



DATE: July 28, 2014

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF TWO DEVELOPMENT PLANS (D12-00004 AND D13-00007) TO ALLOW THE RESTORATION OF A RIPARIAN RIVER CORRIDOR / FLOODPLAIN AND CREATION OF A WETLANDS MITIGATION BANK AND MODIFICATIONS OF AN EXISTING ACCESS ROAD ALONG A PORTION OF THE SAN LUIS REY RIVER LOCATED NORTH OF MISSION AVENUE / SR 76 AND EAST OF MELROSE DRIVE – SAN LUIS REY RIVER WETLAND RESTORATION / MITIGATION BANK; SINGH FARMS ACCESS ROAD – APPLICANTS: WILDLANDS SLR HOLDINGS I; SINGH PROPERTY MANAGEMENT CO.**

RECOMMENDATION

Staff recommends that the Planning Commission by motion;

1. Adopt Planning Commission Resolution No. 2014-P16 adopting a Mitigated Negative Declaration (MND) with a Mitigation Monitoring and Reporting Program (MMRP), and associated findings that in light of the whole record the project will not have a significant effect on the environment; and,
2. Adopt Planning Commission Resolution No. 2014-P17 approving Development Plan (D12-00004) with findings and conditions of approval attached herein; and,
3. Adopt Planning Commission Resolution No. 2014-P18 approving Development Plan (D13-00007) with findings and conditions of approval attached herein.

BACKGROUND AND PROJECT DESCRIPTION

Site Review and Background: The Project Area is primarily characterized as active cultivated agricultural lands both north and south of the San Luis Rey River. The tomato fields are irrigated by a network of water wells, underground water pipes and powered

pumps that are located inside and outside the Project Area. Four groundwater wells (Wells 1- 4) used for agricultural purposes are located within the proposed Restoration Area and would be decommissioned as a part of the restoration project. Agricultural ditches are found within and along the edges of the agricultural fields. These ditches drain to the river from areas within and outside the Project Area. Existing unimproved roads provide access to the northern portion of the site off of North River Road. The southern portion of the site is accessed via the recently constructed Singh Way and its signalized intersection at Highway 76. The existing Singh Property Management Company driveway is located within Soil Placement Site 1; after soil has been placed here, the driveway would be rebuilt in the same location, but elevated between three and five feet above its current elevation. An existing privately-owned and culvert crossing of the river is located immediately downstream of the Restoration Area providing north-south access across the river for farming activities and would not be altered with this Project.

The proposed project would include a 56-acre wetland restoration area; as well as, 93 acres of agricultural fields and supporting facilities to be used as soil placement sites. Six soil placement sites have been identified on the subject site plan and are denoted as follows:

| Description | Acres | Parcel I.D. | Property Owner | Grading Quantities | General Plan | Zoning |
|-------------|-------|----------------------------------|----------------|--------------------|--------------|--------|
| Site 1 | 3 | Parcel D | Singh Prop. | 52,000 C.Y. | EB-R | A-EQ |
| Site 2 | 2 | Parcel D | Singh Prop. | 53,000 C.Y. | EB-R | A-EQ |
| Site 4 | 50 | APN 122-130-31 APN 157-150-11 | Singh Prop. | 295,000 C.Y. | A EB-R | A |
| Site 5 S&N | 15 | APN 122-130-31 | Singh Prop. | 80,000 C.Y. | A | A |
| Site 7 | 22 | Parcel A | Singh Prop. | 233,000 C.Y. | A | A |

As part of the overall wetland restoration to return the San Luis Rey River course to its original configuration, approximately 684,000 cubic yards of agricultural growing field soil and natural wetland soil would be excavated and relocated to the previously identified 5 sites. The soil relocation to adjacent sites would allow continued agricultural farming operations and would slightly raise the grade of the Singh Packing Plant access road while maintaining the original alignment established as part of Development Plan (D11-00008).

Project Goals

The following goals have been identified for the proposed Project:

1. Restore self-sustaining fluvial processes on-site.
2. Improve the existing riparian habitat and restore a riparian floodplain thereby improving habitat values. Restoration of the floodplain could potentially provide habitat for state and federally listed species including arroyo toad, least Bell's vireo, and southwestern willow flycatcher.

3. Improve the channel design to accommodate current and future flood flows.
4. Realign the San Luis Rey River through the site.
5. Grade the site to remove the berms along both sides of the river and remove approximately 684,000 cubic yards of historic fill from the floodplain. The historic fill would be relocated to adjacent fields and agricultural areas to facilitate ongoing agricultural uses.
6. Abandon several agricultural wells located within the floodplain. The associated utility corridors to these wells and any other unnecessary utility corridors also would be abandoned or relocated.
7. Permanently protect the site as a conservation area through recordation of a conservation easement or other restrictive covenant approved by the respective approving agencies on the property.

The Singh family has owned the property since 1964 and has utilized the land for farming and agricultural purposes. The existing packing facility and ancillary site improvements were originally constructed in 1964-65. In June of 1999, Development Plan (D-8-99) was approved to allow the construction of two refrigeration buildings, permit an existing packing line building, allowance of perimeter landscaping, and establishment of employee and guest parking areas. This was the first entitlement reviewed and approved for the subject site. Subsequent to the 1999 approval, the development plan was revised in 2007 to allow construction of a 6,000-square-foot maintenance building, and once again in 2012 to accommodate widening of SR76.

In 2012, as a result of Caltrans project to widen State Route 76 (SR 76), the subject sites primary entrance was restricted to right-in, right-out. In order to mitigate this resultant access impact to the daily operational aspects of the packing plant facility, Caltrans designed and constructed a new signalized intersection and roadway referred to as Singh Way within Caltrans right-of-way property to the east. In order to connect Singh Way to the packing plant facilities, Development Plan (D11-00008) was processed and approved for the construction of an approximately 400-foot access road.

The surrounding area consists of the San Luis Rey River to the north, The Marisol Residential Estate-B (RE-B) development and Mission Vista High School to the west, State Route 76 (SR 76) to the south adjacent to the Jefferies Ranch subdivision. The underlying zoning designation for the site is Agricultural with an Equestrian overlay (A-EQ) and is located within the Morro Hills Neighborhood planning area.

Proposed Actions: The overall San Luis Rey River Wetland Restoration and Mitigation Bank project involves the approval of two discretionary applications D12-00004 and D13-00007 as follows:

Development Plan (D12-00004) is a request for the following:

To allow the restoration of a riparian river corridor and floodplain, and creation of a wetlands mitigation bank along a portion of the San Luis Rey River located North of Mission Avenue / SR 76 and East of Melrose Drive. As part of the overall restoration

project, approximately 528,080 cubic yards of soil will be relocated to 3 soil placement sites that currently function as agricultural growing grounds.

Development Plan (D13-00007) Revision to (D11-00008) is a request for the following:

To modify the existing entry access roadway in a manner that raises the finish grade of the road approximately 3-5 feet in conjunction with placement of 105,000 cubic yards of fill produced through the San Luis Rey River Wetland Restoration project. The existing roadway section has been functioning as the primary entrance to the Singh Packing Plant facility and will be reconfigured exactly as it existed prior to placement of the fill.

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

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

ANALYSIS

KEY PLANNING ISSUES

1. Zoning Compliance

This entire wetland restoration project would encompass approximately 148 acres of land (56 acres for restoration and 92 acres for soil relocation/placement) and retains a mix of zoning designations including: Agricultural (A), Agricultural with an Equestrian overlay (A-EQ), and Residential Estate – B (RE-B). The wetland restoration proposal will require an extensive amount of grading and ultimately will result in elevation changes to the existing topography. Because of these changes, Article 43 of the Oceanside Zoning Ordinance requires that a development plan be reviewed and approved by the Planning Commission. The overall use of the land will continue to be that of an agricultural crop production nature, with the exception of the 56 acres that will be restored as wetlands and maintained as a mitigation bank for future wetland mitigation credits.

Staff has concluded that restoration of the wetland area and placement of soil on existing agricultural crop production areas; as well as, the packing plant access road area is consistent with the provisions of the Zoning Ordinance. Consistency is based upon the fact that Crop Production is a permitted use and that the change in elevation of the access road would not result in development inconsistent with primary use of the site for agricultural activity type uses.

2. General Plan Conformance

A. Land Use Element II. Community Development

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

2.5 Agricultural

Objective: To identify, conserve and enhance Oceanside's agricultural areas.

Policy C: The City shall in all proposed actions converting agricultural lands to other land uses, consider the loss of those lands to the potential agricultural productivity to the community; and shall assure that land use compatibility to agricultural lands is fully defined and assured.

The proposal to restore the San Luis Rey River corridor to its original alignment and the establishment of approximately 56 acres in a wetland habit mitigation bank would convert some existing crop production land to natural open space, but would ultimately provide nutrient rich soils for placement upon existing crop production fields. Adding nutrient rich soils to agricultural lands would ensure continued agricultural productivity of these lands for generations to come. Furthermore, monetary gain from the sale of the property for habitat mitigation credit purposes will provide the Singh Farm Management Company with the financial ability to offset rising cost associated with crop production. As for the minor modification to the Singh Packing Plant Access Road that will ultimately result in the finish grade of the road being raised by three to five feet, staff has determined that this minor modification would not conflict with the ongoing agricultural activities and would not convert any existing crop production land to any other type land use.

2.6 Open Space

Objective: To identify and preserve a variety of lands that, due to their topography, use, natural resources, values, and water bodies shall be designated as open space.

The proposed wetland mitigation bank would be conserved as natural open space via the recordation of a conservation easement over the entire 56-acre site. Restoration of the naturally occurring river course and floodplain would result in improvements to the wildlife corridor along the river, along with the improvement of the existing riparian habitat. Improved riparian habitat could potentially provide for additional habitat for state and federally listed species to exist. Staff has determined that preservation of 56 acres for wetland habitat purposes is consistent with the General Plan for Open Space resources and will provide a valuable resource for the entire community of Oceanside and the North County as a whole.

3. Environmental Issues

A Mitigated Negative Declaration (MND) was prepared to assess the potential environmental effects associated with the San Luis Rey River Wetland Restoration and Mitigation Bank project. The MND process began with the preparation of a Notice of Intent (NOI) to adopt a MND. The proposed NOI and IS/Draft MND were circulated for a 30-day public review period from September 26, 2013 to October 28, 2013. During the public review period a total of three comment letters and one e-mail were received and responses to those comments prepared and incorporated into the Final MND. A summary of environmental factors potentially affected and appropriate mitigation measures are contained within the Mitigation Monitoring Reporting Program of the Final MND.

PUBLIC NOTIFICATION

Pursuant to Article 41 of the Oceanside Zoning Ordinance, a Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals and/or organizations requesting notification, applicant and other interested parties. Copies of this agenda item have been mailed to the applicant and their representatives.

SUMMARY

In summary, staff finds that the San Luis Rey River Wetland Restoration and Mitigation Bank project is consistent with the surrounding residential, agricultural, and open space uses. The proposed project has been comprehensively reviewed and all potential environmental effects will be mitigated to a level below significance. As such, staff recommends that the Planning Commission approve the proposed project. Staff recommends that the Planning Commission by motion;

1. Adopt Planning Commission Resolution No. 2014-P16 adopting a Mitigated Negative Declaration (MND) with a Mitigation Monitoring and Reporting Program (MMRP), and associated findings that in light of the whole record that the project will not have a significant effect on the environment; and,
2. Adopt Planning Commission Resolution No. 2014-P17 approving Development Plan (D12-00004) with findings and conditions of approval attached herein; and,

3. Adopt Planning Commission Resolution No. 2014-P18 approving Development Plan (D13-00007) with findings and conditions of approval attached herein.

PREPARED BY:



Richard Greenbauer
Senior Planner

SUBMITTED BY:



Marisa Lundstedt
City Planner

ML/RG/fil

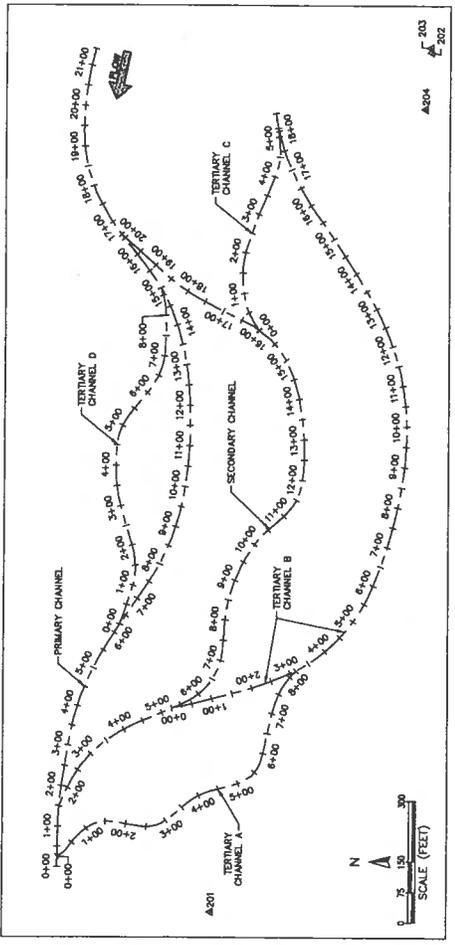
Attachments:

1. Site plan, Grading Plan, and Conceptual landscape plans for D12-00004
2. Site plan, Grading Plan, and Conceptual landscape plans for D13-00007 Rev. D11-00008.
3. Planning Commission Resolution No. 2014-P16 adopting a Mitigated Negative Declaration (MND) with a Mitigation Monitoring and Reporting Program
4. Planning Commission Resolution No. 2014-P17 approving Development Plan (D12-00004)
5. Planning Commission Resolution No. 2014-P18 approving Development Plan (D13-00007) Rev. to (D11-00008)
6. Other Attachments (Application page and Project Description and Justification)

TOPOGRAPHIC SURVEY CONTROL

| CITY OF VISTA SURVEY CONTROL | | | | |
|------------------------------|---------------|---------------|-----------------------|--|
| POINT ID | NORTHING | EASTING | ELEVATION (FEET NAVD) | DESCRIPTION |
| 2028 | 2,084,513.843 | 6,251,033.269 | 202.88 | 1" DIA ALUM CAP "HUBBARD & HUNTER" CONTROL POINT 2028 1997 |
| 2076 | 2,041,615.604 | 6,267,691.231 | 447.33 | 1" DIA ALUM CAP "GPS 2076" |
| 2081 | 2,043,076.123 | 6,251,558.000 | 229.36 | 1" DIA ALUM CAP "GPS 2081" |
| 2082 | 2,042,241.021 | 6,250,978.872 | 308.64 | 1-1/2" DIA YELLOW PLASTIC CAP "I.C.E. 3555" |

| LOCAL PROJECT SITE CONTROL | | | | |
|----------------------------|---------------|---------------|-----------------------|--------------------|
| POINT ID | NORTHING | EASTING | ELEVATION (FEET NAVD) | DESCRIPTION |
| 201 | 2,028,718.825 | 6,252,136.317 | 107.194 | MONUMENT 304 |
| 202 | 2,028,240.697 | 6,254,320.084 | 129.253 | FO. BR. W/PM STA 2 |
| 203 | 2,028,351.123 | 6,254,320.084 | 129.603 | FO. CHISEL X |
| 204 | 2,028,563.788 | 6,254,159.742 | 120.364 | FO. BR. W/PM STA. |
| 205 | 2,029,306.421 | 6,253,701.651 | 146.164 | FO. BR. W/PM STA. |



FEATURES LAYOUT CONTROL

| BURNED ROCK REVETMENT | | | |
|-----------------------|-------------|-------------|-----------------------|
| POINT ID | NORTHING | EASTING | ELEVATION (FEET NAVD) |
| LP1 | 2039392.829 | 6254067.092 | 104.0 |
| LP2 | 2039268.183 | 6254048.183 | 104.0 |
| LP3 | 2039218.47 | 6254008.381 | 100.0 |
| LP4 | 2039208.014 | 6253951.556 | 100.0 |
| LP5 | 2039178.785 | 6253888.871 | 100.0 |
| LP6 | 2039146.754 | 6253859.228 | 100.0 |
| LP7 | 2039106.952 | 6253770.043 | 100.0 |
| LP8 | 2039096.004 | 6253703.332 | 98.5 |

| WILLOW BARFLES | | | |
|----------------|-------------|-------------|-----------------------|
| POINT ID | NORTHING | EASTING | ELEVATION (FEET NAVD) |
| LP9 | 2039344.51 | 6253990.097 | 104.2 |
| LP10 | 2039311.202 | 6254023.648 | 105.3 |
| LP11 | 2039304.395 | 6253928.793 | 105.1 |
| LP12 | 2039285.186 | 6254005.489 | 105.4 |
| LP13 | 2039256.97 | 6253982.036 | 105.2 |
| LP14 | 2039243.546 | 6253931.672 | 105.1 |
| LP15 | 2039260.577 | 6253845.289 | 105.0 |
| LP16 | 2039213.888 | 6253880.334 | 105.0 |
| LP17 | 2039192.64 | 6253844.021 | 105.0 |
| LP18 | 2039161.951 | 6253790.007 | 105.0 |
| LP19 | 2039130.115 | 6253728.419 | 104.8 |

TERTIARY CHANNELS

| CHANNEL A | | | |
|-----------|-------------|-------------|-----------|
| STA | NORTHING | EASTING | ELEVATION |
| 0+00 | 2039476.765 | 6252134.65 | 97.331 |
| 1+00 | 2039068 | 6253000 | 100.776 |
| 2+00 | 2039070 | 6253099 | 101.037 |
| 3+00 | 2039070 | 6253198 | 101.26 |
| 4+00 | 2039110 | 6253391 | 101.499 |
| 5+00 | 2039095 | 6253391 | 101.762 |
| 6+00 | 2039148.947 | 6253288.714 | 100.246 |
| 7+00 | 2039178.551 | 6253268.585 | 100.466 |
| 8+00 | 2039285.031 | 6252776.184 | 100.565 |

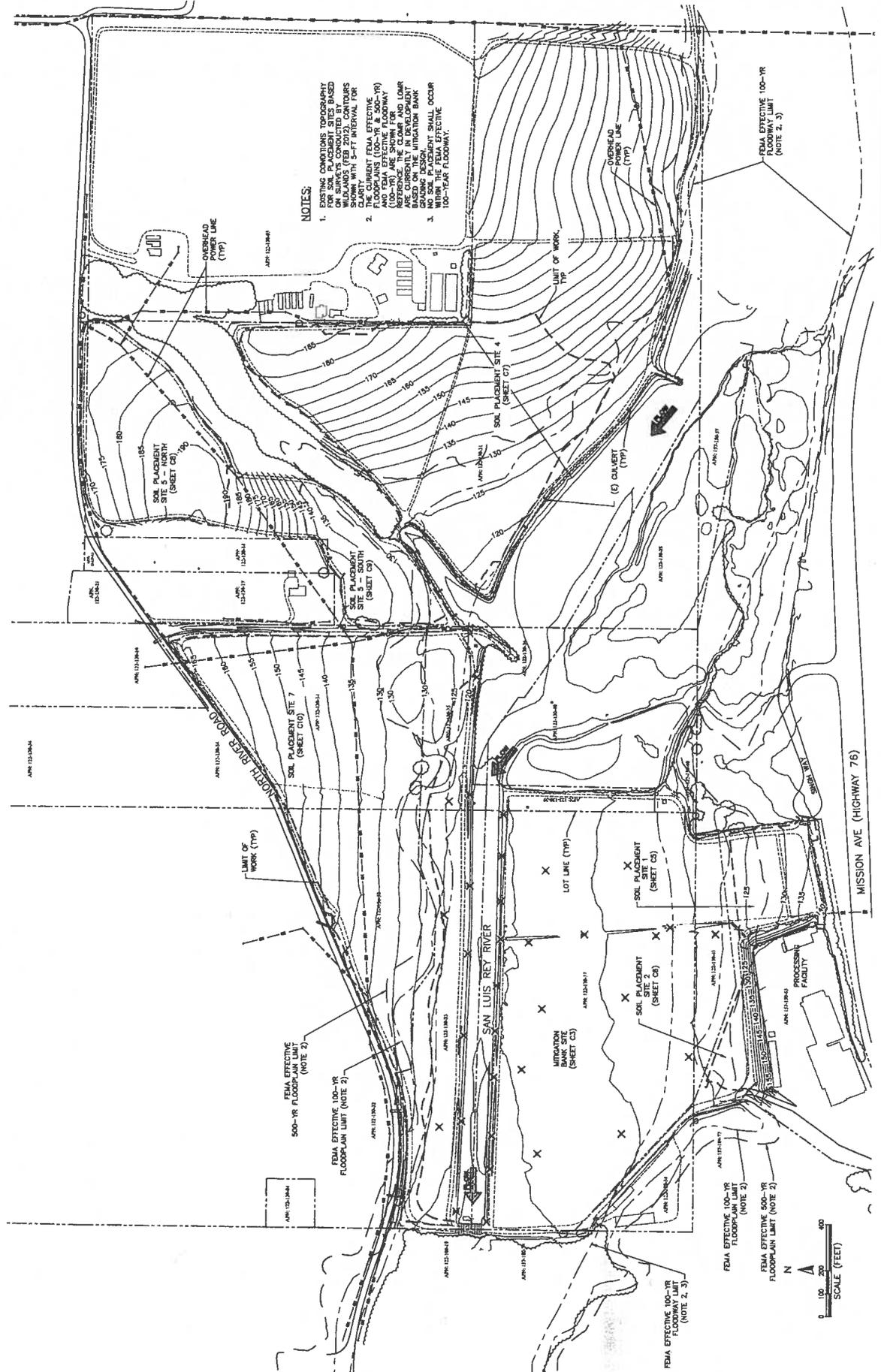
| CHANNEL B | | | |
|-----------|-------------|-------------|-----------|
| STA | NORTHING | EASTING | ELEVATION |
| 0+00 | 2038718.976 | 6252699.483 | 96.198 |
| 1+00 | 2038774.748 | 6252723.106 | 100.729 |
| 2+00 | 2038778.477 | 6252750.084 | 100.859 |
| 3+00 | 2038685.319 | 6252786.042 | 100.885 |
| 4+00 | 2038601.569 | 6252804.152 | 101.129 |
| 5+00 | 2038533.861 | 6252913.486 | 101.259 |
| 6+00 | 2038462.166 | 6253000.988 | 101.39 |
| 7+00 | 2038427.202 | 6253101.628 | 101.53 |
| 8+00 | 2038410.9 | 6253200.655 | 101.76 |
| 9+00 | 2038406.637 | 6253300.37 | 102.011 |
| 10+00 | 2038415.826 | 6253400.728 | 102.041 |
| 11+00 | 2038415.826 | 6253500.37 | 102.171 |
| 12+00 | 2038411.184 | 6253600.37 | 102.301 |
| 13+00 | 2038400.388 | 6253700.285 | 102.431 |
| 14+00 | 2038390.615 | 6253747.674 | 102.472 |
| 15+00 | 2038384.479 | 6253848.023 | 102.592 |
| 16+00 | 2038367.351 | 6253931.06 | 102.692 |
| 17+00 | 2038351.09 | 6254013.933 | 102.821 |
| 18+00 | 2038339.09 | 6254114.6 | 102.954 |

| CHANNEL C | | | |
|-----------|-------------|-------------|-----------|
| STA | NORTHING | EASTING | ELEVATION |
| 0+00 | 2038662.502 | 6253164.661 | 100.006 |
| 1+00 | 2038662.502 | 6253164.661 | 100.225 |
| 2+00 | 2038799.541 | 6253185.21 | 100.63 |
| 3+00 | 2038799.541 | 6253185.21 | 100.743 |
| 4+00 | 2038729.262 | 6253200.222 | 101.837 |
| 5+00 | 2038719.18 | 6254100.344 | 102.938 |

CHANNEL ALIGNMENTS LAYOUT CONTROL

| PRIMARY CHANNEL | | | |
|-----------------|-------------|-------------|-----------|
| STA | NORTHING | EASTING | ELEVATION |
| 0+00 | 2039247.051 | 6252309.652 | 97.280 |
| 0+50 | 2039246.358 | 6252339.647 | 97.246 |
| 1+00 | 2039245.208 | 6252409.633 | 97.433 |
| 1+50 | 2039143.111 | 6252459.340 | 97.232 |
| 2+00 | 2039122.174 | 6252506.185 | 97.837 |
| 2+50 | 2039107.624 | 6252548.465 | 97.724 |
| 3+00 | 2039106.754 | 6252548.465 | 97.81 |
| 3+50 | 2039121.047 | 6252507.075 | 97.937 |
| 4+00 | 2039096.844 | 6252548.465 | 97.821 |
| 4+50 | 2039091.868 | 6252688.772 | 98.068 |
| 5+00 | 2038995.863 | 6252688.44 | 98.153 |
| 5+50 | 2038950.283 | 6252708.826 | 98.238 |
| 6+00 | 2038907.626 | 6252734.627 | 98.322 |
| 6+50 | 2038873.952 | 6252771.151 | 98.403 |
| 7+00 | 2038854.009 | 6252816.759 | 98.486 |
| 7+50 | 2038847.651 | 6252866.233 | 98.569 |
| 8+00 | 2038844.1 | 6252916.102 | 98.655 |
| 8+50 | 2038836.344 | 6252965.427 | 98.741 |
| 9+00 | 2038820.968 | 6253012.992 | 98.827 |
| 9+50 | 2038800.369 | 6253058.51 | 98.913 |
| 10+00 | 2038778.877 | 6253100.874 | 98.999 |
| 10+50 | 2038760.225 | 6253137.545 | 99.085 |
| 11+00 | 2038742.402 | 6253170.558 | 99.17 |
| 11+50 | 2038726.351 | 6253210.047 | 99.253 |
| 12+00 | 2038708.528 | 6253247.296 | 99.335 |
| 12+50 | 2038694.904 | 6253297.293 | 99.413 |
| 13+00 | 2038682.742 | 6253357.549 | 99.500 |
| 13+50 | 2038670.498 | 6253407.288 | 99.588 |
| 14+00 | 2038659.498 | 6253466.695 | 99.672 |
| 14+50 | 2038649.674 | 6253526.043 | 99.756 |
| 15+00 | 2038640.368 | 6253581.531 | 99.839 |
| 15+50 | 2038632.028 | 6253634.961 | 99.923 |
| 16+00 | 2038624.664 | 6253684.961 | 100.006 |
| 16+50 | 2038618.109 | 6253730.947 | 100.086 |
| 17+00 | 2038612.151 | 6253780.947 | 100.174 |
| 17+50 | 2038606.424 | 6253834.481 | 100.258 |
| 18+00 | 2038600.258 | 6253884.481 | 100.343 |
| 18+50 | 2038594.36 | 6253934.481 | 100.427 |
| 19+00 | 2038588.436 | 6253984.481 | 100.511 |
| 19+50 | 2038582.556 | 6254034.481 | 100.595 |
| 20+00 | 2038576.626 | 6254084.481 | 100.679 |

NOTES:
 1. THE CITY OF VISTA CONTROL POINTS WERE USED TO ESTABLISH CONTROL FOR THE SURVEY CONDUCTED BY O'DAY CONSULTANTS.
 2. LOCAL PROJECT CONTROL POINTS WERE USED FOR THE SUPPLEMENTAL SURVEY CONDUCTED BY WILDLANDS, 2012.
 3. ALL ELEVATIONS ARE IN FEET NAVD 83 UNLESS OTHERWISE NOTED. DATUM OF B.M. (NAVD 83) THIS INCLUDES AMERICAN SURVEY FROM THE ORIGINAL PUBLISHED CONTROL POINT DATUMS.



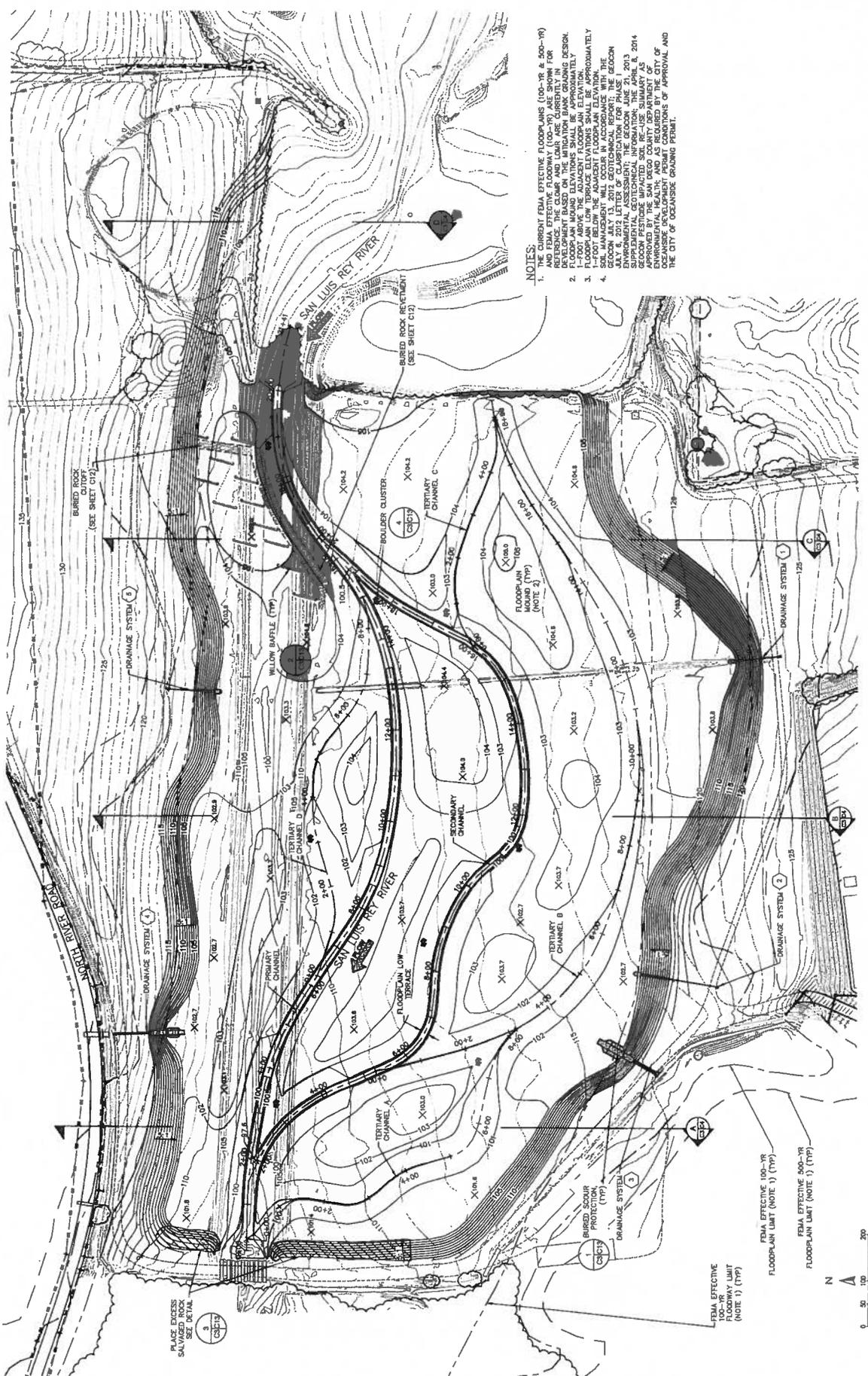
NOTES:

1. EXISTING CONDITIONS TOPOGRAPHY FOR SOIL PLACEMENT SITES BASED ON WILDLANDS (FEB 2012) CONTOURS CLASSIFIED WITH 5'-FT INTERVAL FOR THE CURRENT FEMA EFFECTIVE (100-YR) AND FEMA EFFECTIVE (500-YR) ARE SHOWN FOR CLARITY. SOIL PLACEMENT SITES ARE CURRENTLY IN DEVELOPMENT BASED ON THE MITIGATION BANK AND NO SOIL PLACEMENT SHALL OCCUR WITHIN THE FEMA EFFECTIVE (100-YR) FLOODPLAIN.
- 2.
- 3.

**90% SUBMITTAL
NOT FOR CONSTRUCTION**



VERY SCALE
0 100 200 400



NOTES:

1. ALL EXISTING FEMA EFFECTIVE FLOODPLAINS (100-YR & 500-YR) AND FEMA EFFECTIVE FLOODWAY (100-YR) ARE SHOWN FOR REFERENCE. THE COLOR AND LINE ARE CURRENTLY IN CONFORMANCE WITH THE FEMA FLOODPLAIN MAP. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT ABOVE THE ADJACENT FLOODPLAIN ELEVATION. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT BELOW THE ADJACENT FLOODPLAIN ELEVATION. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT BELOW THE ADJACENT FLOODPLAIN ELEVATION. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT BELOW THE ADJACENT FLOODPLAIN ELEVATION.
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3. ALL EXISTING FEMA EFFECTIVE FLOODPLAINS (100-YR & 500-YR) AND FEMA EFFECTIVE FLOODWAY (100-YR) ARE SHOWN FOR REFERENCE. THE COLOR AND LINE ARE CURRENTLY IN CONFORMANCE WITH THE FEMA FLOODPLAIN MAP. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT ABOVE THE ADJACENT FLOODPLAIN ELEVATION. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT BELOW THE ADJACENT FLOODPLAIN ELEVATION. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT BELOW THE ADJACENT FLOODPLAIN ELEVATION. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT BELOW THE ADJACENT FLOODPLAIN ELEVATION.
4. ALL EXISTING FEMA EFFECTIVE FLOODPLAINS (100-YR & 500-YR) AND FEMA EFFECTIVE FLOODWAY (100-YR) ARE SHOWN FOR REFERENCE. THE COLOR AND LINE ARE CURRENTLY IN CONFORMANCE WITH THE FEMA FLOODPLAIN MAP. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT ABOVE THE ADJACENT FLOODPLAIN ELEVATION. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT BELOW THE ADJACENT FLOODPLAIN ELEVATION. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT BELOW THE ADJACENT FLOODPLAIN ELEVATION. FLOODPLAIN BOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT BELOW THE ADJACENT FLOODPLAIN ELEVATION.

**90% SUBMITTAL
 NOT FOR CONSTRUCTION**

VERIFY SCALE
 0 50 100 200
 SCALE (FEET)

1 FEMA EFFECTIVE 100-YR FLOODPLAIN LIMIT (NOTE 1) (TYP)
 2 FEMA EFFECTIVE 500-YR FLOODPLAIN LIMIT (NOTE 1) (TYP)

3 BURIED SCOUR PROTECTION (TYP)
 4 DRAINAGE SYSTEM (TYP)

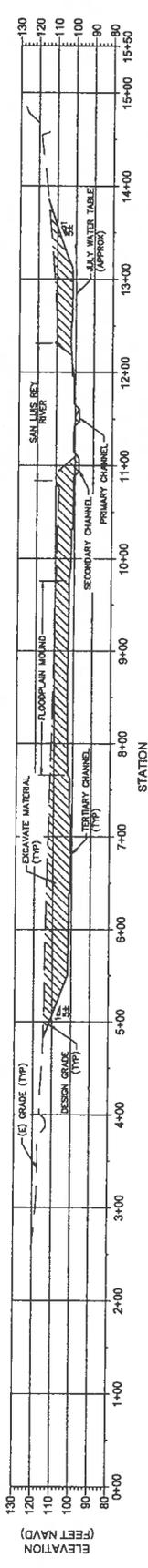
5 WILLOW BAFFLE (TYP)
 6 BOLLER CLUSTER

7 TERTIARY CHANNEL A
 8 TERTIARY CHANNEL B
 9 TERTIARY CHANNEL C
 10 TERTIARY CHANNEL D

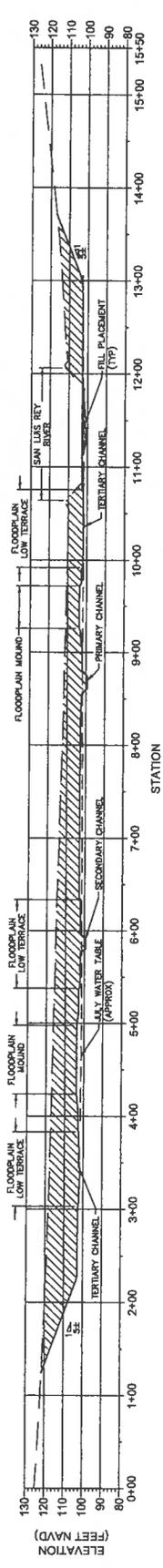
11 FLOODPLAIN LOW TERRACE
 12 FLOODPLAIN (TYP) (NOTE 2)

13 BURIED ROCK RETENTION (SEE SHEET C12)
 14 DRAINAGE SYSTEM (1)
 15 DRAINAGE SYSTEM (2)
 16 DRAINAGE SYSTEM (3)
 17 DRAINAGE SYSTEM (4)

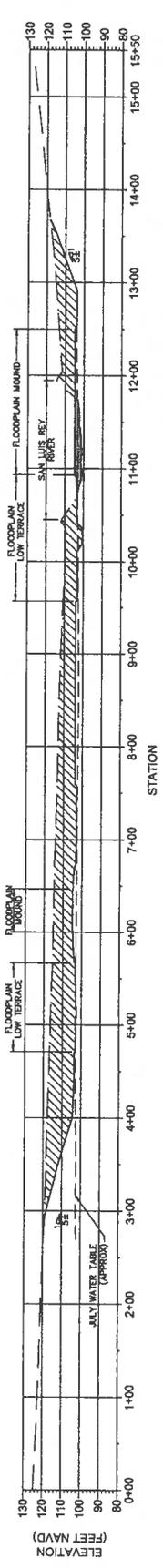
18 SAN LUIS REY RIVER
 19 SAND



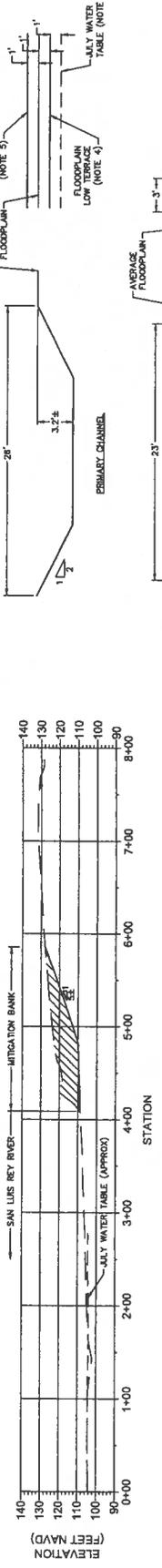
A
 C3 | C4
 MITIGATION BANK GRADING
 TYPICAL SECTION
 SCALE: 1" = 50'



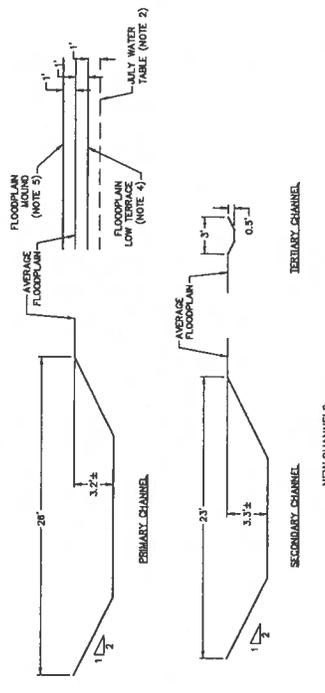
B
 C3 | C4
 MITIGATION BANK GRADING
 TYPICAL SECTION
 SCALE: 1" = 50'



C
 C3 | C4
 MITIGATION BANK GRADING
 TYPICAL SECTION
 SCALE: 1" = 50'



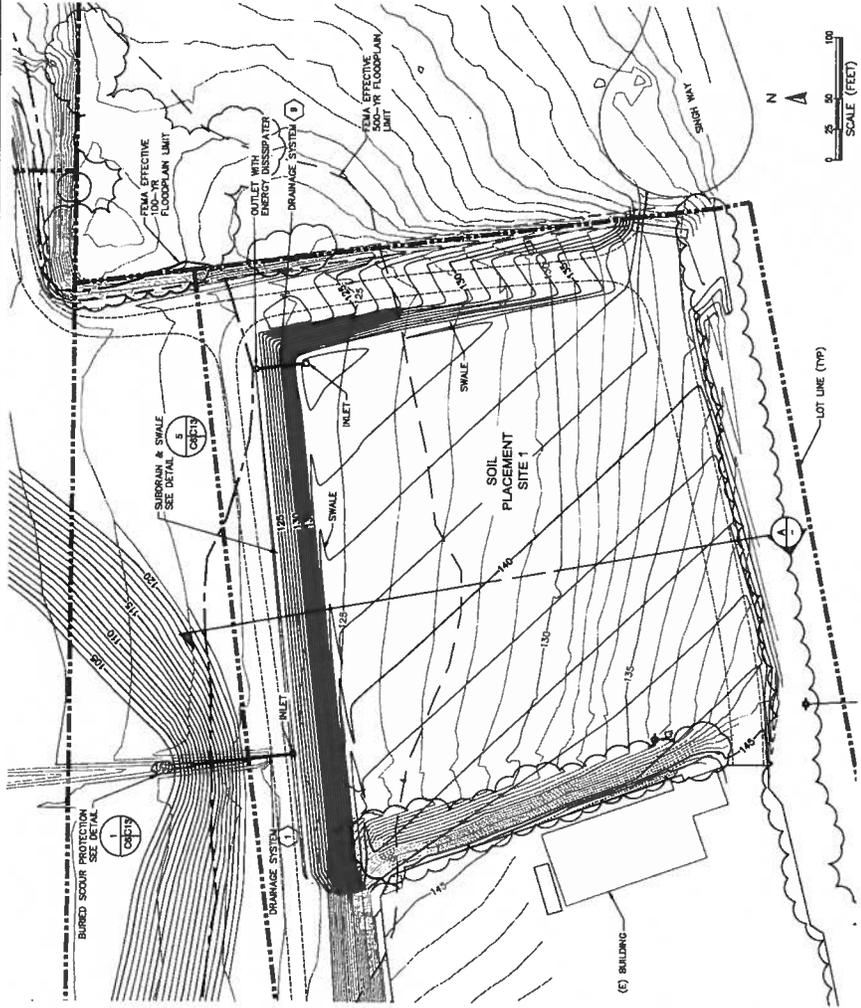
D
 C3 | C4
 MITIGATION BANK GRADING
 TYPICAL SECTION
 SCALE: 1" = 50'



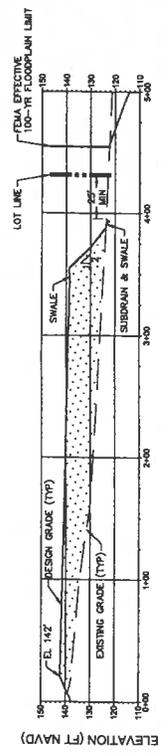
- NOTES:
- CROSS SECTIONS ARE SHOWN AT TWO (2) TIMES VERTICAL EXAGGERATION.
 - CHANNEL ELEVATIONS ARE BASED ON TOPOGRAPHIC AND GROUNDWATER DATA COLLECTED AT THE PROJECT SITE. THE WATER TABLE SHOWN IS THE WATER TABLE ELEVATION AT THE TIME OF DATA COLLECTION.
 - TYPICAL CHANNEL WIDTHS ARE SHOWN IN THE CROSS SECTIONS THROUGH THE CHANNEL. ALIGNMENT MAY SHOW THE TYPICAL CHANNEL ALIGNMENT.
 - FLOODPLAIN LOW TERRACE ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT BELOW THE ADJACENT FLOODPLAIN ELEVATION.
 - FLOODPLAIN MOUND ELEVATIONS SHALL BE APPROXIMATELY 1-FOOT ABOVE THE ADJACENT FLOODPLAIN ELEVATION.

90% SUBMITTAL
 NOT FOR CONSTRUCTION

VERIFY SCALE
 0 1'



SOIL PLACEMENT SITE 1
 PLAN
 SCALE: 1" = 20'



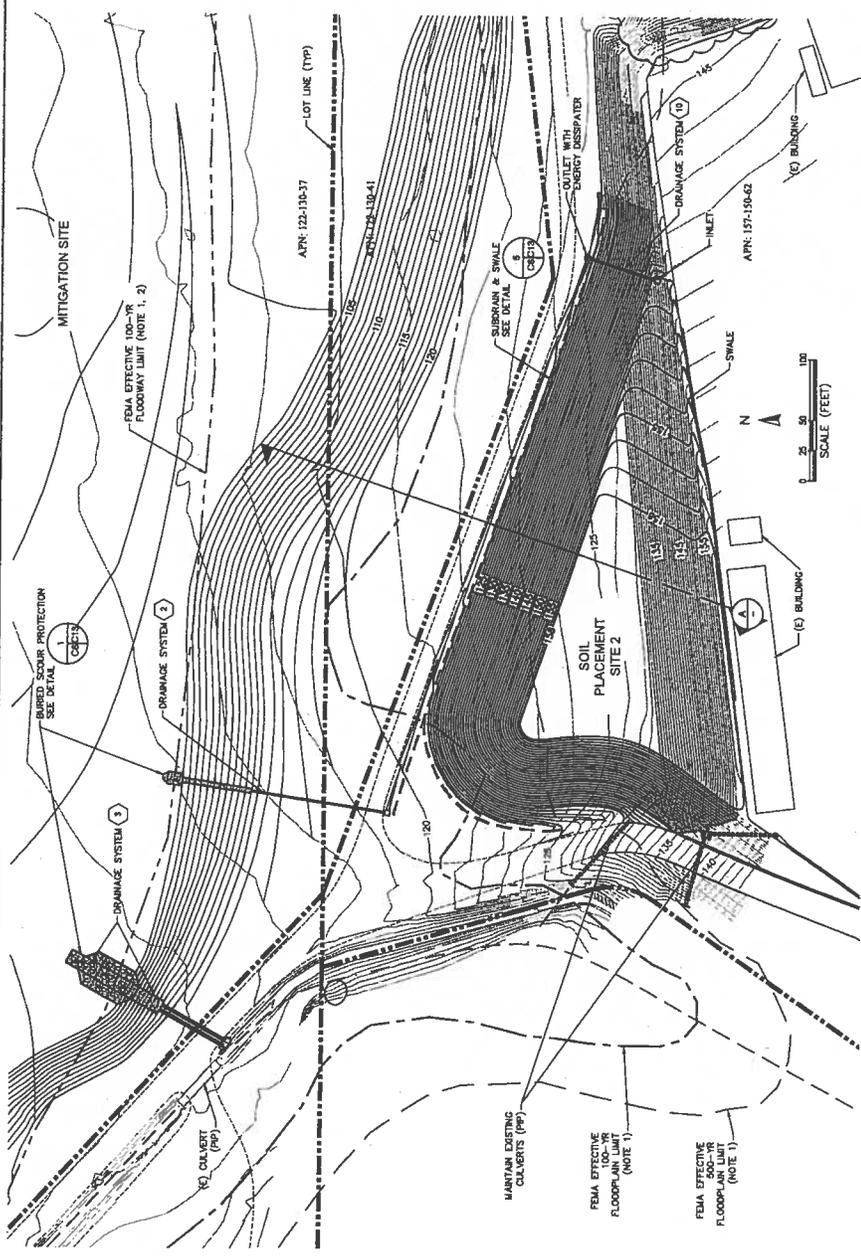
SOIL PLACEMENT SITE 1
 GRADING SECTION
 SCALE: 1" = 20'

**90% SUBMITTAL
 NOT FOR CONSTRUCTION**

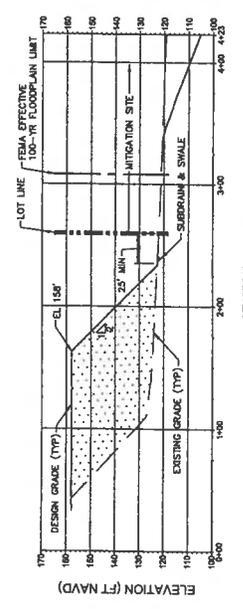
- NOTES:**
- CURRENT FEMA EFFECTIVE FLOODPLAINS (100-YR & 500-YR) AND FEMA EFFECTIVE FLOODWAY (100-YR) ARE SHOWN FOR REFERENCE. THE COLOR AND LOWER ARE CURRENTLY IN DEVELOPMENT BASED ON THE MITIGATION BANK GRADING DESIGN.
 - SOIL MANAGEMENT WILL OCCUR IN ACCORDANCE WITH THE GEOTECHNICAL REPORT, SOIL MANAGEMENT PLAN, AND THE GEOTECHNICAL REPORT, SOIL MANAGEMENT PLAN FOR PHASE 1.
 - ENVIRONMENTAL ASSESSMENT REPORT DATED JUNE 17, 2013 SUBMITTED FOR PHASE 1. GEOTECHNICAL INFORMATION: THE APRIL 8, 2014 GEOTECHNICAL REPORT, IMPACTED SOIL ASSESSMENT REPORT, AND THE APRIL 8, 2014 GEOTECHNICAL REPORT, IMPACTED SOIL ASSESSMENT REPORT, AND AS REQUIRED BY THE CITY OF OCEANSIDE DEVELOPMENT PERMIT CONDITIONS OF APPROVAL AND THE CITY OF OCEANSIDE GRADING PERMIT.

90% SUBMITTAL
NOT FOR CONSTRUCTION

VERIFY SCALE
 0 10 20 30 40 50 60 70 80 90 100

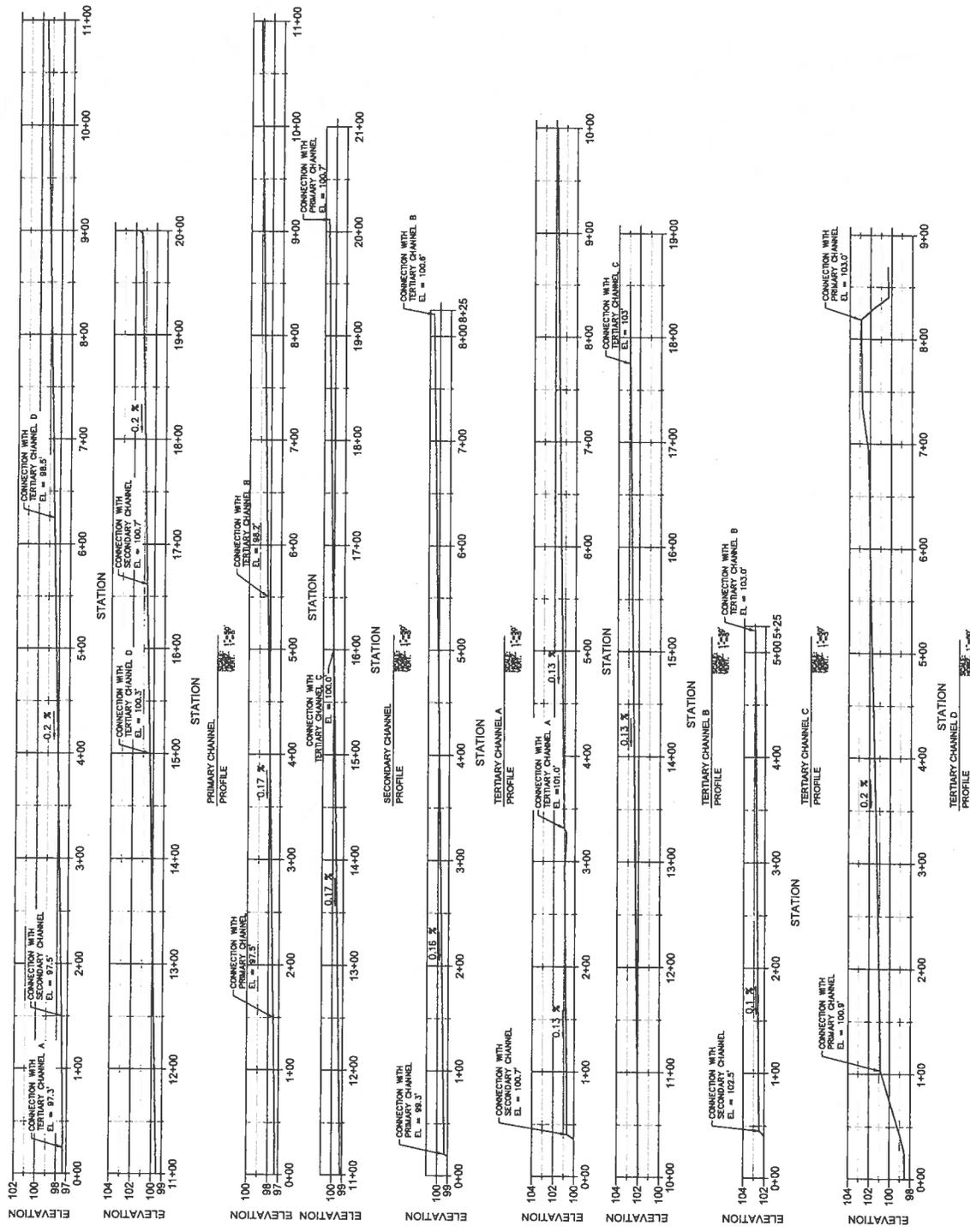


SOIL PLACEMENT SITE 2 PLAN



SOIL PLACEMENT SITE 2 GRADING SECTION

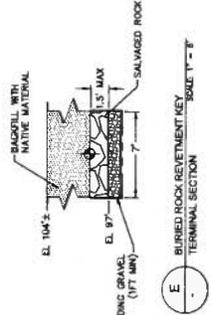
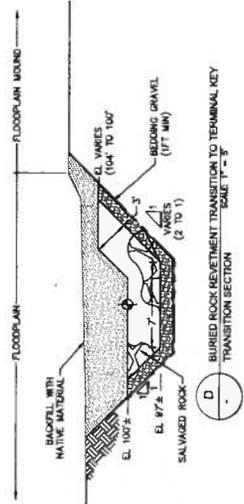
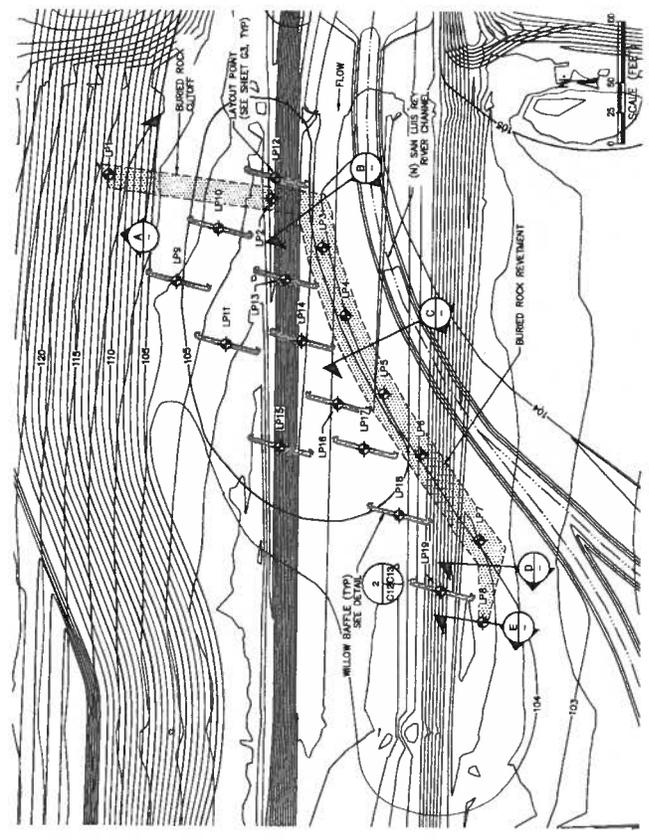
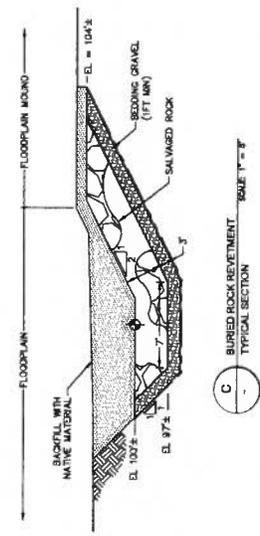
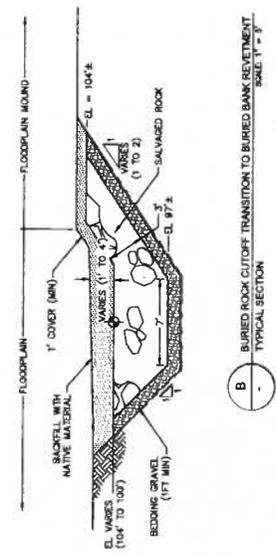
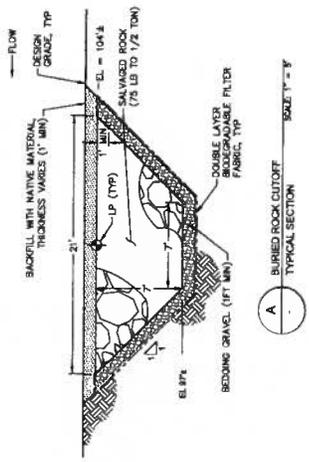
NOTES:
 1. CURRENT FEMA EFFECTIVE 100-YR & 500-YR AND FEMA EFFECTIVE FLOODWAY (100-YR) ARE SHOWN FOR REFERENCE. THE COLOR AND LINE ARE CURRENTLY IN DEVELOPMENT BASED ON THE MITIGATION BANK GRADING DESIGN. THE 100-YR FLOODWAY, SOIL MANAGEMENT WILL OCCUR IN ACCORDANCE WITH THE DESIGN JULY 13, 2014. GEOTECHNICAL REPORT: THE DESIGN JULY 6, 2012 LETTER OF CLARIFICATION FOR PHASE I INFORMATION, THE APRIL 8, 2014 GEOTECHNICAL PRELIMINARY REPORT, THE SUMMARY AS REQUIRED BY THE CITY OF OCEANSIDE DEPARTMENT OF ENVIRONMENTAL HEALTH AND AS REQUIRED BY THE CITY OF OCEANSIDE DEPARTMENT PUBLIC CONDITIONS OF APPROVAL AND THE CITY OF OCEANSIDE GRADING PERMIT.



NOTES:
 1. ELEVATION PROFILES ARE SHOWN AT TEN (10) TIMES VERTICAL EXAGGERATION.
 2. THE CHANNEL BED ELEVATIONS MAY VARY BY ± 0.5' FROM THE ELEVATIONS SHOWN ON THE TERTIARY CHANNELS TO CREATE AN UNDEULATING/REGULAR BED PROFILE.

**90% SUBMITTAL
 NOT FOR CONSTRUCTION**

VERIFY SCALE
 0 1' 2'



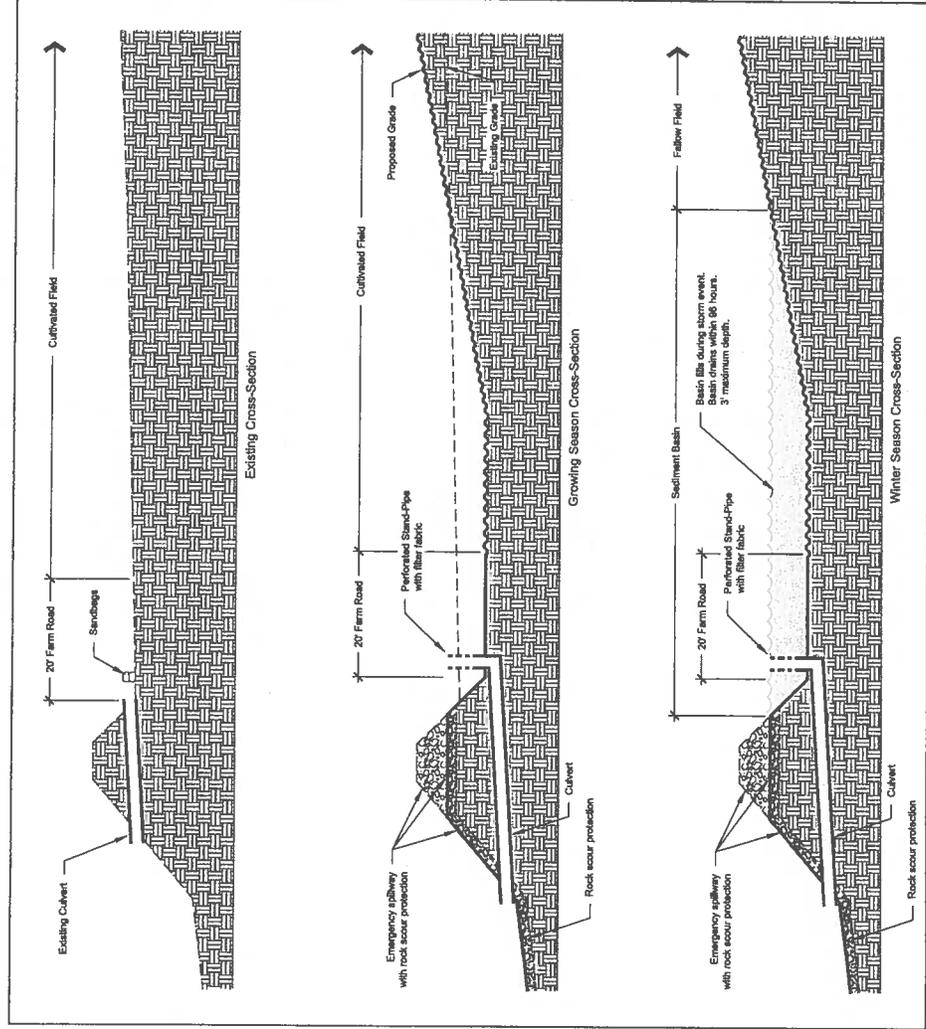
90% SUBMITTAL
 NOT FOR CONSTRUCTION

KORRY SCALE
 0 10 20 30 40 50 60 70 80 90 100
 FEET

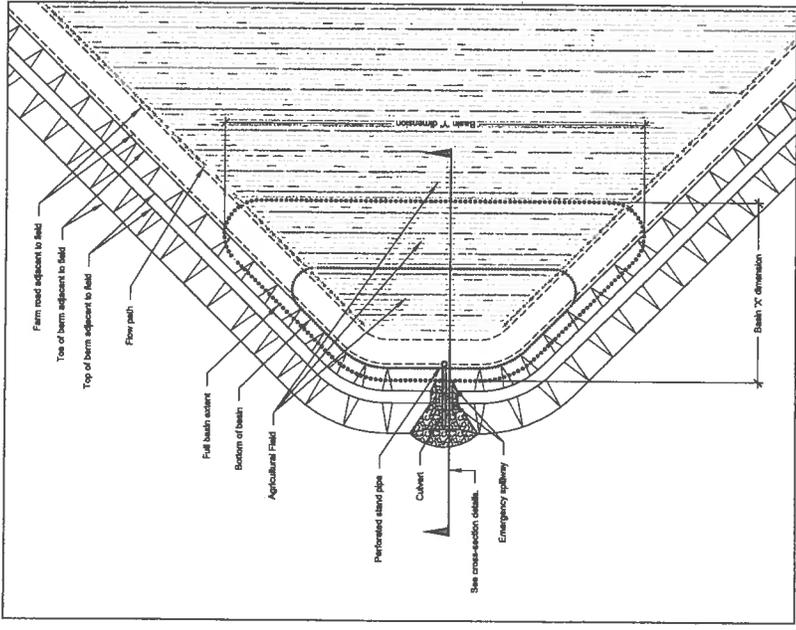
| DATE | BY | REVISIONS |
|----------|----------|-----------|
| 01/11/11 | 01/11/11 | 01/11/11 |
| 01/11/11 | 01/11/11 | 01/11/11 |
| 01/11/11 | 01/11/11 | 01/11/11 |
| 01/11/11 | 01/11/11 | 01/11/11 |

Schematic Sediment Basin Detail
SHEET

**Development Plan
Submittal**
NOT FOR CONSTRUCTION



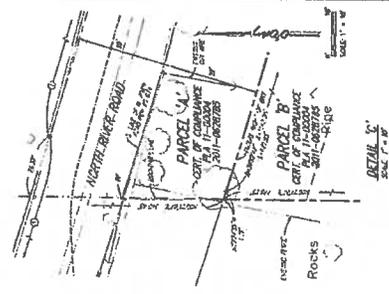
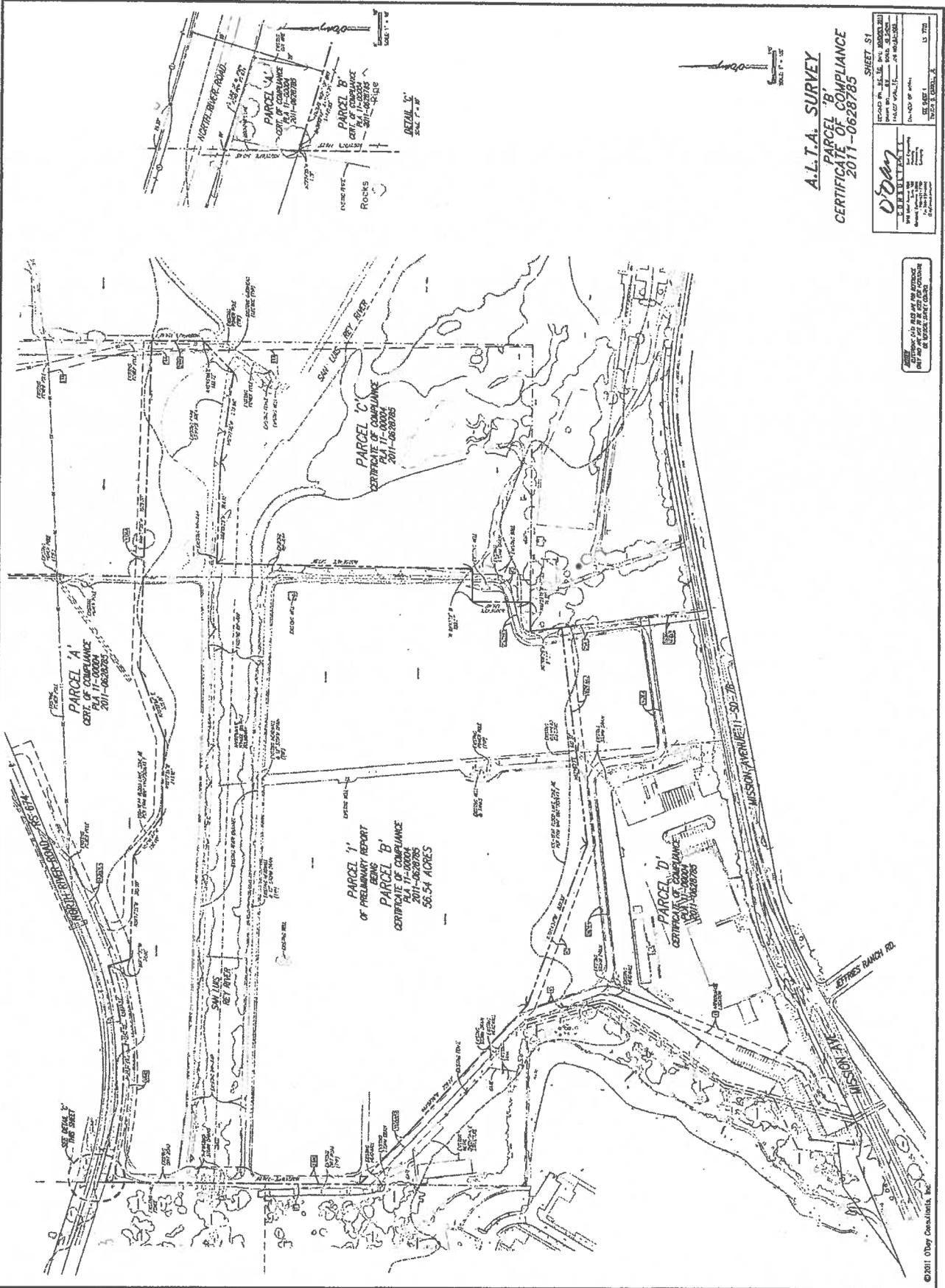
Typical Cross Sections
2x Vertical Enlargement
Horizontal Scale: 1" = 10'
Vertical Scale: 1" = 2'



Typical Plan View
Horizontal Scale: 1" = 30'
Vertical Scale: 1" = 30'

Basin Dimensions

| Site | DMA area (Acres) | Basin X dimension (feet) | Basin Y dimension (feet) | Basin Surface Area (Square Feet) | Culvert Diameter (Inches) |
|--------------|------------------|--------------------------|--------------------------|----------------------------------|---------------------------|
| Site 4 | 27.0 | 13 | 378 | 19,171 | 24" minimum |
| Site 5 North | 9.7 | 72 | 150 | 7,368 | 24" minimum |
| Site 5 South | 5.0 | 70 | 183 | 8,365 | 24" minimum |
| Site 7 | 24.0 | 63 | 450 | 18,145 | 24" minimum |



A.L.T.A. SURVEY
PARCEL 'B'
CERTIFICATE OF COMPLIANCE
2011-0628785

SHEET 51

DATE OF SURVEY: 11/11/11
 PROJECT NO.: 11-0004
 CLIENT: O'DAY CONSULTANTS, INC.
 SURVEYOR: [Signature]
 LICENSE NO.: 13 272

THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1967 AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING.

WILDLANDS
3800 Avenida Road
Redding, CA 96005
(916) 426-5555



San Luis Rey Mitigation Bank
Conceptual Landscape Plan

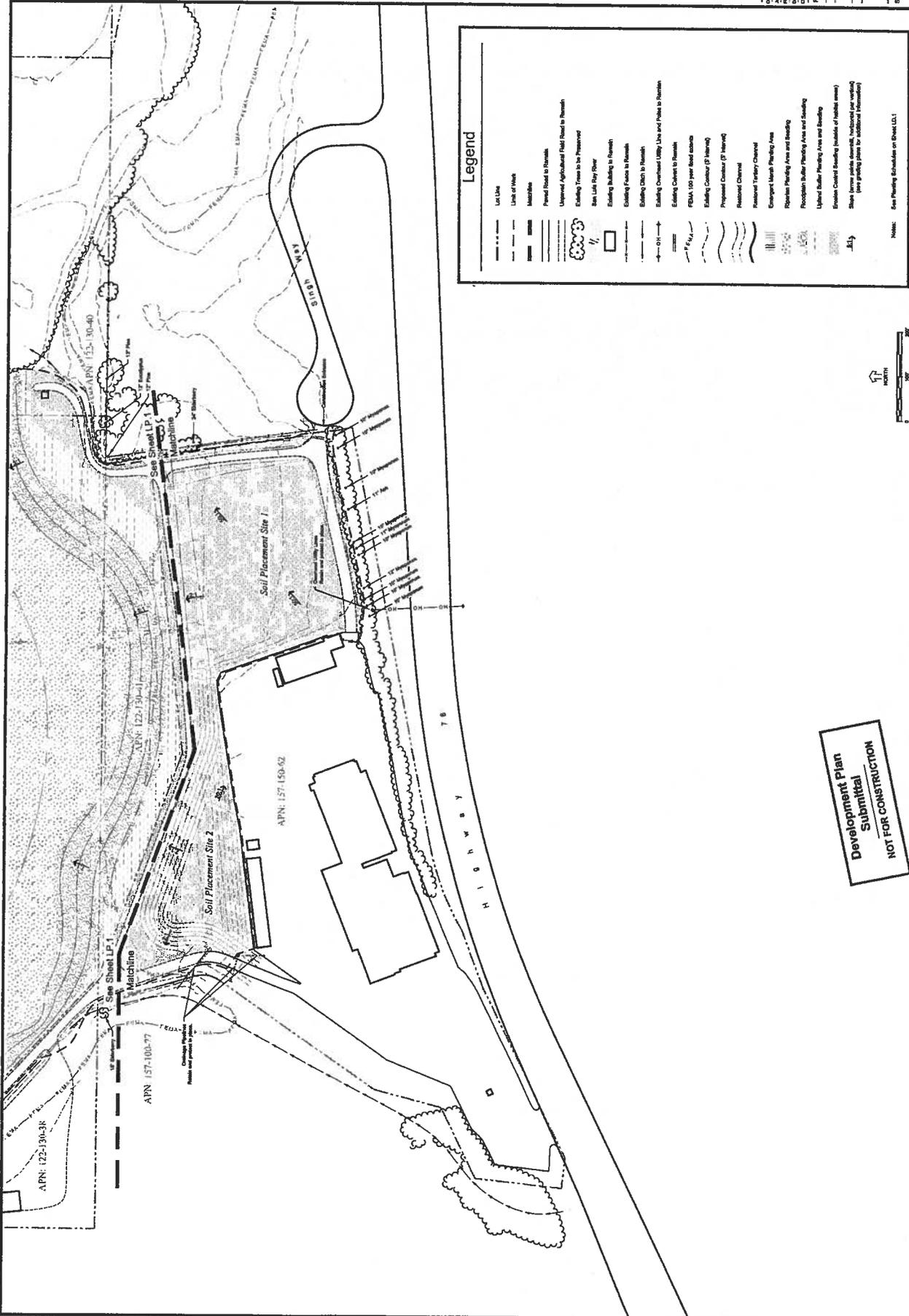
Oceanside, CA

REVISIONS

| No. | Date | Description |
|-----|------------|----------------|
| 1 | 06/11/2014 | Initial Design |
| 2 | 07/17/2014 | Revised Design |
| 3 | 08/14/2014 | Final Design |

Conceptual Landscape Plan
Planting
SHEET

LP.2



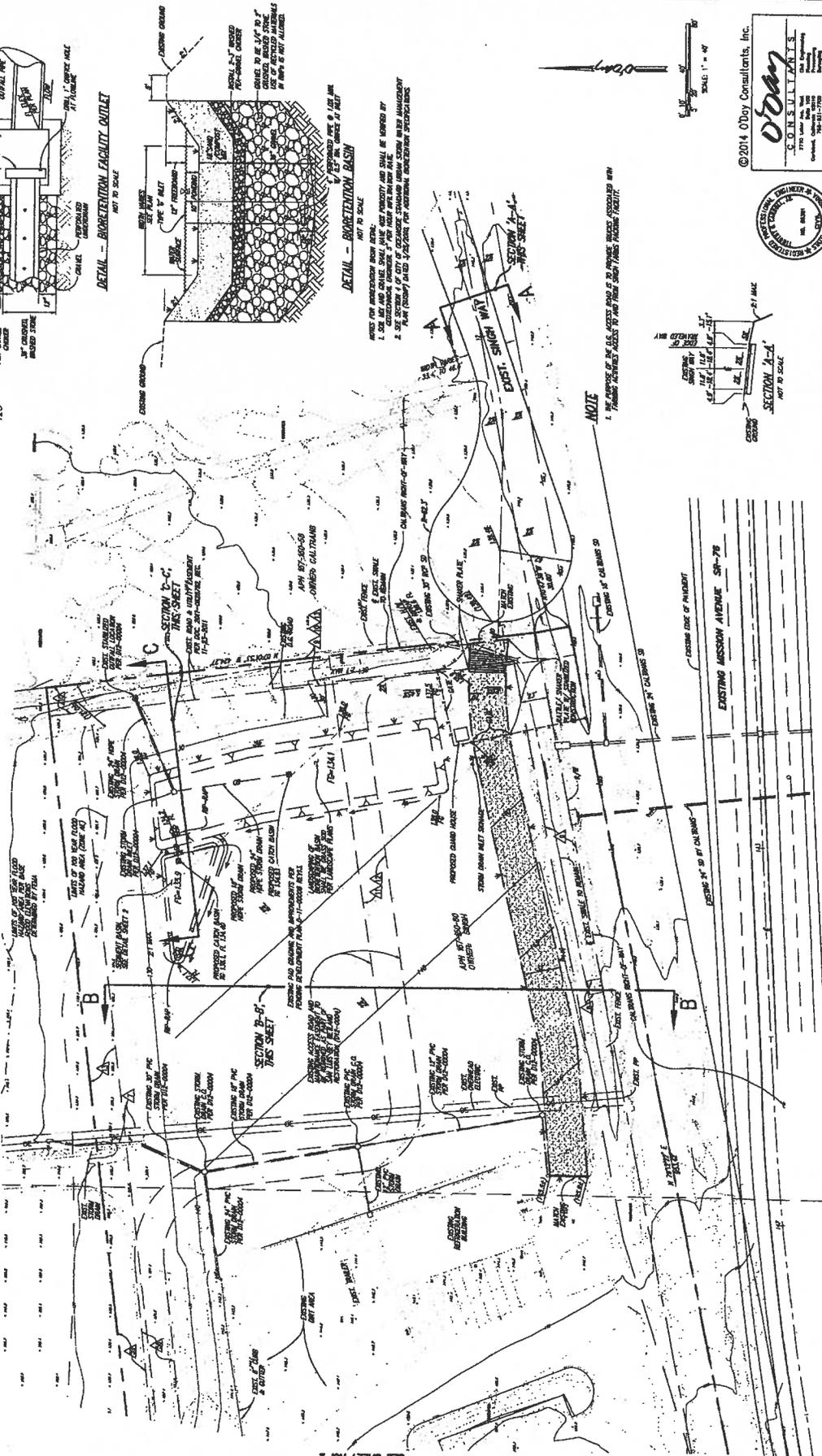
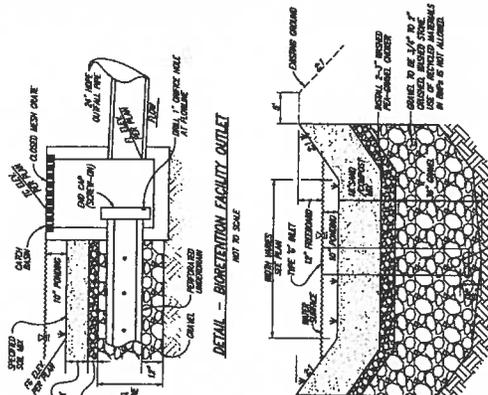
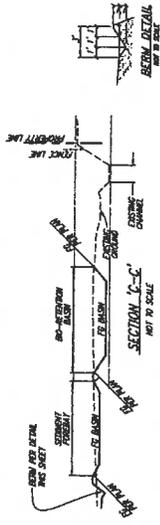
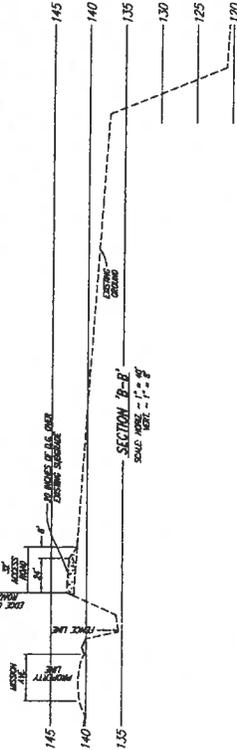
Legend

| | |
|--|--|
| | Lot Line |
| | Line of Wet |
| | Marshline |
| | Paved Road to Remain |
| | Unpaved Agricultural Field Road to Remain |
| | Existing Trees to be Preserved |
| | San Luis Rey River |
| | Existing Building to Remain |
| | Existing Fence to Remain |
| | Existing Ditch to Remain |
| | Existing Overhead Utility Line and Poles to Remain |
| | FEMA 100 year flood zone |
| | Existing Contour (5' Interval) |
| | Proposed Contour (5' Interval) |
| | Restored Channel |
| | Restored Tertiary Channel |
| | Contingent Marsh Planting Area |
| | Riparian Planting Area and Roadway |
| | Precipitation Buffer/Planting Area and Roadway |
| | Upland Buffer Planting Area and Roadway |
| | Erosion Control (Seedling bundles of native species) |
| | Stone (arrow points down/up, horizontal per working) |
| | (see grading plans for additional information) |

Notes: See Planting Schedule on Sheet LP.1

Development Plan
Submittal
NOT FOR CONSTRUCTION

D-11-00008 REV 13
(PREV. D-8-99 REV 07)



NOTE: 1. THE DETENTION BASIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
 1.1. THE DETENTION BASIN SHALL BE CONSTRUCTED WITH CONCRETE WALLS AND A CONCRETE FLOOR.
 1.2. THE DETENTION BASIN SHALL BE FILL WITH STONE.
 1.3. THE DETENTION BASIN SHALL BE COVERED WITH A CONCRETE SLAB.
 1.4. THE DETENTION BASIN SHALL BE SURROUNDED BY A 2' HIGH CONCRETE WALL.

NOTE: 2. THE DETENTION BASIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
 2.1. THE DETENTION BASIN SHALL BE CONSTRUCTED WITH CONCRETE WALLS AND A CONCRETE FLOOR.
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NOTE: 9. THE DETENTION BASIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
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 9.3. THE DETENTION BASIN SHALL BE COVERED WITH A CONCRETE SLAB.
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 10.3. THE DETENTION BASIN SHALL BE COVERED WITH A CONCRETE SLAB.
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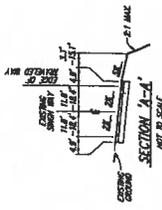
NOTE: 11. THE DETENTION BASIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
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NOTE: 12. THE DETENTION BASIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
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 12.2. THE DETENTION BASIN SHALL BE FILL WITH STONE.
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NOTE: 13. THE DETENTION BASIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
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NOTE: 14. THE DETENTION BASIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
 14.1. THE DETENTION BASIN SHALL BE CONSTRUCTED WITH CONCRETE WALLS AND A CONCRETE FLOOR.
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 Oceanside, CA 92053
 TEL: 760.434.1111
 FAX: 760.434.1112
 WWW.ODAYCONSULTANTS.COM



1 PLANNING COMMISSION
2 RESOLUTION NO. 2014-P16

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA ADOPTING A
5 MITIGATED NEGATIVE DECLARATION AND
6 ASSOCIATED MITIGATION MONITORING AND
7 REPORTING PROGRAM FOR THE RESTORATION OF A
8 RIPARIAN RIVER CORRIDOR/FLOODPLAIN AND
9 CREATION OF A WETLANDS MITIGATION BANK ALONG
10 A PORTION OF THE SAN LUIS REY RIVER ON CERTAIN
11 REAL PROPERTY IN THE CITY OF OCEANSIDE

9 APPLICATION NO: D12-00004 and D13-00007
10 APPLICANTS: Wildlands SLR Holdings I and Singh Property Management Co.
11 LOCATION: North of Mission Avenue/SR 76, South of North River Road, and
12 East of Melrose Drive

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

14 WHEREAS, there was filed with this Commission a verified petition on the forms
15 prescribed by the Commission requesting a Development Plan under the provisions of Articles 40
16 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

17 the restoration of a riparian river corridor and floodplain, and creation of a wetlands
18 mitigation bank along a portion of the San Luis Rey River which will involve
19 approximately 528,080 cubic yards of soil being relocated to 3 soil placement sites that
20 currently function as agricultural growing grounds and to modify the Singh Access Road
21 in a manner that raises the finish grade of the road approximately 3-5 feet with
22 placement of 105,000 cubic yards of fill produced through the San Luis Rey River
23 Wetland Restoration project;

24 all on certain real property described in the project description.

25 WHEREAS, the Planning Commission, after giving the required notice, did on the 28th
26 day of July, 2014 conduct a duly advertised public hearing as prescribed by law to consider said
27 application.

28 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
29 Guidelines thereto; an Initial Study and Mitigated Negative Declaration have been prepared

1 stating that if the mitigation measures identified within the Initial Study are implemented there will
2 not be an adverse impact upon the environment;

3 WHEREAS, the Mitigated Negative Declaration (MND) together with any comments
4 received, and Mitigation and Monitoring and Reporting Program (MMRP) incorporated into
5 the conditions of approval for the project, were presented to the Planning Commission, and the
6 Planning Commission reviewed and considered the information contained in these documents
7 prior to making a decision on the project.

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

10 FINDINGS:

- 11 1. The Mitigated Negative Declaration together with all comments received, and
12 Mitigation and Monitoring and Reporting Program incorporated into the conditions of
13 approval for the project, were presented to the Planning Commission, and the Planning
14 Commission reviewed and considered the information contained in these documents
15 prior to making a decision on the project.
- 16 2. The Mitigated Negative Declaration and Mitigation and Monitoring and Reporting
17 Program have been determined to be accurate and adequate documents, which reflect
18 the independent judgment and analysis of the Planning Commission. On the basis of
19 the entire record before it, the Planning Commission finds that there is no substantial
20 evidence that the project, with implementation of the mitigation measures proposed,
21 will have a significant impact on the environment.

22 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
23 adopt the Mitigated Negative Declaration and the mitigation measures provided therein and
24 incorporated as conditions of approval, as follows:

25 Environmental:

26 1. AQ - Construction Mitigation Measures.

- 27 I. Prior to grading, the following measures shall be included in the notes on the
28 grading plan and implemented during construction, to the satisfaction of the City
29 Engineer.

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- a) Adhere to best management practices, which shall include the application of water on disturbed soils and replanting disturbed areas as soon as practical.
- b) During construction activities, construction equipment shall be properly maintained to ensure proper timing and tuning of engines.
- c) The contractor shall adhere to all San Diego Air Pollution Control District (SDAPCD) Rules and Regulations.
- d) If feasible, the contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board.

II. The following construction mitigation measures shall be implemented during all aspects of project grading and construction:

- a) Construction vehicles shall drive 20 mph or less on unpaved surfaces within the Project Area.
- b) Wheels and undercarriages of haul trucks shall be cleaned prior to entering public roadways. If necessary, access to all public streets from which site access is taken shall be swept on a daily basis to prevent dirt from being carried from the site. The goal is to keep vehicles from pulverizing dirt into fine particles.
- c) Dirt track out control devices shall be installed and maintained where paved and unpaved travel routes intersect at public streets.
- d) Signage shall be placed in visible areas on the Project Area with a name and telephone number to call for complaints related to fugitive dust. The calls shall be responded to in a timely manner.
- e) A dust control plan shall be prepared for the Project and submitted to the City of Oceanside prior to earthwork activity.
- f) Construction equipment shall meet California Air Resources Board – certified off road vehicle requirements.

1
2 2. **AQ-1.** In order to reduce fugitive dust emissions to below a level of significance, the
3 Project shall implement one of the following dust control measures as described in the
4 following scenarios. Alternatively, the Project shall implement alternative measures,
5 subject to approval by the City, that result in equal or greater reductions to fugitive dust
6 emissions.

7 *Mitigation Scenario 1:* The Project shall increase the number of scraper carriages to
8 each tractor loading such that each tractor can pull two scraper carriages, reducing the
9 total number of tractor round-trips, and the daily maximum PM₁₀ fugitive dust
10 emissions to 171.54 pounds per day (lbs/day; from 200.78 lbs/day). The doubling of
11 the scraper carriages would reduce PM₁₀ fugitive dust emissions by 15 to 20 percent to
12 an emission level below South Coast Air Quality Management District (SCAQMD)
13 limits.

14 - Or -

15 *Mitigation Scenario 2:* The Project shall reduce the maximum speed limit of the
16 tractor-scraper from 20 miles per hour (mph) down to 7 or 8 mph. (For reference, if the
17 tractor-scraper equipment is operating at 20 mph speed limit maximum then the average
18 time to complete the scraper production cycle would average approximately 2.76
19 minutes per trip to traverse the estimated 0.92 mile average haul route distance [round
20 trip]). The average time to complete the trip may increase while the PM₁₀ fugitive dust
21 emissions would decrease by approximately 50 percent to an emission level below
22 SCAQMD limits.

23 - Or -

24 *Mitigation Scenario 3:* The third option would be to water the site three times per day.
25 According to the Western Regional Air Partnership's Fugitive Dust Handbook (WRAP
26 2006) watering the site three times per day pursuant to Rule 55 would reduce fugitive
27 dust emissions by 90 percent.

28 3. **BIO-1 Project Biologist.** A project biologist approved by the Corps and USFWS
29 (Agencies) and CDFW, as appropriate, will be on-site during project implementation to
ensure that all avoidance and minimization measures are adhered to and unintended

1 impacts to arroyo toad, vireo, flycatcher, and gnatcatcher and their habitats are avoided.
2 At least two weeks prior to project initiation, the name(s), permit numbers, resumes,
3 and at least three references for the project biologist will be submitted to the Agencies.
4 The project biologist must be familiar with federally threatened or endangered species
5 and habitats potentially occurring within the region of the project site. Project related
6 activities will not be initiated prior to receiving Agency approval. The project biologist
7 will be responsible for ensuring compliance with the project description (including all
8 conservation measures) to minimize and avoid impacts (incidental take) to federally
9 threatened and/or endangered species. The project biologist will have authorization to
10 halt/suspend all activities until appropriate corrective measures have been completed
11 and will also be required to report violations immediately to the Agencies. The project
12 biologist's responsibilities will include but not be limited to:

- 13 1) Advise all project-related staff (contractors) on the appropriate implementation
14 of the conservation measures.
- 15 2) Be available to supervise and monitor biological resource compliance efforts in
16 areas requiring avoidance or containing suitable habitat for federally endangered
17 species.
- 18 3) Be available to monitor installation of all Best Management Practices (BMPs),
19 Environmentally Sensitive Habitat (ESH) fencing (BIO-3.1), and arroyo toad
20 exclusionary fencing (BIO-4.1).
- 21 4) Halt any and all activities in any area when a potential unauthorized incidental
22 "take" of an endangered species may or has occurred.
- 23 5) Inspect active project site where federally listed species habitat is present or
24 adjacent to work area to ensure compliance with all conservation measures for
25 the duration of the proposed action. Monitor project site as appropriate but not
26 less than once a week for compliance with all conservation measures.
- 27 6) Conduct initial Environmental Awareness Program (BIO-2) for all project-
28 related staff.
- 29 7) Conduct species specific monitoring (BIO-4, BIO-5).

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- 8) Notify the Agencies of any non-compliance with any conservation measure and complete project reporting (BIO-6).
 - 9) Monitor for potential impacts to wildlife movement and take corrective action if needed.

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4. **BIO-2 Environmental Awareness Program.** The designated biological monitor will develop and implement an environmental awareness program for all project-related staff (contractors). All employees, contractors, and subcontractors who will work on the project will participate in the program. The environmental awareness program will include but not be limited to a description of all federally endangered species and their habitats potentially occurring within the region of the project site, the general provisions of the federal Endangered Species Act (Act), the need to adhere to the provisions of the Act, the penalties associated with violating the Act, and the general measures that are being implemented to conserve the listed species as they relate to the project. A handout will be provided to all staff illustrating all focal species and listing contact information and procedural instructions, if detected. A training acknowledgement form will be signed by all staff participating in the project indicating that they have received training and will abide by the guidelines and conservation measures.

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5. **BIO-3 General Measures to Avoid and Minimize Impacts to Listed Species and Arroyo Toad Critical Habitat.**

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- 1) The applicant will install temporarily ESH fencing (with silt barriers) around the limits of project impacts (including construction staging areas and access routes) to prevent additional habitat impacts and prevent the spread of silt from the construction zone into adjacent habitats to be avoided. Fencing will be installed in a manner that does not impact habitats to be avoided. The applicant will submit to the Agencies for approval, at least 5 days prior to initiating project impacts, the final plans for initial clearing and grubbing of habitat and project construction. These final plans will 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

1 limits of impact, all work will cease until the problem has been remedied to the
2 satisfaction of the Agencies. Temporary construction fencing will be removed
3 upon project completion.

- 4
- 5 2) At least 30 days prior to initiation of construction related activities, grading
6 plans will be submitted to the Agencies, U.S. Environmental Protection Agency
7 (EPA), California Department of Fish and Wildlife for review. The plans will
8 include preconstruction photographs of the project site.
- 9
- 10 3) Employees will strictly limit their activities, vehicles, equipment, and materials
11 to the designated temporary impact areas and designated staging areas. No
12 personnel or equipment will be allowed to enter areas designated as ESH areas.
- 13
- 14 4) To avoid attracting predators, work areas will be kept as clean of debris as
15 possible. All food-related trash items will be enclosed in sealed containers and
16 regularly removed from the project site.
- 17
- 18 5) No pets will be allowed in the project site.
- 19
- 20 6) All equipment maintenance, staging, and dispensing of fuel, oil, or coolant, will
21 occur within a predetermined staging area. Fueling and maintenance of trucks
22 and other vehicles will occur within a predetermined staging area. Equipment
23 will be checked for leaks prior to operation and repaired as necessary.
- 24
- 25 7) The mitigation bank will be planted as early as possible following completion of
26 grading/excavation activities adjacent to ESH areas. Specifically, BMP's to
27 address erosion and excess sedimentation will be incorporated into the project
28 plans. Measures that will be implemented during excavation, hauling, spreading
29 and restoration efforts may include (but will not be limited to) the use of silt
fencing, gravel bags, hay bales, fiber rolls, and protective velocity dissipaters at
drainage outlet points.
- 8) Herbicides used in exotic species control during long-term maintenance
activities will be currently approved by the EPA for use in wetlands, and no
herbicide will be applied to native vegetation. The herbicide should be tinted
with a biodegradable dye to facilitate visual control of spray.

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6. **BIO-4 Arroyo Toad Impact Avoidance and Minimization Measures.**

1) Prior to initiation of vegetation clearing or project construction, fencing will be installed around each segment of the project site adjacent to suitable arroyo toad upland and/or breeding habitat to exclude arroyo toads from the project site. The fence will consist of fabric or plastic at least 2 feet high, staked firmly to the ground with the lower one foot of material stretching outward along the ground and secured with a continuous line of gravel bags. No digging or vegetation removal will be associated with the installation of this fence and all materials will be removed when the project is complete. Ingress and egress of equipment and personnel will use a single access point to the site. This access point will be as narrow as possible and will be closed off by exclusionary fencing when personnel are not on the project site. Where they overlap, the arroyo toad exclusionary fence can be combined with the ESH fencing in BIO-3.1.

2) Prior to mitigation bank construction, but after exclusionary fencing has been installed, at least 3 surveys for arroyo toads will be conducted within the fenced area by the Agency-approved project biologist specified in BIO-1. Surveys will be conducted during the appropriate climatic conditions during the appropriate time of day or night to maximize the likelihood of encountering arroyo toads. If arroyo toads are found within the project site during the surveys, all work will cease and the Agencies will be notified to reinitiate section 7 consultation.

7. **BIO-5 Vireo, Flycatcher and Gnatcatcher Impact Avoidance and Minimization**

Measure. All vegetation clearing will be conducted between September 15 and February 15 to avoid potential direct and/or indirect impacts to breeding vireo, flycatcher or gnatcatcher. In the event vegetation clearing and/or construction activities (excavation and/or restoration efforts) must occur within the vireo, flycatcher or gnatcatcher breeding season, then a pre-construction survey will be conducted no more than three (3) days prior to project initiation to ensure that no impacts to nesting birds occur. Should vireo, flycatcher or gnatcatcher nests or breeding activity be documented within (if vegetation has not been removed) or adjacent to the project site, then

1 appropriate measures will be implemented including, but not be limited to, monitoring
2 during clearing, excavation or planting to ensure that no impacts to the breeding
3 individuals occur, temporary designation of the breeding site as an ESH, and/or
4 delaying/restricting project related activities within a buffer zone (determined by the
5 project biologist in coordination with the Agencies based on location and topography)
6 until nesting and fledging is complete.

7 Reporting

- 8
- 9 1) The project biologist will submit monthly updates and a final report to the
10 Agencies within 60 days of project completion documenting that authorized
11 temporary impacts were not exceeded and general compliance with all
12 conservation measures.
- 13 2) The final report will summarize the results of the monitoring efforts and include
14 recommendations to further reduce potential impacts to sensitive species, if
15 applicable. As previously stated, the Agencies will also be notified if any listed
16 species are found within or adjacent to the project site. The date, specific
17 location (Global Positioning System coordinates), approximate size, age, and
18 health of the individual will be recorded and provided in both hard copy and
19 digital format to the Agencies within 30 days of the observation.
- 20 3) The Service will be notified if any listed species are found injured or dead. A
21 written notification would also be prepared after verbal notification to the
22 Service. The report would include the date, time and location of the discovered
23 animal/carcass, cause of injury or death, and any other pertinent information.
24 All dead and preserved specimens will be submitted to educational/research
25 institutions with the appropriate federal permits.

26 8. BIO-6 California Steelhead Impact Avoidance and Minimization Measures.

- 27 1) Water diversion construction (including filtering system) within the project site
28 will be initiated after May 1 and removed by November 30. This construction
29 season is when the southern California steelhead is not expected to occur within
the project site. Following completion of project-related activities, all water

1 diversion materials will be removed and flows will be restored to natural
2 conditions.

- 3
- 4 2) A preconstruction survey will be conducted immediately prior to initiation of
5 project-related activities within the San Luis Rey River to determine
6 presence/absence of the southern California steelhead. Project-related activities
7 conducted within or adjacent to the San Luis Rey River will not be initiated until
8 the species has been documented absent from the Study Area.
- 9 3) Avoid working in actively flowing water, where feasible.
- 10 4) Any shallow or deep aquatic habitat including existing pools, riffles and plunge
11 pools will be retained and/or restored within the project site, where feasible.
- 12 5) The exclusionary/ESH fencing proposed to traverse the up and downstream
13 segments of the San Luis Rey River would be breached to allow for migration
14 no later than November 30.
- 15 6) The date, time of observation, specific location (GPS coordinates), approximate
16 size, age, and health of all individuals observed will be recorded and provided to
17 the NMFS within thirty days of the documentation in both hard copy and digital
18 format.

19 9. **BIO-7 Nesting Bird Impact Avoidance and Minimization Measures.** Impacts to
20 nesting bird species are prohibited under the MBTA. The MBTA makes it unlawful to
21 take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 C.F.R. Part
22 10, including feathers or other parts, nests, eggs, or products, except as allowed by
23 implementing regulations (50 C.F.R. 21). Suitable nesting bird habitat has been
24 documented within and immediately adjacent to the project site. Therefore, to remain
25 in compliance with the MBTA, nesting bird surveys will be conducted and avoidance
26 and minimization measures consistent with BIO-5 will be implemented.

27 10. **BIO-8 Water Quality/General Impact Avoidance and Minimization Measures.**

- 28 1) All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any
29 other such activities shall occur in designated areas outside of Waters of the U.S.
within the project limits. These designated areas shall be located in previously

1 compacted and disturbed areas to the maximum extent practicable in such a
2 manner as to prevent any runoff from entering Waters of the U.S. and shall be
3 shown on the grading plans. Fueling of equipment shall take place within
4 existing disturbed areas greater than 100 feet from Waters of the U.S. Contractor
5 equipment shall be checked for leaks prior to operation and repair as necessary.

- 6 2) "No fueling zones" shall be established within a minimum of 100 feet from the
7 San Luis Rey River.
- 8 3) Any project related spills of hazardous materials shall be reported to appropriate
9 entities including but not limited to the City of Oceanside, Corps, USFWS,
10 CDFW, and Regional Water Quality Control Board (RWQCB) and shall be
11 cleaned up immediately and contaminated soils removed to approved disposal
12 areas.
- 13 4) Any planting stock to be brought onto the project site for restoration shall be
14 first inspected by a qualified pest inspector to ensure it is free of pest species
15 that could invade natural areas, including, but not limited to, Argentine ants, fire
16 ants, and other insect pests. Any planting stock found to be infested with such
17 pests shall not be allowed on the project site or within 300 feet of natural
18 habitats. The stock shall be quarantined, treated or disposed of according to best
19 management principles by qualified experts in a manner that precludes invasions
20 into natural habitats.
- 21 5) Any temporary irrigation installed for the restoration area shall be used for the
22 shortest duration possible.
- 23 6) Public access to the project site shall be prohibited. Fencing may be required to
24 keep unauthorized personnel from trespassing.

25 11. **BIO-9.**

- 26 1) Prior to conducting any proposed actions during the breeding season (February
27 15 to September 15), the monitoring biologist shall conduct a pre-construction
28 survey/surveys to identify any active migratory bird nesting locations in and
29 near the Project area no more than three days prior to Project initiation. If the

1 biologist does not find any active nests that would be potentially impacted, the
2 proposed action may proceed. If the biologist finds an active nest within or
3 adjacent to the action area, determines that the nesting species is protected, and
4 determines that the nest may be impacted, the biologist shall delineate an
5 appropriate buffer zone from the nest. Any active nests observed during the
6 survey shall be mapped on a recent aerial photograph including documentation
7 of GPS coordinates. Only specified activities (if any), as approved by the
8 qualified biologist, shall take place within the buffer zone until the nest is
9 vacated.

10 2) Surveys for active raptor nests shall be performed in all adjacent habitats and
11 trees no more than three days prior to commencement of any activities during
12 the raptor nesting season generally extending from February 1 to June 30.
13 Active raptor nests observed during the survey shall be mapped on a recent
14 aerial photograph including documentation of GPS coordinates. Restrictions on
15 activities shall be required in the vicinity of the nest until the nest is no longer
16 active as determined by the qualified biologist. The qualified biologist shall
17 determine an appropriate buffer zone around a nest to allow activities to proceed
18 while minimizing disturbance to the active nest. Once the nest is no longer
19 active, the proposed action may proceed within the buffer zone. Impacts to
20 active raptor nests shall be avoided.

21 12. **CUL-1.** Prior to implementation of the monitoring program and prior to beginning any
22 grading, a pre-excavation agreement shall be developed between the appropriate Native
23 American group (assumed to be the San Luis Rey Band of Luiseño Mission Indians)
24 and the Project applicant.

25 13. **CUL-2.** The qualified archaeologist and the Native American representative shall
26 attend the pre-construction meeting with the Project applicant and contractors to explain
27 the requirements of the monitoring program.

28 14. **CUL-3.** An archaeologist or a Native American monitor shall be onsite during grading
29 and other ground-disturbing activities; given the extremely disturbed nature of the

1 Project Area, it is not anticipated that full-time monitoring would be necessary; a
2 monitoring schedule shall be developed between the archaeological Principal
3 Investigator, Native American representative, and the Project applicant.

4 15. **CUL-4.** If cultural resources are encountered, the archaeological and Native American
5 monitors both shall have the authority to temporarily halt or redirect grading within 100
6 feet of the find while the cultural resources are documented and assessed by both
7 monitors. If significant resources are encountered, the Native American Monitor will
8 be notified, and the resources will be handled consistent with CUL-6 and CUL-7
9 provided below.

10 16. **CUL-5.** If any human remains are discovered, construction will be stopped within 100
11 feet of the find and the County Coroner shall be contacted. If Native American remains
12 are suspected, the remains shall be kept in situ, or in a secure location within close
13 proximity to where they were found, and the analysis of the remains will occur only in
14 the presence of a Luiseño Native American monitor. In the event that the remains are
15 determined to be of Native American origin, the Most Likely Descendant (MLD), as
16 identified by the NAHC, shall be contacted in order to determine proper treatment and
17 disposition of the remains.

18 17. **CUL-6.** If cultural resources are encountered, recovered artifactual materials shall be
19 cataloged and analyzed, and a report shall be completed describing the methods and
20 results of the monitoring and data recovery program. If the resources are determined to
21 be those of ancestral remains and/or associated burial goods, funerary goods or grave
22 goods, the Native American monitor shall be consulted. Copies of analyses performed
23 on cultural resources and reports generated from said analyses shall be provided to the
24 San Luis Rey Band of Mission Indians in addition to the City.

25 18. **CUL-7.** Artifacts collected (if any) shall be curated with accompanying catalog to
26 current professional repository standards or the collection shall be repatriated to the San
27 Luis Rey Band.

28 19. **GEO-1.** A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and
29 submitted for review and approval prior to issuance of grading permit. The SWPPP

1 shall outline methods that shall be implemented during construction to control erosion
2 from graded or cleared portions of the site, including but not limited to straw bales,
3 sandbags, soil binders, diversion fences, desilting basins, etc. The Plan shall be
4 prepared in accordance with the City's grading ordinance, the City's water quality
5 ordinance, the latest NPDES Statewide Construction General Permit, and to the
6 satisfaction of the City Water Quality Engineer.

7
8 20. **HAZ-1.** The top one foot of soil excavated from the area of the filtration plant shall be
9 placed in one of the Soil Placement Sites at a minimum of five feet above groundwater
10 elevation, and five feet from any slope faces, to provide a buffer that would minimize
11 impacts to groundwater. This soil shall be placed to provide a sufficient vertical
12 separation from groundwater.

13 21. **HAZ-2.** If soil that exhibits evidence of potential petroleum hydrocarbon impacts, or
14 other hazardous materials are encountered during grading, the City Development
15 Services Department and a qualified environmental professional shall be contacted to
16 evaluate said soils, and provide professional recommendations regarding the
17 containment and treatment or disposal of such soils.

18 22. **HAZ-3.** Excavated soil material is anticipated to be placed on the identified soil
19 placement sites. However, should any excavated material be exported from the Project
20 Area, the material shall be characterized to determine if offsite disposal would be
21 necessary, or if reuse is acceptable.

22 23. **HYD-1.** Prior to grading, the applicant will obtain approval of a site-specific Erosion
23 Control Plan from the City Engineering Department in accordance with the City's
24 ordinance. This plan will include a list of best management practices that the contractor
25 will use to ensure that temporarily exposed soils do not leave the work area.

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1 24. **HYD-2.** During the construction period, standard BMPs such as proper storage, use
2 and disposal of construction material shall be applied to ensure that all hazardous
3 materials (i.e., construction equipment fuels, oils, etc.) are stored properly and that no
4 hazards occur during this phase of the project. Continual inspection and maintenance of
5 all BMPs shall occur throughout the duration of the construction phase.

6 PASSED AND ADOPTED Resolution No. 2014-P16 on July 28, 2014 by the following

7 vote, to wit:

8 AYES: None

9 NAYS: None

10 ABSENT: None

11 ABSTAIN: None

12
13 _____
Robert Neal, Chairperson
Oceanside Planning Commission

14 ATTEST:

15
16 _____
Marisa Lundstedt, Secretary

17
18 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify
19 that this is a true and correct copy of Resolution No. 2014-P16.

20 Dated: July 28, 2014
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1 PLANNING COMMISSION
2 RESOLUTION NO. 2014-P17

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
4 OF OCEANSIDE, CALIFORNIA APPROVING A DEVELOPMENT
5 PLAN FOR THE RESTORATION OF A RIPARIAN RIVER
6 CORRIDOR/FLOODPLAIN AND CREATION OF A WETLANDS
7 MITIGATION BANK ALONG A PORTION OF THE SAN LUIS REY
8 RIVER ON CERTAIN REAL PROPERTY IN THE CITY OF
9 OCEANSIDE

8 APPLICATION NO: D12-00004
9 APPLICANT: Wildlands SLR Holdings I
10 LOCATION: North of Mission Avenue/ SR 76, South of North River Road, and East
11 of Melrose Drive

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

14 WHEREAS, there was filed with this Commission a verified petition on the forms
15 prescribed by the Commission requesting a Development Plan under the provisions of Articles
16 40 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

17 restoration of a riparian river corridor and floodplain, and creation of a wetlands
18 mitigation bank along a portion of the San Luis Rey River which will involve
19 approximately 528,080 cubic yards of soil being relocated to 3 soil placement sites that
20 currently function as agricultural growing grounds;

on certain real property described in the project description.

21 WHEREAS, the Planning Commission, after giving the required notice, did on the 28th
22 day of July, 2014 conduct a duly advertised public hearing as prescribed by law to consider said
23 application; and,

24 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
25 Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the
26 mitigation measures are met there will not be an adverse impact upon the environment;

27 WHEREAS, the documents or other material which constitutes the record of proceedings
28 upon which the decision is based will be maintained by the City of Oceanside Planning Division,
29 300 North Coast Highway, Oceanside, California 92054.

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

| 4 <u>Description</u> | <u>Authority for Imposition</u> | <u>Current Estimate Fee or Calculation Formula</u> |
|--|--|---|
| 6 Drainage Fee | Ordinance No. 85-23 Resolution No. 06-R0334-1 | Depends on area (range is \$2,843-\$15,964 per acre) |
| 8 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 |
| 10 School Facilities 11 Mitigation Fee | Ordinance No. 91-34 OUSD Resolution 13 (12-13) CUSD Resolution 21-1314 | \$.51 per square foot non- residential for Oceanside, Vista, Fallbrook; \$.54/.029 Carlsbad |
| 13 Traffic Signal Fee | Ordinance No. 87-19 Resolution No. 06-R0334-1 | \$15.71 per vehicle trip |
| 15 Thoroughfare Fee (For commercial and 16 industrial please note the 17 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) |
| 18 Water System Buy-in Fees | Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 09-OR 0093-1 | Fee based on water meter size. Non-residential is \$11,492 for a 1" meter, \$6,895 for a ¾", and \$4,597 for a 5/8". |
| 21 Wastewater System Buy-in 22 Fees | Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 09-OR 0092-1 | Based on capacity or water meter size. Non-residential is \$50,501 for a 2" meter, \$15,782 for a 1". |
| 24 San Diego County Water 25 Authority Capacity Fees | SDCWA Ordinance No. 2013-14 | Based on meter size. Non-residential is \$14,400 for a 1-1/2", \$7,680 for a 1". |

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

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

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

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

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

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

15 FINDINGS:

16 For the Development Plan:

- 17 1. The proposed location of the use is in accord with the objectives of this ordinance and the
18 purposes of the districts in which the site is located because the development plan
19 proposal for the restoration of the wetland area and placement of soil on existing
20 agricultural crop production areas is consistent with the intent of the General Plan for
21 agricultural and open space lands in that all proposed restoration activities will re-
22 establish the San Luis Rey River Course and Floodplain to its original alignment and will
23 provide for nutrient rich soils to be placed onto existing growing fields for continued
24 operations and would also result in improvements to the wildlife corridor along the river,
25 along with the improvement of the existing riparian habitat.
- 26 2. The preservation of 56 acres for wetland habitat purposes is consistent with the General
27 Plan for Agricultural and Open Space resources and will provide a valuable resource for
28 the entire community of Oceanside and the North County as a whole. The proposed
29 wetland mitigation bank would be conserved as natural open space via the recordation
of a conservation easement over the entire 56-acre site. Restoration of the naturally
occurring river course and floodplain would result in improvements to the wildlife

1 corridor along the river, along with the improvement of the existing riparian habitat.
2 Improved riparian habitat could potentially provide for additional habitat for state and
3 federally-listed species to exist.

4 3. The project design that preserves 56 acres for wetland habitat purposes and its physical
5 aspects pertaining to agricultural field enhancement with new nutrient rich soils have
6 incorporated site layout designs which are sensitive to the adjacent land uses and City's
7 Subarea Plan (SAP) requirements.

8 4. That the area covered by the Development Plan can be adequately, reasonably and
9 conveniently served by existing and planned public services, utilities, and public facilities.
10 The project will continue to utilize relocated wells for water extraction and irrigation of
11 the crop growing fields and would not require any additional services or utilities beyond
12 what exist as part of the overall development.

13 5. That the site plan and physical design of the project is consistent with the policies
14 contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the
15 Development Guidelines for Hillside, and Section 3039 of the Oceanside Zoning
16 ordinance, because the site exists as agricultural growing fields and will be graded to a
17 relatively flat and natural river course with all removed soils being distributed over
18 approximately 96 acres of growing fields. Hillside guidelines are not applicable to this
19 site. The proposed wetland restoration area would be compatible with the adjacent land
20 uses and would provide a more sustainable and environmentally sensitive land use that
21 increases available habitat for sensitive plant and animal species.

22 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
23 approve Development Plan (D12-00004) subject to the following conditions:

24 **Building:**

- 25 1. Construction shall comply with the 2010 edition of the California Codes.
26 2. Construction hours are limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.
27 3. Demo permit will be required for any all removal of existing utilities and structures.

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1 **Fire:**

- 2 4. All security gates shall have a Knox-box override and as required have strobe activation
3 capability in accordance with City Policy.

4 **Planning:**

- 5 5. This Development Plan approves only the following: restoration of a riparian river
6 corridor and floodplain, and creation of a wetlands mitigation bank along a portion of
7 the San Luis Rey River located North of Mission Avenue/SR 76 and East of Melrose
8 Drive. As part of the overall restoration project, approximately 528,080 cubic yards of
9 soil will be relocated to 3 soil placement sites that currently function as agricultural
10 growing grounds. Any substantial modification to the Development Plan in the design,
11 layout, or intensification of the use shall require a revision to the Development Plan,
12 and/or a new Development Plan.
- 13 6. Development Plan (D12-00004) shall expire on July 28, 2016, unless implemented in
14 accordance with the City of Oceanside Zoning Ordinance or unless a time extension is
15 granted by the Planning Commission.
- 16 7. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold
17 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
18 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
19 annul an approval of the City, concerning Development Plan (D12-00004). The City will
20 promptly notify the applicant of any such claim, action or proceeding against the City
21 and will cooperate fully in the defense. If the City fails to promptly notify the applicant
22 of any such claim action or proceeding or fails to cooperate fully in the defense, the
23 applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the
24 City.
- 25 8. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
26 written copy of the applications, staff report and resolutions for the project to the new
27 owner and or operator. This notification's provision shall run with the life of the project
28 and shall be recorded as a covenant on the property.
29

- 1 9. All mitigation measures identified in the approved Mitigated Negative Declaration shall
2 be complied with as stated in that document and associated Mitigation Monitoring and
3 Reporting Program.
- 4 10. Failure to meet any conditions of approval for this development shall constitute a
5 violation of the Development Plan.
- 6 11. Unless expressly waived, all current zoning standards and City ordinances and policies in
7 effect at the time grading or building permits are issued are required to be met by this
8 project. The approval of this project constitutes the applicant's agreement with all
9 statements in the Description and Justification, and other materials and information
10 submitted with this application, unless specifically waived by an adopted condition of
11 approval.
- 12 12. In the unlikely event that human remains are encountered, California Health and Safety
13 Code Section 7050.5 require that no further disturbance shall occur until the County
14 Coroner has made a determination of origin and disposition pursuant to Public
15 Resources Code Section 5097.98. The County Coroner shall be notified of any human
16 remains found immediately. If the remains are determined to be prehistoric, the
17 Coroner will notify the Native American Heritage Commission (NAHC) which will
18 determine and notify a most likely descendant. With the permission of the landowner
19 or his/her authorized representative; the most likely descendant may inspect the site of
20 the discovery. The most likely descendant may recommend scientific removal and
21 nondestructive analysis of human remains and items associated with Native American
22 burials.
- 23 13. This Development Plan shall be called for review by the Planning Commission if
24 complaints are filed and verified as valid by the Code Enforcement Office concerning
25 the violation of any of the approved conditions or assumptions made by the application.

25 **Engineering:**

- 26 14. For the demolition of any existing structure or surface improvements; grading plans shall
27 be submitted and erosion control plans be approved by the City Engineer prior to the
28 issuance of a demolition permit. No demolition shall be permitted without an approved
29 erosion control plan.

- 1 15. All right-of-way alignments, street dedications, exact geometrics and widths shall be
2 dedicated and constructed or replaced as required by the City Engineer.
- 3 16. Design and construction of all improvements shall be in accordance with the City of
4 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
5 engineering and specifications of the City of Oceanside and subject to approval by the
6 City Engineer.
- 7 17. Prior to issuance of a grading permit all improvement requirements shall be covered by a
8 Development Improvement Agreement and secured with sufficient improvement
9 securities or bonds guaranteeing performance and payment for labor and materials, setting
10 of monuments, and warranty against defective materials and workmanship.
- 11 18. Prior to approval of the first engineering drawing/grading plan for this development , a
12 phasing plan for the construction of private improvements including grading, landscaping
13 and streets shall be approved by the City Engineer.
- 14 19. The owner/developer shall provide public street dedication (if required) to serve the
15 property.
- 16 20. Where proposed off-site improvements, including but not limited to slopes, public utility
17 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
18 own expense, obtain all necessary easements or other interests in real property and shall
19 dedicate the same to the City of Oceanside as required. The owner/developer shall
20 provide documentary proof satisfactory to the City of Oceanside that such easements or
21 other interest in real property have been obtained prior to issuance of any grading, or
22 improvement permit for this development. Additionally, the City of Oceanside, may at its
23 sole discretion, require that the owner/developer obtain at his sole expense a title policy
24 insuring the necessary title for the easement or other interest in real property to have
25 vested with the City of Oceanside or the owner/developer, as applicable.
- 26 21. A Declaration of Covenants, Conditions and Restrictions (DCC&R) is required (prior to
27 the grading permit), and will be reviewed and approved by the City Attorney. The
28 Declaration of Covenants, Conditions and Restrictions (DCC&R) shall be recorded
29 attesting to these improvement conditions prior to issuance of any grading permit.

1 22. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
2 neighborhood meeting with all of the area residents located within 300 feet of the project
3 site, to inform them of the grading and construction schedule, and to answer questions.

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

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

9 b) All grading and related site preparation and construction activities shall be
10 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
11 engineering related construction activities shall be conducted on Saturdays,
12 Sundays or legal holidays unless written permission is granted by the City
13 Engineer with specific limitations to the working hours and types of permitted
14 operations. All on-site construction staging areas shall be as far as possible
15 (minimum 100 feet) from any existing development. Because construction noise
16 may still be intrusive in the evening or on holidays, the City of Oceanside Noise
17 Ordinance also prohibits "any disturbing excessive or offensive noise which
18 causes discomfort or annoyance to reasonable persons of normal sensitivity."

19 c) The construction site shall accommodate the parking of all motor vehicles used
20 by persons working at or providing deliveries to the site. An alternate parking
21 site can be considered by the City Engineer in the event that the lot size is too
22 small and cannot accommodate parking of all motor vehicles.

23 d) The owner/developer shall complete a haul route permit application (if required
24 for import/export of dirt) and submit to the City of Oceanside Engineering
25 Division 48 hours in advance of beginning of work. Hauling operations (if
26 required) shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

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

- 1 25. A traffic control plan shall be prepared according to the City traffic control guidelines and
2 approved to the satisfaction of the City Engineer prior to the start of work within the
3 public right-of-way. Traffic control during construction of streets that have been opened
4 to public traffic shall be in accordance with construction signing, marking and other
5 protection as required by the Caltrans Traffic Manual and City Traffic Control Guidelines.
6 Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved
7 otherwise.
- 8 26. All proposed driveways, roadways, streets (if any) shall remain private and shall be
9 maintained by the owner(s). The pavement sections, traffic indices shall be based on the
10 approved preliminary and final geotechnical report, in compliance with the City of
11 Oceanside Engineers Design and Processing Manual. The private project driveways,
12 roadway alignments and geometric layouts shall meet the City of Oceanside Engineers
13 Design and Processing Manual.
- 14 27. Pavement sections for all driveways, streets and parking areas shall be based upon
15 approved soil tests and traffic indices. The pavement design is to be prepared by the
16 owner/developer's soil engineer and must be in compliance with the City of Oceanside
17 Engineers Design and Processing Manual and be approved by the City Engineer, prior to
18 paving.
- 19 28. Prior to issuance of any grading permit, a Letter of approval shall be required from County
20 of San Diego Department of Environmental Health (DEH), or from the Regional Water
21 Quality Control Board, giving clearance to the site, and approving the mitigation measures
22 for the contaminated on-site soils.
- 23 29. All fill sites shall be watered to bring it to optimum water content and be compacted to 90
24 percent relative compaction; except for the upper 3 feet of the pads which may be
25 compacted to 85 percent relative compaction, to the satisfaction of the City Engineer.
- 26 30. There shall be no organic materials over 3 percent by volume placed in the fill areas.
- 27 31. A compaction report shall be required after the grading has been completed.
- 28 32. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian
29 ramps and sidewalk within the project, or adjacent to the project boundary that are already
damaged or damaged during construction of the project, shall be repaired or replaced as
directed by the City Engineer.

1 33. Advisory Condition - All existing overhead utility lines, and new utility lines within this
2 development/property and/or within any full width street or right-of-way abutting this new
3 development, and all new extension services for the development of the project, including
4 but not limited to, electrical, cable and telephone, shall be placed underground per the
5 City of Oceanside Zoning Ordinance section 3023, as required by the City Engineer and
6 the City Planner, and current City policy.

7 34. The approval of this development plan shall not mean that proposed grading or
8 improvements on adjacent properties (including any City properties/right-of-way or
9 easements) is granted or guaranteed to the owner/developer. The owner/developer is
10 responsible for obtaining permission to grade to construct on adjacent properties. Should
11 such permission be denied, the project shall be subject to going back to the public hearing
12 or subject to a substantial conformity review.

13 35. Prior to any grading of any part of this project, a comprehensive soils and geologic
14 investigation shall be conducted of the soils, slopes, and formations in the project. All
15 necessary measures shall be taken and implemented to assure slope stability, erosion
16 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
17 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by
18 the City Engineer.

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

23 37. This project shall provide year-round erosion control including measures for the site
24 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
25 control plan, designed for all proposed stages of construction, shall be reviewed, secured
26 by the owner/developer with cash securities, or a letter of credit and approved by the City
27 Engineer.

28 38. A precise grading and private improvement plan shall be prepared, reviewed, secured and
29 approved prior to the start of any grading operation. The plan shall reflect all flatwork,
landscaped areas, special surfaces, walls, drainage devices.

1 39. Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer
2 prior to the issuance of a preliminary grading permit and approved by the City Engineer.
3 Securities shall be required only for landscape items in the public right-of-way. Any
4 project fences, sound or privacy walls and monument entry walls/signs shall be shown on,
5 bonded for and built from the landscape plans. These features shall also be shown on the
6 precise grading plans for purposes of location only. Plantable, segmental walls shall be
7 designed, reviewed and constructed by the grading plans and landscaped/irrigated through
8 project landscape plans. All plans must be approved by the City Engineer and a pre-
9 construction meeting held, prior to the start of any improvements.

10 40. Open space areas and down-sloped areas visible from a collector-level or above roadway
11 shall be maintained by the owner(s), or a management company that will insure
12 installation and maintenance of landscaping in perpetuity. These areas shall be indicated
13 on the precise grading plan and reserved for maintenance by the owner, or a management
14 company. The disclosure, together with the CC&R's, shall be submitted to the City
15 Engineer for review prior to the issuance of grading permit.

16 41. The drainage design shown on the site plan or preliminary grading plan, and the drainage
17 report for this project/development plan is conceptual only. The final drainage report and
18 drainage design shall be based upon a hydrologic/hydraulic study that is in compliance
19 with the latest San Diego County Hydrology and Drainage Manual to be approved by the
20 City Engineer during final engineering. All drainage picked up in an underground system
21 shall remain underground until it is discharged into an approved channel, or as otherwise
22 approved by the City Engineer. All public storm drains shall be shown on City standard
23 plan and profile sheets. All storm drain easements shall be dedicated where required. The
24 owner/developer shall be responsible for obtaining any off-site easements for storm
25 drainage facilities.

26 42. Drainage facilities shall be designed and installed to adequately accommodates the local
27 stormwater runoff and shall be in accordance with the San Diego County Hydrology and
28 Design Manual and in compliance with the City of Oceanside Engineers Design and
29 Processing Manual to the satisfaction of the City Engineer.

- 1 43. The owner/developer shall place a covenant on the title sheet of the grading plan agreeing
2 to the following: "The present or future owner/developer shall indemnify and save the
3 City of Oceanside, its officers, agents, and employees harmless from any and all
4 liabilities, claims arising from any flooding that occurs on this site, and any flooding that
5 is caused by this site impacting adjacent properties."
- 6 44. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
7 disposed of in accordance with all state and federal requirements, prior to stormwater
8 discharge either off-site or into the City drainage system.
- 9 45. The owner/developer shall comply with the provisions of National Pollution Discharge
10 Elimination System (NPDES) General Permit for Storm Water Discharges Associated
11 with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ. The
12 General Permit continues in force and effect until a new General Permit is issued or the
13 SWRCB rescinds this General Permit. Only those owner/developers authorized to
14 discharge under the expiring General Permit are covered by the continued General Permit.
15 Construction activity subject to the General Permit includes clearing, grading, and
16 disturbances to the ground such as stockpiling, or excavation that results in land
17 disturbances of equal to or greater than one acre. The owner/developer shall obtain
18 coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining a
19 Waste Discharge Identification Number (WDID#) from the State Water Resources
20 Control Board (SWRCB). In addition, coverage under the General Permit shall not occur
21 until an adequate SWPPP is developed for the project as outlined in Section A of the
22 General Permit. The site specific SWPPP shall be maintained on the project site at all
23 times. The SWPPP shall be provided, upon request, to the United States Environmental
24 Protection Agency (USEPA), SWRCB, Regional Water Quality Control Board
25 (RWQCB), City of Oceanside, and other applicable governing regulatory agencies. The
26 SWPPP is considered a report that shall be available to the public by the RWQCB under
27 section 308(b) of the Clean Water Act. The provisions of the General Permit and the site
28 specific SWPPP shall be continuously implemented and enforced until the
29 owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The
owner/developer is required to retain records of all monitoring information, copies of all
reports required by this General Permit, and records of all data used to complete the NOI

1 for all construction activities to be covered by the General Permit for a period of at least
2 three years from the date generated. This period may be extended by request of the
3 SWRCB and/or RWQCB.

4 46. Following the Storm Water Mitigation Plan (SWMP) is deemed complete and prior to
5 issuance of grading permits, the owner/developer shall submit and obtain approval of an
6 Operation & Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer.
7 The O&M Plan shall include an approved and executed Maintenance Mechanism
8 pursuant to Section 5 of the Standard Urban Storm Water Mitigation Plan (SUSMP). The
9 O&M shall satisfy the minimum Maintenance Requirements pursuant to Section 5 of the
10 SUSMP. At a minimum the O&M Plan shall include the designated responsible party to
11 manage the stormwater BMP(s), employee training program and duties, operating
12 schedule, maintenance frequency, routine service schedule, specific maintenance
13 activities, copies of resource agency permits, cost estimate for implementation of the
14 O&M Plan, a non-refundable cash security to provide maintenance funding in the event of
15 non-compliance to the O&M Plan, and any other necessary elements. The
16 owner/developer shall provide the City with access to site for the purpose of BMP
17 inspection and maintenance by entering into an Access Rights Agreement with the City.
18 The owner/developer shall complete and maintain O&M forms to document all operation,
19 inspection, and maintenance activities. The owner/developer shall retain records for a
20 minimum of 5 years. The records shall be made available to the City upon request.

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

- 1 48. At a minimum, maintenance agreements shall require the staff training, inspection and
2 maintenance of all BMPs on an annual basis. The owner/developer shall complete and
3 maintain O&M forms to document all maintenance activities. Parties responsible for the
4 O&M plan shall retain records at the subject property for at least 5 years. These
5 documents shall be made available to the City for inspection upon request at any time.
- 6 49. The Agreement shall include a copy of executed on-site and off-site access easement and
7 or access rights necessary for the operation and maintenance of BMPs that shall be
8 binding on the land throughout the life of the project to the benefit of the party responsible
9 for the O&M of BMPs, satisfactory to the City Engineer. The agreement shall also
10 include a copy of the deemed complete O&M Plan.
- 11 50. The BMPs described in the project's deemed complete SWMP shall not be altered in any
12 way, unless reviewed and approved to the satisfaction of the City Engineer. The
13 determination of whatever action is required for changes to a project's deemed complete
14 SWMP shall be made by the City Engineer.
- 15 51. The owner/developer shall provide a copy of the title/cover page of a deemed complete
16 SWMP with the first engineering submittal package. If the project triggers the City's
17 Stormwater requirements but no deemed complete Stormwater document (SWMP) exists,
18 the appropriate document shall be submitted to the City Engineer for review. The SWMP
19 shall be prepared by the owner/developer's Civil Engineer. All Stormwater documents
20 shall be in compliance with the latest edition of submission requirements.
- 21 52. During final engineering design the Engineer of Record shall evaluate potential impact to
22 flood hazard areas. Elevation and flood proofing shall be in accordance with the City of
23 Oceanside Ordinance 94-03 and Federal Emergency Management Agency (FEMA)
24 requirements. Prior to issuance of a grading permit the owner/developer shall provide
25 evidence to the City of Oceanside that a Conditional Letter of Map Revision (CLOMR)
26 has been approved by the FEMA for the proposed revisions to the flood hazard areas. At
27 the conclusion of the grading activities the owner/developer shall submit an as-built
28 grading plan to FEMA in order to process and receive a Letter of Map Revision (LOMR).
29 Prior to any building permits/release of the grading bonds owner/developer provide
evidence of having received a Letter of Map Revision (LOMR) from FEMA.

- 1 53. The approval of this development plan shall not mean that closure, vacation, or
2 abandonment of any public street, right-of-way, easement, or facility is granted or
3 guaranteed to the owner/developer. The owner/developer is responsible for applying for
4 all closures, vacations, and abandonments as necessary. The application(s) shall be
5 reviewed and approved or rejected by the City of Oceanside under separate process (es)
6 per codes, ordinances, and policies in effect at the time of the application. The City of
7 Oceanside retains its full legislative discretion to consider any application to vacate a
8 public street or right-of-way.
- 9 54. Provide the City of Oceanside with a certification from each public utility and each public
10 entity owning easements within the proposed project stating that: (a) they have received
11 from the owner/developer a copy of the proposed grading plan; (b) they object or do not
12 object to the approval of the grading plan without their signature.
- 13 55. Advisory condition. Approval of this development project is conditioned upon payment
14 of all applicable impact fees and connection fees in the manner provided in chapter 32B of
15 the Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare
16 fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be
17 paid prior to the issuance of any grading or building permits, in accordance with City
18 Ordinances and policies. The owner/developer shall also be required to join into,
19 contribute, or participate in any improvement, lighting, or other special district affecting
20 or affected by this project. Approval of the development plan shall constitute the
21 owner/developer's approval of such payments, and his agreement to pay for any other
22 similar assessments or charges in effect when any increment is submitted for grading
23 permit approval, and to join, contribute, and/or participate in such districts.
- 24 56. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high
25 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose
26 height exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to any streets, an
27 arterial street or state highway.
- 28 57. The owner/developer shall obtain any necessary permits and clearances from all public
29 agencies having jurisdiction over the project due to its type, size, or location, including but
not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,
U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board

1 (including NPDES), San Diego County Health Department, prior to the issuance of
2 grading permits.

3 58. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project
4 will be subject to prevailing wage requirements as specified by Labor Code section
5 1720(b) (4). The owner/developer shall agree to execute a form acknowledging the
6 prevailing wage requirements prior to the granting of any fee reductions or waivers.

7 59. A digital file of the as-built grading plan, and as-built improvement plan in a format
8 consistent with the City's requirements for digital submittals, detailed in the Engineers
9 Design and Processing Manual shall be submitted to the City of Oceanside prior to
10 occupancy permit.

11 60. In the event that the conceptual plan does not match the conditions of approval, the
12 resolution of approval shall govern.

13 **Landscaping:**

14 61. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines
15 and Specifications for Landscape Development (latest revision), Water Conservation
16 Ordinance No.(s) 91-15 and 10-Ordinance 0412, Engineering criteria, City code and
17 ordinances, including the maintenance of such landscaping, shall be reviewed and
18 approved by the City Engineer prior to the issuance of building permits. Landscaping
19 shall not be installed until bonds have been posted, fees paid, and plans signed for final
20 approval. A landscape pre-construction meeting shall be conducted by the landscape
21 architect of record, Public Works Inspector, developer or owner's representative and
22 landscape contractor prior to commencement of the landscape and irrigation
23 installation. The following landscaping requirements shall be required prior to plan
approval and certificate of occupancy:

24 a) Final landscape plans shall accurately show placement of all plant material such
25 as but not limited to trees, shrubs, locally harvested cuttings, groundcovers,
26 container stock material and approved hydroseed mixes.

27 b) Landscape Architect shall be aware of all utility, sewer, gas and storm drain
28 lines and utility easements and place planting locations accordingly to meet City
29 of Oceanside requirements.

- 1 c) Proposed landscape species shall fit the site and meet climate changes indicative
2 to their planting location. The selection of plant material shall also be based on
3 cultural, aesthetic, maintenance considerations, City approved Final San Luis
4 Rey Wetland Restoration/Mitigation Bank Mitigated Measures & Technical
5 Appendices (draft September 2013), San Luis Rey Mitigation Bank Biological
6 Resources Report (prepared by Wildlands, Inc., dated January 2012), and
7 requirements set forth by the Federal and State resource agencies. In addition
8 proposed landscape species shall be low water users as well as meet all Fire
9 Department requirements.
- 10 d) All plant material shall comply with the approved conceptual landscape plan
11 (CLP) and shall be listed on the landscape construction drawings.
- 12 e) All planting areas shall be prepared and implemented to the required depth with
13 appropriate soil amendments, fertilizers, and appropriate supplements based
14 upon a soils report from an agricultural suitability soil sample taken from the
15 site and planted per the recommended detail from a native plant grower for
16 native plants approved by the City Engineer.
- 17 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
18 from the sun, evapotranspiration and run-off. All the flower and shrub beds
19 shall be mulched to a 3" depth to help conserve water, lower the soil
20 temperature and reduce weed growth.
- 21 g) The plants shall be allowed to grow in their natural forms. All landscape
22 improvements shall follow the City of Oceanside Guidelines.
- 23 h) Root barriers shall be installed adjacent to all paving surfaces, where a paving
24 surface is located within 6 feet of a trees trunk on-site (private) and within 10
25 feet of a trees trunk in the right-of-way (public). Root barriers shall extend 5
26 feet in each direction from the centerline of the trunk, for a total distance of 10
27 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around
28 the tree's root ball is unacceptable.
- 29 i) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
obtain Planning Division approval for these items in the conditions or
application stage prior to 1st submittal of working drawings.

- 1 j) For the planting and placement of trees and their distances from hardscape and
2 other utilities/ structures the landscape plans shall follow the City of
3 Oceanside's (current) Tree Planting Distances and Spacing Standards.
- 4 k) An automatic irrigation system shall be installed to provide coverage for all
5 planting areas shown on the plan. Low volume equipment shall provide
6 sufficient water for plant growth with a minimum water loss due to water run-
7 off.
- 8 l) Irrigation systems shall use high quality, automatic control valves, controllers
9 and other necessary irrigation equipment. All components shall be of non-
10 corrosive material. All drip systems shall be adequately filtered and regulated
11 per the manufacturer's recommended design parameters.
- 12 m) Irrigation shall be required on 2:1 slopes measuring 5-foot vertical height or
13 taller.
- 14 n) If any ornamental plantings are required outside the restoration site or outside
15 the agricultural areas or if supplemental irrigation is necessary due to site
16 conditions or ground water conditions such areas/ sites shall comply with
17 Condition 1. (k) above.
- 18 o) All irrigation improvements shall follow the City of Oceanside Guidelines and
19 Water Conservation Ordinance.
- 20 p) The landscape plans shall match all plans affiliated with the project.
- 21 q) Landscape construction drawings are required to implement approved Fire
22 Department regulations, codes, and standards at the time of plan approval.
- 23 r) Landscape plans shall comply with Biological and/or Geotechnical reports, as
24 required, shall match the grading and improvement plans, comply with SWMP
25 Best Management Practices and meet the satisfaction of the City Engineer.
- 26 s) Existing landscaping on and adjacent to the site shall be protected in place and
27 supplemented or replaced to meet the satisfaction of the City Engineer.

28 62. All landscaping, restoration mitigation, fences, walls, etc. on the site, in medians within
29 the public right-of-way and within any adjoining public parkways shall be permanently
maintained by the owner, his assigns, and any successors-in-interest in the property or a
land conservancy. The maintenance program shall include: a) normal care and

1 irrigation of the landscaping b) repair and replacement of plant materials (including
2 interior trees and street trees) c) irrigation systems as necessary d) general cleanup of
3 the landscaped and open areas e) parking lots and walkways, walls, fences, etc. f)
4 pruning standards for street trees shall comply with the International Society of
5 Arboriculture (ISA) Standard Practices for Tree Care Operations – ANSI A300,
6 Appendix G: Safety Standards, ANSI Z133; Appendix H; and Tree Pruning Guidelines,
7 Appendix F (most current edition). Failure to maintain landscaping, restoration
8 mitigation shall result in the City taking all appropriate enforcement actions including
9 but not limited to citations. This maintenance program condition shall be recorded with
10 a covenant as required by this resolution.

11 63. All required mitigation/restoration areas shall be maintained by the developer/owner or
12 contractor for a minimum of 5 years (plus or minus) during the maintenance and
13 monitoring period. All mitigation/ restoration areas are subject to all specifications in
14 the wetland mitigation plan for the San Luis Rey Mitigation Bank, consistent with the
15 requirements set forth by the Federal and State resource agencies and biologist of
16 record.

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1 64. 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-P17 on July 28, 2014 by the following
4 vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9
10
11 _____
Robert Neal, Chairperson
Planning Commission

12 ATTEST:

13
14 _____
Marisa Lundstedt, Secretary

15
16 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify
17 that this is a true and correct copy of Resolution No. 2014-P17.

18 Dated: July 28, 2014

19
20 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees
21 may be required as stated herein:
22

23
24 _____
Applicant/Representative

_____ Date

1 PLANNING COMMISSION
2 RESOLUTION NO. 2014-P18

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
4 OF OCEANSIDE, CALIFORNIA APPROVING A DEVELOPMENT
5 PLAN TO RAISE THE SINGH PACKING PLANT ACCESS ROAD
6 ELEVATION APPROXIMATELY 3-5 FEET AS PART OF THE SAN
7 LUIS REY WETLAND RESTORATION PROJECT ON CERTAIN
8 REAL PROPERTY IN THE CITY OF OCEANSIDE

9 APPLICATION NO: D13-00007 Revising D11-00008
10 APPLICANT: Singh Property Management Co.
11 LOCATION: North of Mission Avenue / SR 76 and East of Melrose Drive

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

14 WHEREAS, there was filed with this Commission a verified petition on the forms
15 prescribed by the Commission requesting a Development Plan under the provisions of Articles
16 40 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

17 modification of the existing entry access roadway in a manner that raises the finish
18 grade of the road approximately 3-5 feet in conjunction with placement of 105,000
19 cubic yards of fill produced through the San Luis Rey River Wetland Restoration
20 project. The existing roadway section has been functioning as the primary entrance to
21 the Singh Packing Plant facility and will be reconfigured exactly as it existed prior to
22 placement of the fill;

23 on certain real property described in the project description.

24 WHEREAS, the Planning Commission, after giving the required notice, did on the 28th
25 day of July, 2014 conduct a duly advertised public hearing as prescribed by law to consider said
26 application; and,

27 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
28 Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the
29 mitigation measures are met there will not be an adverse impact upon the environment;

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

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

| 4 <u>Description</u> | 4 <u>Authority for Imposition</u> | 4 <u>Current Estimate Fee or 5 Calculation Formula</u> |
|---|--|---|
| 6 Drainage Fee | 6 Ordinance No. 85-23 7 Resolution No. 06-R0334-1 | 6 Depends on area (range is 7 \$2,843-\$15,964 per acre) |
| 8 Public Facility Fee | 8 Ordinance No. 91-09 9 Resolution No. 06-R0334-1 | 8 \$0.713 per square foot or \$713 9 per thousand square feet for non- 10 residential uses |
| 10 School Facilities 11 Mitigation Fee | 10 Ordinance No. 91-34 11 OUSD Resolution 13 (12-13) 12 CUSD Resolution 21-1314 | 10 \$.51 per square foot non- 11 residential for Oceanside, Vista, 12 Fallbrook; \$.54/.029 Carlsbad |
| 13 Traffic Signal Fee | 13 Ordinance No. 87-19 14 Resolution No. 06-R0334-1 | 13 \$15.71 per vehicle trip |
| 15 Thoroughfare Fee 16 (For commercial and 17 industrial please note the 17 75 percent discount) | 15 Ordinance No. 83-01 16 Resolution No. 06-R0334-1 | 15 \$255 per vehicle trip (based on 16 SANDAG trip generation table 17 available from staff and from 17 SANDAG) |
| 18 Water System Buy-in Fees | 18 Oceanside City Code 19 §37.56.1 20 Resolution No. 87-96 21 Ordinance No. 09-OR 0093-1 | 18 Fee based on water meter size. 19 Non-residential is \$11,492 for a 20 1" meter, \$6,895 for a ¾", and 21 \$4,597 for a 5/8". |
| 21 Wastewater System Buy-in 22 Fees | 21 Oceanside City Code § 22 29.11.1 23 Resolution No. 87-97 24 Ordinance No. 09-OR 0092-1 | 21 Based on capacity or water meter 22 size. 23 Non-residential is \$50,501 for a 2" 24 meter, \$15,782 for a 1". |
| 24 San Diego County Water 25 Authority Capacity Fees | 24 SDCWA Ordinance No. 25 2013-14 | 24 Based on meter size. 25 Non-residential is \$14,400 for a 26 1-1/2", \$7,680 for a 1". |

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

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

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

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

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

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

15 FINDINGS:

16 For the Development Plan:

- 17 1. The site plan and physical design of the project are consistent with the Zoning Ordinance
18 because the project, as designed, meets or exceeds the development standards established
19 in the Zoning Ordinance set forth in Section 1450 for the agricultural district. Modifying
20 the access road will not impact the existing packing plant operations and will ultimately
21 allow for improved water quality within the area due to new SWMP requirements
22 associated with the development of the new elevation of the roadway. This project is also
23 consistent with the purposes of the Agricultural District in providing for the continuation
24 of this agricultural packing facility.
- 25 2. The Development Plan is consistent with the General Plan of the City for Agricultural
26 lands because the proposed project is for a minor modification to an existing agricultural
27 use access road necessitated by the wetland restoration project and placement of fill. This
28 minor modification to the roads elevation will allow this long-standing use to continue
29 operations and allow for enhanced water quality in the area.

1 3. The project site can be adequately served by existing public facilities, services and utilities
2 because the site has been previously developed and the necessary infrastructure to serve
3 the use is already in place.

4 4. The project, as proposed, is compatible with the existing and potential development on
5 adjoining properties and in the surrounding neighborhood because the use and the intent
6 are permitted in the Zone. The project design is a direct result of placement of fill
7 associated with the wetland restoration project and will continue to allow for a safe access
8 road into the packing plant.

9 5. The site plan and physical design of the project is consistent with section 1.24 and 1.25 of
10 the Land Use Element of the General Plan because the project site is currently approved
11 for agricultural use and contains no significant natural topographic features or
12 undevelopable lands; and will not lead to slope instability, flooding, or erosion hazards to
13 life or property. Furthermore, the project is not subject to the Development Guidelines for
14 Hillsides or Section 3039 of the Ordinance because the site contains no qualifying slopes.

15 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
16 approve Development Plan (D12-00004) subject to the following conditions:

17 **Building:**

- 18 1. Construction shall comply with the 2010 edition of the California Codes.
19 2. Construction hours are limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.
20 3. Demo permit will be required for any/all removal of existing utilities and structures.

21 **Fire:**

- 22 4. All security gates shall have a Knox-box override and as required have strobe activation
23 capability in accordance with City Policy.

24 **Planning:**

- 25 5. This Development Plan approves only the following: modification of the existing entry
26 access roadway in a manner that raises the finish grade of the road approximately 3-5
27 feet in conjunction with placement of 105,000 cubic yards of fill produced through the
28 San Luis Rey River Wetland Restoration project located North of Mission Avenue/SR
29 76 and East of Melrose Drive. Any substantial modification to the Development Plan
in the design, layout, or intensification of the use shall require a revision to the
Development Plan, and/or a new Development Plan.

- 1 6. Development Plan (D13-00007) shall expire on July 28, 2016, unless implemented in
2 accordance with the City of Oceanside Zoning Ordinance or unless a time extension is
3 granted by the Planning Commission.
- 4 7. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold
5 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
6 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
7 annul an approval of the City, concerning Development Plan (D13-00007). The City will
8 promptly notify the applicant of any such claim, action or proceeding against the City
9 and will cooperate fully in the defense. If the City fails to promptly notify the applicant
10 of any such claim action or proceeding or fails to cooperate fully in the defense, the
11 applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the
12 City.
- 13 8. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
14 written copy of the applications, staff report and resolutions for the project to the new
15 owner and or operator. This notification's provision shall run with the life of the project
16 and shall be recorded as a covenant on the property.
- 17 9. All mitigation measures identified in the approved Mitigated Negative Declaration shall
18 be complied with as stated in that document and associated Mitigation Monitoring and
19 Reporting Program.
- 20 10. Failure to meet any conditions of approval for this development shall constitute a
21 violation of the Development Plan.
- 22 11. Unless expressly waived, all current zoning standards and City ordinances and policies in
23 effect at the time grading or building permits are issued are required to be met by this
24 project. The approval of this project constitutes the applicant's agreement with all
25 statements in the Description and Justification, and other materials and information
26 submitted with this application, unless specifically waived by an adopted condition of
27 approval.
- 28 12. In the unlikely event that human remains are encountered, California Health and Safety
29 Code Section 7050.5 require 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 shall be notified of any human

1 remains found immediately. If the remains are determined to be prehistoric, the
2 Coroner will notify the Native American Heritage Commission (NAHC) which will
3 determine and notify a most likely descendant. With the permission of the landowner
4 or his/her authorized representative; the most likely descendant may inspect the site of
5 the discovery. The most likely descendant may recommend scientific removal and
6 nondestructive analysis of human remains and items associated with Native American
7 burials.

- 8 13. This Development Plan shall be called for review by the Planning Commission if
9 complaints are filed and verified as valid by the Code Enforcement Office concerning
10 the violation of any of the approved conditions or assumptions made by the application.

11 **Engineering:**

- 12 14. For the demolition of any existing structure or surface improvements; grading plans shall
13 be submitted and erosion control plans be approved by the City Engineer prior to the
14 issuance of a demolition permit. A demolition permit shall require an approved erosion
15 control plan.

- 16 15. Prior to approval of the grading plan, all improvement requirements, within such
17 increment or outside of it if required by the City Engineer, shall be covered by a
18 development improvement agreement and secured with sufficient improvement securities
19 or bonds guaranteeing performance and payment for labor and materials, setting of
20 monuments, and warranty against defective materials and workmanship.

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

- 28 17. Pavement sections for all public and private driveways and parking areas shall be based
29 upon approved soil tests and traffic indices. The pavement design is to be prepared by
the owner/developer's soil engineer and must be in compliance with the City of Oceanside

1 Engineers Design and Processing Manual and be approved by the City Engineer, prior to
2 paving.

3 18. The on-site driveway to the packing plant shall be a minimum of 28 feet wide, shall
4 support 78,000 lbs., and shall be maintained free of potholes.

5 19. Install erosion control mechanism, rattle/shaker plate and stabilized construction from the
6 guard shack to Singh Way to prevent erosion tracking runoff for trucks and vehicles
7 leaving the site. The rattle/shaker plate and stabilized construction from guard shack to
8 Singh Way shall be delineated on the precise grading plan and SWMP exhibits.

9 20. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian
10 ramps and sidewalk within the project, or adjacent to the project boundary that are already
11 damaged or damaged during construction of the project, shall be repaired or replaced as
12 directed by the City Engineer.

13 21. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
14 neighborhood meeting with all of the area residents located within 300 feet of the project
15 site, to inform them of the grading and construction schedule, and to answer questions.

16 22. Where proposed off-site improvements, including but not limited to slopes, public utility
17 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
18 own expense, obtain all necessary easements or other interests in real property and shall
19 dedicate the same to the City of Oceanside as required. The owner/developer shall
20 provide documentary proof satisfactory to the City of Oceanside that such easements or
21 other interest in real property have been obtained prior to the issuance of any grading,
22 building or improvement permit for this development. Additionally, the City of
23 Oceanside, may at its sole discretion, require that the owner/developer obtain at his sole
24 expense a title policy insuring the necessary title for the easement or other interest in real
25 property to have vested with the City of Oceanside or the owner/developer, as applicable.

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

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

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

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

24 25. The approval of this development plan shall not mean that proposed grading or
25 improvements on adjacent properties (including any City properties/right-of-way or
26 easements) is granted or guaranteed to the owner/developer. The owner/developer is
27 responsible for obtaining permission to grade to construct on adjacent properties. Should
28 such permission be denied, this development plan shall be subject to going back to the
29 public hearing or subject to a substantial conformity review.

26. Prior to any grading of any part of this project, a comprehensive soils and geologic
investigation shall be conducted of the soils, slopes, and formations in the project. All

1 necessary measures shall be taken and implemented to assure slope stability, erosion
2 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
3 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by
4 the City Engineer.

5 27. A precise grading and private improvement plan shall be prepared, reviewed, secured and
6 approved prior to the issuance of any building permits. The plan shall reflect all
7 pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping,
8 and signage, footprints of all structures, walls, drainage devices and utility services.
9 Parking lot striping and any on-site traffic calming devices shall be shown on all precise
10 grading and private improvement plans.

11 28. This project shall provide year-round erosion control including measures for the site
12 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
13 control plan, designed for all proposed stages of construction, shall be reviewed, secured
14 by the owner/developer with cash securities or a letter of credit and approved by the City
15 Engineer.

16 29. The drainage design shown on the site plan or preliminary grading plan, and the drainage
17 report for this development plan is conceptual only. The final drainage report and
18 drainage design shall be based upon a hydrologic/hydraulic study that is in compliance
19 with the latest San Diego County Hydrology and Drainage Manual to be approved by the
20 City Engineer during final engineering. All drainage picked up in an underground system
21 shall remain underground until it is discharged into an approved channel, or as otherwise
22 approved by the City Engineer. All public storm drains shall be shown on City standard
23 plan and profile sheets. All storm drain easements shall be dedicated where required. The
24 owner/developer shall be responsible for obtaining any off-site easements for storm
25 drainage facilities.

26 30. Drainage facilities shall be designed and installed to adequately accommodate the local
27 stormwater runoff and shall be in accordance with the San Diego County Hydrology and
28 Design Manual and in compliance with the City of Oceanside Engineers Design and
29 Processing Manual to the satisfaction of the City Engineer.

31. The owner/developer shall place a covenant on the title sheet of the grading plan agreeing
to the following: "The present or future owner/developer shall indemnify and save the

1 City of Oceanside, its officers, agents, and employees harmless from any and all
2 liabilities, claims arising from any flooding that occurs on this site, and any flooding that
3 is caused by this site impacting adjacent properties”.

4 32. Storm drain facilities shall be designed and located such that the inside travels lanes on
5 streets with collector or above design criteria shall be passable during conditions of a 100-
6 year frequency storm.

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

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

1 reports required by this General Permit, and records of all data used to complete the NOI
2 for all construction activities to be covered by the General Permit for a period of at least
3 three years from the date generated. This period may be extended by request of the
4 SWRCB and/or RWQCB.

5 35. Following the City Engineer's determination that Storm Water Mitigation Plan (SWMP)
6 is deemed complete and prior to issuance of grading permits, the owner/developer shall
7 submit and obtain approval of an Operation & Maintenance (O&M) Plan, prepared to the
8 satisfaction of the City Engineer. The O&M Plan shall include an approved and executed
9 Maintenance Mechanism pursuant to Section 5 of the Standard Urban Storm Water
10 Mitigation Plan (SUSMP). The O&M shall satisfy the minimum Maintenance
11 Requirements pursuant to Section 5 of the SUSMP. At a minimum the O&M Plan shall
12 include the designated responsible party to manage the stormwater BMP(s), employee
13 training program and duties, operating schedule, maintenance frequency, routine service
14 schedule, specific maintenance activities, copies of resource agency permits, cost estimate
15 for implementation of the O&M Plan, a non-refundable cash security to provide
16 maintenance funding in the event of noncompliance to the O&M Plan, and any other
17 necessary elements. The owner/developer shall provide the City with access to site for the
18 purpose of BMP inspection and maintenance by entering into an Access Rights
19 Agreement with the City. The owner/developer shall complete and maintain O&M forms
20 to document all operation, inspection, and maintenance activities. The owner/developer
21 shall retain records for a minimum of 5 years. The records shall be made available to the
22 City upon request.

23 36. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance
24 Agreement (SWFMA) with the City obliging the owner/developer to maintain, repair and
25 replace the Storm Water Best Management Practices (BMPs) identified in the project's
26 deemed complete SWMP, as detailed in the O&M Plan into perpetuity. The Agreement
27 shall be approved by the City Attorney prior to issuance of any precise grading permit and
28 shall be recorded at the County Recorder's Office prior to issuance of any building permit.
29 A non-refundable Security in the form of cash shall be required prior to issuance of a
precise grading permit. The amount of the non-refundable security shall be equal to 10

1 years of maintenance costs, as identified by the O&M Plan, but not to exceed a total of
2 \$25,000. The owner/developer's civil engineer shall prepare the O&M cost estimate.

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

8 38. The Agreement shall include a copy of executed on-site and off-site access easement and
9 or access rights necessary for the operation and maintenance of BMPs that shall be
10 binding on the land throughout the life of the project to the benefit of the party responsible
11 for the O&M of BMPs, satisfactory to the City Engineer. The agreement shall also
12 include a copy of the deemed complete O&M Plan.

13 39. The BMPs described in the project's deemed complete SWMP shall not be altered in any
14 way, unless reviewed and approved to the satisfaction of the City Engineer. The
15 determination of whatever action is required for changes to a project's deemed complete
16 SWMP shall be made by the City Engineer.

17 40. The owner/developer shall provide a copy of the title/cover page of a deemed complete
18 SWMP with the first engineering submittal package. If the project triggers the City's
19 Stormwater requirements but no deemed complete Stormwater document (SWMP) exists,
20 the appropriate document shall be submitted to the City Engineer for review. The SWMP
21 shall be prepared by the owner/developer's Civil Engineer. All Stormwater documents
22 shall be in compliance with the latest edition of submission requirements.

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

27 42. Any new utility lines within this development/property and/or within any full width street
28 or right-of-way abutting this new development, and all new extension services for the
29 development of the project, including but not limited to, electrical, cable and telephone,
shall be placed underground per the City of Oceanside Zoning Ordinance section 3023, as
required by the City Engineer and the City Planner, and current City policy.

- 1 43. Approval of this development project is conditioned upon payment of all applicable
2 impact fees and connection fees in the manner provided in chapter 32B of the Oceanside
3 City Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,
4 reimbursements, and other applicable charges, fees and deposits shall be paid prior to the
5 issuance of any building permits, in accordance with City Ordinances and policies. The
6 owner/developer shall also be required to join into, contribute, or participate in any
7 improvement, lighting, or other special district affecting or affected by this project.
8 Approval of this project shall constitute the owner/developer's approval of such payments,
9 and his agreement to pay for any other similar assessments or charges in effect when any
10 increment is submitted for final map or building permit approval, and to join, contribute,
11 and/or participate in such districts.
- 12 44. The owner/developer shall obtain any necessary permits and clearances from all public
13 agencies having jurisdiction over the project due to its type, size, or location, including but
14 not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,
15 U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
16 (including NPDES), San Diego County Health Department, prior to the issuance of
17 grading permits.
- 18 45. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project
19 will be subject to prevailing wage requirements as specified by Labor Code section
20 1720(b) (4). The owner/developer shall agree to execute a form acknowledging the
21 prevailing wage requirements prior to the granting of any fee reductions or waivers.
- 22 46. Landscaping plans, including plans for the construction of walls, fences or other structures
23 at or near intersections, must conform to intersection sight distance requirements.
24 Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer
25 prior to the issuance of a preliminary grading permit and approved by the City Engineer
26 prior to the issuance of building permits. Frontage and median landscaping shall be
27 installed and established prior to the issuance of any certificates of occupancy. Securities
28 shall be required only for landscape items in the public right-of-way. Any project fences,
29 sound or privacy walls and monument entry walls/signs shall be shown on, bonded for
and built from the landscape plans. These features shall also be shown on the precise
grading plans for purposes of location only. Plantable, segmental walls shall be designed,

1 reviewed and constructed by the grading plans and landscaped/irrigated through project
2 landscape plans. All plans must be approved by the City Engineer and a pre-construction
3 meeting held, prior to the start of any improvements.

4 47. Design and construction of all improvements shall be in accordance with the City of
5 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
6 engineering and specifications of the City of Oceanside and subject to approval by the
7 City Engineer.

8 48. In the event that the conceptual plan does not match the conditions of approval, the
9 resolution of approval shall govern.

10 **Landscaping:**

11 49. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines
12 and Specifications for Landscape Development (latest revision), Water Conservation
13 Ordinance No.(s) 91-15 and 10-Ordinance 0412, Engineering criteria, City code and
14 ordinances, including the maintenance of such landscaping, shall be reviewed and
15 approved by the City Engineer prior to the issuance of building permits. Landscaping
16 shall not be installed until bonds have been posted, fees paid, and plans signed for final
17 approval. A landscape pre-construction meeting shall be conducted by the landscape
18 architect of record, Public Works Inspector, developer or owner's representative and
19 landscape contractor prior to commencement of the landscape and irrigation
20 installation. The following landscaping requirements shall be required prior to plan
approval and certificate of occupancy:

- 21 a) Final landscape plans shall accurately show placement of all plant material such
22 as but not limited to trees, shrubs, and groundcovers.
- 23 b) Landscape Architect shall be aware of all utility, sewer, gas and storm drain
24 lines and utility easements and place planting locations accordingly to meet City
25 of Oceanside requirements.
- 26 c) All required landscape areas shall be maintained by owner, project association
27 or successor of the project (including landscape parallel to Mission Avenue
28 driveway). The landscape areas shall be maintained per City of Oceanside
29 requirements.

- 1 d) Proposed landscape species shall fit the site and meet climate changes indicative
2 to their planting location. The selection of plant material shall also be based on
3 cultural, aesthetic, and maintenance considerations. In addition proposed
4 landscape species shall be low water users as well as meet all Fire Department
5 requirements.
- 6 e) All planting areas shall be prepared and implemented to the required depth with
7 appropriate soil amendments, fertilizers, and appropriate supplements based
8 upon a soils report from an agricultural suitability soil sample taken from the
9 site.
- 10 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
11 from the sun, evapotranspiration and run-off. All the flower and shrub beds
12 shall be mulched to a 3" depth to help conserve water, lower the soil
13 temperature and reduce weed growth.
- 14 g) The shrubs shall be allowed to grow in their natural forms. All landscape
15 improvements shall follow the City of Oceanside Guidelines.
- 16 h) Plant material within the detention basins shall be provided with readily
17 available vegetation such as "no-mow" sod or aquatic-type plants from liners,
18 plugs or container stock spaced appropriately to ensure a fast establishment
19 period.
- 20 i) Root barriers shall be installed adjacent to all paving surfaces, where a paving
21 surface is located within 6 feet of a trees trunk on-site (private) and within 10
22 feet of a trees trunk in the right-of-way (public). Root barriers shall extend 5
23 feet in each direction from the centerline of the trunk, for a total distance of 10
24 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around
25 the tree's root ball is unacceptable.
- 26 j) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
27 obtain Planning Division approval for these items in the conditions or
28 application stage prior to 1st submittal of working drawings.
- 29 k) For the planting and placement of trees and their distances from hardscape and
other utilities/structures the landscape plans shall follow the City of Oceanside's
(current) Tree Planting Distances and Spacing Standards.

- 1 l) An automatic irrigation system shall be installed to provide coverage for all
2 planting areas shown on the plan. Low volume equipment shall provide
3 sufficient water for plant growth with a minimum water loss due to water run-
4 off.
- 5 m) Irrigation systems shall use high quality, automatic control valves, controllers
6 and other necessary irrigation equipment. All components shall be of non-
7 corrosive material. All drip systems shall be adequately filtered and regulated
8 per the manufacturer's recommended design parameters.
- 9 n) All irrigation improvements shall follow the City of Oceanside Guidelines and
10 Water Conservation Ordinance.
- 11 o) The landscape plans shall match all plans affiliated with the project.
- 12 p) Landscape construction drawings are required to implement approved Fire
13 Department regulations, codes, and standards at the time of plan approval.
- 14 q) Landscape plans shall comply with Biological and/or Geotechnical reports, as
15 required, shall match the grading and improvement plans, comply with SWMP
16 Best Management Practices and meet the satisfaction of the City Engineer.
- 17 r) Existing landscaping on and adjacent to the site shall be protected in place and
18 supplemented or replaced to meet the satisfaction of the City Engineer.

19 50. All landscaping shown on the landscape construction drawings (including landscape
20 parallel to Mission Ave. driveway), fences, walls, etc. on the site, in medians within the
21 public right-of-way and within any adjoining public parkways shall be permanently
22 maintained by the owner, his assigns or any successors-in-interest in the property. The
23 maintenance program shall include: a) normal care and irrigation of the landscaping b)
24 repair and replacement of plant materials (including interior trees and street trees) c)
25 irrigation systems as necessary d) general cleanup of the landscaped and open areas e)
26 parking lots and walkways, walls, fences, etc. f) pruning standards for street trees shall
27 comply with the International Society of Arboriculture (ISA) Standard Practices for
28 Tree Care Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133;
29 Appendix H; and Tree Pruning Guidelines, Appendix F (most current edition). Failure
to maintain landscaping shall result in the City taking all appropriate enforcement

1 actions including but not limited to citations. This maintenance program condition
2 shall be recorded with a covenant as required by this resolution.

3 51. In the event that the conceptual landscape plan (CLP) does not match the conditions of
4 approval, the resolution of approval shall govern.

5 PASSED AND ADOPTED Resolution No. 2014-P18 on July 28, 2014 by the following
6 vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11
12
13 _____
Robert Neal, Chairperson
Planning Commission

14 ATTEST:

15
16 _____
Marisa Lundstedt, Secretary

17
18 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify
19 that this is a true and correct copy of Resolution No. 2014-P18.

20 Dated: July 28, 2014

21
22 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees
23 may be required as stated herein:

24
25 _____
26 Applicant/Representative

_____ Date

Developer Deposit Account

#100694

RECEIVED
 MAY 07 2013
 CITY OF OCEANSIDE
 BUILDING DEPARTMENT



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

BY

[Signature]

Please Print or Type All Information HEARING

PART I – APPLICANT INFORMATION

| | | | | |
|--|----------------------------------|--|---|---|
| 1. APPLICANT Singh Property Management Co. | | 2. STATUS Owner/Applicant | | GPA |
| 3. ADDRESS P.O. Box 1850 Oceanside, Ca. 92051 | | 4. PHONE/FAX/E-mail (760) 758-9299 | | MASTER/SP.PLAN |
| 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) The Lightfoot Planning Group attn: Ann Gunter | | 7. PHONE/FAX/E-mail (760)692-1924 ann@lightfootpg.com | | ZONE CH. |
| 6. ADDRESS 5900 Pasteur Ct. #110 Carlsbad, Ca. 92008 | | 7. PHONE/FAX/E-mail (760)692-1924 ann@lightfootpg.com | | TENT. MAP |
| 8. LOCATION North of Mission Avenue/SR-76, and east of Melrose Drive | | 9. SIZE 22.09 | | PAR. MAP |
| 10. GENERAL PLAN Estate B-Resid. | 11. ZONING Agriculture (A-EQ) | 12. LAND USE Agriculture Packing Plant | 13. ASSESSOR'S PARCEL NUMBER 157-150-63 and 122-130-38 | DEV. PL. <i>D13-00007</i> <i>REV. D11-00008</i> |
| 14. LATITUDE 33.255 | | 15. LONGITUDE -117.258 | | C.U.P. |
| 17. PROPOSED GENERAL PLAN No Change | | 18. PROPOSED ZONING No Change | | VARIANCE |
| 22. BUILDING SIZE No Change | | 23. PARKING SPACES No Change | | COASTAL |
| 24. % LANDSCAPE 13% no change proposed | | 25. % LOT COVERAGE or FAR existing 9.9%, no change proposed | | O.H.P.A.C. |

PART II – PROPERTY DESCRIPTION

16. GENERAL PROJECT DESCRIPTION
 Re-construct existing access road in current alignment based on new elevation resulting from fill being placed in conjunction with the San Luis Rey River Restoration project (D12-00004)

PART III – PROJECT DESCRIPTION

17. PROPOSED GENERAL PLAN
No Change

18. PROPOSED ZONING
No Change

19. PROPOSED LAND USE
No Change

20. NO. UNITS
N/A

21. DENSITY
N/A

22. BUILDING SIZE
No Change

23. PARKING SPACES
No Change

24. % LANDSCAPE
13%
no change proposed

25. % LOT COVERAGE or FAR
existing 9.9%, no change proposed

PART IV – ATTACHMENTS

| | | | | | |
|-----|--------------------------------|---|------------------------------|---|---|
| X | 26. DESCRIPTION/JUSTIFICATION | X | 27. LEGAL DESCRIPTION | X | 28. TITLE REPORT |
| X | 29. NOTIFICATION MAP & LABELS | X | 30. ENVIRONMENTAL INFO FORM | X | 31. PLOT PLANS |
| N/A | 32. FLOOR PLANS AND ELEVATIONS | | 33. CERTIFICATION OF POSTING | | 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): Singh Property Management Co. | 36. DATE 3/2/13 | 37. OWNER (Print): Singh Property Management Co. | 38. DATE 3/2/13 |
|---|--------------------|---|--------------------|

Sign: *[Signature]* Sign: *[Signature]*

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.

RECEIVED
MAY 07 2013
CITY OF OCEANSIDE
BUILDING DEPARTMENT

LEGAL DESCRIPTION

(source: Chicago Title, Fourth Amended Preliminary Report dated October 2012)

PARCEL D: 122-130-38 & 157-150-62

PARCEL D1:

PARCEL "D" OF THAT CERTAIN LOT LINE ADJUSTMENT AND CERTIFICATE OF COMPLIANCE NO. PLA-11-00004, IN THE CITY OF OCEANSIDE, RECORDED NOVEMBER 23, 2011 AS DOCUMENT NO. 2011-0628785, OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE WEST HALF OF SECTION 36, TOWNSHIP 10 SOUTH, RANGE 4 WEST, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, TOGETHER WITH A PORTION OF LOTS 3 AND 4 OF SECTION 1, TOWNSHIP 11 SOUTH, RANGE 4 WEST, BEING PARCEL 2 OF CERTIFICATE OF COMPLIANCE PLA-02-98 PER DOCUMENT NO. 1999-0235759 RECORDED APRIL 08, 1999, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 1; THENCE, ALONG THE NORTH LINE OF SAID SECTION 1, SOUTH 89°39'11" EAST 502.52 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 2; THENCE, ALONG THE WEST LINE OF SAID PARCEL 2, SOUTH 16°38'08" EAST 225.18 FEET TO THE BEGINNING OF A 60-FOOT RADIUS CURVE CONCAVE TO THE WEST; THENCE, CONTINUING ALONG SAID WEST LINE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°50'17" A DISTANCE OF 54.28 FEET; THENCE, CONTINUING ALONG SAID WEST LINE, SOUTH 35°12' 09" WEST 420.75 FEET; THENCE SOUTH 15°00'08" WEST 154.56 FEET; THENCE, CONTINUING ALONG SAID WEST LINE, SOUTH 64°26'34" WEST 175.13 FEET; THENCE, CONTINUING ALONG SAID WEST LINE, SOUTH 6°17'24" WEST 128.46 FEET TO THE NORTH LINE OF PARCEL 33129-1 PER FINAL ORDER OF CONDEMNATION RECORDED JUNE 27, 2011 AS DOCUMENT NO. 2011-0323773; THENCE, LEAVING SAID WEST LINE ALONG SAID NORTH LINE, NORTH 82°48'41" EAST 34.53 FEET; THENCE, CONTINUING ALONG SAID NORTH LINE, SOUTH 06°51'39" WEST 54.81 FEET; THENCE, CONTINUING ALONG SAID NORTH LINE, NORTH 65°55'29" WEST 258.97 FEET TO THE BEGINNING OF A 2,779.65-FOOT RADIUS CURVE CONCAVE TO THE SOUTH; THENCE, CONTINUING ALONG SAID NORTH LINE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°09'40" A DISTANCE OF 250.39 FEET TO A POINT ON THE NORTH LINE OF THE COUNTY ROAD KNOWN AS SAN LUIS REY ROAD NO. 2, ALSO KNOWN AS STATE HIGHWAY XI-SD-76, SAID POINT BEING THE POINT OF TERMINUS DESCRIBED IN SAID PARCEL 3312 9-1; THENCE, LEAVING SAID NORTH LINE, SOUTH 00°00'00" EAST 14.45 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL 2; THENCE, ALONG SAID SOUTH LINE, NORTH 69°47'30" EAST 77.98 FEET TO A POINT ON A NON-TANGENT 600-FOOT RADIUS CURVE CONCAVE SOUTHERLY, THE RADIUS SAID POINT BEARS NORTH 30°19'21" WEST; THENCE ALONG THE ARC EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°33'46" A DISTANCE OF 204.86 FEET; THENCE NORTH 79°14'25" EAST 953.47 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 2; THENCE, LEAVING SAID SOUTH LINE ALONG THE EAST LINE OF SAID PARCEL 2, NORTH

10°45'35" WEST 30.00 FEET; THENCE, CONTINUING ALONG SAID EAST LINE, NORTH 7°00'05" WEST 424.27 FEET; THENCE, LEAVING SAID EAST LINE, SOUTH 83°18'23" WEST 681.37 FEET; THENCE NORTH 70°04'57" WEST 537.33 FEET THENCE NORTH 47°27'16" WEST 759.27 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 36; THENCE, ALONG SAID WEST LINE, SOUTH 00°21'07" WEST 510.00 FEET TO THE POINT OF BEGINNING.

PARCEL D2:

AN EASEMENT AND RIGHT OF WAY FOR ROAD PURPOSES OVER A STRIP OF LAND 10 FEET WIDE IN LOT 4, SECTION 1, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, THE EASTERLY LINE OF SAID 10 FOOT STRIP BEING THE WESTERLY LINE OF PARCEL D1 DESCRIBED ABOVE.

PARCEL D3:

AN EXCLUSIVE USE EASEMENT FOR WATER WELL, UTILITIES AND ROADWAY ON, OVER, ACROSS AND UNDER A PORTION OF THE SOUTH 800 FEET OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 SOUTH, RANGE 4 WEST IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS GRANTED IN THAT CERTAIN DOCUMENT ENTITLED EASEMENT AGREEMENT AND GRANT OF EASEMENT, RECORDED OCTOBER 28, 2011 AS INSTRUMENT NO. 2011-0569933 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE, ALONG THE EAST LINE OF SAID SECTION 35, NORTH 00°21'07" EAST 430.88 FEET TO THE TRUE POINT OF BEGINNING; THENCE, LEAVING SAID EAST LINE, NORTH 72°33'03" WEST 19.78 FEET; THENCE NORTH 10°57'28" WEST 39.78 FEET; THENCE NORTH 08°03'30" WEST 33.76 FEET; THENCE NORTH 01°20'42" WEST 94.54 FEET; THENCE NORTH 00°00'09" WEST 86.80 FEET; THENCE NORTH 03°09'38" WEST 43.40 FEET; THENCE NORTH 00°04'02" WEST 43.64 FEET; THENCE NORTH 03°32'41" WEST 22.50 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 800 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE, ALONG SAID NORTH LINE, NORTH 89°59'00" EAST 39.49 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 35; THENCE, LEAVING SAID NORTH LINE ALONG THE EAST LINE OF SAID SECTION 35, SOUTH 00°21'07" WEST 369.17 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL D4:

A NON-EXCLUSIVE EASEMENT FOR THE PURPOSE OF VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS ON, OVER, ACROSS AND UNDER EASEMENT AREA 2 PURSUANT TO THE TERMS OF THAT CERTAIN DOCUMENT ENTITLED "AGREEMENT FOR USE AND MAINTENANCE AND GRANT OF ROAD EASEMENTS" RECORDED DECEMBER 12, 2011 AS FILE NO. 2011-0666295 OF OFFICIAL RECORDS.

PARCEL D5:

A NON-EXCLUSIVE EASEMENT TO DRAIN WATER OVER THE WILDLANDS PARCEL THROUGH THOSE DRAINAGE IMPROVEMENTS (AS DEFINED IN SECTION 2(A)) AND THE AREAS OF SHEET FLOW SHOWN ON THE SITE PLAN ATTACHED TO THAT CERTAIN DOCUMENT ENTITLED "AGREEMENT FOR GRANT OF EASEMENTS FOR DRAINAGE

AND DRAINAGE IMPROVEMENTS” RECORDED DECEMBER 12, 2011 AS FILE NO. 2011-0666297 OF OFFICIAL RECORDS.

PARCEL D6:

A NON-EXCLUSIVE EASEMENT FOR THE RIGHT TO ACCESS THE EXISTING WELLS AND TO MAINTAIN IMPROVEMENT RELATED TO THE EXISTING WELLS AS MORE FULLY DEFINED AND SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED “AGREEMENT FOR GRANT OF EASEMENTS FOR WATER WELLS**” RECORDED DECEMBER 12, 2011 AS FILE NO. 2011-0666299, OFFICIAL RECORDS.**

**Singh Farms
Packing Plant
Access Driveway Replacement**

**Revision to Development Plan (D11-00008)
Alternate Agricultural Activity Permit**

May 2013

RECEIVED
FEB 05 2014
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

This application is to provide replacement access road improvements at the existing Singh packing plant as a result of fill associated with the San Luis Rey River Restoration project (D12-00004).

Background

The project site is 22.09 acres located on the north side of State Route 76, at 5780 Mission Avenue (APN 157-150-63 and 122-130-38). The design of the packing plant is governed by a Development Plan originally approved under D-8-99, revised in 2007, and again in 2012 (renumbered as D11-00008) for construction of a new access road due to the Caltrans Highway 76 improvement project. The current General Plan designation for this property and others on the north side of the Highway is Estate B Residential, and site zoning is Agriculture with an Equestrian Overlay.

To the north are agricultural fields and the San Luis Rey River, to the east is vacant land, and habitat areas of the San Luis Rey River that are owned by Caltrans and will ultimately be restored as part of habitat mitigation for the Highway project. To the south is the Highway 76 expansion, with single family residential in Jefferies Ranch beyond. A VUSD high school is located on property between Melrose Drive and the western boundary of the packing plant.

Under more recent changes in the Oceanside zoning regulations for the Agriculture (A) district, these packing facilities qualify as an Activity Hub within a perimeter site area (within 500 feet from the external property line of the agricultural uses), and an Alternate Agricultural Activity Permit review is to be considered at a public hearing by the Planning Commission. Because this use has an existing Development Plan approval, this application is being processed as a revision to the Development Plan, and incorporates the Alternate Agricultural Activity Permit review.

The Singh family has owned this site since 1964. The site has historically been used for farming and agricultural purposes. The existing packing facility was originally constructed in 1964-65 and the surrounding lands have been utilized for agricultural purposes for over 70 years. Access changes were needed to respond to the Highway 76 widening improvements to allow for continued safe and efficient use of the Singh's packing plant. Singh Way is a signalized intersection with Highway 76 that now serves as the primary entrance to the packing plant. The access road between the end of Singh Way and the existing packing plant was constructed in 2012.

Current Application

The San Luis Rey River Restoration project (D12-00004) involves extensive excavation and habitat creation on approximately 56 acres in the San Luis Rey River floodplain that has historically been used for agriculture, with placement of fill on nearby properties. Two of the fill sites that are part of that project are located within the boundaries covered by the packing plant Development Plan (D11-00008).

Fill site 1 on the restoration plans includes the area where the existing access driveway is located. The fill area will extend over and eliminate the existing access road. Following completion of the grading, the access road will be reconstructed at the new elevation, in the same horizontal alignment to connect from the end of Singh Way into the packing plant. This application is being processed concurrently with the restoration application to document the final site conditions and changes in grade, so that the replacement roadway can be constructed immediately following the fill grading, and minimize the time when the roadway is out of service.

Fill site 2 on the restoration plans includes an area along the boundary north of the existing packing plant building. No additional improvements are proposed for this area as part of this application.

The Development Plan exhibits for the packing plant area have been modified to reflect the revised grades resulting from the restoration project fill. They show improvements associated with the replacement access road, including the DG surface, stormwater facilities - a catch basin and storm drain to connect with storm drain improvements being installed with the restoration project, revised location for the guard house and fencing/gates for access control.

Since the last Development Plan revision, a lot line adjustment was completed in conjunction with the property sale for the restoration project, and the updated site boundary is used on the revised Development Plan exhibits.

Conclusion

The implementation of the proposed improvements will allow for a continued safe and efficient working environment for the existing produce packing facility by creating adequate access for the trucks, essential to the plant operation. The improvements will not result in an increase in intensity of use or increase in traffic, but only replacement of the access road following the fill. Findings for the Development Plan and a discussion of compliance with the standards for agricultural activity areas associated with the Alternate Agricultural Activity Permit are provided on the following pages.

REQUIRED FINDINGS - DEVELOPMENT PLAN

The City of Oceanside Zoning Ordinance stipulates that five specific findings must be made before a Development Plan can be approved. This proposal meets them as follows:

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

The layout and design of the access improvements meet the objectives of the ordinance and purposes of the agricultural district in which the site is located based on the conditions set forth in Section 1450, including the provision of adequate site access and suitable truck routing to serve onsite operations. Replacing the access onsite will allow the packing plant operations to function with the revised grade being established with the restoration project (D12-00004). This project is also consistent with the purposes of the Agricultural District in providing for the continued operation of this agricultural packing facility.

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

The proposed project is for improvements to an existing agricultural use to meet the access configuration changes necessitated by Development Plan D12-00004, allowing this long-standing use to continue operations.

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

These improvements are being made to allow continued access to the agricultural facilities at this site resulting from Development Plan D12-00004 changing the pad elevation. Adequate utilities and services currently serve this existing agricultural use on the site and will not be affected by the proposed improvements.

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

The project design is a direct result of changes imposed by Development Plan D12-00004, and will allow for safe access into the packing plant. The raised access driveway is not creating an intensification of activities at the site, but is designed to replace the entry drive at the new grade elevation. The existing landscape adjacent to the highway will remain.

5. That the site plan and physical design of the project is consistent with the policies contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the Development Guidelines for Hillside, and Section 3039 of this ordinance.

The subject site does not contain undevelopable land or qualifying slopes, and is not subject to provisions of the Land Use Element or the Development Guidelines for Hillside in Section 3039 of the Zoning Ordinance.

DEVELOPMENT STANDARDS FOR AGRICULTURAL ACTIVITIES

The zoning ordinance provides that agricultural uses shall be permitted within the A District if the following standards are met. Each of these is addressed for the proposed project, in order to provide information needed to evaluate compliance with the provisions for an Agricultural Activity Permit at this existing Packing Facility, classified as an Activity Hub.

1. All activity shall take place on the premises, including but not limited to staging, parking of all vehicles for employees, customers, vendors, suppliers and visitors, the breaking down of trucks, and truck turn-around areas; no parking or idling or breaking down or other aspects of the Activity shall be permitted on the public streets.

The proposed replacement driveway is designed to accommodate the new pad elevation of Development Plan D12-00004, and will provide a safe entry to accommodate the trucks needed to serve the packing plant.

2. All parking, access driveways and staging areas must be surfaced and maintained with either asphalt, concrete, DG, gravel or rock and no mud shall be tracked onto the public roads.

The replacement access driveway will be surfaced as required.

3. Sufficient parking spaces for employees, clients and guests must be provided onsite to meet the needs of the agricultural operation and activities.

Existing parking for employees, clients and guests exists on the site and will not be altered. The replacement driveway does not create any additional demand for employee, client or guest parking.

4. Truck parking shall be provided on site that is sufficient in size and number to meet the needs of the agricultural operation and activities.

The replacement driveway does not change the onsite operation and activities at the packing plant, therefore does not create any additional truck parking demand.

5. Adequate site access must be provided for all vehicles. See Section 3114 regarding driveway widths and clearances.

The proposed project meets or exceeds driveway widths and clearances to provide appropriate circulation for the trucks and site operations.

6. A truck turnaround area or other suitable truck route through the property shall be provided to accommodate trucks serving onsite operations.

The replacement entry driveway is designed to facilitate safe access onto and through the site. The design will allow for trucks to make a loop around the existing packing plant and loading docks, and then return to the Highway via the new controlled intersection at Singh Way.

7. Trucks serving the property, including but not limited to packing and greenhouse operations, cannot park and/or idle on public streets. Onsite parking must be available 24-hours per day.

There is adequate area onsite for trucks serving the packing plant operations, and the replacement entry drive will not eliminate any onsite parking.

8. Outdoor area lighting shall not employ a light source higher than 25 feet. Building plans submitted for building permit shall include provisions indicating the lighting is properly shielded and directed so as to prevent glare on surrounding properties or onto an adjacent street. Lighting shall comply with all City codes and ordinances in effect at the time of building permit issuance including any light pollution control measures.

The replacement driveway will add minimal lights for safety in conformance with these design standards.

9. Agricultural operations shall use Best Management Practices for dust and emissions control and erosion control and must comply with the City's Erosion Control ordinance.

Any graded areas associated with the project will be landscaped to provide long-term erosion control.

10. The use and storage of chemicals and pesticides shall comply with the regulations set forth by the California State Department of Pesticide Regulation, as enforced by the San Diego County Agriculture Weights and Measures Department.

The replacement driveway does not include areas for the use or storage of chemicals or pesticides. No change in the existing practices of the agricultural operation would be associated with the entry.

11. Agricultural operations shall meet all federal, state, regional and City requirements for discharge and drainage including, but not limited to requirements of Regional Water Quality Control Board (RWQCB) and National Pollution Discharge Elimination System (NPDES).

The replacement driveway involves the installation of compacted DG that requires compliance with the most recent stormwater management regulations. A bio-retention basin is included as part of the project design so that runoff from the driveway is properly treated prior to discharge.

12. Owner/operator/tenant will be responsible for maintaining property and the street area directly adjacent to the property. All trash found within this area will be collected and disposed of properly. In addition, owner/operator/tenant will be responsible for collecting any other trash directly identifiable with the operation, and will dispose of it properly.

The onsite areas will be monitored for trash, and to the extent necessary, additional collection will be provided to comply with this requirement.

13. The agricultural operation shall be in compliance with all local, state and federal environmental protection laws.

The replacement access driveway has been designed in accordance with applicable laws and will be constructed in accordance with environmental conditions of approval.

14. Outdoor storage areas shall conform with the requirements of Section 3020.

The replacement access project does not include any outdoor storage areas.

15. Other Agricultural Activity areas shall not be located in any required setback or yard area, required landscape area, required drive aisle, or driveway.

The proposed project will not locate any improvements in required setback or yard areas.

16. Other Agricultural Activity areas and any associated screening or landscaping shall be maintained in good repair. Any dilapidated or dangerous conditions shall be repaired or removed. Graffiti shall be removed in accordance with the City's Graffiti Ordinance.

The existing landscape area adjacent to the Highway 76 will remain.

17. Any grading shall be done in compliance with the City's Grading Ordinance.

All work will comply with the City's Grading Ordinance.

18. The maximum height of a fence or wall, including retaining walls, shall be 8 feet and shall be maintained. In addition, all fences and walls shall be subject to the driveway visibility requirements of Section 3115 and all retaining walls over 4 feet in height shall be a planted and irrigated crib-type wall.

No fencing changes or retaining walls are associated with the replacement driveway.

19. Signs shall conform with the requirements of Article 33.

No signage is proposed as part of this application.

20. The screening of mechanical equipment shall conform with the requirements of Section 3021.

The proposed project does not include any mechanical equipment.

21. Agricultural activities shall conform with the Performance Standards in Section 3024.

The proposed project will conform with the Performance Standards, including, but not limited to, noise provisions of the City Code, vibration, dust and odor control, and lighting provisions of the City Code including shielding.

22. The keeping of animals shall conform with the requirements of Section 3034.

The proposed project does not include the keeping of animals.



Application for Discretionary Permit

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

STAFF DEVELOPMENT SERVICES

ACCEPTED BY

FEB 09 2012

RECEIVED

RG

Please Print or Type All Information

HEARING

PART I – APPLICANT INFORMATION

GPA

| | | |
|--|--|---------------------------|
| 1. APPLICANT Wildlands SLR Holdings I, LLC | 2. STATUS Owner | MASTER/SP.PLAN |
| 3. ADDRESS 3855 Atherton Road Rocklin, CA 95765 | 4. PHONE/FAX/E-mail (916) 435-3555 (916) 435-3556 | ZONE CH. |
| 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Kim Erickson | | TENT. MAP |
| 6. ADDRESS Same as above | 7. PHONE/FAX/E-mail (916) 435-3555 (916) 960-9738 (cell) kerickson@wildlandsinc.com | PAR. MAP |
| | | DEV. PL. D12-00004 |
| | | C.U.P. |
| | | VARIANCE |
| | | COASTAL |

PART II – PROPERTY DESCRIPTION

O.H.P.A.C.

| | | | |
|---|----------------------------------|-----------------------------|--|
| 8. LOCATION: North of State Route 76/Mission Road, south of North River Road, east of Mission Vista High School. Just north of the Singh tomato processing facility | | | 9. SIZE Restoration area: 56.5 acres. Soil placement sites: 102± acres |
| 10. GENERAL PLAN A and EB-R | 11. ZONING A, A-EQ, RE-B-EQ | 12. LAND USE Agriculture | 13. ASSESSOR'S PARCEL NUMBERS: Portions of APNs 122-130-22, -23, -24, -25, and -27 and APN 157-150-60. A Lot Line Adjustment created a separate parcel in December 2011. |
| 14. LATITUDE 33.257788 North | 15. LONGITUDE 117.258982 West | | |

PART III – PROJECT DESCRIPTION

| | | | | |
|--|----------------------------------|-------------------------------------|--|--|
| 16. GENERAL PROJECT DESCRIPTION: Restoration of approximately 56.5 acres of the historic San Luis Rey River floodplain. Restoration of the floodplain will require the removal of approximately 500,000 to 700,000 cubic yards of material from the floodplain and placement of the excavated material on adjacent sites. | | | | |
| 17. PROPOSED GENERAL PLAN: No change | 18. PROPOSED ZONING: No change | 19. PROPOSED LAND USE Open space | 20. NO. UNITS No units | 21. DENSITY No buildings and no density |
| 22. BUILDING SIZE No buildings | 23. PARKING SPACES No parking | 24. % LANDSCAPE 100% | 25. % LOT COVERAGE or FAR No buildings (0% FAR) | |

PART IV – ATTACHMENTS

| | | | | | |
|----|--------------------------------|---|------------------------------|---|---|
| X | 26. DESCRIPTION/JUSTIFICATION | X | 27. LEGAL DESCRIPTION | X | 28. TITLE REPORT |
| X | 29. NOTIFICATION MAP & LABELS | X | 30. ENVIRONMENTAL INFO FORM | X | 31. PLOT PLANS |
| NA | 32. FLOOR PLANS AND ELEVATIONS | X | 33. CERTIFICATION OF POSTING | X | 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): <i>Kim C. Erickson</i> | 36. DATE <i>2/7/12</i> | 37. OWNER (Print): <i>Steve K. Morgan</i> | 38. DATE <i>2/7/12</i> |
| Sign: <i>Kim C. Erickson</i> | Sign: <i>Steve K. Morgan</i> | | |

• 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.

SAN LUIS REY WETLANDS MITIGATION BANK

DEVELOPMENT PLAN (D12-00004)

DESCRIPTION & JUSTIFICATION

RECEIVED
MAY 24 2013
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Description

Wildlands SLR Holdings I, LLC (Wildlands) is proposing to construct the San Luis Rey Wetlands Mitigation Bank on approximately 56 acres along the San Luis Rey River just north of the Singh Property Management Company tomato processing facility. The project will restore and permanently protect over 50 acres of wetlands located in the San Luis Rey River floodplain. The Project Area consists of the 56-acre Restoration Area as well as approximately 93 acres of agricultural fields and facilities where the soil will be permanently relocated (Soil Placement Sites). Design and construction of the wetlands mitigation bank/restoration project is being closely coordinated with the U.S. Army Corps of Engineers which is the primary agency responsible for approving wetland mitigation banks.

The Project design will take a river that has been channelized, straightened, confined and disconnected from its historic floodplain and restore it to a wider, shallower, sinuous and braided form that is much more connected to its floodplain. Rehabilitation of the river requires the removal of the non-engineered earthen berms and the surrounding fill that has been placed in the floodplain to support farming activities.

The Project has been carefully designed so that the Restoration Area grades will be in close proximity to the groundwater table and are periodically inundated by flood event. A much wider floodplain will allow the river to migrate throughout the floodplain depending on flows. The project will increase flood storage over existing conditions and will not increase the elevation of the 100-year flood event outside the Project Area.

Construction of the Restoration Area requires the excavation of approximately 700,000 cubic yards of material from the floodplain. Wildlands has been working closely with the Singh Property Management Company and together they have identified approximately 93 acres of Soil Placement Sites adjacent to the restoration area to make the project a balanced cut-and-fill project. The majority of the excavated soil will be placed on Soil Placement Sites located north of the Restoration Area, and the soil will be placed such that the land will continue to be farmed. The soil placed on the Soil Placement Sites south of the Restoration Area will be placed and compacted such that the land can continue to be used to support the Singh Property Management Company ongoing agricultural uses. The Restoration Area and Soil Placement Sites have been designed to reduce runoff and erosion below existing conditions.

Construction of the project is anticipated to begin and be completed in 2013-2014. Work will be sequenced to minimize disturbances to the Singh Property Management Company farming activities. General Access to the Project Area is provided from North River Road and State Route 76. This access will only be used to initially bring equipment on and off the site and daily access by workers' private vehicles. Soil relocation between the Restoration Area and the Soil Placement Sites is via private farm roads typically used to transport farming material, products, and equipment internally throughout the properties. No improvements to these roads will be necessary to support the soil relocation or other project aspects. No water, wastewater, utilities or storm drainage improvements will be necessary. The only environmental impacts associated with the project are short-term construction impacts such as dust and noise during construction. No long-term environmental impacts have been identified.

Attachment 6

After construction is complete, the Restoration Area will be extensively monitored for a minimum of 5 years during the habitat establishment period. After the habitat is established, the site will enter the long-term management, maintenance and monitoring period which will continue in perpetuity. Permanent protection of the Restoration Area will be ensured through recordation of a conservation easement on the Restoration Area which will prohibit any development activity in the future. Due to federal and state requirements related to mitigation banks, public access to the site will be prohibited to ensure adequate protection of the wetland resources and associated wildlife improvements.

The wetland mitigation bank credits provided by the project will benefit the projects in the City of Oceanside and throughout the region that are required to comply with the federal and state "no-net-loss" policies regarding wetlands preservation. The goal of the no-net-loss policy is to balance wetland loss due to economic development with wetlands reclamation, mitigation, and restorations efforts, so that the total acreage of wetlands in the country does not decrease, but remains constant or increases over time.

Justification

The Restoration Area is located in the floodplain of the San Luis Rey River and is subject to flooding during high flow events. Due to extensive ground-disturbing activities associated with the almost year-round farming, no sensitive plant species or wildlife species have been found within the Project Area; however, sensitive wildlife species have been found just upstream and downstream of the Restoration Area. Restoration of the floodplain will substantially improve wetland habitat and associated wildlife improvements, and has the potential to attract special status wildlife species such as arroyo toad and least Bell's vireo.

Restoration of the floodplain will increase flood storage capacity in this reach of the river. Implementation of the project will not result in any significant hydrology or water quality impacts because overall drainage patterns would not change and there would be a decrease in runoff volume and erosion as a result of the project.

The project is compatible with existing and proposed adjacent land uses. The General Plan designations for the property are Agriculture (A) on the northern portion of the site and Residential – Estate B (EB-R) on the remainder of the site. Zoning is a combination of Agriculture, Agriculture with Equestrian Overlay, and Residential Estate B with Equestrian Overlay. Open space uses and habitat uses as proposed by the project are permitted by all of these designations.

Wildlands has been developing wetlands mitigation banks and conservation banks for over 20 years and is acutely aware of the need to design, construct, manage and maintain the mitigation bank to comply with federal, state and local requirements.

Wildlands is pleased to be working closely with the City of Oceanside in developing this important major restoration project.

Villalobos
San Luis Rey Restoration

Policy No.: 93A022330-U50

LEGAL DESCRIPTION

EXHIBIT "A"

RECEIVED
FEB 09 2012
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

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

PARCEL 1:

PARCEL B OF THAT CERTAIN LOT LINE ADJUSTMENT AND CERTIFICATE OF COMPLIANCE NO. PLA-11-00004, IN THE CITY OF OCEANSIDE, RECORDED NOVEMBER 23, 2011 AS DOCUMENT NO. 2011-0628785, OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE WEST HALF OF SECTION 36, TOWNSHIP 10 SOUTH, RANGE 4 WEST TOGETHER WITH A PORTION OF PARCEL 2 OF CERTIFICATE OF COMPLIANCE PLA 02-98 PER DOCUMENT NO. 1999-0235759 RECORDED APRIL 08, 1999, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE, ALONG THE WEST LINE OF SAID SECTION 36, NORTH 00°21'07" EAST 510.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE, CONTINUING ALONG SAID WEST LINE, NORTH 00°21'07" WEST 778.29 FEET TO A POINT PERPENDICULAR AND 42 FEET SOUTHERLY OF THE CENTERLINE OF NORTH RIVER ROAD PER ROAD SURVEY 674; THENCE, LEAVING SAID WEST LINE ALONG SAID PERPENDICULAR LINE, SOUTH 72°34'48" EAST 1.84 FEET TO THE BEGINNING OF A 1,142 FOOT RADIUS CURVE CONCAVE TO THE NORTH; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°12'49" A DISTANCE OF 681.93 FEET; THENCE, NON-TANGENT TO SAID CURVE, SOUTH 16°47'37" EAST 70.00 FEET; THENCE SOUTH 88°17'35" EAST 325.00 FEET; THENCE SOUTH 54°41'47" EAST 150.00 FEET; THENCE SOUTH 88°17'35" EAST 243.92 FEET; THENCE NORTH 70°07'54" EAST 225.71 FEET; THENCE SOUTH 88°17'35" EAST 1,025.00 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF SAID SECTION 36; THENCE, ALONG SAID EAST LINE, SOUTH 00°16'42" WEST 159.42 FEET; THENCE, LEAVING SAID EAST LINE, SOUTH 45°45'08" WEST 133.72 FEET; THENCE NORTH 82°07'16" WEST 279.94 FEET; THENCE NORTH 88°10'23" WEST 314.85 FEET; THENCE SOUTH 00°56'46" WEST 787.51 FEET; THENCE NORTH 89°43'18" WEST 103.27 FEET; THENCE SOUTH 00°16'42" WEST 179.40 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 36; THENCE, ALONG SAID SOUTH LINE, NORTH 89°39'11" WEST 91.37 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 2; THENCE, LEAVING SAID SOUTH LINE ALONG THE EAST LINE OF SAID PARCEL 2, SOUTH 07°00'05" WEST 97.27 FEET; THENCE, LEAVING SAID EAST LINE, SOUTH 83°18'23" WEST 681.37 FEET; THENCE NORTH 70°04'57" WEST 537.33; THENCE NORTH 47°27'16" WEST 759.27 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

INTENTIONALLY OMITTED.

LEGAL DESCRIPTION
(continued)

PARCEL 3:

A NON-EXCLUSIVE EASEMENT ON, OVER, ACROSS AND UNDER EASEMENT AREA 1 FOR THE PURPOSE OF VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS AND FOR THE PURPOSE OF CONSTRUCTING CERTAIN ROADWAY AND DRAINAGE IMPROVEMENTS PURSUANT TO THE TERMS OF THAT CERTAIN AGREEMENT FOR USE AND MAINTENANCE AND GRANT OF ROAD EASEMENTS RECORDED _____, 2011 AS FILE NO. 2011-_____
_____ OF OFFICIAL RECORDS.

END OF LEGAL DESCRIPTION