ITEM NO. 23

STAFF REPORT

CITY OF OCEANSIDE

DATE: April 20, 2011

TO: Honorable Mayor and Members of the City Council

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF GENERAL PLAN AMENDMENT (GPA10-00003) AND ZONE AMENDMENT (ZA10-00003) TO CHANGE THE LAND USE DESIGNATION FROM LIGHT INDUSTRIAL (LI) TO OPEN SPACE (OS) AND CHANGE THE ZONING DESIGNATION FROM LIMITED INDUSTRIAL (IL) TO OPEN SPACE (OS) FOR LOT 22, A 36.03-ACRE SITE LOCATED SOUTH OF MESA DRIVE AND NORTH OF OCEAN RANCH BOULEVARD, WITHIN THE IVEY RANCH/RANCHO DEL ORO NEIGHBORHOOD – OCEAN RANCH BUSINESS PARK LOT 22 – APPLICANT: OCEAN RANCH BUSINESS ASSOCIATION/ MERIT PROPERTY MANAGEMENT**

SYNOPSIS

The item under consideration is a request for a General Plan and Zone Amendment to change the land use designation from Light Industrial (LI) to Open Space (OS) and the zoning designation from Limited Industrial (IL) to Open Space (OS) for Lot 22 of the Ocean Ranch Business Park.

The 36.03-acre site is located south of Mesa Drive and north of Ocean Ranch Road just beyond lots 14, 15, 16, 17, and 18 of the Ocean Ranch Industrial Park and is currently encumbered with an Open Space Easement dedicated to the City of Oceanside. The property is made up of naturally occurring slopes containing habitat and sloping downward from south to north. A portion of the site is currently being re-vegetated with Coastal Sage Scrub (CSS) and wetland habitat as part of a mitigation program for the original development of the Ocean Ranch Industrial Park. The remainder of the habitat on-site is predominately non-native grassland (NNG).

Article 45 Amendments, of the Oceanside Zoning Ordinance is intended to allow for changes in the City's official zoning map. Section 4502 of Article 45 allows changes to the official zoning map, subject to advisory review by the Planning Commission with a recommendation to the City Council for final action.

Staff recommends approval of the proposed General Plan Amendment (GPA10-00003) and Zone Amendment (ZA10-00003) to change the land use designation from Light Industrial (LI) to Open Space (OS) and the zoning designation from Limited Industrial (IL) to Open Space (OS) for Lot 22 of the Ocean Ranch Business Park. Staff recommends that the City Council:

- Adopt the attached City Council Resolution approving General Plan Amendment (GPA10-00003) to change the land use designation from Light Industrial (LI) to Open Space (OS) for the 36.039 acre parcel; and,

- Introduce an Ordinance for Zone Amendment (ZA10-00003) to amend the official Zoning Map from Limited Industrial (IL) to Open Space (OS) for Lot 22 of the Ocean Ranch Business Park as recommended by the Planning Commission.

BACKGROUND

The subject site (Lot 22) is part of the 393-acre industrial Ocean Ranch Master Development Plan, which was reviewed and approved by the Planning Commission in September of 1999. The master plan area itself is a portion of the original 750-acre Ivey Ranch. Established in 1937, the ranch was used for cattle and horse grazing until the 1970s, at which time portions were converted to cropland. In 1979, a General Plan Amendment was approved which changed the underlying Agricultural designation on the property to Low-Density residential (565 acres) and General Open Space (185 acres). A 10-acre elementary school site and 25-acre junior high school site were also approved as part of the amendment.

In 1980, a Specific Plan was approved over the entire ranch area, which distributed 3,907 residential units over the majority of the property with 0.2 acres reserved for industrial uses. In 1982, the Rancho del Oro (RDO) Industrial Master Plan was approved, which included the area surrounding the Ivey Ranch site that was master-planned as the RDO Technology Park.

Subsequently, in 1983, a second General Plan Amendment and Specific Plan was approved which placed Mesa Drive, the two schools, a community park and other community service uses in the central area of Ivey Ranch. Residential units were also approved north of Mesa Drive, with light industrial uses designated for the 324 acres south of Mesa Drive. An integrated road and land use concept plan, which included the adjacent RDO industrial lands, designated approximately 1,000 acres of industrial area for the City's future needs.

Tentative Map (T-1-99) and Master Development Plan (D-7-99) were approved by the Planning Commission on September 13, 1999, through PC Resolution No. 99-P56. The approval was for a 393-acre industrial complex project (Ocean Ranch Corporate Centre), with 21 large lots for industrial park development and two open-space lots all located on the north side of Oceanside Boulevard, south of Mesa Drive, and west of the Rancho Del Oro Technology Park. Lot 22 of the Ocean Ranch Corporate Center, and herein referred to as "the project site" is one of the two lots dedicated as open space to the City of Oceanside, but conveyed to the association for maintenance purposes.

Project Description: The project application is comprised of two components; a General Plan Amendment and a Zone Amendment described as follows:

General Plan Amendment (GPA10-00003) represents a request for the following:

To change the land use designation from Light Industrial (LI) to Open Space (OS) for an approximately 36.03-acre site located south of Mesa Drive and north of Ocean Ranch Road within the Ocean Ranch Industrial Park. The subject site is referred to as Lot 22 and is encumbered with an Open Space Easement dedicated to the City of Oceanside. Underlying ownership of Lot 22 will remain with the Ocean Ranch Business Association.

Zone Amendment (ZA10-00003) represents a request for the following:

To change the zoning designation from Limited Industrial (IL) to Open Space (OS) for an approximately 36.03-acre site located south of Mesa Drive and north of Ocean Ranch Road within the Ocean Ranch Industrial Park. The subject site is referred to as Lot 22 and is encumbered with an Open Space Easement dedicated to the City of Oceanside.

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is Light Industrial (LI). This land use designation permits a range of less intensive industrial uses, but as part of the Original Ocean Ranch Business Park subdivision, the lot was overlain with an Open Space easement that would prohibit any future development of the site for industrial purposes. The proposed land use change would be consistent with the existing encumbrance on the parcel, and would allow establishment of additional open space within the City of Oceanside that meets the intent of the goals and objectives of the City's General Plan as follows:

Land Use Element III. Natural Resource Management

Goal 3.11: Vegetation and Wildlife Habitats

Objective: To provide special management of sensitive historical, cultural, recreational, and environmental areas and areas with unique planning considerations within the City.

Policy: Where appropriate, the City shall apply open space land use designations and open space zoning to areas of significant scenic, ecological, or recreational value.

The proposed General Plan and Zone Amendment would align the property's actual state of ecological significance with the current planning and land use opportunities afforded the lot. Changing of Lot 22 to an Open Space (OS) designation would provide opportunities for additional habitat lands for the City of Oceanside. This would be consistent with the City's draft Subarea Plan, in terms of allowing for more undeveloped and open space lands for conserving natural biotic communities and sensitive plant and wildlife species.

2. Zoning Ordinance Compliance

The project site is located in Limited Industrial (IL) zone district. The applicant proposes changing the Zoning District map for Lot 22 of Map 14867 as attached in the referenced map with this report.

The proposed Zoning Designation change would not only provide approximately 36.03 additional acres of open space, but would allow for the existing Limited Industrial (IL) zoned parcel encumbered with an open space easement to be properly designated and ensure that future maintenance and retention of habitat is achieved.

3. Land Use Compatibility

The applicant has submitted to staff a description and justification of the proposed land use and zoning changes, and believes the appropriate land use designation for the subject lot is open space, primarily due to the close proximity of existing residential and public and institutional land uses to the Light Industrial park to the south. It would also afford the property owner and association a reduced tax rate that would be passed on to businesses within the Ocean Ranch Industrial Park.

As described in Section 2.12 of the Land Use Element of the General Plan, the objective of the Light Industrial designation is to "provide lands that can accommodate a wide range of moderate- to low-intensity industrial uses capable of being located adjacent to residential areas with minimal buffering and attenuation measures." Based upon this general land use criteria, future development of the subject site must be developed in a fashion that is very compatible with the surrounding neighborhood. Due to the fact that the lot is encumbered with an Open Space easement, future development of the land is prohibited, and allowing an increased buffer area would be in keeping with the General Plan Vision previously described.

Furthermore, in the master planning of the Ivey Ranch and Rancho Del Oro communities strict attention was given to the placement of land uses. Under each of the specific plans, the roadway layout and design was intended to be the major demarcation between differing land uses. As such, industrial uses were to be situated south of Mesa Drive and Old Grove Road, which are designed and designated as secondary arterials having direct links to the major arterial system. Additional development criteria, such as landscaping requirements, setbacks, building placement and outdoor use limitations were created to minimize potential impacts between uses.

ENVIRONMENTAL DETERMINATION

Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project is covered by the "General Rule" Article 5; Section 15061 (b) (3), that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

FISCAL IMPACT

The subject site (Lot 22), a 36.039 acre parcel currently generates approximately $11,979.34 in property taxes, of which $2076.02 goes to the City of Oceanside. Changing the parcels land use and zoning designation from Light Industrial to Open Space would result in a loss of $2,076.02 annually. While the loss to the City would be minimal, the overall cost savings to the property owner would be passed down to potential businesses established or wanting to establish within the City of Oceanside. Subsequently, the cost savings would allow for decreased lease rates, and increasing the potential to create more jobs and additional revenue to the City.

COMMISSION OR COMMITTEE REPORT

The Planning Commission reviewed the project on March 28, 2011. Public hearing notices were mailed to business and residential property owners and occupants within a 1,500-foot radius of the project site, and a Postcard Notice was mailed to the entire Ivey Ranch/Rancho Del Oro Neighborhood Planning Area. After due consideration, the Commission adopted PC Resolution 2011-P10, recommending approval of the project to the City Council by a 6-0 vote (Commissioner Scrivener-Absent). Overall, the Commission found that the General Plan and Zone Amendments were consistent with the intent of the surrounding developed area in close proximity to the site and would provide for additional open space and extended buffer area between residential and public spaces; consequently, providing for a better balance of land uses for the surrounding neighborhood to enjoy.

CITY ATTORNEY'S ANALYSIS

The City Council, under the provisions of Section 65356 of the Government Code, has the ability to amend the General Plan by resolution. The resolution shall be adopted by the affirmative vote of not less than a majority of the total City Council membership. The Planning Commission's public hearing on March 28, 2011, and its recommendation of approval were in accord with the provisions of Section 65353 of the Government Code.

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

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

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution approving General Plan Amendment (GPA10-00003) and Zone Amendment (ZA10-00003) changing the land use designation and official zoning map to Open Space (OS) for the undeveloped 36.03-acre parcel referred to as Lot 22 and located on the north side of Oceanside Boulevard, south of Mesa Drive, and west of the Rancho Del Oro Technology Park.

PREPARED BY:

Richard Greenbauer
Senior Planner

SUBMITTED BY:

Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

George Buell, Development Services Director

Jerry Hittleman, City Planner

Attachments:

1. City Council Resolution
2. Plans/Maps
3. PC Resolution No. 2011-P10
4. PC Resolution No. 99-P56
5. Ocean Ranch Mitigated Negative Declaration Mitigation Monitoring and Reporting Checklist labeled as (Exhibit "B")

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE APPROVING A GENERAL PLAN AMENDMENT (GPA10-00003) FOR CERTAIN REAL PROPERTY LOCATED SOUTH OF MESA DRIVE, EAST OF RANCHO DEL ORO RD., WEST OF OLD GROVE RD. AND NORTH OF OCEAN RANCH BLVD.

(Stirling: James Houlihan, Applicant)

WHEREAS, there was filed with this Council a verified petition on the forms prescribed by the Council requesting a General Plan Amendment (GPA10-00003) under the provisions of Article 45 of the Zoning Ordinance of the City of Oceanside and the provisions of Section 65356 of the Government Code for the following:

a change in the General Plan Land Use designation from Light Industrial (LI) to Open Space (OS).

WHEREAS, the Planning Commission, after giving the required notice, did on the 28th day of March 2011 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, on April 20, 2011, the City Council held a duly noticed public hearing and heard and considered written evidence and oral testimony by all interested parties on the above identified GPA10-00003;

WHEREAS, pursuant to the California Environmental Act of 1970, Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project is covered by the "General Rule" Article 5; Section 15061 (b) (3), that CEQA applies only to projects which have the potential for causing a significant effects on the environment;

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

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

FINDINGS:

For the General Plan Amendment:

1. The proposed land use change of Lot 22 from Light Industrial (LI) to Open Space (OS) as specified in the attached documents is consistent with and compatible to the surrounding public/semi-public, residential, and other light industrial land uses in the vicinity.
2. The land use change would be appropriate and consistent with the Open Space Easement that is overlain on the parcel, and would further provide additional open space within the City of Oceanside.
3. There is no future developments associated with the land use change; therefore, the existing uses would be compatible with the proposed land use changes.
4. Changing the Land Use Designation on this property would not disturb the City's jobs-to-housing balance, nor degrade the City's economic health because Lot 22 is encumbered with an Open Space easement which would preclude any further development of the site with a Light Industrial Land Use.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve General Plan Amendment (GPA10-00003) subject to the following conditions of approval:

Planning:

1. This General Plan Amendment (GPA10-00003) and Zone Amendment (ZA10-00003) approves only the change in land use and zoning designations of the site as shown on the plans and exhibits presented to the Planning Commission for review and approval.
2. 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 General Plan Amendment (GPA10-00003) and Zone Amendment (ZA10-00003). 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.

3. Entitlements and conditions of approval for the original approved Tentative Map (T-1-99) and Development Plan (D-7-99), as identified in Planning Commission Resolution No. 99-P56, shall remain in effect.

4. The project shall be subject to all mitigation measures contained in the mitigation, monitoring and reporting program for the project as referenced in Planning Commission Resolution No. 99-P56 and as noted on the "Ocean Ranch Mitigated Negative Declaration Mitigation Monitoring and Reporting Checklist" attached as Exhibit "B".

5. Prior to signoff of the final biological monitoring visit and release of the site from any outstanding City of Oceanside requirements, a Habitat Management Plan (HMP) in conformance with the Multiple Habitat Conservation Program (MHCP) Biological Monitoring and Management Plan (MHCP Volume III) shall be prepared and an Open Space conservation easement or Declaration of Restrictive Covenant shall be placed over the 36.04-acre parcel referred to as Lot 22 to ensure that the all habitat on the parcel is managed and maintained in perpetuity, and shall be submitted to the City's Environmental Resource Officer and City Engineer for final review and approval.

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

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this 20th day of April 2011, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

CITY ATTORNEY

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING THE OFFICIAL ZONING DISTRICT MAP FROM LIMITED INDUSTRIAL (IL) TO OPEN SPACE (OS) FOR CERTAIN REAL PROPERTY LOCATED SOUTH OF MESA DRIVE, EAST OF RANCHO DEL ORO RD., WEST OF OLD GROVE RD., AND NORTH OF OCEAN RANCH BLVD – OCEAN RANCH BUSINESS PARK LOT 22 ZONE AMENDMENT (ZA10-00003)

(Stirling: James Houlihan, Applicant)

WHEREAS, an application for Zone Amendment (ZA10-00003) has been filed under the provisions of Article 45 of the Zoning Ordinance of the City of Oceanside and the provisions of Section 65356 of the Government Code for the following:

to change the Official Zoning Map from Limited Industrial (IL) to Open Space (OS), for certain real property located south of Mesa Drive, east of Rancho Del Oro Rd., west of Old Grove Rd. and north of Ocean Ranch Blvd. more particularly described in Exhibit "A" attached hereto and incorporated herein by reference thereto;

WHEREAS, the Planning Commission, after giving the required notice, did on the 28th day of March 2011 conduct a duly advertised public hearing as prescribed by law and did by the adoption of Resolution 2011-P10, recommend approval of said Zone Amendment application ZA10-00003 to consider said application;

WHEREAS, said Planning Commission recommendation was made in conjunction with an approval of a General Plan Amendment (GPA10-00003);

WHEREAS, on April 20, 2011, the City Council held a duly noticed public hearing and heard and considered written evidence and oral testimony by all interested parties and the recommendation of the Planning Commission on the above identified Zone Amendment (ZA 10-00003);

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

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For the Zone Amendment:

1. The proposed new Open Space – OS Zone is in compliance with the surrounding Land Use Designations, and would allow the properties to be safe from any future developments.

2. The Open Space – OS Zone is compatible with surrounding and abutting undeveloped lands and would enable consistency with the City of Oceanside Subarea Plan.

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

1. The Zone Amendment application ZA10-00003 for certain real property described in Exhibit "A (Legal Description)", and Exhibit "B (Zone Amendment Map) attached hereto is hereby approved, and the City Planner is directed to amend the appropriate Zoning Map to show the Zone Amendment.

2. This ordinance shall not be codified.

3. 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.

4. 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 20th, day of April 2011, and, thereafter,

PASSED, ADOPTED by the City Council of the City of Oceanside, California, this _____day of _____, 2011 by the following vote:

AYES:

NAYES:

ABSENT:

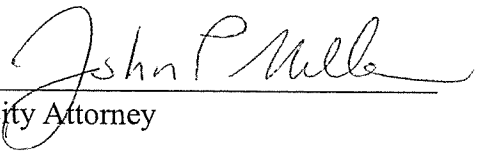
ABSTAIN:

_____
Mayor of the City of Oceanside

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:



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City Attorney

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PROPOSED LAND USE CHANGES
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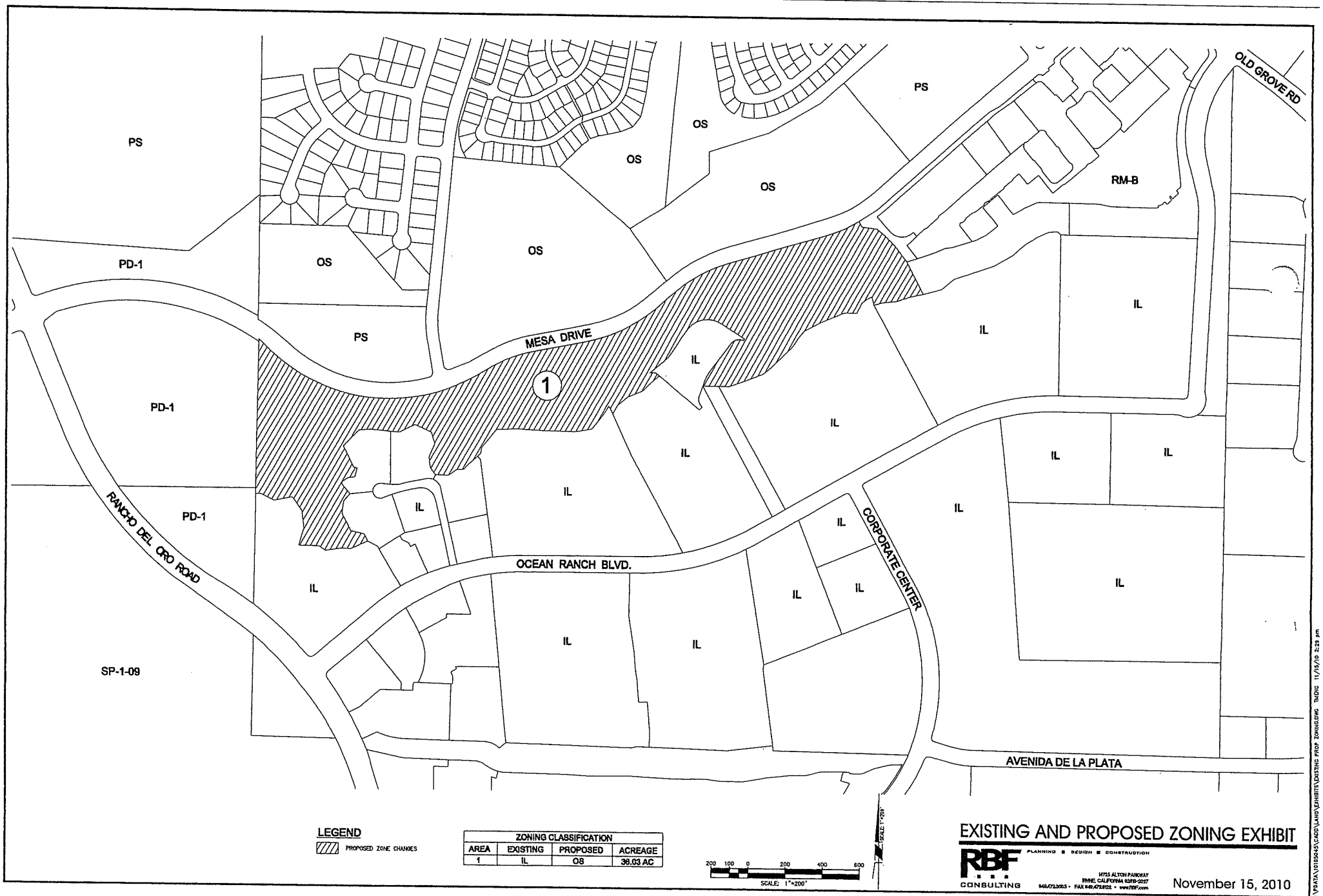
SCALE: 1"=200'
GENERAL PLAN AMENDMENT
AREA CALCULATIONS EXHIBIT
RBF CONSULTING
PLANNING ■ DESIGN ■ CONSTRUCTION
November 15, 2010



LEGEND

PROPOSED ZONE CHANGES

ZONING CLASSIFICATION			
AREA	EXISTING	PROPOSED	ACREAGE
1	IL	OS	36.03 AC

200 100 0 200 400 600

SCALE: 1"=200'

EXISTING AND PROPOSED ZONING EXHIBIT

RBF CONSULTING

PLANNING ■ DESIGN ■ CONSTRUCTION

November 15, 2010

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PLANNING COMMISSION
RESOLUTION NO. 2011-P10

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

APPLICATION NO:	GPA10-00003, ZA10-00003
APPLICANT:	James Houlihan, President Ocean Ranch Business Association
LOCATION:	South of Mesa Drive, east of Rancho Del Oro Rd., west of Old Grove Rd. and North of Ocean Ranch Blvd.

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a General Plan Amendment (GPA10-00003) and Zone Amendment (ZA10-00003) under the provisions of Article 45 of the Zoning Ordinance of the City of Oceanside for the following:

a change in the General Plan Land Use designation from Light Industrial (LI) to Open Space (OS); and to change the Official Zoning Map from Limited Industrial (IL) to Open Space (OS);

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 28th day of March 2011 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, pursuant to the California Environmental Act of 1970, Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project is covered by the "General Rule" Article 5; Section 15061 (b) (3), that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA;

WHEREAS, the documents or other material which constitute the record of proceedings upon which the decision is based will be maintained by the City of Oceanside Planning Division, 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 General Plan Amendment:

1. The proposed land use change of Lot 22 from Light Industrial (LI) to Open Space (OS) as specified in the attached documents is consistent with and compatible to the surrounding public/semi-public, residential, and other light industrial land uses in the vicinity.
2. The land use change would be appropriate and consistent with the Open Space Easement that is overlain on the parcel, and would further provide additional open space within the City of Oceanside.
3. There is no future developments associated with the land use change; therefore, the existing uses would be compatible with the proposed land use changes.
4. Changing the Land Use Designation on this property would not disturb the City's jobs-to-housing balance, nor degrade the City's economic health because Lot 22 is encumbered with an Open Space easement which would preclude any further development of the site with a Light Industrial Land Use.

For the Zone Amendment:

1. The proposed new Open Space – OS Zone is in compliance with the surrounding Land Use Designations, and would allow the properties to be safe from any future developments.
2. The Open Space – OS Zone is compatible with surrounding and abutting undeveloped lands and would enable consistency with the City of Oceanside Subarea Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby recommend approval of General Plan Amendment (GPA10-00003) and Zone Amendment (ZA10-00003) to the City Council for final action, and subject to the following recommendations and conditions:

Planning:

1. This General Plan Amendment (GPA10-00003) and Zone Amendment (ZA10-00003) approves only the change in land use and zoning designations of the site as shown on the plans and exhibits presented to the Planning Commission for review and approval.
2. 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 General Plan Amendment (GPA10-00003) and Zone Amendment (ZA10-00003). 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.
3. Entitlements and conditions of approval for the original approved Tentative Map (T-1-99) and Development Plan (D-7-99), as identified in Planning Commission Resolution No. 99-P56, shall remain in effect.
4. The project shall be subject to all mitigation measures contained in the mitigation, monitoring and reporting program for the project as referenced in Planning Commission Resolution No. 99-P56 and as noted on the "Ocean Ranch Mitigated Negative Declaration Mitigation Monitoring and Reporting Checklist" attached as Exhibit "B".

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5. The Open Space conservation easement currently placed over the 36.04-acre parcel referred to as Lot 22 shall remain in place and all habitat on site be preserved. Prior to signoff of the final biological monitoring visit and release of the site from any outstanding City of Oceanside requirements, a Habitat Management Plan (HMP) in conformance with the Multiple Habitat Conservation Program (MHCP) Biological Monitoring and Management Plan (MHCP Volume III) shall be prepared and submitted to the City's Environmental Resource Officer for review and approval. Lot 22 shall be placed within an endowment for maintenance of the habitat, and shall be managed in perpetuity.

PASSED AND ADOPTED Resolution No. 2011-P10 on March 28, 2011 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Robert Neal, Chairperson
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. 2011-P10.

Dated: March 28, 2011

Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may be required as stated herein:

_____ _____

Applicant/Representative Date

PLANNING COMMISSION
RESOLUTION NO. 99- P56

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

APPLICATION NO'S:	T-1-99, D-7-99
APPLICANT:	Ocean Ranch
LOCATION:	North side of Oceanside Boulevard, south of Mesa Drive, west of the Rancho Del Oro Technology Park

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Map and Development Plan under the provisions of Articles 13 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

a Master Development Plan Text for a 393-acre industrial project;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 13th day of September, 1999 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto a Mitigated Negative Declaration stating that if the mitigation measures are applied there will not be a significant 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 Govt. 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
Drainage Fee	Ordinance No. 85-23 Resolution No. 89-231	Calculated by drainage basin. Drainage2A: $9,575X108.36 (acres) Drainage 2B $8,024X284.64 (acres)
Public Facility Fee	Ordinance No. 91-09 Resolution No. R91-39	$.441 per square foot or $441 per thousand square feet for commercial and industrial
School Facilities Mitigation Fee	Ordinance No. 91-34	$.31 per square foot (non-residential)
Traffic Signal Fee	Ordinance No. 87-19	$7.80 per trip
Thoroughfare and Bridge Fee	Ordinance No. 83-01	$177 per trip
Water Connection Fees	Oceanside City Code §37.56.1 Resolution No. 87-96	Fee based on water meter size (These fees are under consideration to be increased.)
Sewer Connection Fees	Oceanside City Code § 29.11.1 Resolution No. 87-97	Based on equivalent dwelling units (edu) (These fees are under consideration to be increased.)
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 99-2	As of Sept. 20, 1999, a 2" meter is $9,729

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. Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020;

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

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

FINDINGS:

For the Tentative Map:

1. That the proposed map is consistent with the General Plan of the City or any applicable specific plan or other applicable ordinance.

   -- The industrial map is consistent with the industrial Land Use designation. The portion that is in Rancho Del Oro is in conformance with the size of parcels in that project.

2. That the site is physically suitable for the type of development.

   -- The site is of gently rolling hills with few environmental constraints and is located in the center of the city with adequate access and facilities and is most appropriate for light industrial development.

3. That 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.

-- Mitigation measures are attached as a result of the environmental review process to protect fish, wildlife and habitat areas.

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

-- All such public easements are protected by this project.

For the Development Plan:

1. That the site plan and physical design of the project as proposed is consistent with the purposes of the Zoning Ordinance.

-- The site plan and design indicate a high quality industrial park which is consistent with both the City's IL (Light Industrial) Zone and the Rancho Del Oro Industrial Master Plan.

2. That the Development Plan as proposed conforms to the General Plan of the City.

-- The Development Plan Text proposes development standards that are more restrictive than the City's Light Industrial General Plan category and consistent with or more restrictive than the Rancho Del Oro Industrial Master Plan.

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

-- The Public Services have been planned and/or are available in the area. Extensions to provide service on the site will be constructed by the development.

4. That the project as proposed is compatible with existing and potential development on adjoining properties or in the surrounding neighborhood.

-- The landscaping and site design requirements will provide for a visual buffer to the north and appropriate transition with the Rancho Del Oro Technology Park to the south and east of the site. Further the master plan standards ensure appropriate development will occur adjacent to the El Corazon site to the west.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby APPROVE the Mitigated Negative Declaration and adopt the mitigation measures provided therein, and APPROVE Tentative Map (T-1-99) and Development Plan (D-7-99), subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Department 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. Site development, parking, access into buildings and building interiors shall comply with C.C.R. Title 24, Part 2 (Disabled Access - Nonresidential buildings - D.S.A.).

4. Any application for a Building Permit in this project will not be accepted until plans indicate that they have been prepared by a licensed design professional (Architect or Engineer). The design professional's name, address, phone number, State license number and expiration date shall be printed in the title block of the plans.

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

6. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall be shielded appropriately. Where color rendition is important high-pressure sodium, metal halide or other such lights may be utilized and shall be shown on final building and electrical plans. In addition, all lighting showcasing building architecture shall be shown on the above noted plans.

Engineering:

7. Vehicular access rights to Oceanside Boulevard and Ranch Del Oro shall be relinquished to the City from all abutting lots. Except for approved driveway openings, vehicular access rights to all other streets shall be relinquished from all abutting lots.

8. All street dedications, right-of-way alignments, widths, and exact geometrics shall be dedicated and improved as required by the City Engineer. The exact alignment, width and design of all median islands, turning lanes, travel lanes, driveways, striping, and all other traffic control devices and measures,

including turnouts, bike lanes, and width/length transitions, shall be approved by the City Engineer at the time of final design.

9. Prior to approval of the final map or any increment, all improvement requirements, within such increment or outside of it if required by the City Engineer, 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.

10. The tract may be developed in phases. A construction-phasing plan for the construction of all on-site and off-site public and private improvements shall be reviewed and approved by the City Engineer prior to the recordation of the final map.

11. Multiple final maps may be filed prior to the expiration of the tentative map.

12. The City Engineer shall require the dedication and construction of necessary utilities, streets and other improvements outside the area of any particular final map, if such is needed for circulation, parking, access or for the welfare or safety of future occupants of the development. The boundaries of any multiple final map increment shall be subject to the approval of the City Engineer.

13. 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 as required. The applicant shall provide documentary proof satisfactory to the City that such easements or other interest in real property have been obtained prior to the approval of the final map. 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.

14. 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.

15. The developer shall provide public street dedication as required to serve the property.

16. Open space areas and down slope areas visible from a collector-level or above roadway, shall either be maintained by the property owner, homeowners'

association or other method that will insure installation and maintenance of landscaping in perpetuity. These areas shall be indicated on the final map and either reserved for an association or other means, as applicable. If these areas are association-maintained, then the maintenance responsibilities shall be set forth in the recorded CC&R's. In either case, 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.

17. 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) Removal of dirt, debris and other construction material deposited on any public street no later than the end of each working day.

b) All building and construction operations, activities and deliveries shall be restricted to Monday through Friday, from 7:00 A.M. to 6:00 P.M., unless otherwise extended by the City.

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

Violation of any condition, restriction or prohibition set forth in this resolution shall subject the development plan to further review by the Planning Commission. This review may include revocation of the development plan, imposition of additional conditions and any other remedial action authorized by law.

18. All traffic signal contributions, highway thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to the issuing of any building permits, in accordance with City Ordinances and policies. The subdivider 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 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.

19. The developer shall pay traffic signal fees as required by the City's Traffic Signal Fee Ordinance, thoroughfare fees as required by the City's Thoroughfare Fee Ordinance, and drainage fees as required by the City's Drainage Fee Ordinance.

20. 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.

21. Prior to City Council's approval of the first final map, a phasing plan for the construction of public and private improvements shall be reviewed and approved by the City Engineer.

22. All streets shall be improved with concrete curbs and gutters, street lights, 5 foot wide sidewalks and pavement, providing a parkway width of at least 10 feet, except where turnouts are provided and unless altered by the City Engineer.

23. Curb return radii shall be 35 feet at the intersections of Oceanside Boulevard and Via Rancho Road, Via Rancho Road and Avenida De La Plata, Ocean Ranch Road and Rancho Del Oro Road, Ocean Ranch Road and Via Rancho Road, Ocean Ranch Road and Old Grove Road. All other curb return radii in the project shall be a minimum of 25 feet.

24. Curb radii at cul-de-sac turnarounds shall be at least 40 feet with minimum 50-foot radii at right-of-way lines.

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

26. Raised landscaped concrete medians on shall be constructed as determined by the City Engineer. A raised landscaped concrete median shall be constructed on Oceanside Boulevard.

27. All streets shall be improved with street name signs and traffic control devices, as directed by the City Engineer.

28. Sight distance requirements at all street intersections shall conform to the intersection sight distance criteria as provided by the California Department of Transportation Highway Design Manual.

29. Traffic control during the construction of streets, which have been opened to public travel, shall be in accordance with construction signing, marking and other protection as required by the CalTrans Traffic Manual. Traffic control during construction adjacent to or within all public streets must also meet CalTrans standards.

30. A traffic control plan shall be submitted to and approved by the City Engineer prior to the start of work within open City rights-of-way.

31. Any 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.

32. Bus turnouts and shelters shall be constructed on Oceanside Boulevard, Via Rancho Road, Rancho Del Oro Road, and Ocean Ranch Road in accordance with the City Engineer and North County Transit District requirements. Additional right-of-way may be required to accommodate the required turnouts.

33. The entire project shall be served with a complete water system adequate enough for fire protection (including hydrants), domestic supply and landscaping. The main lines shall be City-owned and appropriate easements shall be provided. The sewer system to serve the tract shall be designed and constructed to City standards. All other utilities to serve the project, including electrical, telephone, and cable TV, shall be constructed underground.

34. All connections to existing City water mains are to be made with new materials. New materials include the replacement and/or upgrade of all existing fittings with new tees or new crosses, as applicable, and the installation of a new valve on each branch.

35. All existing overhead utility lines either transversing the project or immediately adjacent thereto, and all new extension services for the development of the project, including but not limited to, electrical, cable and telephone, shall be constructed underground in accordance with the City Subdivision Ordinance.

36. Streetlights shall be installed on all streets in the project. The system shall be designed and secured prior to the recordation of a final map. The subdivider shall pay all applicable fees, energy charges, and/or assessments associated with City-owned (LS-2 rate schedule) street lights and shall also agree to be included in the Citywide street lighting district.

37. 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.

38. The developer shall install 3 inch PVC conduit, together with interconnect conduit and pull-boxes at 200 feet intervals for future signal interconnect cable along Oceanside Boulevard and Rancho del Oro Road.

39. On-site grading design and construction shall be in accordance with the City's current Grading Ordinance.

40. Grading and drainage facilities shall be designed 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.

41. The applicant shall obtain any necessary permits and clearances from 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 applicable grading permits.

42. 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.

43. The applicant shall implement adequate erosion control measures for the site at the completion of each phase of grading. This shall include, at a minimum, either jute matting, an organic soil binder with a non-irrigated hydro-seed mix or final landscaping with irrigation on all disturbed areas, as directed by the City Engineer.

44. This project shall provide year-round erosion control. 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.

45. 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 shall be shown on all Precise Grading and Private Improvement Plans.

46. 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 for disturbed areas must be submitted to the City Engineer prior to the issuance of a preliminary grading permit and approved by the City Engineer prior to the issuance of building permits. Project fences, sound or privacy walls and monument entry

walls/signs shall be designed, reviewed and constructed by the landscape plans and shown for location only on grading plans. Retaining walls that are plantable or segmental walls shall be designed, reviewed and constructed by the grading plans. The landscape requirements shall be shown on the project landscape plans. All plans must be approved by the City Engineer and a pre-construction meeting held, prior to the start of any improvements.

47. 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.

48. Development shall be in accordance with City Floodplain Management Regulations, City Stormwater Management and Discharge Regulations.

49. All storm drain systems shall be designed and installed to the satisfaction of 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.

50. Storm drain facilities shall be designed and located such that the inside travel lanes on Oceanside Boulevard and Rancho Del Oro Road shall be passable during conditions of a 100-year frequency storm.

51. 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.

52. 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 plan review.

53. A minimum forty-two-inch high black vinyl clad chain link fence or equivalent barrier, approved by the City Engineer, shall be provided a the top of all slopes whose height exceeds twenty feet or where the slope exceeds four feet and is adjacent to a major street or state highway.

54. A sidewalk shall be installed from Rancho Del Oro Road to Avenida Del Oro along the north side of Oceanside Boulevard. The portion of this sidewalk that is off-site shall be constructed in order to meet the requirements of the Federal ADA Program.

55. The applicant shall dedicate a roadway alignment easterly of Corporate Center Drive for possible future connection to Unit 2 of the Rancho Del Oro Technology Park prior to or concurrently with any development activity in

Phase 4 (Lots 19,20 and 21 of the Tentative Map). If required by the City Engineer and the Planning Director, the applicant shall also prepare all necessary environmental studies and analysis to evaluate the possible future connection of Corporate Center Drive easterly through Unit 2 of the Rancho Del Oro Technology Park to a connection with Avenida de Oro and Old Grove Road.

56. Based upon the traffic study for Ocean Ranch, the following improvements are necessary to mitigate the project impacts. Additional right-of-way may need to be acquired by the developer to enable improvements:

The following traffic improvements shall be designed and secured with the first final map for the project and shall be under construction concurrent with any construction related to Phase 1 Final Map of the project and shall be completed prior to occupancy of any units within Phase 1 Final Map of the project.

INTERSECTION IMPROVEMENTS:

Avenida De La Plata/Avenida Del Oro

57. Modify traffic signal equipment, underground cable and wiring to provide for fully 8-phase operation with exclusive left-turn phasing.

Avenida De La Plata/Corporate Centre

58. Intersection to be improved to provide for a 12-foot wide westbound right turn lane and stop control for the westbound direction.

Oceanside Boulevard/Corporate Centre

59. Construct new north-leg of intersection to provide the following and construct a new traffic signal, underground conduit, cables and wires and provide new interconnect Passer II-90 timing plans and input data for AM, Midday, PM, and Off-peak periods for Oceanside Boulevard system. Provide new 3-inch - interconnect conduit and 12 pair communication cable between Oceanside Boulevard and Ocean Ranch Road on Corporate Centre:

Southbound: 2-12-foot wide left-turn lanes with 165 feet of storage length.
1-12-foot wide right-turn lane with 300 feet of storage length.
1-5-foot wide bicycle lane.

Northbound: 2-12-foot wide lanes from Oceanside Boulevard to Avenida De La Plata
1-5-foot wide bicycle lane.

ROAD SEGMENTS:

Corporate Centre – Oceanside Boulevard to the final map for Phase 1 boundary

60. Construct new Corporate Centre to Industrial Collector Street standards per the RDO Specific Plan.

The following traffic improvements shall be designed and secured with the second final map for the project and shall be under construction concurrent with the final map for Phase 2 of the project and shall be completed prior to occupancy of any units within the final map for Phase 2 of the project.

INTERSECTION IMPROVEMENTS:

Oceanside Boulevard/College Boulevard

61. Widen northbound College Boulevard approach to provide for 3rd through lane, 12 feet wide, starting at Olive Drive.

62. Widen southbound College Boulevard to provide for 3rd through lane, 12 feet wide, from Avenida De La Plata to Olive Drive. Widening to accommodate one 12-foot through lane, plus one 12-foot right turn lane and one 8-foot bike lane.

63. Widen eastbound Oceanside Boulevard to provide for 3rd through lane, 12 feet wide, starting from 300 feet west of College Boulevard. Widening to accommodate existing exclusive right-turn lane.

64. Modify all traffic signal equipment and necessary underground conduit, cables and wiring. Provide revised timing plans and new Passer II-90 computer model runs for each system along Oceanside Boulevard and along College Boulevard including all intersections in its system for AM, Midday, PM, and Off-peak periods.

ROAD SEGMENTS:

College Boulevard – Olive Drive to Thunder Drive

65. Widen roadway by 12 feet to provide for one additional lane southbound between Olive Drive to Thunder Drive and provide for bus turnouts at existing bus stops.

Corporate Centre – Oceanside Boulevard to Ocean Ranch Road

66. Construct new Corporate Centre to Industrial Collector Street standards per the RDO Specific Plan.

The following traffic improvements shall be designed and secured with the third final map for the project and shall be under construction concurrent with any construction of the final map for Phase 3 of the project and shall be completed prior to occupancy of any units within the final map for Phase 3 of the project.

INTERSECTION IMPROVEMENTS:

Oceanside Boulevard/El Camino Real

67. Widen northbound El Camino Real to provide for 3rd through lane, 12 feet wide, starting at railroad tracks and ending north of Oceanside Boulevard at the top of grade. Widening to accommodate existing exclusive right-turn lane. Overlap of northbound right turn phase is not permitted due to proximity of Fire Station driveway and lack of sight distance to driveway.

68. Widen eastbound and westbound Oceanside Boulevard to provide for an additional 12-foot left turn lane.

69. Modify all traffic signal equipment and necessary underground conduit, cables and wiring. Provide revised timing plans and new Passer II-90 computer model runs for each system along Oceanside Boulevard and along El Camino Real including all intersections in its system for AM, Midday, PM, and Off-peak periods.

Vista Way/El Camino Real

70. Provide for northbound overlap right-turn phasing and all necessary wiring, equipment and signal timing plans.

Rancho Del Oro/Oceanside Boulevard

71. Modify traffic signal equipment, underground conduit, cables and wires and provide new interconnect Passer II-90 timing plans and input data for AM, Midday, PM, and Off-peak periods. Provide new 3-inch - interconnect conduit and 12 pair communication cable between Oceanside Boulevard and Mesa Drive.

72. Widen Oceanside Boulevard and Construct 2-12-foot wide eastbound left-turn lanes with 300 feet of storage length.

73. Construct north leg to provide the following:

Southbound: 2-12-foot wide through lanes.
1-12-foot wide right-turn lane with 300 feet of storage length.
2-12-foot wide left-turn lanes with 200 feet of storage length/4' median.
1-5-foot wide bicycle lane adjacent to the right-turn lane.

Northbound: 2-12-foot wide through-lanes from Oceanside Boulevard to Mesa Drive.
1-8-foot wide bicycle lane from Oceanside Boulevard to Mesa Drive.
Widen south leg to provide for adequate lane alignments

Rancho Del Oro Drive/Ocean Ranch Road

74. Construct new intersection to provide the following and construct a new traffic signal, underground conduit, cables and wires and provide new interconnect Passer II-90 timing plans and input data for AM, Midday, PM, and Off-peak periods for Rancho Del Oro system. Provide new 3-inch - interconnect conduit and 12 pair communication cable between Oceanside Boulevard and Mesa Drive on Rancho Del Oro Drive:

Southbound: 2-12-foot wide left-turn lanes with 276 feet of storage length.
2-12-foot wide through lanes from Oceanside Blvd to Mesa Drive.
1-8-foot wide bicycle lane.

Northbound: 2-12-foot wide through lanes from Oceanside Boulevard to Mesa Drive.
1-12-foot wide right-turn lane with 500 feet of storage length.
1-5-foot wide bicycle lane adjacent to right-turn lane.

Westbound: 2-12-foot wide left-turn lanes with 550 feet of storage length.
1-12-foot wide right-turn lane with 522 feet of storage length.
1-5-foot wide bicycle lane.

Vista Way/Rancho Del Oro Drive

75. Widen Vista Way to provide for additional 12-foot wide eastbound left-turn lane with 200 feet of storage length. Modify traffic signal equipment, underground conduit, cables and wires.

ROAD SEGMENTS:

Rancho Del Oro Drive – Oceanside Boulevard to Mesa Drive

76. Construct new Rancho Del Oro Drive to a full-width 4-lane Major Arterial at 100' right-of-way and 80' curb-to-curb within the project and construct 1-12-foot lane each direction with 8-foot bicycle lane for off-site improvements between Oceanside Boulevard and Mesa Drive.

The following traffic improvements shall be designed and secured with the fourth final map for the project and shall be under construction concurrent with any construction of the final map for Phase 4 of the project and shall be completed prior to occupancy of any units within the final map for Phase 4 of the project.

INTERSECTION IMPROVEMENTS:

College Boulevard/Old Grove Road

77. Install 3-inch- interconnect conduit and 12 pair communication cable on Old Grove Road between Mesa Drive and College Boulevard along with Passer II-90 coordinated timing plans for AM, Midday, PM and Off-peak periods:

a) Widen northbound College Boulevard to provide for 2-12-foot wide, left-turn lanes, with 285 feet of storage per lane.

b) Construct new west leg of intersection to provide for 1-12-foot wide eastbound left-turn lane with 260 feet of storage length, 1-12-foot wide eastbound through-lane and 1-12-foot wide eastbound right-turn lane with 300 feet of storage length.

Old Grove Road/Ocean Ranch Road

78. Construct new intersection to provide for the following including new traffic signal, 3-inch- interconnect conduit and 12 pair communication cable on Old Grove Road between Mesa Drive and College Boulevard along with Passer II-90 coordinated timing plans for AM, Midday, PM and Off-peak periods:

Northbound: 2-12-foot wide left turn lanes, with 290' storage length
2-12-foot wide through lanes with 300' storage length
1-5-foot wide bicycle lane

Southbound: 1-12-foot wide right-turn lane, starting at south of Mesa Drive
2-12-foot wide through lanes, starting at Mesa Drive to 300 ft. south of Ocean Ranch Road.

Eastbound: 2-12-foot wide left-turn lanes, with 320' storage length
1-12-foot wide right-turn lane, with 300' storage length and to provide overlap phase.

Old Grove Road/Mesa Drive

79. Construct new south-leg of intersection to provide the following and modify traffic signal equipment, underground conduit, cables and wires and provide new interconnect Passer II-90 timing plans and input data for AM, Midday, PM, and Off-peak periods. Provide new 3-inch - interconnect conduit and 12 pair communication cable between Mesa Drive and College Boulevard on Old Grove Road:

Southbound: 2-12-foot wide through lanes from Mesa Drive to Ocean Ranch Road.
1-12-foot wide right-turn lane from Mesa Drive to Ocean Ranch Road.
1-5-foot wide bicycle lane from Mesa Drive to Ocean Ranch Road.

Northbound: 2-12-foot wide left-turn lanes with 292 feet of storage length.
2-12-foot wide through-lanes from Ocean Ranch Road to Mesa Drive.
1-12-foot wide right-turn lane with 200 feet of storage length.
1-5-foot wide bicycle lane from Ocean Ranch Road to Mesa Drive.

Mesa Drive/Project Driveway

80. Construct new south leg to provide the following and construct a new traffic signal, underground conduit, cables and wires and provide new interconnect Passer II-90 timing plans and input data for AM, Midday, PM, and Off-peak periods for Mesa Drive system. Provide new 3-inch – interconnect conduit and 12 pair communication cable between College Boulevard and Project Driveway:

Northbound: 1-12-foot wide left-turn lane and 1- 12-foot wide right-turn lane.

Westbound: 2-12-foot wide left-turn lanes with 150 feet of storage length.

Eastbound: 1-12-foot wide right-turn lane with 180 feet of storage length.

ROAD SEGMENTS:

College Boulevard – Old Grove Road to Olive Drive

81. Widen southbound roadway between Olive Drive and Thunder by 12 feet to provide for one additional through lane each direction and provide bus turnouts at existing bus stops.

Old Grove Road – Mesa Drive to College Boulevard

82. Along project frontage, Old Grove Road shall be constructed to provide for full-improvements on one-half width plus 12 feet per the City's Secondary Arterial street design standards of 84' right-of-way and 64' curb-to-curb except at intersections where additional width is necessary for turn lanes.

Environmental Mitigation Measures

83. All newly graded or brushed areas, including the areas proposed for off-site grading shall be hydroseeded with a temporary, erosion control plant mix by October 15, or within 40 days from completion of grading activities.

84. Prior to the issuance of grading permits, an erosion control plan shall be developed and approved by the City Engineer and the Planning Director. A qualified landscape architect shall oversee the installation of erosion control measures in accordance with the approved erosion control plan.

85. Prior to the issuance of any future grading permit for individual sites, a detailed landscape plan shall be developed and approved by the City Engineer and the Planning Director. The applicant shall post a bond with the City of Oceanside to ensure implementation of the landscape plan. A qualified landscape architect shall oversee landscape installation in accordance with approved landscape plans.

86. Site improvement plans shall demonstrate compliance with the City of Oceanside Light Pollution Ordinance. At a minimum, the following standards shall be incorporated into the lighting plans:

a) All exterior lighting shall emit less than 4,050 lumens per fixture;

b) Lighting for decorative purposes, including building façade and landscape lighting, shall be turned off between 10:00 p.m. and sunrise; and

c) All lighting, including parking areas, security lighting behind industrial buildings and loading docks, shall be directed and shielded.

87. The City of Oceanside Engineering Department shall review the grading plans for tentative tract maps. All measures necessary to control short-term construction-related air quality impacts shall be made conditions of approval of the grading plan.

88. The City and the contractor shall develop a dust abatement and construction management plan.

89. All project contractors shall implement a program of construction dust control sufficient to meet the requirements of the San Diego Air Pollution Control District (APCD). The program shall include:

a) Sufficient water shall be applied to all major soil disturbance areas to maintain adequate soil moisture in the upper soil stratum to prevent the formation of a visible dust clouds beyond the project boundary. Other equally effective dust control measures shall be used if drought conditions limit water availability.

b) Street sweeping shall be performed daily at the conclusion of each workday up to a distance of 250 feet in either direction of any construction site entrance from an publicly traveled roadway.

c) All trucks shall be washed off as they leave the site and any trucks hauling dirt away from the site shall be wet down or covered with a tarp.

d) Landscaping shall be established on graded areas within 90 days of the completion of grading, or hydroseed with a native plant mix as an interim ground cover, to minimize wind erosion. Irrigate as necessary to sustain ground cover.

e) All grading, excavation and travel on unpaved surfaces shall be terminated when hourly average wind speeds exceed 30 miles per hour. Wind speeds shall be monitored with an on-site wind sensor mounted in an unobstructed location.

90. All major construction contractors shall implement a traffic management program to reduce the number of employee or material delivery trips and to minimize conflict with regional transportation patterns.

91. The loss of 3.15 acres of California gnatcatcher occupied coastal scrub habitat (2.83 acres of coastal sage scrub, 0.32 acre of disturbed coastal sage scrub), in a non-core area (i.e. non-core biological area or non-core habitat preservation area), shall be mitigated at a 2:1 ratio (6.30 acres). This may

take the form of off-site purchase and dedication to open space of coastal sage scrub,, purchase of mitigation credits at a USFWS/CDFG-approved mitigation bank, on-site revegetation of coastal sage scrub, off-site revegetation or any combination thereof.

92. A Section 10a or Section 7 take permit must be obtained from the USFWS pursuant to the Endangered Species Act, or an incidental Take Permit issued by the City of Oceanside once the City's Subarea Plan is completed.

93. The loss of 1.74 acres of Valley needlegrass grassland shall be mitigated at a 1 to 1 ratio (1.74 acres). This may take the form of off-site purchase and dedication to open space of Valley needlegrass grassland, purchase of mitigation credits at an USFWS/CDFG-approved mitigation bank, on-site Valley needlegrass grassland revegetation, off-site revegetation or any combination thereof.

94. The loss of 0.42 acre of wetlands and waters of the U.S. (0.02 mulefat scrub and 0.40 acre of waters of the U.S.) shall be mitigated at a 3 to 1 ratio adjacent to an existing revegetation area, the tributary to Loma Alta Creek, on-site or any combination thereof. This may take the form of revegetation and /or restoration of wetland habitat.

95. The project applicants shall be required to comply with appropriate seismic design criteria relative to ground shaking in accordance with the Uniform Building Code (UBC).

96. Should the east-west trending fault or the two northeasterly trending minor fault shear joints be encountered on-site during grading, they shall be evaluated to determine the extent of their activity level and their potential to impact on-site improvements.

97. Site grading and development shall be consistent with the recommendations in Sections 6.0 through 11.0 of the Preliminary Geotechnical Study.

98. Prior to the placement of compact fill, the landslides located at PSE-3 and TPSE-26 shall be removed.

99. Unless an acceptable alternative is approved by the City Engineer, a perimeter shear key shall be constructed along the northern perimeter daylight cut limit as shown on Plate 1 and depicted in cross sections O-O-foot, P-P-foot and Y-Y-foot on Plates 4 and 5 in the Preliminary Geotechnical Study.

100. A landslide shear key shall be constructed through the landslide at PSE-7 as shown on Plate 1 and depicted in cross-sections W-W-foot and X-X-foot on Plate 5 in the Preliminary Geotechnical Study.

101. Site grading shall comply with the remedial grading recommendations presented in Sections 6.1.2 and 6.2 of the Preliminary Geotechnical Study.

102. All cut slopes shall be evaluated during grading for adverse geologic conditions.

103. Unless an acceptable alternative is approved by the City Engineer, stabilization fills with back drains shall be installed for proposed cut slopes as shown on Plates 1 and 2 of the Preliminary Geotechnical Study.

104. Site grading and development shall comply with the stabilization fills recommendations in Section 9.1.1 of the Preliminary Geotechnical Study.

105. An Erosion Control Plan shall be developed by an expert, as recognized by the City of Oceanside, prior to the issuance of grading permits. Areas shall be hydroseeded with temporary erosion control plantings. All permanent manufactured slopes shall be landscaped and irrigated, as appropriate. All landscaping shall occur within 40 days of completion of grading activities.

106. The inherent characteristics of compressibility and shrinkage of the non-suitable materials shall be remediated by removal and recompaction, or by removal and placement in deeper fills.

107. Adherence to standard engineering practices and recommendations made in the Preliminary Geotechnical Study and Hydrology and Preliminary Hydraulics Study reports. These practices and recommendations shall be included in the grading plan, and include remedial grading, construction of stability fills, construction of buttress fills, slope lay back to a minimum or a defined inclination, and incorporation of existing structures and drainage requirements.

108. Prior to the issuance of any grading permits, a detailed erosion control plan shall be concurred with and approved by the City Engineer, in accordance with the City of Oceanside Grading Ordinance.

109. Prior to the issuance of grading permits, a Notice of Intent shall be submitted to the State Water Resources Control Board (SWRCB) and a Storm Water Pollution Prevention Plan (SWPPP) shall be developed and implemented on-site in compliance with the California General Construction Activity Storm Water Permit, as required by the National Pollutant Discharge Elimination System (NPDES) regulations.

110. To protect water quality in Loma Alta Creek, the following mitigation measures shall be implemented:

a) Material and waste Best Management Practices (BMPs) during site grading and construction shall be strictly enforced.

b) A water quality management plan shall be prepared that addresses potential water pollutant issues for the proposed project site and related areas. The report shall be prepared prior to the issuance of any grading permits.

c) Permanent structural BMPs, such as infiltration trenches, fossil filters and/or water separators, shall be installed and maintained at all on-site storm drain inlets.

d) Non-structural post-construction BMPs, such as a public education program (providing signage at all drainage inlets prohibiting dumping of any kind) shall be implemented.

111. Storm drain improvements shall be installed in conformance with the Ocean Ranch Ultimate Condition Hydrology Map.

112. Curb opening sump inlets shall be installed to intercept drainage from the parking lot improvements, as shown on the Ocean Ranch Ultimate Conditions Hydrology Map.

113. Off-site storm drain improvements, including improvements to the existing culvert shall be installed in conformance with the Ocean Ranch Ultimate Condition Hydrology Map.

114. The City of Oceanside Noise Ordinance allows construction activities between the hours of 700 a.m. to 6:00 p.m., Monday through Friday, with construction allowed on Saturday with prior approval from the City Engineer. Because construction noise may still be intrusive in the evening or on holidays, the ordinance also prohibits "any disturbing, excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensibility."

115. All future grading and construction activities shall utilize the latest technology for quiet equipment. All on-site construction staging areas shall be as far as possible (minimum 300 feet) from the closest residences.

Fire:

116. All open areas that are not identified for the protection of biological resources, shall be landscaped with approved fire retardant/anti-erosion type plants with an approved permanent irrigation system and maintenance program.

117. Fire flow shall be determined at the time of building application.

118. Fire hydrants shall be 2 ½" by 2 ½ by 4 ".

119. Plans shall be submitted to the Fire Prevention Bureau

120. All existing fire hydrants within 400 feet of the project shall be shown on the any plot plan.

121. Fire hydrants are required on roads at a maximum of 300 feet between hydrants.

Planning:

122. This Tentative Map and Master Development Plan shall expire on September 13, 2001, unless implemented or a time extension is granted by the Planning Commission.

123. All projects developed within this industrial park shall be developed using the criteria and requirements of the Ocean Ranch Industrial Park Master Development Plan text or the Rancho del Oro Industrial Park Master Plan as appropriate. Development Plans or Administrative Development Plans are required of each proposal in conformance with the City of Oceanside Zoning Ordinance.

124. This project shall establish the Ocean Ranch Association Board and Conditions, Covenants and Restrictions (CC&R's) shall be prepared. The CC&R's shall provide for the common use and maintenance of all common open space, medians and commonly owned fences and walls and adjacent parkways. Any necessary relationships with the Rancho Del Oro Association shall be addressed in the CC&R's. 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 CC&R's shall include the requirements of the Ocean Ranch Master Development Plan Text. The CC&R's shall be subject to the review and approval of the City Attorney prior to the approval of the final map. The CC&R's are required to be recorded prior to or concurrently with the final map. Any amendments to the CC&R's in which a property owner relinquishes responsibility for the maintenance of

any common open space shall not be permitted without the specific approval of the City Council of the City of Oceanside. Such a clause shall be a part of the CC&R's.

125. The Association (or the developer, prior to the creation of the Association) shall prepare a Management Plan. The Management Plan is subject to the review and approval of the Planning Director and the Police Chief prior to the occupancy of the project, and shall be recorded as CC&R's against the property. The Management Plan shall cover the following:

a) Security - The Management Plan, at a minimum, shall address on-site management and security of the site.

b) Maintenance - The Management Plan shall cover, but not be limited to anti-graffiti and site and exterior building, bus shelters, landscaping and overall site maintenance measures. The project association shall be responsible for trash abatement on the parcel, and shall keep the parcel free of litter, trash and other nuisances. Any graffiti within the industrial park shall be removed by the association management or its designed representative within 24 hours of occurrence.

126. A comprehensive sign package program shall be submitted to the Planning Department and approved prior to the issuance of sign permits. This may be required to be more restrictive than the Sign Ordinance or the Rancho Del Oro sign criteria.

127. 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.

128. Public facilities fee shall be paid as required by City policy at the time building permits are issued.

129. 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. Landscape plans for the entirety of the Ocean Ranch association-maintained landscaping (common slopes, medians, parkways etc.) shall be submitted and approved prior to the approval of the first final map for the project. These plans shall reflect the theme and criteria of the Master Development Plan Planning and Design Guidelines and shall provide for enhanced transitional plantings between Rancho Del Oro and areas of Ocean Ranch in and adjacent to the Rancho Del Oro Technology Park. The portion

within the Rancho Del Oro technology Park shall meet the minimum requirements of Rancho Del Oro Master Landscape Plan. Final landscaping plans for each project development within Ocean Ranch shall be in harmony and conformance with the master approvals and are subject to City Engineer and Planning Director approval.

130. The developer shall be responsible for irrigating and landscaping all embankments within the project, and all slopes along major streets.

131. Trash enclosures must be provided as required by Chapter 13 of the City Code for each of the future developed site. These shall also include additional space for storage and collection of recyclable materials per City standards. The enclosure (or enclosures) must be built in a flat, accessible location as determined by the City Engineer. The enclosure (or enclosures) shall meet City standards including being constructed of concrete block, reinforced with Rebar and filled with cement. A concrete slab must be poured with a berm on the inside of the enclosure to prevent the bin(s) from striking the block walls. The slab must extend out of the enclosure for the bin(s) to roll out onto. Steel posts must be set in front of the enclosure with solid metal gates. All driveways and service access areas must be designed to sustain the weight of a 50,000-pound service vehicle. Trash enclosures and driveways and service access areas shall be shown on both the improvement and landscape plans submitted to the City Engineer. The specifications shall be reviewed and approved by the City Engineer. The City's waste disposal contractor is required to access private property to service the trash enclosures, a service agreement must be signed by the property owner and shall remain in effect for the life of the project. All trash enclosures shall be designed to provide user access without the use and opening of the service doors for the bins. This design shall be shown on the landscape plans and shall be approved by the Planning Director.

132. Prior to the transfer of ownership and/or operation 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 provision shall run with the life of the project.

133. Failure to meet any conditions of approval for this development shall constitute a violation of the Development Plan.

134. 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, Management Plan, Master Development Plan Text and other materials and

information submitted with this application, unless specifically waived by an adopted condition of approval.

135. All street names shall be approved by the Planning Department prior to the approval of the final map for each phase of development.

136. This subdivision map is for sale or financing purposes only. No development rights except those approved with the Master Development Plan and the Master Development Plan Text are attached to these parcels. A note to this effect shall be recorded with, and referenced on the final map.

137. This Development Plan approves only the following: an industrial subdivision and Master Development Plan Text. Any substantial modification in the design or layout shall require a revision to the Development Plan and Master Development Plan Text or a new Development Plan and Master Development Plan Text.

Water Utilities:

138. The developer will be responsible for developing all water and sewer facilities necessary to this property. Any relocation of water and/or sewer lines is the responsibility of the developer.

139. The developer shall construct a public reclamation water system that will serve each parcel that is located in the proposed project, in accordance with City of Oceanside Ordinance No. 91-P15. The proposed reclamation water system shall be located in the public streets or in a public utility easement.

140. A separate water meter or separate water meters for irrigation purposes shall be installed for each site in the project.

141. 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 an approved type backwater valve, per Section 710 of the Uniform Plumbing Code.

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Community Services:

142. The City shall not, at the present or at any future time, assume the responsibility for the maintenance of any medians, landscaping, slopes, open space or common grounds for this project.

PASSED AND ADOPTED Resolution No. 99-P56 on September 13, 1999 by the following vote, to wit:

AYES: Barrante, Miller, Bockman, Schaffer, Akin, Hartley and Staehr

NAYS: None

ABSENT: None

ABSTAIN: None

George Barrante, Chairman
Oceanside Planning Commission

ATTEST:

Mike Blessing, Secretary

I, MIKE BLESSING, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 99-P56.

Dated: September 13, 1999

Ocean Ranch - Legal Description

Being a subdivision of Parcels 1 through 4 of Parcel Map No. 16899 together with Lots 3.1 and 3.2 of Map No. 11410 including those portions of Via Rancho Road and Avenida de la Plata included within said maps described hereinbefore.

DESCRIPTION/JUSTIFICATION

Ocean Ranch Business Association is requesting a change in Zoning and General Plan Land Use for Lot 22 (officially Parcel 3 of PLA-12-2006) of the Ocean Ranch Business Park. Currently the parcel is vacant and there is no future plans to build on the land. The current Zoning is Limited Industrial and the General Plan Land Use designation is Light Industrial.

Ocean Ranch Business Association has no plans to sell the parcel in question or develop it. The Association maintains the land as it relates to fire hazards. The entire 36+ acres is heavily sloped, at the top of the slopes is the Ocean Ranch Business Park and at the bottom is Mesa Drive.

With the change in Zoning and Land Use, the County of San Diego will be able to reduce the Property Taxes currently levied on the parcel, reducing costs to the Ocean Ranch Business Association. The land provides a natural buffer between the surrounding neighborhood and the Ocean Ranch Business Park and provides a natural environment along the south side of Mesa Drive. The parcel will provide the City of Oceanside additional "permanent" and maintained Open Space.

RECEIVED
DEC 03 2010
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

OCEAN RANCH MITIGATED NEGATIVE DECLARATION
MITIGATION MONITORING AND REPORTING CHECKLIST

Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
AESTHETICS							
AES1	All newly graded or brushed areas, including the areas proposed for off-site grading shall be hydroseeded with a temporary, erosion control plant mix by October 15, or within 40 days from completion of grading activities.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
AES2	Prior to the issuance of grading permits, an erosion control plan shall be developed and approved by the City Engineer and the Planning Director. A qualified landscape architect shall oversee the installation of erosion control measures in accordance with the approved erosion control plan.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
AES3	Prior to the issuance of any future grading permit for individual sites, a detailed landscape plan shall be developed and approved by the City Engineer and the Planning Director. The applicant shall post a bond with the City of Oceanside to ensure implementation of the landscape plan. A qualified landscape architect shall oversee landscape installation in accordance with approved landscape plans	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
AES4	Site improvement plans shall demonstrate compliance with the City of Oceanside Light Pollution Ordinance. At a minimum, the following standards shall be incorporated into the lighting plans: A. All exterior lighting shall emit less than 4,050 lumens per fixture; B. Lighting for decorative purposes, including building facade and landscape lighting, shall be turned off between 10:00 p.m. and sunrise; and C. All lighting, including parking areas, security lighting behind industrial buildings and loading docks, shall be directed and shielded.	Building Plan Review	Prior to Issuance of Building Permit	City of Oceanside			
AIR QUALITY							
AQ1	The City of Oceanside's Engineering Department shall review the grading plans for tentative tract maps. All measures necessary to control short-term construction-related air quality impacts shall be made conditions of approval of the grading plan.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			

EXHIBIT "B"

OCEAN RANCH MITIGATED NEGATIVE DECLARATION
MITIGATION MONITORING AND REPORTING CHECKLIST

Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
AQ2	The City and the contractor shall develop a dust abatement and construction management program. A. All project contractors shall implement a program of construction dust control sufficient to meet the requirements of the San Diego Air Pollution Control District (APCD). The program shall include: 1. Apply sufficient water to all major soil disturbance areas to maintain adequate soil moisture in the upper soil stratum to prevent the formation of a visible dust cloud beyond the project boundary. Other equally effective dust control measures shall be used if drought conditions limit water availability. 2. Perform daily street sweeping at the conclusion of each workday up to a distance of 250 feet in either direction of any construction site entrance from any publically traveled roadway. 3. Wash off all trucks leaving the site and wet down or tarp any trucks hauling dirt away from the site. 4. Establish landscaping on graded areas within 90 days of the completion of grading, or hydroseed with a native plant mix as an interim ground cover, to minimize wind erosion. Irrigate as necessary to sustain ground cover. 5. Terminate all grading, excavation and travel on unpaved surfaces when hourly average wind speeds exceed 30 miles per hour. Wind speeds shall be monitored with an on-site wind sensor mounted in an unobstructed location. B. All major construction contractors shall implement a traffic management program to reduce the number of employee or material delivery trips and to minimize conflict with regional transportation patterns.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			

OCEAN RANCH MITIGATED NEGATIVE DECLARATION
MITIGATION MONITORING AND REPORTING CHECKLIST

Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE Initials	Date	Remarks
BIOLOGICAL RESOURCES							
Coastal Sage Scrub, Disturbed Coastal Sage Scrub and California Gnatcatcher							
BIO1	The loss of 3.15 acres of California gnatcatcher occupied coastal sage scrub habitat (2.83 acres of coastal sage scrub, 0.32 acre of disturbed coastal sage scrub), in a non-core area (i.e., non-core biological area or non-core habitat preservation area), shall be mitigated at a 2:1 ratio (6.30 acres). This may take the form of off-site purchase and dedication to open space of coastal sage scrub in the northern wildlife corridor designated in the City's draft MHCP Subarea Plan, purchase of mitigation credits at a USFWS/CDFG-approved mitigation bank, on-site revegetation of coastal sage scrub, off-site revegetation or any combination thereof.	Grading Plan Review	Prior to Issuance of the Applicable Grading Permit	City of Oceanside, United States Fish & Wildlife Service, and California Department of Fish and Game			
BIO2	A Section 10a or Section 7 take permit must be obtained from the USFWS pursuant to the Endangered Species Act, or an Incidental Take Permit issued by the City of Oceanside once the City's MHCP Subarea Plan is completed.	Grading Plan Review	Prior to Issuance of the Applicable Grading Permit	City of Oceanside, United States Fish & Wildlife Service, or Army Corps of Engineers			
Valley Needlegrass Grassland							
BIO3	The loss of 1.74 acres of Valley needlegrass grassland shall be mitigated at a 1:1 ratio (1.74 acres). This may take the form of off-site purchase and dedication to open space of Valley needlegrass grassland, purchase of mitigation credits at a USFWS/CDFG-approved mitigation bank, on-site Valley needlegrass grassland revegetation, off-site revegetation or any combination thereof.	Grading Plan Review	Prior to Issuance of the Applicable Grading Permit	City of Oceanside, United States Fish & Wildlife Service, and California Department of Fish and Game			

OCEAN RANCH MITIGATED NEGATIVE DECLARATION
MITIGATION MONITORING AND REPORTING CHECKLIST

Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
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Mulefat Scrub and Waters of the United States							
BIO4	The loss of 0.42 acre of wetlands and waters of the U.S. (0.02 mulefat scrub and 0.40 acre of waters of the U.S.) shall be mitigated at a 3:1 ratio adjacent to an existing revegetation area south of the project site in a tributary to Loma Alta Creek, on-site, or any combination thereof. This may take the form of revegetation and or restoration of wetland habitat.	Grading Plan Review	Prior to Issuance of the Applicable Grading Permit	City of Oceanside, California Department of Fish and Game, and Army Corps of Engineers			
General							
BIO5	All on-site and off-site habitat areas to be retained or revegetated shall be placed under a conservation easement and managed by a non-profit organization qualified to manage native habitat. An endowment shall be given to the non-profit organization to manage the conservation easement area.	Grading Plan Review	Prior to Issuance of the Applicable Grading Permit	City of Oceanside			
GEOLOGY AND SOILS							
GEO1	Project applicants shall be required to comply with appropriate seismic design criteria relative to ground shaking in accordance with the Uniform Building Code (UBC).	Building Plan Review	Prior to Issuance of Building Permit	City of Oceanside			
GEO2	Should the east-west trending fault or the two northeasterly trending minor fault shear joints be encountered on-site during grading, they shall be evaluated to determine the extent of their activity level and their potential to impact on-site improvements.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
GEO3	Site grading and development shall be consistent with the recommendations in Sections 6.0 through 11.0 of the *Preliminary Geotechnical Study*.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
GEO4	Prior to the placement of compact fill, the landslides located at PSE-3 and TPSE-26 shall be removed.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
GEO5	A perimeter shear key shall be constructed along the northern perimeter daylight cut limit as shown on Plate 1 and depicted in cross-sections O-O', P-P' and Y-Y' on Plates 4 and 5 in the *Preliminary Geotechnical Study*.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			

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MITIGATION MONITORING AND REPORTING CHECKLIST

Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
GEO6	A landslide shear key shall be constructed through the landslide at PSE-7 as shown on Plate 1 and depicted in cross-sections W-W' and X-X' on Plate 5 in the *Preliminary Geotechnical Study*.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
GEO7	Site grading shall comply with the remedial grading recommendations presented in sections 6.1.2 and 6.2 of the *Preliminary Geotechnical Study*.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
GEO8	All cut slopes shall be evaluated during grading for adverse geologic conditions.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
GEO9	Stabilization fills with backdrains shall be installed for proposed cut slopes as shown on Plates 1 and 2 of the *Preliminary Geotechnical Study*.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
GEO10	Site grading and development shall comply with the stabilization fills recommendations in section 9.1.1 of the *Preliminary Geotechnical Study*.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
GEO11	An Erosion Control Plan shall be developed by an expert, as recognized by the City of Oceanside, prior to the issuance of grading permits. Areas shall be hydroseeded with temporary erosion control plantings. All permanent manufactured slopes shall be landscaped and irrigated, as appropriate. All landscaping shall occur within 40 days of completion of grading activities.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
GEO12	The inherent characteristics of compressibility and shrinkage of the non-suitable materials shall be remediated by removal and recompaction, or by removal and placement in deeper fills.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
GEO13	Adherence to standard engineering practices and recommendations made in the *Preliminary Geotechnical Study* and *Hydrology and Preliminary Hydraulics Study* reports. These practices and recommendations shall be included in the grading plan, and include remedial grading, construction of stability fills, construction of buttress fills, slope lay back to a minimum or a defined inclination, and incorporation of existing structures and drainage requirements.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			

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MITIGATION MONITORING AND REPORTING CHECKLIST

Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
HYDROLOGY AND WATER QUALITY							
HWQ1	Prior to the issuance of any grading permits, a detailed erosion control plan shall be concurred with and approved by the City Engineer, in accordance with the City of Oceanside Grading Ordinance.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
HWQ2	Prior to the issuance of grading permits, a Notice of Intent shall be submitted to the State Water Resources Control Board (SWRCB) and a Storm Water Pollution Prevention Plan (SWPPP) shall be developed and implemented on-site in compliance with the California General Construction Activity Storm Water Permit, as required by the National Pollutant Discharge Elimination System (NPDES) regulations.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
HWQ3	To protect water quality in Loma Alta Creek, the following mitigation measures shall be implemented: A. Material and waste Best Management Practices (BMPs) during site grading and construction shall be strictly enforced; B. A water quality management plan shall be prepared that addresses potential water pollutant issues for the proposed project site and related areas. The report shall be prepared prior to the issuance of any grading permits; C. Permanent structural BMPs, such as infiltration trenches, fossil filters and/or water separators, shall be installed and maintained at all on-site storm drain inlets; and D. Non-structural post-construction BMPs, such as a public education program (providing signage at all drainage inlets prohibiting dumping of any kind) shall be implemented.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
HWQ4	Storm drain improvements shall be installed in conformance with the Ocean Ranch Ultimate Condition Hydrology Map.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
HWQ5	Curb opening sump inlets shall be installed to intercept drainage from the parking lot improvements, as shown on the Ocean Ranch Ultimate Conditions Hydrology Map.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			

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Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE Initials	Date	Remarks
HWQ6	Off-site storm drain improvements, including improvements to the existing culvert shall be installed in conformance with the Ocean Ranch Ultimate Condition Hydrology Map.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
NOISE							
N1	The City of Oceanside's Noise Ordinance allows construction activities between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, with construction allowed on Saturday with prior approval from the City Engineer. Because construction noise may still be intrusive in the evening or on holidays, the ordinance also prohibits "any disturbing, excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
N2	All future grading and construction activities shall utilize the latest technology for quiet equipment. All on-site construction staging areas shall be as far as possible (minimum 300 feet) from the closest residences.	Grading Plan Review	Prior to Issuance of Grading Permit	City of Oceanside			
TRANSPORTATION/TRAFFIC							
Off-Site Roadways							
T1	The extension of **Rancho del Oro Drive** through the project site, from Oceanside Boulevard to Mesa Drive is a recommended mitigation measure for the Ocean Ranch project. Rancho del Oro Drive is classified as a four-lane Major Arterial in the City Circulation Element. It is recommended that Rancho del Oro Drive be constructed as a four-lane arterial, with the appropriate center median and bicycle lanes.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
	Improvements to Oceanside Boulevard at the intersection of Oceanside Boulevard/Rancho del Oro include the addition of dual left turn lanes on the eastbound approach. On the westbound approach of Oceanside Boulevard, an exclusive right turn lane is recommended. On the new leg of the intersection, dual left turn lanes, two through lanes and an exclusive right turn lane are recommended southbound along Rancho del Oro Road. The northbound approach, shall be modified to include one left turn lane, two through lanes and an exclusive right turn lane. A fair share contribution would be made by the project applicant toward this roadway and intersection improvements.						

OCEAN RANCH MITIGATED NEGATIVE DECLARATION
MITIGATION MONITORING AND REPORTING CHECKLIST

Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
T2	The extension of **Old Grove Road** from College Boulevard to Mesa Drive. This extension will provide access to the project site from the east via Ocean Ranch Road. Old Grove Road is classified as a four -lane Secondary arterial in the City Circulation element. It is recommended that Old Grove road be constructed as a four-lane facility in the vicinity of the project site, tapering to a two-lane facility south of the project site. Two intersections will be affect by the extension of Old Grove Road: 1. Mesa Drive/Old Grove Road (south leg) 2. College Boulevard/Old Grove Road (west leg)	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
T2 (Cont.)	The south leg of Mesa Drive/Old Grove Road currently exists. It is recommended that the existing lane configuration be modified to include dual northbound left turn lanes, two through lanes and an exclusive right turn lane. At the intersection of Old Grove Road/College Boulevard, no improvements are recommended along the northbound or southbound approach along College Boulevard. On the westbound approach, it is recommended that one of the two left turn lanes be converted to a shared left/through lane. The recommended lane configuration for the new west leg of the intersection includes one left turn lane, one through lane and one right turn lane. A fair share contribution would be made by the project applicant toward this roadway and intersection improvements.						

OCEAN RANCH MITIGATED NEGATIVE DECLARATION
MITIGATION MONITORING AND REPORTING CHECKLIST

Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
Off-Site Intersections							
T3	The mitigation measures recommended for the intersection of **Oceanside Boulevard/El Camino Real** include: • Add 2nd eastbound and westbound left turn lane (Capitol Improvement Project); • Add 3rd northbound through lane; and • Modify signal timing for recommended mitigation measures. A fair share contribution would be made by the applicant toward the improvement of the northbound through lane and signal timing.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
T4	The recommended mitigation measures for the intersection of **Oceanside Boulevard/College Boulevard** include: • Add one northbound through lane beginning at railroad tracks; • Add one eastbound shared through/right turn lane; • Convert existing southbound right turn lane to a shared through/ right turn lane and widen College Boulevard south of Oceanside Boulevard to three lanes to railroad tracks; and • Modify all existing traffic signal timing plans and traffic signal equipment to accommodate the recommended lane configuration. A fair share contribution would be made by the applicant towards these improvements.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
T5	The recommended mitigation measures for the intersection of **Vista Way/El Camino Real** include: • Add a northbound right turn overlap phase; and • Modify signal timing for recommended mitigation measures. A fair share contribution would be made by the applicant towards these improvements.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			

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T6	The recommended mitigation measures for the intersection of **SR-78 WB Ramps/El Camino Real** include: • Add a shared through/right turn lane on the southbound approach, which would entail widening the bridge over SR-78; and • Modify signal timing for recommended mitigation measures. A fair share contribution would be made by the applicant towards these improvements.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
T7	The recommended mitigation measures for the intersection of **Rancho Del Oro Drive/Vista Way** include: • Add one eastbound left turn lane. A fair share contribution would be made by the applicant towards this improvement.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
Off-Site Roadway Segments							
T8	Widen College Boulevard by adding one lane in the southbound direction between Olive Drive and Thunder Drive.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
On-Site Intersections							
T9	The recommended mitigation measures for the intersection of **Old Grove Road/Ocean Ranch Road** include: • Install new traffic signal, • Add two northbound left turn lanes, two northbound through lanes, and one northbound bicycle lane, • Add one southbound right turn lane south of Mesa Drive, and two through lanes south of Ocean Ranch Road, and • Add two eastbound left turn lanes and one right turn lane. A fair share contribution would be made by the applicant toward these improvements.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			

Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
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T10	The recommended mitigation measures for the intersection of **Avenida de la Plata/Via Rancho (Corporate Centre)** include: • Add westbound right turn lane, and • Add stop control for westbound direction.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
T11	The recommended mitigation measures for the intersection of **Oceanside Boulevard/Via Rancho (Corporate Centre)** include: • Construct new leg of intersection, • Add two southbound left turn lanes, one southbound right turn lane and one southbound bicycle lane, • Add two northbound lanes from Oceanside Boulevard to Avenida de la Plata, and • Add one northbound bicycle lane.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
T12	The recommended mitigation measures for the intersection of **Rancho Del Oro Drive/Ocean Ranch Road** include: • Construct new intersection, • Add two southbound left turn lanes, two southbound through lanes from Oceanside Boulevard to Mesa Drive and one southbound bicycle lane, • Add two northbound through lanes from Oceanside Boulevard to Mesa Drive, one northbound right turn lane and one northbound bicycle lane adjacent to the right turn lane, and • Add two eastbound left turn lanes, one eastbound right turn lane and one eastbound bicycle lane.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
T13	The recommended mitigation measures for the intersection of **Mesa Drive/Project Driveway** include: • Construct new south leg of intersection, • Add one northbound left turn lane and one northbound right turn lane, • Add one westbound left turn lane, and • Add one eastbound right turn lane.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			

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Mit./ Cond. No.	Mitigation Measure/Conditions of Approval	Monitoring and Reporting Process	Monitoring Milestone	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
On-Site Roadway Segments							
T14	Construct Ocean Ranch Road to Industrial Collector Street standards from Rancho del Oro Drive to Old Grove Road.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
T15	Construct Via Rancho (Corporate Centre) to Industrial Collector Street standards from Oceanside Boulevard to Ocean Ranch Road.	Tentative Tract Map Review	Prior to Issuance of Building Permits/ Certificates of Occupancy	City of Oceanside			
Other							
T16	Site distance at the entrances to lots along Via Rancho Road (Corporate Centre) shall be reviewed with respect to standard City of Oceanside sight distance standards at the time of site plan review.	Tentative Tract Map Review	Prior to Issuance of Grading Permits	City of Oceanside			

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