatively shallow grading that will occur, and the extensive disturbance which has occurred on the property, there is no potential for sub-surface resources.

d. *Disturb any human remains, including those interred outside of formal cemeteries?* ***No Impact.*** There are no known grave sites within the project limits. Therefore, the disturbance of human remains is not anticipated. However, in the unlikely event that human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of any human remains find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC) which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery, and shall complete the inspection within 24 of notification by the NAHC. The MLD will have the opportunity to make recommendations to the NAHC on the disposition of the remains. Because of this requirement, no significant impact associated with human remains that might be present would occur.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.6 GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving (i.) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist, or based on other substantial evidence of a known fault (Refer to DM&G Pub. 42)?; or, (ii) strong seismic ground shaking?; or, (iii) seismic-related ground failure, including liquefaction?; or, (iv) landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18- 1-B of the 1994 UBC, creating substantial risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

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

1) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.* ***Less Than Significant Impact.*** GeoLogic Associates (GLA) produced a report dated May 2006 of a geotechnical investigation of the project site. The project site is located within the seismically active southern California region and would likely be subjected to groundshaking in a seismic event. No known active seismic faults traverse the City of Oceanside. GLA reports that the project site is not within any Earthquake Fault Zones as defined on Alquist-Priolo Earthquake Fault Zoning Maps. Impacts are not anticipated to be significant.

2) *Strong seismic ground shaking?* ***Less Than Significant Impact.*** Southern California is a seismically active region likely to experience, on average, one earthquake of Magnitude 7.0, and ten (10) earthquakes of Magnitude 6.0 over a period of 10 years. Active faults are those faults that are considered likely to undergo renewed movement within a period of concern to humans. These include faults that are currently slipping, those that display earthquake activity, and those that have historical surface rupture. The California Geological Survey (CGS) defines active faults as those which have had surface displacement within Holocene times (about the last 11,000 years). Such displacement can be recognized by the existence of sharp cliffs in young alluvium, un-weathered terraces, and offset modern stream courses. Potentially active faults are those believed to have generated earthquakes during the Quaternary period, but prior to Holocene times.

   There are several active and potentially active fault zones that could affect the project site. The faults within these zones nearest the project site are the offshore Newport-Inglewood (9.6 miles), Rose Canyon (11.1 miles), Elsinore-Temecula (19.4 miles), and Coronado Bank (26.6 miles) faults. GLA reports that from a probabilistic standpoint, the ground motion from a design earthquake (ground motion having a 10 percent probability of being exceeded in 50 years) at the site is 0.25g. The proposed project would be required to be in conformance with the Uniform Building Code (UBC), the City's Seismic Hazard Mitigation Ordinance, state-of-the-art seismic design parameters of the Structural Engineers Association of California, and other applicable standards. Conformance with standard engineering practices and design criteria would reduce the effects of seismic groundshaking to less than significant levels.

3) *Seismic-related ground failure, including liquefaction?* ***Less Than Significant Impact.*** Liquefaction is the loss of strength of cohesionless soils when the pore water pressure in the soil becomes equal to the confining pressure. Liquefaction generally occurs as a "quicksand" type of ground failure caused by strong groundshaking. The primary factors influencing liquefaction potential include groundwater, soil type, relative density of the sandy soils, confining pressure, and the intensity and duration of groundshaking. GLA reports that since a non-liquefiable zone on the site more than approximately 10 feet in thickness will limit level-ground liquefaction-related damage for the design earthquake. However, there is a potential for liquefaction in of alluvial soils 20 to 50 feet below the surface. Liquefaction induce stress from sand boils or surface cracking is not a significant concern, but dynamic settlement of the underlying granular alluvium could result from a strong seismic event. This settlement could damage the proposed improvements, but current state-of-the-art standards for design and construction are intended to reduce the potential for major structural damage.

4) *Landslides?* ***Less Than Significant Impact.*** Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. However, according to the *City of Oceanside General Plan*, the project site is not located within a known or highly suspected landslide area. The vicinity of the project site is level and no hillsides are within any distance that could affect the project area. Further, site stabilization and soil compaction requirements required by project geotechnical investigation and design parameters established by the most recent UBC and the City's Seismic Hazard Mitigation Ordinance would reduce any potential impacts to less than significant levels.

b) *Result in substantial soil erosion or the loss of topsoil?* ***Less Than Significant Impact.*** Grading and trenching during the construction phase of the project would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. The contractor will be required to comply with standard engineering practices for erosion control and a qualified soils engineer will monitor soil compaction during construction. The construction contractor will be required to implement an erosion and sediment control plan in accordance with the City's grading ordinance, the City's water quality ordinance, the latest NPDES Permit and to the satisfaction of the City Water Quality Engineer. This requirement would reduce potential soil erosion impacts to less than significant levels.

c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?* ***Less Than Significant Impact.*** No water extractions or similar practices are anticipated to be necessary that are typically associated with project-related subsidence effects. In addition, surface material which would be disrupted/displaced would be balanced and re-compacted on-site during project construction. Adherence to standard engineering practices would result in less than significant impacts related to subsidence of the land. Refer to Response 14.6a, above.

d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?* ***Less Than Significant Impact.*** GLA reports that on-site soils consist of a relatively thin section of fill soils over a significant thickness of young alluvial materials deposited by the San Luis Rey River. The soils, in general, were evaluated to have a low expansion potential and a low potential for hydroconsolidation upon saturation with an additional load. Further, adherence to standard engineering practices contained within the most recent UBC will reduce any potential impacts to less than significant levels.

e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?* ***No Impact.*** The proposed project would be connected to the City's sewage collection system and would use septic tanks or alternative wastewater disposal systems.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.7 HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* ***No Impact.*** The proposed project would employ standard residential construction methods and would result in development of a residential site. Neither construction nor operation would involve the routine transport, use, or disposal of hazardous materials, and no significant impact is anticipated.

b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?* ***No Impact.*** The proposed project is not anticipated to result in a release of hazardous materials into the environment. However, during the short-term period of project construction, there is the possibility of accidental release of hazardous substances such as spilling of hydraulic fluid or diesel fuel associated with construction equipment maintenance. The level of risk associated with the accidental release of these hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials. The contractor will be required to use standard construction controls and safety procedures which would avoid and minimize the potential for accidental release of such substances into the environment.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* ***No Impact.*** The proposed project is a residential development and would not emit or handle hazardous or acutely hazardous materials, substances, or waste. See the two preceding responses.

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?* ***No Impact.*** According to the Phase I Environmental Assessment prepared for the project by Geotechnical Consultants (November 18, 2005), a review of hazardous materials sites lists, including 5 federally listed sites, 12 state listed sites, 3 regional site lists, and a list of hazardous materials operating permits, and 3 additional lists, the only listing within one-quarter mile of the property is a permitted underground storage tank affiliated with the California Highway Patrol. Two soil samples were tested and contained no traces of detectable pesticide contaminants. The proposed project site is not included on a list of sites containing hazardous materials, and would not result in a significant hazard to the public or to the environment.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?* ***No Impact.*** The Oceanside Municipal Airport is approximately three miles southwest of the project site. The proposed project site is not located within an airport land use plan or within two miles of a public airport and would not result in a safety hazard for people residing or working in the project area.

f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?* ***No Impact.*** The proposed project site is not located within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area.

g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* ***No Impact.*** The proposed project is not located on nor would it adversely affected any public street or highway. Therefore, it would have no impacts on emergency response plans or emergency evacuation plans. No revisions to adopted emergency plans would be would be required as a result of the proposed project.

h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?* ***No Impact.*** The project site is surrounded by urban development and therefore would not expose people or structures to a significant risk of wildland fires. The project site does not adjoin Oceanside Fire Department-designated wildland areas.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.8 HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?	☐	☐	☒	☐
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f. Otherwise substantially degrade water quality?	☐	☐	☒	☐
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
k. Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	☐	☐	☐	☒
l. Result in significant alternation of receiving water quality during or following construction?	☐	☐	☐	☒
m. Could the proposed project result in increased erosion downstream?	☐	☐	☐	☒
n. Result in increased impervious surfaces and associated increased runoff?	☐	☐	☒	☐
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	☐	☐	☒	☐
p. Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	☐	☐	☐	☒
q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	☐	☐	☐	☒
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?	☐	☐	☐	☒
s. Have a potentially significant adverse impact on groundwater quality?	☐	☐	☐	☒
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	☐	☐	☐	☒
u. Impact aquatic, wetland, or riparian habitat?	☐	☐	☐	☒
v. Potentially impact stormwater runoff from construction or post construction?	☐	☐	☐	☒
w. Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	☐	☐	☐	☒
x. Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	☐	☐	☐	☒
y. Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	☐	☐	☐	☒
z. Create significant increases in erosion of the project site or surrounding areas?	☐	☐	☐	☒

a) *Violate any water quality standards or waste discharge requirements?* ***No Impact.*** Impacts related to water quality would range over three different phases of project implementation: 1) during the earthwork and construction phase, when the potential for erosion, siltation and sedimentation into on-site drainages would be the greatest; 2) following construction, prior to the establishment of ground cover, when the erosion potential may remain relatively high; and 3) following completion of the project, when impacts related to sedimentation would decrease markedly, but those associated with site runoff would increase.

Compliance with the statewide National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity would prevent stormwater pollution from impacting waters of the U.S. in the vicinity of the project site. All development within the City of Oceanside is required to prepare and implement a Storm Water Management Plan containing Best Management Practices (BMPs) in compliance with National Pollution Discharge Elimination Program (NPDES) requirements as required by the State Water Resources Control Board and Regional Water Quality Control Board (RWQCB).

b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?* ***No Impact.*** Grading will not reach groundwater, which was encountered a minimum of 20 feet below the surface in geotechnical borings. The project would be connected to the municipal water supply and no on-site use of groundwater is proposed. There would be no significant impacts on groundwater.

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?* ***Less Than Significant Impact.*** An increase in impervious surfaces would result in a corresponding increase in runoff from the site. However, a drainage system is included in the proposed project that would connect to the Oceanside municipal storm drain system. No discharge directly into any stream or waterway is proposed, so the project would not cause erosion or siltation off-site. During construction, BMPs to control erosion would be required; see response 14.8a.

d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?* ***Less Than Significant Impact.*** Refer to Response (c), above.

e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?* ***Less Than Significant Impact.*** The drainage system proposed in the TM is sized for the calculated volume of runoff from the developed site, and the municipal storm drain system includes sufficient additional capacity. Pollution in runoff would be controlled by BMPs during both construction and operation. See response 14.8a.

f) *Otherwise substantially degrade water quality?* ***Less Than Significant Impact.*** Discharge from the proposed project through stormwater facilities would consist of non-point sources. Stormwater quality is generally affected by the length of time since the last rainfall, rainfall intensity, urban uses of the area, and the quantity of transported sediment. Typical urban water quality pollutants usually result from motor vehicle operations, oil and grease residues, fertilizer/pesticide uses, and careless material storage and handling. Majority of pollutant loads are usually washed away during the first flush of the storm occurring after the dry-season period. However, the proposed project will employ BMPs to control pollutant discharge during both construction and operation. See response 14.8a.

g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?* ***No Impact.*** The proposed project area is not located within a 100-year flood hazard area. Therefore, no flood related impacts would occur.

h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?* ***No Impact.*** The project site is not located within a 100-year flood hazard area. Refer to Response 14.8c and Response 14.8d, above, for additional discussion.

i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?* ***Less Than Significant Impact.*** As previously stated, the project is not within a 100-year floodplain. Levees on the San Luis Rey River less than a half-mile south of the site are maintained by the U.S. Army Corps of Engineers. Failure of the levees during a severe storm would be a catastrophic occurrence, but one of low probability. No significant impact is anticipated.

j) *Inundation by seiche, tsunami, or mudflow?* ***No Impact.*** There are no anticipated impacts to the proposed project from seiche, tsunami, or mudflow, as no topographical features or water bodies capable of producing such events occur within the project site vicinity. The project site is located on relatively level topography at an elevation of approximately 74 feet above mean sea level and more than five miles inland from the Pacific Ocean.

k) *Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?* ***No Impact.*** See response 14.8a.

l) *Result in significant alternation of receiving water quality during or following construction?* ***No Impact.*** See response 14.8a.

m) *Could the proposed project result in increased erosion downstream?* ***No Impact.*** See response 14.8c.

n) *Result in increased impervious surfaces and associated increased runoff?* ***Less than Significant Impact.*** The increase in impervious surface and associated runoff is below the significance threshold established by the City for determining a significant impact.

o) *Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?* ***Less than Significant Impact.*** See response 14.8d.

p) *Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?* ***No Impact.*** The project site does not adjoin or discharge directly into a Federally-listed water body.

q) *Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?* ***No Impact.*** See the preceding response.

r) *Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?* ***No Impact.*** The project would not discharge directly into surface waters nor involve operational characteristics that would result in pollutant discharges into such waters

s) *Have a potentially significant adverse impact on groundwater quality?* ***No Impact.*** The project site does not involve excavation, drilling, or cuts that could intercept or affect groundwater, and does not involve sub-surface fuel tanks or similar features that could affect groundwater.

t) *Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?* ***No Impact.*** The proposed project will not result in any violation of applicable water quality standards established by the Clean Water Act and implemented by the San Diego RWQCB through the regional NPDES permit.

u) *Impact aquatic, wetland, or riparian habitat?* ***No Impact.*** See response 14.4b.

v) *Potentially impact stormwater runoff from construction or post construction?* ***No Impact.*** See responses 14.8a, c, d, and f.

w) *Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?* ***No Impact.*** The proposed project is a residential development and has none of the areas or facilities described.

x) *Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?* ***No Impact.*** See responses 14.8a, c, and f.

y) *Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?* ***No Impact.*** See response 14.8c.

z) *Create significant increases in erosion of the project site or surrounding areas?* ***No Impact.*** See responses 14.8 c and f and 14.6b.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.9 LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

a) *Physically divide an established community?* ***No Impact.*** The project would be sited on vacant land between the fenced backyards of two distinctly different neighborhoods: duplexes fronting on Calle Montecito on the east and Lamplighter Oceanside Mobile Home Park on the west. No division of an established community would occur.

b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?* ***No Impact.*** The proposed project is consistent with the General Plan Land Use Element's designation for the project site and with the zoning. The PD plan would implement residential development consistent with surrounding land uses and would meet the policies and objectives of the General Plan for development in this location. Therefore, no impacts would occur.

c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?* ***No Impact.*** Refer to Response 4.4(f) above, which concludes the project would not conflict with any habitat conservation plan.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.10 MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?* ***No Impact.*** The City's General Plan and Zoning Ordinance would not permit any mineral extraction on or within the vicinity of the project site. Therefore, the project would have no impact.

b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?* ***No Impact.*** See the preceding response.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.11 NOISE. Would the project:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* ***Less than Significant Impact.*** The proposed project would create a short-term impact in terms of construction noise. Noise generated by construction and demolition equipment, including trucks, backhoes and other equipment, may temporarily impact nearby sensitive receptors. Construction noise is estimated to be approximately 92 dBA at 50 feet from the source. The City's Noise Ordinance provides that noise sources associated with construction, repairs, remodeling, or the grading of any real property, shall be exempt from the provisions of the City's noise code if conducted from 7:00 a.m. to 6:00 p.m. on Monday through Friday, or from 8:30 a.m. to 4:30 p.m. on Saturday. Construction is prohibited at any time on Sunday or a Federal holiday. Construction of the proposed project would be limited to daytime hours for the duration of construction. Also, all vehicles and equipment will use available noise suppression devices and be equipped with mufflers during construction activities. Due to the restricted hours, equipment restrictions, and relatively short period of construction, noise resulting from construction would not result in a significant impact.

No feature of the project would cause noise in excess of that expected in an urban neighborhood, and the activities of future residents would be subject to regulation under the City's Noise Ordinance.

b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?* ***Less Than Significant Impact.*** Due to the relatively small scale of this project and the limited amount of grading that would be required, the proposed project is not anticipated to generate excessive groundborne vibrations or noise levels. Any such effects that would occur would be temporary and limited to the hours and days stated in the preceding response.

c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?* ***Less than Significant Impact.*** The project site is now vacant, and a normal increase in noise produced on the site would be expected from traffic and human activity due to development of a residential neighborhood. However, no feature of the project would cause noise in excess of that expected in an urban neighborhood, and the activities of future residents would be subject to regulation under the City's Noise Ordinance.

d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?* ***Less Than Significant Impact.*** As noted in response 14.11a, the implementation of the proposed project may result in short-term increased noise levels during construction. This temporary condition would cease upon project completion and is subject to the City's noise mitigation guidelines.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?* ***No Impact.*** As previously stated, the proposed project is not located within two miles of a public airport or public use airport.

f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?* ***No Impact.*** The proposed project site is not located within the vicinity of a private airstrip.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.12 POPULATION & HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?* ***Less Than Significant Impact.*** The proposed project is expected to provide housing for 20 families. Most of this relatively low number would likely be relocating from elsewhere in the region. The project would be consistent with the City's General Plan, so the local increase in population would be consistent with the orderly planning for growth in the region.

b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?* ***No Impact.*** The proposed project would not require the removal existing housing, and therefore would not necessitate the construction of replacement housing elsewhere.

c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?* ***No Impact.*** See responses 14.12a and 14.12b.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.13 PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

1) *Fire protection?* ***Less than Significant Impact.*** Proposed project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities. The project would add 20 dwelling units to a community served by the Oceanside Fire Department. The incremental addition to the population in the area would not require new or altered Fire Department facilities, so there would be no significant impact.

2) *Police protection?* ***Less than Significant Impact.*** There are no significant impacts related to police protection or service anticipated with implementation of the proposed project. See the preceding response; no new or altered Oceanside Police Department facilities would be required to serve the proposed development.

3) *Schools?* ***Less than Significant Impact.*** Implementation of the proposed project would not result in the need for the construction of additional school facilities. The addition of a population of children from 20 households would not require the construction of new or altered school facilties. Therefore, no impacts will occur.

4) *Parks?* ***Less than Significant Impact.*** The nearest public park is Libby Lake Park, on the east side of Calle Montecito about a third of a mile north of North River Road, where active recreation is offered. The proposed project would include a 2.2-acre open space passive recreation lot for the use of residents of the proposed development. No new or expanded recreational facilities would be required to serve the proposed project. Therefore, no significant impacts to parks are anticipated as a result of this project.

5) *Other public facilities?* ***Less than Significant Impact.*** The proposed project is a small-scale infill residential development. No significant impacts to other public facilities are anticipated to occur with project implementation.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.14 RECREATION. Would the project:				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?* ***Less than Significant Impact.*** Some small increase in the use of Libby Lake Park and other public recreational facilities would be expected as a result of project development. However, the added use from 20 single-family residences would not substantially accelerate physical deterioration of neighborhood or regional parks.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?* ***Less than Significant Impact.*** The proposed project includes a passive recreation parcel to be maintained by the HOA for the use of residents. The relatively small scale of the project would not require the construction or expansion of other recreational facilities and would result in no physical effect on the environment.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.14 TRANSPORTATION/TRAFFIC. Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion/management agency for designated roads or highways?	☐	☐	☐	☒
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e. Result in inadequate emergency access?	☐	☐	☐	☒
f. Result in inadequate parking capacity?	☐	☐	☐	☒
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

a) *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?* ***Less than Significant Impact.*** A Traffic Impact Analysis Report was prepared for the proposed project by RBF Consulting (May 31, 2006. Traffic generated by the proposed project was calculated using the rate of traffic generation of 10 Average Daily Trips (ADT) from the SANDAG "Not So Brief Guide" to traffic generation in the San Diego region. The results for the AM peak hour and PM peak hour are shown in the following table.

Project Peak-Hour ADT

AM Peak Hour			PM Peak Hour		
Total	**In**	**Out**	**Total**	**In**	**Out**
8%	30%	70%	10%	70%	30%
16 ADT	5 ADT	11 ADT	20 ADT	14 ADT	6 ADT

The proposed project is consistent with the General Plan land use designation for the site, and the estimated trip generation falls below the City's threshold for a traffic study and analysis of impacts on road segments and intersections. However, the existing access driveway shared by the Community Center is constrained to right turn in, right turn out only. To enter the site from the west, vehicles will need to make a U-turn at Calle Montecito. To go east from the site, vehicles will need to make a U-turn at either the North River Road median break at Riverview Way or the signalized intersection at Avenida Descanso. Therefore, the traffic report evaluated service levels at these potentially affected intersections when

project traffic was added to existing traffic volumes on the roadway system. The resulting levels of service are shown in the following table.

Existing Plus Project Intersection Peak-Hour Delay in Seconds and LOS

Intersection	No Project		With Project		Change in Delay	
	AM Delay/LOS	PM Delay/LOS	AM Delay/LOS	PM Delay/LOS	AM	PM
N. River Rd./Riverview Way	13.8/B	26.0/D	14.0/B	26.5/D	0.2	0.5
N. River Rd./Calle Montecito	21.0/C	18.6/B	21.0/C	18.7/B	0.0	0.1
N. River Rd./Project Access	10.2/B	10.9/B	10.4/B	11.0/B	0.2	0.1

As shown in the table, addition of project traffic at these intersections would not change the LOS and would result in a maximum delay of 0.5 second. Therefore, the project would have a less than significant effect on the study intersections.

The traffic study also calculated the effects of adding project traffic to existing traffic on North River Road in the project vicinity. The results are shown in the following table.

Existing Plus Project ADT and LOS on North River Road

Location	Class/No. of Lanes	Capacity	Existing			Existing Plus Project		
			ADT	V/C	LOS	ADT	V/C	LOS
West of Riverview	Major/4	40,000 ADT	16, 878	0.422	A	16,998	0.425	A
Riverview to Calle Montecito	Major/4	40,000 ADT	17,530	0.438	A	17,730	0.443	A
East of Calle Montecito	Major/4	40,000 ADT	17,905	0.448	A	17,985	0.450	A

V/C = Vehicle to Capacity Ratio

As shown in the table, adding traffic from the project to existing traffic on North River Road in the vicinity of the project would not change the LOS, which would remain at A on all the study segments. Therefore, the project would have a less than significant impact on the road segments studied.

b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?* ***No Impact.*** See the tables presenting LOS with the project added to existing traffic in the preceding response.

c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?* ***No Impact.*** Because of its location, the project would have no effect on air traffic patterns.

d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* ***Less than Significant Impact.*** The project would make no changes in design features of any public roadway. The traffic study recommended that parking spaces adjoining the access driveway through the Community Center parking lot be restriped to compact parking spaces because large vehicles parked in those spaces could protrude into the traveled access way. The City is agreeable to implementing this recommendation.

e) *Result in inadequate emergency access?* ***No Impact.*** The project proposes a 32-foot wide access road on-site with a 40-foot cul-de-sac radius that would meet Oceanside Fire Department standards for emergency vehicle turnaround. The project would not alter any element of the off-site roadway system.

f) *Result in inadequate parking capacity?* ***No Impact.*** Four of the proposed residences would have a one-car garage. The other 16 residences would have two-car garages. In addition, 35 parking spaces would be provided on the west side of the access driveway. Thus, parking would be provided on-site for 71 vehicles, or approximately 3.5 vehicles per residence for residents and guest. Therefore, adequate on-site parking will be provided.

f) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?* ***No Impact.*** The project does not adjoin any public street used by alternative transportation and therefore would have no effect on policies, plans, or programs supporting alternative transportation.

g)

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.15 UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?* ***No Impact.*** The project is a residential development that will discharge into the City of Oceanside's sewage collection system to be conveyed to the City's San Luis Rey Wastewater Recycling Facility. The wastewater recycling facility is regulated by and meets the waste discharge requirements of the San Diego RWQCB. No impacts would result.

b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* ***No Impact.*** The proposed development would connect to existing municipal water and wastewater pipelines. No alteration of these pipelines or of wastewater or potable water treatment facilities would be required to serve the proposed project.

c) *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* ***Less than Siginificant***

Impact. The on-site drainage system would connect to City of Oceanside storm drains. Drainage improvements would also be made off-site to assure adequate drainage for back yards of the duplexes fronting Calle Montecito along the project's eastern boundary. No other off-site improvements are proposed or required, and no significant environmental impacts would result.

d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?* ***No Impact.*** The project is a relatively small infill project consistent with the land use designation of the Oceanside General Plan. No new or expanded entitlements would be required with implementation of the proposed project. No impacts are anticipated.

e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* ***No Impact.*** See Response 4.16a, above. The Oceanside Water Utilities Department implements a Wastewater Master Plan for the orderly expansion of the wastewater treatment system to serve buildout of the General Plan. The project would cause no need for alteration of the Wastewater Master Plan.

f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?* ***No Impact.*** Construction of the project would generate a minor increase in solid waste that would be disposed of in accordance with all local and state regulations. The increase in solid waste generated by 20 single-family residences would not be significant in the context of solid waste volumes disposed of by existing development in Oceanside. No significant impacts would result.

g) Comply *with federal, state, and local statutes and regulations related to solid waste?* ***No Impact.*** Refer to Response 14.16f, above. The municipal collection and disposal of solid waste in Oceanside is disposed of in accordance of all federal, state, and local statutes and regulations.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.16 MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?	☐	☐	☐	☒
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	☐	☒
c. Does the project have impacts which are individually limited, but cumulatively considerable ("Cumulatively considerable" means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?	☐	☐	☒	☐
d. Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?	☐	☐	☐	☒

a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self- sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?* ***No Impact.*** See sections 14.4 and 14.5 of this Initial Study.

b) *Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?* ***No Impact.*** Development of the proposed project will help the City achieve its affordable housing goals. The project is an infill development consistent with the General Plan and would not have a substantial effect on natural or cultural resources or on the City's goals for the conservation of natural resources.

c) *Does the project have impacts which are individually limited, but cumulatively considerable ("Cumulatively considerable" means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?* ***Less than Significant Impact.*** Implementation of the proposed PD plan would be consistent with surrounding development and with the goals and objectives of the General Plan for development in this location. It is therefore part of the orderly long-term planning for the City along with other projects.

d) *Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?* ***No Impact.*** See the preceding sections of this initial study. The City is not aware of any features of the project not evaluated in this document that would have a substantial adverse effect on human beings.

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

Tom Held

Tom Held, Senior Project Manager, EDAW

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

[X] I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

[ ] I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described herein have been included in this project. A MITIGATED NEGATIVE DECLARATION will be prepared.

[ ] I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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

[X] It is hereby found that this project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.

[ ] It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore fees shall be paid to the County Clerk in accordance with Section 711.4(d) of the Fish and Game Code.

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

Jerry Hittleman, City Planner

REFERENCES

The following reports were prepared for the proposed Libby Lake Village project, are cited in this Initial Study, and are available for review at the City of Oceanside Planning Department, 300 North Coast Highway, Oceanside, California, 92054.

Affinis. Calle Montecito Archaeology (Affinis Job No. 1465). January 27, 2000.

GeoLogic Associates. Geotechnical Report. Proposed Libby Lake Village, North River Road, Oceanside, California. May 2006.

Geotechnical Consultants. Phase I – Environmental Assessment. Libby Lake Community Center Housing Project, Oceanside, California. November 18, 2005.

RBF Consulting. Libby Lake Village Affordable Housing Project Traffic Impact Analysis. May 31, 2006.