



DATE: February 24, 2014

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D13-00001),
CONDITIONAL USE PERMIT (CUP13-00006), VARIANCE (V13-00005) AND VARIANCE (V13-00006) FOR THE
ESTABLISHMENT AND OPERATION OF A MEMORY CARE
FACILITY ON THE EAST SIDE OF THE 2100 BLOCK OF EL
CAMINO REAL WITHIN THE MIRA COSTA NEIGHBORHOOD –
EL CAMINO MEMORY CARE FACILITY – APPLICANT:
JEFFREY GRANT HAWKES**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Adopt Planning Commission Resolution No. 2014-P05 (Attachment 2) approving Development Plan (D13-00001), Conditional Use Permit (CUP13-00006) Variance (V13-00005), Variance (V13-00006) with findings and conditions of approval attached herein.

BACKGROUND AND PROJECT DESCRIPTION

Background: On June 9, 2008 the Planning Commission considered a development proposal for a 32,616-square-foot speculative office development known as “El Camino Executive Center” on an approximately 3.5-acre site located along the east side of El Camino Real between Via Las Rosas and Fire Mountain Road. The Commission unanimously adopted Resolution No. 2008-P34 approving, Development Plan (D-23-06) and associated building and site improvements, Variance (V-1-07) allowing a 10-foot building encroachment within the required 20-foot front yard setback, Variance (V-5-08) permitting one instead of the required two loading spaces to serve the office facility, and adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the project. The aforementioned entitlement approvals although still valid, have not been utilized to date and the property remains vacant.

The project site is bounded by residential development to the east, El Camino Real to the west, a medical office building to the south and an undeveloped parcel of land to the north. The subject property slopes downward in a west to east direction, with an elevation difference of approximately 60 feet. Approximately 0.9 acres of its area is encumbered by an SDG&E access and utility easement.

The General Plan land use designation for the parcel is Professional Commercial (PC). Development and the property is subject to Commercial Professional (CP) zoning standards.

Project Description: The subject development proposal includes four entitlement requests; a development plan, a conditional use permit and two variances from applicable development standards.

Development Plan D13-00001 represents a request to:

- (a) Construct a three-story, 34,338-square-foot memory care facility, parking and associated site improvements pursuant to Articles 11 and 43 of the Oceanside Zoning Ordinance.

The applicant is seeking approval to develop a senior living facility to serve the changing needs of individuals with memory loss. The facility is intended to offer residents an innovative program that bridges the gap between retirement living and skilled nursing care. A total of 48 units (32 studios and 16 two-bedroom units) accommodating 64 beds are proposed to be constructed within a tri-level structure. Residential units would be located on the upper two levels. Parking and service areas would be accommodated on the lower level, sited 10 feet below street grade.

UNIT TYPE	SIZE (sq. ft.)	# UNITS	# BEDS/UNIT	TOTAL BEDS
Studio	325 sq. ft.	32	1	32
2BR	500 sq. ft.	16	2	32
TOTAL		48		64

Access to the property will be provided via two driveways from El Camino Real. A total of 29 on-site parking spaces would meet parking demand needs for the facility, exceeding the minimum requirements of one parking space per three beds by seven stalls.

Development on the project site would be limited to approximately 0.95 acres (27.2 percent of the property) with the remaining area preserved as open space. Landscaped and hardscaped areas on the developed portion of the site are proposed to visually enhance building improvements and provide secured outdoor living areas for the enjoyment of future residents.

The memory care building design features a lower profile, two-story elevation along El Camino Real, clad in horizontal siding and vertical wall panels with batten details. Standing seam metal roof is proposed over the gable and hip roof structure. Extensive use of window glazing, articulated building massing, select materials and details are proposed to create a structure with "human scale" elements that would retain the essence of a residential land use while creating an architectural transition between existing residential and office structures in the immediate area.

Conditional Use Permit CUP13-00006 represents a request to:

- (a) Allow the establishment and operation of a memory care facility on Commercial Professional (CP) zoned property pursuant to Articles 11 and 41 of the Oceanside Zoning Ordinance.

The proposed memory care facility is classified as a Public and Semi-Public land use under the Residential Care, General and Convalescent Facilities categories. Residential Care, General and Convalescent Facilities are permitted within the Commercial Professional (CP) zone, subject to approval of a conditional use permit.

Variance V13-00005 & V13-00006 represent requests to:

- (a) Permit a building encroachment of 10 feet into the required 20 feet front yard setback; and
- (b) Allow construction of retaining walls in excess of the maximum 6 feet height permitted in the Commercial Professional (CP) zone.

Development on the project site is substantially constrained by the SDG&E utility corridor (approximately 70 feet wide easement along the easterly property line) and existing biological resources. A variance (V13-00005) from applicable building setbacks has been requested to allow a 10-foot building encroachment within the El Camino Real street frontage setback. A second variance (V13-00006) to permit construction of plantable retaining walls with a maximum height up to 15 feet has also been submitted for consideration in order to allow reasonable use of the property while preserving valuable biological resources on-site.

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

1. General Plan
2. Zoning Ordinance
3. CEQA

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation for the site is Professional Commercial (PC). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

I. Community Enhancement

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

1.11 Balanced Land Use

Objective: To develop and use lands for the long-term provision of a balanced, self-sufficient, and efficient community.

Policy B: The City shall analyze proposed land uses for assurance that the land use will contribute to the proper balance of land uses within the community or provide a significant benefit to the community.

Policy C: The City shall continuously monitor the impact and intensity of land use and land use distribution to ensure that the City's circulation system is not overburdened beyond design capacity.

The proposed memory care facility would benefit local and regional community members by providing necessary services for the aging and would contribute to the proper balance of land uses within the City. The project design and land use would be compatible with existing and potential development in the surrounding areas. The residential nature of the subject land use would provide an appropriate transition between the office/commercial uses along El Camino Real and single-family residential uses to the east of the property. Impacts to the circulation system from the proposed land use would be less than those originally anticipated from the previously entitled office development on the subject site (El Camino Executive Center).

1.12 Land Use Compatibility

Objective: To minimize conflicts with adjacent or related uses.

Policy B: The use of land shall not create negative visual impacts to surrounding land uses.

Development of the memory care structure and associated improvements will be limited to the southwest portion of the site in order to maintain the existing development pattern along El Camino Real, minimize impacts to existing coastal sage scrub habitat on the property and preserve a significant open-space buffer toward residential uses east of the property. The proposed 15-foot high plantable retaining wall will be internal to the site and would not create a negative visual impact to surrounding land uses.

1.23 Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy A: Architectural form, treatment, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

Policy B: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale, and/or pattern.

The proposed memory care facility will enhance its surroundings through building siting, landscaping, architectural design and use of high quality materials. Variable front yard building setbacks, low profile architectural design, and landscape buffering of structures will complement the existing neighborhood context and will provide a harmonious transition between commercial and residential development.

2. Zoning Ordinance Compliance

Article 11, Section 1120

The proposed land use and services at El Camino Real Memory Care would be consistent with those services typically offered at Residential Care, General and Convalescent Facilities. Section 1120 of the Oceanside Zoning Ordinance permits the establishment and operation of the aforementioned uses on Commercial Professional (CP) zoned sites subject to approval of a conditional use permit and compliance with the development standards set forth in Section 1130 of the zoning ordinance. With the exception of the requested variances to allow a 10 ft. building encroachment within the front yard setback and permit construction of a plantable retaining wall in excess of 6 ft. in height, the project will comply with applicable development standards including but not limited to parking, lot coverage, floor to area ratio and building height.

DISCUSSION

Issue: Project Consistency with applicable development standards – Front yard setback and retaining wall height variance:

The Oceanside zoning ordinance states: “variances are intended to resolve practical difficulties or unnecessary physical hardships that may result from the size, shape, dimensions of a site or the location of existing structures thereon; from geographic, topographic or other physical conditions on the site or in the immediate vicinity;...” With regard to the subject property, significant on-site topographic differences, a 70-foot wide utility easement (SDG&E corridor) and environmental constraints (coastal sage scrub habitat) present challenges and limit the site’s development.

In order to accommodate a reasonable amount of development on the property and preserve the most valuable biological resources on-site the applicant has requested consideration of a variance to permit variable front yard setbacks along El Camino Real (27’-5” max. to 10’-0” min.) in lieu of 20 feet (min) and allow construction of a retaining wall up to 15 feet in height, exceeding the maximum 6 feet height permitted within commercial zoned districts.

Staff has determined that due to special circumstances and conditions applicable to the site, strict application of setback and retaining wall height requirements would deprive the property owner of development privileges enjoyed by other properties in the vicinity and under Commercial Professional (CP) zoning classifications. Therefore, granting the requested variances would not be detrimental or injurious to property or improvements in the vicinity. The proposed variable front yard setback will provide building massing articulation (vertical offsets) which would enhance the appearance of the building and overall street scene. The proposed plantable, retaining wall design solution would result in a project that balances environmental feasibility and preservation of ownership development rights. Therefore, granting of the requested variances would be consistent with the purposes of this ordinance and will not constitute a grant of special privilege.

ENVIRONMENTAL DETERMINATION

An Addendum to the previously adopted Mitigated Negative Declaration (MND) for the development of an office building (El Camino Executive Center - SCH# 2007081046) on the subject site has been prepared. The addendum reflects proposed revisions to the project which was evaluated and approved under California Environmental Quality Act (CEQA) documentation and states that the proposed changes (El Camino Memory Care) would not result in new significant impacts nor substantially increase the severity of previously disclosed impacts beyond those already identified in the previous MND (Attachment 3).

PUBLIC NOTIFICATION

Legal notice was published in the newspaper and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals and/or organizations requesting notification and the applicant.

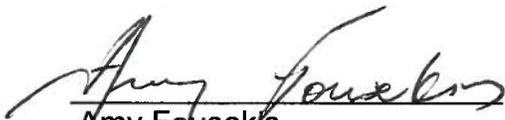
SUMMARY

The proposed memory care facility would provide necessary services for the aging and would contribute to the proper balance of land uses within the City. The project design and land use would be compatible with existing and potential development in the surrounding areas. The residential nature of the land use would provide an appropriate transition between the commercial uses along El Camino Real and residential uses to the east of the property. The development, as conditioned, would be consistent with General Plan land use policies and Zoning Ordinance development standards, with the exception of maximum retaining wall height and minimum front yard setback for which variances have been requested.

Staff recommends that the Planning Commission by motion:

- Adopt Planning Commission Resolution No. 2014-P05 (Attachment 2) approving Development Plan (D13-00001), Conditional Use Permit (CUP13-00006), Variance (V13-00005), Variance (V13-00006) with findings and conditions of approval attached herein.

PREPARED BY:



Amy Fousekis
Principal Planner

SUBMITTED BY:



Marisa Lundstedt
City Planner

Attachments:

1. Floor/Site Plans
2. Planning Commission Resolution No. 2014-P05
3. Mitigated Negative Declaration and Addendum
4. Other Attachments (Application Page, Description and Justification, Legal Description)



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 118 Newbury Street, 10th Floor
 Boston, MA 02116
 TEL: 617.552.3333

CONSULTANTS



SEAL / APPROVALS
 DIV. OF THE STATE ARCHITECT
 NO. DATE P.L. M.

PROJECT TITLE
**EL CAMINO REAL
 MEMORY CARE FACILITY**
 1000 W. 10TH ST. IN THE BLOCK OF
 EL CAMINO REAL

HAWKES
 ARCHITECTS
 HAWKES OCEANSIDE I, LLC
 1000 W. 10TH ST. #100
 BOSTON, MA 02116

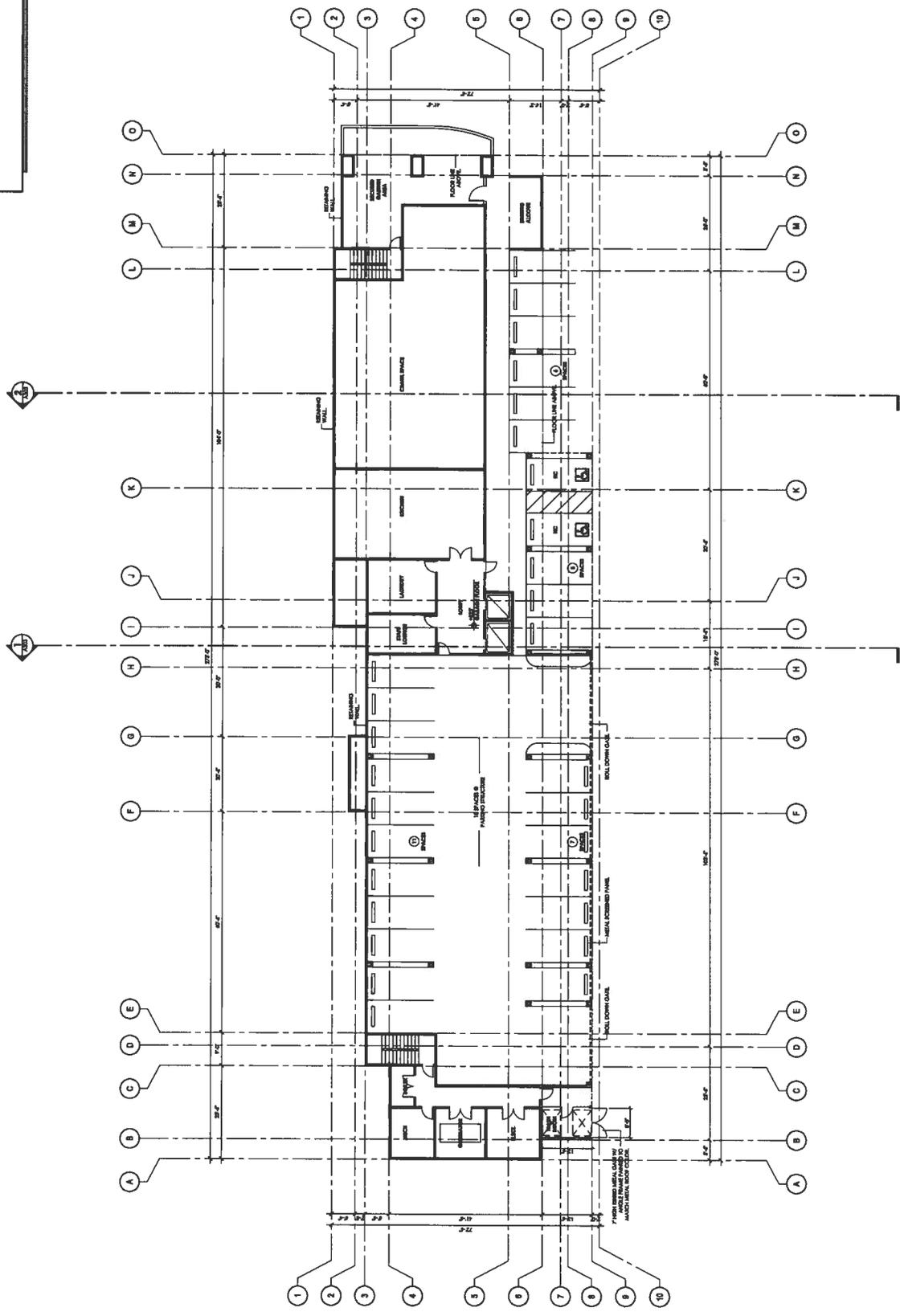
SUBMITTALS
 PROJECT IDENTIFICATION
 GOOD COPY
 DATE
 DRAWN BY
 CHECKED BY
 APPROVED BY
 © H. HAWKES ARCHITECTS INC. 2013

SHEET TITLE
**GARAGE FLOOR
 PLAN**
 SHEET NUMBER

A201

SCHEMATIC DESIGN

PROJECT DATA
 GARAGE FLOOR PLAN
 SHEET 20



GARAGE FLOOR PLAN SCALE = 1/8" = 1'-0" SHEET NUMBER 20



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 11500 West Loop West, Suite 1000
 Houston, Texas 77040
 Phone: 713.861.1444



SCALE / APPROVALS
 DIV. OF THE STATE ARCHITECT
 ARCHITECT
 DATE

PROJECT TITLE
**EL CAMINO REAL
 MEMORY CARE FACILITY**
 11500 WEST LOOP WEST, SUITE 1000
 HOUSTON, TX 77040



HAWKS OCEANSIDE I, LLC
 HOUSTON, TX 77040
 SUBMITTAL

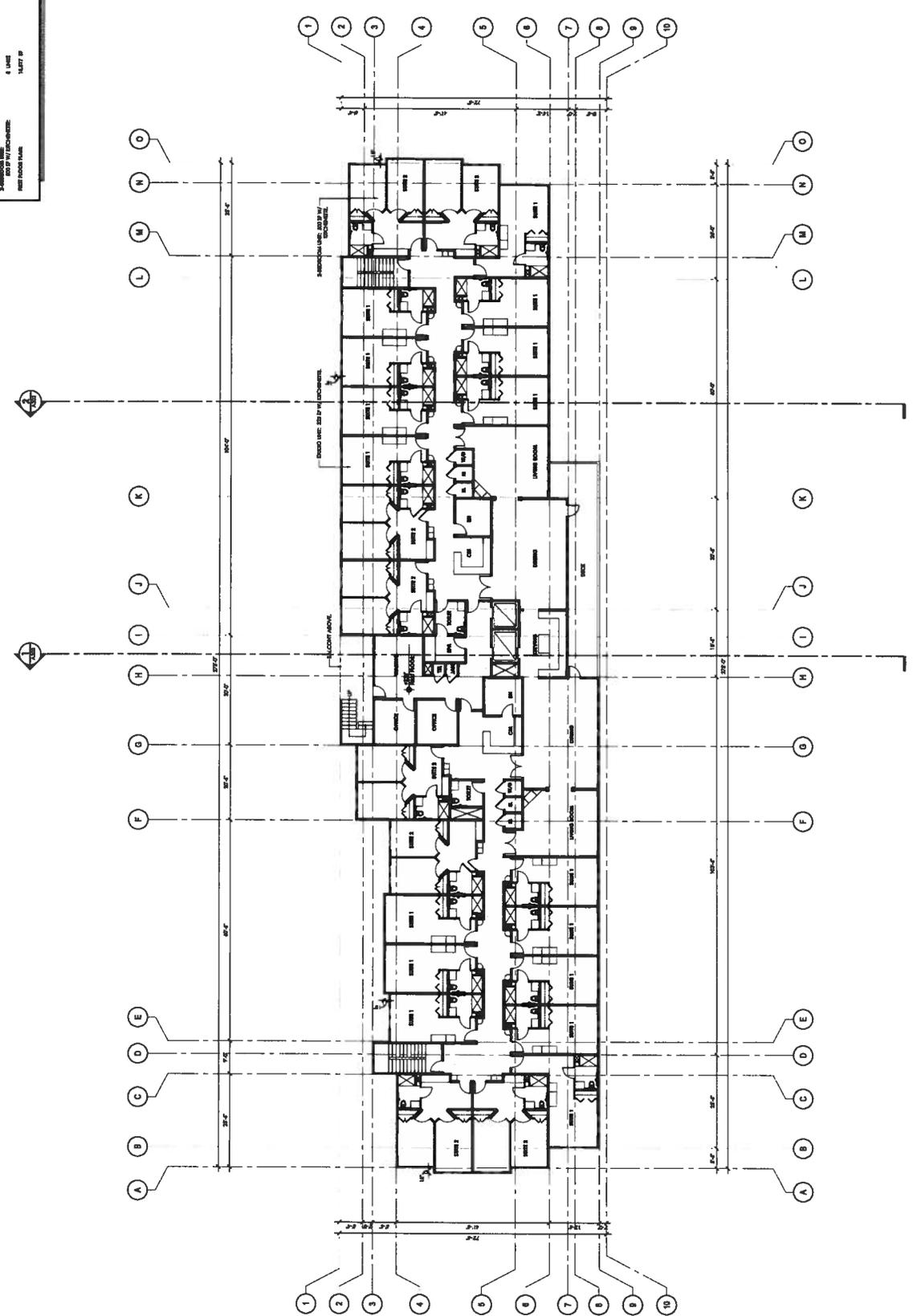
DESIGNED BY
 CHECKED BY
 DATE
 DRAWN BY
 SCALE

SHEET TITLE
FIRST FLOOR PLAN
 SHEET NUMBER

A202

SCHEMATIC DESIGN

PROJECT DATA
 14 LINES
 8 LINES
 14.875" W



SCALE
 1/8" = 1'-0"
 FIRST FLOOR PLAN



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 111 South Atlantic Street, Suite 1000
 Cambridge MA 02143 Phone: 617.771.1443



STATE OF MASSACHUSETTS
 DIVISION OF PROFESSIONAL REGULATION
 DIV. OF THE STATE ARCHITECT
 ARCH. REG. NO. 10000
 DATE: 11/11/13

PROJECT TITLE
 EL CAMINO REAL
 MEMORY CARE FACILITY
 10000 WOODBURY BLVD
 WOODBURY, MA 01996



HAWKS CONSULTANTS
 10000 WOODBURY BLVD
 WOODBURY, MA 01996
 CONTACT: 508.941.1111

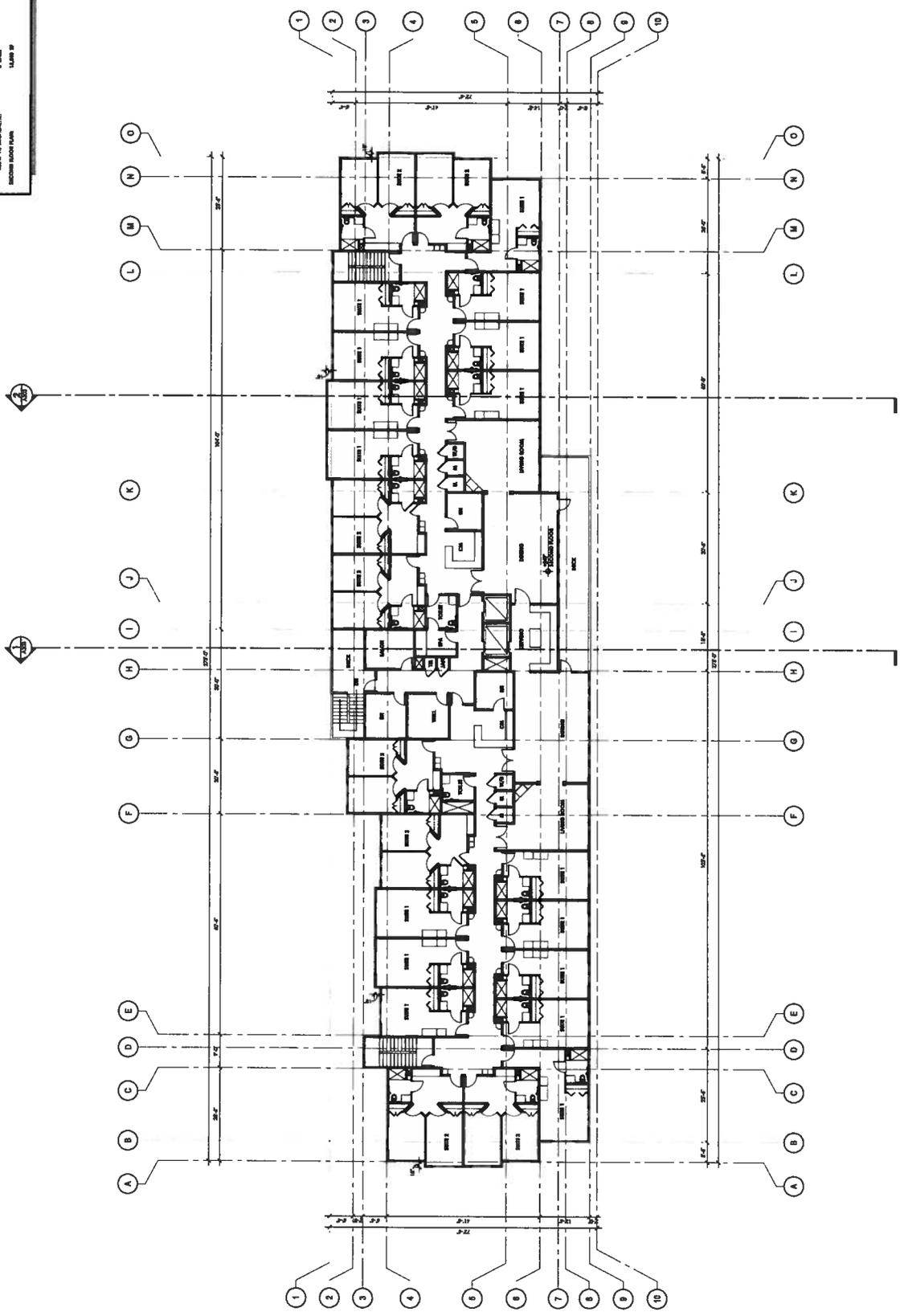
PROJECT ARCHITECTURE
 DESIGN DATE: 11/11/13
 DESIGNER: HAWKS CONSULTANTS
 CHECKED BY: HAWKS CONSULTANTS
 DRAWN BY: HAWKS CONSULTANTS
 SCALE: AS SHOWN
 SHEET NO.: A203

PROJECT TITLE
 SECOND FLOOR
 PLAN

A203

SCHEMATIC DESIGN

PROJECT DATA
 SHEET NO.: A203
 SHEET TITLE: SECOND FLOOR PLAN
 SCALE: AS SHOWN
 DATE: 11/11/13



Project: El Camino Real Memory Care Facility, Schematic Design, 11/11/13, HAWKS CONSULTANTS, 10000 Woodbury Blvd, Woodbury, MA 01996, 508.941.1111, 11/11/13, 10:00 AM, HAWKS CONSULTANTS



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 4125 Westmore | Philadelphia | PA 19141
 112 Locustwood Street, 4th Floor, Philadelphia, PA 19106
 PHONE: 215.763.1400
 CONSULTANTS



SCALE / APPROVALS
 DATE: 01.15.15
 DRAWN BY: J.A.P.
 CHECKED BY: J.A.P.
 PROJECT TITLE: EL CAMINO REAL MEMORY CARE FACILITY
 SHEET NO. OF THE TOTAL: 10
 IN CHARGE: J.A.P.



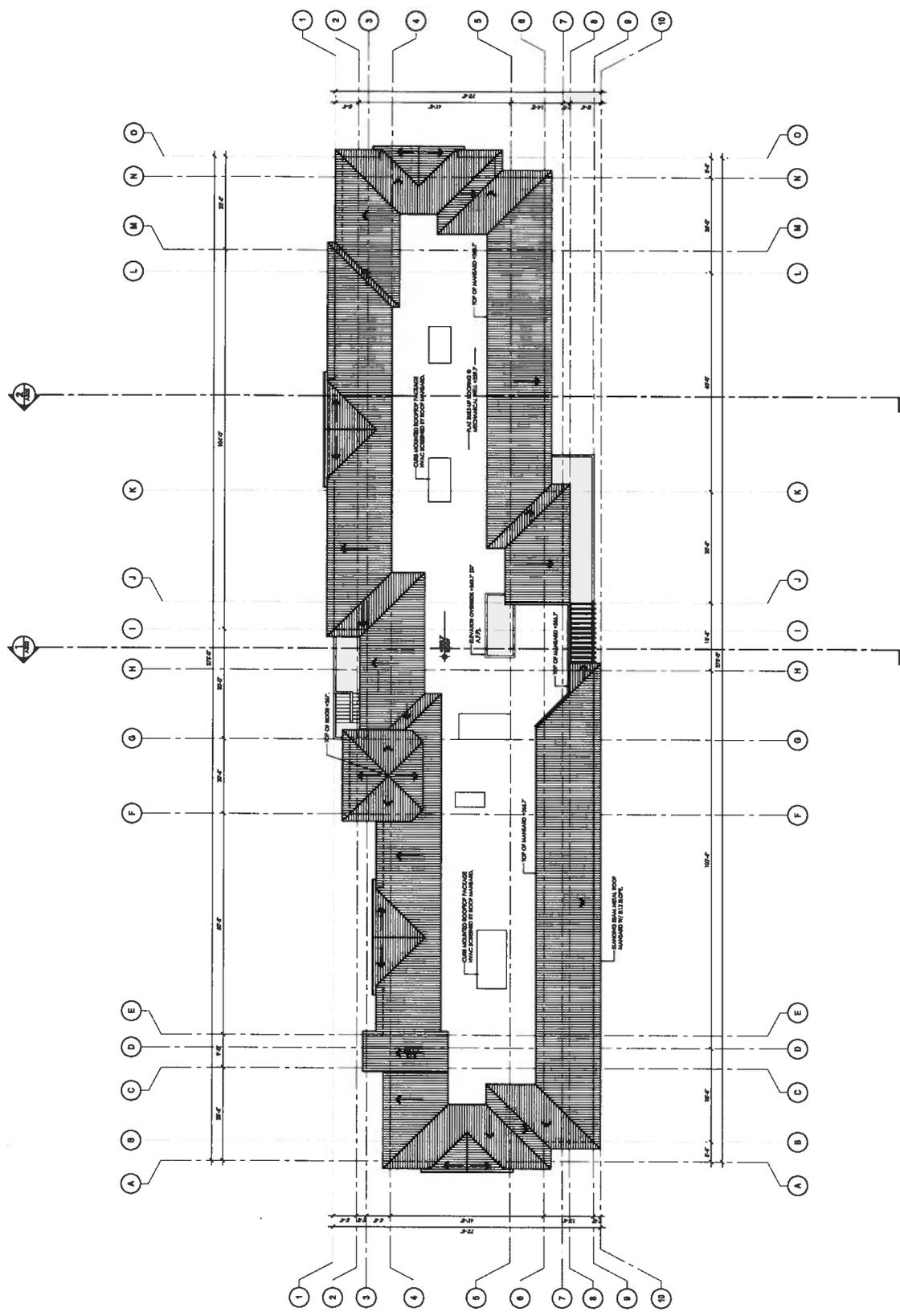
HAWKES OCEANSIDE I, LLC
 1000 OCEAN DRIVE
 OCEANSIDE, NJ 08054
 SUBMITTALS

PROJECT IDENTIFICATION
 PROJECT NO.: 15110001
 DATE: 01/15/15
 DRAWN BY: J.A.P.
 CHECKED BY: J.A.P.
 SCALE: AS SHOWN
 SHEET NO. OF THE TOTAL: 10
 IN CHARGE: J.A.P.

SHEET TITLE: ROOF PLAN
 SHEET NUMBER: A204

A204

SCHEMATIC DESIGN



ROOF PLAN SCALE 3/32" = 1'-0"



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 415 E. 1st Street | Phoenix, AZ 85001
 1100 North Central Avenue, Suite 1000
 Phoenix, AZ 85004

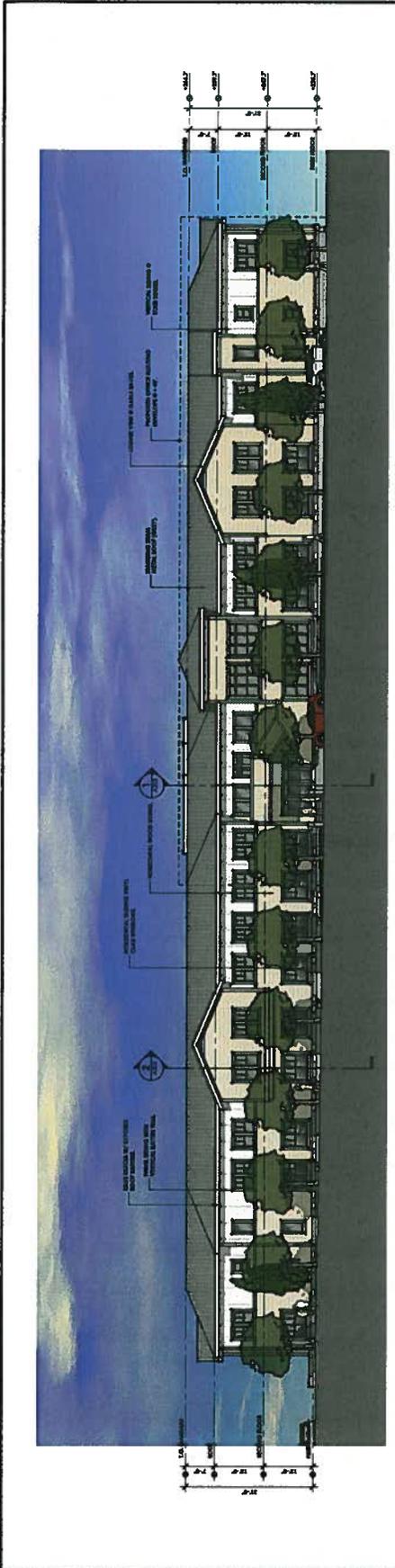


STATE OF ARIZONA
 DIV. OF THE STATE ARCHITECT
 No. 11000
 Exp. 12/31/2024

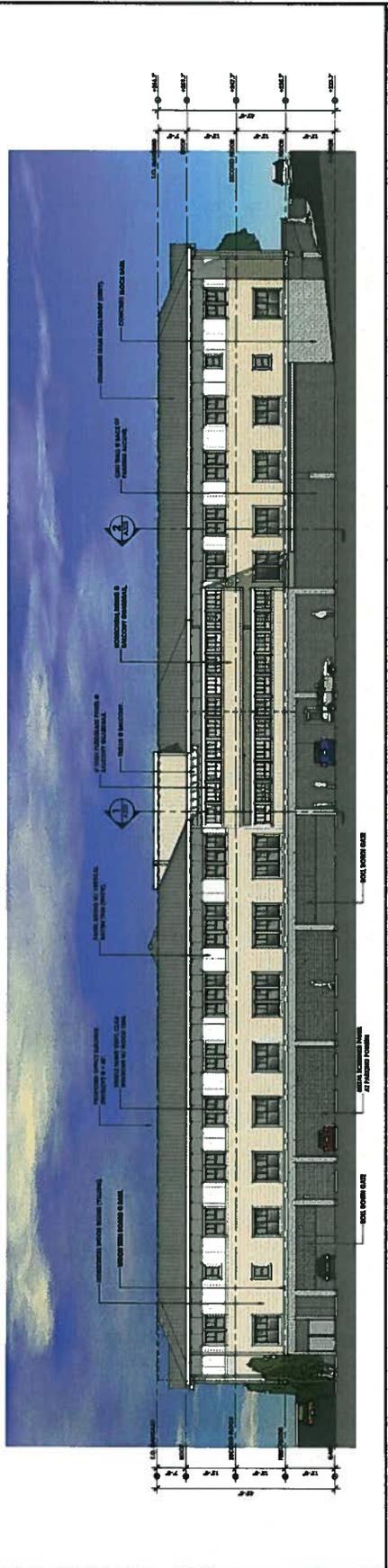
PROJECT TITLE
**EL CAMINO REAL
 MEMORY CARE FACILITY**
 1100 NORTH CENTRAL AVENUE
 PHOENIX, AZ 85004



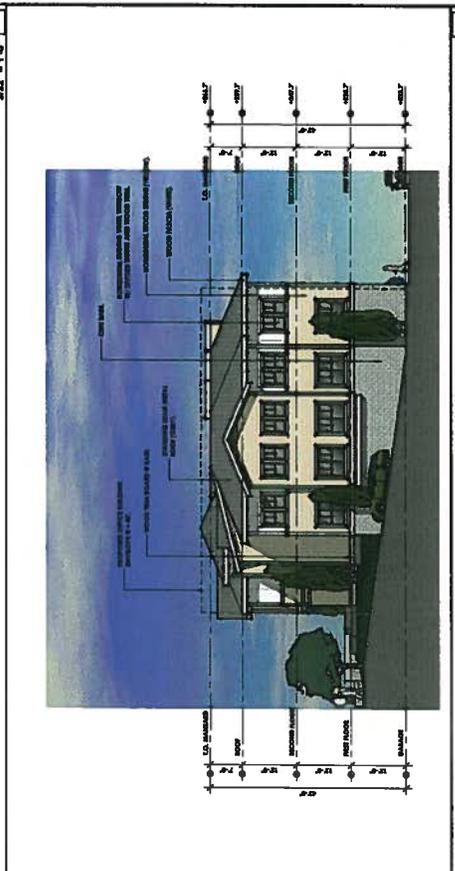
HAWKES OCEANSIDE I, LLC
 1100 NORTH CENTRAL AVENUE
 PHOENIX, AZ 85004



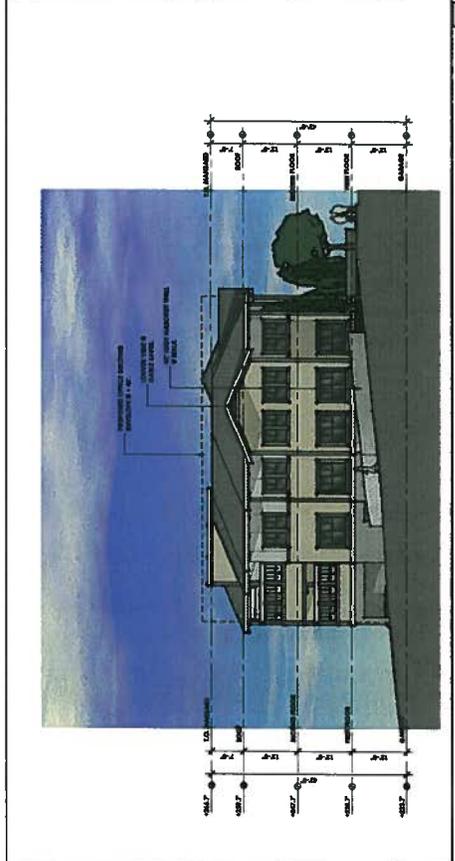
WEST ELEVATION SCALE 1/8" = 1'-0"



EAST ELEVATION SCALE 1/8" = 1'-0"



NORTH ELEVATION SCALE 1/8" = 1'-0"



SOUTH ELEVATION SCALE 1/8" = 1'-0"

A301

SCHEMATIC DESIGN

1

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4



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 4425 N. 19th Ave. | Phoenix | AZ 85016
 118 Peasey Street, Newport Beach
 California 92645 | phone: 949.447.4422

SCALE / APPROVAL

 PROJECT TITLE
 EL CAMINO REAL
 MEMORY CARE FACILITY
 10000 N. 19th Ave., Phoenix, AZ 85016



HAWKS OCEANSIDE I, LLO
 1000 N. 19th Ave., Phoenix, AZ 85016

DESIGNED BY
 DRAWN BY
 CHECKED BY
 DATE
 PROJECT NUMBER
 SHEET NUMBER

PROJECT TITLE
 EXTERIOR
 VIGNETTES
 SHEET NUMBER

A302

SCHEMATIC DESIGN



VIEW FROM EL CAMINO REAL LOOKING SOUTH / EAST



VIEW FROM SOUTH / EAST LOOKING NORTH / WEST

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PLANNING COMMISSION
RESOLUTION NO. 2014-P05

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

APPLICATION NO: D13-00001, CUP13-00006, V13-00005 and V13-00006
APPLICANT: Jeffrey Grant Hawkes
LOCATION: East side of El Camino Real between Via Las Rosas and Fire Mountain Road

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting approval of a Development Plan, Conditional Use Permit and Variances under the provisions of Articles 11, 30, 41 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

establishment and operation of a memory care facility consisting of a tri-level 34,338-square-foot building with 48 memory care units and construction of associated site improvements including retaining walls up to 15 feet in height and a 10-foot building encroachment within the front yard setback area pursuant to Section 1120, 1130 and 3040 of the Zoning Ordinance; on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 24th day of February, 2014 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), and State Guidelines thereto an Addendum to the previously adopted Mitigated Negative Declaration (MND has been prepared, per Article 11, Section 15164) to address project modifications on the site; and

WHEREAS, the Addendum to the Mitigated Negative Declaration (MND) states that if the mitigation measures are met there will not be an adverse impact upon the environment and the proposed project changes to the development previously evaluated for the MND would not result

1 in new significant impacts nor substantially increase the severity of previously disclosed impacts
2 beyond those already identified;

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Inclusionary Housing	Oceanside Municipal Code	\$1,000 plus \$100 per unit
Administration Fee	Chapter 14C.9	
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$0.713 per square foot or \$713 per thousand square feet for non-residential uses
School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential for Oceanside
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Non-residential is \$37,205 for a 2" meter.
Wastewater System Buy-in Fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Non-residential is \$50,501 for a 2" meter.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Non-residential is \$23,358 for a 2" meter.

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

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

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

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

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

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

19 FINDINGS:

20 For the Development Plan:

- 21 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
22 including the purpose of Commercial Districts. The proposal complies with requirements
23 for building height, lot coverage, floor-area-ratio.
- 24 2. The proposed 34,338-square-foot memory care facility conforms to the General Plan of
25 the City, including the Community Enhancement Goal and Objective 1.11, 1.12, and 1.23.
26 The proposed facility would provide specialized services to serve the changing needs of
27 individuals with memory loss including personal services, supervision, protection, or
28 assistance essential for sustaining the activities for daily living. Furthermore, the
29 facility's innovative program would bridge the gap between retirement living and skilled
nursing care. The proposed land use supports the continual long term enhancement of the

1 community by providing necessary services on a well planned site within attractively
2 designed buildings.

- 3 3. The 3.5-acre site can be adequately, reasonably and conveniently served by existing and
4 planned public services, utilities and public facilities. The property is an infill site and all
5 public services and utilities are available to the property. The project's driveways have
6 been designed to allow for access of emergency vehicles.
- 7 4. The 34,338-square-foot memory care facility is compatible with existing and potential
8 development on adjoining properties and the surrounding Mira Costa Neighborhood. The
9 site is an infill lot between commercial and residential zoned properties. The residential
10 nature of the land use would provide a harmonious transition between commercial uses
11 along El Camino Real and residential uses to the east of the subject property.
- 12 5. The site plan and physical design of the project is consistent with applicable sections of
13 1.24 and 1.25 of the Land Use Element of the General Plan. The project site was
14 previously approved for commercial/office development (El Camino Executive Center).
15 The proposed memory care facility will result in a reduction to the previously approved
16 overall development area on the project site and increase of open space preserve.

16 For Conditional Use Permit CUP13-00006:

- 17 1. The proposed location of the memory care facility is in accord with the Commercial
18 District, objectives of the Zoning Ordinance and the purposes of the CP District in which
19 the approximately 3.5-acre site is located.
- 20 2. The proposed location of the memory care facility and conditions under which it would
21 be operated and maintained will be consistent with the General Plan, including Objective
22 1.11 Balanced Land Use; will not be detrimental to the public health, safety or welfare of
23 persons residing or working in or adjacent to the neighborhood of such use; and will not
24 be detrimental to properties or improvements in the vicinity or to the general welfare of
25 the city.
- 26 3. The proposed memory care facility complies with applicable provisions of the Zoning
27 Ordinance, and specific conditions required for the proposed land use within the CP
28 District.
29

1 For Variance V13-00005 & V13-0006:

- 2 1. Special circumstances and conditions applicable to the 3.5-acre site, including
3 topography, utility easements, and biological resources substantially limit development
4 on the parcel. Strict application of the minimum 20-foot front yard setback and the six-
5 foot maximum retaining wall height requirement will deprive this property of privileges
6 enjoyed by other properties in the vicinity subject to CP zoning District requirements.
7 No other exceptions to development standards will be granted as part of this proposal.
8 The project will comply with all other applicable Code requirements and City policies.
- 9 2. Granting permission to construct retaining walls in excess of the permitted six-foot
10 maximum height in the interior of the parcel and to allow a building encroachment of 10
11 feet within the front yard setback area will not be detrimental or injurious to the property
12 or improvements in the vicinity of the site or to the public health, safety or general
13 welfare. The proposed plantable wall design will result in a project that balances
14 environmental feasibility and preservation of ownership development rights. The
15 proposed variable building setback along El Camino Real will provide vertical building
16 massing articulation which will enhance the appearance of the structure and overall street
17 scene. No other exceptions to development standards will be granted as part of this
18 proposal. The project will comply with all other applicable Code requirements and City
19 policies.
- 20 3. Granting permission to construct retaining walls in excess of the maximum six-foot
21 height and to allow a building encroachment of 10 feet within the front yard setback area
22 is consistent with the purposes of the Zoning Ordinance and will not constitute a grant of
23 special privilege inconsistent with the limitations on other properties in the vicinity and in
24 the CP District Zoning classification. No other exceptions to development standards will
25 be granted as part of this proposal. The project will comply with all other applicable
26 Code requirements and City policies.

27 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
28 approve Development Plan (D13-00001), Conditional Use Permit (CUP13-00006) Variance (V13-
29 00005) and Variance (V13-00006) subject to the following conditions:

1 **Building:**

- 2 1. The granting of approval under this action shall in no way relieve the applicant/project
3 from compliance with all Current State and local building codes. This project shall be
4 designed to The 2013 California Green Building Standards Code (CAL Green Code). This
5 Part is known as the California Green Building Standards Code, and it is intended that it
6 shall also be known as the CAL Green Code.
- 7 2. Project must be designed to meet current State of California Accessibility Codes.
- 8 3. The building plans for this project are required by State law to be prepared by a licensed
9 architect or engineer and must be in compliance with this requirement prior to submittal for
10 building plan review.
- 11 4. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance)
12 and shall be shielded appropriately. Where color rendition is important high-pressure
13 sodium, metal halide or other such lights may be utilized and shall be shown on final
14 building and electrical plans.
- 15 5. All fences and gates shall be identified. If fences and gate are installed they must comply
16 with the 2013 CBC 425.8.8.
- 17 6. The developer shall monitor, supervise and control all building construction and supportive
18 activities so as to prevent these activities from causing a public nuisance, including, but not
19 limited to, strict adherence to the following:
- 20 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
21 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work
22 that is not inherently noise-producing. Examples of work not permitted on
23 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
24 producing nature. No work shall be permitted on Sundays and Federal Holidays
25 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and
26 Christmas Day) except as allowed for emergency work under the provisions of the
27 Oceanside City Code Chapter 38 (Noise Ordinance).
- 28 b) The construction site shall be kept reasonably free of construction debris as
29 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
approved solid waste containers shall be considered compliance with this

1 requirement. Small amounts of construction debris may be stored on-site in a neat,
2 safe manner for short periods of time pending disposal.

3 **Planning:**

4 7. Development Plan (D13-00001), Conditional Use Permit (CUP13-00006) Variance (V13-
5 00005) and Variance (V13-00006) shall expire on February 24, 2016 unless implemented
6 as required by the Zoning Ordinance. A time extension may be granted in accordance with
7 Section 4308.C and Section 4108.B of the Zoning Ordinance.

8 8. Development Plan (D13-00001), approves only the construction of a tri-level 34,338-
9 square-foot building and associated improvements as shown on the plans and exhibits
10 presented to the Planning Commission for review and approval. No deviation from these
11 approved plans and exhibits shall occur without the City Planner and/or Planning
12 Commission's approval. Substantial deviations shall require a revision to the Development
13 Plan or a new Development Plan.

14 9. Conditional Use Permit CUP13-00006 approves only a 48-unit memory care facility
15 offering 24-hour care to persons in need of personal services, supervision, protection, or
16 assistance essential for sustaining the activities of daily living, as shown on the plans and
17 exhibits presented to the Planning Commission for review and approval. No deviation
18 from these approved plans and exhibits shall occur without City Planner and/or Planning
19 Commission approval. Substantial deviations shall require a revision to the Conditional
20 Use Permit or a new Conditional Use Permit.

21 10. Variance (V13-00005) from the required 20-foot front yard setback regulations (Section
22 1130) approves only a maximum building encroachment of 10 feet along the El Camino
23 Real frontage as shown on the plans and exhibits presented to the Planning Commission for
24 review and approval and planted in accordance with the requirements of the Zoning
25 Ordinance. No deviation from these approved plans and exhibits shall occur with out City
26 Planner, City Engineer, and/or Planning Commission approval. Substantial deviations shall
27 require a revision to the Variance or a new Variance. If the variance is exercised in
28 violation of a condition of approval or a provision of the Zoning Ordinance it may be
29 revoked, pursuant to Article 47 Enforcement, of the Zoning Ordinance.

11. Variance (V13-00006) from the allowable six-foot maximum wall height regulations
(Section 1130 and 3040) approves only retaining wall height as shown on the plans and

1 exhibits presented to the Planning Commission for review and approval and planted in
2 accordance with the requirements of the Zoning Ordinance. No deviation from these
3 approved plans and exhibits shall occur with out City Planner, City Engineer, and/or
4 Planning Commission approval. Substantial deviations shall require a revision to the
5 Variance or a new Variance. If the variance is exercised in violation of a condition of
6 approval or a provision of the Zoning Ordinance it may be revoked, pursuant to Article 47
7 Enforcement, of the Zoning Ordinance.

8 12. Changes to the approved plans are subject to Section 4308.D and Section 4109 of the
9 Zoning Ordinance.

10 13. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
11 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
12 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
13 annul an approval of the City, concerning Development Plan (D13-000001), Conditional
14 Use Permit (CUP13-00006), Variance (V13-00005) and Variance (V13-00006). The City
15 will promptly notify the applicant of any such claim, action or proceeding against the City
16 and will cooperate fully in the defense. If the City fails to promptly notify the applicant of
17 any such claim action or proceeding or fails to cooperate fully in the defense, the applicant
18 shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

19 14. All mechanical rooftop and ground equipment shall be screened from public view as
20 required by the Zoning Ordinance. The roof jacks, mechanical equipment, screen and
21 vents shall be painted with non-reflective paint to match the roof. This information shall be
22 shown on the building plans.

23 15. A trash enclosure (or trash enclosures) must be provided as required by Chapter 13 of the
24 City Code and shall include additional space for storage and collection of recyclable
25 materials per City standards. Recycling is required by City Ordinance. The enclosure (or
26 enclosures) must be built in a flat, accessible location as determined by the City Engineer.
27 Trash enclosures and driveways and service access areas shall be shown on both the
28 improvement and landscape plans submitted to the City Engineer. The specifications shall
29 be reviewed and approved by the City Engineer. The City's waste disposal contractor is

1 required to access private property to service the trash enclosures, a service agreement must
2 be signed by the property owner and shall remain in effect for the life of the project. All
3 trash enclosures shall be designed to provide user access without the use and opening of the
4 service doors for the bins. This design shall be shown on the landscape plans and shall be
5 approved by the City Planner.

6 16. Prior to the issuance of building permits, compliance with the applicable provisions of the
7 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
8 and approved by the City Planner. These requirements, including the obligation to remove
9 or cover with matching paint all graffiti within 24 hours, shall be noted on the Landscape
10 Plan and shall be recorded in the form of a covenant affecting the subject property.

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

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

20 19. This Conditional Use Permit shall be called for review by the Planning Commission if
21 complaints are filed and verified as valid by the Code Enforcement Office concerning the
22 violation of any of the approved conditions or does not conform with the information
23 contained in or representations made in the application, any supporting material submitted
24 to the City or during any hearing on the application.

25 20. If any aspect of the project's fencing and walls is not covered by the approved
26 Development Plan or Variance, the construction of fencing and walls shall conform to the
27 development standards of the City Zoning Ordinance. In no case, shall the construction of
28 fences and walls (including combinations thereof) exceed the limitations of the zoning
29 code, unless expressly granted by Variance (V13-00006) or other development approval.

- 1 21. Project entrance signs shall meet the requirements of the Sign Ordinance and shall be
2 approved by the City Planner.
- 3 22. Off-street parking spaces shall be kept available and useable for the parking of employee
4 and tenant's automobiles at all times.
- 5 23. A covenant or other recordable document approved by the City Attorney shall be prepared
6 by the applicant and recorded prior to the issuance of building permits. The covenant shall
7 provide that the property is subject to this Resolution, and shall generally list the conditions
8 of approval.
- 9 24. All mitigation measures identified in the approved Mitigated Negative Declaration shall be
10 complied with as stated in that document, associated Mitigation Monitoring and Reporting
11 Program and Addendum.
- 12 25. The applicant, tenants, or successors in interest shall comply with the City's business
13 license requirements, as necessary.
- 14 26. Elevations, siding materials, colors, roofing materials and floor plans shall be
15 substantially the same as those approved by the Planning Commission. These shall be
16 shown on plans submitted to the Building Division and Planning Division for permit
17 plan check, prior to issuance of any building permit.

Mitigation Measures:

- 18 27. All mitigation measures identified in the approved Mitigated Negative Declaration for
19 the El Camino Executive Center shall be complied with as stated in that document.
- 20 28. In the event any subsurface archaeological resources are encountered during grading or
21 construction activities, such activities in the locality of the find shall be halted
22 immediately. An archaeologist, certified by the Register of Professional Archaeologists
23 (ROPA), shall be brought in to determine the significance of the archaeological
24 resources and implement appropriate mitigations prior to recommending earthwork.
- 25 29. If archaeological materials are encountered, their importance must be evaluated to
26 assess the significance of impacts. If significant cultural resources are encountered,
27 mitigation would be accomplished through documentation and excavation of features,
28 cataloging and analysis of cultural material collected, and preparation of a report
29 detailing the methods and results of the monitoring/data recovery program.

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- 30. Any cultural material recovered shall be curated at an appropriate facility, except as stipulated differently in the pre-excavation agreement.
- 31. To protect water quality in the area the following mitigation measures shall be implemented:
 - 32. Material and waste Best Management Practices (BMPs) during site grading and construction shall be strictly enforced.
 - 33. 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 and approved prior to the issuance of grading permits.
 - 34. Permanent structural Best Management Practices (BMPs), such as infiltration trenches, fossil filters, and/or oil water separators shall be installed and maintained at all storm drain inlets on the site.
 - 35. Non-structural post-construction Best Management Practices (BMPs), such as a public education program (providing signage at all drainage inlets prohibiting dumping of any kind).
 - 36. 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.
 - 37. A qualified biologist shall be retained by the applicant to review the final grading plans, access routes and staging areas, monitor all aspects of construction, educate contractors about the biological sensitivities associated with the area and ensure compliance with mitigation measures.
 - 38. The qualified biologist shall conduct a training session for all project personnel prior to any grading/construction activities. At a minimum the training shall include a description of the target species of concern, its habitats, the general provisions of the Endangered Species Act (Act) and the MHCP, the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern as they relate to the project, any provisions for wildlife movement, and the access routes to and project site boundaries within which the project activities must be accomplished.

- 1 39. A water pollution and erosion control plan shall be developed that describes sediment
2 and hazardous materials control, dewatering or diversion structures, fueling and
3 equipment management practices and other factors as deemed necessary. Erosion
4 control measures shall be monitored on a regularly scheduled basis, particularly during
5 time or rainfall. Corrective measures shall be implemented in the event erosion control
6 strategies are inadequate. Sediment/erosion control measures shall be continued at the
7 project site until such time as the revegetation efforts are successful at soil stabilization.
- 8 40. The footprint of habitat disturbance shall be minimized to the maximum extent feasible.
9 Access to sites shall be via pre-existing access routes to the greatest extent possible.
- 10 41. The upstream and downstream limits of project disturbance plus lateral limits of
11 disturbance on either side of the stream shall be clearly defined and marked in the field
12 and reviewed by the biologist prior to initiation of work.
- 13 42. Placement of equipment and personnel within environmentally sensitive habitat areas
14 stream channels or on sand and gravel bars, banks and adjacent upland habitats used by
15 target species of concern shall be avoided. Activities that can not be conducted without
16 placing equipment or personnel in sensitive habitats shall be timed to avoid the
17 breeding season of the target species of concern.
- 18 43. When stream flows must be diverted, the diversions shall be conducted using sandbags
19 or other methods requiring minimal in stream impacts. Silt fencing or other sediment
20 trapping materials shall be installed at the downstream end of the construction activity
21 to minimize the transport of sediments off-site. Settling ponds where sediment is
22 collected shall be cleaned out in a manner that prevents the sediment from re-entering
23 the stream. Care shall be exercised when removing silt fences, as feasible, to prevent
24 debris or sediment from returning to the stream.
- 25 44. Equipment storage, fueling and staging areas shall be located to minimize risks of
26 direct drainage into riparian areas or other environmentally sensitive habitats. These
27 designated areas shall be located in such a manner as to prevent runoff from entering
28 sensitive habitats. All necessary precautions shall be taken to prevent the release of
29 cement or other toxic substances into surface waters. All project related spills of
hazardous materials shall be reported to appropriate entities including but not limited to

1 the City of Oceanside, FWS, and CDFG, SWQCB and shall be cleaned up immediately
2 and contaminated soils removed to approved disposal areas.

3 45. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or
4 other similar debris material shall not be stockpiled within the stream channel or on its
5 banks.

6 46. Stockpiling of materials and other aspects of construction staging shall be limited to
7 disturbed areas without native vegetation, areas to be impacted by project development
8 or in non sensitive habitats.

9 47. "No-fueling zones" shall be established within a minimum of 10 meters (33 feet) from
10 all drainages and fire sensitive areas.

11 48. Scheduling of construction activities shall minimize potential impacts to biological
12 resources. Construction adjacent to drainages shall occur during periods of minimum
13 flow (i.e. summer through first rain of fall) to avoid excessive sedimentation and
14 erosion and to avoid impacts to drainage dependent species. Construction near riparian
15 areas or other sensitive habitats shall be scheduled to avoid the breeding season (March
16 through September) and potential impacts to breeding bird species.

17 49. Construction activities during the breeding season (dates to be determined depending
18 upon species of concern- some start in February - March through September) shall be
19 limited to those that will not produce significant noise impacts (i.e. noise levels greater
20 than 60 dBLEq—decibels equivalent sound level) at the edge of the habitat of concern.

21 50. Conduct preconstruction surveys at potential impact areas between mid-May and mid-
22 June.

23 51. Human and pet access to preserve areas shall be limited to designated trails by use of
24 natural vegetation, topography, signs and limited fencing.

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

- 1 53. The qualified biologist shall monitor construction activities throughout the duration of
2 the project to ensure that all practicable measures are being employed to avoid
3 incidental disturbance of habitat and any target species of concern outside the project
4 footprint. Construction monitoring reports shall be completed and provided to the City
5 of Oceanside, FWS and CDFG summarizing how the project is in compliance with
6 applicable conditions. The project biologist shall be empowered to halt work activity if
7 necessary and to confer with staff from the City of Oceanside, FWS and CDFG to
8 ensure the proper implementation of species and habitat protection measures.
- 9 54. The removal of native vegetation shall be avoided and minimized to the maximum
10 extent practicable. Temporary impacts shall be returned to pre-existing contours and
11 revegetated with appropriate native species. All revegetation plans shall be prepared
12 and implemented consistent with Appendix C (Revegetation Guidelines of the Final
13 MHCP Plan – Volume II) and shall require written concurrence of the FWS and CDFG.
- 14 55. To avoid attracting predators of the target species of concern, the project site shall be
15 kept clean of debris as possible. All food related trash items shall be enclosed in sealed
16 containers and regularly removed from the site. Pets of project personnel shall not be
17 allowed on-site where they may come in contact with any listed species.
- 18 56. Construction employees shall strictly limit their activities, vehicles, equipment, and
19 construction materials to the proposed footprint and designated staging areas and routes
20 of travel. The construction area(s) shall be the minimal area necessary to complete the
21 project and shall be specified in the construction plans. Construction limits shall be
22 fenced with orange snow screen. Exclusion fencing shall be maintained until the
23 completion the completion of all construction activities. All employees shall be
24 instructed that their activities are restricted to the construction areas.
- 25 57. Any habitat destroyed that is not in the identified project footprint shall be disclosed
26 immediately to the City of Oceanside, FWS and CDFG and shall be compensated at a
27 minimum ratio of 5:1.
- 28 58. If dead or injured listed species are located, initial notification must be made within
29 three working days, in writing to the Service's Division of Law Enforcement in
Torrance California and by telephone and in writing to the applicable jurisdiction,
Carlsbad Field Office of the FWS, and CDFG.

1 59. The City of Oceanside shall have the right to access and inspect any sites of approved
2 projects including any restoration/enhancement area for compliance with project
3 conditions and BMPs. The FWS and CDFG may accompany the City representatives
4 on this inspection.

5 60. Any planting stock to be brought onto the site for landscaping or ecological restoration
6 shall be first inspected by a qualified pest inspector to ensure it is free of pest species
7 that could invade natural areas, including but not limited to Argentine ants, fire ants,
8 and other insect pests. Any planting sock found to be infested with such pests shall not
9 be allowed on the project site or within 300 feet of natural habitats. The stock shall be
10 quarantined, treated or disposed of according to best management principles by
11 qualified experts in a manner that precludes invasions into natural habitats.

12 61. New utility lines or towers or modification of existing utility lines or towers shall
13 implement designs that preclude or minimize harm to wildlife due to collisions or
14 electrocution. Information on such designs is available at
15 www.migratorybirds.fws.gov/issues/towers.

16 62. All mitigation sites shall be conserved through fee title acquisition or conservation
17 easement, and proof of recordation shall be provided to the City of Oceanside prior to
18 land disturbance.

19 63. Existing natural drainages and watersheds shall be maintained. The project shall restore
20 or minimize changes to natural hydrological processes.

21 64. Detention basins shall incorporate earthen berms to allow growth of natural vegetation.

22 **Engineering:**

23 65. For the demolition of any existing structure or surface improvements; grading plans
24 shall be submitted and erosion control plans be approved by the City Engineer prior to
25 the issuance of a demolition permit. No demolition shall be permitted without an
26 approved erosion control plan.

27 66. Vehicular access rights to El Camino Real shall be relinquished to the City from this lot
28 except for the two project driveways.

29 67. All right-of-way alignments, street dedications, exact geometrics and widths shall be
dedicated and constructed or replaced as required by the City Engineer.

- 1 68. Design and construction of all improvements shall be in accordance with the City of
2 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
3 engineering and specifications of the City of Oceanside and subject to approval by the
4 City Engineer.
- 5 69. Prior to issuance of a building permit all improvement requirements shall be covered by
6 a development agreement and secured with sufficient improvement securities or bonds
7 guaranteeing performance and payment for labor and materials, setting of monuments,
8 and warranty against defective materials and workmanship.
- 9 70. The owner/developer shall provide a minimum of five feet street dedication for El
10 Camino Real required along property frontage to the satisfaction of the City Engineer.
- 11 71. Where proposed off-site improvements, including but not limited to slopes, public utility
12 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
13 own expense, obtain all necessary easements or other interests in real property and shall
14 dedicate the same to the City of Oceanside as required. The owner/developer shall
15 provide documentary proof satisfactory to the City of Oceanside that such easements or
16 other interest in real property have been obtained prior to issuance of any grading,
17 building or improvement permit for this development Plan. Additionally, the City of
18 Oceanside, may at its sole discretion, require that the owner/developer obtain at his sole
19 expense a title policy insuring the necessary title for the easement or other interest in real
20 property to have vested with the City of Oceanside or the owner/developer, as
21 applicable.
- 22 72. A Declaration of Covenants, Conditions and Restrictions (DCC&R) is required (prior to
23 the grading permit), and will be reviewed and approved by the City Attorney. The
24 Declaration of Covenants, Conditions and Restrictions (DCC&R) shall be recorded
25 attesting to these improvement conditions prior to issuance of any grading permit.
- 26 73. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
27 neighborhood meeting with all of the area residents located within 300 feet of the project
28 site, to inform them of the grading and construction schedule, and to answer questions.
- 29 74. The owner/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:

- 1 a) Dirt, debris and other construction material shall not be deposited on any public
2 street or within the City's stormwater conveyance system.
- 3 b) All grading and related site preparation and construction activities shall be
4 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
5 engineering related construction activities shall be conducted on Saturdays,
6 Sundays or legal holidays unless written permission is granted by the City
7 Engineer with specific limitations to the working hours and types of permitted
8 operations. All on-site construction staging areas shall be as far as possible
9 (minimum 100 feet) from any existing residential development. Because
10 construction noise may still be intrusive in the evening or on holidays, the City of
11 Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive
12 noise which causes discomfort or annoyance to reasonable persons of normal
13 sensitivity."
- 14 c) The construction site shall accommodate the parking of all motor vehicles used
15 by persons working at or providing deliveries to the site. An alternate parking
16 site can be considered by the City Engineer in the event that the lot size is too
17 small and cannot accommodate parking of all motor vehicles.
- 18 d) The owner/developer shall complete a haul route permit application (if required
19 for import/export of dirt) and submit to the City of Oceanside Engineering
20 Division 48 hours in advance of beginning of work. Hauling operations (if
21 required) shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

22 75. Shoring maybe required for the construction of this proposed development plan. The
23 shoring design plans and structural calculations shall be submitted concurrently with
24 the precise grading plan and approved prior to grading permit to the satisfaction of the
25 City Engineer.

26 76. It is the responsibility of the owner/developer to evaluate and determine that all soil
27 imported as part of this development is free of hazardous and/or contaminated material
28 as defined by the City and the County of San Diego Department of Environmental
29 Health. Exported or imported soils shall be properly screened, tested, and documented
regarding hazardous contamination.

- 1 77. The owner/developer shall place a covenant on the title sheet of the grading plan and
2 improvement plan agreeing to the following: "The present or future owner/developer
3 shall indemnify and save the City of Oceanside, its officers, agents, and employees
4 harmless from any and all liabilities, claims arising from any landslide on this site.
- 5 78. A traffic control plan shall be prepared according to the City traffic control guidelines
6 and approved to the satisfaction of the City Engineer prior to the start of work within
7 the public right-of-way on El Camino Real. Traffic control during construction of
8 streets that have been opened to public traffic shall be in accordance with construction
9 signing, marking and other protection as required by the Caltrans Traffic Manual and
10 City Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m.
11 to 3:30 p.m. unless approved otherwise.
- 12 79. El Camino Real shall be constructed with curbs, gutters and sidewalk along property
13 frontage with adequate taper transition to the existing improvement south and north of
14 this development plan to the satisfaction of the City Engineer.
- 15 80. El Camino Real shall provide a minimum of 10 feet parkway between the face of curb
16 and the right-of-way line. Sidewalk improvements shall comply with ADA
17 requirements. Publicly maintained pedestrian ramps at the intersection of two
18 driveways with El Camino Real shall be fully located within public right-of-way.
19 Minimum curb return radius shall comply with the City of Oceanside Engineers Design
20 and Processing Manual.
- 21 81. Sight distance requirements at the two project driveways along El Camino Real for
22 each direction of traffic shall conform to the corner sight distance criteria as provided
23 by SDRSD DS-20A and or DS-20B.
- 24 82. Streetlights shall be installed on El Camino Real, along property frontage per City
25 Standards to the satisfaction of the City Engineer. The system shall provide uniform
26 lighting, and be secured prior to occupancy. The owner/developer shall pay all
27 applicable fees, energy charges, and/or assessments associated with City-owned (LS-2
28 rate schedule) streetlights and shall also agree to the formulation of, or the annexation
29 to, any appropriate street lighting district.
83. This project driveway shall remain private and shall be maintained by the present or
any future owner(s) and successors thereafter. The pavement sections, traffic indices

1 shall be based on approved geotechnical report and in compliance with the City of
2 Oceanside Engineers Design and Processing Manual. The private project driveway and
3 alignments and geometric layouts shall meet the City of Oceanside Engineers Design
4 and Processing Manual. The pavement design is to be prepared by the
5 owner/developer's soil engineer and must be in compliance with the City of Oceanside
6 Engineers Design and Processing Manual and be approved by the City Engineer, prior
7 to paving.

8 84. The owner/developer shall header cut and grind ½ width of El Camino Real for the
9 entire property frontage, and construct a two-inch thick rubberized AC overlay to the
10 satisfaction of the City Engineer.

11 85. The two existing inlets on east and west side of El Camino Real shall be closed by the
12 owner/developer. The owner/developer shall obtain construction permit, and obtain
13 traffic control plan approval from City to eliminate the existing curb inlet depressions
14 in order to construct new curb and gutter and sidewalk.

15 86. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian
16 ramps and sidewalk adjacent to the project boundary that are already damaged or
17 damaged during construction of the project, shall be repaired or replaced as directed by
18 the City Engineer.

19 87. All existing overhead utility lines within this development/property and/or within any
20 full El Camino Real abutting this new development, and all new extension services for
21 the development of the project, including but not limited to, electrical, cable and
22 telephone, shall be placed underground per the City of Oceanside Zoning Ordinance
23 section 3023, as required by the City Engineer and the City Planner, and current City
24 policy.

25 88. The owner/developer shall install 3 inch PVC conduit, together with 1/4-inch pull- rope
26 and pull-boxes at 400 feet intervals for future signal interconnect cable on El Camino
27 Real along property frontage to the satisfaction of the City Engineer.

28 89. The approval of this development plan shall not mean that proposed grading or
29 improvements on adjacent properties (including any City properties/right-of-way or
easements) is granted or guaranteed to the owner/developer. The owner/developer is
responsible for obtaining permission to grade to construct on adjacent properties.

1 Should such permission be denied, the project shall be subject to going back to the
2 public hearing or subject to a substantial conformity review.

3 90. Prior to any grading of any part of this project, a comprehensive soils and geologic
4 investigation shall be conducted of the soils, slopes, and formations in the project. All
5 necessary measures shall be taken and implemented to assure slope stability, erosion
6 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
7 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved
8 by the City Engineer.

9 91. This project shall provide year-round erosion control including measures for the site
10 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
11 control plan, designed for all proposed stages of construction, shall be reviewed,
12 secured by the owner/developer with securities and approved by the City Engineer.

13 92. A precise grading and private improvement plan shall be prepared, reviewed, secured
14 and approved prior to the issuance of any building permits. The plan shall reflect all
15 pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians,
16 striping, and signage, footprints of all structures, walls, drainage devices and utility
17 services. Parking lot striping and any on site traffic calming devices shall be shown on
18 all precise grading and private improvement plans.

19 93. Landscaping plans, including plans for the construction of walls, fences or other
20 structures at intersections of two proposed driveways with El Camino Real, must
21 conform to intersection sight distance requirements. Landscape and irrigation plans for
22 disturbed areas shall be submitted to the City Engineer prior to the issuance of a
23 grading permit and approved by the City Engineer prior to the issuance of building
24 permits. Frontage landscaping shall be installed and established prior to the issuance of
25 any certificates of occupancy. Securities shall be required only for landscape items in
26 the public right-of-way. Any project fences, sound or privacy walls and monument
27 entry walls/signs shall be shown on, bonded for and built from the landscape plans.
28 These features shall also be shown on the precise grading plans for purposes of location
29 only. Plantable, segmental walls shall be designed, reviewed and constructed by the
grading plans and landscaped/irrigated through project landscape plans. All plans must

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

3 94. Open space areas and down-sloped areas visible from El Camino Real shall be
4 maintained by the present or future owner(s), or a management company assigned by
5 the owner(s). These areas shall be shown on the landscape plan.

6 95. The drainage design shown on the site plan or preliminary grading plan, and the
7 drainage report for this development plan is conceptual only. The final drainage report
8 and drainage design shall be based upon a hydrologic/hydraulic study that is in
9 compliance with the latest San Diego County Hydrology and Drainage Manual to be
10 approved by the City Engineer during final engineering. All drainage picked up in an
11 underground system shall remain underground until it is discharged into an approved
12 channel, or as otherwise approved by the City Engineer. All public storm drains shall
13 be shown on City standard plan and profile sheets. All storm drain easements shall be
14 dedicated where required. The owner/developer shall be responsible for obtaining any
15 off-site easements for storm drainage facilities.

16 96. Drainage facilities shall be designed and installed to adequately accommodate the
17 local stormwater runoff and shall be in accordance with the San Diego County
18 Hydrology and Design Manual and in compliance with the City of Oceanside Engineers
19 Design and Processing Manual to the satisfaction of the City Engineer.

20 97. The owner/developer shall place a covenant on the title sheet of the grading plan and
21 improvement plan agreeing to the following: "The present or future owner/developer
22 shall indemnify and save the City of Oceanside, its officers, agents, and employees
23 harmless from any and all liabilities, claims arising from any flooding that occurs on
24 this site."

25 98. Storm drain facilities shall be designed and located such that the inside travel lanes on
26 El Camino Real shall be passable during conditions of a 100-year frequency storm.

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

1 100. The owner/developer shall comply with the provisions of National Pollution Discharge
2 Elimination System (NPDES) General Permit for Storm Water Discharges Associated
3 with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ.
4 The General Permit continues in force and effect until a new General Permit is issued
5 or the SWRCB rescinds this General Permit. Only those owner/developers authorized
6 to discharge under the expiring General Permit are covered by the continued General
7 Permit. Construction activity subject to the General Permit includes clearing, grading,
8 and disturbances to the ground such as stockpiling, or excavation that results in land
9 disturbances of equal to or greater than one acre. The owner/developer shall obtain
10 coverage under the General Permit by submitting a Notice of Intent (NOI) and
11 obtaining a Waste Discharge Identification Number (WDID#) from the State Water
12 Resources Control Board (SWRCB). In addition, coverage under the General Permit
13 shall not occur until an adequate SWPPP is developed for the project as outlined in
14 Section A of the General Permit. The site specific SWPPP shall be maintained on the
15 project site at all times. The SWPPP shall be provided, upon request, to the United
16 States Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality
17 Control Board (RWQCB), City of Oceanside, and other applicable governing
18 regulatory agencies. The SWPPP is considered a report that shall be available to the
19 public by the RWQCB under section 308(b) of the Clean Water Act. The provisions of
20 the General Permit and the site specific SWPPP shall be continuously implemented and
21 enforced until the owner/developer obtains a Notice of Termination (NOT) for the
22 SWRCB. The owner/developer is required to retain records of all monitoring
23 information, copies of all reports required by this General Permit, and records of all
24 data used to complete the NOI for all construction activities to be covered by the
25 General Permit for a period of at least three years from the date generated. This period
26 may be extended by request of the SWRCB and/or RWQCB.

27 101. Upon deeming the Storm Water Mitigation Plan (SWMP) complete and prior to
28 issuance of grading permits, the owner/developer shall submit and obtain approval of
29 an Operation & Maintenance (O&M) Plan, prepared to the satisfaction of the City
Engineer. The O&M Plan shall include an approved and executed Maintenance
Mechanism pursuant to Section 5 of the Standard Urban Storm Water Mitigation Plan

1 (SUSMP). The O&M shall satisfy the minimum Maintenance Requirements pursuant
2 to Section 5 of the SUSMP. At a minimum the O&M Plan shall include the designated
3 responsible party to manage the storm water BMP(s), employee training program and
4 duties, operating schedule, maintenance frequency, routine service schedule, specific
5 maintenance activities, copies of resource agency permits, cost estimate for
6 implementation of the O&M Plan, a non-refundable cash security to provide
7 maintenance funding in the event of noncompliance to the O&M Plan, and any other
8 necessary elements. The owner/developer shall provide the City with access to site for
9 the purpose of BMP inspection and maintenance by entering into an Access Rights
10 Agreement with the City. The owner/developer shall complete and maintain O&M
11 forms to document all operation, inspection, and maintenance activities. The
12 owner/developer shall retain records for a minimum of 5 years. The records shall be
13 made available to the City upon request.

14 102. The owner/developer shall enter into a City-Standard Stormwater Facilities
15 Maintenance Agreement (SWFMA) with the City obliging the owner/developer to
16 maintain, repair and replace the Storm Water Best Management Practices (BMPs)
17 identified in the project's deemed complete SWMP, as detailed in the O&M Plan into
18 perpetuity. The Agreement shall be approved by the City Attorney prior to issuance of
19 any precise grading permit and shall be recorded at the County Recorder's Office prior
20 to issuance of any building permit. A non-refundable Security in the form of cash shall
21 be required prior to issuance of a precise grading permit. The amount of the non-
22 refundable security shall be equal to 10 years of maintenance costs, as identified by the
23 O&M Plan, but not to exceed a total of \$25,000. The owner/developer's civil engineer
24 shall prepare the O&M cost estimate.

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

- 1 104. The Agreement shall include a copy of executed on-site and off-site access easement
2 and or access rights necessary for the operation and maintenance of BMPs that shall be
3 binding on the land throughout the life of the project to the benefit of the party
4 responsible for the O&M of BMPs, satisfactory to the City Engineer. The agreement
5 shall also include a copy of the deemed complete O&M Plan.
- 6 105. The BMPs described in the project's deemed complete SWMP shall not be altered in
7 any way, unless reviewed and approved to the satisfaction of the City Engineer. The
8 determination of whatever action is required for changes to a project's deemed
9 complete SWMP shall be made by the City Engineer.
- 10 106. The owner/developer shall provide a copy of the title/cover page of a deemed complete
11 SWMP with the first engineering submittal package. If the project triggers the City's
12 Stormwater requirements but no deemed complete Stormwater document (SWMP)
13 exists, the appropriate document shall be submitted to the City Engineer for review.
14 The SWMP shall be prepared by the owner/developer's Civil Engineer. All
15 Stormwater documents shall be in compliance with the latest edition of submission
16 requirements.
- 17 107. The approval of this project shall not mean that closure, vacation, or abandonment of
18 any public street, right-of-way, easement, or facility is granted or guaranteed to the
19 owner/developer. The owner/developer is responsible for applying for all closures,
20 vacations, and abandonments as necessary. The application(s) shall be reviewed and
21 approved or rejected by the City of Oceanside under separate process (es) per codes,
22 ordinances, and policies in effect at the time of the application. The City of Oceanside
23 retains its full legislative discretion to consider any application to vacate a public street
24 or right-of-way.
- 25 108. If a subdivider is required under any provision of law to make a dedication for specified
26 public purposes (El Camino Real), the local agency shall specify whether the dedication
27 is to be in fee for public purposes or an easement for public purposes.
- 28 109. Provide the City of Oceanside with a certification from each public utility and each
29 public entity owning easements (in particular SDG&E) within the proposed project
stating that: (a) they have received from the owner/developer a copy of the proposed
development plan, grading and improvement plan; (b) they object or do not object to

1 the approval of the grading plan and improvement plan without their signature; (c) in
2 case of a street dedication affected by their existing easement, they will sign a
3 "subordination certificate" or "joint-use certificate" on the grading and improvement
4 plan when required by the governing body.

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

7 111. Approval of this development project is conditioned upon payment of all applicable
8 impact fees and connection fees in the manner provided in chapter 32B of the
9 Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare
10 fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be
11 paid prior to issuance of any building permits, in accordance with City Ordinances and
12 policies. The owner/developer shall also be required to join into, contribute, or
13 participate in any improvement, lighting, or other special district affecting or affected
14 by this project. Approval of this project shall constitute the owner/developer's approval
15 of such payments, and his agreement to pay for any other similar assessments or
16 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.

17 112. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high
18 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose
19 height exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to El Camino
20 Real.

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

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

1 115. In the event that the conceptual plan does not match the conditions of approval, the
2 resolution of approval shall govern.

3 **Water Utilities:**

4 **General conditions:**

5 116. All proposed utilities shall be shown on the site plan. This would include the water
6 meter location and size, the proposed sewer location, Fire Department connection and all
7 other necessary features.

8 117. The tentative map/development/project shall reflect all requested changes and those
9 changes shall be resubmitted for review and approval by the Water Utilities Department.

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

14 119. The property owner shall maintain private water and wastewater utilities located on
15 private property.

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

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

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

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

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

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

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

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

7 127. An Inspection Manhole, described by the Water, Sewer, and Reclaimed Water Design
8 and Construction Manual, shall be installed in each building sewer lateral and the
9 location shall be called out on the approved Improvement Plans.

10 128. The following conditions of approval shall be met prior to building permit issuance.

11 **The following conditions of approval shall be met prior to building permit issuance.**

12 129. If a food service kitchen occupies the property; a Grease, Oil, and Sand Interceptor shall
13 be installed in each building sewer in an appropriate location and shall be maintained by
14 the property owner, in accordance with City of Oceanside Ordinance 07-0R0021-1. The
15 location shall be called out on the approved Building Plans.

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

19 131. All Water Utilities Fees are due at the time of building permit issuance per City Code
20 Section 32B.7, unless the developer/applicant applies and is approved for a deferral of
21 all fees per City of Oceanside Ordinance No. 09-OR0676-1.

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

23 132. All new development of multi-family residential units shall include hot water pipe
24 insulation and installation of a hot water recirculation device or design to provide hot
25 water to the tap within 15 seconds in accordance with City of Oceanside Ordinance No.
26 02-OR126-1.

27 **Landscaping:**

28 133. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines
29 and Specifications for Landscape Development (latest revision), Water Conservation
Ordinance No.(s) 91-15 and 10-Ordinance 0412, Engineering criteria, City code and
ordinances, including the maintenance of such landscaping, shall be reviewed and

1 approved by the City Engineer prior to the issuance of building permits. Landscaping
2 shall not be installed until bonds have been posted, fees paid, and plans signed for final
3 approval. A landscape pre-construction meeting shall be conducted by the landscape
4 architect of record, Public Works Inspector, developer or owner's representative and
5 landscape contractor prior to commencement of the landscape and irrigation installation.
6 The following landscaping requirements shall be required prior to plan approval and
7 certificate of occupancy:

- 8 134. Final landscape plans shall accurately show placement of all plant material such as but
9 not limited to trees, shrubs, and groundcovers.
- 10 135. Landscape Architect shall be aware of all utility, sewer, gas, water, and storm drain
11 lines and utility easements and place planting locations accordingly to meet City of
12 Oceanside requirements.
- 13 136. All required landscape areas shall be maintained by owner, project association or
14 successor of the project (including public rights-of-way (parkways) parallel with El
15 Camino Real). The landscape areas shall be maintained per City of Oceanside
16 requirements.
- 17 137. Prior to or in conjunction with the submittal of landscape improvement plans, a revised
18 Conceptual Landscape Plan (CLP) shall be required with the following items:
- 19 138. All references to brush management zones as well as fuel modification zones shall be
20 removed from the CLP.
- 21 139. All signature approval blocks shall be removed from the CLP.
- 22 140. The bio-filtration chamber shall be required to show the approved soil and type of plant
23 material (or per manufactures recommendation) with plant symbol, sizes of container
24 stock and call out on the CLP and landscape construction drawings.
- 25 141. Add note to CLP and landscape construction drawings: A written approval from
26 SDG&E shall be submitted to the City Engineer prior to final approval of the landscape
27 construction drawings.
- 28 142. Below the segmental wall (towards the southeastern wall location) and within the
29 disturbed graded area to the daylight line, please show the plant symbol for Baccharis
'Pigeon Point'/ Prostrate Coyote Bush. Show and call out on the CLP and the landscape
construction drawings.

- 1 143. Proposed landscape species shall fit the site and meet climate changes indicative to their
2 planting location. The selection of plant material shall also be based on cultural,
3 aesthetic, and maintenance considerations. In addition proposed landscape species shall
4 consist of low water users as well as meet all Fire Department requirements.
- 5 144. All planting areas shall be prepared and implemented to the required depth with
6 appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils
7 report from an agricultural suitability soil sample taken from the site.
- 8 145. Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the
9 sun, evapotranspiration and run-off. All the flower and shrub beds shall be mulched to a
10 3" depth to help conserve water, lower the soil temperature and reduce weed growth.
- 11 146. The shrubs shall be allowed to grow in their natural forms. All landscape improvements
12 shall follow the City of Oceanside Guidelines.
- 13 147. Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is
14 located within 6 feet of a trees trunk on-site (private) and within 10 feet of a trees trunk
15 in the right-of-way (public). Root barriers shall extend 5 feet in each direction from the
16 centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in
17 depth. Installing a root barrier around the tree's root ball is unacceptable.
- 18 148. All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain
19 Planning Division approval for these items in the conditions or application stage prior to
20 1st submittal of working drawings.
- 21 149. For the planting and placement of trees and their distances from hardscape and other
22 utilities/ structures the landscape plans shall follow the City of Oceanside's (current)
23 Tree Planting Distances and Spacing Standards.
- 24 150. An automatic irrigation system shall be installed to provide coverage for all planting
25 areas shown on the plan. Low volume equipment shall provide sufficient water for plant
26 growth with a minimum water loss due to water run-off.
- 27 151. Irrigation systems shall use high quality, automatic control valves, controllers and other
28 necessary irrigation equipment. All components shall be of non-corrosive material. All
29 drip systems shall be adequately filtered and regulated per the manufacturer's
recommended design parameters.

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- 152. All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.
- 153. The landscape plans shall match all plans affiliated with the project.
- 154. Landscape construction drawings are required to implement approved Fire Department regulations, codes, and standards at the time of plan approval.
- 155. Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with SWMP Best Management Practices and meet the satisfaction of the City Engineer.
- 156. Existing landscaping on and adjacent to the site shall be protected in place and supplemented or replaced to meet the satisfaction of the City Engineer.
- 157. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and within any adjoining public parkways shall be permanently maintained by the owner, his assigns or any successors-in-interest in the property. The maintenance program shall include: a) normal care and irrigation of the landscaping b) repair and replacement of plant materials (including interior trees and street trees) c) irrigation systems as necessary d) general cleanup of the landscaped and open areas e) parking lots and walkways, walls, fences, etc. f) pruning standards for street trees shall comply with the International Society of Arboriculture (ISA) Standard Practices for Tree Care Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H; and Tree Pruning Guidelines, Appendix F (most current edition). Failure to maintain landscaping shall result in the City taking all appropriate enforcement actions including but not limited to citations. This maintenance program condition shall be recorded with a covenant as required by this resolution.

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1 158. In the event that the conceptual landscape plan (CLP) does not match the conditions of
2 approval, the resolution of approval shall govern.

3 PASSED AND ADOPTED Resolution No. 2014-P05 on February 24, 2014 by the
4 following vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9 _____
10 Robert Neal, Chairperson
Oceanside Planning Commission

11 ATTEST:

12 _____
13 Marisa Lundstedt, Secretary

14 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify
15 that this is a true and correct copy of Resolution No. 2014-P05.

16
17 Dated: February 24, 2014

18
19 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may
20 be required as stated herein:

21
22 _____
Applicant/Representative Date

Final
MITIGATED NEGATIVE DECLARATION
for the
El Camino Executive Center

Prepared for:

Hawkes O-side I, LLC

16935 West Bernardo Drive, Suite 112
San Diego, CA 92127

Submitted to:

City of Oceanside

300 N. Coast Highway
Oceanside, CA 92054
Attn: Scott Nightingale

Prepared By:

DUDEK
605 Third Street
Encinitas, CA 92024

May 2008

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Section 1.0 Responses to Comments

Comment Letter A

STATE OF CALIFORNIA

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 881
SACRAMENTO, CA 95814
(916) 652-6251
Fax (916) 657-8390
Web Site: www.nahc.ca.gov
e-mail: da_naho@psobell.net

Arnold Schwarzenegger, Governor



August 22, 2007

RECEIVED

AUG 23 2007

Planning Department

Mr. Scott Nightingale; Project Manager

CITY OF OCEANSIDE

300 N. Coast Highway
Oceanside, CA 92054

Re: SCH#2007081046 CEQA Notice of Completion: Negative Declaration for El Camino Executive Center (D-23-06) (V-1-07); City of Oceanside, San Diego County, California

Dear Mr. Nightingale:

- The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:
- ✓ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/663-7278) <http://www.chris.ca.gov/1068/files/IC%20Roster.pdf>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
 - ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
 - ✓ Contact the Native American Heritage Commission (NAHC) for:
 - A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
 - The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resource may be known only to a local tribe(s).
 - ✓ Lack of surface evidence of archaeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archaeological resources, per California Environmental Quality Act (CEQA) § 15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - ✓ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave items.

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May 2008

El Camino Executive Center

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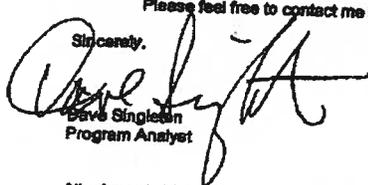
Section 1.0 Responses to Comments

- ✓ Health and Safety Code §7050.5, Public Resources Code §5007.98 and Sec. §15004.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.
- ✓ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

A-7

Please feel free to contact me at (916) 653-9251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Section 1.0 Responses to Comments

Native American Contacts San Diego County August 22, 2007

Rincon Band of Mission Indians
Angela Veltrano, Rincon Culture Committee
O. Box 68 Luiseno
Valley Center, CA 92082
council@rincontribe.org
(760) 749-1051
(760) 749-8901 Fax

San Luis Rey Band of Mission Indians
Mark Mojado, Cultural Resources
1889 Sunset Drive Luiseno
Vieta, CA 92081 Cupano
(760) 724-8505
(760) 586-4858 (cell)

San Luis Rey Band of Mission Indians
Henry Contreras, Most Likely Descendent
1763 Chapulin Lane Luiseno
Fallbrook, CA 92028
(760) 728-6722 - Home
(760) 207-3618 - Cell

Cupa Cultural Center (Pala Band)
Shasta Gaughen, Assistant Director
35008 Pala-Temecula Rd. PMB Box 445 Luiseno
Pala, CA 92059
cupa@palatribe.com
(760) 742-1580
(760) 742-4543 - FAX

San Luis Rey Band of Mission Indians
Russell Romo, Chairman
12064 Old Pomerado Road Luiseno
Poway, CA 92064
(858) 748-1588

La Jolla Band of Mission Indians
ATTN: Rob Roy, Environmental Director
22000 Highway 78 Luiseno
Pauma Valley, CA 92061
lajolla-sherry@aol.com and
(760) 742-3790
(760) 742-1704 Fax

San Luis Rey Band of Mission Indians
Carmen Mojado, Co-Chair
1889 Sunset Drive Luiseno
Vieta, CA 92081
(760) 724-8505

Charles Devers, Chair
Cultural Committee; Pauma & Yuima Reservation
P.O. Box 369 Luiseno
Pauma Valley, CA 92081
(760) 742-1289
(760) 742-4543 FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7060.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.95 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2002081048; CEDA Notice of Completion; Negative Declaration for El Camino Executive Center (D-23-01) (N-1-07); City of Oceanside; San Diego County, California.

Section 1.0 Responses to Comments

Response to Letter A Native American Heritage Commission August 22, 2007

- A-1** The Comment is acknowledged and does not raise any issues related to the adequacy of the MND.
- A-2** The California Historic Resources Information Center was contacted regarding this property. Based on the results of research related to the property, a site specific survey was determined to be necessary. A Cultural Resources Testing and Evaluation Report was prepared for the site (ASM Affiliates 2008).
- A-3** The final report was prepared and submitted consistent with the recommendations provided in this comment.
- A-4** As documented in the Cultural Resources Testing and Evaluation Report (ASM Affiliates 2008), the Native American Heritage Commission was contacted prior to conducting site surveys consistent with the recommendation provided in this comment.
- A-5** The Cultural Resources Testing and Evaluation Report (ASM Affiliates 2008), recommends archaeological and Native American monitoring during ground disturbance, consistent with the recommendation provided in this comment. Mitigation Measure CULT 1 from the draft MND required this monitoring; therefore no change to the MND is required to respond to this comment.
- A-6** The Cultural Resources Testing and Evaluation Report (ASM Affiliates 2008), recommends for the proper treatment of remains should they be identified during project construction. Mitigation Measure CULT 1 from the draft MND included these provisions; therefore no change to the MND is required to respond to this comment.
- A-7** The Cultural Resources Testing and Evaluation Report (ASM Affiliates 2008), recommends for the proper treatment of remains should they be identified during project construction. Mitigation Measure CULT 1 from the draft MND included these provisions; therefore no change to the MND is required to respond to this comment.

Section 1.0 Responses to Comments

Comment Letter B



San Diego County Archaeological Society, Inc.

Environmental Review Committee

16 August 2007

To: Mr. Scott Nightingale, Planner
Planning Division
City of Oceanside
300 North Coast Highway
Oceanside, California 92054

RECEIVED
AUG 23 2007
Planning Department

Subject: Draft Mitigated Negative Declaration
El Camino Executive Center
D-23-06, V-1-07

Dear Mr. Nightingale:

I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the DMND and initial study for the project, we have the following comments:

1. Page 10 of the initial study, under 14.5.a, states that there was "one survey that covered a portion of the property", which suggests that the full parcel has not been surveyed for cultural resources. The City must require completion of a survey by a qualified archaeologist and make the resulting impact analysis and mitigation measures available for public review prior to project approval. The same section of the initial study refers to an ASM report that the list of references refers to as "Due Diligence". It may be that the recommendations of that report were misunderstood by the applicant.
2. The monitoring of grading and excavation by archaeological and Native American monitors is appropriate. However, the conditions need to be expanded to address various contingencies as well as curation requirements. We recommend that wording similar to the County's archaeological monitoring conditions be utilized. They can be found on the County's website, at http://www.sdcounty.ca.gov/dplu/Resource/docs/3-pd/Cultural_Report_Format.pdf, beginning on page 54. Wording for curation requirements is also included, on page 48. The contact person at the County's Department of Planning and Land Use is Donna Beddow (858-694-3656, or donna.beddow@sdcounty.ca.gov). The San Diego Archaeological Center (a separate organization from SDCAS), working with Ms. Beddow, has developed a generic version of the County's mitigation conditions. If you would like a copy, either she or I (jwroyle@cts.com) can

B-1
B-2

P.O. Box 81108 • San Diego, CA 92138-1108 • (858) 538-0835

Section 1.0 Responses to Comments

provide an electronic copy, or you may contact the Center's Director, Cindy Stankowski, at cstankowski@sandiegoarchaeology.org.

SDCAS appreciates being included in the City's environmental review process for this project.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: ASM Affiliates
SDCAS President
File

P.O. Box 81108 • San Diego, CA 92138-1108 • (619) 538-0935

Section 1.0 Responses to Comments

Response to Letter B San Diego County Archaeological Society August 16, 2007

- B-1** A Cultural Resources Testing and Evaluation Report was prepared for the site (ASM Affiliates 2008).
- B-2** Mitigation Measure CULT 1 addresses contingencies and curation. In response to this comment, CULT 1 has been revised to require implementation of the measure consistent with the Mitigation Recommendations in the Cultural Resources Testing and Evaluation Report (ASM Affiliates 2008).

Section 1.0 Responses to Comments

Comment Letter C



U. S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92011
(760) 431-9440
FAX (760) 431-9901



California Department of Fish and Game
South Coast Region
4949 Viewridge Avenue
San Diego, California 92123
(619) 467-4201
FAX (619) 467-4299

In Reply Refer To:
FWS-SDG-CDFG-5379.3

SEP 14 2007

Mr. Jerry Hittleman, Acting City Planner
City of Oceanside Planning Department
300 North Coast Highway
Oceanside, California 92054

Subject: Comments on the Mitigated Negative Declaration for the El Camino Executive Center,
City of Oceanside, San Diego County, California (SCH# 2007081046)

Dear Mr. Hittleman:

The U.S Fish and Wildlife Service (Service) and the California Department of Fish and Game (Department), hereafter collectively referred to as the Wildlife Agencies, have reviewed the above-referenced Mitigated Negative Declaration (MND) dated August 8, 2007. On August 27, 2007, in an email to Christine Beck of the Department, you granted the Wildlife Agencies an extension for submitting comments regarding the MND until September 14, 2007. The comments provided herein are based on information provided in the MND, the Biological Resources Assessment Letter Report (Foothill Associates April 2007), a site visit with the applicant and the Wildlife Agencies April 5, 2007, a letter provided to the Service on August 27, 2007, from Dudek describing avoidance and minimization measures of the project, our knowledge of sensitive and declining vegetation communities in the County of San Diego, and our participation in regional conservation planning efforts.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; Sections 15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA) and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning (NCCP) Program. The City of Oceanside (City) is currently participating in the NCCP program through the preparation of a Multiple Habitat Conservation Program (MHCP) Subarea Plan (SAP).

TAKE PRIDE
IN AMERICA

Section 1.0 Responses to Comments

Mr. Jerry Hittleman (FWS-SDG-CDFG-5379.3)

Page 2

The 3.5-acre project site is located just east of El Camino Real and west of residential development and Trevino Avenue, and is bounded to the north by an undeveloped city-owned parcel, and to the south by medical office buildings. The property is within the Wildlife Corridor Planning Zone of the City's draft SAP. The proposed project is the construction of a ~~temporary~~ 32,616 square-foot commercial office building, with one level of parking below the ~~first story~~. A total of 71 parking spaces, both surface parking and below-building parking, will be provided. The project proposes to use no invasive species in landscaping, and staging of all materials and equipment will occur only on the disturbed portion of the lot or with the permission of SDG&E on the SDG&E access easements. According to the Biological Resources Assessment Letter Report, the project will not require fuel modification activities beyond the retaining wall along the eastern edge of the development area.

The vegetation communities and land types on the project site include coastal sage scrub (CSS, 2.69 ac), southern willow scrub (0.06 ac), unvegetated streambed (0.02 ac), nonnative vegetation (0.03 ac), disturbed land (0.16 ac), ornamental (0.06 ac), dirt road (0.44 ac), and developed (0.05 ac). Although protocol surveys for the federally threatened coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher) were not conducted on the project site, one pair of gnatcatchers was regularly observed onsite during the biological surveys.

While the development footprint is proposed in the southwest corner of the site, which is largely devoid of sensitive habitat, the project would result in the loss of 0.76 acre of CSS, all of the unvegetated streambed, and a portion of the other non-sensitive land types. Impacts to CSS are proposed to be mitigated through onsite preservation of 1.91 acres of CSS and the onsite restoration of 0.11 acre of disturbed habitat/dirt road to CSS. Impacts to unvegetated streambed are proposed to be mitigated through 0.01 acre of streambed preservation and enhancement (i.e., exotic species removal) and 0.05 acre of southern willow scrub preservation. Preserved CSS and southern willow scrub would be within the 2.43-acre onsite preserve, which would be protected with a conservation easement and managed in perpetuity.

The Wildlife Agencies appreciate the opportunity to comment on the draft MND for the El Camino Executive Center Project. We offer the following comments and recommendations to assist the City in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, and to ensure that the project is consistent with all applicable requirements of the City's draft SAP.

1. The City's draft SAP (page 5-19) states that development on properties larger than 2 acres located in the Wildlife Corridor Planning Zone may remove no more than 25 percent of the onsite coastal sage scrub. As currently proposed, the project will permanently impact 29 percent (0.78 of 2.69) of the onsite CSS. While the applicant proposes to restore 0.11 acre CSS in the dirt access road that will no longer be used by SDG&E to help satisfy this requirement, the project currently impacts more than 25 percent of the onsite CSS, and does not meet the standards of the City's draft SAP. The Wildlife Agencies would like to meet with the project applicant and the City to discuss how the project can achieve this standard of the City's draft SAP.

2. The City's draft SAP (page 5-19) states that for projects located within the Wildlife Corridor Planning Zone, impacts to CSS habitat within 1,000 feet of the SDG&E Electric

Section 1.0 Responses to Comments

Mr. Jerry Hittleman (FWS-SDG-CDFG-5379.3)

Page 3

Transmission Corridor (corridor) shall be totally avoided, ~~except~~ where this would preclude reasonable use of the property (e.g., allowing less than 25 percent use of parcel). Based on Figure 6 of the Biological Resources Assessment Letter Report, impacts to CSS appear to be within 200 feet of the corridor. According to the August 27, 2007, letter to the Service, adhering to this requirement would preclude reasonable use of the property as the entire project falls within 1000 feet of the corridor. We appreciate the applicant's efforts to design the project to avoid and minimize impacts to sensitive habitats. However, the project as proposed does not meet the requirements of the City's draft SAP. The Wildlife Agencies would like to meet with the project applicant and the City to discuss how the project can achieve this standard of the City's draft SAP.

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3. Based on Table 5-2 (page 5-9) in the City's draft SAP, projects located in the Wildlife Corridor Planning Zone that impact CSS are required to mitigate at a 3:1 conservation to impact ratio. However, the draft MND states that the applicant will mitigate at a 2:1 conservation to impact ratio. The final MND should be updated with the correct ratio and the appropriate mitigation to satisfy the required 2.34 acres of CSS mitigation. Further, while the project proposes to preserve 2.02 acres of CSS on-site (1.91 acres preserved plus 0.11 acre restored), this still leaves 0.32 acre of CSS mitigation required for project impacts. Further restoration of the road or nonnative vegetation to CSS within the preserve may be used to fulfill this requirement. It should be noted, however, that any conversion of the unpaved SDG&E road to CSS should only occur after receiving confirmation from SDG&E that the proposed restoration area will no longer be needed or used by SDG&E.

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The Service's standard recommendations to further minimize and mitigate impacts to biological resources are enclosed. We appreciate the opportunity to comment on the draft MND for this project and to assist the City in further minimizing and mitigating project impacts to biological resources. If you have any questions or comments pertaining to this letter, please contact Christine Beck of the Department at (858) 637-5511 or Marci Koski (Service) at (760) 431-9440.

Sincerely,



Therese O'Rourke
Assistant Field Supervisor
U.S. Fish and Wildlife Service -



Michael J. Mulligan
Deputy Regional Manager
California Department of Fish and Game

cc: State Clearinghouse (by fax only)
Scott Nightingale, City Planning Department

Section 1.0 Responses to Comments

ENCLOSURE

U.S. Fish and Wildlife Service's Standard Recommendations

The following conditions should be added to the final MND:

1. The applicant shall submit final upland habitat creation/restoration/enhancement plans to the Wildlife Agencies for review and approval at least 30 days prior to initiating project impacts. These plans shall be based on the MND and the comments provided by the Wildlife Agencies. In addition to the measures proposed in the MND, the final plans shall include the following information and conditions:
 - a. All final specifications and topographic-based grading, planting and irrigation plans (with 10-foot contours). All upland habitat creation/restoration/enhancement sites shall be prepared for planting by decompacting the top soil in a way that mimics natural upland habitat topsoil to the maximum extent practicable while maintaining slope stability. Topsoil and plant materials salvaged from the upland habitat areas to be impacted shall be transplanted to, and/or used as a seed/cutting source for, the upland habitat restoration/creation areas to the maximum extent practicable as approved by the Wildlife Agencies. Planting and irrigation shall not be installed until the Wildlife Agencies have approved of upland habitat restoration/creation site grading. All planting shall be installed in a way that mimics natural plant distribution, and not in rows;
 - b. Planting palettes (plant species, size and number/acre) and seed mix (plant species and pounds/acre). The upland plant palette proposed in the draft plans shall include native species specifically associated with the habitat type(s). Unless otherwise approved by the Service, only locally native species (no cultivars) obtained from as close to the project area as possible shall be used. The source and proof of all native plant material and seed shall be provided;
 - c. Container plant survival shall be 80% of the initial plantings for the first 5 years. At the first and second anniversary of plant installation, all dead plants shall be replaced unless their function has been replaced by natural recruitment;
 - d. A final implementation schedule that indicates when all upland habitat impacts, as well as creation/restoration/enhancement grading, planting and irrigation shall begin and end. Upland habitat creation/restoration/enhancement grading, planting and irrigation shall be completed during the concurrent or next planting season (i.e., late fall to early spring) after finishing grading within the creation/restoration/enhancement area. Any temporal loss of upland habitat caused by delays in creation/restoration/enhancement shall be mitigated through upland habitat preservation/creation/restoration/enhancement at a 0.5:1 ratio for every 6 months of delay (i.e., 1:1 for 12 months delay, 1.5:1 for 18 months delay, etc.). In the event that the project applicant is wholly or partly prevented from performing obligations under the final plans (causing temporal losses due to delays) because of unforeseeable circumstances or causes beyond the reasonable control, and without the fault or negligence of the project applicant, the project applicant shall be

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Section 1.0 Responses to Comments

Mr. Jerry Hittleman (FWS-SDG-CDPG-5379.3)

Enclosure, Page 2

- excused by such unforeseeable cause(s);
- e. Five years of success criteria for upland creation/restoration/enhancement areas including: a total of 40-65 percent absolute cover; evidence of natural recruitment of multiple species; 0 percent coverage for Cal-IPC List A and B species, and no more than 10 percent coverage for other exotic/weed species;
 - f. A qualitative and quantitative vegetation monitoring plan with a map of proposed sampling locations. Photo points shall be used for qualitative monitoring and stratified-random sampling shall be used for all quantitative monitoring;
 - g. Contingency measures in the event of creation/restoration/enhancement failure;
 - h. Annual mitigation maintenance and monitoring reports shall be submitted to the Wildlife Agencies after the maintenance and monitoring period and no later than December 1 of each year; and
 - i. If maintenance of a coastal sage scrub creation/restoration/enhancement area is necessary between February 15 and August 31, a biologist permitted by the Service will survey for gnatcatchers within the creation/restoration/enhancement area, access routes to it, and other areas susceptible to disturbances by site maintenance. Surveys will consist of three visits separated by two weeks starting March 1 of each maintenance/monitoring year. Work will be allowed to continue on the site during the survey period. However, if gnatcatchers are found during any of the visits, the applicant will notify and coordinate with the Wildlife Agencies to identify measures to avoid and/or minimize effects to the gnatcatcher (e.g., nests and an appropriate buffer will be flagged by the biologist and avoided by the maintenance work).
2. The project applicant shall temporarily fence (with silt barriers) the limits of project impacts (including construction staging areas and access routes) to prevent additional upland habitat impacts and prevent the spread of silt from the construction zone into adjacent habitats to be avoided. Fencing shall be installed in a manner that does not impact adjacent habitats to be avoided. The applicant shall submit to the Wildlife Agencies for approval, at least 30 days prior to initiating project impacts, the final plans for initial clearing and grubbing of upland habitat and project construction. These final plans shall include photographs that show the fenced limits of impact and all areas (including riparian/wetland or coastal sage scrub) to be impacted or avoided. If work occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the Wildlife Agencies. Any riparian/wetland or upland habitat impacts that occur beyond the approved fenced shall be mitigated at a minimum 5:1 ratio. Temporary construction fencing shall be removed upon project completion.
 3. Impacts from fugitive dust will be avoided and minimized through watering and other appropriate measures.
 4. The clearing and grubbing of, and construction adjacent to, coastal sage scrub shall occur outside of the gnatcatcher breeding season (February 15 to August 31, or sooner if a

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Section 1.0 Responses to Comments

Mr. Jerry Hittleman (FWS-SDG-CDFG-5379.3)

Enclosure, Page 3

qualified biologist demonstrates to the satisfaction of the Wildlife Agencies that all nesting is complete).

5. A monitoring biologist approved by the Wildlife Agencies shall be used during: a) initial clearing and grubbing of habitat; and b) project construction within 500 feet of preserved habitat to ensure compliance with all conservation measures. The biologist must be knowledgeable of gnatcatcher biology and ecology. The applicant shall submit the biologist's name, address, telephone number, and work schedule on the project to the Service at least 30 days prior to initiating project impacts. The biologist shall perform the following duties:
- To allow salvage and transplant of live plants to the mitigation sites as practicable and approved by the Wildlife Agencies, ensure that clearing and grubbing of upland habitat is done above ground in a way that precludes potential bird nesting but does not cause soil and/or root disturbance;
 - Perform a minimum of three focused surveys, on separate days, to determine the presence of gnatcatchers in the project impact footprint outside the gnatcatcher breeding season. Surveys will begin a maximum of seven days prior to performing vegetation clearing/grubbing and one survey will be conducted the day immediately prior to the initiation of remaining work. If any gnatcatchers are found within the project impact footprint, the biologist will direct construction personnel to begin vegetation clearing/grubbing in an area away from the gnatcatchers. In addition, the biologist will walk ahead of clearing/grubbing equipment to flush birds towards areas of CSS to be avoided. It will be the responsibility of the biologist to ensure that gnatcatchers will not be injured or killed by vegetation clearing/grubbing. The biologist will also record the number and location of gnatcatchers disturbed by vegetation clearing/grubbing. The applicant will notify the Service at least seven days prior to vegetation clearing/grubbing to allow the Service to coordinate with the biologist on bird flushing activities;
 - Perform a minimum of three focused surveys, on separate days, to determine the presence of birds, nest building activities, egg incubation activities, or brood rearing activities in or within 500 feet of the project impact limits of any vegetation clearing/grubbing or project construction proposed within the bird breeding season. The surveys will begin a maximum of seven days prior to vegetation clearing/grubbing or project construction and one survey will be conducted the day immediately prior to the initiation of work. Additional surveys will be done once a week during project construction in the breeding season. These additional surveys may be suspended as approved by the Service. The applicant will notify the Service at least seven days prior to the initiation of surveys, and within 24 hours of locating any gnatcatchers;
 - If a gnatcatcher nest is found in or within 500 feet of initial vegetation clearing/grubbing or project construction, the biologist will postpone work within 500 feet of the nest and contact the Service to discuss: 1) the best approach to avoid/minimize impacts to nesting birds (e.g., sound walls); and 2) a nest

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Section 1.0 Responses to Comments

Mr. Jerry Hittleman (FWS-SDG-CDFG-5379.3)

Enclosure, Page 4

- monitoring program acceptable to the Service. Subsequent to these discussions, work may be initiated subject to implementation of the agreed upon avoidance/minimization approach and nest monitoring program. Nest success or failure will be established by regular and frequent trips to the site, as determined by the biologist and through a schedule approved by the Service. The biologist will determine whether bird activity is being disrupted. If the biologist determines that bird activity is being disrupted, the applicant will stop work and coordinate with the Service to review the avoidance/minimization approach. Coordination between the applicant and Service to review the avoidance/minimization approach will occur within 48 hours. Upon agreement as to the necessary revisions to the avoidance/minimization approach, work may resume subject to the revisions and continued nest monitoring. Nest monitoring will continue until fledglings have dispersed or the nest has been determined to be a failure, as approved by the Service;
- e. Be on site during all vegetation clearing/grubbing and project construction in sensitive habitats to be impacted or within 500 feet of habitat to be avoided;
 - f. Oversee installation of and inspect the fencing and erosion control measures within or up-slope of upland habitat restoration and/or preservation areas a minimum of once per week and daily during all rain events to ensure that any breaks in the fence or erosion control measures are repaired immediately;
 - g. Periodically monitor the work area to ensure that work activities do not generate excessive amounts of dust;
 - h. Train all contractors and construction personnel on the biological resources associated with this project and ensure that training is implemented by construction personnel. At a minimum, training will include: 1) the purpose for resource protection; 2) a description of the gnatcatcher and its habitat; 3) the conservation measures given in the MND that should be implemented during project construction to conserve the gnatcatcher, including strictly limiting activities, vehicles, equipment, and construction materials to the fenced project footprint to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps or on the project site by fencing); 4) environmentally responsible construction practices as outlined in measure 7 below; 5) the protocol to resolve conflicts that may arise at any time during the construction process; 6) the general provisions of the Act, the need to adhere to the provisions of the Act, the penalties associated with violating the Act;
 - i. Halt work, if necessary, and confer with the Wildlife Agencies to ensure the proper implementation of species and habitat protection measures. The biologist will report any violation to the Wildlife Agencies within 24 hours of its occurrence;
 - j. Submit weekly letter reports (including photographs of impact areas) to the Service during clearing of upland habitat and/or project construction within 500 feet of avoided habitat. The weekly reports will document that authorized impacts were

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Section 1.0 Responses to Comments

Mr. Jerry Hittleman (FWS-SDG-CDFG-5379.3)

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not exceeded, work did not occur within the 500-foot setback except as approved by the Wildlife Agencies, and general compliance with all conditions. The reports will also outline the duration of gnatcatcher monitoring, the location of construction activities, the type of construction which occurred, and equipment used. These reports will specify numbers, locations, and sex of gnatcatchers (if present), observed gnatcatcher behavior (especially in relation to construction activities), and remedial measures employed to avoid, minimize, and mitigate impacts to gnatcatchers. Raw field notes should be available upon request by the Wildlife Agencies; and

- k. Submit a final report to the Wildlife Agencies within 60 days of project completion that includes: as-built construction drawings with an overlay of habitat that was impacted and avoided, photographs of habitat areas that were to be avoided, and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance with all conditions of the MND was achieved.
6. The applicant shall ensure that the following conditions are implemented during project construction:
- a. Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced project footprint;
 - b. To avoid attracting predators of sensitive wildlife, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site;
 - c. Pets of project personnel shall not be allowed on the project site;
 - d. Disposal or temporary placement of excess fill, brush or other debris shall not be allowed in waters of the United States or their banks;
 - e. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas outside of waters of the United States within the fenced project impact limits. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable in such a manner as to prevent any runoff from entering waters of the United States, and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100 feet from waters of the United States. Contractor equipment shall be checked for leaks prior to operation and repaired as necessary. "No-fueling zones" shall be designated on construction plans.
7. The applicant shall post a performance bond or letter of credit for grading, planting, irrigation, and 5 years of maintenance and monitoring of for upland mitigation (including a 20% contingency to be added to the total costs). This bond or letter of credit is to guarantee the successful implementation of mitigation construction, maintenance and monitoring.

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Mr. Jerry Hittleman (FWS-SDG-CDRG-5379.3)

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- The applicant shall submit a draft bond or letter of credit with an itemized cost list to the Service for approval at least 30 days prior to initiating project impacts. The applicant shall submit the final bond or letter of credit for the amount approved by the Service within 60 days of receiving Service approval of the draft bond.
8. The project applicant shall execute and record a perpetual biological conservation easement over the habitat to be avoided/preserved on- or off-site (including any creation/restoration/enhancement areas) by the project. The easement shall be in favor of the City or an agent approved by the Wildlife Agencies. The Wildlife Agencies shall be named as third party beneficiaries. The easement shall be approved by the Wildlife Agencies prior to its execution and should follow a Wildlife Agency approved template. There should be no active trails in the easement areas. The project applicant shall submit a draft easement to the Wildlife Agencies for review and approval at least 30 days prior to initiating project impacts. The project applicant shall submit the final easement and evidence of its recordation to the Wildlife Agencies within 60 days of receiving approval of the draft easement.
 9. The applicant shall prepare and implement a perpetual management, maintenance and monitoring plan for all on- or off-site biological conservation easement areas. The applicant shall also establish a non-wasting endowment for an amount approved by the Wildlife Agencies based on a Property Analysis Record (PAR) (Center for Natural Lands Management ©1998) or similar cost estimation method to secure the ongoing funding for the perpetual management, maintenance and monitoring of the biological conservation easement area by an agency, non-profit organization, or other entity approved by the Wildlife Agencies. The applicant shall submit a draft plan including: 1) a description of perpetual management, maintenance and monitoring actions and the PAR or other cost estimation results for the non-wasting endowment; 2) proposed land manager's name, qualifications, business address, and contact information, to the Wildlife Agencies for approval at least 30 days prior to initiating project impacts. The applicant shall submit the final plan to the Wildlife Agencies and a contract with the approved land manager, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity, within 60 days of receiving approval of the draft plan.
 10. The applicant shall install permanent protective fencing along any interface with developed areas and/or use other measures approved by the Wildlife Agencies to deter human and pet entrance into on- or off-site habitat. Fencing should have no gates and be designed to prevent intrusion by pets, especially cats. Signage for the biological conservation easement area shall be posted and maintained at conspicuous locations. Plans for fencing and/or other preventative measures shall be submitted to the Service for approval at least 30 days prior to initiating project impacts. Fencing shall be installed prior to completion of project construction.
 11. The applicant shall ensure that development landscaping adjacent to on- or off-site habitat does not include exotic plant species that may be invasive to native habitats. Exotic plant species not to be used include any species listed on the California Invasive Plant Council's (Cal-IPC) "Invasive Plant Inventory" List. This list includes such species as pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven,

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Section 1.0 Responses to Comments

Mr. Jerry Hittleman (FWS-SDG-CDFG-5379.3)

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periwinkle, sweet alyssum, English ivy, French broom, ~~Scotch broom~~, and Spanish broom. A copy of the complete list can be obtained from Cal-IPC's website <http://www.cal-ipc.org>. In addition, landscaping should not use plants that require intensive irrigation, fertilizers, or pesticides adjacent to preserve areas, and water runoff from landscaped areas should be directed away from the biological conservation ~~enhancement areas~~ and contained and/or treated within the development footprint. The applicant shall submit a draft list of species to be included in the landscaping to the Service for approval at least 30 days prior to initiating project impacts. The applicant shall submit to the Service the final list of species to be included in the landscaping within 30 days of receiving approval of the draft list of species. We also recommend that the applicant include in the project CC&Rs a requirement that invasive plant species shall not be allowed in private landscaping and that the HOA provide the residents a copy of the Cal-IPC inventory.

12. The applicant shall ensure that development lighting adjacent to all on- or off-site habitat shall be directed away from and/or shielded so as not to illuminate sensitive habitats. The applicant shall submit a lighting plan to the Service at least 30 days prior to initiating project impacts.
13. If night work is necessary, night lighting shall be of the lowest illumination necessary for human safety, selectively placed, shielded and directed away from natural habitats.
14. Any planting stock to be brought onto the project site for landscape or habitat creation/restoration/enhancement shall be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including but not limited to, Argentine ants (*Iridomyrmex humil*), fire ants (*Solenopsis invicta*) and other insect pests. Any planting stock found to be infested with such pests shall not be allowed on the project site or within 300 feet of natural habitats unless documentation is provided to the Wildlife Agencies that these pests already occur in natural areas around the project site. The stock shall be quarantined, treated, or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats. The applicant shall ensure that all temporary irrigation will be for the shortest duration possible, and that no permanent irrigation will be used, for landscape or habitat creation/restoration/enhancement.

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(Cont.)

Section 1.0 Responses to Comments

Response to Letter C U.S. Fish and Wildlife Service California Department of Fish and Game September 14, 2007

- C-1** The Comment is acknowledged and does not raise any issues related to the adequacy of the MND.
- C-2** The Comment is acknowledged and does not raise any issues related to the adequacy of the MND.
- C-3** The Comment is acknowledged and does not raise any issues related to the adequacy of the MND.
- C-4** The Comment addresses the proposed impacts to CSS and consistency with the City's draft Subarea Plan. The comment recommends meeting with the Wildlife Agencies to determine how the project can achieve the standards. The applicant met with Wildlife Agency staff and worked iteratively with the agencies to avoid, minimize, and mitigate impacts to CSS in order to achieve consistency with the Subarea Plan standards. On April 1, 2008, the Biological Opinion for the project was issued, which includes the measures that the project has incorporated to address this comment. In response to this comment and the measures in the Biological Opinion, the biological resources mitigation measures have been revised in the Final MND.
- C-5** The Comment addresses the proposed impacts within the City's wildlife corridor and consistency with the City's draft Subarea Plan. The comment recommends meeting with the Wildlife Agencies to determine how the project can achieve the standards. The applicant met with Wildlife Agency staff and worked iteratively with the agencies to avoid, minimize, and mitigate impacts to the wildlife corridor in order to achieve consistency with the Subarea Plan standards. On April 1, 2008, the Biological Opinion for the project was issued, which includes the measures that the project has incorporated to address this comment. In response to this comment and the measures in the Biological Opinion, the biological resources mitigation measures have been revised in the Final MND.
- C-6** The Comment addresses CSS mitigation ratios and the required CSS mitigation ratios. The project will be mitigating at a 3:1 ratio, per the recommendations in this comment. Additionally, additional CSS restoration will be conducted on site to provide sufficient

Section 1.0 Responses to Comments

CSS mitigation acreage. The Biological Opinion for the project address these requirements. In response to this comment and the measures in the Biological Opinion, the biological resources mitigation measures have been revised in the Final MND.

- C-7** The Comment includes 14 of the USFWS's Standard Recommendations that would apply to a project of this nature. These recommendations were incorporated into the Biological Opinion as Conditions for the project. Mitigation Measure BIO 5 requires obtaining and complying with agency permits, which would include compliance with these Standard Recommendations (Biological Opinion Conditions).

Section 2.0 Final Negative Declaration



FINAL NEGATIVE DECLARATION City of Oceanside, California

DATE POSTED: Aug./8/2007
REMOVE POST: Sept./8/2007>
 20 days; or,
 30 day for SCH review

1. **APPLICANT:** Mr. Jeff Hawkes (Hawkes Holdings, LLC)
2. **ADDRESS:** 16935 West Bernardo Dr. Suite 112, San Diego, CA. 92127
3. **PHONE NUMBER:** (858) 873-0202
4. **LEAD AGENCY:** City of Oceanside, 300 N. Coast Hwy., 92054
5. **PROJECT MGR.:** Scott Nightingale, Planner II
6. **PROJECT TITLE:** El Camino Executive Center
7. **DESCRIPTION:** The project consists of two entitlement components, the Development Plan (D-23-06), Variance (V-1-07) and Variance (V-5-08) for the development of a two-story 32,616 square foot commercial office building, with one level of parking below the first story. A total of 71 parking spaces (both surface parking and the below-building parking) will accommodate the building. The proposed development will be clustered entirely in the southern corner of the site in order to avoid impacts to the native habitat on the property. Approximately three quarters of the site will be preserved as open space in association with the proposed project.

CITY PLANNER DETERMINATION: This project has been evaluated by the City Planner of the City of Oceanside in accordance with the Section 21080(c) of the California Environmental Quality Act (CEQA). On August 9, 2007, the City Planner determined that this project will not have a potentially significant adverse effect on the environment and issued a Mitigated Negative Declaration (MND). The basis for the City Planner's determination is the Initial Study prepared pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines. Copies may be reviewed or obtained from the Planning Division in City Hall located at 300 N. Coast Hwy. South Building. All public comments on the negative declaration must be provided in writing to the Planning Division on or before the "Posting Removal Date" cited above.


Jerry Hittelman, City Planner

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

Section 3.0 Mitigation Monitoring and Reporting Program

El Camino Executive Center (D-23-06; V-1-07; V-5-08) Mitigation Monitoring and Reporting Program						
Number	Mitigation Measure		Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance	
	Description				Name	Date
BIO 1	<p>The proposed project shall permanently preserve 2.00 acres of coastal sage scrub habitat in a 2.49-acre onsite habitat preserve. The onsite habitat preserve shall be permanently protected from future development through the establishment of a perpetual conservation easement or other legal mechanism. Additionally, the 0.04 acres of temporary impacts within the onsite preserve shall be restored to coastal sage scrub habitat. Additionally, the proposed project shall restore approximately 0.22 acres of ruderal and dirt road areas within the preserve to coastal sage scrub. Additionally, the proposed project shall preserve and manage 0.1 acres of coastal sage scrub offsite.</p>		Prior to the issuance of building permits	Hawkes O-side I, LLC		
BIO 2	<p>A conceptual restoration plan and 5-year monitoring plan shall be submitted to and approved by the City and the Wildlife Agencies.</p>		Prior to the issuance of grading permits	Hawkes O-side I, LLC		
BIO 3	<p>A perpetual management, maintenance, and monitoring plan shall be prepared for the project that identifies the funding assurances and management entity for the habitat preserve. The City, a non-profit biological management organization, or other entity shall be approved and take responsibility for long-term maintenance of the preserved open space.</p>		Prior to the issuance of the certification of occupancy	Hawkes O-side I, LLC or designated management organization		
BIO 4	<p>Mitigation for the impacts to Corps/CDFG jurisdictional areas includes 0.01 acres of streambed preservation and enhancement (exotic removal and streambed stabilization through velocity reduction), 0.05 acres of southern willow scrub preservation, and 2.37 acres of upland buffer preservation. Exotic removal shall be implemented prior to the issuance of a certificate of occupancy for the project.</p>		Prior to the issuance of the certification of occupancy. Monitoring	Hawkes O-side I, LLC or biological monitor		

**El Camino Executive Center (D-23-06; V-1-07; V-5-08)
Mitigation Monitoring and Reporting Program**

Number	Mitigation Measure Description	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance		
				Name	Date	Remarks
BIO 5	Monitoring of the streambed enhancement area shall be conducted annually in association with site maintenance. All agency permits required shall be obtained prior to the issuance of grading permits for the project. Implementation of all conditions and requirements in these permits shall be implemented by the project.	conducted annually Prior to the issuance of grading permits	Hawkes O-side I, LLC			
Cultural Resources						
CULT 1	A qualified archaeologist and a Native American monitor shall be present full-time during grading/excavation of native soils to conduct construction monitoring. Archeological construction monitoring reports shall be submitted to the City monthly and at the completion of monitoring to document compliance with this measure. In the event of discovery, ground disturbance activities shall be halted or diverted away from the area of discovery to allow for preliminary evaluation of any potentially significant archaeological or Native American resources. If a discovery is deemed significant, a research design and data recovery program shall be prepared, approved by the City, and carried out to mitigate impacts before ground disturbance activities in the area of the discovery will be allowed to resume. Implementation of this measure shall be consistent with the Mitigation Recommendations provided in the Cultural Resources Testing and Evaluation Report (ASM Affiliates 2008).	Full-time during grading/excavation of native soils	Hawkes O-side I, LLC or Qualified Archaeologist			
CULT 2	A qualified paleontologist shall be present full-time during initial cutting of previously undisturbed formations. Paleontological construction monitoring reports shall be submitted to the City monthly and at the completion of monitoring to document compliance with this measure. In the	Full-time during initial cutting of previously undisturbed	Hawkes O-side I, LLC or Qualified Paleontologist			

**El Camino Executive Center (D-23-06; V-1-07; V-5-08)
Mitigation Monitoring and Reporting Program**

Number	Mitigation Measure		Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance	
	Description	Remarks			Name	Date
	<p>event of discovery, ground disturbance activities shall be halted or diverted away from the area of discovery to allow for preliminary evaluation of any potentially significant paleontological resources. If a discovery is deemed significant, the discovery shall be prepared to a point of curation and accepted by a qualified curation facility. Any significant site shall also be recorded with the San Diego Natural History Museum.</p>		formations			
Geology/Soils						
GEO 1	<p>An erosion and sediment control plan shall be prepared and submitted for review and approval prior to issuance of grading permit. The plan shall outline methods that shall be implemented to control erosion from graded or cleared portions of the site, including but not limited to straw bales, sandbags, soil binders, diversion fences, desilting basins, etc. The Plan shall be prepared in accordance with the City's grading ordinance, the City's water quality ordinance, the latest NPDES Permit and to the satisfaction of the City Water Quality Engineer.</p>		Prior to issuance of grading permit	Hawkes O-side I, LLC		
GEO 2	<p>Soils with low to very low expansion (Expansion index less than 50) shall be placed in structural areas on the site to a depth of 3 feet below the bottom of the foundations or 5 feet below finish grade, whichever is deeper. Where necessary, existing expansive materials should be removed and replaced with low to very low expansive materials. The low expansive material shall extend beyond the structural footprint a distance of 8 feet. Additionally, geotechnical construction monitoring shall be conducted to perform the needed observation and testing services during construction operations.</p>		During construction operations	Hawkes O-side I, LLC or Geotechnical Construction Monitor		

El Camino Executive Center (D-23-06; V-1-07; V-5-08) Mitigation Monitoring and Reporting Program					
Mitigation Measure		Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance	
Number	Description			Name	Date
Hazards and Hazardous Materials					
HAZ 1	In order to compensate for the lack of fire buffer typically provided by Fuel Modification Zones 2 and 3, the proposed project would be required to construct a minimum of a 9-foot-tall non-combustible, contiguous fire wall extending along the entire eastern boundary of the development area that bounds the wildland interface. A minimum of 3.5 feet of the wall shall be above the level of the proposed parking lot.	After wall construction	Hawkes O-side I, LLC		
Hydrology and Water Quality					
WQ 1	Implement Mitigation Measure GEO 1.	Prior to issuance of grading permit	Hawkes O-side I, LLC		
WQ 2	The Storm Water Management Plan (SWMP) emphasizes structural and non-structural Best Management Practices (BMPs) in compliance with NPDES Program requirements. Specific measures include: ❖ A Storm Water Pollution Prevention Plan (SWPPP) will be prepared for the project that includes construction BMPs, which could include silt fencing, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, desilting basins, gravel bag berms, sandbag barriers, material delivery and storage guidelines, stockpile management, solid waste management, stabilized construction entrance/exit, revegetation of all disturbed undeveloped areas, vehicle and equipment maintenance, erosion control mats, spill prevention and control, concrete waste management, and water conservation practices. Construction BMPs for this project will be selected, constructed, and maintained in order	SWPPP shall be prepared prior to issuance of grading permit. Other measures implemented following construction	Hawkes O-side I, LLC		

**El Camino Executive Center (D-23-06; V-1-07; V-5-08)
Mitigation Monitoring and Reporting Program**

Number	Mitigation Measure Description	Reporting Milestone	Reporting/ Responsible Party	Verification of Compliance		Remarks
				Name	Date	
	<p>to comply with all city, regional, and state applicable ordinances.</p> <p>❖ Post construction Site Design BMPs will be required for the project. These include the use of an onsite detention basin and a Storm Pure Filtration System as detailed in the SWMP (Pioneer 2007). Additional site design BMPs include minimizing surface parking area, reducing the development area to approximately 25% of the total property acreage, adequate property maintained onsite landscaping. These BMPs shall be implemented as specified in the SWMP.</p> <p>❖ Post construction Source Control BMPs will be required for the project. These include trash storage areas, site usage restrictions, landscape and irrigation design, building and grounds maintenance, and roof runoff controls. These BMPs shall be implemented as specified in the SWMP.</p> <p>❖ Post construction Treatment Control BMPs will be required for the project. This includes implementation of the Storm Pure Filtration System on the site. This BMP shall be implemented as specified in the SWMP.</p> <p>Post construction Non-structural BMPs will be required for this project. These include employee training, good housekeeping practices, preventative maintenance practices, self inspection, and spill response planning. These BMPs shall be implemented as specified in the SWMP.</p>					

Section 4.0 Initial Study / Environmental Checklist



INITIAL STUDY City of Oceanside, California

1. **PROJECT:** El Camino Executive Center (D-23-06) (V-1-07, V-5-08)
2. **LEAD AGENCY:** City of Oceanside
3. **CONTACT PERSON & PHONE:** Scott Nightingale, (760) 435-3520
4. **PROJECT LOCATION:** Vacant 3.5-acre parcel (APN 165-430-23-00) located on the east side of El Camino Real and north of Via Los Rosas in Oceanside, California
5. **APPLICANT:** Hawkes O-Side I, LLC; Jeff Hawkes; 16935 West Bernardo Dr. Suite 112 San Diego, CA 92127; (858) 673-0202
6. **GENERAL PLAN DESIGNATION:** Professional Commercial (PC)
7. **ZONING:** Commercial Professional (CP)
8. **PROJECT DESCRIPTION:** *The Project Description has been revised following the Public Review period to incorporate the additional variance request. The project consists of two entitlement components, the Development Plan (D-23-06) and two Variances (V-1-07, V-5-08), for the development of a two-story 32,616 square foot commercial office building, with one level of parking below the first story. A total of 71 parking spaces (both surface parking and the below-building parking) will accommodate the building. The proposed development will be clustered entirely in the southern corner of the site in order to avoid impacts to the native habitat on the property. Approximately three quarters of the site will be preserved as open space in association with the proposed project.*

There is no land use change or General Plan Amendment proposed with the project. The project is in compliance with the development standards contained in the City of Oceanside Zoning Code and is consistent with the commercial designation in the City's General Plan Land Use Element, except for the two variance requests. V-1-07 would allow for one 12-foot by 35-foot loading space rather than the required 2 spaces for buildings over 20,000 square feet, and V-5-08 would allow for a front yard setback of 10 feet in lieu of the standard 20 foot setback as specified in Section 1100 of the Oceanside Zoning Ordinance.

The building will be sited approximately 10 feet below El Camino Real and ten to sixteen feet below the surrounding open space. The grade differential between the building and the street will be taken care of by the face of the building and a small bank. The grade differential between the parking lot and the surrounding open space will be taken care of with a plant-able, grid-lock style wall. Landscaping of the project has been designed to meet City planning standards and fire department regulations and will avoid the use of invasive species. Staging of all materials and equipment will occur only on the disturbed portion of the lot or with the permission of SDG&E on the SDG&E access easements. Construction of the project would take approximately 8 months to complete and is tentatively scheduled to begin January 2008.

9. **SURROUNDING LAND USE(S) & PROJECT SETTING:** The approximate 3.5-acre site is comprised of a single undeveloped parcel bounded on the east by residential development, on the west by a major

roadway, on the south by medical office buildings, and on the north by an undeveloped city-owned parcel. The site slopes gradually west to east, with an elevation difference of approximately 60 feet.

10. OTHER REQUIRED AGENCY APPROVALS: ACOE Nationwide Permit, RWQCB Water Quality Certification, DFG Streambed Alteration Agreement, and USFWS Biological Opinion. Applications for these approvals submitted.

11. PREVIOUS ENVIRONMENTAL DOCUMENTATION: None.

12. CONSULTATION:

United States Fish & Wildlife Service (USFWS) – Met onsite with USFWS staff (Marci Koski) on April 5, 2007

California Department of Fish & Game (DFG) – Met onsite with DFG staff (Warren Wong) on April 5, 2007

13. SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: A summary of the environmental factors potentially affected by this project with a Potentially Significant Impact Unless Mitigated include:

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geological |
| <input checked="" type="checkbox"/> Hazards | <input checked="" type="checkbox"/> Water Quality | <input type="checkbox"/> Land Use & Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population & Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Utilities Systems | | |

14. ENVIRONMENTAL CHECKLIST

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

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

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

- a) *Have a substantial adverse effect on a scenic vista? Less than Significant.* The site is not considered to be a scenic vista or interfere with a the view of a surrounding scenic vista. Short-term construction-related aesthetic impacts would consist primarily of grading activities, the presence of construction equipment, and temporary flagging and markers on the property. No valuable aesthetic resources would be destroyed as a result of construction-related activities. These short-term impacts are temporary and would cease upon project completion.

Physical design attributes of the project will minimize aesthetic impacts. The incorporation of landscape screening would substantially minimize visual impacts to surrounding areas. Landscape screening includes, but is not limited to, trees and natural vegetation. Additionally, the scale of the proposed building, the building materials, and the style are consistent with surrounding development. The proposed project design features and landscape screening would result in the project having no significant aesthetic impacts. Additionally, see the discussion in 14.1 c.

- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? No Impact.* No scenic resources, including trees, rock outcroppings or historic buildings are situated on-site. In addition, the project site is not situated within a state scenic highway.
- c) *Substantially degrade the existing visual character or quality of the site and its surroundings? Less than Significant.* The visual impact of a project on the existing visual character or quality of the site and its surroundings is based on viewer perception and is by nature subjective. The potential impact of a project on visual character or quality depends on the potentially affected viewers, the distance away from the project, frequency and duration of view, and the surrounding context. The proposed project is considered to be consistent in style, size, and building materials to surrounding commercial and office developments on El Camino Real. Additionally, the project has incorporated landscape features consistent with City of Oceanside guidelines, which provides for screening and blending of the proposed project into the landscape. Therefore, the visual impact of the project as perceived from El Camino Real is considered to be less than significant.

Due to slope constraints on the property and the requirement for fire protection, the project proposes a wall along the eastern edge of the development area that varies in height between 10 and 15 feet above existing grade. In order to assess the potential of this project feature to cause a visual impact on the site and its surroundings, a story pole visual assessment was conducted on the property (Hawkes Holdings 2007). The assessment erected temporary story poles at the location and height of the proposed wall on the property and evaluated the potential visual impact on the viewscape. The proposed wall along the

eastern edge of the development would only be viewable from properties to the northeast, east, and southeast. Due to the presence of existing tall, mature eucalyptus along the eastern property line, view of the project site and proposed project is substantial screened. Additionally, the site slopes up significantly from east to west, which blocks the view of the top of the property from the nearest adjacent properties in the east. Furthermore, the base of the proposed wall would not be viewable by any viewers due to the preservation of the existing vegetation on the eastern portion of the site, which consists of a coastal sage scrub community with plant species 3 to 4 feet high. The proposed wall also incorporates plantable cells that would provide landscaped screening of the wall to offset visual effects.

The visual assessment evaluated the view of the proposed wall from numerous locations east of the property. From Trevino Avenue (approximately 200 feet away from the development), the top 5 to 8 feet of the northern end of the wall would be viewable from several houses. The remainder of the wall and the view from the remainder of the homes on Trevino Avenue would be blocked by the existing eucalyptus trees and existing slope. From Palmer Drive (approximately 300 to 400 feet away from the development), the proposed development would be somewhat screened from public view at street level. At the intersection of Palmer Drive and Skyline Drive (approximately 1,000 feet away from the development), the development would be viewable in the distance; however there are no homes in this area. From Valley Road (approximately 1,200 to 1,600 feet away from the development), the wall would be viewable from several houses across the valley and golf course. The development as viewed from Valley Road is partially blocked by numerous trees and is at a substantial distance away.

The visual assessment revealed that the proposed wall would be viewable by surrounding properties; however nearest the properties would have no view or a limited view of the development. Properties farther away would be capable of viewing the wall, but at greater distance and partially screened by existing trees, structures, and/or landscape features. The blocking of the lower wall by existing onsite vegetation and proposed plantable wall further screen the proposed wall. Based on this evaluation, the proposed project is considered to result in a less than significant impact on the existing visual character and quality of the site and the surroundings.

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

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

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown*

on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? **No Impact.** Designated land uses within the project area do not include agricultural uses and project implementation would not result in conversion of existing farmland to non-agricultural uses. Therefore, the project does not affect an agricultural resource area and thus does not impact designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

- b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract? No Impact.** The proposed project is located in an area zoned for commercial uses; agricultural designations do not occur within the project area and no Williamson Act contracts apply. Therefore, implementation of the project would not result in any conflicts with existing zoning for agricultural use or a Williamson Act Contract. No impacts are anticipated in this regard.
- c) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? No Impact.** As previously stated, the proposed project area is not located within an agricultural area. Thus, implementation of this project would not result in changes in the environment, which would result in the conversion of farmland to non-agricultural use. No impacts are anticipated in this regard.

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

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

- b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation? Less than Significant Impact.* The SCAQMD CEQA Air Quality Handbook contains screening tables to provide guidance to local governments regarding the various types/amounts of land uses which may exceed state or federal air quality standards and would, therefore, result in potentially significant air quality impacts. Two different screening significance thresholds are provided and include: 1) construction thresholds; and 2) operation thresholds. The construction and operations significance thresholds, as applicable to the proposed project, are discussed below.

CONSTRUCTION EMISSIONS

Short-term minor impacts associated with the construction phase may result in local nuisances associated with increased dust/particulate levels. Construction activities would result in criteria pollutant emissions from stationary and mobile equipment, including material delivery trucks and worker vehicles to and from the project site. This would be a temporary construction impact, which would exist on a short-term basis during construction and would cease upon completion of construction. Adherence to standard dust control procedures would reduce potential construction-related air quality impacts to less than significant levels. Temporary construction related air quality impacts would include:

- ❖ Particulate (fugitive dust and PM₁₀) emissions from clearing and grading activities on-site;
- ❖ Off-site air pollutant emissions at the power plant(s) serving the site, while temporary power lines are needed to operate construction equipment and provide lighting;
- ❖ Exhaust emissions and potential odors from the construction equipment used on-site as well as the vehicles used to transport materials to and from the site; and
- ❖ Exhaust emissions from the motor vehicles of the construction crew.

Construction emissions (PM₁₀, ROG, and NO_x) are estimated for the following types of emissions:

- ❖ Site grading equipment exhaust and fugitive dust;
- ❖ Demolition;
- ❖ Asphalt paving;
- ❖ Stationary equipment; and
- ❖ Mobile equipment

Table 14.1 provides the SDAPCD construction emission thresholds that would apply.

Table 14.1 SDAPCD Construction Emission Thresholds

Pollutant	Construction Emissions Threshold	
	Quarterly	Daily
Reactive Organic Compounds	2.5 tons	75 pounds
Nitrogen Oxides	2.5 tons	100 pounds
Carbon Monoxide	24.75 tons	550 pounds
Fine Particulate Matter	6.75 tons	150 pounds

Table 14.2 Daily Construction Emissions

Pollutant	Total Project Emissions	SCAQMD Thresholds (lbs/day)	Threshold Exceeded? Yes/No
Carbon Monoxide (CO)	65.25	550	No
Reactive Organic Gases (ROG)	78.45 ¹	75	No ¹
Nitrogen Oxides (NO _x)	65.81	100	No
Fine Particulate Matter (PM ₁₀)	14.93	150	No

- ◆ Emissions calculated using the URBEMIS2002 Computer Model as recommended by the SDAPCD.
- ◆ Calculations include emissions from numerous sources including: site grading, construction worker trips, stationary equipment, diesel mobile equipment, truck trips, and asphalt off gassing.
- ¹ The bulk of this modeled emission is generated from architectural off-gassing. Removal of this factor in the model reduces this emission to well below the threshold. The SDAPCD Rule 67.0 (revision effective 1/1/2003) requires 150g/l for non-flat coatings and 100 g/l for flat. Adhering to this rule, which is standard practice by all contractors, would ensure the project is well under the threshold.

Due to the limited scale of construction (less than 1.5 acres total) required for the proposed project, and the limited construction period (less than a year) construction related emissions would not be expected to exceed SDAPCD threshold criteria for significant air quality impacts. The project would not violate State or Federal air quality standards or contribute to an existing air quality violation in the air basin as only minor amounts of earth movement over a short period is proposed. However, in order to further reduce construction equipment operational emissions, all vehicles and construction equipment would be required to be equipped with state-mandated emission control devices. Therefore, project implementation would not result in locally elevated levels of regulated air emissions in close proximity to sensitive receptors.

LONG-TERM OPERATIONAL EMISSIONS

Long-term air quality impacts consist of mobile source emissions generated from project-related traffic and stationary source emissions (generated directly from on-site activities and from the electricity and natural gas consumed). Following construction, the proposed project would not generate any stationary emissions but would result in emissions from vehicle trips. Based on the URBEMIS model run for the project's operational phase, emissions are nearly negligible and would not exceed thresholds. Due to the nature of the project (32,616 sq. ft. commercial office non-medical), project-generated emissions from both construction activities and operations would not result in significant air quality impacts on a local or regional basis since State or Federal air quality thresholds or standards would not be exceeded.

- c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?* **No Impact.** Refer to Responses 14.3 a and b.
- d) *Expose sensitive receptors to substantial pollutant concentrations?* **No Impact.** Sensitive populations (i.e., children, senior citizens and acutely or chronically ill people) are more susceptible to the effects of air pollution than are the general population. Land uses considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes. There are residential land uses in proximity to the project site. Although construction and operation of the project would increase vehicle trips on area roadways and result in associated air

pollutants, these increases would not significantly contribute to pollution levels.

- e) *Create objectionable odors affecting a substantial number of people? No Impact.* The proposed project would not create objectionable odors affecting a substantial number of people.

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

The impacts to biological resources have been reduced and the compensatory mitigation has been increased following public review. The analysis below has been revised to incorporate the changes.

- a. *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the USFWS? Potentially Significant Unless Mitigated.* The proposed project would permanently impact a total of approximately 0.69 acres of coastal sage scrub that is considered habitat for the federally threatened coastal California gnatcatcher (*Polioptila californica*). Additionally, 0.04 acres of temporary impacts to coastal sage scrub habitat would result from utility infrastructure improvements (Foothill Associates 2007; USFWS 2008). Implementation of the following mitigation measures would reduce impacts to special status species habitat to less than significant levels.

Mitigation Measure:

- BIO 1. Prior to the issuance of building permits, the proposed project shall permanently preserve 2.00 acres of coastal sage scrub habitat in a 2.49-acre onsite habitat preserve. The onsite habitat

preserve shall be permanently protected from future development through the establishment of a perpetual conservation easement or other legal mechanism. Additionally, the 0.04 acres of temporary impacts within the onsite preserve shall be restored to coastal sage scrub habitat. Additionally, the proposed project shall restore approximately 0.22 acres of ruderal and dirt road areas within the preserve to coastal sage scrub. Additionally, the proposed project shall preserve and manage 0.1 acres of coastal sage scrub offsite.

BIO 2. A conceptual restoration plan and 5-year monitoring plan shall be submitted to and approved by the City and the Wildlife Agencies prior to the issuance of grading permits.

BIO 3. A perpetual management, maintenance, and monitoring plan shall be prepared for the project that identifies the funding assurances and management entity for the habitat preserve. The City, a non-profit biological management organization, or other entity shall be approved and take responsibility for long-term maintenance of the preserved open space prior to the issuance of the certification of occupancy for the project.

- b. *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game (DFG) or U.S. Fish and Wildlife Service? Potentially Significant Unless Mitigated.* According to the Biological Resources Assessment Letter Report (Foothill Associates 2007), the site does contain U.S. Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas. Approximately 0.03 acres of non-wetland waters of the U.S. considered jurisdictional under the Clean Water Act occur on the property. Approximately 0.08 acres of southern willow scrub and unvegetated streambed considered jurisdictional under the California Fish and Game Code occur on the property. The proposed project would impact approximately 0.02 acres of non-wetland waters of the U.S./unvegetated streambed. The CDFG jurisdictional southern willow scrub will be avoided completely. Implementation of the following mitigation measures would reduce impacts to jurisdictional habitat to less than significant levels.

Mitigation Measure:

BIO 4. Mitigation for the impacts to Corps/CDFG jurisdictional areas includes 0.01 acres of streambed preservation and enhancement (exotic removal and streambed stabilization through velocity reduction), 0.05 acres of southern willow scrub preservation, and 2.37 acres of upland buffer preservation. Exotic removal shall be implemented prior to the issuance of a certificate of occupancy for the project. Monitoring of the streambed enhancement area shall be conducted annually in association with site maintenance, as required in BIO 3 above.

BIO 5. All agency permits required shall be obtained prior to the issuance of grading permits for the project. Implementation of all conditions and requirements in these permits shall be implemented by the project.

- c. *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? No Impact.* No wetlands, as defined by Section 404 of the Clean Water Act, exist or have been identified on-site or immediately adjoining the site. Thus, the project would not result in impacts to wetlands. See discussion in 14.4 b above related to other jurisdictional areas identified on the site.
- d. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? Less than Significant Impact.* The project site occurs within an area designated as the wildlife corridor planning zone. Areas of natural habitat within this zone are known to be used by special status

bird species to move between patches of larger habitat. The City of Oceanside has established planning guidelines for this zone to ensure the preservation of corridor habitat. The proposed project has been developed consistent with these planning guidelines; therefore, impacts to the wildlife corridor are considered less than significant. The proposed project would preserve 2.00 acres of coastal sage scrub and restore 0.22 acres of coastal sage scrub for a total of 2.22 acres of coastal sage scrub habitat on the site, which equates to 75% of coastal sage scrub maintained on the property in perpetuity. Additionally, 0.1 acres of offsite coastal sage scrub would be preserved by the project.

- e. *Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance? No Impact.* The project is being developed consistent with City guidelines protecting biological resources (see 14.4 a-c above). Therefore, the proposed project would not impact or conflict with local policies or ordinances.
- f. *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? No Impact.* The project area is situated in the Multiple Habitat Conservation Plan (MHCP) subregion and within the City of Oceansides' Subarea Plan area. Although the City's Subarea Plan has not yet been approved, the City uses the plan as planning guidelines. The proposed project has been developed consistent with the planning guidelines of the Subarea Plan (see 14.4 a-c above); therefore, the proposed project would have no impact on regional habitat conservation plans.

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

A site-specific archaeological survey has been conducted to respond to comments received during public review. The analysis below has been revised to incorporate the changes.

- a. *Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of CEQA? Potentially Significant Unless Mitigated.* According to a records and literature search at the South Coastal Information Center (SCIC) located in San Diego, California, no cultural resources had been documented within the project site (ASM Affiliates 2007). A field survey of the project site has been conducted. Artifacts were observed on the site, but these artifacts were not determined to be historically significant under CEQA based on the site evaluation and analysis (ASM Affiliates 2008). In order to reduce potential impacts to historical resources below a level of significance, the following mitigation measures would be implemented.

CULT 1. A qualified archaeologist and a Native American monitor shall be present full-time during grading/excavation of native soils to conduct construction monitoring. Archeological construction monitoring reports shall be submitted to the City monthly and at the completion of monitoring to document compliance with this measure. In the event of discovery, ground disturbance activities

shall be halted or diverted away from the area of discovery to allow for preliminary evaluation of any potentially significant archaeological or Native American resources. If a discovery is deemed significant, a research design and data recovery program shall be prepared, approved by the City, and carried out to mitigate impacts before ground disturbance activities in the area of the discovery will be allowed to resume. Implementation of this measure shall be consistent with the Mitigation Recommendations provided in the Cultural Resources Testing and Evaluation Report (ASM Affiliates 2008).

- b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 of CEQA? Potentially Significant Unless Mitigated.* Refer to Response to 14.5 a above. Mitigation Measure Cult 1 would be implemented to mitigate this potential impact below a level of significance.
- c. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? Potentially Significant Unless Mitigated.* Although significant paleontological resources are not anticipated on the project site, the property is predominantly undisturbed and sub-surface paleontological resources may occur. In order to reduce potential impacts to paleontological resources below a level of significance, the following mitigation measures would be implemented.

CULT 2. A qualified paleontologist shall be present full-time during initial cutting of previously undisturbed formations. Paleontological construction monitoring reports shall be submitted to the City monthly and at the completion of monitoring to document compliance with this measure. In the event of discovery, ground disturbance activities shall be halted or diverted away from the area of discovery to allow for preliminary evaluation of any potentially significant paleontological resources. If a discovery is deemed significant, the discovery shall be prepared to a point of curation and accepted by a qualified curation facility. Any significant site shall also be recorded with the San Diego Natural History Museum.

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

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.6 GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving (i.) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist, or based on other substantial evidence of a known fault (Refer to DM&G Pub. 42)?; or, (ii) strong seismic ground shaking?; or, (iii) seismic-related ground failure, including liquefaction?; or, (iv) landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18- 1-B of the 1994 UBC, creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

1) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. **Less Than Significant Impact.*** The project site is located within the seismically active southern California region and would likely be subjected to groundshaking, thus exposing proposed water transmission and storage facilities to seismic hazards. No known active seismic faults traverse the City of Oceanside (Ninyo & Moore 2006). Impacts are not anticipated to be significant.

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

There are several active and potentially active fault zones that could affect the project site. The faults within these zones include the Newport-Inglewood, Whittier, San Andreas, San Jacinto, Malibu-Coast-Raymond, Palos Verdes, San Gabriel, and Sierra Madre-Santa Susana-Cucamonga faults. The proposed project would be required to be in conformance with the Uniform Building Code (UBC), the City's Seismic Hazard Mitigation Ordinance, and other applicable standards. Conformance with standard engineering practices and design criteria would reduce the effects of seismic groundshaking to less than significant levels.

3) *Seismic-related ground failure, including liquefaction? **Less Than Significant Impact.*** Liquefaction is the loss of strength of cohesionless soils when the pore water pressure in the soil becomes equal to the confining pressure. Liquefaction generally occurs as a "quicksand" type of ground failure caused by strong groundshaking. The primary factors influencing liquefaction potential include groundwater, soil type, relative density of the sandy soils, confining pressure, and the intensity and duration of

groundshaking. According to the *City of Oceanside General Plan*, dated June 2002, the project area is not susceptible to liquefaction hazards. The geotechnical report for the project concludes that the potential for liquefaction on the site to be low (Ninyo & Moore 2007).

- 4) ***Landslides? Less Than Significant Impact.*** Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. No landslide or indications of landsliding were noted on the site during field investigations (Ninyo & Moore 2007). Additionally, site stabilization and soil compaction requirements required by project geotechnical investigation and design parameters established by the most recent UBC and the City's Seismic Hazard Mitigation Ordinance would reduce any potential impacts to less than significant levels.
- b) ***Result in substantial soil erosion or the loss of topsoil? Potentially Significant Impact Unless Mitigated.*** Grading and trenching during the construction phase of the project would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. The contractor will be required to comply with standard engineering practices for erosion control and a qualified soils engineer will monitor soil compaction during construction. Implementation of the following mitigation measures would reduce potential soil erosion impacts to less than significant levels.

Mitigation Measures:

- GEO 1. An erosion and sediment control plan shall be prepared and submitted for review and approval prior to issuance of grading permit. The plan shall outline methods that shall be implemented to control erosion from graded or cleared portions of the site, including but not limited to straw bales, sandbags, soil binders, diversion fences, desilting basins, etc. The Plan shall be prepared in accordance with the City's grading ordinance, the City's water quality ordinance, the latest NPDES Permit and to the satisfaction of the City Water Quality Engineer.
- c) ***Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? Less Than Significant Impact.*** No water extractions or similar practices are anticipated to be necessary that are typically associated with project-related subsidence effects. In addition, surface material which would be disrupted/displaced would be balanced and re-compacted on-site during project construction. Adherence to standard engineering practices would result in less than significant impacts related to subsidence of the land. Additionally, the standard earthwork recommendations provided in the Geotechnical Report for the project (Ninyo & Moore 2007) will be followed during project implementation. Refer to Response 14.6 a, above.
- d) ***Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property? Potentially Significant Impact Unless Mitigated.*** Based on the geotechnical investigation of the site, the soils on the property are characterized as sandstones, siltstones, and claystones of the Santiago formation (Ninyo & Moore 2007). Due to the expansive potential of the soils onsite, the geotechnical study recommends the use of soils with low to very low expansion be used in structural areas. Further, adherence to standard engineering practices contained within the most recent UBC will reduce any potential impacts to less than significant levels.

Mitigation Measures:

- GEO 2. Soils with low to very low expansion (Expansion index less than 50) shall be placed in structural areas on the site to a depth of 3 feet below the bottom of the foundations or 5 feet below finish grade, whichever is deeper. Where necessary, existing expansive materials should be removed and replaced with low to very low expansive materials. The low expansive material shall extend beyond the structural footprint a distance of 8 feet. Additionally, geotechnical construction

monitoring shall be conducted to perform the needed observation and testing services during construction operations.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? No Impact.* The proposed project does not include the implementation of septic tanks or alternative wastewater disposal systems.

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

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

which would avoid and minimize the potential for accidental release of such substances into the environment.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? No Impact.* No existing or proposed school facilities are located within a one-quarter mile radius of the project site.
- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? No Impact.* Based on a review of the database maintained by the California Department of Toxic Substances Control, the proposed project site is not included on a list of sites containing hazardous materials, and would not result in a significant hazard to the public or to the environment.
- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? No Impact.* The proposed project site is not located within an airport land use plan or within two miles of a public airport and would not result in a safety hazard for people residing or working in the project area.
- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? No Impact.* The proposed project site is not located within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area.
- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? No Impact.* The proposed project would have no impacts on emergency response plans or emergency evacuation plans. No revisions to adopted emergency plans would be required as a result of the proposed project.
- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? Potentially Significant Unless Mitigated.* In order to comply with competing site constraints on the property, the project proposes to deviate from the standard 100-foot-wide, 3-zone fuel modification system typically recommended for projects in the City of Oceanside. The project proposes to maintain Zone 1 fuel modification around the structure. In order to reduce potentially significant impacts associated with wildfire risk, the project would be required to implement the following structural firewall mitigation measure. Based on the Fire Protection Plan prepared for the project (Firewise 2007), the City Fire Department has approved this deviation with the inclusion of the following mitigation measure.

Mitigation Measures:

HAZ 1. In order to compensate for the lack of fire buffer typically provided by Fuel Modification Zones 2 and 3, the proposed project would be required to construct a minimum of a 9-foot-tall non-combustible, contiguous fire wall extending along the entire eastern boundary of the development area that bounds the wildland interface. A minimum of 3.5 feet of the wall shall be above the level of the proposed parking lot.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.8 HYDROLOGY AND WATER QUALITY. Would the project:				

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Result in significant alternation of receiving water quality during or following construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. Could the proposed project result in increased erosion downstream?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n. Result in increased impervious surfaces and associated increased runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
p. Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
s. Have a potentially significant adverse impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
u. Impact aquatic, wetland, or riparian habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v. Potentially impact stormwater runoff from construction or post construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
w. Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
x. Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
y. Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
z. Create significant increases in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a) *Violate any water quality standards or waste discharge requirements? Potentially Significant Unless Mitigated.* A Storm Water Management Plan (SWMP) was prepared for the project consistent with the guidelines of the City of Oceanside's Standard Urban Storm Water Mitigation Plan (SUSMP) and in compliance with the statewide National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities (Order No. 2001; NPDES No. CA 0108758; Pioneer 2007). Implementation of the mitigation measures identified below would reduce potential water quality impacts to less than significant levels.

Mitigation Measures:

- WQ 1. Refer to Mitigation Measure GEO 1, above.

WQ 2. The Storm Water Management Plan (SWMP) emphasizes structural and non-structural Best Management Practices (BMPs) in compliance with NPDES Program requirements. Specific measures include:

- ❖ A Storm Water Pollution Prevention Plan (SWPPP) will be prepared for the project that includes construction BMPs, which could include silt fencing, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, desilting basins, gravel bag berms, sandbag barriers, material delivery and storage guidelines, stockpile management, solid waste management, stabilized construction entrance/exit, revegetation of all disturbed undeveloped areas, vehicle and equipment maintenance, erosion control mats, spill prevention and control, concrete waste management, and water conservation practices. Construction BMPs for this project will be selected, constructed, and maintained in order to comply with all city, regional, and state applicable ordinances.
 - ❖ Post construction Site Design BMPs will be required for the project. These include the use of an onsite detention basin and a Storm Pure Filtration System as detailed in the SWMP (Pioneer 2007). Additional site design BMPs include minimizing surface parking area, reducing the development area to approximately 25% of the total property acreage, adequate properly maintained onsite landscaping. These BMPs shall be implemented as specified in the SWMP.
 - ❖ Post construction Source Control BMPs will be required for the project. These include trash storage areas, site usage restrictions, landscape and irrigation design, building and grounds maintenance, and roof runoff controls. These BMPs shall be implemented as specified in the SWMP.
 - ❖ Post construction Treatment Control BMPs will be required for the project. This includes implementation of the Storm Pure Filtration System on the site. This BMP shall be implemented as specified in the SWMP.
 - ❖ Post construction Non-structural BMPs will be required for this project. These include employee training, good housekeeping practices, preventative maintenance practices, self inspection, and spill response planning. These BMPs shall be implemented as specified in the SWMP.
- b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?* **No Impact.** The project would not have the potential to substantially deplete groundwater supplies or interfere with groundwater recharge. The project would not have the capacity to increase the amount of water consumed regionally through increased withdrawals from groundwater sources. No impacts are anticipated to occur.
- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?* **No Impact.** The proposed project is considered to result in a beneficial effect to erosion and siltation on- and off- site. The current storm drain outfall structure has resulted in substantial channel downcutting and sedimentation downstream. The project's runoff will be reduced to below pre-construction runoff by including a detention area in the project area. The project would stabilize the drainage and energy dissipaters will be employed to reduce flow velocities. The extreme deep eroded area in the flow path just east of the project will be repaired and stabilized as part of the project. No significant changes in drainage patterns associated with the proposed project are anticipated to occur.

- d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? No Impact.* Refer to Response 14.8 c, above.
- e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? No Impact.* Refer to Response 14.8 c, above.
- f) *Otherwise substantially degrade water quality? Potentially Significant Unless Mitigated.* Stormwater quality is generally affected by the length of time since the last rainfall, rainfall intensity, urban uses of the area, and the quantity of transported sediment. Typical urban water quality pollutants usually result from motor vehicle operations, oil and grease residues, fertilizer/pesticide uses, and careless material storage and handling. Majority of pollutant loads are usually washed away during the first flush of the storm occurring after the dry-season period. The primary pollutants of concern for this project are sediments and nutrients. The Storm Water Management Plan for the project has been developed to address this. Implementation of the mitigation measures in 14.8 a. would mitigate this potential impact below a level of significance.
- g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? No Impact.* The proposed project is not a housing project and is not located within a 100-year flood hazard area. Therefore, no flood related impacts would occur.
- h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows? No Impact.* The project site is not located within a 100-year flood hazard area. Refer to Response 14.8 c and Response 14.8 d, above, for additional discussion.
- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? No Impact.* As previously stated, the project does not propose any new housing or building structures within the 100-year flood plain and would not be subject to risk of loss, injury, or death resulting from the failure of a levee or dam.
- j) *Inundation by seiche, tsunami, or mudflow? No Impact.* There are no anticipated impacts to the proposed project from seiche, tsunami or mudflow, as no topographical features or water bodies capable of producing such events occur within the project site vicinity.
- k) *Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)? Potentially Significant Unless Mitigated.* The proposed project site is within the Buena Vista Creek Watershed that ultimately drains to the Buena Vista Lagoon, which is a CWA Section 303 (d) list impaired waters for Nutrients and Sediments. Implementation of the mitigation measures required in 14.8 a would mitigate this potential impact below a level of significance.
- l) *Result in significant alternation of receiving water quality during or following construction? Potentially Significant Unless Mitigated.* During construction, erosion control and other measures will be provided on-site to protect water quality. Implementation of the mitigation measures required in 14.8 a would mitigate this potential impact below a level of significance.
- m) *Could the proposed project result in increased erosion downstream? Potentially Significant Unless Mitigated.* See discussion in 14.8 a, c, and f above. Implementation of the mitigation measures required in 14.8 a. would mitigate this potential impact below a level of significance.

- n) *Result in increased impervious surfaces and associated increased runoff? No Impact.* The increase in impervious surface and associated runoff is below the significance threshold established by the City for determining a significant impact. Although the project would result in a small increase in impervious surfaces (less than 1 acre), the Q_{100} will be reduced from 1.3 cfs prior to the project to 0.9 cfs after the project through onsite detention (Pioneer 2007). As a result the project would have no impact on increased runoff resulting from impervious surfaces.
- o) *Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes? No Impact.* The proposed project would have a beneficial impact on runoff and drainage stability. See discussion in 14.8 c and n.
- p) *Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired? Potentially Significant Unless Mitigated.* See discussion in 14.8 a, f, and k. Implementation of the mitigation measures required in 14.8 a. would mitigate this potential impact below a level of significance.
- q) *Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions? Potentially Significant Unless Mitigated.* See discussion in 14.8 a, f, and k. Implementation of the mitigation measures required in 14.8 a. would mitigate this potential impact below a level of significance.
- r) *Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters? Potentially Significant Unless Mitigated.* See discussion in 14.8 a, f, and k. Implementation of the mitigation measures required in 14.8 a. would mitigate this potential impact below a level of significance.
- s) *Have a potentially significant adverse impact on groundwater quality? No Impact.* The project would not have the potential to impact groundwater quality.
- t) *Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? Potentially Significant Unless Mitigated.* The proposed project will not result in any violation of applicable water quality standards established by the Clean Water Act and implemented by the San Diego Regional Water Quality Control Board (RWQCB) through the regional National Pollution Discharge Elimination System (NPDES) permit. See discussion in 14.8 a, f, and k. Implementation of the mitigation measures required in 14.8 a. would mitigate this potential impact below a level of significance.
- u) *Impact aquatic, wetland, or riparian habitat? Potentially Significant Unless Mitigated.* See Response to Section 14.4 b and c. Implementation of Mitigation Measure BIO 2 would mitigate this potential impact below a level of significance.
- v) *Potentially impact stormwater runoff from construction or post construction? No Impact.* See Measures in 14.8 a.
- w) *Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas? No Impact.* See Measures in 14.8 a.
- x) *Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters? No Impact.* See Measures in 14.8 a.
- y) *Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm? No Impact.* See discussion in 14.8 n.

- z) *Create significant increases in erosion of the project site or surrounding areas? Potentially Significant Unless Mitigated.* See discussion in 14.8 a, c, and f above. Implementation of the mitigation measures required in 14.8 a. would mitigate this potential impact below a level of significance.

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

- a) *Physically divide an established community? No Impact.* The proposed project will not have an impact on the physical arrangement of an established community. Therefore, no impacts are anticipated to occur.
- b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? No Impact.* The proposed project is consistent with the General Plan Land Use Element's designation for the project site and with the Official Zoning Map designation of the property. Therefore, no impacts would occur in this regard.
- c) *Conflict with any applicable habitat conservation plan or natural community conservation plan? No Impact.* Refer to Response 14.4 f above, which concludes the project would not conflict with any habitat conservation plan

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

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

- b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? No Impact. Refer to Response 14.10a, above.*

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

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? Less than Significant Impact.* The proposed project would create a short-term impact in terms of construction noise. Noise generated by construction and demolition equipment, including trucks, backhoes and other equipment, may temporarily impact nearby sensitive receptors. Pursuant to the City's Noise Ordinance standards, construction activities would be limited to daytime hours for the duration of construction. Also, all vehicles and equipment will use available noise suppression devices and be equipped with mufflers during construction activities. Due to the restricted hours, equipment restrictions, and relatively short period of construction, noise resulting from construction and demolition related activities is not considered a significant impact. Standard measures to be implemented by the project to reduce construction noise include:

- Noise sources associated with construction, repairs, remodeling, or the grading of any real property, shall be exempt from the provisions of the City's noise code if conducted from 7:00 a.m. to 6:00 p.m. on Monday through Friday, or from 8:30 a.m. to 4:30 p.m. on Saturday. Construction is prohibited at any time on Sunday or a Federal holiday.
- Equipment will use available noise suppression devices and properly maintained mufflers. Construction noise will be reduced by using quiet or "new technology", equipment, particularly the quieting of exhaust noises by use of improved mufflers where feasible. All internal combustion engines used at the Project site will be equipped with the type of muffler recommended by the vehicle manufacturer. In addition, all equipment will be maintained in good mechanical condition so as to minimize noise created by faulty or poorly maintained engine, drive-train and other components.

- During all site preparation, grading and construction, contractors shall minimize the staging of construction equipment and unnecessary idling of equipment in the vicinity of residential land uses.
 - The equipment staging area will be situated so as to provide the greatest distance separation between construction-related noise sources and noise-sensitive receptors nearest the Project site during all Project construction.
 - Temporary walls/barriers/enclosures will be erected around stationary construction equipment when such equipment will be operated for an extended period of time and where there are noise sensitive receptors substantially affected. Noise barriers and enclosures will consist of absorptive material in order to prevent impacts upon other land uses due to noise reflection. In addition, complete enclosure structures will close or secure any openings where pipes, hoses or cables penetrate the enclosure structure.
 - Notification will be given to residences within 91 meters (300 feet) of planned construction activities thirty (30) days prior to commencement of demolition activity, and will include a brief description of the project, the overall duration of the various construction stages, noise abatement measures that will taken, and the name and phone number of the construction site supervisor or his designee to report any violation of a noise or mitigation standard.
- b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? **Less Than Significant Impact.*** The amounts of construction and demolition required for the proposed facility is not anticipated to generate excessive groundborne vibrations or noise levels. Additionally, this project is not anticipated to include pile driving activities, therefore, ground borne vibration is not expected to occur. Due to the temporary nature of construction activities, impacts in this regard are considered to be less than significant. Also, refer to discussion 14.11a, above.
- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? **No Impact.*** Due to the nature and scope of the proposed project a permanent increase in the ambient noise level in the project vicinity would not occur.
- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? **Less Than Significant.*** As noted above, the implementation of the proposed project may result in short-term increased noise levels within the project vicinity due to construction activities. This temporary condition would cease upon project completion and is subject to the City's noise mitigation guidelines.
- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? **No Impact.*** As previously stated, the proposed project is not located within two miles of a public airport or public use airport.
- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? **No Impact.*** The proposed project site is not located within the vicinity of a private airstrip and would not expose people residing or working in the project area to excessive noise levels.

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

a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?* **Less Than Significant Impact.** The proposed project would not induce growth through the extension or expansion of major capital infrastructure. No impacts to population and housing beyond those identified within the *City's General Plan* would occur.

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

c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?* **No Impact.** Refer to Response 14.12a and 14.12b, above.

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

1) *Fire protection?* **No Impact.** Proposed project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities.

- 2) **Police protection? No Impact.** There are no significant impacts related to police protection or service anticipated with implementation of the proposed project.
- 3) **Schools? No Impact.** Implementation of the proposed project would not result in the need for the construction of additional school facilities. Therefore, no impacts in this regard will occur.
- 4) **Parks? No Impact.** Implementation of the proposed project will not affect any existing park facilities nor increase the demand for additional recreational facilities. Therefore, no impacts to parks are anticipated as a result of this project.
- 5) **Other public facilities? No Impact.** No significant impacts to other public facilities are anticipated to occur with project implementation.

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

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? No Impact.** Implementation of the proposed project would not generate an increase in demand on existing public or private parks or other recreational facilities that would either result in or increase physical deterioration of the facility.
- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? No Impact.** Implementation of the proposed project does not include recreational facilities.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.14 TRANSPORTATION/TRAFFIC. Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion/management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitig.	Less than Significant Impact	No Impact
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? **Less than Significant Impact.** The following table summarizes the trip generation rates and project generated trips for the proposed project based on the traffic impact analysis report (RBF 2006).

Table 14.3 Trip Generation Rates and Project Generated Trips

Land Use	Daily Rate	AM Peak Hour			PM Peak Hour		
		Total (% of daily)	In (% AM)	Out (% AM)	Total (% of daily)	In (% PM)	Out (% PM)
SANDAG Trip Rate (Comm. Office)	20k sq ft	14%	90%	10%	13%	20%	80%
Project Trips (20k sq ft)	400	56	50	6	52	10	42

Although the project trip generation falls below the City's established thresholds for a typical traffic study, a traffic study was conducted for the project. The traffic report evaluated service levels at potentially affected intersections including the following:

- El Camino Real / Fire Mountain Drive
- El Camino Real / Via Las Rosas
- El Camino Real / Camino Town Access
- El Camino Real / Vista Way

All project study area intersections were evaluated under three scenarios including existing condition, existing plus project, and existing plus project plus cumulative. The level of service analysis was conducted using the highway capacity manual (HCM) delay method.

The project would result in a minor increase in vehicular trips. Anticipated traffic impacts would be minor based on the results above. Therefore, less the significant impacts are anticipated. In addition, as the project area is currently not experiencing level-of-service (LOS) deficiencies, no impacts to traffic capacity or volume would occur with implementation of the proposed project.

Table 14.4 Intersection Operating Conditions

<i>Intersection</i>	<i>Peak</i>	<i>Existing (LOS)</i>	<i>Existing plus Project (LOS)</i>	<i>Existing plus Project plus Cum.(LOS)</i>	<i>(4) Project Impact (Exist / Cum.)</i>	<i>(5) Signif. Project Impact Y/N</i>	<i>(6) Sig. Cum. Impact Y/N</i>
El Camino Real / Fire Mountain Drive	AM	19.0 (B)	19.0 (B)	19.4 (B)	0.0/0.0	N	N
	PM	17.9 (B)	18.1 (B)	18.0 (B)	0.2/0.2		
El Camino Real / Via Las Rosas	AM	14.6 (B)	14.7 (B)	14.7 (B)	0.1/0.0	N	N
	PM	17.3 (B)	17.2 (B)	17.4 (B)	0.0/0.0		
El Camino Real / Camino Town Access	AM	9.0 (A)	9.0 (A)	8.6 (A)	0.0/0.0	N	N
	PM	16.6 (B)	16.6 (B)	16.1 (B)	0.0/0.0		
El Camino Real / Vista Way	AM	23.6 (C)	23.5 (C)	23.6 (C)	-0.1/0.0	N	N
	PM	29.2 (C)	29.3 (C)	35.4 (D)	0.1/0.1		

- b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? Less than Significant Impact.* The traffic study evaluated roadway LOS along El Camino Real in three segments: (1) North of Fire Mountain Drive, (2) Fire Mountain Drive to Via Los Rosas, and (3) Via Los Rosas to Vista Way. Existing LOS for Segment (1) is A, for Segment (2) is B, and for Segment (3) is B. Existing plus project LOS for Segment (1) is B, for Segment (2) is B, and for Segment (3) is B. Cumulative without the project LOS for Segment (1) is B, for Segment (2) is B, and for Segment (3) is C. Cumulative with the project LOS for Segment (1) is B, for Segment (2) is B, and for Segment (3) is C (RBF 2006). Based on this analysis, the project would have a less than significant impact, both individually and cumulatively, on LOS for area roadways. Also refer to Response 14.14 a, above.
- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? No Impact.* The proposed project would develop a single, relatively small commercial office building along El Camino Real consistent with existing zoning for the property. Based on the analysis above, the proposed project would have no impact on traffic levels or locations that would result in substantial safety risks.
- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? No Impact.* The proposed project does not include hazardous design features or incompatible uses.
- e) *Result in inadequate emergency access? No Impact.* Adequate emergency access shall be provided during both short-term construction and long-term operation of the proposed project. Impacts are not anticipated to be significant.
- f) *Result in inadequate parking capacity? No Impact.* Based on the size and type of the proposed project, the City would require a total of 71 parking spaces. The project proposes to provide a total of 71 parking spaces, which is consistent with the City requirements. During construction of the project, adequate off-street parking will be provided on the project site. As such, the project would not result in inadequate parking capacity.
- g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? No Impact.* Project implementation would not conflict with adopted policies, plans, or programs supporting alternative transportation. Impacts are not anticipated in this regard.

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

- a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? No Impact.* Improvements associated with the proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB).
- b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? No Impact.* The nature and scope of the proposed project would not require or result in the construction of wastewater treatment facilities (refer to Response 14.15 a, above).
- c) *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? No Impact.* The proposed project would replace and existing storm drain outfall and replace it with a new one. The new storm drain outfall is part of the overall project and impacts associated with it are assessed with the overall projects. No other new facilities or expansion of existing facilities would be necessary; therefore, no impacts to this utility would occur from the proposed project.
- d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? No Impact.* Sufficient water supplies are available; therefore, no impacts are anticipated.
- e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? No Impact.* Refer to Response 14.15 a, above.

- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? No Impact.* The proposed project would be served by a landfill with sufficient permitted capacity.
- g) Comply with federal, state, and local statutes and regulations related to solid waste? *No Impact.* Refer to Response 14.15 f, above.

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

The impacts to biological resources have been reduced and the compensatory mitigation has been increased following public review. The analysis below has been revised to incorporate the changes.

The project would result in impacts to coastal sage scrub habitat, which is known to provide habitat for the federally threatened coastal California gnatcatcher. The site is located within a designated wildlife corridor for this species. Additionally, the project would result in impacts to a small section of an unvegetated, non-wetland ephemeral drainage. These impacts would be considered potentially significant unless mitigated. In order to mitigate the loss of coastal sage scrub resulting from the project, 2.00 acres of coastal sage scrub will be permanently preserve on the project site within a 2.49-acre preserve. The preserve will be perpetually protected by a conservation easement or other legal restriction and long-term maintenance will be provided. Additionally, approximately 0.22 acres of disturbed habitat will be restored to coastal sage scrub, which will be implemented as described in the mitigation and monitoring plan to be prepared for the project. In order to avoid potentially significant impacts to wildlife movement through the property, the project has been designed to place all development in the southwestern corner, leaving approximately 75 percent of the site in natural open space for wildlife habitat and movement. Prior to construction of the project, all regulatory agency permits and authorizations will be obtained for the project. Implementation of these measures will mitigate impacts described in 14.16a below a level of significance. No impacts under 14.16b-d are considered to result from the project.

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



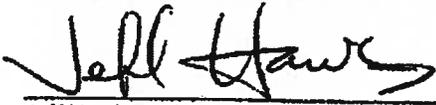
Mike Howard, Foothill Associates

17. **DETERMINATION.** (To be completed by lead agency) Based on this initial evaluation:
- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described herein have been included in this project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
18. **DE MINIMIS FEE DETERMINATION** (Chapter 1706, Statutes of 1990-AB 3158)
- It is hereby found that this project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.
- It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore fees shall be paid to the County Clerk in accordance with Section 711.4(d) of the Fish and Game Code.
19. **ENVIRONMENTAL DETERMINATION:** The initial study for this project has been reviewed and the environmental determination, contained in Section V, preceding, is hereby approved:



Jerry Hittman, Planning Director

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



Jeff Hawkes, Hawkes O-Side I, LLC

REFERENCES:

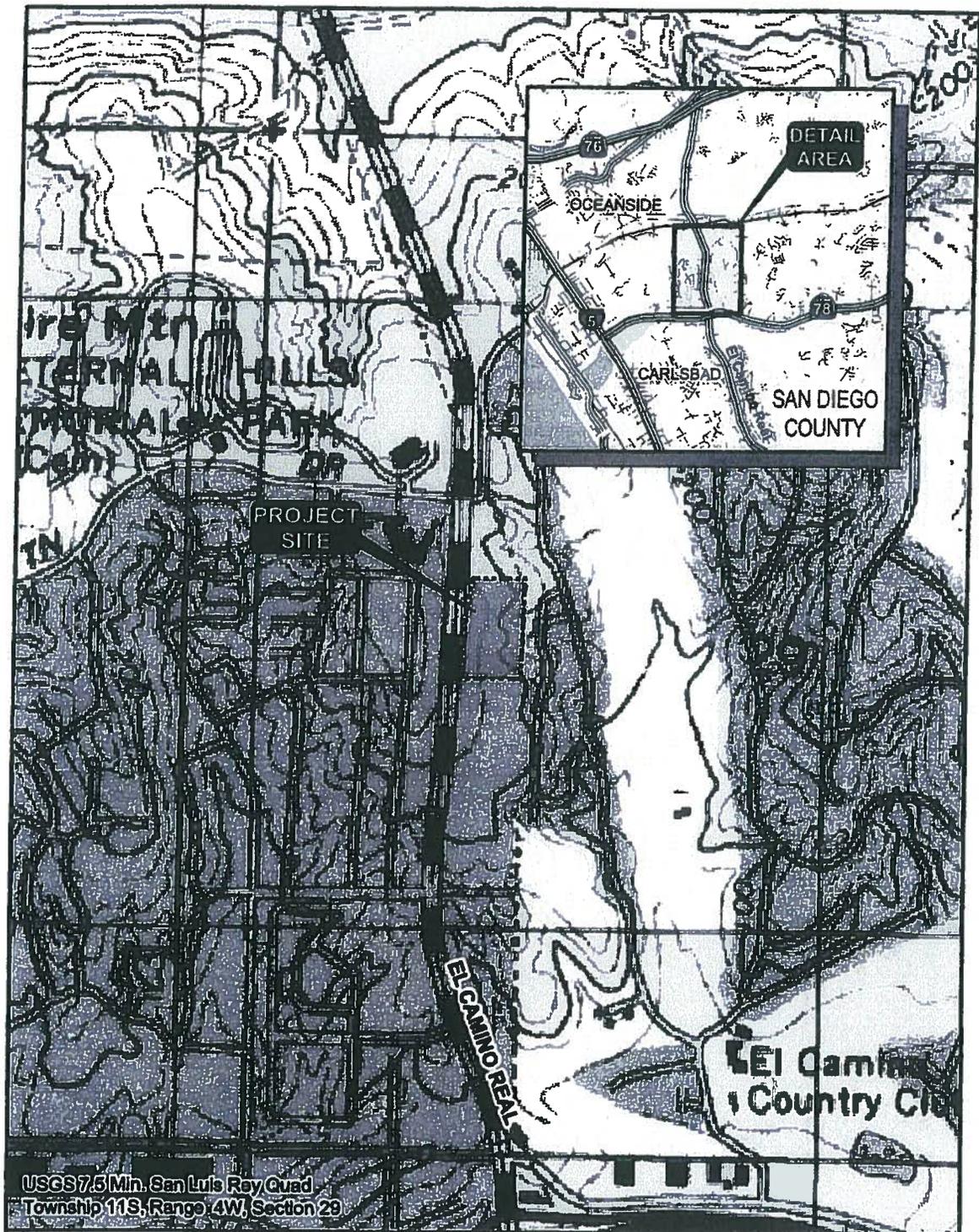
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- Firewise 2000, Inc. 2006. Fire Protection Plan, El Camino Real Office Building, Oceanside Fire Department. Prepared for Jeff Hawkes. August 11.
- Foothill Associates. 2007. Biological Resources Assessment Letter Report for the Oceanside El Camino Real Property. Prepared for Hawkes-Holdings, LLC. April 17.
- Hawkes Holdings. 2007. Visual Assessment.
- Ninyo & Moore. 2006. Geotechnical Evaluation, Proposed Commercial Development, Basel Street and El Camino Real, Oceanside, California. Prepared for Ames-Hawkes Holdings LLC. January 19.
- Pioneer Engineering Corporation. 2007. Storm Water Management Plan for Hawkes Holdings Project, City of Oceanside. January 22.
- Pioneer Engineering Corporation. 2007. Hawkes Holdings Drainage Study. Hydrology & Hydraulics Report Prepared for the City of Oceanside. January 22.
- RBF Consulting. 2006. El Camino Real Commercial Office Project Traffic Impact Analysis Report. Prepared for McCullough-Ames Development Corporation. June 5.
- U.S. Fish and Wildlife Service. 2008. Biological Opinion for the Proposed El Camino Executive Center, City of Oceanside, San Diego County, California (SPL-2007-397-TCD). April 1.

FIGURES:

- Figure 1. Site and Vicinity Map
Figure 2. Site Plan

TECHNICAL APPENDICES:

Plan Set
Cultural Resources Testing and Evaluation Report
Fire Protection Plan
Biological Resources Assessment
Visual Assessment
Geotechnical Evaluation
Storm Water Management Plan
Drainage Study
Traffic Impact Analysis Report



USGS 7.5 Min. San Luis Rey Quad
Township 11S, Range 4W, Section 29

SITE AND VICINITY

FOOTHILL ASSOCIATES
ENVIRONMENTAL CONSULTING • PLANNING • LANDSCAPE ARCHITECTURE



0 375 750
SCALE IN FEET

Drawn By: LCA 01/04/08
Revised: EME 01/15/07

FIGURE 1



DATE: 10/15/10
PROJECT: HAWKES O-SIDE 1, LLC
SHEET: DD-1

GENERAL NOTES:

1. THE INFORMATION CONTAINED HEREIN IS FOR THE EXCLUSIVE USE OF THE CLIENT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.
2. THE ENGINEER HAS CONDUCTED VISUAL GENERAL SURVEYS AND HAS NOT CONDUCTED A FULL SURVEY OF THE SITE. THE ENGINEER HAS NOT CONDUCTED A GEOTECHNICAL INVESTIGATION OF THE SITE.
3. THE ENGINEER HAS NOT CONDUCTED A TRAFFIC STUDY OF THE SITE.
4. THE ENGINEER HAS NOT CONDUCTED A NOISE STUDY OF THE SITE.
5. THE ENGINEER HAS NOT CONDUCTED A WATER QUALITY ASSESSMENT OF THE SITE.
6. THE ENGINEER HAS NOT CONDUCTED A SOIL QUALITY ASSESSMENT OF THE SITE.
7. THE ENGINEER HAS NOT CONDUCTED A SEISMIC ANALYSIS OF THE SITE.
8. THE ENGINEER HAS NOT CONDUCTED A WIND ANALYSIS OF THE SITE.
9. THE ENGINEER HAS NOT CONDUCTED A CLIMATE ANALYSIS OF THE SITE.
10. THE ENGINEER HAS NOT CONDUCTED A LIGHTING ANALYSIS OF THE SITE.
11. THE ENGINEER HAS NOT CONDUCTED A SOUND ANALYSIS OF THE SITE.
12. THE ENGINEER HAS NOT CONDUCTED A VIBRATION ANALYSIS OF THE SITE.
13. THE ENGINEER HAS NOT CONDUCTED A POLLUTION ANALYSIS OF THE SITE.
14. THE ENGINEER HAS NOT CONDUCTED A RADIATION ANALYSIS OF THE SITE.
15. THE ENGINEER HAS NOT CONDUCTED A BIOLOGICAL ANALYSIS OF THE SITE.
16. THE ENGINEER HAS NOT CONDUCTED A CULTURAL ANALYSIS OF THE SITE.
17. THE ENGINEER HAS NOT CONDUCTED A HISTORICAL ANALYSIS OF THE SITE.
18. THE ENGINEER HAS NOT CONDUCTED A SOCIAL ANALYSIS OF THE SITE.
19. THE ENGINEER HAS NOT CONDUCTED AN ECONOMIC ANALYSIS OF THE SITE.
20. THE ENGINEER HAS NOT CONDUCTED A LEGAL ANALYSIS OF THE SITE.

LEGAL DESCRIPTION:

LOT 1, TRACT 1, MAP 1, COUNTY OF OCAYACORE, CALIFORNIA.

SITE INFORMATION:

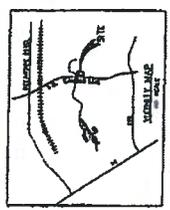
PROJECT: HAWKES O-SIDE 1, LLC
 ADDRESS: 12345 MAIN STREET, OCAYACORE, CA 94000
 ZONING: R-1
 PERMIT NO.: 123456789
 SHEET NO.: DD-1

PARKING REGULATIONS:

1. ALL VEHICLES MUST BE PARKED WITHIN THE DESIGNATED PARKING AREAS.
 2. ALL VEHICLES MUST BE PARKED WITHIN THE DESIGNATED PARKING SPACES.
 3. ALL VEHICLES MUST BE PARKED WITHIN THE DESIGNATED PARKING SPACES.
 4. ALL VEHICLES MUST BE PARKED WITHIN THE DESIGNATED PARKING SPACES.
 5. ALL VEHICLES MUST BE PARKED WITHIN THE DESIGNATED PARKING SPACES.

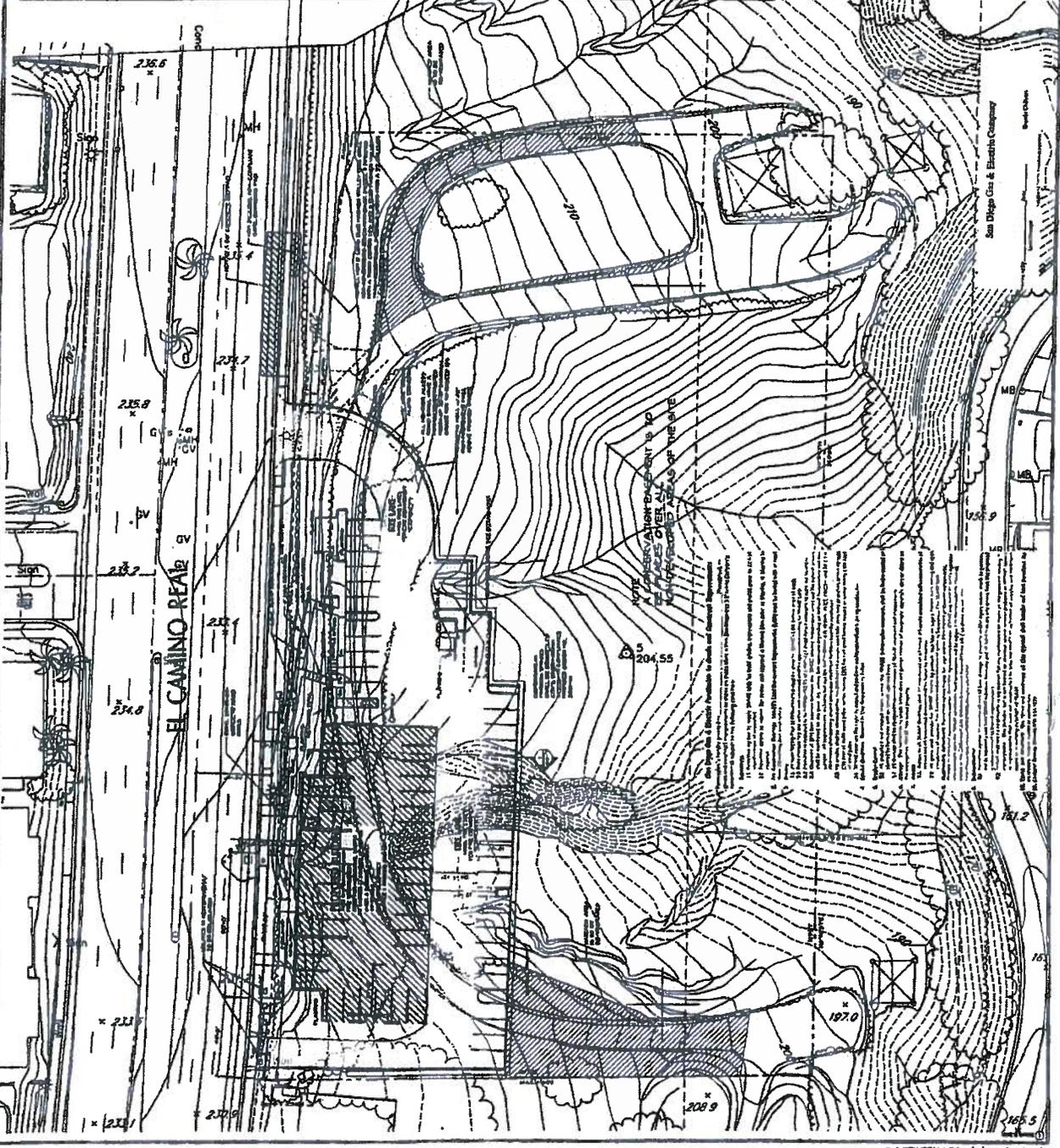
ENGINEER'S SIGNATURE:

DATE: 10/15/10



SITE PLAN

SCALE: 1" = 10'



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THE ENGINEER HAS NOT CONDUCTED A SOUND ANALYSIS OF THE SITE.

THE ENGINEER HAS NOT CONDUCTED A VIBRATION ANALYSIS OF THE SITE.

THE ENGINEER HAS NOT CONDUCTED A POLLUTION ANALYSIS OF THE SITE.

THE ENGINEER HAS NOT CONDUCTED A RADIATION ANALYSIS OF THE SITE.

THE ENGINEER HAS NOT CONDUCTED A BIOLOGICAL ANALYSIS OF THE SITE.

THE ENGINEER HAS NOT CONDUCTED A CULTURAL ANALYSIS OF THE SITE.

THE ENGINEER HAS NOT CONDUCTED A HISTORICAL ANALYSIS OF THE SITE.

THE ENGINEER HAS NOT CONDUCTED A SOCIAL ANALYSIS OF THE SITE.

THE ENGINEER HAS NOT CONDUCTED AN ECONOMIC ANALYSIS OF THE SITE.

THE ENGINEER HAS NOT CONDUCTED A LEGAL ANALYSIS OF THE SITE.

**ADDENDUM TO THE
FINAL
MITIGATED NEGATIVE DECLARATION
EL CAMINO EXECUTIVE CENTER
SCH No. 2007081046**

Prepared for:

Hawkes O-side I LLC
16935 West Bernardo Drive, Suite 112
San Diego, California 92127

Submitted to:

City of Oceanside
300 North Coast Highway
Oceanside, California 92054
Contact: Amy Fousekis

Prepared by:

DUDEK
605 Third Street
Encinitas, California 92024

JANUARY 2014

Addendum to the Final MND for the El Camino Executive Center

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Addendum to the Final MND for the El Camino Executive Center

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A	Greenhouse Gas Emissions Technical Report for the El Camino Memory Care Facility, City of Oceanside, California	
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Addendum to the Final MND for the El Camino Executive Center

1.0 INTRODUCTION

1.1 Purpose of the Addendum

The Final Mitigated Negative Declaration (MND) for the El Camino Executive Center (State Clearinghouse Number 2007081046) was adopted by the City of Oceanside (City) in 2008 (Planning Commission Resolution Number 2008-P34). The Final MND addressed the development of a three-story, 32,616-square-foot commercial office building with one level of parking and surface street-level parking (totaling 71 parking spaces). The project as proposed would consolidate the development in the southern corner of the site in order to minimize impacts to the native habitat on the property and preserve approximately three-quarters of the site as open space.

There was no land use change or General Plan Amendment proposed with the adopted project. The project was deemed to be in compliance with the (City's General Plan Land Use Element and the development standards contained in the City's Zoning Code, except for two variances, V-1-07 and V-5-08. Variance V-1-07 allowed for one 12-foot by 35-foot loading space rather than the required two spaces for buildings over 20,000 square feet, and Variance V-5-08 allowed for a front yard setback of 10 feet in lieu of the standard 20-foot setback as specified in Section 1100 of the Oceanside Zoning Ordinance.

Additionally, the project obtained permit authorization for impacts to jurisdictional waters from the U.S. Army Corps of Engineers (SPL-2007-397-TCD; ACOE), California Department of Fish and Wildlife (1600-2007-0214-R5; CDFW), and Regional Water Quality Control Board (07C-033; RWQCB) and a Biological Opinion from the U.S. Fish and Wildlife Service (USFWS) for take of coastal sage scrub habitat (FWS-SDG-07B0012-070025). Wetland mitigation credits were purchased at the North County Habitat Bank as required by the agency permits.

Since the project was approved in 2008, the applicant has revised some project details and submitted an application for revisions to the Development Plan (D-23-06) and Variances (V-1-07 and V-5-08). The revised project is now referred to as the El Camino Memory Care Facility. This addendum addresses the proposed modifications to the project and compares the potential environmental impacts. This addendum is an informational document, which concludes that the proposed changes to the project would not result in new significant impacts or substantially increase the severity of previously disclosed impacts from those identified in the Final MND. The following letter reports and/or technical study updates have been prepared to support the findings in this addendum and are hereby incorporated by reference (pursuant to Section 15150 of the California Environmental Quality Act (CEQA) Guidelines):

- Revised Biological Consistency Analysis, El Camino Memory Care Project, Dudek, November 2013
- Senior Facility on El Camino Real Traffic Letter Report, RBF Consulting, December 2012
- El Camino Assisted Living Facility Acoustical Memorandum, Dudek, January 2013

Addendum to the Final MND for the El Camino Executive Center

- Storm Water Management Plan, SPEAR & Associates, November 2013
- Preliminary Hydrology and Hydraulic Report, SPEAR& Associates, November 2013
- Change of Geotechnical Firm of Record and Update Recommendations, Construction Testing & Engineering, Inc., January 2013
- Greenhouse Gas Emissions Technical Report for the El Camino Memory Care Facility, City of Oceanside, California.

This addendum complies with the provisions of CEQA and Section 15164 of the CEQA Guidelines, which governs the preparation of an addendum to an MND. Section 15164 of the CEQA Guidelines requires the preparation of an addendum to an MND where some changes or additions to the MND are necessary but none of the conditions calling for the preparation of a subsequent Environmental Impact Report (EIR) exists.

Pursuant to CEQA Guidelines, Section 15162, a subsequent EIR must be prepared when: (i) substantial changes are proposed in the project, or occur with respect to the project circumstances, which will require major revisions to the previous MND; (ii) important new information indicates one or more significant effects not previously discussed in the previous MND; or (iii) important new information indicates that significant effects previously examined will be substantially more severe than shown in the previous MND. This addendum clarifies that the proposed change in land use from a medical office facility to an assisted living home would result in a reduction in impacts presented in the previous MND. No new significant impacts are anticipated as a result of changes to this project. Therefore, this analysis of the proposed assisted living facility is appropriately addressed in an addendum to the Final MND.

1.2 Contents and Format of the Addendum

This addendum includes the following:

Section 1.0, Introduction: This section describes the purpose and content of the addendum.

Section 2.0, Project Description: This section describes the project assessed in this addendum and includes a description of measures incorporated to minimize the project's environmental impacts.

Section 3.0, Impact Analysis: This section addresses the environmental resource issues relevant to the revised project and explains why the proposed project would not create new significant effects or increase the severity of impacts discussed in the Final MND. The following resources are addressed: aesthetics, air quality, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous waste, hydrology and water quality, land use, noise, population and housing, public services, recreation, traffic and parking, and utilities and service systems.

Section 4.0, References: This section provides bibliographic information related to references used during document preparation and cited herein.

Addendum to the Final MND for the El Camino Executive Center

2.0 PROJECT DESCRIPTION

2.1 Location and Setting

The project is located in the County of San Diego within the City of Oceanside (City). The site is situated south of Fire Mountain Road and east of El Camino Real (see Figure 1, Regional Map, and Figure 2, Vicinity Map). The approximately 3.5-acre site consists of a single undeveloped parcel (Assessor's Parcel Number (APN) 165-430-23) bounded on the east by residential development, on the west by a major roadway, on the south by medical office buildings, and on the north by an undeveloped parcel.

2.2 Project Description

Approved El Camino Executive Project (D-23-06, V-1-07, V-5-08)

In 2008, the site was approved for the development of a three-story, 32,616-square-foot commercial office building with one level of parking at the lower level as well as surface-level parking (for a total of 71 parking spaces). The development was designed to be clustered entirely in the southern corner of the site in order to minimize impacts to the native habitat on the property. Approximately three-quarters of the site was to be preserved as open space in association with the project.

Proposed El Camino Memory Care Facility (D13-00001, CUP13-00006, V13-00005, V13-00006)

The proposed project includes the development of a senior living facility consisting of approximately 34,338 square feet of building area. The senior living facility would consist of 32 studio units (32 beds) and 16 2-bedroom units (32 beds), amounting to a total of 48 units (64 beds). The project would also entail construction of 29 surface parking spaces. The proposed development area remains clustered along El Camino Real on the same site that was approved for the El Camino Executive Center (Figure 3, Site Plan). A conservation easement would be placed on all non-developed areas of the site—similar to the previously approved El Camino Executive Center. Table 1 provides a comparison of the previously approved El Camino Executive Center and the proposed El Camino Memory Care facility. The project also includes construction of a new bioretention planter at the eastern boundary of the development footprint. The bioretention planter would be lined and constructed with an impermeable barrier. A stormwater drainage will divert water from the bioretention planter to the pre-construction drainage area just east of the development footprint (as previously analyzed in the approved El Camino Executive Center Final MND).

Addendum to the Final MND for the El Camino Executive Center

**Table 1
Project Comparison Table**

	Approved El Camino Executive Center	Proposed El Camino Memory Care Facility
Footprint	11,168 sf	16,852 sf
Development area	42,328 sf	41,240 sf
Development area coverage	27.9%	27.2%
Proposed building area (1 st floor, 2 nd floor, and garage)	32,616 sf	34,338 sf
Parking	71 spaces	29 spaces

Note: sf = square feet

2.3 Measures to Minimize Impacts

All mitigation measures provided in the El Camino Executive Center Final MND shall be incorporated and be made conditions of project approval. Specifically, the following measures have been incorporated as elements of the project. These measures would assist in reducing potential impacts to a level below significance. More information about each resource issue area is presented in Section 3.0, Impact Analysis.

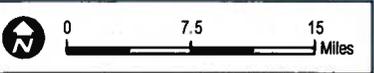
Mitigation Measure BIO-1: Prior to the issuance of building permits, the proposed project shall permanently preserve 2.0 acres of coastal sage scrub habitat in a 2.49-acre on-site habitat preserve. The on-site habitat preserve shall be permanently protected from future development through the establishment of a perpetual conservation easement or other legal mechanism. Additionally, the 0.04 acre of temporary impacts within the on-site preserve shall be restored to coastal sage scrub habitat. Additionally, the proposed project shall restore approximately 0.22 acre of ruderal and dirt road areas within the preserve to coastal sage scrub. Additionally, the proposed project shall reserve and manage 0.1 acre of coastal sage scrub off site.

Mitigation Measure BIO-2: A conceptual restoration plan and a 5-year monitoring plan shall be submitted to and approved by the City and the Wildlife Agencies prior to the issuance of grading permits.

Mitigation Measure BIO-3: A perpetual management, maintenance, and monitoring plan shall be prepared for the project that identifies the funding assurances and management entity for the habitat preserve. The City, a non-profit biological management organization, or other entity, shall be approved and take responsibility for long-term maintenance of the preserved open space prior to the issuance of the certification of occupancy for the project.



Project Location



DUDEK

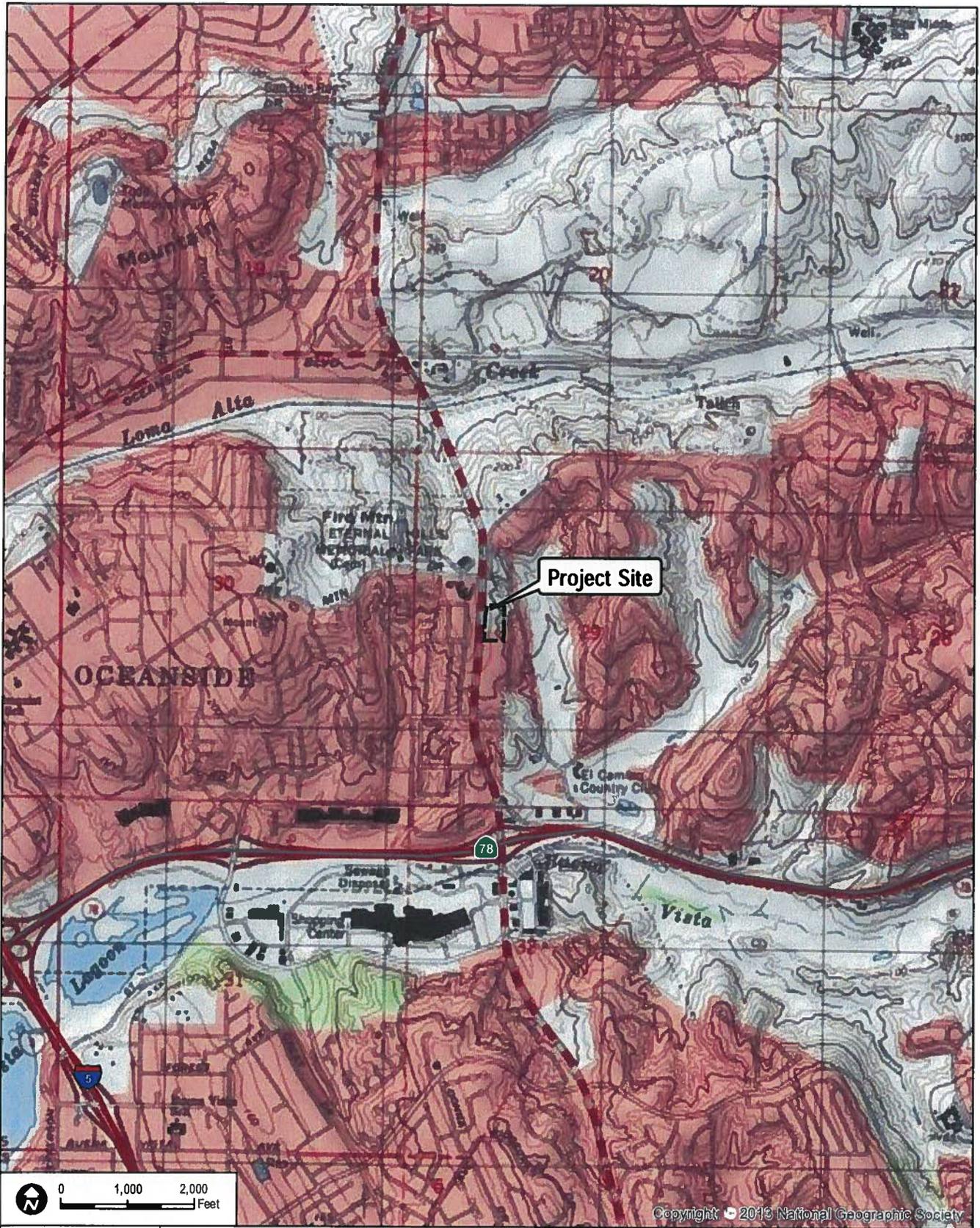
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FIGURE 1
Regional Map

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DUDEK

SOURCE: USGS 7.5-Minute Series San Luis Rey Quadrangle

FIGURE 2

Vicinity Map

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Mitigation Measure BIO-4: Mitigation for the impacts to ACOE/CDFW jurisdictional areas includes 0.01 acre of streambed preservation and enhancement (exotic removal and streambed stabilization through velocity reduction), 0.05 acre of southern willow scrub preservation, and 2.37 acres of upland buffer preservation. Exotic removal shall be implemented prior to the issuance of a certificate of occupancy for the project. Monitoring of the streambed enhancement area shall be conducted annually in association with site maintenance, as required in Mitigation Measure BIO-3.

Mitigation Measure BIO-5: All agency permits required shall be obtained prior to the issuance of grading permits for the project. Implementation of all conditions and requirements in these permits shall be implemented by the project.

Mitigation Measure CULT-1: A qualified archaeologist and a Native American monitor shall be present full-time during grading/excavation of native soils to conduct construction monitoring. Archeological construction monitoring reports shall be submitted to the City monthly and at the completion of monitoring to document compliance with this measure. In the event of discovery, ground disturbance activities shall be halted or diverted from the area of discovery to allow for preliminary evaluation of any potentially significant archaeological or Native American resources. If a discovery is deemed significant, a research design and data recovery program shall be prepared, approved by the City, and carried out to mitigate impacts before ground disturbance activities in the area of the discovery will be allowed to resume. Implementation of this measure shall be consistent with the Mitigation Recommendations provided in the Cultural Resources Testing and Evaluation Report (ASM Affiliates 2008).

Mitigation Measure CULT-2: A qualified paleontologist shall be present full-time during initial cutting of previously undisturbed formations. Paleontological construction monitoring reports shall be submitted to the City monthly and at the completion of monitoring to document compliance with this measure. In the event of discovery, ground disturbance activities shall be halted or diverted away from the area of discovery to allow for preliminary evaluation of any potentially significant paleontological resources. If a discovery is deemed significant, the discovery shall be prepared to a point of curation and accepted by a qualified curation facility. Any significant site shall also be recorded with the San Diego Natural History Museum.

Mitigation Measure GEO-1: An erosion and sediment control plan shall be prepared and submitted for review and approval prior to issuance of a grading permit. The plan shall outline methods that shall be implemented to control erosion from graded or cleared portions of the site, including but not limited to straw bales, sandbags, soil binders, diversion fences, desilting basins, etc. The plan shall be prepared in accordance with the City's grading ordinance, the City's water quality ordinance, the latest National Pollutant Discharge Elimination System (NPDES) Permit, and to the satisfaction of the City Water Quality Engineer.

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Mitigation Measure GEO-2: Soils with low to very low expansion (expansion index less than 50) shall be placed in structural areas on the site to a depth of 3 feet below the bottom of the foundations or 5 feet below finish grade, whichever is deeper. Where necessary, existing expansive materials should be removed and replaced with low to very low expansive materials. The low expansive material shall extend beyond the structural footprint a distance of 8 feet. Additionally, geotechnical construction monitoring shall be conducted to perform the needed observation and testing services during construction.

Mitigation Measure HAZ-1: In order to compensate for the lack of fire buffer typically provided by Fuel Modification Zones 2 and 3, the proposed project would be required to construct a minimum of a 9-foot-tall non-combustible, contiguous fire wall extending along the entire eastern boundary of the development area that bounds the wildland interface. A minimum of 3.5 feet of the wall shall be above the level of the proposed parking lot.

Mitigation Measure WQ-1: Implementation of Mitigation Measure GEO-1.

Mitigation Measure WQ-2: The Stormwater Management Plan (SWMP) emphasizes structural and non-structural Best Management Practices (BMPs) in compliance with NPDES Program requirements. Specific measures include:

- A Storm Water Pollution Prevention Plan (SWPPP) will be prepared for the project that includes construction BMPs, which would include silt fencing, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, desilting basins, gravel bag berms, sandbag barriers, material delivery and storage guidelines, stockpile management, solid waste management, stabilized construction entrance/exit, revegetation of all disturbed undeveloped area, vehicle and equipment maintenance, erosion control mats, spill prevention and control, concrete waste management, and water conservation practices. Construction BMPs for this project will be selected, constructed, and maintained in order to comply with all City, regional, and state applicable ordinances.
- Post-construction Site Design BMPs will be required for the project. These include the use of an on-site detention basin and a Storm Pure Filtration System as detailed in the SWMP (Pioneer 2007). Additional site design BMPs include minimizing surface parking area, reducing the development area to approximately 25% of the total property acreage, adequate properly maintained on-site landscaping. These BMPs shall be implemented as specified in the SWMP.
- Post-construction Source Control BMPs will be required for the project. These include trash storage areas, site usage restrictions, landscape and irrigation design, building and grounds maintenance, and roof runoff controls. These BMPs shall be implemented as specified in the SWMP.

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- Post-construction Treatment Control BMPs will be required for the project. This includes implementation of the Storm Pure Filtration System on the site. This BMP shall be implemented as specified in the SWMP.
- Post-construction non-structural BMPs will be required for this project. These include employee training, good housekeeping practices, preventative maintenance practices, self-inspection, and spill response planning. These BMPs shall be implemented as specified in the SWMP.

U.S. Fish and Wildlife Service's Standard Recommendations

Per the USFWS' comment letter on the Draft MND, the following conditions were added to the Final MND and shall be implemented to reduce potential impacts to a level below significance.

1. The applicant shall submit final upland habitat creation/restoration/enhancement plans to the Wildlife Agencies for review and approval at least 30 days prior to initiating project impacts. These plans shall be based on the MND and the comments provided by the Wildlife Agencies. In addition to the measures proposed in the MND, the final plans shall include the following information and conditions:
 - a. All final specifications and topographic-based grading, planting, and irrigation plans (with 10-foot contours). All upland habitat creation/restoration/ enhancement sites shall be prepared for planting by decompacting the topsoil in a way that mimics natural upland habitat topsoil to the maximum extent practicable while maintaining slope stability. Topsoil and plant materials salvaged from the upland habitat areas to be impacted shall be transplanted to, and/or used as a seed/cutting source for, the upland habitat restoration/creation areas to the maximum extent practicable as approved by the Wildlife Agencies. Planting and irrigation shall not be installed until the Wildlife Agencies have approved of upland habitat restoration/creation site grading. All planting shall be installed in a way that mimics natural plant distribution, and not in rows;
 - b. Planting palettes (plant species, size, and number/acre) and seed mix (plant species and pounds/acre). The upland plant palette proposed in the draft plans shall include native species specifically associated with the habitat type(s). Unless otherwise approved by the USFWS, only locally native species (no cultivars) obtained from as close to the project area as possible shall be used. The source and proof of all native plant material and seed shall be provided;
 - c. Container plant survival shall be 80% of the initial plantings for the first 5 years. At the first and second anniversary of plant installation, all dead plants shall be replaced unless their function has been replaced by natural recruitment;

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- d. A final implementation schedule that indicates when all upland habitat impacts, as well as creation/restoration/enhancement grading, planting, and irrigation shall begin and end. Upland habitat creation/restoration/enhancement grading planting and irrigation shall be completed during the concurrent or next planting season (i.e., late fall to early spring) after finishing grading within the creation/restoration/enhancement area. Any temporal loss of upland habitat caused by delays in creation/restoration/enhancement shall be mitigated through upland habitat preservation/creation/restoration/enhancement at a 0.5:1 ratio for every 6 months of delay (i.e., 1:1 for 12 months delay, 1.5:1 for 18 months delay, etc.). In the event that the project applicant is wholly or partly prevented from performing obligations under the final plans (causing temporal losses due to delays) because of unforeseeable circumstances or causes beyond the reasonable control, and without the fault or negligence of the project applicant, the project applicant shall be excused by such unforeseeable cause(s);
- e. Five years of success criteria for upland creation/restoration/enhancement areas including: a total of 40%–65% absolute cover; evidence of natural recruitment of multiple species; 0% coverage for Cal-IPC List A and B species, and no more than 10% coverage for other exotic/weed species;
- f. A qualitative and quantitative vegetation monitoring plan with a map of proposed sampling locations. Photo points shall be used for qualitative monitoring and stratified-random sampling shall be used for all quantitative monitoring;
- g. Contingency measures in the event of creation/restoration/enhancement failure;
- h. Annual mitigation maintenance and monitoring reports shall be submitted to the Wildlife Agencies after the maintenance and monitoring period and no later than December 1 of each year; and
- i. If maintenance of a coastal sage scrub creation/restoration/enhancement area is necessary between February 15 and August 31, a biologist permitted by the USFWS will survey the gnatcatchers within the creation/restoration/enhancement area, access routes to it, and other areas susceptible to disturbances by site maintenance. Surveys will consist of three visits separated by two weeks starting March 1 of each maintenance/monitoring year. Work will be allowed to continue on the site during the survey period. However, if gnatcatchers are found during any of the visits, the applicant will notify and coordinate with the Wildlife Agencies to identify measures to avoid and/or minimize effects to the gnatcatcher (e.g., nests and an appropriate buffer will be flagged by the biologist and avoided by the maintenance work).

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2. The project applicant shall temporarily fence (with silt barriers) the limits of project impacts (including construction staging areas and access routes) to prevent additional upland habitat impacts and prevent the spread of silt from the construction zone into adjacent habitats to be avoided. Fencing shall be installed in a manner that does not impact habitats to be avoided. The applicant shall submit to the Wildlife Agencies for approval, at least 30 days prior to initiating project impacts, the final plans for initial clearing and grubbing of upland habitat and project construction. These final plans shall include photographs that show the fenced limits of impact and all areas (including riparian/wetland or coastal sage scrub) to be impacted or avoided. If work occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the Wildlife Agencies. Any riparian/wetland or upland habitat impacts that occur beyond the approved fence shall be mitigated at a minimum 5:1 ratio. Temporary construction fencing shall be removed upon project completion.
3. Impacts from fugitive dust will be avoided and minimized through watering and other appropriate measures.
4. The clearing and grubbing of, and construction adjacent to, coastal sage scrub shall occur outside of the gnatcatcher breeding season (February 15 to August 31, or sooner if a qualified biologist demonstrates to the satisfaction of the Wildlife Agencies that all nesting is complete).
5. A monitoring biologist approved by the Wildlife Agencies shall be onsite during: a) initial clearing and grubbing of habitat; and b) project construction within 500 feet of preserved habitat to ensure compliance with all conservation measures. The biologist must be knowledgeable of gnatcatcher biology and ecology. The applicant shall submit the biologist's name, address, telephone number, and work schedule on the project to the USFWS at least 30 days prior to initiating project impacts. The biologist shall perform the following duties:
 - a. To allow salvage and transplant of live plants to the mitigation sites as practicable and approved by the Wildlife Agencies, ensure that clearing and grubbing of upland habitat is done aboveground in a way that precludes potential bird nesting but does not cause soil and/or root disturbance;
 - b. Perform a minimum of three focused surveys, on separate days, to determine the presence of gnatcatchers in the project impact footprint outside the gnatcatcher breeding season. Surveys will begin a maximum of seven days prior to performing vegetation clearing/grubbing equipment to flush birds towards areas of coastal sage scrub (CSS) to be avoided. It will be the responsibility of the biologist to ensure that gnatcatchers will not be injured or killed by vegetation clearing/grubbing. The biologist will also record the number and location of gnatcatchers disturbed by

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vegetation clearing/grubbing. The applicant will notify the USFWS at least seven days prior to vegetation clearing/grubbing to allow the USFWS to coordinate with the biologist on bird flushing activities;

- c. Perform a minimum of three focused surveys, on separate days, to determine the presence of birds, nest building activities, egg incubation activities, or brood rearing activities in or within 500 feet of the project impact limits of any vegetation clearing/grubbing or project construction proposed within the bird breeding season. The surveys will begin a maximum of seven days prior to vegetation clearing/grubbing or project construction and one survey will be conducted the day immediately prior to the initiation of work. Additional surveys will be done once a week during project construction in the breeding season. These additional surveys may be suspended as approved by the USFWS. The applicant will notify the USFWS at least seven days prior to the initiation of surveys, and within 24 hours of locating any gnatcatchers;
- d. If a gnatcatcher nest is found in or within 500 feet of initial vegetation clearing/grubbing or project construction, the biologist will postpone work within 500 feet of the nest and contact the USFWS to discuss: 1) the best approach to avoid/minimize impacts to nesting birds (e.g., sound walls); and 2) a nest monitoring program acceptable to the USFWS. Subsequent to these discussions, work may be initiated subject to implementation of the agreed upon avoidance/ minimization approach and nest monitoring program. Nest success or failure will be established by regular and frequent trips to the site, as determined by the biologist and through a schedule approved by the USFWS. The biologist will determine whether bird activity is being disrupted. If the biologist determined that bird activity is being disrupted, the applicant will stop work and coordinate with the USFWS to review the avoidance/minimization approach. Coordination between the applicant and USFWS to review the avoidance/minimization approach will occur within 48 hours. Upon agreement as to the necessary revisions to the avoidance/minimization approach, work may resume subject to the revisions and continued nest monitoring. Nest monitoring will continue until fledglings have dispersed or the nest has been determined to be a failure, as approved by the USFWS;
- e. Be on site during all vegetation clearing/grubbing and project construction in sensitive habitats to be impacted or within 500 feet of habitat to be avoided;
- f. Oversee installation of and inspect the fencing and erosion control measures within or up-slope of upland habitat restoration and/or preservation areas a minimum of once per week and daily during all rain events to ensure that any breaks in the fence or erosion control measures are repaired immediately;

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- g. Periodically monitor the work area to ensure that work activities do not generate excessive amounts of dust;
 - h. Train all contractors and construction personnel on the biological resources associated with this project and ensure that training is implemented by construction personnel. At a minimum, training will include: 1) the purpose for resource protection; 2) a description of the gnatcatcher and its habitat; 3) the conservation measures given in the MND that should be implemented during project construction to conserve the gnatcatcher, including strictly limiting activities, vehicles, equipment, and construction materials to the fenced project footprint to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps or on the project site by fencing); 4) environmentally responsible construction practices as outlined in measure 7 below; 5) the protocol to resolve conflicts that may arise at any time during the construction process; 6) the general provisions of the Act, the need to adhere to the provisions of the Act, the penalties associated with violating the Act;
 - i. Halt work, if necessary, and confer with the Wildlife Agencies to ensure the proper implementation of species and habitat protection measures. The biologist will report any violation to the Wildlife Agencies within 24 hours of its occurrence;
 - j. Submit weekly letter reports (including photographs of impact areas) to the USFWS during clearing of upland habitat and/or project construction within 500 feet of avoided habitat. The weekly reports will document that authorized impacts were not exceeded, work did not occur within the 500-foot setback except as approved by the Wildlife Agencies, and general compliance with all conditions. The reports will also outline the duration of gnatcatcher monitoring, the location of construction activities, the type of construction that occurred, and equipment used. These reports will specify numbers, locations, and sex of gnatcatchers (if present), observed gnatcatcher behavior (especially in relation to construction activities), and remedial measures employed to avoid, minimize, and mitigate impacts to gnatcatchers. Raw field notes should be available upon request by the Wildlife Agencies; and
 - k. Submit a final report to the Wildlife Agencies within 60 days of project completion that includes: as-built construction drawings with an overlay of habitat that was impacted and avoided, photographs of habitat areas that were to be avoided, and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance with all conditions of the MND was achieved.
6. The applicant shall ensure the following conditions are implemented during project construction:
- a. Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced project footprint;

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- b. To avoid attracting predators of sensitive wildlife, the project site shall be kept as clean of debris as possible. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site;
 - c. Pets of project personnel shall not be allowed on the project site;
 - d. Disposal or temporary placement of excess fill, brush, or other debris shall not be allowed in waters of the United States or their banks;
 - e. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas outside of waters of the United States within the fenced project impact limits. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable in such a manner as to prevent any runoff from entering waters of the United States, and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100 feet from waters of the United States. Contractor equipment shall be checked for leaks prior to operation and repaired as necessary. "No-fueling zones" shall be designated on construction plants.
7. The applicant shall post a performance bond or letter of credit for grading, planting, irrigation, and 5 years of maintenance and monitoring for upland mitigation (including a 20% contingency to be added to the total costs). This bond or letter of credit is to guarantee the successful implementation of mitigation construction, maintenance, and monitoring. The applicant shall submit a draft bond or letter of credit with an itemized cost list to the USFWS for approval at least 30 days prior to initiating project impacts. The applicant shall submit the final bond or letter of credit for the amount approved by the USFWS within 60 days of receiving USFWS approval of the draft bond.
 8. The project applicant shall execute and record a perpetual biological conservation easement over the habitat to be avoided/preserved on- or off-site (including any creation/restoration/enhancement areas) by the project. The easement shall be in favor of the City or an agent approved by the Wildlife Agencies. The Wildlife Agencies shall be named as third-party beneficiaries. The easement shall be approved by the Wildlife Agencies prior to its execution and should follow a Wildlife Agency-approved template. There should be no active trails in the easement areas. The project applicant shall submit a draft easement to the Wildlife Agencies for review and approval at least 30 days prior to initiating project impacts. The project applicant shall submit the final easement and evidence of its recordation to the Wildlife Agencies within 60 days of receiving approval of the draft easement.
 9. The applicant shall prepare and implement a perpetual management, maintenance, and monitoring plan for all on- or off-site biological conservation easement areas. The applicant shall also establish a non-wasting endowment for an amount approved by the

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Wildlife Agencies based on a Property Analysis Record (PAR) (Center for Natural Lands Management © 1998) or similar cost estimation method to secure the ongoing funding for the perpetual management, maintenance, and monitoring of the biological conservation easement area by an agency, non-profit organization, or other entity approved by the Wildlife Agencies. The applicant shall submit a draft plan including 1) a description of perpetual management, maintenance, and monitoring actions and the PAR or other cost estimation results for the non-wasting endowment; 2) proposed land manager's name, qualifications, business address, and contact information, to the Wildlife Agencies for approval at least 30 days prior to initiating project impacts. The applicant shall submit the final plan to the Wildlife Agencies and a contract with the approved land manager, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity, within 60 days of receiving approval of the draft plan.

10. The applicant shall install permanent protective fencing along any interface with developed areas and/or use of other measures approved by the Wildlife Agencies to deter human and pet entrance into on- or off-site habitat. Fencing should have no gates and be designed to prevent intrusion by pets, especially cats. Signage for the biological conservation easement area shall be posted and maintained at conspicuous locations. Plans for fencing and/or other preventative measures shall be submitted to the USFWS for approval at least 30 days prior to initiating project impacts. Fencing shall be installed prior to completion of project construction.
11. The applicant shall ensure that development landscaping adjacent to on- or off-site habitat does not include exotic plant species that may be invasive to native habitats. Exotic plant species not to be used include any species listed on the California Invasive Plant Council's (Cal-IPC's) "Invasive Plant Inventory" List. This list includes such species as pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom. A copy of the complete list can be obtained from Cal-IPC's website at <http://www.cal-ipc.org>. In addition, landscaping should not use plants that require intensive irrigation, fertilizers, or pesticides adjacent to preserve areas, and water runoff from landscaped areas should be directed away from the biological conservation easement area and contained and/or treated within the development footprint. The applicant shall submit a draft list of species to be included in the landscaping within 30 days of receiving approval of the draft list of species. We also recommend that the applicant include in the project covenants, conditions, and restrictions (CC&Rs) a requirement that invasive plant species shall not be allowed in private landscaping and that the HOA provide the residents a copy of the Cal-IPC inventory.
12. The applicant shall ensure that development lighting adjacent to all on- or off-site habitat shall be directed away from and/or shielded so as to not illuminate native habitats. The

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applicant shall submit a lighting plan to the USFWS at least 30 days prior to initiating project impacts.

13. If night work is necessary, night lighting shall be of the lowest illumination necessary for human safety, selectively placed, shielded and directed away from natural habitats.
14. Any planting stock to be brought onto the project site for landscape or habitat creation/restoration/enhancement shall be first inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including but not limited to, Argentine ants (*Iridomyrmex humil*), fire ants (*Solenopsis invicta*), and other insect pests. Any planting stock found to be infested with such pests shall not be allowed on the project site or within 300 feet of natural habitats unless documentation is provided to the Wildlife Agencies that these pests already occur in natural areas around the project site. The stock shall be quarantined, treated, or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats. The applicant shall ensure that all temporary irrigation will be for the shortest duration possible, and that no permanent irrigation will be used, for landscape or habitat creation/restoration/enhancement.

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3.0 IMPACT ANALYSIS

Potentially significant impacts were identified in the Final MND; however, implementation of the mitigation measures identified in the Final MND would reduce those potentially significant impacts to below a level of significance. As discussed in Section 2.3 of this addendum, these mitigation measures remain applicable to the proposed El Camino Memory Care assisted living facility. Also, no new mitigation measures are necessary with implementation of the revised project. The analysis provided below addresses the issue areas that could result in potential impacts from project changes. No changes to the analysis of the following environmental issue areas is necessary: agricultural resources, cultural resources, and mineral resources.

3.1 Aesthetics

Development associated with the El Camino Memory Care facility would not result in significant impacts to urban design or visual quality of the project area. The design of the proposed facility would be constructed in conformance with the existing development of the project area. The proposed memory care facility would require the construction of a 15-foot-tall retaining wall along the eastern boundary of the project development. The visual quality impacts would be similar to those identified in Section 14.1 of the Final MND. No new impacts would result. Based on the evaluation of the assisted living facility as designed, the construction and operation of the proposed facility would not result in any new impacts to aesthetics, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

3.2 Air Quality

As discussed in Section 14.3 of the Final MND, construction activities associated with the development plan were not anticipated to result in average daily emissions that would exceed the San Diego Air Pollution Control District (SDAPCD) significance thresholds.

The construction activities for the proposed El Camino Memory Care facility would be similar to those of the El Camino Executive Center (see Table 2). Construction of the El Camino Memory Care facility is anticipated to commence October 1, 2014.

**Table 2
Comparison of Construction Activities**

	Approved El Camino Executive Center	Proposed El Camino Memory Care Facility
Construction vehicles	Water truck, track hoe, backhoe, skip loader, bulldozer, dump truck, and crane.	Water truck, track hoe, backhoe, skip loader, bulldozer, dump truck, and crane.
Amount of cut material (cubic yards)	7,200	7,000

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Table 2
Comparison of Construction Activities

	Approved El Camino Executive Center	Proposed El Camino Memory Care Facility
Amount of fill material (cubic yards)	12,975	12,475
Import material (cubic yards)	12,975	12,475
Acres to be graded per day	5,775	5,474

As shown in Table 2, while the type of construction equipment would remain the same, the proposed El Camino Memory Care facility would result in a reduction of graded material and import material that is transported to the site and a decrease in area to be graded per day. Therefore, construction-related air quality impacts would be less than what was modeled for the El Camino Executive Center.

Operational air quality impacts for the two projects would be generated from vehicles trips to and from the project site. According to the *Senior Facility on El Camino Real Traffic Letter Report* prepared by RBF Consulting (2012), the proposed El Camino Memory Care facility would generate 160 trips per day, which is 240 vehicle trips less than the 400 vehicle trips estimated to be generated for the El Camino Executive Center. Therefore, the proposed project would reduce the amount of vehicle trips and therefore decrease the air quality impacts associated with the development of the site.

3.3 Biological Resources

The Final MND disclosed permanent impacts to approximately 0.69 acre of coastal sage scrub that is considered habitat for the federally threatened coastal California gnatcatcher (*Poliophtila californica*) and 0.04 acre of temporary impacts to coastal sage scrub habitat would result from utility infrastructure improvements. These impacts were considered less than significant with implementation of Mitigation Measures BIO-1, BIO-2, and BIO-3. Additionally, it was determined that the approved project would result in impacts to approximately 0.08 acre of southern willow scrub and unvegetated streambed considered jurisdictional under the California Fish and Game Code and approximately 0.02 acre of non-wetland waters of the U.S. unvegetated streambed. These impacts were determined to be less than significant with implementation of Mitigation Measures BIO-4 and BIO-5.

A *Revised Biological Consistency Analysis, El Camino Memory Care Project*, was prepared by Dudek in November 2013 (Dudek 2013a). According to this biological letter report, the revised project for the El Camino Memory Care facility would result in a reduction in impacts when

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compared to the approved El Camino Executive Facility. The overall impact footprint results in a reduction of impacts to coastal sage scrub (0.69 to 0.67 acre of impacted coastal sage scrub).

In terms of avian movement along the “stepping stone” wildlife corridor through Oceanside, the site design for the assisted living facility positions the retaining wall approximately 6 feet west of the 2008 medical office facility site plan, which widens the wildlife corridor through the site in the preserve area. In addition, the northernmost boundary of the new project design is approximately 20 feet further to the south than the previous site plan, which establishes a wider patch of coastal sage scrub in the northern portion of the property and the adjoining City-owned parcel.

Table 3 provides a biological comparison of the approved El Camino Executive Center and the proposed El Camino Memory Care facility, and highlights the City’s Draft Subarea Plan development standards applicable to the project. Provided that the avoidance measures, mitigation measures, and permit requirements of the approved and entitled project are implemented for the El Camino Memory Care facility, the proposed project would be consistent with and be an improvement to the approved project. Therefore, the proposed El Camino Memory Care facility would not result in any new impacts to biological resources, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

**Table 3
Biological Resources Comparison of 2008 Approved Project and the
Proposed November 2013 Site Plan**

Biological Resource	Oceanside Subarea Plan Standards	Approved El Camino Executive Center	Proposed El Camino Memory Care Facility Project
Coastal Sage Scrub (CSS)	<ul style="list-style-type: none"> • No more than 25% of CSS may be removed. • Avoid CSS impacts within 1,000 of SDGE Corridor unless precludes reasonable use (25% use of site). • Impacts to CSS mitigated at 3:1 ratio. 	<ul style="list-style-type: none"> • 0.69 acres permanent impact to CSS (25.7% of the CSS on site). • Site is entirely in SDGE Corridor. Total impact on site 0.97; total site acreage 3.46 acres; 28% total impact on site. • 2.00 acres of preserved CSS + 0.22 acres of CSS restoration + 0.01 acres off-site CSS management = 2.23 acres total CSS mitigation, which is a 3.2:1 ratio. • 0.04 acres of temporary CSS impacts associated with the utility improvements; all temporary impacts would be restored to CSS. 	<ul style="list-style-type: none"> • 0.67 acres of permanent impact to CSS (24.8% of the CSS on site). • Site is entirely in SDGE Corridor. Total impact on site 0.95; total site acreage 3.48 acres; 27% total impact on site. • 2.03 acres of preserved CSS + 0.22 acres of CSS restoration + 0.01 acres off-site CSS management = 2.26 acres total CSS mitigation, which is a 3.4:1 ratio. • 0.04 acres of temporary CSS impacts associated with the utility improvements; all temporary impacts would be restored to CSS.

Addendum to the Final MND for the El Camino Executive Center

Table 3
Biological Resources Comparison of 2008 Approved Project and the
Proposed November 2013 Site Plan

Biological Resource	Oceanside Subarea Plan Standards	Approved El Camino Executive Center	Proposed El Camino Memory Care Facility Project
Jurisdictional Waters	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • 0.02 acres of impact to non-wetland waters from drainage improvements. • Mitigated through 0.01 acre of streambed stabilization, 0.05 acres of southern willow scrub preservation, and 0.06 acres of wetland mitigation credits purchased at North County Habitat Bank. 	<ul style="list-style-type: none"> • Same as approved 2008 project.
Total Site	<ul style="list-style-type: none"> • 50% total site conserved. 	<ul style="list-style-type: none"> • 2.49 acres preserved on the 3.46²-acre site, which is 72%. 	<ul style="list-style-type: none"> • 2.53 acres preserved on the 3.48-acre site, which is 73%.

¹ Regulatory permits for the 2008 project include the USFWS Biological Opinion, CDFG Section 1600 permit, RWQCB Water Quality Certification, and ACOE Nationwide Permit.

² Based on the current geographic information system (GIS) calculations for the total site boundary, the site is considered to be 3.48 acres, not 3.46 acres as previously reported.

Source: Dudek 2013a.

3.4 Geology and Soils

The Final MND concluded that construction grading and trenching activities would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. However, implementation of Mitigation Measure GEO-1 would reduce potential erosion and sedimentation impacts to less-than-significant levels. In addition, the Final MND disclosed potential impacts from expansive soils could occur at the site. However, implementation of Mitigation Measure GEO-2 would reduce potential expansive soil impacts to less-than-significant levels. These measures shall also be implemented for the El Camino Memory Care project.

An updated geotechnical evaluation was prepared by Construction, Testing, and Engineering Inc. in January 2013 (Construction, Testing, & Engineering 2013). According to the updated letter report, the proposed lining and impermeable barrier for the bioretention planter and the diversion of stormwater to the preconstruction drainage area would ensure impacts to geology and soils would remain less than significant. Therefore, based on the evaluation of the assisted living facility as designed, the construction and operation of the proposed facility would not result in any new impacts to geology and soils, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

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3.5 Greenhouse Gas Emissions

The El Camino Executive Center project was approved in 2008 by the City Planning Commission. At the time of adoption of the Final MND, GHG emissions were not part of the required CEQA analysis. Effective March 18, 2010, the state has adopted amendments to the CEQA Guidelines requiring the analysis and mitigation of the effects of GHG emissions in draft CEQA documents. The new CEQA Guidelines regarding GHG emissions do not specifically address situations involving subsequent implementing actions for a project with a previously approved project. GHG emissions and global climate change is not necessarily “new information” since these effects have been generally known for quite some time. Therefore, for this project, this would not be considered new information under CEQA Section 21166 for which an analysis of climate change is required because the El Camino Memory Care project is a revision to a previously approved project (El Camino Executive Center) and would not allow for any new development or uses beyond that of the previously approved development area.

While the proposed project would result in emissions of GHGs during construction, there are currently no established thresholds for assessing whether the GHG emissions of a project in the San Diego Air Basin would be considered a cumulatively considerable contribution to global climate change. However, the California Air Pollution Control Officers Association (CAPCOA) published a white paper in January 2008 evaluating and addressing GHG emissions from projects subject to CEQA. The CAPCOA CEQA and Climate Change white paper is intended as a resource and not a guidance document. The objective of the CAPCOA white paper was to set the emission threshold low enough to capture a substantial fraction of future residential and non-residential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that would contribute a relatively small fraction of the cumulative statewide GHG emissions. A significance threshold of 900 metric tons carbon dioxide equivalent per year (MT CO₂E/year), which was the lowest non-zero threshold evaluated, was based on an analysis that included data from four diverse cities—Los Angeles, Pleasanton, Dublin, and Livermore. This threshold would apply to industrial, residential, and commercial. For purposes of this assessment, a threshold of 900 MT CO₂E/year will be used to evaluate the significance of the proposed project’s GHG emissions. To account for construction-related GHG emissions that would occur prior to operation of the proposed project, construction emissions were annualized over the life of the proposed project (defined as 30 years), added to the operational emissions, and compared to the CAPCOA GHG significance threshold

Construction of the proposed project would generate GHG emissions associated with use of construction equipment and motor vehicles, including worker vehicles, delivery trucks, and off-site haul trucks transporting fill materials during a portion of the construction period. The GHG emissions resulting from implementation of the proposed project were calculated using the California Emissions Estimator Model (CalEEMod), Version 2013.2.2 (available online

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at www.caleemod.com) and model assumptions are described in Appendix A. Table 4 shows the estimated construction GHG emissions that would result from implementation of the proposed project.

Table 4
Estimated Construction Greenhouse Gas Emissions

	MT CO ₂	MT CH ₄	MT N ₂ O	MT CO ₂ E
Construction Emissions	363.62	0.05	0.00	364.71
30-Year Annualized Emissions	—	—	—	12.16

MT = metric tons; CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; CO₂E = carbon dioxide equivalent

The proposed project would generate GHG emissions during operations from mobile emission sources such as resident, visitor, and staff vehicles as well as other GHG emission sources including natural gas and electricity usage, water supply, wastewater treatment, and solid waste disposal.

Table 5 shows the estimated annual operational GHG emissions and the total annual GHG emissions including the annualized construction emissions.

Table 5
Estimated Annual Operational Greenhouse Gas Emissions

	MT CO ₂	MT CH ₄	MT N ₂ O	MT CO ₂ E
Annual Operational Emissions	381.93	0.69	0.01	397.66
Annualized Construction Emissions	—	—	—	12.16
Total Annual Emissions	—	—	—	409.82
<i>CAPCOA Significance Threshold</i>	—	—	—	900
Exceeds Threshold?	—	—	—	No

MT = metric tons; CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; CO₂E = carbon dioxide equivalent

As shown in Table 5, the annual operational GHG emissions, in combination with the annualized construction emissions from the proposed project, would result in approximately 410 MT CO₂E/year of estimated total annual GHG emissions. This would not exceed the CAPCOA significance threshold of 900 MT CO₂E/year. Therefore, the proposed project would result in less-than-significant impacts to climate change from GHG emissions during construction and operation.

The Scoping Plan approved by CARB on December 12, 2008, provides a framework for actions to reduce California's GHG emissions and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. As such, the Scoping Plan is not directly applicable to specific projects. Moreover, the Final Statement of Reasons for the amendments to

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the CEQA Guidelines reiterates the statement in the Initial Statement of Reasons that “[t]he Scoping Plan may not be appropriate for use in determining the significance of individual projects ... because it is conceptual at this stage and relies on the future development of regulations to implement the strategies identified in the Scoping Plan” (CNRA 2009b). Under the Scoping Plan, however, there are several state regulatory measures aimed at the identification and reduction of GHG emissions. CARB and other state agencies have adopted many of the measures identified in the Scoping Plan. Most of these measures focus on area source emissions (e.g., energy usage, high-GWP GHGs in consumer products) and changes to the vehicle fleet (hybrid, electric, and more fuel-efficient vehicles) and associated fuels (e.g., LCFS), among others. While state regulatory measures will ultimately reduce GHG emissions associated with the project through their effect on these sources, no statewide plan, policy, or regulation would be specifically applicable to reductions in GHG emissions from the proposed project.

While the City has incorporated several General Plan policies aimed at improving energy efficiency, including the use of alternative modes of transportation, employing sustainable planning and design techniques, and providing environmentally sound landscaping practices, the City has not adopted a climate action plan or GHG reduction plan or other plans or policies specifically intended to reduce GHG emissions. At this time, no mandatory state or local plans, policies, or regulations intended to reduce GHG emissions would apply to implementation of the proposed project, and no conflict with an applicable plan would occur. Impacts relating to the proposed project’s potential to conflict with an applicable plan, policy, or regulation would be less than significant.

3.6 Hazards and Hazardous Waste

The Final MND identified a potentially significant impact associated with wildland fires; however, implementation of Mitigation Measure HAZ-1 would require the construction of a non-combustible firewall and would also reduce potential impacts to the proposed El Camino Memory Care facility to less-than-significant levels.

According to the State of California Department of Toxic Substances Control EnviroStor Database (DTSC 2013), the project site has not been included on a list of hazardous material sites, and therefore, would not create a significant hazard to the public or the environment.

Based on the evaluation of the assisted living facility as designed, the construction and operation of the proposed facility would not result in any new hazards or hazardous waste impacts to, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

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3.7 Hydrology and Water Quality

The Final MND concluded potential significant water quality impacts could result from the construction and operational phases of the approved El Camino Executive Center; however, implementation of Mitigation Measures WQ-1 and WQ-2 would reduce these potentially significant impacts to less-than-significant levels.

An SWMP was prepared for the El Camino Memory Care facility project (SPEAR & Associates 2013). According to the SWMP, the project will maintain the existing drainage patterns of the project area. The project will implement on-site Integrated Management Practices (IMPs) including two modular wetland systems combined with an underground vault to address hydromodification located in the parking lot. In addition, energy dissipaters would be utilized to further reduce erosive flows, sedimentation, and siltation. The proposed development will not create erosion or siltation on site or off site. Post development peak flows, flow volumes and velocities will be maintained lower than pre-development rates; 26.3 cubic feet per second (cfs) (a decrease of 1.3 cfs from pre-development conditions). Hence construction and operation of the proposed facility would not result in any new hydrology and water quality impacts, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

3.8 Land Use

The Final MND concluded that the project would result in a less-than-significant impact to land use. The land use designation for the project site is Professional Commercial (PC) and the zoning designation is Commercial Professional (CP). According to Article 11 C Commercial Districts, the purpose of the PC is to provide a landscaped environment for offices that are protected from the more intense levels of activity associated with retail commercial developments. The El Camino Memory Care project would consist of a 34,338-square-foot assisted living facility (Development Plan (D13-00001)). The proposed assisted living facility is permitted under the existing land use and zoning designations with the approval of a conditional use permit (CUP13-00006). CUP13-00006 would be required to change the use of the site to assisted living. The project will also require two variances (V13-00005 and V13-00006) to allow for a front yard setback of 10 feet in lieu of the standard 20 feet setback as specified in Section 1100 of the Oceanside Zoning Ordinance, and to accommodate a 15-foot-tall retaining wall along the eastern property boundary. With the approval of the CUP and variances, conflicts with the City's General Plan or Zoning Ordinance would be less than significant, and the proposed project would not result in any new land use impacts, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

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3.9 Noise

The Final MND concluded that the project would result in a less-than-significant noise impact. An updated Acoustical Memorandum was prepared for the El Camino Memory Care facility by Dudek in January 2013 (Dudek 2013b). The results of the noise modeling indicate that future noise levels from El Camino Real would be approximately 74 decibel (dB) community noise equivalent level (CNEL) at both the first and second floors of the building façade. Because there are no exterior sensitive receptors at the project site, the proposed project would not conflict with the City's exterior noise level limits. Based on preliminary design information, the proposed project's building shell would result in a composite Sound Transmission Class (STC) rating of at least 30 (HPI Architecture 2013). An STC rating of 30 is roughly equivalent to a 30 dB reduction in the sound level transmitted from one side of the barrier to the other. With an exterior noise level of 74 dB CNEL, the interior noise level would be approximately 44 dB CNEL, and therefore, would not exceed the City's 45 dB CNEL noise criterion. Therefore, the proposed facility would not result in any new noise impacts, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

3.10 Population and Housing

The approved project was for the development of a medical office facility, which would not generate housing or population; therefore, it did not identify any potential impacts to population and housing. The project site is currently vacant, and as with the approved medical office facility, the proposed senior living facility would not displace existing housing or people. The proposed assisted living facility would construct 48 new units to accommodate a total of 64 beds. The proposed project would not generate growth beyond the proposed 64 beds, as the project does not include any major infrastructure improvements which would be of service to vacant, off-site properties. Infrastructure improvements included as part of the proposed project are aimed at meeting the needs of the proposed project itself. The majority of the project area is already developed or planned for development, and therefore, would not exceed projected growth within the City. This project would involve additional housing, and existing commercial uses in the area would be expected to accommodate the increase in demand for commercial services resulting from the proposed project. Therefore, impacts to population and housing would be less than significant, and the proposed project would not result in any new population and housing impacts, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

3.11 Public Services

The Final MND did not identify any public service impacts associated with the development of the medical office facility. No dwelling units were proposed as part the El Camino Executive

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Center project; however, the revisions to the project entail changing the land use from a medical care facility to an assisted living facility. The project proposes to construct a total of 64 beds. According to the City of Oceanside's Municipal Code Section 32B, the following shall be imposed as part of development approval:

- Approval of this development project is conditioned upon payment of all applicable impact fees and connection fees in the manner provided in Chapter 32 of the Oceanside City Code.
- No building permit shall be issued until all impact fees due for the development project have been paid.
- Compliance with Chapter 32 of the Oceanside City Code would ensure that potential impacts to public services remain below a level of significance. The proposed facility would not result in any new public service impacts, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

3.12 Recreation

The Final MND did not identify any impacts to recreational facilities as the medical office facility would not generate an increase in demand of such facilities. The proposed assisted living facility would construct a total of 48 units. Residential developments with less than 50 residential units need to comply with the City of Oceanside's Municipal Code Section 32D(3), regarding park impact fees. Compliance with Chapter 32D(3) of the Oceanside City Code would ensure that potential impacts to public services remain below a level of significance. The proposed facility would not result in any new impacts to recreation, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

3.13 Traffic and Parking

The Final MND and associated traffic report for the medical office facility determined the El Camino Executive Center would generate 400 vehicle trips/day, and that impacts would be less than significant. The project was conditioned to pay standard City Traffic Signal and Thoroughfare fees.

An updated traffic assessment was prepared by RBF Consulting in December 2012 to assess the potential traffic that would be generated by the proposed assisted living facility. The new project would include 64 beds in the facility. According to the updated traffic report, assisted living facilities generate approximately 2.5 trips/bed/day, equaling 160 daily trips (refer to Table 6). Therefore, the daily tips associated with the assisted living facility would fewer than the previously approved medical office facility.

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Table 6
Trip Generation Rates and Project Generated Trips for the
Proposed El Camino Memory Care Facility

Land Use	Daily	AM Peak Hour			PM Peak Hour		
		Total (% of Daily)	In (% AM)	Out (% PM)	Total (% of Daily)	In (% AM)	Out (% PM)
SANDAG Trip Rate Congregate Care Facility	2.5 trips/ bed	4%	60%	40%	8%	50%	50%
Forecast Project Trips Congregate Care Facility	160	6	4	2	12	6	6
Total	50	2	1	1	4	2	2

Source: RBF Consulting 2012.

Per the City's parking standards, one parking space is required per every three beds. The project would provide a total of 64 beds within the facility, and therefore, is required to provide a total of 22 parking spaces. The total parking spaces proposed for the Memory Care facility is 29 parking spaces. Therefore, the project would provide sufficient parking for the proposed development.

Based on the evaluation of the assisted living facility as designed, the construction and operation of the proposed facility would not result in any new impacts to transportation or parking, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

3.14 Utilities and Service Systems

The Final MND did not identify any significant impacts to utilities and service systems for the medical center. The proposed residential development is anticipated to increase the amount of water and wastewater generated in the project area. The Oceanside Water Utilities Department bases their water service needs and wastewater treatment services projections on the City of Oceanside's General Plan land use designations. Since the proposed project is consistent with the General Plan land use designation for the project site, it is anticipated that implementation of the proposed project will not result in an increase in demand, and impacts will remain less than significant.

The proposed site will surface drain to a private subsurface storm drain system of inlets and pipes prior to being discharged over a system of riprap and concrete sill check dams. The proposed project will also collect stormwater runoff via the modular wetland systems and biofiltration system; which will drain to the underground detention and then piped to the previously approved riprap area prior to entering the existing unlined drainage system. The proposed project would result in a total post-development runoff volume of 26.3 cfs (a decrease of 1.3 cfs from pre-development conditions). Since the post-construction storm water runoff

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volume would be a reduction from the pre-construction conditions, the project would not require the construction of new storm water drainage facilities, and impacts to stormwater drainage facilities would remain less than significant.

The proposed residential project is not of a scale that will in and of itself impact solid waste services or facilities. Landfill capacity estimates are based on General Plan planned land use designations, which provide landfill capacity planning staff with an estimate of the type and density of land use reasonably anticipated throughout a landfill's service area. The County of San Diego reviews its landfill capacity and needs, and provides strategies for providing adequate solid waste disposal when updating the Landfill Siting Element every five years. Since the project is consistent with the sites general plan designation and will be required to comply with City Codes, impacts to solid waste capacity are anticipated to be less than significant. In addition, the project will be required to comply with the City of Oceanside Code Chapters 13.3 (requirements to manage solid waste and recyclable material), 13.39 (designation of adequate space for solid waste and recycling on site), and 13.16(h) (requirement to separate all recyclable material from solid waste) and State of California Assembly Bill 939 Solid Waste Management Diversion Mandates.

Therefore, the construction and operation of the proposed facility would not result in any new impacts to utilities or service systems, nor would it increase the severity of any potentially significant impacts identified in the Final MND.

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APPENDIX A

*Greenhouse Gas Emissions Technical Report for
the El Camino Memory Care Facility,
City of Oceanside, California*

**Greenhouse Gas Emissions Technical Report
for the
El Camino Real Memory Care Facility
City of Oceanside, California**

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JANUARY 2014

**Greenhouse Gas Emissions Technical Report
for the El Camino Real Memory Care Facility**

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APPENDIX

A CalEEMod Modeling and Estimated Emissions

**Greenhouse Gas Emissions Technical Report
for the El Camino Real Memory Care Facility**

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Greenhouse Gas Emissions Technical Report for the El Camino Real Memory Care Facility

1.0 INTRODUCTION

The purpose of this report is to evaluate the potential climate change impacts and greenhouse gas (GHG) emissions during construction and operation of the proposed El Camino Real Memory Care Facility (proposed project). It evaluates short-term (construction) and long-term (operational) GHG emissions that would potentially occur as a result of implementation of the proposed project.

The proposed project includes the development of a senior living facility consisting of approximately 34,338 square feet of building area with two floors and a parking garage on a building footprint of approximately 16,852 square feet. The senior living facility would consist of 32 studio units (32 beds) and 16 2-bedroom units (32 beds), amounting to a total of 48 units (64 beds). The proposed project would also entail construction of 29 surface parking spaces for a total developed area of approximately 41,240 square feet.

2.0 ENVIRONMENTAL SETTING

2.1 The Greenhouse Effect and Greenhouse Gases

Gases that trap heat in the atmosphere are often called GHGs. The greenhouse effect traps heat in the troposphere through a threefold process: short-wave radiation emitted by the Sun is absorbed by the Earth; the Earth emits a portion of this energy in the form of long-wave radiation; and GHGs in the upper atmosphere absorb this long-wave radiation and emit this long-wave radiation into space and back toward the Earth. This “trapping” of the long-wave (thermal) radiation emitted back toward the Earth is the underlying process of the greenhouse effect.

Principal GHGs include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), O₃, and water vapor (H₂O). Some GHGs, such as CO₂, CH₄, and N₂O, occur naturally and are emitted to the atmosphere through natural processes and human activities. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely byproducts of fossil-fuel combustion, whereas CH₄ results mostly from off-gassing associated with agricultural practices and landfills. Man-made GHGs, which have a much greater heat-absorption potential than CO₂, include fluorinated gases, such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), and nitrogen trifluoride (NF₃), which are associated with certain industrial products and processes (CAT 2006).

The greenhouse effect is a natural process that contributes to regulating the Earth’s temperature. Without it, the temperature of the Earth would be about 0°F (−18°C) instead of its current 57°F (14°C). Global climate change concerns are focused on whether human activities are leading to an enhancement of the greenhouse effect.

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The effect each GHG has on climate change is measured as a combination of the mass of its emissions and the potential of a gas or aerosol to trap heat in the atmosphere, known as its global warming potential (GWP). The GWP varies between GHGs; for example, the GWP of CH₄ is 21, and the GWP of N₂O is 310. Total GHG emissions are expressed as a function of how much warming would be caused by the same mass of CO₂. Thus, GHG gas emissions are typically measured in terms of pounds or tons of CO₂ equivalent (CO₂E).¹

3.0 REGULATORY SETTING

Federal Activities

Massachusetts v. the U.S. Environmental Protection Agency (EPA). On April 2, 2007, in *Massachusetts v. EPA*, the U.S. Supreme Court directed the EPA administrator to determine whether GHG emissions from new motor vehicles cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. In making these decisions, the EPA administrator is required to follow the language of Section 202(a) of the Clean Air Act. On December 7, 2009, the administrator signed a final rule with two distinct findings regarding GHGs under Section 202(a) of the Clean Air Act including that elevated concentrations of GHGs threaten public health and welfare of current and future generations (“endangerment finding”) and that combined emissions of GHGs from new motor vehicles and new motor vehicle engines contribute to GHG air pollution that endangers public health and welfare (“cause or contribute finding”). These two findings were necessary to establish the foundation for regulation of GHGs from new motor vehicles as air pollutants under the Clean Air Act.

Energy Independence and Security Act. On December 19, 2007, President George W. Bush signed the Energy Independence and Security Act of 2007. Among other key measures that would aid in the reduction of national GHG emissions, the act would increase the supply of alternative fuel sources, set fuel economy standards, and revised standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards.

EPA and the National Highway Traffic Safety Administration (NHTSA) Joint Final Rule for Vehicle Standards. On April 1, 2010, the EPA and NHTSA announced a joint final rule to establish a national program consisting of new standards for light-duty vehicles model years 2012 through 2016 (EPA and NHTSA 2010). The joint rule is intended to reduce GHG

¹ The CO₂ equivalent for a gas is derived by multiplying the mass of the gas by the associated GWP, such that metric tons of CO₂E = (metric tons of a GHG) × (GWP of the GHG). For example, the GWP for CH₄ is 21. This means that emissions of 1 metric ton of CH₄ are equivalent to emissions of 21 metric tons of CO₂.

Greenhouse Gas Emissions Technical Report for the El Camino Real Memory Care Facility

emissions and improve fuel economy. The EPA GHG standards for new passenger cars, light-duty trucks, and medium-duty passenger vehicles and the CAFE standards for passenger cars and light trucks will cut GHG emissions by an estimated 960 MMT and save 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (EPA 2011).

In August 2012, the EPA and NHTSA approved a second round of GHG and CAFE standards for model years 2017 and beyond (EPA and NHTSA 2012). These standards will reduce motor vehicle GHG emissions to 163 grams of CO₂ per mile, which is equivalent to 54.5 mpg if this level were achieved solely through improvements in fuel efficiency, for cars and light-duty trucks by model year 2025.

State of California

Title 24. Although not originally intended to reduce GHG emissions, California's Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR 6) were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy-efficiency technologies and methods. The most recent version took effect on January 1, 2014. The premise for the standards is that energy-efficient buildings require less electricity, natural gas, and other fuels. Electricity production from fossil fuels and on-site fuel combustion (typically for space and water heating) result in GHG emissions. Therefore, increased energy efficiency in buildings results in relatively lower rates of GHG emissions on a building-by-building basis.

Assembly Bill (AB) 1493. In response to the transportation sector accounting for more than half of California's CO₂ emissions, AB 1493 (Pavley) was enacted on July 22, 2002. AB 1493 required the California Air Resources Board (CARB) to set GHG emission standards for passenger vehicles, light-duty trucks, and other vehicles determined by the state board to be vehicles whose primary use is noncommercial personal transportation in the state. The bill required that CARB set GHG emission standards for motor vehicles manufactured in 2009 and all subsequent model years. CARB adopted the standards in September 2004. When fully phased in, the near-term (2009–2012) standards will result in a reduction of about 22% in GHG emissions compared to the emissions from the 2002 fleet, while the mid-term (2013–2016) standards will result in a reduction of about 30%.

Executive Order S-3-05. In June 2005, Governor Schwarzenegger established California's GHG emissions reduction targets in Executive Order S-3-05. The executive order established the following goals: GHG emissions should be reduced to 2000 levels by 2010; GHG emissions should be reduced to 1990 levels by 2020; and GHG emissions should be reduced to 80% below

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1990 levels by 2050. The CalEPA secretary is required to coordinate efforts of various agencies to collectively and efficiently reduce GHGs. The Climate Action Team (CAT) is responsible for implementing global warming emissions reduction programs. Representatives from several state agencies compose the CAT. Under the executive order, the CalEPA secretary is directed to report biannually on progress made toward meeting the GHG emission targets and the impacts to California due to global warming, including impacts to water supply, public health, agriculture, the coastline, and forestry. The CAT fulfilled its initial report requirements through the 2006 *Climate Action Team Report to Governor Schwarzenegger and the Legislature* (CAT 2006).

The 2009 *Climate Action Team Biennial Report* (CAT 2010a), published in April 2010, expands on the policy outlined in the 2006 assessment. The 2009 report provides new information and scientific findings regarding the development of new climate and sea level projections using new information and tools that have recently become available and evaluates climate change within the context of broader social changes, such as land use changes and demographics. Subsequently, the 2010 *Climate Action Team Report to Governor Schwarzenegger and the California Legislature* (CAT 2010b) reviews past Climate Action Milestones, including voluntary reporting programs, GHG standards for passenger vehicles, the Low Carbon Fuel Standard (LCFS), a statewide renewable energy standard, and the cap-and-trade program.

Assembly Bill 32. In furtherance of the goals established in Executive Order S-3-05, the legislature enacted AB 32 (Núñez and Pavley), the California Global Warming Solutions Act of 2006, which Governor Schwarzenegger signed on September 27, 2006. The GHG emissions limit is equivalent to the 1990 levels, which are to be achieved by 2020.

CARB has been assigned to carry out and develop the programs and requirements necessary to achieve the goals of AB 32. Under AB 32, CARB must adopt regulations requiring the reporting and verification of statewide GHG emissions. This program will be used to monitor and enforce compliance with the established standards. CARB is also required to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. AB 32 allows CARB to adopt market-based compliance mechanisms to meet the specified requirements. Finally, CARB is ultimately responsible for monitoring compliance and enforcing any rule, regulation, order, emission limitation, emission reduction measure, or market-based compliance mechanism adopted.

The key elements of the Scoping Plan include the following:

- Expanding and strengthening existing energy efficiency programs as well as building and appliance standards
- Achieving a statewide renewables energy mix of 33%

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- Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system and caps sources contributing 85% of California's GHG emissions
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets
- Adopting and implementing measures pursuant to existing state laws and policies, including California's clean car standards, goods movement measures, and the LCFS
- Creating targeted fees, including a public goods charge on water use, fees on high GWP gases, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.

Executive Order S-1-07. Issued on January 18, 2007, Executive Order S-1-07 sets a declining LCFS for GHG emissions measured in CO₂E grams per unit of fuel energy sold in California. The target of the LCFS is to reduce the carbon intensity of California passenger vehicle fuels by at least 10% by 2020. The carbon intensity measures the amount of GHG emissions in the lifecycle of a fuel, including extraction/feedstock production, processing, transportation, and final consumption, per unit of energy delivered. CARB adopted the implementing regulation in April 2009. The regulation is expected to increase the production of biofuels, including those from alternative sources such as algae, wood, and agricultural waste. In addition, the LCFS would drive the availability of plug-in hybrid, battery electric, and fuel-cell power motor vehicles. The LCFS is anticipated to lead to the replacement of 20% of the fuel used in motor vehicles with alternative fuels by 2020.

Senate Bill 375. In August 2008, the legislature passed, and on September 30, 2008, Governor Schwarzenegger signed, SB 375 (Steinberg), which addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans. Regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035, as determined by CARB, are required to consider the emission reductions associated with vehicle emission standards (see Senate Bill 1493), the composition of fuels (see Executive Order S-1-07), and other CARB-approved measures to reduce GHG emissions. Regional metropolitan planning organizations will be responsible for preparing a Sustainable Communities Strategy (SCS) within their Regional Transportation Plan (RTP). The goal of the SCS is to establish a development plan for the region, which, after considering transportation measures and policies, will achieve, if feasible, the GHG reduction targets. If an SCS is unable to achieve the GHG reduction target, a metropolitan planning organization must prepare an alternative planning strategy demonstrating how the GHG reduction target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. On September 23, 2010, CARB adopted the SB 375 targets for the regional metropolitan planning organizations (MPOs). The

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targets for the San Diego Association of Governments (SANDAG) are a 7% reduction in emissions per capita by 2020 and a 13% reduction by 2035. Achieving these goals through adoption of a Sustainable Communities Strategy will be the responsibility of the MPOs. The RTP/SCS is currently undergoing legal challenge, and in November 2012 the Superior Court of San Diego County struck down the California Environmental Quality Act (CEQA) analysis of SANDAG's 2050 RTP/SCS that was prepared per the SB 375 streamlined approach (*Cleveland National Forest Foundation v. SANDAG* 2012).

Senate Bill XI 2. On April 12, 2011, Governor Jerry Brown signed SB XI 2 in the First Extraordinary Session, which would expand the Renewable Portfolio Standard (RPS) by establishing a goal of 20% of the total electricity sold to retail customers in California per year by December 31, 2013, and 33% by December 31, 2020, and in subsequent years. By January 1, 2012, the CPUC is required to establish the quantity of electricity products from eligible renewable energy resources to be procured by retail sellers in order to achieve targets of 20% by December 31, 2013; 25% by December 31, 2016; and 33% by December 31, 2020.

4.0 IMPACT ANALYSIS

4.1 Threshold of Significance for GHG Emissions

Global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of greenhouse gases (GHGs). Thus, GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective (CAPCOA 2008). This approach is consistent with that recommended by the California Natural Resource Agency, which noted in its Public Notice for the proposed CEQA amendments that the evidence before it indicates that in most cases, the impact of GHG emissions should be considered in the context of a cumulative impact, rather than a project-level impact (CNRA 2009a). Similarly, the *Final Statement of Reasons for Regulatory Action* for amendments to the CEQA Guidelines confirms that an EIR or other environmental document must analyze the incremental contribution of a project to GHG levels and determine whether those emissions are cumulatively considerable (CNRA 2009b).

Neither the State of California nor the SDAPCD have established CEQA significance thresholds for GHG emissions. The Governor's Office of Planning and Research (OPR) advises, "Even in the absence of clearly defined thresholds for GHG emissions, the law requires that such emissions from CEQA projects must be disclosed and mitigated to the extent feasible whenever the lead agency determines that the project contributes to a significant, cumulative climate change impact" (OPR 2008, p.4). Furthermore, the OPR advisory indicates, "In the absence of

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regulatory standards for GHG emissions or other scientific data to clearly define what constitutes a ‘significant impact,’ individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice” (OPR 2008, p.6).

While the proposed project would result in emissions of GHGs during construction, there are currently no established thresholds for assessing whether the GHG emissions of a project in the San Diego Air Basin (SDAB) would be considered a cumulatively considerable contribution to global climate change. However, the California Air Pollution Control Officers Association (CAPCOA) published a white paper in January 2008 evaluating and addressing GHG emissions from projects subject to CEQA. The CAPCOA CEQA and Climate Change white paper is intended as a resource and not a guidance document. The objective of the CAPCOA white paper was to set the emission threshold low enough to capture a substantial fraction of future residential and non-residential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that would contribute a relatively small fraction of the cumulative statewide GHG emissions. A significance threshold of 900 metric tons carbon dioxide equivalent per year (MT CO₂E/year), which was the lowest non-zero threshold evaluated, was based on an analysis that included data from four diverse cities—Los Angeles, Pleasanton, Dublin, and Livermore. This threshold would apply to industrial, residential, and commercial. For purposes of this assessment, a threshold of 900 MT CO₂E/year will be used to evaluate the significance of the proposed project’s GHG emissions. To account for construction-related GHG emissions that would occur prior to operation of the proposed project, construction emissions were annualized over the life of the proposed project (defined as 30 years), added to the operational emissions, and compared to the CAPCOA GHG significance threshold.

Construction GHG Emissions

Construction of the proposed project would generate GHG emissions associated with use of construction equipment and motor vehicles, including worker vehicles, delivery trucks, and off-site haul trucks transporting fill materials during a portion of the construction period. The GHG emissions resulting from implementation of the proposed project were calculated using the California Emissions Estimator Model (CalEEMod), Version 2013.2.2 (available online at www.caleemod.com). Model assumptions were based on project specific details and typical construction activity for a building construction project; default CalEEMod assumptions were applied when project specifics were unavailable. Construction of the El Camino Memory Care facility is anticipated to commence in October 2014 and includes the export of 7,000 cubic yards of cut material and import of 12,475 cubic yards of fill material. Table 1 shows the estimated total construction GHG emissions of the proposed project. Additional details are included in Appendix A.

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Table 1
Estimated Construction Greenhouse Gas Emissions

	MT CO ₂	MT CH ₄	MT N ₂ O	MT CO ₂ E
Construction Emissions	363.62	0.05	0.00	364.71
30-Year Annualized Emissions	—	—	—	12.16

MT = metric tons; CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; CO₂E = carbon dioxide equivalent

Operational GHG Emissions

The proposed project would generate GHG emissions during operations from mobile emission sources such as resident, visitor, and staff vehicles, as well as other GHG emission sources, including natural gas and electricity usage, water supply, wastewater treatment, and solid waste disposal. The model assumptions were based on project-specific details and default CalEEMod assumptions were applied when project specifics were unavailable. The proposed project is anticipated to begin operation in 2015. As discussed in the Traffic Update Letter prepared by RBF Consulting, the proposed El Camino Memory Care facility would generate 160 trips per day (RBF 2012). Table 2 shows the estimated annual operational GHG emissions and the total annual GHG emissions, including the annualized construction emissions.

Table 2
Estimated Annual Operational Greenhouse Gas Emissions

	MT CO ₂	MT CH ₄	MT N ₂ O	MT CO ₂ E
Annual Operational Emissions	381.93	0.69	0.01	397.66
Annualized Construction Emissions	—	—	—	12.16
Total Annual Emissions	—	—	—	409.82
<i>CAPCOA Significance Threshold</i>	—	—	—	<i>900</i>
Exceeds Threshold?	—	—	—	No

MT = metric tons; CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; CO₂E = carbon dioxide equivalent

As shown in Table 2, the annual operational GHG emissions, in combination with the annualized construction emissions from the proposed project, would result in approximately 410 MT CO₂E/year of estimated total annual GHG emissions. This would not exceed the CAPCOA significance threshold of 900 MT CO₂E/year. Therefore, the proposed project would result in less-than-significant impacts to climate change from GHG emissions during construction and operation.

Greenhouse Gas Emissions Technical Report for the El Camino Real Memory Care Facility

5.0 REFERENCES

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APPENDIX A

CalEEMod Modeling and Estimated Emissions

El Camino Real Memory Care Facility
San Diego County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Enclosed Parking with Elevator	16.85	1000sqft	0.39	16,850.00	0
Parking Lot	24.39	1000sqft	0.56	24,390.00	0
Congregate Care (Assisted Living)	48.00	Dwelling Unit	0.95	34,336.00	137

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.6	Precipitation Freq (Days)	40
Climate Zone	13			Operational Year	2015

Utility Company San Diego Gas & Electric

CO2 Intensity (lb/MW/hr)	720.49	CH4 Intensity (lb/MW/hr)	0.029	N2O Intensity (lb/MW/hr)	0.006
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1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Based on building footprinting of 16,852 square feet and developed area of 41,240 square feet

Construction Phase - No demolition phase because undeveloped site.

Grading -

Vehicle Trips - Increased trip rate to match 160 total trips (3.33 trips per dwelling unit or 2.5 trips per bed) per Traffic Letter (RBF Consulting, 2012).

Woodstoves - Assuming no wood fireplaces, representative wood fire places changed to gas

Construction Off-road Equipment Mitigation -

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	PhaseEndDate	8/13/2015	11/14/2015
tblConstructionPhase	PhaseEndDate	7/29/2015	7/30/2015
tblFireplaces	FireplaceWoodMass	3,078.40	0.00
tblFireplaces	NumberGas	26.40	33.20
tblFireplaces	NumberWood	16.80	0.00
tblGrading	MaterialExported	0.00	7,000.00
tblGrading	MaterialImported	0.00	12,475.00
tblLandUse	LandUseSquareFeet	48,000.00	34,338.00
tblLandUse	LotAcreage	3.00	0.95
tblProjectCharacteristics	OperationalYear	2014	2015
tblVehicleTrips	ST_TR	2.20	3.33
tblVehicleTrips	SU_TR	2.44	3.33
tblVehicleTrips	WD_TR	2.74	3.33

2.0 Emissions Summary

**2.1 Overall Construction
Unmitigated Construction**

Year	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NI Bio- CO2	Total CO2	CH4	N2O	CO2e
2014											0.0000	166.4548	166.4548	0.0165	0.0000	166.8016
2015											0.0000	197.1628	197.1628	0.0353	0.0000	197.9042
Total											0.0000	363.6176	363.6176	0.0518	0.0000	364.7058

2.2 Overall Operational
Unmitigated Operational

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	INBio- CO2	Total CO2	CH4	N2O	CO2e
	MT/yr															
Area											9.7025	26.7329	36.4354	0.0465	4.8000e-004	37.5598
Energy											0.0000	112.3876	112.3876	4.2300e-003	1.0800e-003	112.8101
Mobile											0.0000	202.7545	202.7545	9.2400e-003	0.0000	202.9486
Waste											8.8910	0.0000	8.8910	0.5254	0.0000	19.9253
Water											0.9922	20.4669	21.4591	0.1027	2.5800e-003	24.4152
Total											19.5657	362.3418	381.9275	0.6881	4.1400e-003	397.6590

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	10/1/2014	10/2/2014	5	2	
2	Grading	Grading	10/3/2014	10/8/2014	5	4	
3	Building Construction	Building Construction	10/9/2014	7/15/2015	5	200	
4	Paving	Paving	7/16/2015	7/30/2015	5	10	
5	Architectural Coating	Architectural Coating	7/31/2015	11/14/2015	5	10	

Acres of Grading (Site Preparation Phase): 1

Acres of Grading (Grading Phase): 1.5

Acres of Paving: 0

Residential Indoor: 69,534; Residential Outdoor: 23,178; Non-Residential Indoor: 26,373; Non-Residential Outdoor: 8,791 (Architectural

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Graders	1	8.00	174	0.41
Site Preparation	Rubber Tired Dozers	1	7.00	255	0.40
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Grading	Graders	1	6.00	174	0.41
Grading	Rubber Tired Dozers	1	6.00	255	0.40
Grading	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Building Construction	Cranes	1	6.00	226	0.29
Building Construction	Forklifts	1	6.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Paving	Pavers	1	6.00	125	0.42
Paving	Paving Equipment	1	8.00	130	0.36
Paving	Rollers	1	7.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	76	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	3	8.00	0.00	2,434.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	52.00	12.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Site Preparation - 2014
Unmitigated Construction On-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	1.6521	1.6521	4.9000e-004	0.0000	1.6623
Total											0.0000	1.6521	1.6521	4.9000e-004	0.0000	1.6623

Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
MT/yr																
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	0.0641	0.0641	0.0000	0.0000	0.0642
Total											0.0000	0.0641	0.0641	0.0000	0.0000	0.0642

Mitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
MT/yr																
Fugitive Dust											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	1.6521	1.6521	4.9000e-004	0.0000	1.6623
Total											0.0000	1.6521	1.6521	4.9000e-004	0.0000	1.6623

Mitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	0.0641	0.0641	0.0000	0.0000	0.0642
Total											0.0000	0.0641	0.0641	0.0000	0.0000	0.0642

3.3 Grading - 2014

Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Fugitive Dust											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	2.7137	2.7137	8.0000e-004	0.0000	2.7306
Total											0.0000	2.7137	2.7137	8.0000e-004	0.0000	2.7306

Unmitigated Construction Off-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling											0.0000	85.2564	85.2564	7.8000e-004	0.0000	85.2728
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	0.1282	0.1282	1.0000e-005	0.0000	0.1284
Total											0.0000	85.3846	85.3846	7.9000e-004	0.0000	85.4012

Mitigated Construction On-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	2.7137	2.7137	8.0000e-004	0.0000	2.7306
Total											0.0000	2.7137	2.7137	8.0000e-004	0.0000	2.7306

Mitigated Construction Off-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling											0.0000	85.2564	85.2564	7.8000e-004	0.0000	85.2728
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	0.1282	0.1282	1.0000e-005	0.0000	0.1284
Total											0.0000	85.3846	85.3846	7.9000e-004	0.0000	85.4012

3.4 Building Construction - 2014

Unmitigated Construction On-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Off-Road											0.0000	56.1751	56.1751	0.0136	0.0000	56.4811
Total											0.0000	56.1751	56.1751	0.0136	0.0000	56.4811

Unmitigated Construction Off-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	7.9642	7.9642	8.0000e-005	0.0000	7.9659
Worker											0.0000	12.5011	12.5011	7.3000e-004	0.0000	12.5164
Total											0.0000	20.4653	20.4653	8.1000e-004	0.0000	20.4823

Mitigated Construction On-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Off-Road											0.0000	56.1750	56.1750	0.0136	0.0000	56.4610
Total											0.0000	56.1750	56.1750	0.0136	0.0000	56.4610

Mitigated Construction Off-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	7.9642	7.9642	8.0000e-005	0.0000	7.9659
Worker											0.0000	12.5011	12.5011	7.3000e-004	0.0000	12.5164
Total											0.0000	20.4653	20.4653	8.1000e-004	0.0000	20.4823

3.4 Building Construction - 2015

Unmitigated Construction On-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Off-Road											0.0000	130.5382	130.5382	0.0301	0.0000	131.1705
Total											0.0000	130.5382	130.5382	0.0301	0.0000	131.1705

Unmitigated Construction Off-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Non-Biogenic CO2	Total CO2	CH4	N2O	CO2e
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	18.3389	18.3389	1.6000e-004	0.0000	18.3422
Worker											0.0000	28.1890	28.1890	1.5600e-003	0.0000	28.2217
Total											0.0000	46.5279	46.5279	1.7200e-003	0.0000	46.5639

Mitigated Construction On-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Non-Biogenic CO2	Total CO2	CH4	N2O	CO2e
Off-Road											0.0000	130.5380	130.5380	0.0301	0.0000	131.1703
Total											0.0000	130.5380	130.5380	0.0301	0.0000	131.1703

Mitigated Construction Off-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	18.3389	18.3389	1.6000e-004	0.0000	18.3422
Worker											0.0000	28.1890	28.1890	1.5600e-003	0.0000	28.2217
Total											0.0000	46.5279	46.5279	1.7200e-003	0.0000	46.5639

3.5 Paving - 2015

Unmitigated Construction On-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Off-Road											0.0000	6.8979	6.8979	2.0200e-003	0.0000	6.9403
Paving											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total											0.0000	6.8979	6.8979	2.0200e-003	0.0000	6.9403

Unmitigated Construction Off-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	0.5537	0.5537	3.0000e-005	0.0000	0.5544
Total											0.0000	0.5537	0.5537	3.0000e-005	0.0000	0.5544

Mitigated Construction On-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Off-Road											0.0000	6.8979	6.8979	2.0200e-003	0.0000	6.9403
Paving											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total											0.0000	6.8979	6.8979	2.0200e-003	0.0000	6.9403

Mitigated Construction Off-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	0.5537	0.5537	3.0000e-005	0.0000	0.5544
Total											0.0000	0.5537	0.5537	3.0000e-005	0.0000	0.5544

3.6 Architectural Coating - 2015

Unmitigated Construction On-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Archit. Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	9.7024	9.7024	1.2600e-003	0.0000	9.7289
Total											0.0000	9.7024	9.7024	1.2600e-003	0.0000	9.7289

Unmitigated Construction Off-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	2.9428	2.9428	1.6000e-004	0.0000	2.9462
Total											0.0000	2.9428	2.9428	1.6000e-004	0.0000	2.9462

Mitigated Construction On-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Archit. Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	9.7024	9.7024	1.2600e-003	0.0000	9.7289
Total											0.0000	9.7024	9.7024	1.2600e-003	0.0000	9.7289

Mitigated Construction Off-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NI Bio-CO2	Total CO2	CH4	N2O	CO2e
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	2.9428	2.9428	1.6000e-004	0.0000	2.9462
Total											0.0000	2.9428	2.9428	1.6000e-004	0.0000	2.9462

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NI Bio-CO2	Total CO2	CH4	N2O	CO2e
Mitigated											0.0000	202.7545	202.7545	9.2400e-003	0.0000	202.9486
Unmitigated											0.0000	202.7545	202.7545	9.2400e-003	0.0000	202.9486

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated Annual VMT	Mitigated Annual VMT
	Weekday	Saturday	Sunday		
Congregate Care (Assisted Living)	159.84	159.84	159.84	456,392	456,392
Enclosed Parking with Elevator	0.00	0.00	0.00		
Parking Lot	0.00	0.00	0.00		
Total	159.84	159.84	159.84	456,392	456,392

4.3 Trip Type Information

Land Use	Miles						Trip %						Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-	H-S or C-C	H-O or C-NW	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by	Primary	Diverted	Pass-by	
Congregate Care (Assisted)	10.80	7.30	7.50	41.60	18.80	39.60	18.80	39.60	86	11	3	86	11	3	
Enclosed Parking with Elevator	9.50	7.30	7.30	0.00	0.00	0.00	0.00	0.00	0	0	0	0	0	0	
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0.00	0.00	0	0	0	0	0	0	

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.509603	0.073619	0.192430	0.134105	0.036943	0.005309	0.012459	0.020989	0.001832	0.002087	0.006541	0.000614	0.003471

5.0 Energy Detail

4.4 Fleet Mix

Historical Energy Use: N

5.1 Mitigation Measures Energy

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NI Bio- CO2	Total CO2	CH4	N2O	CO2e
Electricity Mitigated											0.0000	98.3445	98.3445	3.9600e-003	8.2000e-004	98.6815
Electricity Unmitigated											0.0000	98.3445	98.3445	3.9600e-003	8.2000e-004	98.6815
Natural Gas Mitigated											0.0000	14.0431	14.0431	2.7000e-004	2.6000e-004	14.1286
Natural Gas Unmitigated											0.0000	14.0431	14.0431	2.7000e-004	2.6000e-004	14.1286

5.2 Energy by Land Use - Natural Gas
Unmitigated

Land Use	Natural Gas Use kBtu/yr	ROG	NOx	CO	SO2	tons/yr			MT/yr				CO2e							
						Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2		NBio- CO2	Total CO2	CH4	N2O			
Parking Lot	0											0.0000	0.0000	0.0000	0.0000	0.0000				
Congregate Care (Assisted Living)	263159											0.0000	14.0431	14.0431	2.7000e-004	2.6000e-004	14.1286			
Enclosed Parking with Elevator	0											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			
Total												0.0000	14.0431	14.0431	2.7000e-004	2.6000e-004	14.1286			

Mitigated

Land Use	Natural Gas Use kBtu/yr	ROG	NOx	CO	SO2	tons/yr			MT/yr				CO2e								
						Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2		NBio- CO2	Total CO2	CH4	N2O				
Parking Lot	0											0.0000	0.0000	0.0000	0.0000	0.0000					
Congregate Care (Assisted Living)	263159											0.0000	14.0431	14.0431	2.7000e-004	2.6000e-004	14.1286				
Enclosed Parking with Elevator	0											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000				
Total												0.0000	14.0431	14.0431	2.7000e-004	2.6000e-004	14.1286				

5.3 Energy by Land Use - Electricity
Unmitigated

Land Use	Electricity Use	Total CO2	CH4	N2O	CO2e
	kWh/yr	MT/yr	MT/yr	MT/yr	MT/yr
Congregate Care (Assisted Living)	165891	54.2148	2.1800e-003	4.5000e-004	54.4005
Enclosed Parking with Elevator	113569	37.1153	1.4900e-003	3.1000e-004	37.2425
Parking Lot	21463.2	7.0144	2.8000e-004	6.0000e-005	7.0384
Total		98.3445	3.9500e-003	8.2000e-004	98.6815

Mitigated

Land Use	Electricity Use	Total CO2	CH4	N2O	CO2e
	kWh/yr	MT/yr	MT/yr	MT/yr	MT/yr
Congregate Care (Assisted Living)	165891	54.2148	2.1800e-003	4.5000e-004	54.4005
Enclosed Parking with Elevator	113569	37.1153	1.4900e-003	3.1000e-004	37.2425
Parking Lot	21463.2	7.0144	2.8000e-004	6.0000e-005	7.0384
Total		98.3445	3.9500e-003	8.2000e-004	98.6815

6.0 Area Detail

6.1 Mitigation Measures Area

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Mitigated											9.7025	26.7329	36.4354	0.0465	4.8000e-004	37.5598
Unmitigated											9.7025	26.7329	36.4354	0.0465	4.8000e-004	37.5598

6.2 Area by SubCategory

Unmitigated

SubCategory	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											9.7025	26.1500	35.8525	0.0459	4.8000e-004	36.9642
Landscaping											0.0000	0.5829	0.5829	6.1000e-004	0.0000	0.5957
Total											9.7025	26.7329	36.4354	0.0465	4.8000e-004	37.5598

Mitigated

SubCategory	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											9.7025	26.1500	35.8525	0.0459	4.8000e-004	36.9642
Landscaping											0.0000	0.5829	0.5829	6.1000e-004	0.0000	0.5857
Total											9.7025	26.7329	36.4354	0.0465	4.8000e-004	37.5598

7.0 Water Detail

7.1 Mitigation Measures Water

Category	MT/yr					CO2e
	Total CO2	CH4	N2O			
Mitigated	21.4591	0.1027	2.5700e-003			24.4136
Unmitigated	21.4591	0.1027	2.5800e-003			24.4152

7.2 Water by Land Use

Unmitigated

Land Use	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
	Mgal	MT/yr	MT/yr	MT/yr	MT/yr
Congregate Care (Assisted Living)	3.12739 / 1.97162	21.4591	0.1027	2.5800e-003	24.4152
Enclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		21.4591	0.1027	2.5800e-003	24.4152

Mitigated

Land Use	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
	Mgal	MT/yr	MT/yr	MT/yr	MT/yr
Congregate Care (Assisted Living)	3.12739 / 1.97162	21.4591	0.1027	2.5700e-003	24.4136
Enclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		21.4591	0.1027	2.5700e-003	24.4136

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	8.8910	0.5254	0.0000	19.9253
Unmitigated	8.8910	0.5254	0.0000	19.9253

8.2 Waste by Land Use

Unmitigated

Land Use	Waste Disposed tons	Total CO2			CO2e
		CH4	N2O	CO2e	
MT/yr					
Congregate Care (Assisted Living)	43.8	8.8910	0.5254	0.0000	19.9253
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Total		8.8910	0.5254	0.0000	19.9253

Mitigated

Land Use	Waste Disposed tons	Total CO2	CH4	N2O	CO2e
		MT/yr			
Congregate Care (Assisted Living)	43.8	8.8910	0.5254	0.0000	19.9253
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Total		8.8910	0.5254	0.0000	19.9253

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Vegetation



Application for Discretionary Permit

Development Services Department / Planning Division
(760) 435-3520
Oceanside Civic Center 300 North Coast Highway
Oceanside, California 92054-2885

STAFF USE ONLY

ACCEPTED

1/22/13

BY
SN
JD.

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

GPA

1. APPLICANT

Jeffrey Grant Hawkes

2. STATUS

Owner / Developer

MASTER/SP.PLAN

3. ADDRESS

4309 Foothill Dr, Beautiful

4. PHONE/FAX/E-mail

858-715-0169

ZONE CH.

TENT. MAP

PAR. MAP

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)

Same as above

DEV. PL.

D13-00001

C.U.P.

CU13 00006

6. ADDRESS

Same as above

7. PHONE/FAX/E-mail

Same

VARIANCE

V13-00005/V13-00006

COASTAL

O.H.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION Vacant Lot east of El Camino Real between Fire Mountain and Via Los Rosas

9. SIZE

3.48 Acres

10. GENERAL PLAN

11. ZONING

CP

12. LAND USE Vacant Land Entitled for a Professional office

13. ASSESSOR'S PARCEL NUMBER

165-430-23-00

14. LATITUDE

33°11'26.43"N

15. LONGITUDE

117°19'39.45"W

* See Page 2, Variance request for setback wall.

PART III - PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION Conditional Use Permit, two-story, commercial, specialized, senior-living community that serves the changing needs of those seniors with memory loss. Previously approved variances for one loading pad and a 10-foot front setback hold.

17. PROPOSED GENERAL PLAN

no change

18. PROPOSED ZONING

no change

19. PROPOSED LAND USE

Convalescent Facility - Assisted Living

20. NO. UNITS

48 Rooms

21. DENSITY

13.79 units per acre

22. BUILDING SIZE

34,500 sq/ft

23. PARKING SPACES

30

24. % LANDSCAPE with Open Space

77.9%

25. % LOT COVERAGE or FAR

27.8%

PART IV - ATTACHMENTS

<input checked="" type="checkbox"/> 26. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 27. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 28. TITLE REPORT
<input checked="" type="checkbox"/> 29. NOTIFICATION MAP & LABELS	<input checked="" type="checkbox"/> 30. ENVIRONMENTAL INFO FORM	<input checked="" type="checkbox"/> 31. PLOT PLANS
<input checked="" type="checkbox"/> 32. FLOOR PLANS AND ELEVATIONS	<input checked="" type="checkbox"/> 33. CERTIFICATION OF POSTING	<input checked="" type="checkbox"/> 34. OTHER (See attachment for required reports)

PART V - SIGNATURES

SIGNATURES FROM ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

35. APPLICANT OR REPRESENTATIVE (Print):

Jeff Hawkes

36. DATE

1-17-2013

37. OWNER (Print)

Hawkes O-Side I, LLC

38. DATE

1-17-2013

Sign:

Jeff Hawkes

Sign:

Jeff Hawkes

- I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.
- I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.



JEFF HAWKES

President, CEO

Jeff@hawksdevelopment.net

Cell 858.775.0169

Hawkes O-Side I, LLC
Project Name: El Camino Memory Care
CUP RE-Submittal, November 14, 2013

Project Description and Justification

The proposed project will be a specialized senior living community that serves the changing needs of those with memory loss. It will offer to residents an innovative program that bridges the gap between retirement living and skilled nursing care, by recognizing what people with memory loss really need - activity, security and unconditional caring in a supportive, comfortable, completely secure environment. El Camino Memory Care is designed to help residents maintain their highest functioning level in a home-like setting.

El Camino Memory Care will offer 48 private and semi-private accommodations that will include the following:

- Licensed nurse on site 24/7
- 24-hour activity program specially designed for those with Alzheimer's disease or related dementia
- Trained and compassionate staff
- Assistance with bathing, dressing and grooming
- Medication assistance
- Three nutritious meals daily
- Escorting to and from meals and activities
- Housekeeping and laundry services

Residents living in this community will benefit in many ways.

- Because the perimeters are secured, the residents often enjoy their freedom to move about, which helps decrease agitation.
- The activity-based program actually helps decrease wandering behavior by focusing residents' attention and interest into positive outlets.
- Psychotropic medications are often times reduced, increasing residents' alertness and activeness, which can be focused into meaningful activities.
- The social settings and routines of meal times help residents enjoy dining and intake may actually improve.
- The reduced pressure to "fit in" or "behave" helps decrease depression and catastrophic reactions, which may have been prevalent in the home setting.
- Residents many times sleep better and develop patterns of rest as a result of the busy daily schedule.
- Toileting routines and habits developed with staff assistance help reduce incontinence.

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- New residents may experience a period of transition that may last one to four weeks, but then adjust well to their new home.

The proper environment is crucial for someone living with Alzheimer's. It is just as important as administering the right treatment. There are steps people can take at home to improve the situation, but often times the appropriate environment can only be achieved by professional healthcare facilities that specialize in caring for those with memory loss.

The proper environment should be designed specifically for cognitive impairment. If structured right, the environment can help patients feel less confused, depressed, and isolated. Features of El Camino Memory Care that will enhance the daily living of those in need of care include a medical examination room, exercise stations, craft rooms, remembrance boxes on the wall adjacent to the door to their room and other way finding features to facilitate movement throughout the property .

El Camino Memory Care will be licensed as a Residential Care Facility for the Elderly by the State of California Department of Social Services and will be a fully secured environment designed in accordance with state guidelines.

Benefits to the City of Oceanside.

The proposed assisted living facility will create new jobs. Positive jobs growth is necessary and important to the city.

The following are hourly wage rates that our assisted living consultant estimated our new facility would create. Each of these can be multiplied by 2080 hours to get an annualized (full time) FTE equivalence which is based on a 40 hour work week. The staffing model for a 64 bed memory care facility is modeled below. Our proposed facility will be open 24 hours/day and 7 days per week.

The estimated FTE count for our property, operating at 93% occupancy is 44 people which break down in broad categories as follows:

Job Type	# Employees
Food staff	8.9
Caregivers	23.8
Housekeeping	3.0
Management/sales	8.3
Total FTE's	44.0



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To add some additional meaning to this number, if you divide the 44 FTE's by 7 days and then multiply that by 5, the product is 31.42, which is the average FTE count on the premises per work day. If we also assume that +/- 60% of the employees will be full time staff and 40% part time, then ***the total number of individual employees could exceed 60 people.***

The following is an overview of the wage rates and compensation that would be provided to these new employees.

Food staff

Director- \$26.00 per hour x 2080 hours= \$54,080 annual compensation.
Cooks - \$17.00, \$35,360
Servers- \$11.00, \$22,880

Care Staff

Memory Care director- \$30.00, \$62,400
LPN- \$25.00, \$52,000
Care Managers-\$13.00, \$27,040

Housekeeping

Housekeeper- \$11.00, \$22,880

Management/Marketing

Executive Director-\$48.00, \$99,840
Asst. Director- \$23.00, \$47,840
Concierge- \$11.00, \$22,880
Maintenance Director- \$23.00, \$47,840
Marketing Director-\$27.00, \$56,160
Move-In Director-\$22.00, \$45,760
Activities Director-\$19.00, \$45,760

The average rate for all staff before benefits etc. is approx. \$17.00/ hour. ***The total payroll would be in the range of \$1,500,000 per year.***

The facility would also provide and increase in property taxes, some sales tax, more demand for quality housing and consumption of products and services offered by local businesses.

Upstream, unfiltered pass-through, storm water is being directed onto our property from
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a storm pipe installed decades ago under El Camino Real. This pass through water has created a substantial crevasse across the property and wetlands at the base of our slope on the east boundary of the property. This is the only reason we were required to buy wetlands mitigation land (certificate of ownership with North County Habitat Bank is included in our submittal). In a heavy storm, the residents that abut our property on Trevino Ave are flooded. Also, it is assumed that the sediment this pass-through water continues to create eventually ends up in the Buena Vista Lagoon. None of this is good and it's not a problem the developer or owner created. Our SWMP will repair the damage created by this and solve this erosion and unfettered storm water being dumped on our property so these problems do not exist going forward. This is a very important benefit to the city of our proposed development plan. In working with Engineering, the determination has been made to condition our project to close the inlets and let the drainage pass the closed inlets. The El Camino Executive Center was conditioned with the same solution. We believe this is a very positive outcome for the City, Developer and our neighbors to eliminate this problem.

Lastly, this project will provide a very aesthetically appealing elevation view from El Camino Real. It will also show activity and progress in an area that is a bit dilapidated on El Camino Real. In addition to filling in this vacant void on El Camino Real, the progressive, positive energy that this type of high-quality construction and enterprise will bring should give this area of the city a positive, much needed boost.

Benefits to the Neighborhood

We believe the new, high-quality building will be a substantial benefit to the contiguous commercial neighbors as well as the residential neighbors to the east, north and west. This property has been somewhat of an eye-sore, created storm water problems, and has provided no economic benefit to the commercial or residential neighbors. Our new jobs will provide employment opportunities to our residential neighbors and in addition add positive upward pressure on their home prices—as we'll create demand for housing with the new jobs. Also, the employees and residents of our proposed facility will create new demand for consumption of the products and services of local merchants. This all will create a very positive impact on the neighborhood.

Benefits to the developer.

The current approved use of Commercial Professional office is not a viable economic project at this time. Likewise the market demand is such that it may be years before it is economical to construct a professional office building. With finished construction costs approximately \$350 per sq/ft and existing office buildings trading in the \$125 to \$150 per sq/ft range, market demand, vacancies and rents would have to improve dramatically to justify constructing an office building on this site. Even though the office market is

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showing some signs of improvement, North County vacancies were still 15% at the third quarter of 2103. Unemployment in San Diego County is still 7.4%. It could potentially be 7+ years before this site would be viable for office.

Assisted Living/Memory Care, on the other hand has substantial merit to the city, developer, residents who will be served there and the contiguous neighbors. The demand for this service is high and becoming very precise and specialized. The age 65 population will double over the next 10 years and will continue to grow over the next 30 years. The demographics in a 3-5 mile radius from our property show a high concentration of seniors and adult children of seniors that will be making decisions in the years to come to occupy this type of facility. This not only creates economic opportunity for all, but will provide a wonderful humanitarian service and fill a huge need for these good people that are aging and need help, comfort, activity, good nutrition and skilled nursing care around the clock. In addition, the assisted living facility will create jobs. There is no guarantee the office building will create new jobs. There is a good chance it will just provide a new home for jobs that are relocating if we were fortunate enough to lease up the building.

Because of the demand and positive jobs growth created by assisted living, the developer is in a position to assemble the equity and debt financing to make this project a reality. Office is impossible to spec and still very difficult to finance on a build to suit because of the high equity to debt ratios and bank's unwillingness to lend on the office asset class.

Development Plans

Our proposed assisted living facility is allowed in the current CP zone under a Conditional Use Permit. We believe this use is very consistent with the zoning and the neighborhood. There is a very strong commercial and retail presence on El Camino Real. There is also substantial high density housing to the west and north of our property. In addition, our property abuts Henie Hills, single family residential, to the east. Our proposed assisted living facility is primarily a commercial project along with a residential component. This makes it a very strong transitional land use from the commercial on the south to the existing residential to the east, west and north of our property. Likewise, our proposed assisted living facility is very complimentary and consistent with the Oceanside General Plan.

All necessary wet and dry utilities for this project are stubbed at the site including required fire flows. The project will bring a welcomed high-quality, new construction and a progressive California coastal craftsman architectural design to the area. It is in fact substantially superior to the existing structures, in architecture and construction quality.

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Our proposed facility complies in all aspects of sections 1.24 and 1.25 of the Land Use Element of the General Plan. We have preserved nearly 2.5 acres of land to be maintained in its natural state. This also preserves the natural topography of the land and the wildlife corridor that runs on the east side of the property. In addition, we have worked with the natural sloped topography with the foundation level and then we establish the two story building from El Camino. We have also held the developable area to the southeast side of the property that is directly contiguous to existing disturbed, developed land.

As previously stated, our development plan solves a substantial storm water problem on the property, therefore substantially improving the risks of instability, erosion and/or flooding. None of the site is undevelopable due to 40% slopes, rivers, streams or lakes.

Coastal Development Permits

Our property is located in a non-coastal zone and therefore a coastal development permit is not required.

Variations

Two variations were sought and approved in our previous approvals, Planning Commission Resolution No. 2008-P34, a single 12' x 35' loading pad as opposed to the required two 20,000 square foot pads. A 10 foot front set back as opposed to a 20 foot setback was also sought. Both variations were approved and granted. We believe these should convey through the CUP to the proposed assisted living facility. Our noise study shows that we can reach the required interior 44 dB CNEL using a Sound Transmission Class (STC) rating of 30 for the projects building shell. This assumes a 10 foot front setback. And the loading needs are minimized through the use change, so the one loading pad is now even more practical with the assisted living use versus the office use.

Two additional variance permit fees were paid to the City of Oceanside for a total of \$10,000. Another, additional fee was paid for the 10' setback request (again) and a fee was paid because we have retention walls that exceed 6' given the topography challenges of the site. An additional variance is not requested for the loading pad in that we now have two 10x40' loading pads that are included in the development plan. No other variations are required.

Conditional Use Permit

Our proposed assisted living facility is allowed in the RP zone and is consistent with the objectives of this ordinance. Certainly the location and the conditions under which it will

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be operated and maintained are consistent with the General Plan. Our site will provide a needed service to the aging population, thus improving their quality of life and health.

Nothing will be detrimental to the adjacent neighbors and/or the city. In fact, the benefits of our facility will promote health and welfare to our residents, neighbors and the city through providing a needed service in high demand, new jobs, increased consumption of local product and services offered by Oceanside located businesses and resulting in a positive impact on the local economy and local housing market. Also, in the short-term, our project will provide work and revenue to the construction industry also.

Legal Description

APN

165-430-23-00

LEGAL DESCRIPTION

PARCEL 2 OF PARCEL MAP 1133 IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, ON DECEMBER 4, 1972 AS FILE NO. 323578 OF OFFICIAL RECORDS.

Building Comparisons: The elevations and site plan contrast the envelope of the current approved office building to the proposed assisted living facility. In addition we have provided the city with a comparison table comparing the approved office building to the proposed assisted living facility. The following are some highlights:

1. The building development area is smaller on the proposed assisted living facility
2. The total building area is slightly larger on the proposed assisted living facility
3. The parking exceeds the required parking by 7 stalls on the proposed assisted living facility
4. The proposed assisted living building is 43' high, 2' less than the approved office building.
5. FAR is 83%, Lot Coverage is 40.8%

The following is detailed site information comparing the approved commercial professional office building to the proposed assisted living/memory care facility:



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PROJECT DATA

OWNER

HAWKES O-SIDE-1, LLC.
4309 S. FOOTHILL
BOUNTIFUL, UT 84010

LEGAL DESCRIPTION

PARCEL 2 OF PARCEL MAP NO. 1133. IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 4, 1972.

ASSESSOR'S PARCEL NUMBER:
ADDRESS:

165 430 23
EAST SIDE OF THE 2100
BLOCK OF EL CAMINO
REAL
CP

ZONE:

SITE INFO

Parcel Area Gross:	151,406 sq. ft. (3.475 ac)
ROW Dedication:	1,649 sq. ft. (0.037 ac)
SDG&E Utility & Conservation Easement:	39,510 sq. ft. (0.907 ac)
Additional Conservation Easement:	69,007 sq. ft. (1.584 ac)
Total Conservation Easement:	2.491 ac
Parcel Area Net/Development Area:	41,240 sq. ft. (0.947 ac)
MC Footprint:	16,852 sq. ft.
MC Building Area:	34,338 sq. ft.
Lot Coverage:	$16,852/41,240 = 40.8\%$
FAR:	$34,338/41,240 = 83\%$
% Developed Area:	$41,240/151,406 = 27.2\%$

M.C. PROPOSED TOTAL BUILDING AREA

GARAGE LEVEL:	3,281 SF
FIRST FLOOR:	15,517 SF
<u>SECOND FLOOR:</u>	<u>15,540 SF</u>
TOTAL BUILDING AREA:	34,338 SF

NUMBER OF UNITS

	<u>UNITS</u>	<u>BEDS</u>
STUDIO UNITS:	32	32
<u>2-BEDROOM UNITS:</u>	<u>16</u>	<u>32</u>
TOTAL UNITS:	48	64

PARKING TABULATION

1 SPACE PER 3 BEDS 64 BEDS + 3:	22 SPACES
TOTAL SPACES REQUIRED:	22 SPACES
TOTAL SPACES PROVIDED:	29 SPACES

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Biology/MND Addendum: Our civil and hydrology engineer have worked in concert with Dudek to amend these plans to ensure they conform with the current permit required by the Regional Water Quality Control Board. In addition, we have met with Billy Walker, Marty Eslambolchi and Jim Knowlton several times to brainstorm and ratify a plan that would be acceptable with the city. Our drainage, hydrology and SWMP plans were revised to meet current permit standards and our plan is well within our permitted biological areas in our previously approved MND. These reports are attached.

Dudek was retained to provide a Biological Resources Consistency Assessment regarding our Notice of Determination on two entitlements for the project (D-23-06 and V-1-07). A Mitigated Negative Declaration (MND) was prepared for the commercial office building project pursuant to CEQA and all filings were completed (SCH# 2007091028). Additionally, the project obtained permit authorization for impacts to jurisdictional waters from the U.S. Army Corps of Engineers (SPL-2007-397-TCD), California Department of Fish and Game (1600-2007-0214-R5), and Regional Water Quality Control Board (07C-033) and a Biological Opinion from the U.S. Fish and Wildlife Service for take of coastal sage scrub habitat (FWS-SDG-07B0012-07F0025). Also wetland mitigation credits were purchased by the Owner, Hawkes O-Side I, LLC at the North County Habitat Bank as required by the agency permits. This assessment was performed by Mike Howard, Senior Biologist at Dudek (and original biologist who processed the above-mentioned permits). Mr. Howard's conclusion is that the proposed assisted living would be consistent with previous approvals and permits related to biological resources. This assessment performed by Mr. Howard is attached. Mr. Howard's letter dated November 6, 2013 shows, in fact, that we are able to represent our plan is consistent with and an improvement over the approved 2008 project.

Noise study: An acoustical study was also commissioned with Dudek. Mr. Brian Grover, Environmental Specialist and Project Manager at Dudek directed the study and prepared his report. This report is also attached. The acoustical measurements were taken on Friday, December 21, 2012 at 12:45 p.m. to 1:05 p.m. This was a very busy Friday before the Christmas holiday. The location was 65' east of the center line of El Camino Real along the project frontage. The future noise levels from El Camino Real would be approximately 74 dB CNEL at both the first and second floors of the building façade. The State Building Code (Part 2, Title 24, CCR) requires that the interior noise level not exceed 45 dB CNEL. The interior noise level would be approximately 44 dB CNEL utilizing a Sound Transmission Class (STC) rating of the 30 for the project's building shell. As a result, the interior noise levels would not exceed the 45 dB CNEL noise criterion.



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Traffic study revision: RBF Consulting, our traffic engineer, was retained to assess the traffic impacts on our proposed assisted living facility. RBF prepared a traffic impact analysis report for the project site in 2006 for the current approved commercial office building. Ms. Dawn L. Wilson, PE, TE, PTOE was the traffic engineer that conducted the study and prepared the written statement of the future traffic impacts for our proposed assisted living facility in comparison to the approved office building. In summary, the am peak trips for our proposed assisted living facility are 6 versus 56 for the approved office project. This is an 89% reduction in am peak traffic. the pm peak trips for our proposed assisted living facility are 12 versus 52 for the approved office project. This is an 77% reduction in pm peak traffic. Overall the total trips for the proposed assisted living facility are 160 versus 400 for the approved office building. This is a reduction of 60%, substantially reducing the traffic impacts with our proposed use from the approved office use. A copy of Ms. Wilson's RBF letter is attached.

SWMP, Drainage and Hydrology: Hawks Development did work with our original civil and hydrology engineers at Spear and Associates to revise our SWMP, Hydrology Study, Drainage Plan and our revised civil including a new conceptual grading plan. Our new plan requires slightly less in regards to our developable site. Our SWMP and bio retention are designed to the new Regional Water Quality Control Board guidelines and work. All of these studies and plans are included in our application submittal.



NOTICE OF DETERMINATION

City of Oceanside, California

TO:

Recorder/County Clerk
County of San Diego
P.O. Box 1750
San Diego, CA. 92112-4147

FROM:

City of Oceanside
Environmental Coordinator
300 N. Coast Highway
Oceanside, CA 92054

Subject: Filing of Notice of Determination in compliance with Public Resources Code, Sections 21108 and 21152.

SCH No.: n.a.

Lead Agency: City of Oceanside

Project Manager: Marisa Lundstedt

Applicant: Jeffrey Grant Hawkes

Address: 4309 South Foothill Drive, Bountiful, UT 84010
(858) 775-0169

Project Location: East side of the 2100 block of El Camino Real

Project Title: El Camino Memory Care Facility

Description: Establishment and operation of a memory care (48 units) facility on a 3.5 acre site; permission to construct retaining walls in excess of 6-ft. in height; permission to encroach 10-ft. into the required 20-ft. front yard setback.

This is to advise that the Planning Commission of the City of Oceanside, as Lead Agency, approved the above described project on February 24, 2014 and determined that:

1. The project will not have a significant effect on the environment.
2. An Addendum to a previously adopted Mitigated Negative Declaration was prepared pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of approval.
4. A Mitigation Monitoring and Reporting Program was previously adopted.

Furthermore, this certifies that the Mitigated Negative Declaration with comments and the record of project approval is available to the general public at the Development Services Department, Planning Division Counter, 300 N. Coast Highway, Oceanside, California.

Marisa Landstedt,
City Planner

Date: February 24, 2014

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 2 OF PARCEL MAP NO. 1133, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 4, 1972.

APN: 165-430-23-00