

**FINDINGS REGARDING SIGNIFICANT EFFECTS PURSUANT
TO STATE CEQA GUIDELINES SECTIONS 15090, 15091 AND
15093**

North River Farms Planned Development Plan Project

**General Plan Amendment (GPA16-00002), Zone Amendment
(ZA16-00005), Vesting Tentative Map (T16-00002), and Planned
Development Plan (D16-00012).**

SCH No. 2017111069

November 2019

CEQA Findings and Statement of Overriding Considerations

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CEQA Findings and Statement of Overriding Considerations

I. INTRODUCTION

The City Council (“Council”) of the City of Oceanside (“City”) hereby certifies that the Council has reviewed and considered the information contained in the Revised Final Environmental Impact Report (“Revised FEIR”), identified below, for the North River Farms Planned Development Plan project (“project” or “proposed project”). The Council further certifies that the Revised FEIR has been completed in compliance with the California Environmental Quality Act (“CEQA”), Public Resources Code §§21000 et seq., the State CEQA Guidelines, California Code of Regulations, Title 14, §§15000 et seq. (“CEQA Guidelines”), and City requirements, and that the Revised FEIR reflects the independent judgment of the Council. (Pub. Resources Code § 21082.1(c)(3).) In certifying the Revised FEIR as adequate under CEQA, the Council hereby adopts these CEQA Findings and Statement of Overriding Considerations.

These findings and statement of overriding considerations address the environmental effects associated with the Project, which is located in the northeastern portion of the City at the western entry of the region known as South Morro Hills. This statement is made pursuant to CEQA, specifically Public Resources Code sections 21081, 21081.5, and 21081.6; and the State CEQA Guidelines (Cal. Code Regs., tit. 14, §§15000 et seq.), specifically sections 15091 and 15093. The potentially significant effects of the Project were identified in the North River Farms Draft EIR (July 2018), draft Final EIR (January 2019), Recirculated EIR (August 2019), and Revised FEIR (November 2019).

Public Resources Code section 21081 and State CEQA Guidelines section 15091 require that the lead agency, in this case the City of Oceanside, prepare written findings for identified significant impacts, accompanied by a brief explanation of the rationale for each finding. Specifically, State CEQA Guidelines section 15091 states, in part, that:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

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If significant impacts cannot be mitigated to less than significant levels, the decision-making agency is required to balance, as applicable, the benefits of the proposed project against its significant unavoidable environmental impacts when determining whether to approve the project. (Pub. Resources Code, § 21081, CEQA Guidelines § 15093.) If the benefits of a proposed project outweigh the significant unavoidable adverse environmental impacts, the adverse effects may be considered “acceptable.”

The Revised FEIR for the project identified potentially significant effects that could result from Project implementation. However, the Council finds that the inclusion of certain specified mitigation measures as part of the Project approval will reduce many, but not all, of those effects to less-than-significant levels. Those impacts not reduced to less-than-significant levels are identified as impacts to population and housing (growth inducement) and temporary impacts to traffic and circulation; which impacts are overridden due to specific project benefits. (*See*, Section X, Statement of Overriding Considerations, below).

Therefore, in accordance with CEQA, Pub. Resources Code, § 21081, and the CEQA Guidelines, sections 15091 and 15092, the Council certifies the Revised FEIR for the North River Farms Planned Development Plan project, adopts these findings, the statement of overriding considerations, and the attached Mitigation Monitoring and Reporting Plan (“MMRP”), and approves the North River Farms Planned Development Plan Project. In adopting the MMRP for the Project, the Council finds that the MMRP meets the requirements of Public Resources Code section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the Project.

The Council further adopts the following related Project approvals to facilitate implementation and development of the North River Farms Planned Development Plan Project: (i) General Plan Amendment (GPA16-00002), (ii) Zone Amendment (ZA16-00005) and Planned Development (PD) Plan, (iii) Vesting Tentative Map (T16-00002), and (iv) Development Plan (D16-00012).

A. Project Description

1) Project Location

The project is located in the northeastern portion of the City. The project site marks the western entry to a region known as South Morro Hills within the City. The project site is generally bisected into northern and southern sections by N. River Road, and the northern portion of the project site is bordered on the east by Wilshire Road. The project site is surrounded by a variety of land uses. Directly west of the property are multiple churches and existing residential. To the northwest lies the Arrowood community, which comprises a golf course and residential subdivision of approximately 1,135 homes. To the north and east are a dog and horse training facility, residential parcels of 1 acre or less, agricultural lots, and the Paradise Falls wedding venue. Isolated agricultural land and the San Luis Rey River are located south of the site. Existing residential subdivisions are located south of the site across the San Luis Rey River. Within approximately 0.5

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miles of the project are the San Luis Rey Transit Center, Melba Bishop Recreation Center and Del Rio Elementary school. Within 1 mile of the project there is a Walmart Supercenter, the Mission Marketplace large commercial center, State Route (SR) 76, a Home Depot, the Mission Vista High School campus, and large residential subdivisions with hundreds of homes each to the west, south, and east.

2) Summary of Project Description

The project proposes to implement a planned residential, mixed use, and sustainable community on existing agricultural land situated in the northeastern portion of the City. Consistent with the City's General Plan and Zoning Ordinance, the project applicant has requested entitlements including a General Plan Amendment, Zoning Ordinance Amendment, PD Plan, a Development Plan and a Vesting Tentative Map, which, if approved, would allow for and govern the development of the 214.1-acre project site.

The project would allow for the development of up to a maximum 585 dwelling units for an overall density of approximately 2.73 dwelling units per gross acre. Development envisioned by the proposed project would offer four distinct planning areas that are tied together by a strong landscape and American Farm House architectural design theme, influenced by the area and agricultural theme.

The proposed project would also allow for a variety of agricultural uses, housing types, a boutique hotel, an education center, and flexible retail /commercial uses on the site. Approximately 68.1 acres of the site would be dedicated to agriculture, including by recording an agricultural easement or deed restriction to preserve in agriculture/open space the 37.5-acre northwest portion of the site known as the "Bree Property." Another 17.0 acres of the site are planned for park and open space features, including parks, buffers, trails, and farm plots. One acre of land within the Village Core would be granted to the City for construction of a permanent fire station, together with funds for staffing a two-person crew and the purchase of an appropriate fire apparatus. The proposed project would also require several off-site improvements, including storm drainage facilities, roadway network construction, and sewer improvements.

a. Project Components

- ***Riverside Village:*** The Riverside Village is located in the southwestern corner of the project site, west of the Village Core and south of N. River road, and would include approximately 223 residential dwelling units consisting of single-family detached and cluster homes at medium density. The Riverside Village would also include a proposed park and agricultural use, including a 17.6 acre production farm proposed to be located along the southern edge of the site.
- ***Village Core:*** The Village Core is located near the center of the project site east of the Riverside Village and south of North River Road. The 24.9-acre Village Core would contain approximately 87 residential dwelling units at a proposed density of 10.0–15.0 dwelling units

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per acre. The proposed project would allow for flexibility in the mix of allowed uses within the Village Core, the ultimate buildout of which would be determined by future development plans. The potential land uses envisioned for the Village Core include mixed-use residential, a brewery/restaurant,¹ maker spaces, retail shops, a farmers market, collaborative work space, and the Village Square Park. A permanent fire station would also be located within the Village Core. A one-acre public dog park would also be provided in the Village Core. A 17.6 acre production farm is proposed to be located along the southern edge of the site, bounding the Village Core and Riverside Village.

- **North Village:** The North Village neighborhood would be located north of N. River Road and south of the Hilltop village, and would include approximately 184 residential dwelling units. It would be composed of single-family detached homes with minimum lot sizes of 4,000 square feet. The residential lots would be buffered from N. River Road through a combination of agricultural fields and landscaping. Pedestrian and bicycle trails would be provided throughout the North Village and would provide connection to the Village Core.
- **Hilltop Village:** The Hilltop Village would be located north of the North Village, and allow for the development of approximately 91 single-family residential units.
- **Agriculture:** Approximately 68.1 acres of the site would be dedicated to agricultural uses including a community garden, agricultural trails, production agriculture, and agritourism.

An easement and/or deed restriction over the entire 37.5-acre property currently known as the “Bree property” would preserve this portion of the project site in agricultural uses in perpetuity, subject to the City’s applicable land use regulations.

A 17.6 acre production community farm is proposed to be located along the southern edge of the site, bounding the Village Core and Riverside Village. The food produced at the project site would be available at an onsite farm stand and in-home vegetable box delivery program, along with produce from project neighbors.

Via the community gardens, residents would be given the opportunity to manage their own garden plot and grow food with and for their family and neighbors. The community gardens would be located throughout the project’s neighborhoods, and would provide fresh produce and plants, neighborhood improvement, a sense of community, and a connection to the environment.

Agritourism is defined as any business conducted by or for a farmer for the education of the public to promote the products of the farm and to generate additional farm income. Agritourism can include a variety of facilities and activities including education, farm dinners, festivals,

¹ Both restaurant/brewery and hotel uses would be permitted within the Village Core under the PD Plan. As a condition of approval, the project would incentivize the restaurant/ brewery development.

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farm visits, lodging, tours, demonstrations, wineries, animal interactions, trails, and museums. The project promotes agritourism through promoting a variety of activities which may include U-pick operations on the farm, animal interaction, demonstration farms and kitchens, onsite farmers' market and retail outlets, winery tours / tastings, lodging, farm to table restaurants, education and other tours. The education center, located in the Village Core, is designed to include programming including hands-on workshops, family based education, garden volunteer opportunities, community table farm dinners, and demonstrations. A farm is also envisioned to be associated with the proposed hotel and/or restaurant.

The proposed trail network within the community is composed of an interconnected system of on-street sidewalks, Class II and III bicycle lanes, and Class I trails. Each trail type seeks to engage the resident with agriculture. In addition, edible landscaping will be used wherever possible onsite.

- ***Open Space and Parks:*** The proposed project plans for approximately 17.0 acres of park and open space features onsite, including a variety of parks, buffers, trails, and community gardens. The Village Green park would be located near the center of the project site within the Village Core, and serve as a community gathering area. The Village Green would support a farmer's market and community events, and include trees, seating, an open lawn, and community garden plots. A 1-acre public dog park would also be provided within the Village Core.

The Riverside Village Park would be located within the Riverside Village planning area, and would contain active recreational facilities with a pool. Other proposed amenities include community garden plots, lawn areas, benches and tables, and flexible play areas for outdoor games such as bocce ball.

Mill Park would be located within the North Village planning area, and its design would be informed by existing natural rock outcroppings and small oak trees. Amenities include a playground, picnic tables, and a shade structure. View Park, located at the northern terminus of the Village Promenade within the Hilltop Village, would include amenities such as a pool, basketball court, play areas, and volleyball. Pocket parks and other small open space features would additionally be located throughout the project site.

- ***Landscaping:*** Landscaping for the proposed project emphasizes water conservation, drought-tolerant, native and edible landscaping, and provides abundant trees for beauty, definition of spaces, habitat enhancement and comfort. The proposed design draws from the agricultural landscape historic to East Oceanside, as well as the natural features along drainage ways and the San Luis Rey River. Conceptual landscaping for the proposed project is primarily composed of street trees, entries, parks, perimeter edges, hedgerows, slopes, and open spaces. Landscaping within the project site would be composed of native, drought-tolerant plant species consistent with the proposed project's plant palette, and would incorporate edible landscaping as much as possible.

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- ***Sustainable Planning and Design:*** The proposed Project would promote sustainability through Site design that would conserve energy, water, open space, and other natural resources. The project would offer defining attributes, including a commitment to carbon neutrality by offsetting 100 percent of the project's construction and operational greenhouse gas (GHG) emissions through the life of the Project. As part of this commitment, the project would implement core sustainable development features, including solar on all residential units and a network of solar-powered street lights; low-water-use landscaping throughout the Community, with restrictions on the use of turf; and electric vehicle chargers in single-family garages.
- ***Pedestrian Circulation and Trails:*** The pedestrian circulation system would link the community streetscapes, planning areas, parks, and common open space features to provide easily accessible connectivity throughout. Additionally, a perimeter trail system would allow connections between the north and south planning areas. The proposed trail network within the project site is composed of an interconnected system of on-street sidewalks, Class II and III bicycle lanes, and Class I trails. A mountain bike trail would be provided along the southern perimeter of the project site, within Planning Areas 1 and 2. An electric bike share program would be provided to residents to help them travel the last ½ mile to the Vandegrift Transit center, shopping, retail, Melba Bishop recreation center and Del Rio elementary school. Improved trail connections will allow for a continuous pedestrian path of travel on the North River Road to Melba Bishop and Del Rio elementary school. This comprehensive system promotes alternative modes of travel and facilitates ease of access within the project site and the surrounding community without the use of automobiles.
- ***Circulation and Access:*** N. River Road provides the primary access to the project site. The project proposes a roadway system, which includes existing N. River Road arterial and a variety of local residential streets designed to accommodate the low level of traffic. N. River Road is currently built as a two-lane collector road, and is designated in the City's General Plan Circulation Element as a four-lane major road. The proposed project would complete widening of N. River Road along its frontage, and complete installation of two travel lanes, sidewalks, and landscape improvements within an average 104'-foot wide right-of-way. The right of way of 104' would allow for a future improvement to the road to 4 lanes should it be necessary to meet traffic standards. Improvements would include a multipurpose trail/sidewalk, parkway landscaping, and landscaping adjacent to the interior of the sidewalk. Roundabouts are proposed at two locations on N. River Road: one at the west entry to the project, and one at the intersection with Wilshire Road.

The project proposes improvements to Wilshire Road, including reconstruction of the Wilshire Road intersection at N. River Road to include a roundabout, reconfigure vehicle lanes, and make safety improvements; and frontage improvements to improve drainage and provide landscape treatments. Within the project site, the project would build the Village Promenade Collector Road, designed to intersect N. River Road at the heart of the community, with one travel lane in each direction. The Roadway would connect the community commercial land

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uses at the southern area of the site with the northern residential areas. The Village Promenade Collector Road provides for on-street angled parking within an 80-foot right of way.

The project's other residential streets would have between 44 to 100 feet wide right-of-ways and traverse the various village areas. Private local roadway types would variously include bioswale medians, multipurpose trails, a mountain bike trail, Class II bike lanes, sidewalks, planter areas, onstreet parking areas, and other features. In addition, the project proposes alleys and alley-loaded housing as components of the Village Core, which would be strategically located to allow prominent front entries and a village-oriented pedestrian experience in this area.

- **Public Transit and Ride Sharing:** The North County Transit District (NCTD) operates the San Luis Rey Transit Center located at Vandegrift Boulevard and N. River Road located just over half a mile from the project site. The transit center is 30 minutes from the Oceanside and Vista transit centers; accommodates five local and regional bus routes and provides connections to Camp Pendleton and SPRINTER rail services, as well as local BREEZE bus service within northeastern Oceanside. The proposed project includes east/west bus stop infrastructure along N. River Road within the project site to prepare for any future contemplated service by NCTD. The project provides extensive pedestrian and bicycle connections, and ridesharing, carpooling, and car sharing would provide residents and employees within the project site with simple and efficient transportation options.
- **Community Entry:** Primary project entries would occur at the eastern and western ends of N. River Road. Entries would incorporate farm plots and would be simple in order to reinforce the agricultural character of the Plan. Entry design would also incorporate features to express community identity with signage and lighting to create a memorable landscape gateway that reinforces the agricultural theme.
- **Water:** Water service to the proposed project would be provided by the City via connections to the adjacent water infrastructure from the existing 420 pressure zone. Proposed on-site water system piping would consist of 8-inch and 12-inch diameter water mains. The existing inactive pressure reducing station located at the intersection of Wilshire Road and N. River Road would be reconstructed as part of the proposed water system improvements.
- **Wastewater:** There is an existing 15-inch sewer line within N. River Road that is operated by the Rainbow Municipal Water District. This existing 15-inch sewer line would remain in place up to the westernmost intersection within the proposed intersection within the project site; to the west of this proposed intersection, a proposed new 21-inch sewer line would convey flows from both the proposed project and Rainbow Municipal Water District. The on-site private sewer system is anticipated to gravity flow in pipes of an 8-inch diameter.
- **Stormwater Facilities:** Storm drain systems and connections would be designed to accommodate the proposed future development. Flows from the proposed project north of N. River Road would be routed to a bio-filtration basin located on the western portion of the

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proposed project and treated in the western basin, and then conveyed south to an outlet point along the San Luis Rey River. Flows from the proposed project south of N. River Road would be routed to a bio-filtration basin located at the southwestern area of the proposed project and treated in the southwestern basin. Following water quality treatment and hydromodification management, project runoff water would be conveyed to outlet points along the San Luis Rey River. For stormwater runoff on N. River Road, the road is proposed as an inverted section with a biofiltration swale. Runoff would be collected in the center median to promote water quality treatment, and then routed through the proposed project to an outlet point along the San Luis Rey River. Offsite flows from the north would enter the proposed project along the northwest boundary and be conveyed via storm drain south to an outlet point along the San Luis Rey River. The biofiltration basins would treat runoff to the maximum extent practicable by capturing and detaining inflows for treatment, which is achieved through filtration, sedimentation, sorption, biochemical processes, and vegetative uptake prior to discharge into the San Luis Rey River.

- **Electricity:** The proposed project would connect to existing adjacent electrical lines. Solar photovoltaic panels would be incorporated on residential units and non-residential uses to offset project energy use.
- **Fire Safety:** The proposed project is designed to provide wildfire defensibility and minimize the risk of structural loss. A Fire Protection Plan (FPP) was prepared for the project (Appendix J1 of the Revised FEIR) to evaluate and identify the potential fire risk associated with the project's land uses, and identify requirements for water supply, fuel modification and defensible space, emergency access, building ignition and fire resistance, fire protection systems, and wildfire emergency pre-planning, among other pertinent fire protection criteria. The FPP generates and memorializes the fire safety requirements of the Oceanside Fire Department (OFD), along with Project-specific measures based on the Site, its intended use, and its fire environment.

In addition, an evacuation plan has been prepared for the project (Appendix J2 of the Revised FEIR) that indicates how the project and surrounding area would evacuate during a wildfire emergency. The evacuation plan has been prepared in coordination with OFD such that it does not conflict with existing evacuation and pre-plans.

The project has also committed to provide a permanent fire station to serve the region, and to fund the ongoing operations of a two person staff for that station. The project applicant will also pay for the purchase of an appropriate fire apparatus for use at the station.

- **Off-Site Improvements:** The project proposes off-site improvements including storm drainage facilities, roadway network construction, and sewer improvements, as discussed in the Revised FEIR Section 3, Project Description.
- **Construction:** Build out of the project is anticipated to occur in four phases over approximately 5 years in response to market demands and in accordance with a logical and orderly expansion

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of roadways, public utilities, and infrastructure. All cut and fill quantities would be balanced within the boundaries of the project site. All grading activities are anticipated to be completed by the end of 2020. Details of the construction schedule including heavy construction equipment hours of operation and duration; worker, vendor, and hauling trips; and equipment mix are discussed in the Revised FEIR Appendix D1, Air Quality Technical Report.

b. Associated Project Approvals

The following project approvals also need to be secured to authorize build-out of the North River Farms Planned Development Plan project:

- ***General Plan Amendment:*** The project proposes a General Plan Amendment to re-designate the site to the following land use designations: Agricultural (A), Open Space (OS), Single-Family Residential (SFD-R), Medium Density Residential A (MDA-R), Medium Density Residential B (MDB-R), and Special Commercial (SC).
- ***Zoning Ordinance Amendment:*** The project proposes a Zoning Ordinance Amendment to change the zoning designation at the entire project site to Planned Development- (PD), with the proposed PD Plan serving as the regulating document.
- ***Vesting Tentative Map:*** A Vesting Tentative Map is proposed that would present specific lot configurations for all planning areas. The Vesting Tentative Map also creates master lots in the Village Core to be developed separately subject to the City's standard entitlement review process.
- ***Development Plan:*** A Development Plan is proposed as required in conjunction with the proposed project. The Development Plan presents the proposed site layout and project architecture along with additional information related to aesthetics, building orientation, circulation and parking, conceptual landscaping, open space, and storm drainage. The Development Plan corresponds to the Vesting Tentative Map in terms of presenting proposed lot configurations and conceptual grading elements of the proposed project.
- ***Development Agreement:*** A Development Agreement is proposed in conjunction with the proposed project. The Development Agreement could allow for the formation of a Community Facilities District along with other terms and conditions acceptable to the City of Oceanside.

Additional detail concerning development approvals required to implement the Project are identified in Section 3.4, Discretionary Actions, of the Revised FEIR's Project Description (Section 3).

c. Other Permits and Approvals

Other permits and approvals, which are known to be needed, or may be needed, in order to implement various Project components in the future, are identified in Table 3-4, Required Actions and Approvals of the Revised FEIR's Project Description (Section 3).

B. Project Objectives

The underlying purpose of the proposed project is to implement a planned residential, mixed-use, and sustainable community on existing agricultural land situated in the northeastern portion of the City, guided by the following project objectives:

1. Provide visual and functional compatibility with adjacent residential neighborhoods, other nearby land uses, development, and natural features.
2. Provide for varying housing densities and diverse housing types to support an inclusive multi-generational approach to meet the current and future housing demand on a site located near transit, retail, recreational amenities, and schools.
3. Use agriculture as an organizing element of the overall neighborhood plan and provide better public access to agricultural uses.
4. Provide for the long-term preservation of agriculture through an urban farm and other amenities that will serve as community assets and as a transition between urban uses and adjacent agricultural land.
5. Design buildings, spaces, and uses that enhance and respect the agricultural character of the area.
6. Create flexibility in the plan to accommodate possible changes in the demand for housing types, the local economy, commercial, retail, and community needs during implementation.
7. Create a walkable and bikeable environment that promotes and enhances the pedestrian experience throughout the site, with safe, convenient, and attractive connections between communities, open space, parks, paseos, agriculture, and other amenities.
8. Provide a plan that creates connectivity to adjacent neighborhoods, the City of Oceanside bike master plan, the transit center, and the San Luis Rey River Trail.
9. Provide for a mix of land uses that integrate housing, commercial, educational, and neighborhood serving retail on a single site with public open space, an urban farm, naturalized environments, and recreation areas — in an overall design that advances sustainability principles.
10. Provide opportunities for physical improvements to public infrastructure such as public roadways, utilities, sidewalks, intersections, and bike and pedestrian connections.
11. Provide a sufficient number of residences to support necessary improvements to public facilities and allow for an urban farm, education, and retail/commercial components.
12. Include a mix of land uses and facilities that will maintain a positive fiscal impact on the City of Oceanside's general fund.

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C. Initial Study and Notice of Preparation

Preliminary environmental review of the North River Farms Planned Development Plan was conducted by the City's Development Services Department. In the Notice of Preparation (NOP), the City listed the following subject areas to be analyzed in the EIR and as particular issues of concern:

- | | |
|---------------------------------------|---------------------------------|
| 1. Aesthetics | 10. Land Use & Planning |
| 2. Agriculture and Forestry Resources | 11. Mineral Resources |
| 3. Air Quality | 12. Noise |
| 4. Biological Resources | 13. Population & Housing |
| 5. Cultural Resources | 14. Public Services |
| 6. Geology & Soils | 15. Recreation |
| 7. Greenhouse Gas Emissions | 16. Transportation & Traffic |
| 8. Hazards and Hazardous Materials | 17. Tribal Cultural Resources |
| 9. Hydrology & Water Quality | 18. Utilities & Service Systems |
| | 19. Energy |

On November 22, 2017, the City circulated the NOP to responsible agencies, trustee agencies, regional agencies, and other agencies, organizations, and interested persons for the 30-day review period required under CEQA. The NOP requested that the agencies, organizations, and others provide the City with specific details about the scope and content of the environmental information to be contained in this Draft EIR.

In addition, to facilitate local participation, the City held a scoping meeting on December 13, 2017 at the Melba Bishop Recreation Center, 5306 N. River Road, to present the project and to solicit suggestions from the public and other agencies on the scope and content of the Draft EIR. Comments received during the scoping process covered a variety of topics, which are detailed in Revised FEIR at Section ES.3, Areas of Controversy.

D. Environmental Impact Report

Under CEQA Guidelines Section 15105, the City was required to provide a 45-day public review period on the Draft EIR. The North River Farms Draft EIR (July 2018) was made available for public comment on July 27, 2018. The comment period was subsequently extended by a week, beginning on July 27, 2018 and ending on September 19, 2018.

Copies of the Draft EIR were available for public review at the following locations: (i) City of Oceanside Development Services Department, 300 North Coast Highway, Oceanside, California 92054; (ii) City of Oceanside Public Library – Civic Center, 330 North Coast Highway, Oceanside, California 92054; (iii) City of Oceanside Public Library – Mission Branch, 3861-B Mission

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Avenue, Oceanside, California 92508; and (iv) online at <https://www.ci.oceanside.ca.us/gov/dev/planning/ceqa>.

In January 2019, the North River Farms draft Final EIR (January 2019) was completed. The draft Final EIR included all comments and responses to comments received on the Draft EIR, an additional technical appendix, and other information and clarifications. On December 31, 2018, City staff made the draft Final EIR available for public review by posting it on the City's website.

Following release of the draft Final EIR, on January 28, 2019 the Planning Commission held a public hearing on the Project, associated entitlements, and the draft Final EIR. Specific concerns raised by Planning Commissioners included: the progress of local planning efforts for South Morro Hills, staffing and location of the newly proposed on-site fire station, affordable housing, diversity of jobs provided by the project, and GHG mitigation. The Planning Commission recommended that the City Council deny the proposed project at that time.

A public hearing was scheduled before the City Council for March 13, 2019. Prior to the hearing, the project applicant requested that the hearing be vacated to permit the applicant refine the Project. The project was referred back to Planning Commission on May 6, 2019, with enhancements to the Project to: (1) Retain additional off-site land in agricultural or open space uses in perpetuity; (2) Construct intersection improvements at the Vandegrift Boulevard/N. River Road intersection; and (3) Fund to-be-determined Climate Action Plan implementation measures to reduce GHG emissions. Appendix T to Final EIR was revised to assess the potential environmental impacts of these proposed conditions.

The May 6, 2019 Planning Commission hearing saw concerns raised by the public and/or Planning Commissioners regarding the number of units, progress of local planning efforts for South Morro Hills, the interim (versus permanent) nature of the proposed on-site fire station, comments seeking preservation of additional agricultural/ open space uses, and concerns with attracting job creating hotel or other commercial uses. Commenters also requested recirculation of the EIR. The Planning Commission recommendation remained the same.

Though scheduled for a public hearing before the City Council on May 22, 2019, the applicant requested the City Council postpone the hearing to allow further refinements. The City Council considered and approved the postponement.

The applicant thereafter worked with staff to propose the following further refinements to the project to address the concerns raised at public hearings:

1. A further reduction in maximum residential units count from 656 to 585 dwelling units;
2. Provision of one million dollars (\$1 million) towards the preparation of a community plan for the Wilshire and N. River Road areas of South Morro Hills.
3. Dedication of land for development of a permanent (instead of interim) fire station at the project site, in addition to the applicant's prior commitment to fund its ongoing operations;

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4. Preservation of the Bree Property – an additional 37.5 acres land adjacent to the original project site – in permanent agricultural or open spaces uses, and inclusion of the Bree Property within the project boundary;
5. Incentivize restaurant/ brewery uses within the Village Core;
6. Provision of a dog park within Village Core;
7. Upsize sewer within N. River Road between Leon Drive and the western boundary of the project site from a proposed 21-inch pipeline to a 24-inche to respond to the City’s request;
8. Addition of a mountain bike trail; and
9. Contribution of \$500,000 to the City for improvements to the Melba Bishop Recreation Center at the City’s discretion.

While no new significant or more severe environmental impacts were determined to result from these refinements and improvements, to further CEQA’s public information purpose, the City and applicant determined to revise and recirculate the EIR for a 45-day comment period beginning August 12, 2019 and ending September 26, 2019. The recirculated EIR (August 2019) included a revised description of the project, revised appendices, a revised Vesting Tentative Map, and other information and clarifications.

In November 2019, the North River Farms Revised FEIR (November 2019) was completed. The Revised FEIR included all comments and responses to comments received on the recirculated EIR (August 2019) and other clarifications. On October 31, 2019 City staff made the Revised FEIR available for public review by posting it on the City’s website.

II. ENVIRONMENTAL IMPACTS FOUND TO BE NOT SIGNIFICANT OR LESS THAN SIGNIFICANT

The City finds that, based upon substantial evidence in the record, the following impacts associated with the North River Farms Planned Development Plan project, and other effects identified as less than significant in the Revised FEIR, are less than significant and no mitigation is required pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091(a).

<i>Environmental Resource Category</i>	<i>Not Significant or Less than Significant Environmental Impact</i>
<i>Aesthetics</i> <i>(EIR Section 4.1)</i>	<ul style="list-style-type: none">• Less than significant effect on a scenic vista.• No impact from substantially damage to scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.• Less than significant impact related to substantially degrading the existing visual character or quality of the site and its surroundings.

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<i>Environmental Resource Category</i>	<i>Not Significant or Less than Significant Environmental Impact</i>
	<ul style="list-style-type: none"> • Less than significant creation of a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. • No cumulative impact on aesthetics.
<i>Agricultural and Forest Resources</i> <i>(EIR Section 4.2)</i>	<ul style="list-style-type: none"> • Less than significant impact from conflict with existing zoning for agricultural use, or a Williamson Act contract. • No impact from Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)) • No loss of forest land or conversion of forest land to non-forest use. • Less than significant impact from other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. • No cumulatively considerable impact on agricultural resources.
<i>Air Quality</i> <i>(EIR Section 4.3)</i>	<ul style="list-style-type: none"> • Less than significant impact from conflicts with or obstruction of implementation of the applicable air quality plan. • Less than significant impact from violation of any air quality standard or substantial contribution to an existing or projected air quality violation. • Less than significant impact from cumulatively considerable new increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative threshold emissions which exceed quantitative thresholds for ozone precursors). • Less than cumulatively considerable impact on air quality.
<i>Biological Resources</i> <i>(EIR Section 4.4)</i>	<ul style="list-style-type: none"> • Less than significant impact from substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or from impeding the use of native wildlife nursery sites. • Less than significant impact related to conflict with local policies or ordinance protecting biological resources, such as a tree preservation policy or ordinance. • No cumulatively considerable impact on biological resources.
<i>Cultural Resources</i> <i>(EIR Section 4.5)</i>	<ul style="list-style-type: none"> • Less than significant impact related to causing a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.
<i>Energy</i> <i>(EIR Section 4.6)</i>	<ul style="list-style-type: none"> • Less than significant impact related to wasteful, inefficient, or unnecessary consumption of energy.

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<i>Environmental Resource Category</i>	<i>Not Significant or Less than Significant Environmental Impact</i>
	<ul style="list-style-type: none"> • Less than significant impact related to conflict with existing energy standards and regulations. • Less than significant impact related to placing a significant demand on local energy supplies or requiring a substantial amount of additional capacity.
<i>Geology and Soils</i> (EIR Section 4.7)	<ul style="list-style-type: none"> • No impact related to soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. • No cumulatively considerable impact with respect to geology and soils.
<i>Hazards and Hazardous Materials</i> (EIR Section 4.9)	<ul style="list-style-type: none"> • Less than significant impact creating a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. • Less than significant impact from being located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment. • Less than significant impact related to project location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, which would result in a safety hazard for people residing or working in the project area. • No impact from project location within the vicinity of a private airstrip, which would result in a safety hazard for people residing or working in the project area. • Less than significant impact related to impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan. • Less than significant impact from exposing people or structures to a significant risk of loss, injury or death involving wildland fires, including, where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. • No cumulatively considerable impact with respect to hazards and hazardous materials.
<i>Hydrology and Water Quality – Hydrology</i> (EIR Section 4.10)	<ul style="list-style-type: none"> • Less than significant impact related to violation of any water quality standards or waste discharge requirements. • Less than significant impact related to substantial depletion of groundwater supplies or substantial interference with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

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<i>Environmental Resource Category</i>	<i>Not Significant or Less than Significant Environmental Impact</i>
	<ul style="list-style-type: none"> • Less than significant impact related to substantial alteration of the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial erosion or siltation on or off site. • Less than significant impact related to substantial alteration of the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantial increase in the rate or amount of surface runoff in a manner which would result in flooding on or off site. • Less than significant impact related to creation or contribution of runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. • Less than significant impact related to substantially degrading water quality. • No impact from placing housing within a 100-year flood hazard areas as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. • Less than significant impact related to placing structures within a 100-year flood hazard area which would impede or redirect flood flows. • Less than significant impact related to exposing people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. • Less than significant impact related to inundation by seiche, tsunami, or mudflow. • No cumulatively considerable impact with respect to hydrology or water quality.
<i>Land Use and Planning</i> (EIR Section 4.11)	<ul style="list-style-type: none"> • No physical division of an established community. • No cumulatively considerable impact related to land use and planning.
<i>Mineral Resources</i> (EIR Section 4.12)	<ul style="list-style-type: none"> • Less than significant impact related to loss of availability of a known mineral resource that would be of value to the region and the residents of the state. • Less than significant impact related to the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. • No cumulatively considerable impact to mineral resources.
<i>Noise</i> (EIR Section 4.13)	<ul style="list-style-type: none"> • Less than significant substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. • Less than significant impact related to location within an airport land use plan or, where such a plan has not been adopted, within two

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<i>Environmental Resource Category</i>	<i>Not Significant or Less than Significant Environmental Impact</i>
	<p>miles of a public airport or public use airport, where the project would expose people residing or working in the project area to excessive noise levels.</p> <ul style="list-style-type: none">• No impact related to location within vicinity of a private airstrip, where the project would expose people residing or working in the project area to excessive noise levels.• No cumulatively considerable impact with respect to noise.
<i>Population and Housing</i> <i>(EIR Section 4.14)</i>	<ul style="list-style-type: none">• No displacement of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.• No displacement of substantial numbers of people, necessitating the construction of replacement housing elsewhere.• No cumulative impact related to the displacement of people or housing.
<i>Public Services</i> <i>(EIR Section 4.15)</i>	<ul style="list-style-type: none">• Less than significant impacts from creation of adverse physical impacts associated with the provision of, or need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:<ul style="list-style-type: none">○ Police Protection○ Schools○ Parks○ Other Public Facilities• No cumulative impact related to police protection, schools, parks, or other public facilities.
<i>Recreation</i> <i>(EIR Section 4.16)</i>	<ul style="list-style-type: none">• No significant impact from increase in use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.• No significant impact from inclusion of recreational facilities or requirement of the construction or expansion of such facilities which might have an adverse physical effect on the environment.• No cumulative impact related to recreation.
<i>Traffic/Circulation</i> <i>(EIR Section 4.17)</i>	<ul style="list-style-type: none">• No resulting change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.• No substantial individual increase in traffic hazards related to a design feature or incompatible uses.• No inadequate emergency access.

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<i>Environmental Resource Category</i>	<i>Not Significant or Less than Significant Environmental Impact</i>
	<ul style="list-style-type: none">• No conflict with adopted policies, plans, or programs regarding public transit, bicycles, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.
<i>Tribal Cultural Resources</i> <i>(EIR Section 4.18)</i>	<ul style="list-style-type: none">• No substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:<ul style="list-style-type: none">○ Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or○ A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.• No cumulatively considerable impact related to Tribal Cultural Resources.
<i>Utilities and Service Systems</i> <i>(EIR Section 4.19)</i>	<ul style="list-style-type: none">• Less than significant impact from exceeding wastewater treatment requirements of the applicable Regional Water Quality Control Board.• Less than significant impacts from requiring or resulting in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.• No significant impact related to adequacy of water supplies available to serve the project from existing entitlements and resources.• No significant impact related to determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.• No significant impact related to service by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.• No noncompliance with federal, state, and local statutes and regulations related to solid waste.• No cumulative impact related to utilities and service systems.

A. Potentially significant impacts that can be mitigated below a level of significance (CEQA Guidelines § 15091(A)(1))

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the State CEQA Guidelines, the City Council finds that, for each of the following significant effects identified in the Revised FEIR, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the identified significant effects on the environment to less than significant levels. The significant effects and mitigation measures are stated fully in the Revised FEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

A. Agricultural Resources

1) Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland)

Description of Significant Effect: Development of the proposed project would directly contribute to the loss of approximately 176.64 acres of significant agricultural resources. The Draft and draft Final EIRs considered that, while the proposed project would include approximately 31.6 acres of proposed agricultural uses, the entire 176.64-acre project site would be considered significantly impacted. Since that time, the project has been revised to incorporate an additional 37.5-acres of agricultural land known as the “Bree Property,” to be preserved in perpetuity as open space/agricultural uses. Agricultural uses would now be preserved on a total 68.1 acres of the now 214.1-acre project site. However, the original 176.64-acres presented in the Draft EIR are considered to remain significantly impacted.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-AGR-1 The City of Oceanside (City) does not currently have an adopted agricultural mitigation program. In the event the City adopts an effective agricultural conservation or mitigation program prior to the applicant filing its first application for a grading permit, the applicant shall be required to purchase mitigation credits from an adopted City agricultural conservation program for the direct loss of 176.64 acres of agricultural land at a 1:1 ratio, or as otherwise required by the adopted program.

Should no adopted City agricultural mitigation program be in place at the time of application for a grading permit, the applicant shall be required to purchase mitigation credits from the Purchase of Agricultural Conservation Easement (PACE) Program in the County of San Diego (County) for the direct loss of 176.64 acres of agricultural land. The County’s PACE program is an approved mitigation banking method that uses in-lieu fees to purchase PACE credits to offset

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agricultural impacts. Each acre of land permanently protected with an agricultural conservation easement under the PACE program would equate to one mitigation credit. Therefore, prior to issuance of a grading permit, the applicant shall mitigate for the loss of 176.64 acres of agricultural land at a 1:1 ratio by the purchase of 176.64 mitigation credits through the County's PACE program. Proof of purchase of either City mitigation credits as established in an adopted program or PACE Program mitigation credits shall be made prior to the issuance of the first grading permit to the satisfaction of the City.

Rationale: Implementation of MM-AGR-1 would reduce impacts to off-site important agricultural resources resulting from the proposed project by requiring the applicant to purchase 176.64 mitigation credits through an agricultural mitigation program adopted by the City, or through the County's established PACE program, that would offset agricultural impacts. By mitigating for any potentially significant impacts in the manner prescribed, impacts to agricultural resources would be less than significant.

B. Air Quality

1) Health Impacts of Toxic Air Contaminants

Description of Significant Effect: The maximum individual cancer risk (MICR) at residential off-site receivers would exceed the SDAPCD significance threshold of 10 in 1 million and impacts would be potentially significant during project construction.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-AQ-1 Diesel Exhaust. To reduce the potential for health risks as a result of construction of the proposed project the applicant shall:

A. Prior to the start of construction activities, the applicant or its designee shall ensure that all diesel-powered cranes, generator sets, trenchers, forklifts, rubber-tired dozers, and tractors/loaders/backhoes are powered with California Air Resources Board (CARB)-certified Tier 4 Interim engines, except where the applicant establishes to the satisfaction of the City of Oceanside (City) that Tier 4 Interim equipment is not available.

B. All other diesel-powered construction equipment will be classified as Tier 3 or higher.

Before an exception to the engine tier requirements exemption may be granted considered by the City, the applicant shall be required to demonstrate that three construction fleet owners/operators in the San Diego region with fleets sufficiently sized to provide the types and quantities of equipment needed by the project were

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contacted and that the owners/operators determined that the requested equipment (Tier 4) could not be located within the region.

In the case that Tier 4 Interim engines are not available, the City shall require the applicant to use Tier 3 engines for the subject types of equipment. As such, the City shall require the applicant to prioritize the use of higher engine tiers over lower engine tiers.

Engine tier requirements in accordance with this measure shall be incorporated on all construction plans.

Rationale: Implementation of MM-AQ-1 would reduce cancer risk impacts to the MICR residential offsite less than significant because this mitigation measure would substantially reduce the emissions of diesel particulate matter during project construction. Implementing MM-AQ-1 would reduce the maximum cancer risks at the MICR residential offsite to 7.4 in 1 million, which is below the threshold of significance.

2) Objectionable Odors

Description of Significant Effect: Agricultural operations proposed with the project may include various diesel-powered vehicles and equipment used on the property, which produce odors that dissipate rapidly and are temporary. In addition, the proposed project would include composting of organic material, which would create odors. Any such composting operations would be located within the southernmost portion of the project site, within the farm hub. Because of the distance between the proposed project and the nearest sensitive receptors, odors emitted from agricultural operations may be noticeable beyond the area of operation.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-AQ-2 Odor Control. The Odor Impact Minimization Plan must be site specific and meet the requirements set forth in Title 14, Section 17863.4, of the California Code of Regulations, which includes at a minimum the following items:

- An odor monitoring protocol that describes the proximity of possible odor receptors and a method for assessing odor impacts at the locations of the possible odor receptors.
- A description of meteorological conditions effecting migration of odors and/or transport of odor-causing material off site. Seasonal variations that effect wind velocity and direction shall also be described.
- A complaint response protocol.

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- A description of design considerations and/or projected ranges of optimal operation to be employed in minimizing odor, including method and degree of aeration, moisture content of materials, feedstock characteristics, airborne emission production, process water distribution, pad and site drainage and permeability, equipment reliability, personnel training, weather event impacts, utility service interruptions, and site specific concerns.
- A description of operating procedures for minimizing odor, including aeration, moisture management, feedstock quality, drainage controls, pad maintenance, wastewater pond controls, storage practices (e.g., storage time and pile geometry), contingency plans (i.e., equipment, water, power, and personnel), biofiltration, and tarping.

Rationale: MM-AQ-2 requires an Odor Impact Minimization Plan to reduce objectionable odor exposure to nearby sensitive receptors. MM-AQ-2 describes the procedures to follow upon receiving a complaint. The protocol includes measures to identify the odor and requires appropriate adjustments to storage, process control, and facility improvements to reduce odor impacts. With incorporation of MM-AQ-2, potentially significant impacts related to odor would be reduced to less than significant.

C. Biological Resources

1) Impacts to Nesting Birds

Description of Significant Effect: Construction activities could result in the loss of nests, eggs, and fledglings of nesting birds protected under the Migratory Bird Treaty Act (MBTA) if vegetation clearing and ground disturbing activities occur during the nesting season (February 15 through August 31 for most species, January 15 through August 31 for raptors). Nesting birds may also be indirectly impacted by construction-related noise during the breeding season (i.e., February 15 through August 31 for most species, January 15 through August 31 for raptors).

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-BIO-1 If construction of the proposed project is scheduled to occur during avian breeding season (January 15 to August 3) a pre-construction nesting bird survey shall be conducted within 10 days prior to the start construction to avoid impacts to these species. Impacts from construction-related noise may occur to wildlife if construction occurs during the breeding season (i.e., February 15–August 31 for most bird species and January 1–August 31 for raptors). Protection of general avian wildlife in compliance with the Migratory Bird Treaty Act and California Code shall be accomplished by either scheduling construction between July 15 and February 15, or if construction must occur during the nesting season (February 15–

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July 15), a one-time biological survey for nesting bird species shall be conducted in all suitable habitat for the presence of nesting birds by a qualified biologist 72 hours prior to the commencement of work. If any active nests are detected, the area shall be flagged and mapped on construction plans along with a minimum 25-foot buffer up to a 300-foot maximum for raptors, as determined by the qualified biologist. These areas shall be avoided until the nesting cycle is complete or it is determined that the nest has failed.

Rationale: Implementation of M-BIO-1, which requires pre-construction nesting bird surveys and avoidance of active nests, would reduce direct and indirect impacts to nesting birds to less than significant.

2) Impacts to Riparian Habitat and Sensitive Natural Communities

Description of Significant Effect: The project would result in direct impacts to 0.02 acres of southern arroyo willow riparian forest, 0.15 acres of mulefat scrub, 0.18 acres of non-vegetated channel, and 0.07 acres of disturbed wetland, which are all in Habitat Group A of the Oceanside Subarea Plan.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-BIO-2 Impacts to 0.02 acres of southern arroyo willow riparian forest, 0.15 acres of mulefat scrub, 0.18 acres of non-vegetated channel, and 0.07 acres of disturbed wetland shall be mitigated through the purchase of 0.61 acres of riparian habitat located within the San Luis Rey Mitigation Bank (also known as the Singh Property) located on the San Luis Rey River north of State Route 76 and south of N. River Road in the City of Oceanside, San Diego County, California.

Mitigation shall be provided in accordance with the mitigation ratios provided in Table 5-2 of the Oceanside Subarea Plan. Impacts to riparian forest within the Agricultural Exclusion Zone require a 3:1 ratio. Therefore, impacts to 0.02 acres of southern arroyo willow riparian forest require 0.06 acres of mitigation. Impacts to riparian scrub within the Agricultural Exclusion Zone require a 2:1 ratio. Impacts to 0.15 acres of mulefat scrub require 0.30 acres of mitigation. Impacts to natural flood channels and disturbed wetlands within the Agricultural Exclusion Zone require a 1:1 ratio. Impacts to 0.18 acres of non-vegetated channel and 0.07 acres of disturbed wetland require 0.25 acres of mitigation. In total, 0.61 acres of mitigation shall be provided.

Rationale: Implementation of M-BIO-2 would reduce impacts to riparian habitat and sensitive natural communities to less than significant through the purchase and preservation of 0.61

acres of riparian habitat located within the San Luis Rey Mitigation Bank, consistent with the draft Oceanside Subarea Plan.

3) Impacts to Federally Protected Wetlands

Description of Significant Effect: Approximately 0.44 acres of ACOE/RWQCB/CDFW-jurisdictional area would be impacted, including 0.02 acres of impacts to wetlands/riparian habitat and 0.42 acres of impacts to non-wetland waters/streambed. In addition, the proposed project includes approximately 0.22 acres of impacts to CDFW-only jurisdictional riparian habitat. The proposed project's impacts to 0.65 acres of wetlands and waters includes impacts to 0.42 acres of vegetation communities listed in Habitat Group A. In other words, the affected Habitat Group A vegetation communities are those associated with the affected wetlands and waters. The proposed project would result in direct impacts to 0.02 acres of southern arroyo willow riparian forest, 0.15 acres of mulefat scrub, 0.18 acres of nonvegetated channel, and 0.07 acres of disturbed wetland, which are in Habitat Group A of the Oceanside Subarea Plan.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-BIO-2 is adopted to mitigate the significance of impacts to federally protected wetlands. See discussion of Impacts to Riparian Habitat and Sensitive Natural Communities, above, for text of MM-BIO-2.

Rationale: Implementation of MM-BIO-2 would reduce impacts to federally protected wetlands to less than significant through preservation of wetlands in accordance with the draft Oceanside Subarea Plan.

4) Conflict with an Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or Other Approved Local, Regional, or State Habitat Conservation Plan

Description of Significant Effect: The project would impact 0.26 acres of native habitat within the 100-foot buffer of the San Luis Rey River, including 0.07 acres of disturbed wetland, 0.15 acres of mulefat scrub, 0.02 acres of non-vegetated channel, and 0.02 acres of southern arroyo willow riparian forest.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-BIO-2 and MM-BIO-3 are adopted to mitigate the significance of this impact. See discussion of Impacts to Riparian Habitat and Sensitive Natural Communities, above, for text of MM-BIO-2.

MM-BIO-3 In accordance with the Oceanside Subarea Plan, the slope along the road in the western portion of the site where minor impacts would occur to native habitats within the 100-foot buffer of the San Luis Rey River shall be revegetated with native habitat. In addition, the buffer shall be fully fenced to preclude trespass.

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Rationale: Implementation of MM-BIO-2, which requires preservation in accordance with the Oceanside Subarea Plan, and MM-BIO-3, which requires revegetation of slopes, would reduce potentially significant impacts related to consistency with the Oceanside Subarea Plan to less than significant. Specifically, as required in Section 5.3.4 of the Oceanside Subarea Plan, the proposed project would mitigate for impacts to biological resources within the Off-Site Mitigation Zone with mitigation within the Wildlife Corridor Planning Zone or pre-approved Mitigation Areas (City of Oceanside 2010).

D. Cultural Resources

1) Impacts to Archaeological Resources

Description of Significant Effect: The presence of prehistoric resources on and near the project site indicates some potential for unidentified subsurface artifacts to be present within the project site.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-CUL-1 Prior to issuance of a grading permit, the applicant shall provide written verification to the City of Oceanside (City) that a qualified archaeologist and a Native American monitor associated with a with a tribe that is traditionally and culturally affiliated with the project location (“TCA Tribe”) have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

Prior to the release of the grading bond, a monitoring report, which describes the methods, results, analysis and conclusion of the archaeological monitoring program, including any evaluation and/or any data recovery efforts on the project site, shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include the appropriate California Department of Parks and Recreation Site Forms for any newly discovered resources.

The qualified archaeologist shall maintain ongoing collaborative consultation with the Native American monitor during all ground disturbing activities (i.e., grubbing, clearing, grading, cutting, filling, trenching and/or boring). The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The applicant/owner shall not begin

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any ground disturbing activities until they have provided the City with a schedule of ground disturbing activities and until the qualified archaeologist and Native American monitor are on-site to conduct monitoring of all ground disturbing activities.

The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of archaeological resources. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

In the event that previously unidentified archaeological resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant archaeological resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the resource's treatment and disposition shall be made by the qualified archaeologist (in consultation with the TCA Tribe and the Native American monitor if the resource is of tribal origin or concern) and be submitted to the City for review and approval.

The avoidance and/or preservation of the significant archaeological resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of

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material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County (County) Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

If the qualified archaeologist elects to collect any archaeological resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the archaeological resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any archaeological resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be significant cultural resources, shall be curated at the San Diego Archaeological Center.

Rationale: Implementation of MM-CUL-1 will reduce potential impacts to archaeological resources to less than significant by requiring cultural and Native American resource monitoring during

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ground-disturbing activities, including a pre-grading meeting, qualifications and abilities for the monitor, procedures should resources be encountered, and reporting protocols.

2) Impacts to Paleontological Resources

Description of Significant Effect: The proposed project would require excavation at depth within and adjacent to areas of low to moderate paleontological sensitivity.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-CUL-2 If potential fossils are discovered by construction crews, all earthwork or other types of ground disturbance within 50 feet of the discovery shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the discovery. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the fossil. If treatment and salvage is required, recommendations shall be consistent with Society of Vertebrate Paleontology 1995 guidelines and currently accepted scientific practice and shall be subject to review and approval by the City of Oceanside (City). Work in the affected area may resume once the fossil has been assessed and/or salvaged and the City, in consultation with the professional paleontologist, has provided written approval to resume work.

MM-CUL-3 Prior to the initiation of any site preparation or start of construction, the applicant shall contract with a qualified professional paleontologist or a California Registered Professional Geologist with appropriate paleontological expertise, as defined by the Society of Vertebrate Paleontology's Conformable Impact Mitigation Guidelines Committee (SVP 2010 Guidelines), that shall be responsible for preparing and implementing a Paleontological Resources Monitoring and Mitigation Program. The qualified paleontologist shall be available "on-call" to the City of Oceanside (City) and the applicant throughout the duration of ground-disturbing activities. The Paleontological Resources Monitoring and Mitigation Program shall include preconstruction coordination; construction monitoring; emergency discovery procedures; sampling and data recovery, if needed; preparation, identification, and analysis of the significance of fossil specimens salvaged, if any; museum storage of any specimens and data recovered; and reporting. Earth-moving construction activities shall be monitored wherever these activities will disturb previously undisturbed sediment. Monitoring will not need to be conducted in areas where sediments have been previously disturbed or in areas where exposed sediments will be buried but not otherwise disturbed. In such cases, spot-checking of the excavation site is sufficient. This measure shall apply for all excavation activities within older alluvium with high sensitivity (Qoa) and for any construction activities

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that involve excavation greater than 3 feet in depth within geologic units with a low paleontological potential (Qw and Qya).

Rationale: Implementation of MM-CUL-2 and MM-CUL-3 would reduce impacts to paleontological resources to less than significant. MM-CUL-2 would require determinations of the uniqueness or significance of paleontological resources inadvertently discovered to be made by qualified, trained paleontologists familiar with the fossils under consideration, as such inadvertent discoveries may occur even where there are no known fossil occurrences or where paleontological potential is low. For all excavation activities within older alluvium with high sensitivity, and for any construction activities that involve excavation greater than 3 feet in depth within geologic units with a low paleontological potential, a Paleontological Mitigation and Monitoring Program (PRMMP) will be required as incorporated in MM-CUL-3. The purpose of the PRMMP would be to describe the location, scope, and scale of monitoring that would be required; to incorporate information from the most current construction plans; and to describe procedures for identification, recovery, and curation of fossils if found on site. Therefore, with the incorporation of MM-CUL-2 and MM-CUL-3, potentially significant impacts would be reduced to a level below significance.

3) Impacts to Human Remains

Description of Significant Effect: While the project site is not currently used as a cemetery and is not otherwise known to contain human remains this does not preclude finding human remains during project excavation and grading activities.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-CUL-1 is adopted to mitigate the significance of impacts to human remains. See discussion of impacts to archaeological resources, above, for text of mitigation measure MM-CUL-1

Rationale: Implementation of MM-CUL-1, together with compliance with California Health and Safe Code, Section 7050.5, states that no further disturbance shall occur in the immediate area until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code, Section 5097.98 would reduce impacts to human remains to less than significant.

E. Geology and Soils

1) Risk of loss, injury, or death involving: rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides

Description of Significant Effect: The project site is likely to be subjected to strong ground motion from seismic activity similar to that of the rest of the San Diego County and Southern

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California. Liquefaction typically occurs when a site is subjected to strong seismic shaking, on-site soils are cohesionless, and groundwater is encountered within 50 feet of the surface. Based on an initial screening of the boring logs and cone penetration tests, the subsurface conditions along the southwest property margin had relatively shallow groundwater depths within deposits of relatively loose sand. Further, while no evidence of landslides or instability was found, because construction plans are not yet proposed, the Preliminary Geotechnical Investigation provides recommendations as provided in MM-GEO-1.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-GEO-1 Prior to the issuance of the grading permit, the City Engineer (or its designee) shall review and approve project design and construction documents to verify that the applicable recommendations of the Preliminary Geotechnical Investigation, North River Farms, Oceanside, California, prepared by Geocon Inc. in November 2017 have been incorporated. Recommendations shall be held to performance standards within the applicable ordinances (including grading, construction, and landscaping regulations) of the City of Oceanside (City) and County of San Diego (County), as well as the standards provided in the most recent California Building Code (CBC), which are intended to reduce risk related to geologic hazards.

Recommendations that will be incorporated include but are not limited to the following:

1. Additional field exploration and laboratory testing are recommended to evaluate specific geotechnical issues, such as slope stability and rock rippability. In addition, a stormwater infiltration feasibility evaluation, in accordance with the current City's Storm Water Standards Manual, should be performed. This evaluation should include in situ permeability testing at each of the proposed water quality basin locations.
2. The surficial soils and alluvial materials should be completely removed and compacted. The lowest portions of alluvial soils may require dewatering or other means to manage groundwater perched on the bedrock and allow for complete removals. In the event that groundwater prevents complete removals, a surcharge embankment and settlement monitoring procedure will be necessary where the saturated deposits are left in-place.
3. All grading should be performed in accordance with the Recommended Grading Specifications contained in the Preliminary Geotechnical Investigation.
4. Prior to commencing grading, a preconstruction conference should be held at the site with the owner or developer, grading

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contractor, civil engineer, and geotechnical engineer in attendance. Special soil handling and the fine grading plans can be discussed at that time.

5. The surficial soils should be removed and properly compacted prior to placing additional fill or structural loads. As previously discussed, groundwater may impact project remedial grading. Where the water table is not encountered, remedial grading should extend to formational materials. Prior to placing fill, the exposed removal bottom should be compacted to at least 90% of the applicable maximum dry density at or slightly above optimum moisture content. Aeration, and/or mixing with drier soils may be needed. The actual extent of unsuitable soil removals will be determined in the field during grading by the geotechnical engineer and/or engineering geologist.
6. To reduce the potential for differential settlement and facilitate ease of excavating shallow footings and utility trenches, it is recommended that the cut portion of cut-fill transitions, if present after remedial grading, or shallow fills (less than 3 feet) over granitic rock be undercut a minimum of 3 feet below proposed finish grade and replaced with properly compacted “very low” to “low” expansive soil fill. Undercutting of granitic rock on cut lots and roadway areas should also be considered to facilitate construction of foundations and underground utilities.
7. The site should then be brought to final subgrade elevations with structural fill compacted in layers. In general, the on-site soils are suitable for reuse as fill if free from vegetation, debris, and other deleterious material. Layers of fill should be no thicker than will allow for adequate bonding and compaction. All fill and scarified ground surfaces should be compacted to at least 90% of maximum dry density at or above optimum moisture content, as determined in accordance with ASTM Test Procedure D 1557. Fill materials below optimum moisture content may be considered unacceptable by the project geotechnical engineer.
8. It is the responsibility of the contractor to ensure that excavations and trenches are properly shored and maintained in accordance with applicable OSHA rules and regulations in order to maintain safety and maintain the stability of adjacent existing improvements.
9. The geologist shall provide the final foundation category for the proposed buildings after finish pad grades have been achieved and laboratory testing of the subgrade soil has been completed. The Preliminary Geotechnical Investigation provides foundation recommendations for one- to three-story

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residential structures, which are separated into three categories based on either the maximum and differential fill thickness or expansion index.

10. Retaining walls shall be designed to ensure stability against overturning sliding, excessive foundation pressure, and water uplift. The Preliminary Geotechnical Investigation provides additional recommendations for retaining walls and lateral loads, which shall be followed.
11. Adequate site drainage is critical to reduce the potential for differential soil movement, erosion and subsurface seepage. Under no circumstances should water be allowed to pond adjacent to footings. The site should be graded and maintained such that surface drainage is directed away from structures in accordance with 2016 CBC 1804.4 or other applicable standards. In addition, surface drainage should be directed away from the top of slopes into swales or other controlled drainage devices. Roof and pavement drainage should be directed into conduits that carry runoff away from the proposed structure. The Preliminary Geotechnical Investigation provides additional recommendations for site drainage and moisture protection, which shall be followed.
12. The geologist should review the grading and foundation plans for the proposed project prior to final design submittal to determine if additional analysis or recommendations are required.

Rationale: The Preliminary Geotechnical Investigation provides recommendations as provided in MM-GEO-1, associated with seismic design, grading, foundation, retaining walls, site drainage, and moisture protection. Additionally, as specified by the recommendations in the Preliminary Geotechnical Investigation, foundations shall conform to the most recent CBC standards. MM-GEO-1 also includes design consideration and special foundations for improvements planned near the top of a slope 3:1 (horizontal: vertical) or steeper. Implementation of the identified mitigation measure MM-GEO-1 would reduce impacts associated with earthquakes, liquefaction, landslides, and instability to less than significant.

2) Result in Substantial Soil Erosion

Description of Significant Effect: The proposed project may result in erosion impacts.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-GEO-1 is adopted to mitigate the significance of impacts to substantial soil erosion. See discussion of impacts to risk of loss, injury, or death involving geological events, above, for text of mitigation measure MM-GEO-1

Rationale: Implementation of the identified mitigation measure MM-GEO-1 would reduce impacts to substantial soil erosion to less than significant because the recommendations include

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but are not limited to controlling surface drainage and adherence to the City of Oceanside and County of San Diego (County) grading ordinances, which include requirements for erosion control.

3) Impacts associated with On or Off-Site Landslide, Lateral Spreading, Subsidence, Liquefaction, or Collapse

Description of Significant Effect: Non-seismic induced settlement or subsidence could potentially occur to the undocumented fill, colluvium, and alluvium underlying the project site.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-GEO-1 is adopted to mitigate the significance of impacts associated with on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. See discussion of impacts to risk of loss, injury, or death involving geological events, above, for text of mitigation measure MM-GEO-1.

Rationale: MM-GEO-1 includes recommendations addressing groundwater dewatering, surficial soils and alluvial materials removal and compaction, and surcharge embankment and settlement monitoring (if groundwater cannot be completely removed). Therefore, incorporation of recommendations found in the Preliminary Geotechnical Investigation, provided as MM-GEO-1, would result in less-than-significant impacts related to soil instability.

4) Impacts Associated with Expansive Soil

Description of Significant Effect: Preliminary soil testing determined that the project site would include expansive soils.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-GEO-1 is adopted to mitigate the significance of impacts associated with expansive soil. See discussion of impacts to risk of loss, injury, or death involving geological events, above, for text of mitigation measure MM-GEO-1

Rationale: Implementation of the identified mitigation measure MM-GEO-1 would reduce the impact related to expansive soil to less than significant because includes design requirements for foundations and retaining walls depending on the expansive soil index to address expansive soils.

F. Greenhouse Gas Emissions

1) Impacts associated with the generation of Greenhouse Gas (GHG) Emissions

Description of Significant Effect: The total proposed project emissions during operation were estimated to be approximately 10,488 metric tons (MT) CO₂e per year, which includes amortized construction emissions of 165 MT CO₂e per year and the loss of carbon from vegetation removal of 35 MT CO₂e per year. The proposed project's estimated GHG emissions would exceed the 2025 efficiency significance threshold of 3.5 MT CO₂e per service population per year.

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Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-GHG-1 Prior to the issuance of the first building permit, the following GHG emission reduction measures shall be implemented:

All residential buildings shall:

- Meet or exceed CALGreen Tier 1 requirements in place at the time of Building Permit issuance.
- Prior to the issuance of residential building permits, the applicant or its designee shall submit building plans illustrating compliance with the applicable design standards defined by the approved building code at the time of permit application.
- Be pre-plumbed and structurally engineered for the installation of a complete solar energy system. Include a tankless water heating system, a whole house ceiling fan, and “Energy Star” appliances (stoves, dishwashers, and any other appliances typically included within the initial installation by the builder).
- Include an energy efficient air conditioning unit(s) that exceeds the seasonal energy efficiency ratio (SEER) by a minimum of two points at the time of building permit issuance.
- Include programmable thermostat timers.
- Include exterior outlets on all residential buildings to allow the use of electrically powered landscape equipment.
- All private residential garages shall include one electric vehicle charging station.
- Prior to the issuance of a Building Permit, the floor plans and/or exterior elevations submitted in conjunction with the Building Permit application for each residence shall illustrate the exclusive utilization of low flow water fixtures such as low flow toilets, faucets, and showers.
- Prior to approval of Improvement Plans, the applicant shall verify the exclusive use of energy efficient lighting that meets or exceeds CalGreen Tier 1 requirements for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting.

All non-residential buildings shall:

- Be pre-plumbed and structurally engineered for the installation of a complete solar energy system.
- Prior to the issuance of non-residential building permits, the applicant or its designee shall submit building plans illustrating that the proposed project’s non-residential land uses shall achieve an 8% greater building energy efficiency than required by the current State energy efficiency standards in Title 24, Part 6 of the California Code of Regulations.

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- Use “Energy Star” rated (or greater) roofing materials.
- Prior to approval of Improvement Plans, the applicant shall verify the exclusive use of energy efficient lighting that meets or exceeds CalGreen Tier 1 requirements for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting.
- Prior to the issuance of a Building Permit, the floor plans and/or exterior elevations submitted in conjunction with the Building Permit application shall show that the proposed project includes a complete solar water heating system.
- Include an energy efficient heating system and an air conditioning system that exceeds the SEER ratio by a minimum of two points at the time of building permit issuance.
- Only use low flow water fixtures such as low flow toilets, faucets, and showers.
- Only use programmable thermostat timers.
- Prior to approval of Improvement Plans, the applicant shall only show energy efficient lighting for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting.
- Include pedestrian-friendly paths and cross walks in all parking lots.
- In all on-site, non-residential parking areas with ten or more spaces, electric vehicle charging stations shall be installed in a minimum of 12 percent of the parking spaces.
- Prior to the issuance of building permits, the Project applicant or its designee shall submit building plans illustrating that all outdoor pavement, including all parking lots and walkways, reflective coatings (albedo = 0.30 or better) or concrete.
- Maximize the amount of drought tolerant landscaping used. Turf should be limited to parks or other active use and/or high visibility areas. Low groundcover and native grasses shall be used as an alternative to turf. Any turf used shall be warm-season turf or shall have a plant species factor of 0.6 or lower.
- Ensure recycling of construction debris and waste through administration by an on-site recycling coordinator and presence of recycling/separation areas.

MM-GHG-2 As to operational greenhouse gas (GHG) emissions, prior to the City of Oceanside’s (City’s) issuance of the first building permits, the applicant or its designee shall purchase and retire carbon offsets in a quantity sufficient to offset 100% of the proposed project-generated GHG emissions in order to achieve carbon neutrality (i.e., a net zero emissions level), for a 30-year period, consistent with the performance standards and requirements set forth below.

First, “carbon offset” shall mean an instrument issued by any of the following: (i) the Climate Action Reserve, the American Carbon Registry, and the Verra (formerly, Verified Carbon Standard); (ii) any registry approved by the California Air Resources Board (CARB) to act as a registry under the state’s cap-and-trade program; or (iii) any other reputable registry or entity that issues carbon offsets. Prior to use of option (iii), it shall be demonstrated that the other reputable registry

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or entity follows accounting, quantification and monitoring protocols, as well as eligibility and procedural performance standards, that are comparable to those used by the registries identified in option (i). For additional information about the protocols and standards referenced in this paragraph, please see the State-approved “Newhall Ranch Greenhouse Gas Reduction Plan,” which is included in Appendix H1 of the EIR. Section IX of the “Newhall Ranch Greenhouse Gas Reduction Plan” outlines the protocols and standards that must be followed in order for a registry and the offsets it issues to qualify under this measure.

Second, consistent with CEQA Guidelines Section 15126.4(c), any carbon offset used to reduce the proposed project’s GHG emissions shall be a carbon offset that represents the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is “not otherwise required.”

Third, “Applicant” shall mean the NRF Project Owner LLC or its designee.

Fourth, regarding operational emissions, prior to the City’s issuance of the first building permit, the applicant shall provide evidence to the satisfaction of the Development Services Director that the applicant has purchased and retired carbon offsets in a quantity sufficient to offset 100% of the proposed project’s GHG emissions for a 30-year period. The “project life” is 30 years. This methodology is consistent with the 30-year project life time frame used by the South Coast Air Quality Management District’s GHG guidance, as well as the methodological parameters used by the California Air Resources Board when reviewing AB 900 projects. The emissions reduction obligation associated the building permit shall be calculated by reference to the certified EIR’s Greenhouse Gas Emissions Technical Report (Appendix H), which determined total operational emissions as equaling 10,288 metric tons of carbon dioxide equivalent (MT CO₂e) annually, which equates to 308,640 MT CO₂e (10,288 MT CO₂e x 30 years). In making such a determination, the Development Services Director shall require the Project applicant or its designee to provide an attestation or similar documentation from the selected registry(ies) that a sufficient quantity of carbon offsets meeting the standards set forth in this measure have been purchased and retired, thereby demonstrating that the necessary emission reductions are realized.

Fifth, the purchased carbon offsets used to reduce operational GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions.

Sixth, the amount of carbon offsets required shall be based on the operational GHG emissions as identified in the approved GHG emissions report.

Seventh, each implementing Site Plan shall include a tabulation that identifies the overall carbon offsets required to mitigate the entire proposed project’s GHG emissions, the amount of carbon offsets purchased, and the locational attributes of the carbon offsets in order to allow Development Services Director to track and monitor the implementation of the geographic priority provision.

Eighth, all carbon offsets required to reduce the proposed project's operational emissions shall be associated with reduction activities that are geographically prioritized according to the following locational attributes: (1) project design features/on-site reduction measures, (2) off site within the City, (3) off site within the County of San Diego, (4) off site within the state of California, (5) off site within the United States, and (6) off site internationally. As listed, geographic priorities would focus first on local reduction options (including projects and programs that would reduce GHG emissions) to ensure that reduction efforts achieved locally would provide cross-over, co-benefits related to other environmental resource areas, even though the co-benefits are not needed to mitigate impacts to these other environmental resource areas. The applicant or its designee shall first pursue carbon offsets locally within the City consistent with this geographic priority strategy.

The project applicant or its designee shall submit proof to the City that offsets are unavailable in a higher priority category before seeking offsets from the next lower priority category. The Development Services Director shall issue a written determination that offsets are unavailable in a higher priority geographic category before allowing the Project applicant or its designee to use offsets from the next lower priority category. In considering whether offsets are unavailable, the Development Services Director shall consider the feasibility factors as defined in CEQA Guidelines Section 15364 and information available at the time the first building permit request is submitted, including but not limited to:

- The availability of in-State emission reduction opportunities;
- The geographic attributes of carbon offsets that are listed for purchase and retirement;
- The temporal attributes of carbon offsets that are listed for purchase and retirement;
- The pricing attributes of carbon offsets that are listed for purchase and retirement; and/or,
- Any other information deemed relevant to the evaluation, such as periodicals and reports addressing the availability of carbon offsets

MM-GHG-3 As to construction greenhouse gas (GHG) emissions, prior to the City's issuance of the grading permit, the proposed project applicant shall purchase and retire carbon offsets in a quantity sufficient to offset 100% of the proposed project's construction emissions (including sequestration loss from vegetation removal) associated with each such grading permit, consistent with the performance standards and requirements set forth below.

First, "carbon offset" shall mean an instrument issued by any of the following: (i) the Climate Action Reserve, the American Carbon Registry, and the Verra (formerly, Verified Carbon Standard), (ii) any registry approved by the California

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Air Resources Board (CARB) to act as a registry under the state's cap-and-trade program, or (iii) any other reputable registry or entity that issues carbon offsets. Prior to use of option (iii), it shall be demonstrated that the other reputable registry or entity follows accounting, quantification and monitoring protocols, as well as eligibility and procedural performance standards, that are comparable to those used by the registries identified in option (i). For additional information about the protocols and standards referenced in this paragraph, please see the State-approved "Newhall Ranch Greenhouse Gas Reduction Plan," which is included in Appendix H1 of the EIR. Section IX of the "Newhall Ranch Greenhouse Gas Reduction Plan" outlines the protocols and standards that must be followed in order for a registry and the offsets it issues to qualify under this measure.

Second, consistent with CEQA Guidelines Section 15126.4(c), any carbon offset used to reduce the proposed project's GHG emissions shall be a carbon offset that represents the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is "not otherwise required."

Third, "Project applicant" shall mean NRF Project Owner LLC or its designee.

Fourth, as to construction GHG emissions, prior to the City's issuance of the Proposed Project's grading permit, the proposed project applicant shall provide evidence to the satisfaction of the Development Services Director that the proposed project applicant has purchased and retired carbon offsets in a quantity sufficient to offset 100% of the construction GHG emissions generated by the proposed project, as associated with the grading permit, which total 4,951 MT CO₂e.

Fifth, the purchased carbon offsets used to reduce construction GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions.

Sixth, all carbon offsets required to reduce the proposed project's operational emissions shall be associated with reduction activities that are geographically prioritized according to the following locational attributes: 1) project design features/on-site reduction measures; 2) off-site within the City of Oceanside; 3) off-site within the County of San Diego; 4) off-site within the State of California; 5) off-site within the United States; and 6) off-site internationally. As listed, geographic priorities would focus first on local reduction options (including projects and programs that would reduce GHG emissions) to ensure that reduction efforts achieved locally would provide cross-over, co-benefits related to other environmental resource areas, even though the co-benefits are not needed to mitigate impacts to these other environmental resource areas. The proposed project applicant or its designee shall first pursue carbon offsets locally within the City of Oceanside consistent with this geographic priority strategy.

The project applicant or its designee shall submit proof to the City that offsets are unavailable in a higher priority category before seeking offsets from the next lower priority category. The Development Services Director shall issue a written

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determination that offsets are unavailable in a higher priority geographic category before allowing the Project applicant or its designee to use offsets from the next lower priority category. In considering whether offsets are unavailable, the Development Services Director shall consider the feasibility factors as defined in CEQA Guidelines Section 15364 and information available at the time the grading permit request is submitted, including but not limited to:

- The availability of in-State emission reduction opportunities;
- The geographic attributes of carbon offsets that are listed for purchase and retirement;
- The temporal attributes of carbon offsets that are listed for purchase and retirement;
- The pricing attributes of carbon offsets that are listed for purchase and retirement; and/or,
- Any other information deemed relevant to the evaluation, such as periodicals and reports addressing the availability of carbon offsets.

Rationale: The project as mitigated would achieve net zero GHG emissions through a combination of on-site and off-site mitigation measures. MM-GHG-1 would reduce project emissions through onsite design features. Mitigation Measure MM-GHG-2 requires the project applicant to purchase and retire carbon offsets in a quantity that is sufficient to reduce the project’s operational GHG emissions to net zero for a 30-year period. The City, as the lead agency, has determined that a 30-year project life is appropriate and presents the reasonable limits of scientific and evidentiary data for the project, given current modeling tools, the changing regulatory structure, the level of unknowns beyond 2050 with respect to regulatory programs mandating further reductions in GHG emissions, and other available information. (See Revised FEIR.) MM-GHG-3 requires the project applicant to purchase and retire carbon offsets in a quantity sufficient to offset 100 percent of the project’s construction emissions (including sequestration loss from vegetation removal).

Further, based on the analysis presented in the Revised FEIR and record, mitigation measures MM-GHG-2 and MM-GHG-3 meet the requirements of CEQA for mitigating GHG emissions, including CEQA Guidelines Section 15126.4(c)(3) and (c)(4) (allowing GHG mitigation by “[o]ff-site measures, including offsets that are not otherwise required” and “[m]easures that sequester greenhouse gases”). The City notes that CEQA Guidelines Section 15126.4(c) does not establish a hierarchy of allowable mitigation options – there are no limits imposed on the geographic or locational attributes of the mitigation options, and there is no imperative to secure additional on-site reductions before utilizing carbon offsets. This is because GHGs emissions are global and cumulative in nature, not local, regional, or even national. Nonetheless, MM-GHG-2 and MM-GHG-3 are subject to a geographic priority system that prioritizes emissions reductions in the City.

Purchasing and retiring carbon credits is recognized by the California Air Resources Board as appropriate and feasible mitigation for GHG emissions. Its *California’s 2017 Climate Change Scoping Plan* recognizes that net zero is an appropriate objective for new development. It also

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states it also may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits. Implementation of MM-GHG-2 and MM-GHG-3 in conjunction with the on-site measures required by MM-GHG-1, combine on- and off-site reduction strategies is consistent with the discretion accorded the City by CEQA to mitigate GHG emissions.

In sum, implementation of the identified mitigation measures MM-GHG-1, MM-GHG-2, and MM-GHG-3 would reduce impacts associated with the generation of GHGs to less than significant.

2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases

Description of Significant Effect: The proposed project may interfere with implementation of any of the previously described GHG reduction goals for 2030 or 2050 because the proposed project would result in an exceedance of the calculated efficiency metric. Therefore the proposed project would not be consistent with SB 32 and EO S-3-05.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-GHG-1, MM-GHG-2, and MM-GHG-3 are adopted to mitigate the significance of impacts associated with a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. See discussion of impacts associated with the generation of greenhouse gas emissions, above, for text of mitigation measures MM-GHG-1, MM-GHG-2, and MM-GHG-3.

Rationale: With mitigations measures MM-GHG-1, MM-GHG-2, and MM-GHG-3, the proposed project would reduce impacts from GHG emissions through the purchase of carbon offsets resulting in net zero GHG emissions. Therefore, the proposed project would not interfere with implementation of any of the GHG reduction goals for 2030 or 2050. The project would be consistent with the City of Oceanside General Plan and the Regional Plan, such that impacts would be less than significant and no mitigation is required. Refer to EIR Section 4.8, and specifically Tables 4.8-10 and 4.8-11.

G. Hazards and Hazardous Materials

1) Significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment

Description of Significant Effect: Based upon the age of on-site structures, there is potential for asbestos-containing material (ACM) and/or lead-containing paint (LCP) to be present, and for impacts associated with demolition and removal of these structures.

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Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-HAZ-1 Prior to demolition permit issuance by the City of Oceanside (City), an asbestos and lead-based paint abatement work plan shall be prepared in compliance with local, state, and federal regulations for any necessary removal and disposal of such materials. Prior to implementation, the work plan must be reviewed and accepted by the County of San Diego Department of Environmental Health. A California-licensed lead/asbestos abatement contractor shall be used for the removal work and proper removal methodology as outlined in CalOSHA Title 8, Section 1529, of the California Code of Regulations, and all other applicable federal, state, and local regulations regarding the removal, transport and disposal of asbestos-containing material shall be applied.

The asbestos and lead-based paint abatement work plan shall include a monitoring plan to be conducted by a qualified consultant during abatement activities to ensure compliance with the work plan requirements and abatement contractor specifications. The work plan shall include provisions for construction worker training, worker protection, and preparation of exposure assessments as needed. As part of the work plan, construction contractors shall consult federal Occupational Safety and Health Administration (OSHA) Regulations at Title 29, Section 1926.62, of the Code of Federal Regulations and Cal-OSHA Regulations at Title 8, 1532.1, "Lead in Construction" standards for complete requirements. Demolition plans and contract specifications shall incorporate any necessary abatement measures for the removal of materials containing lead-based paint and asbestos to the satisfaction of the City Building Division. The measures shall be consistent with the abatement work plan prepared for the proposed project and conducted by a California-licensed lead/asbestos abatement contractor.

Rationale: Implementation of the identified mitigation measure MM-HAZ-1 would reduce the impact to less than significant because MM-HAZ-1 requires the implementation of an ACM and LCP work plan prior to demolition of these structures to confirm the presence of these hazardous materials and to determine the appropriate healthy and safety requirements for demolition and disposal.

2) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school

Description of Less- Than-Significant Effect: Based upon the age of on-site structures, there is potential for asbestos-containing material (ACM) and/or lead-containing paint (LCP) to be present, and for impacts associated with demolition and removal of these structures. No schools are located

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within one-quarter mile of the proposed site; nonetheless, mitigation is adopted to minimize any risk to public health.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-HAZ-1 is adopted to mitigate the significance of impacts associated with a conflict with the emission of hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. See discussion of impacts associated with hazards related to upset or accident conditions, above, for text of MM-HAZ-1.

Rationale: Implementation of MM-HAZ-1 would reduce impacts related to the potential release of hazardous materials into the immediate area to less than significant.

H. Land Use and Planning

1) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project

Description of Significant Effect: As detailed in the Revised FEIR, the proposed project would not conflict with the City of Oceanside General Plan with mitigation incorporated to reduce potentially significant impacts.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-AQ-1, MM-BIO-1, MM-BIO-2, MM-BIO-3, MM-CUL-1, MM-CUL-2, MM-CUL-3, MM-GEO-1, MM-HAZ-1, MM-NOI-1, MM-NOI-2, MM-NOI-3, and MM-TRA-1 through MM-TRA-14 are adopted to mitigate the significance of impacts associated with General Plan consistency. See discussion of impacts to air quality, biological resources, cultural resources, hazards/ hazardous materials, noise, and traffic for full text of these measures.

Rationale: Land use and planning impacts would be less than significant with implementation of MM-AQ-1, MM-BIO-1, MM-BIO-2, MM-BIO-3, MM-CUL-1, MM-CUL-2, MM-CUL-3, MM-GEO-1, MM-HAZ-1, MM-NOI-1, MM-NOI-2, MM-NOI-3, and MM-TRA-1 through MM-TRA-14, which ensure the project would not conflict with the City's General Plan. The project would not conflict Oceanside Zoning Ordinance, draft Agritourism Strategic Plan, SANDAG's RTP/SCS, or the Regional Plan. No mitigation is required for these less than significant impacts.

2) Conflict with any applicable habitat conservation plan or natural community conservation plan

Description of Significant Effect: The project would impact 0.31 acres of native habitat within the 100-foot buffer of the San Luis Rey River would be potentially significant. This impact includes 0.07 acres of disturbed wetland, 0.15 acres of mulefat scrub, 0.07 acres of non-vegetated

channel, and 0.02 acres of southern arroyo willow riparian forest. This impact would require mitigation under the draft Oceanside Subarea Plan.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-BIO-2 and MM-BIO-3 are adopted to mitigate the significance of impacts associated with draft Oceanside Subarea Plan. See discussion of impacts to biological resources, above, for full text of these measures.

Rationale: Implementation of MM-BIO-2, which requires preservation in accordance with the Oceanside Subarea Plan, and MM-BIO-3, which requires revegetation of slopes, would reduce potentially significant impacts related to potential conflicts with the draft Oceanside Subarea Plan to a level below significance by requiring mitigation and preservation consistent with the requirements of the Oceanside Subarea Plan for habitat in the Off-Site Mitigation Zone.

I. Noise

1) Generation of noise levels in excess of standards established in the local general plan or noise ordinance

Description of Significant Effect: Based on the noise modeling, while construction noise is not expected to exceed 85 dBA at the nearest existing residence, it could reach up to 85 dBA Leq at the nearest residence. Although unlikely, the proposed project could require blasting to excavate granitic rock located in portions of the project site. To ensure that construction and blasting activities do not result in an exceedance of noise standards, mitigation would be required. In addition, there is a possibility of interior noise levels at on-site residential uses exceeding the 45 dBA CNEL noise limits. These on-site receivers exceeding the City's land use noise standards would result in impacts that are potentially significant. Noise impacts from non-residential land uses upon adjacent on-site residential land uses within the project site are also conservatively considered potentially significant, as ultimate buildout would be determined by future development plans and is not known at this time.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-NOI-1 Construction Noise Reduction Measures. Prior to the start of construction of the proposed project, the following construction noise measures shall be included in the construction plans to be implemented by the construction contractor. Noise-generating activities at the construction site or in areas adjacent to the construction site associated with the project in any way shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. In addition, all construction activity shall comply with the following requirements:

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1. Use available noise suppression devices and properly maintain and muffle loud construction equipment.
2. Avoid the unnecessary idling of equipment and stage construction equipment as far as reasonable from residences.
3. Notify adjacent uses of the construction schedule.
4. All noise-producing project equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed “package” equipment (e.g., arc-welders, air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.
5. All mobile or fixed noise-producing equipment used on the proposed project that are regulated for noise output by a local, state, or federal agency shall comply with such regulation while in the course of project activity.
6. The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
7. Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary.

MM-NOI-2 Prior to approval of the grading permit for any portion of the proposed project, the applicant or the designated contractor shall prepare, or cause to be prepared, a blast drilling and monitoring plan. The plan shall include estimates of the drill noise levels, maximum noise levels (Lmax), air-blast overpressure levels, and groundborne vibration levels at each residential property line within 1,000 feet of the blasting location, and shall be submitted to the City of Oceanside (City) for review prior to the first blast. Blasting shall not commence until the City has approved the blast plan. Where potential exceedances of the City’s Noise Ordinance are identified, the blast drilling and monitoring plan shall identify mitigation measures shown to effectively reduce noise and vibration levels (e.g., altering orientation of blast progression, increased delay between charge detonations, presplitting) to be implemented to comply with the noise level limits of the City’s Noise Ordinance. The identified mitigation measures shall be implemented by the applicant or its designee prior to the issuance of the grading permit. Additionally, project phases involving blasting shall conform to the following requirements:

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- All blasting shall be performed by a blast contractor and blasting personnel licensed to operate in the City.
- Each blast shall be monitored and recorded with an air-blast overpressure monitor and groundborne vibration accelerometer located outside the closest residence to the blast and approved by the City.

MM-NOI-3 Interior Noise Study. Prior to the approval of building permits, the applicant shall submit an interior noise study for approval by the City Planning Department for lots identified to have a future traffic noise exposure level above 60 dBA CNEL. To comply with the City and state's 45 dB CNEL interior noise standard, these residential dwelling units would likely require additional noise attenuating features such as mechanical ventilation system or air conditioning system and sound-rated windows, as determined by the interior noise study. The interior noise study shall ensure compliance with the City and state's 45 dB CNEL noise standard.

MM-NOI-4 On-Site Non-Residential Noise Study. When the specific detailed site planning is completed for each commercial area that includes individual lot layouts, site plans, and building specifications, a noise assessment consistent with the City of Oceanside's noise standards shall be performed to address potential noise impacts from non-residential land uses affecting the adjacent residential land uses on the project site. Evaluation of commercial mechanical equipment noise and truck delivery noise shall be considered in the assessment. Setbacks or noise barriers shall be features analyzed as noise control methods to ensure compliance with the City's Noise Element and Noise Ordinance.

Rationale: Mitigation measure MM-NOI-1 would require construction noise reduction measures to be implemented to reduce the potential for construction noise to exceed the City's threshold. With incorporation of MM-NOI-1, construction-related noise impacts would be less than significant. If blasting is required to excavate granitic rock, MM-NOI-2 would require that a blast drilling and monitoring plan be prepared and effective measures included to reduce noise below Noise Ordinance standards. With incorporation of MM-NOI-2 construction-related noise impacts would also be reduced to a level below significance.

MM-NOI-3 involves review of the residential building construction details to ensure that interior noise levels do not exceed 45 dBA CNEL, would be implemented to reduce impacts to NSLUs on site. Noise impacts related to on-site residential uses would thus be reduced to less than significant with implementation of MM-NOI-3. With implementation of MM-NOI-4, impacts related to noise from project commercial uses on on-site NSLUs would be less than significant. Nonresidential land uses would be located approximately 1,750 feet from the nearest off-site residential land uses, and therefore would have no impact on off-site NSLUs.

2) Generation of excessive groundborne vibration or groundborne noise levels

Description of Significant Effect: Although unlikely, the proposed project could require blasting to excavate granitic rock located in portions of the project site.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-NOI-5 Prior to beginning construction of any project component within 200 feet of an existing or future occupied residence, the applicant or its designee shall require preparation of a vibration monitoring plan for submittal to the City of Oceanside (City) noise control officer for review and approval. At a minimum, the vibration monitoring plan shall require data to be sent to the City noise control officer or designee on a weekly basis or more frequently as determined by the City noise control officer.

The vibration monitoring plan shall include the location of vibration monitors, the vibration instrumentation used, a data acquisition and retention plan, and exceedance notification and reporting procedures. A description of these plan components is provided in the following text.

Location of Vibration Monitors: The vibration monitoring plan shall include a scaled plan indicating monitoring locations, including the location of measurements to be taken at construction site property lines and at nearby residential properties.

Vibration Instrumentation: Vibration monitors shall be capable of measuring maximum unweighted root mean square and PPV levels triaxially (in three directions) over a frequency range of 1 to 100 hertz. The vibration monitor shall be set to automatically record daily events during working hours and to record peak triaxial PPV values in 5-minute interval histogram plots. The method of coupling the geophones to the ground shall be described and included in the report. The vibration monitors shall be calibrated within 1 year of the measurement, and a certified laboratory conformance report shall be included in the report.

Data Acquisition: The information to be provided in the data reports shall include, at a minimum, daily histogram plots of PPV versus time of day for three triaxial directions and maximum peak vector sum PPV and maximum frequency for each direction. The reports shall also identify the construction equipment operation during the monitoring period and their locations and distances to vibration measurement locations.

Exceedance Notification and Reporting Procedures: A description of the notification of exceedance and reporting procedures shall be included, and follow-

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up procedures shall be taken to reduce vibration levels to below the allowable limits.

Rationale: Implementation of MM-NOI-5 would reduce blasting noise impacts to less than significant because it would require that a vibration monitoring plan be prepared and implemented.

3) Generation of substantial temporary or periodic increase in ambient noise levels

Description of Significant Effect: Construction and blasting noise levels could result in a substantial temporary increase in ambient noise levels above levels existing without the project.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-NOI-1 and MM-NOI-2 are adopted to mitigate the significance of temporary or periodic noise impacts. See discussion of generation of noise in excess of established standards, above, for full text of MM-NOI-1 and MM-NOI-2.

Rationale: Mitigation measure MM-NOI-1 would require construction noise reduction measures to be implemented to reduce the potential for construction noise to exceed the City's threshold. If blasting is required to excavate granitic rock, MM-NOI-2 would require that a blast drilling and monitoring plan be prepared. With incorporation of MM-NOI-1 and MM-NOI-2 construction-related noise impacts would be reduced to a level below significance.

I. Public Services

1) Fire Protection Services

Description of Significant Effect: The proposed project does not strictly comply with the City's 5-minute response goal.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-PUB-1 Permanent Fire Station onsite. Prior to the last certificate of occupancy, the applicant shall:

- Provide a location for a permanent fire station (Fire Station No. 9) within the project site's Village Core, such that it would be located within a 5-minute response time to the entire project site.
- Provide housing accommodations for two (2) personnel to staff the fire station. The fire station shall include a minimum of 1,000 square feet of residential facilities (including bedrooms, bathrooms, and a kitchen) and storage accommodations for a fire service apparatus (such as a covered parking area).

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- Pay the City of Oceanside for the actual cost of up to \$350,000 for the purchase of an appropriate fire apparatus for use at the fire station. The apparatus shall be similar to an HME Type 6 Wildland vehicle.
- Contribute funding to the ongoing staff operations cost for two (2) personnel.

Rationale: Mitigation measure MM-PUB-1 would reduce impacts to public services to less than significant because it would include new fire protection facilities and funding for personnel to staff the fire station as part of the proposed project. The project would therefore not require the construction or provision of additional new or physically altered government facilities elsewhere in the City in order to maintain acceptable service ratios, response times or other performance objectives.

J. Traffic and Circulation

1) Direct Impact to N. River Road: North River Circle to Stallion Drive Segment

Description of Significant Effect: The project would have a significant direct impact to the N. River Road: North River Circle to Stallion Drive segment.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-TRA-7 N. River Road: North River Circle to Stallion Drive. Prior to the issuance of the building permit for the 35th dwelling unit, the applicant shall complete one of the following two options:

- **Option 1:** Restripe this roadway to remove on-street parking and the bike lane buffer to provide four 11-foot lanes, maintain a 10-foot TWLTL, and maintain the 5-foot bike lanes, which would meeting the City's Secondary Collector standards and provide an LOS E capacity of 30,000 ADT; or
- **Option 2:** Restripe this roadway to provide two 11-foot eastbound travel lanes, an 11-foot TWLTL, one 11-foot westbound lane, 2-foot bike buffers, and 4-foot bike lanes in each direction while maintaining the 8-foot on-street parking on the north side of the roadway. This would provide an LOS E capacity of 20,000 ADT.

Rationale: Mitigation measure MM-TRA-7 would reduce impacts to the segment to less than significant because the applicant will complete one of two options, which include restriping the roadway to provide improved roadway capacity.

2) Direct Impact to N. River Road: Stallion Drive to Wilshire Road Segment

Description of Significant Effect: The project would have a significant direct impact N. River Road: Stallion Drive to Wilshire Road segment.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-TRA-8 N. River Road: Stallion Drive to Wilshire Road. Prior to the issuance of the first building permit, the applicant shall pay a fair share contribution toward the possible future two-lane roundabout improvements that would be required once the 21,000 ADT threshold on N. River Road has been met.

Rationale: Improvements to widen this roundabout to two lanes would be needed once the traffic volumes amount to 21,900 total ADT. To account for this, the proposed project would construct a one-lane roundabout with a 150-foot radius, capable of accommodating two lanes in the future through median reconstruction, should it be determined necessary in the future. Mitigation measure MM-TRA-8 would reduce impacts to the N. River Road: Stallion Drive to Wilshire Road segment to less than significant through paying a fair share contribution toward possible future two-lane roundabout improvements, which improve the capacity of the roadway segment when such an improvement is needed.

3) Direct Impact to N. River Road: Wilshire Road to Sleeping Indian Road Segment

Description of Significant Effect: The project would have a significant direct impact on the N. River Road: Wilshire Road to Sleeping Indian Road segment.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-TRA-9 N. River Road: Wilshire Road to Sleeping Indian Road. Prior to the issuance of the building permit for the 74th dwelling unit, the applicant shall widen the N. River Road/Sleeping Indian Road intersection to provide an eastbound dedicated left-turn lane.

Rationale: Mitigation measure MM-TRA-9 would reduce impacts to the N. River Road: Wilshire Road to Sleeping Indian Road segment to less than significant because the applicant will widen the N. River Road/Sleeping Indian Road intersection to provide an eastbound dedicated left-turn lane, which will provide a refuge lane for left-turning vehicles, thus improving the flow of eastbound thru traffic and reducing the potential for vehicular conflict due to the slowing of eastbound traffic. The improvements proposed at the easterly project roundabout at Wilshire Road would also improve operations along this segment.

4) Direct Impact to Douglas Avenue: SR-76 to El Camino Real Segment

Description of Significant Effect: The project would have a significant direct impact on the Douglas Avenue: SR-76 to El Camino Real segment.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-TRA-10 Douglas Avenue: SR-76 to El Camino Real. Prior to the issuance of the building permit for the 39th dwelling unit, the applicant shall construct a raised median within the existing TWLTL to achieve a Four-Lane Major Road LOS E capacity of 40,000 ADT.

Rationale: According to the City's Master Transportation Roadway Plan, the segment of Douglas Avenue from SR-76 to El Camino Real is identified as having a future classification of a Four-Lane Major Arterial. Mitigation measure MM-TRA-10 would reduce impacts to the Douglas Avenue: SR-76 to El Camino Real segment to less than significant by constructing a raised median within the existing two-way left turn lane to accommodate additional road roadway capacity along this segment.

K. Tribal Cultural Resources

1) Impacts to tribal cultural resources as defined in California Public Resources Code Section 21074

Description of Significant Effect: While no tribal cultural resources that may be affected by the project have been identified, mitigation measure MM-TCR-1 is incorporated in the event of unanticipated discovery of unknown tribal cultural resources.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-TCR-1 An appropriate approach to potential impacts to Tribal Cultural Resources (TCRs) (as defined by PRC Section 21074) is developed in response to the identified presence of a TCR by California Native American Tribes through the process of consultation. While no TCRs have been identified that may be affected by the project, the following approach for the inadvertent discovery of TCRs has been prepared to ensure there are no impacts to unanticipated resources.

The City shall require that a Native American and archaeological monitor are present during ground-disturbing activities with the greatest potential to encounter Native American cultural resources, consistent with, and as required by MM-CUL-1. The archaeological and Native American monitors shall have the authority to

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temporarily halt work to inspect areas as needed for potential cultural material or deposits. Should a potential TCR be inadvertently encountered, all construction work involving ground-disturbance occurring within 50 feet of the find shall immediately stop and the City notified. If the unanticipated resource is archaeological in nature, appropriate management requirements shall be implemented as outlined in MM-CUL-1. Ground disturbance in this area shall not commence until the qualified archaeological principal investigator, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. The 50 foot buffer may be adjusted based on the recommendation of the qualified archaeological principal investigator. Should it be required, temporary flagging may be installed around this resource in order to avoid any disturbances from construction equipment. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeological monitor in correspondence with the qualified archaeological principal investigator may simply be required to record the find to appropriate standards (thereby addressing any data potential).

If the qualified archaeological principal investigator observes the discovery to be potentially significant under City, CEQA or Section 106 of the NHPA, additional efforts such as preparation of an archaeological treatment plan, testing, and/or data recovery may be warranted prior to allowing construction to proceed in this area. The feasibility for avoidance of any identified resource will also be discussed with the City. The City shall be notified of any identified Native American cultural resource, regardless of significance, and provided the opportunity to provide management recommendations prior to moving forward in construction in areas that might disturb the identified resource. If the City determines through consultation with NAHC-listed representatives that the potential resource appears to be a tribal cultural resource (as defined by PRC Section 21074), any affected tribe shall be provided a reasonable period of time to conduct a site visit and make recommendations regarding future ground disturbance activities as well as the treatment and disposition of any discovered tribal cultural resources. Depending on the nature of the potential resource and Tribal recommendations, review by a qualified archaeologist may be required. Implementation of proposed recommendations will be made based on the determination of the City that the approach is reasonable and feasible. All activities shall be conducted in accordance with regulatory requirements.

Rationale: Mitigation measure MM-TCR-1 would reduce impacts to the impacts to tribal cultural resources to less than significant by ensuring unanticipated significant archaeological deposits are appropriately monitored identified, treated, tested, and/or avoided.

L. Utilities and Service Systems

1) Construction of new stormwater drainage facilities

Description of Significant Effect: Impacts within a 100-foot San Luis Rey River conservation buffer area are proposed for improvements to N. River Road, and for off-site storm drain easements and outfalls to the San Luis Rey River. This would result in impacts to native upland vegetation and riparian/wetland habitats.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-BIO-2 is adopted to mitigate the significance of impacts to federally protected wetlands. See discussion of Impacts to Riparian Habitat and Sensitive Natural Communities, above, for text of MM-BIO-2.

Rationale: Implementation of MM-BIO-2 would reduce impacts to native upland vegetation and riparian/wetland habitats to less than significant through preservation of wetlands in accordance with the draft Oceanside Subarea Plan.

III. POTENTIALLY SIGNIFICANT IMPACTS THAT CANNOT BE MITIGATED BELOW A LEVEL OF SIGNIFICANCE (CEQA GUIDELINES § 15091(A)(3))

This section identifies the significant unavoidable impacts that require a Statement of Overriding Considerations to be issued by the City upon approval of the North River Farms Planned Development Plan project. Based on the analysis contained in the Revised FEIR, the following impacts to population and housing and transportation and traffic have been determined to fall within this “significant unavoidable impact” category. These unavoidable impacts are overridden by project benefits as set forth in the statement of overriding considerations in Section X, below.

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(3) of the State CEQA Guidelines, the City of Oceanside City Council finds that, for each of the following significant effects, specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Revised FEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

A. Population and Housing

1) Direct growth inducement

Description of Significant Effect: The project has the potential to induce substantial population growth because it would exceed planned residential and population growth in the area, result in land uses that could provide economic stimulus, and expand sewer infrastructure.

Finding: Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or the project alternatives identified in the Revised FEIR. Therefore, this

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impact is considered significant and unavoidable. This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section X, below.

Mitigation Measures: Specific economic, legal, social, technological, or other considerations make the mitigation measures identified in the Revised FEIR infeasible. No feasible mitigation measures exist to avoid or reduce the identified significant aesthetic impact.

Rationale: The project has the potential for growth-inducing effects because the project would introduce a population beyond what is planned for the project site. Additionally, as the project site is developed and eventually built out as proposed, existing adjacent and nearby land may be encouraged to intensify uses. Additionally, the proposed land use intensification could potentially result in growth inducement due to potential for unplanned infrastructure improvements, including the expansion of sewer infrastructure. Further, construction of the proposed project would generate an economic stimulus from the use of building materials, sales of residential units, operation of the proposed project's commercial and agricultural facilities, and introduction of new consumer demand in the area. Subsequent adverse environmental effects may result from such growth. At the same time, CEQA cautions against assuming that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. Nonetheless, on balance, the proposed project would induce substantial population growth because it would exceed planned residential and population growth in the area, and there are no feasible mitigation measures for this impact. Such impacts cannot be feasibly mitigated, absent a feasible alternative to the project or the City's adoption of the applicant's requested General Plan Amendment. Impacts would be significant and unavoidable.

B. Traffic and Circulation

1) Direct Impact to Vandegrift Boulevard/N. River Road intersection.

Description of Significant Effect: The project would have a significant direct impact at the Vandegrift Boulevard/N. River Road intersection.

Finding: The below mitigation measure is feasible, is adopted, and will substantially lessen the traffic and circulation impacts attributable to the project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant traffic impact attributable to the project, as identified in the Revised FEIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this traffic impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Section X, Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh the significant and unavoidable impacts.

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Mitigation Measures: While there are no feasible mitigation measures available to avoid or mitigate the identified impact to a less than significant level, the following feasible mitigation measures will substantially lessen the identified impact:

MM-TRA-1 Vandegrift Boulevard/N. River Road. Prior to the issuance of the 100th building permit of a “for sale” unit, excluding model building permits, the applicant shall be required to construct a second northbound right turn lane with overlapping traffic signal phasing. This improvement shall result in dual northbound to eastbound right turn lanes. All striping, bicycle lanes, traffic signal hardware and traffic signal timing shall be completed to the reasonable satisfaction of the City of Oceanside Traffic Engineer. The City shall reasonably cooperate in the acquisition of right of way necessary for the improvement. City incurred acquisition cost, if any, shall be reimbursed by the applicant.

Rationale: Currently at the Vandegrift Boulevard/N. River Road intersection, dual westbound left-turns are provided, but only a single northbound right-turn. No improvement plans are identified in the City’s Master Transportation Roadway Plan, nor does the City control any right of way to widen this intersection. Accordingly, the applicant shall construct a second northbound right turn lane with overlapping traffic signal phasing at this intersection, which improvement shall result in dual northbound to eastbound right turn lanes. All striping, bicycle lanes, traffic signal hardware and traffic signal timing would be completed to the reasonable satisfaction of the City Traffic Engineer and prior to the issuance of the 100th building permit of a “for sale” unit, excluding model building permits. By adopting the condition, the City agrees to reasonably cooperate in the acquisition of right-of-way necessary for the improvement from NCTD. It is anticipated that the City will be able to acquire the right-of-way as necessary to this intersection expansion and in the public interest. The expansion offers the greatest public benefit by improving circulation, including bicycle and pedestrian circulation, and would be located within existing development. This improvement will fully mitigate permanent operational impacts at this intersection to less-than-significant levels. However, as it is not certain the needed right-of-way to construct this improvement will be timely acquired by the City, this impact is conservatively considered significant. It is further anticipated that the earliest feasible time for right-of-way acquisition and completion of this improvement, given legal and technical constraints, is the 100th building permit for a “for sale” unit. The identified significant effect would occur at an earlier equivalent dwelling (specifically, at the 19th dwelling unit); accordingly temporary impacts until completion of this improvement would be considered significant and unavoidable. A Statement of Overriding Considerations is required with adoption of the project.

2) Direct Impact to N. River Road/College Boulevard intersection.

Description of Significant Effect: The project would have a significant direct impact at the N. River Road/College Boulevard intersection.

Finding: The below mitigation measure is feasible, is adopted, and will substantially lessen the traffic and circulation impacts attributable to the project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant traffic impact attributable to the project, as identified in the Revised FEIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this traffic impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Section X, Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh the significant and unavoidable impacts.

Mitigation Measures: While there are no feasible mitigation measures available to avoid or mitigate the identified impact to a less than significant level, the following feasible mitigation measures will substantially lessen the identified impact:

MM-TRA-4 N. River Road/College Boulevard. Prior to the issuance of the 142nd building permit, the applicant shall provide the following improvements to the College Boulevard Bridge and surrounding portions of the roadway to the satisfaction of the City of Oceanside:

- Modification of the existing College Boulevard Bridge to accommodate six (6), 11-foot lanes of traffic on the existing concrete deck. The barrier and sidewalk on the north side of the bridge shall be removed, with the barrier replaced with a new type. The existing center barrier shall be removed and replaced with a raised center median.
- Installation of two new 8-foot bicycle and pedestrian cantilevered pathways affixed to the north and south side of the College Boulevard Bridge.
- Restriping of College Boulevard between Adams Street and the eastern limits of the bridge to include the addition of two 11-foot lanes. Additionally, the existing bicycle lanes shall be reduced to 5 feet in width. The addition of these travel lanes shall occur within the existing right-of-way and requires a width reduction of the existing median.
- Conversion of the northbound right-turn lane to Adams Street from College Boulevard into a through-lane and right-turn lane.

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- Restriping of the N. River Road/College Boulevard intersection to the following:
 - The northbound right-turn lane shall be extended to match the widening of the bridge described previously.
 - An additional 12-foot northbound through lane shall be provided on N. River Road for a total of three northbound through lanes.
 - Widening the curb-to-curb width on College Boulevard be 86 feet, to match the curb-to-curb width of the bridge.
 - Provision of a new sidewalk along the eastern portion of the N. River Road intersection, to create a connection to the 8-foot-wide pathway planned along the eastern edge of the bridge.
 - Provision of a connection between the cantilevered pathway and the San Luis Rey River Bike Trail.

Rationale: The N. River Road/College Boulevard intersection is currently built with dual westbound to northbound right-turn lanes, and reciprocal southbound to eastbound left-turn lanes. Right-turn overlap (RTOL) phases are also provided to accommodate heavy right-turn movements. To fully mitigate the direct and cumulative impacts to below significant levels, additional lanes would be needed at this intersection. The City's Master Transportation Roadway Plan does indicate widening of the westbound (College Boulevard) approach to include an additional left-turn lane. Although the City identifies improvements for this intersection, the City's Thoroughfare and Traffic Signal Fee Program Update Study does not provide a funding mechanism for the proposed project to pay a fair share toward. According to the City's Master Transportation Roadway Plan and General Plan, this intersection is forecasted to operate at LOS E or F in the future, and is accepted at LOS F conditions.

Widening of the College Boulevard Bridge would mitigate impacts to this intersection. However, legal, environmental, and social factors have previously prevented completion of bridge widening, despite City impetus. Widening of the College Boulevard Bridge is substantially out of proportion with project impacts to this intersection and impacted roadways; refer to the Revised FEIR, Topical Response TR-2. Despite this, the applicant has agreed to implement MM-TRA-4 prior to the issuance of the 142nd building permit. The additional travel lanes provided by mitigation measure MM-TRA-4 would extend right-turn lanes on College Boulevard at N. River Road, resulting in an improvement in delays. MM-TRA-4 would fully mitigate this impact to less-than-significant once completed. However, the identified significant effect would occur at an earlier equivalent dwelling unit than the 142nd. Temporary impacts would thus be considered significant. A Statement of

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Overriding Considerations is required with adoption of the project. However, the improvements, once completed, would fully mitigate permanent operational traffic impacts.

IV. CUMULATIVE ENVIRONMENTAL IMPACTS FOUND TO BE NOT SIGNIFICANT OR LESS THAN SIGNIFICANT AFTER MITIGATION

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the State CEQA Guidelines, the City of Oceanside City Council finds that, for each of the following significant cumulative effects identified in the Revised FEIR, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the identified significant effects on the environment to less than significant levels. The significant effects and mitigation measures are stated fully in the Revised FEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

A. Traffic and Circulation

1) Cumulative Impact to N. River Rd/Leon St intersection.

Description of Significant Effect: The project would have a significant cumulative impact at the N. River Rd/Leon St intersection.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-TRA-2 N. River Road/Leon Street. Prior to the issuance of the building permit for the 90th dwelling unit, the applicant shall signalize this intersection, to the satisfaction of the City of Oceanside.

Rationale: Mitigation Measure MM-TRA-2 would reduce impacts to the N. River Rd/ Leon St. intersection to less than significant because it would provide signalization, which would improve the circulation of this intersection.

2) Cumulative Impact to Douglas Drive/N. River Road intersection.

Description of Significant Effect: The project would have a significant cumulative impact at the Douglas Drive/N. River Road intersection.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: While there are no feasible mitigation measures available to avoid or mitigate the identified impact to a less than significant level, the following feasible mitigation measures will substantially lessen the identified air quality impact:

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MM-TRA-3 Douglas Drive/N. River Road. Prior to the issuance of the building permit for the 289th dwelling unit, the applicant shall provide an eastbound right-turn overlap phase at this intersection.

Rationale: Mitigation Measure MM-TRA-3 would reduce impacts to the Douglas Drive/N. River Road intersection to less than significant because it would provide an eastbound right-turn overlap phase, which would improve the circulation of this intersection.

3) Cumulative Impact to SR-76/Rancho Del Oro Drive intersection

Description of Significant Effect: The project would have a significant cumulative impact at the SR-76/Rancho Del Oro Drive intersection.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-TRA-5 SR-76/Rancho Del Oro Drive; SR-76/Old Grove Road; SR-76/Frazer Road. Prior to the issuance of the building permit for the 165th dwelling unit, the applicant shall pay Caltrans an amount not-to-exceed \$400,000 to implement Adaptive Traffic Signal Controls on SR-76 at up to eight (8) intersections within the traffic study area to mitigate the cumulative impacts along SR-76.

Rationale: Mitigation Measure MM-TRA-5 would reduce impacts to the SR-76/Rancho Del Oro Drive intersection to less than significant because it would provide Adaptive Traffic Signal Controls on SR-76, which would improve the circulation of this intersection.

4) Cumulative Impact to SR-76/Old Grove Road Intersection

Description of Significant Effect: The project would have a significant cumulative impact at the SR-76/Old Grove Road intersection.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-TRA-5 is adopted to mitigate the significance of this impact. See discussion regarding direct impacts at this segment, above, for text of MM-TRA-5.

Rationale: Mitigation Measure MM-TRA-5 would reduce impacts to the SR-76/Old Grove Road intersection to less than significant because it would provide Adaptive Traffic Signal Controls on SR-76, which would improve the circulation of this intersection.

5) Cumulative Impact to SR-76/Frazer Road Intersection

Description of Significant Effect: The project would have a significant cumulative impact at the SR-76/Frazer Road intersection.

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Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-TRA-5 is adopted to mitigate the significance of this impact. See discussion regarding direct impacts at this segment, above, for text of MM-TRA-

Rationale: Mitigation Measure MM-TRA-5 would reduce impacts to the SR-76/ Frazee Road intersection to less than significant because it would provide Adaptive Traffic Signal Controls on SR-76, which would improve the circulation of this intersection.

6) Cumulative Impact to SR-76/College Boulevard Intersection

Description of Significant Effect: The project would have a significant cumulative impact at the SR-76/College Boulevard intersection.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-TRA-6 SR-76/College Boulevard. Prior to the issuance of the building permit for the 62nd dwelling unit, the applicant shall pay a fair share contribution toward the planned improvements at this intersection based on the trips associated with final approved residential dwelling units.

Rationale: The SR-76/College Boulevard intersection is proposed to be improved per the City Master Transportation Roadway Plan to provide an additional southbound thru lane and three northbound thru lanes with two dedicated right-turn lanes with an overlap phase. Per the City's adopted General Plan, this intersection is accepted at LOS E and F conditions with implementation of these improvements. The improvements to this intersection have been designed and a construction cost has been prepared. Mitigation Measure MM-TRA-6 would reduce impacts to the SR-76/ College Boulevard intersection to less than significant because it would provide a fair share contribution toward the funding of planned improvements at this intersection, which would improve the circulation of this intersection to accepted levels of service.

7) Cumulative Impact to N. River Rd: North River Cir. to Stallion Dr. Segment

Description of Significant Effect: The project would have a significant cumulative impact on N. River Rd: North River Cir. to Stallion Dr. segment.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-TRA-7 is adopted to mitigate the significance of this impact. See discussion regarding direct impacts at this segment, above, for text of MM-TRA-7.

Rationale: Mitigation measure MM-TRA-7 would reduce impacts to the segment to less than significant because the applicant will complete one of two options, which include restriping the roadway to provide improved roadway capacity.

8) Cumulative Impact to Douglas Ave: SR-76 to El Camino Real Segment

Description of Significant Effect: The project would have a significant cumulative impact on Douglas Ave: SR-76 to El Camino Real segment

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-TRA-10 is adopted to mitigate the significance of this impact. See discussion regarding direct impacts at this segment, above, for text of MM-TRA-10.

Rationale: According to the City's Master Transportation Roadway Plan, the segment of Douglas Avenue from SR-76 to El Camino Real is identified as having a future classification of a Four-Lane Major Arterial. Mitigation measure MM-TRA-10 would reduce impacts to the Douglas Avenue: SR-76 to El Camino Real segment to less than significant by constructing a raised median within the existing two-way left turn lane to accommodate additional road roadway capacity along this segment.

9) Cumulative Impact to Douglas Ave: El Camino Real to N. River Rd Segment

Description of Significant Effect: The project would have a significant cumulative impact on Douglas Ave: El Camino Real to N. River Rd segment.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures:

MM-TRA-11 Douglas Avenue: El Camino Real to N. River Road. Prior to the issuance of the building permit for the 473rd dwelling unit, the applicant shall pay a fair share contribution toward the widening of this segment of Douglas Avenue to Six-Lane Major Arterial Standards per the City's Master Transportation Roadway Plan based on the trips associated with the actual approved residential units. Since the widening of Douglas Avenue is funded by mandatory transportation impact fees, the proposed project shall be credited any additional fair share contribution against those fees.

Rationale: According to the City's Master Transportation Roadway Plan, the segment of Douglas Avenue from El Camino Real to N. River Road is proposed to be widened to Six-Lane Major Arterial standards. Improvement plans and funding for this widening are included in the City's Thoroughfare and Traffic Signal Fee Program Update Study. Mitigation measure MM-TRA-11 would reduce impacts to the Douglas Avenue: El Camino Real to N. River Road segment to less than significant by providing for the applicant's fair share contribution to planned future improvements at this

segment. It should be noted that with the connection of the Melrose Drive extension, no significant impact would occur along this street segment.

10) Cumulative Impact to College Blvd: Adams St. to SR-76 segment

Description of Significant Effect: The project would have a significant cumulative impact at the College Blvd: Adams St. to SR-76 segment.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-TRA-6 is adopted to mitigate the significance of this impact. See discussion intersection impacts at SR-76/College Blvd., above, for text of MM-TRA-6.

Rationale: Mitigation Measure MM-TRA-6 would reduce impacts to the SR-76/ College Boulevard intersection to less than significant because it would provide a fair share contribution toward the funding of planned improvements at this intersection, which would improve the circulation of the intersection to accepted levels of service. Mitigation measure MM-TRA-6 would improve operations along this College Blvd: Adams St. to SR-76 roadway segment to less than significant by improving the constrained SR-76/ College Boulevard intersection.

11) Cumulative Impact to College Blvd: SR-76 to Frazee Rd. segment

Description of Significant Effect: The project would have a significant cumulative impact at the College Blvd.: SR-76 to Frazee Road segment.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: MM-TRA-6 is adopted to mitigate the significance of this impact. See discussion intersection impacts at SR-76/College Blvd., above, for text of MM-TRA-6.

Rationale: Mitigation Measure MM-TRA-6 would reduce impacts to the SR-76/ College Boulevard intersection to less than significant because it would provide a fair share contribution toward the funding of planned improvements at this intersection, which would improve the circulation of the intersection to accepted levels of service. Mitigation measure MM-TRA-6 would improve operations along this College Blvd.: SR-76 to Frazee Road roadway segment to less than significant by improving the constrained SR-76/ College Boulevard intersection.

V. CUMULATIVE IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION

This section identifies the significant and unavoidable cumulative impacts that require a Statement of Overriding Considerations to be issued by the City upon approval of the North River Farms Planned Development Plan project. Based on the analysis contained in the Revised FEIR, the following cumulative impacts to population and housing and transportation and traffic have been determined to fall within this “significant unavoidable impact” category. These unavoidable

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impacts are overridden by project benefits as set forth in the statement of overriding considerations in Section X, below.

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(3) of the State CEQA Guidelines, the City Council finds that, for each of the following significant cumulative effects, specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Revised FEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

A. Population and Housing

1) Cumulative growth inducement

Description of Significant Effect: The proposed project, in combination with the cumulative projects, would result in substantial population growth.

Finding: There are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), specific overriding economic, legal, social, technological, and other benefits of the project outweigh the significant and unavoidable impacts as set forth in the Statement of Overriding Considerations in Section X below.

Mitigation Measures: Specific economic, legal, social, technological, or other considerations make the mitigation measures identified in the Revised FEIR infeasible. No feasible mitigation measures exist to reduce or avoid the identified impacts.

Rationale: The proposed project, in combination with the cumulative projects, would result in substantial population growth. For those same reasons discussed relative to direct growth inducement above, such impacts cannot be feasibly mitigated. Impacts would remain significant and unavoidable.

B. Traffic and Circulation

1) Cumulative Impact to Vandegrift Blvd./N. River Road Intersection

Description of Significant Effect: The project would have a significant cumulative impact at the Vandegrift Blvd/N. River Road intersection.

Finding: The below mitigation measure is feasible, is adopted, and will substantially lessen the traffic impacts attributable to the project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant traffic impact attributable to the project, as identified in the Revised FEIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. Pursuant to Public Resources Code Section

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21081(b), see Section X, Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh the significant and unavoidable impacts.

Mitigation Measures: MM-TRA-1 is adopted to mitigate the significance of this impact. See discussion of direct impacts at this intersection, above, for text of MM-TRA-1.

Rationale: Currently at the Vandegrift Boulevard/N. River Road intersection, dual westbound left-turns are provided, but only a single northbound right-turn. No improvement plans are identified in the City's Master Transportation Roadway Plan, nor does the City control any right of way to widen this intersection. Accordingly, the applicant shall construct a second northbound right turn lane with overlapping traffic signal phasing at this intersection, which improvement shall result in dual northbound to eastbound right turn lanes. All striping, bicycle lanes, traffic signal hardware and traffic signal timing would be completed to the reasonable satisfaction of the City Traffic Engineer and prior to the issuance of the 100th building permit of a "for sale" unit, excluding model building permits. By adopting the condition, the City agrees to reasonably cooperate in the acquisition of right-of-way necessary for the improvement from NCTD. It is anticipated that the City will be able to acquire the right-of-way as necessary to this intersection expansion and in the public interest. The expansion offers the greatest public benefit by improving circulation, including bicycle and pedestrian circulation, and would be located within existing development. This improvement will fully mitigate permanent operational impacts at this intersection to less-than-significant levels. However, as it is not certain the needed right-of-way to construct this improvement will be timely acquired by the City, this impact is conservatively considered significant. It is further anticipated that the earliest feasible time for right-of-way acquisition and completion of this improvement, given legal and technical constraints, is the 100th building permit for a "for sale" unit. The identified significant effect would occur at an earlier equivalent dwelling (specifically, at the 19th dwelling unit); accordingly temporary impacts until completion of this improvement would be considered significant. A Statement of Overriding Considerations is required with adoption of the project.

2) Cumulative Impact to N. River Rd/College Blvd Intersection

Description of Significant Effect: The project would have a significant cumulative impact at the N. River Road/College Blvd. intersection.

Finding: The below mitigation measure is feasible, is adopted, and will substantially lessen the traffic impacts attributable to the project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant traffic impact attributable to the project, as identified in the Revised FEIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. Pursuant to Public Resources Code Section 21081(b), see Section X, Statement of Overriding Considerations, for the specific overriding

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economic, legal, social, technological, and other benefits of the project that outweigh the significant and unavoidable impacts.

Mitigation Measures: MM-TRA-4 is adopted to mitigate the significance of this impact. See discussion of direct impacts at this intersection, above, for text of MM-TRA-4.

Rationale: The N. River Road/College Boulevard intersection is currently built with dual westbound to northbound right-turn lanes, and reciprocal southbound to eastbound left-turn lanes. Right-turn overlap (RTOL) phases are also provided to accommodate heavy right-turn movements. To fully mitigate the direct and cumulative impacts to below significant levels, additional lanes would be needed at this intersection. The City's Master Transportation Roadway Plan does indicate widening of the westbound (College Boulevard) approach to include an additional left-turn lane. However, the implementation of these planned improvements, which would include widening of the bridge over the river by any one private development project, would be economically infeasible. Legal, environmental, and social factors have previously prevented bridge widening from being completed, despite City impetus to complete this improvement. Refer to the Revised FEIR, Topical Response TR-2. According to the City's Master Transportation Roadway Plan, this intersection is forecasted to operate at LOS E or F in the future. Per the City's adopted General Plan, this intersection is accepted at LOS F conditions. Although the City identifies improvements for this intersection, the City's Thoroughfare and Traffic Signal Fee Program Update Study does not provide a funding mechanism for the proposed project to pay a fair share toward. Despite widening of the College Boulevard Bridge being out of proportion with project impacts, the applicant has agreed to implement MM-TRA-4 prior to the issuance of the 142nd building permit. The additional travel lanes provided by mitigation measure MM-TRA-4 would extend right-turn lanes on College Boulevard at N. River Road, resulting in an improvement in delays. As such, MM-TRA-4 would fully mitigate this impact to less-than-significant once completed. However, the identified impact would occur at an earlier equivalent dwelling unit than the 142nd. Temporary impacts would thus be considered significant. Thus, a Statement of Overriding Considerations is required with adoption of the project. However, the improvements, once completed, would fully mitigate permanent operational traffic impacts.

3) Cumulative Impact to College Blvd: N. River Rd to Adams St. Segment

Description of Significant Effect: The project would have a significant cumulative impact on College Blvd: N. River Rd. to Adams St. segment.

Finding: The below mitigation measure is feasible, is adopted, and will substantially lessen the traffic impacts attributable to the project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant traffic impact attributable to the project, as identified in the Revised FEIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. Pursuant to Public Resources Code Section

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21081(b), see Section X, Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh the significant and unavoidable impacts.

Mitigation Measure: MM-TRA-4 is adopted to mitigate the significance of this impact. See discussion of direct impacts at the N. River Rd/College Blvd Intersection, above, for text of MM-TRA-4.

Rationale: To fully mitigate the cumulative impact to below significant levels, additional lanes would be needed along this roadway segment. According to the City's Master Transportation Roadway Plan, this segment of College Boulevard is proposed to be widened to six lanes. The Master Transportation Roadway Plan identifies this segment as having a future classification of a Six-Lane Major Arterial. However, no improvement plans are identified in the City's Thoroughfare and Traffic Signal Fee Program Update Study, and no funding mechanism is in place for the proposed project to pay a fair share toward. Widening of the College Boulevard Bridge is out of proportion with project impacts, and thus legally and economically infeasible. Refer to the Revised FEIR, Topical Response TR-2. Indeed, legal, environmental, and social factors have previously prevented bridge widening from being completed, despite City impetus to complete this improvement.

Despite widening of the College Boulevard Bridge being out of proportion with project impacts, the applicant has agreed to implement MM-TRA-4 prior to the issuance of the 142nd building permit. The additional travel lanes provided by mitigation measure MM-TRA-4 would add approximately 10,000 ADT of capacity to College Boulevard, according to City standards for a 6-Lane Major Arterial. The proposed project would add approximately 3,886 ADT to College Boulevard between N. River Road and Adams Street (including the bridge) during cumulative scenarios. As such, MM-TRA-4 would fully mitigate this impact to less-than-significant once completed. However, the identified impact would occur at an earlier equivalent dwelling unit than the 142nd; temporary impacts would thus be considered significant. Thus, a Statement of Overriding Considerations is required with adoption of the project. However, the improvements, once completed, would fully mitigate permanent operational traffic impacts.

VI. FINDINGS REGARDING SPECIFIC MITIGATION MEASURES

With the exception of those mitigation measures set forth in the adopted Mitigation Monitoring and Reporting Plan, the City of Oceanside finds that there are no feasible mitigation measures that would substantially lessen or avoid any significant effect that the project would have on the environment.

VII. FINDINGS REGARDING ALTERNATIVES

Section 15126.6(a) of the CEQA Guidelines requires the discussion of "a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic

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objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

Six alternatives, including the No Project (No Build) Alternative, were analyzed in detail in the Revised FEIR, Section 7, Alternatives:

- Alternative 1:** No Project (No Build) Alternative
- Alternative 2:** Existing Zoning—Residential Alternative
- Alternative 3:** Existing Zoning—Agriculture Alternative
- Alternative 4:** Reduced Development Alternative
- Alternative 5:** Clustering Alternative
- Alternative 6:** Single Family Residential Alternatives

These alternatives are evaluated for their ability to avoid or substantially lessen the impacts of the project identified in the Revised FEIR, as well as consideration of their ability to meet the basic objectives of the project as described in the Revised FEIR 3.2, Project Objectives, and above in Section I.B.

For the reasons set forth below, and in light of the analysis presented in the EIR at Section 7, Project Alternatives, the environmentally superior alternative is Alternative 1, No Project (No Build) Alternative. However, this alternative fails to meet the project’s underlying purpose and fails to meet all but one of the basic project objectives. CEQA also requires that, if the No Project Alternative is the environmentally superior alternative, another environmentally superior alternative must be identified, which, here, would be Alternative 2: Existing Zoning—Residential Alternative.

Alternative 2 would reduce some environmental impacts compared to the project, but would not meet Project Objectives 2, 6, 7, 8, 9, 11, and 12. Alternative 2 would also not meet Objectives 3, 4, and 10, to the same degree as the proposed project, and would not provide a mix of land uses that include diverse residential housing options, commercial, with connectivity to agricultural land uses.

Alternatives 3, 4, 5, and 6 would reduce environmental impacts compared to the project, but would not attain a number of Project Objectives. Therefore, while each alternative has benefits, none of the alternatives is superior to the project when balancing the avoidance of environmental impacts, the project benefits, and policy considerations.

A. Alternatives Considered but not Evaluated

The EIR considered an agritourism alternative consistent with the existing General Plan designations that was rejected as infeasible and, therefore, not analyzed in detail. As detailed in the Revised FEIR, the provision of mixed uses compatible with the agritourism objectives of the City Agritourism Strategic Plan would require amendments to the City’s General Plan and Zoning

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Ordinance to change the underlying designations to allow development of mixed use and viable agritourism uses, and therefore the suggested alternative that does not amend the existing land use designation is not feasible. However, a similar version of this alternative was carried forward as Alternative 4—Reduced Development Alternative.

In addition, alternatives were recommended in comments to the Draft EIR. The City has considered these alternatives and rejects each as infeasible and unnecessary to informed decision-making and public consideration where the EIR discusses a reasonable range of alternatives.

CEQA Guidelines Section 15126.6(a) only requires that an EIR “describe a range of reasonable alternatives to the proposed project, or to the location of the project that would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the project, and evaluate the comparative merits of the alternatives.” Section 15126.6(a) also provides that an EIR need not consider every conceivable alternative to a project; rather, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. Accordingly, the Draft EIR presented the six alternatives listed above. The Draft EIR also considered and rejected an agritourism alternative. Thus, the Draft EIR considered a total of 7 alternatives; and City staff determined that those alternatives represented a reasonable range of alternatives to the proposed project.

B. EIR Alternative 1: No Project (No Build)

1) Description

Under the No Project (No Build) Alternative, the Project Site would remain in its existing condition and not involve construction of a new residential, mixed-use, and agricultural community in the South Morro Hills area of the City. No residential, commercial, or park uses would be developed on-site. The agricultural uses on site would continue as they exist today. Proposed improvements to N. River Road would not occur, and none of the proposed off-site roadway, storm drain, sewer, or sidewalk improvements would be constructed.

2) Finding

The City rejects Alternative 1, the No Project (No Build) Alternative, as undesirable and infeasible as it fails to satisfy the project’s underlying purpose and fails to meet most project objectives. Therefore, the No Project (No Build) Alternative is rejected because specific economic, legal, social, technological or other considerations make the alternative infeasible.

3) Facts in Support of Finding

In relation to the project, the No Project (No Build) Alternative would reduce or avoid all significant impacts. While the Revised FEIR found that the No Project (No Build) Alternative is the environmentally superior alternative, this Alternative would not achieve all but one of the project objectives. This Alternative would only meet Objective 1, which is to provide visual and

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functional compatibility with adjacent neighborhoods, other nearby land uses, development, and natural features.

Because no development would be constructed under Alternative 1, this Alternative would not meet the project's underlying purpose to implement a new residential, mixed-use, and agricultural community in the South Morro Hills area of the City. The No Project (No Build) alternative would not meet Objective 2 to provide for varying housing densities and diverse housing types to support an inclusive multi-general approach to meet the current and future housing demand on a site located near transit, retail, recreational amenities, and schools

This alternative would not meet Objective 3 to use agriculture as an organizing element of the overall neighborhood plan and provide better public access to agricultural uses, nor meet objective 4 to provide for the long-term preservation of agriculture through an urban farm and other amenities that will serve as community assets and as a transition between urban uses and adjacent agricultural land. The alternative would also not meet Objective 5 to design buildings, spaces, and uses that enhance and respect the agricultural character of the area.

The alternative would not meet Objective 6 to create flexibility to accommodate possible changes in the demand for housing types, the local economy, commercial, retail, and community needs during implementation. A walkable, bikeable environment that promotes and enhances the pedestrian experience throughout the site would not be created, and no plan would create connectivity to adjacent neighborhoods, the city bike master plan, the transit center, and the San Luis Rey River trail. (Objectives 7 and 8) Opportunities for physical improvements to public infrastructure would not be provided. (Objective 10)

This alternative would not provide for a mix of land uses that integrate housing, commercial, educational, and neighborhood serving retail on a single site with public open space, an urban farm, naturalized environments, and recreation areas — in an overall design that advances sustainability principles. (Objective 9) No mix of land uses would be developed to maintain a positive fiscal impact on the general fund. (Objective 12) Further, a sufficient number of residences to support necessary improvements to public facilities and allow for an urban farm, education, and retail/ commercial components would not be provided. (Objective 11)

In addition, no construction or development would occur under this alternative leaving the land in its current state. This alternative would thus not accommodate any of the planned growth expected to occur in the City, or contribute to the City achieving its General Plan Housing Element (i.e., Regional Housing Needs Assessment) goals. This alternative would not generate funding for existing and planned infrastructure and services through payment of development impact fees. Additionally, this alternative would not widen or improve off-site roads, or extend or expand existing planned infrastructure.

For these reasons and others detailed in the record before the City, the City rejects the No Project (No Build) Alternative as both undesirable and infeasible.

C. EIR Alternative 2: Existing Zoning—Residential Alternative

1) Description of Alternative

Under this alternative, the project site would develop residential land uses that are allowed under the existing General Plan and zoning designations. The project site has a General Plan land use designation of A (Agricultural) and is zoned A-SP (Agricultural – Scenic Park Overlay). Per the City’s General Plan and zoning ordinance, residential development shall only be permitted if it does not interfere with existing agricultural operations and the open space character of the area is preserved. Minimum lot areas shall be determined by topography, adjacent land uses, and infrastructure; however, under no circumstances shall lot areas be less than 2.5 acres (City of Oceanside 2002). Based on the requirements of the City’s General Plan and the zoning ordinance, the project site could feasibly be developed with 61 residential lots at approximately 2.5 acres each while also providing an internal roadway network to service each lot. One single-family residential unit would be located on each lot. As the designation would remain agricultural, such uses would still be permitted on site. No commercial land use are included in this alternative.

Improvements to N. River Road would include construction of intersections for access north and south into the project site; no roundabouts are included under this alternative. N. River Road would remain a two-lane roadway through the project site with no additional roadway improvements. Off-site roadway improvements would be provided adjacent to the project site on N. River Road, along Wilshire Road, and to provide access to the site at the N. River Road/Wilshire Road intersection (without a roundabout), similar to that proposed by the proposed project.

2) Finding

The City rejects Alternative 2, the Existing Zoning – Residential Alternative, as undesirable and infeasible as it fails to satisfy the project’s underlying purpose and fails to meet most project objectives. While the Existing Zoning – Residential Alternative would reduce some environmental impacts, others would remain similar compared to the project (including those related to cultural resources, geology and soils, mineral resources, and tribal cultural resources). Alternative 2, the Existing Zoning – Residential Alternative would not meet project Objectives 2, 6, 7, 8, 9, 11, and 12, and would not meet Objectives 3, 4, and 10 to the same degree as the project. Therefore, the Existing Zoning – Residential Alternative is rejected because specific economic, legal, social, technological or other considerations make the alternative infeasible.

3) Facts in Support of Finding

As discussed in Section 7 of the Revised FEIR, in the event Alternative 2, Existing Zoning – Residential Alternative, is developed, a number of significant environmental impacts would be reduced. However, environmental impacts related to those related to cultural resources, geology and soils, mineral resources, and tribal cultural resources would be similar compared to the project. Accordingly, while the Existing Zoning – Residential Alternative would reduce some environmental impacts, others would remain similar when compared to the project.

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The Existing Zoning—Residential Alternative would meet some of the project objectives, but would not meet project Objectives 2, 6, 7, 8, 9, 11, and 12 to the same degree as the project, and would not meet Objectives 3, 4, and 10 to the same degree as the project. The alternative would meet Objective 1 and Objective 5 but the alternative does not preserve any agricultural uses.

The Existing Zoning—Residential Alternative would not provide for varying housing densities or diverse housing types (Objective 2) but only low- density residential. Its residential uses would provide for the long-term preservation of agriculture through an urban farm and other amenities that will serve as community assets and as transition between urban uses and adjacent agricultural land (Objective 4). This alternative would not create flexibility to accommodate possible changes in the demand for housing types, the local economy, commercial, retail, and community needs during implementation (Objective 6); or provide for a mix of land uses that integrate housing, commercial, educational, and neighborhood serving retail on a site with open space, an urban farm, naturalized environments, and recreation areas. (Objective 9). The Existing Zoning- Residential Alternative would not create a walkable bikeable environment with safe, convenient, attractive connections (Objective 7); connectivity to adjacent neighborhoods, the bike master plan, transit center, and San Luis Rey River trail (Objective 8); or provide for physical improvements to public infrastructure (Objective 10.) This alternative would also not provide a sufficient number of residences to support necessary improvements to public facilities and allow for an urban farm, education, and retail/commercial (Objective 11), and would not include a mix of land uses and facilities through the alternative’s provision of solely residential uses (Objective 12.)

This alternative would thus not accommodate planned growth expected to occur in the City, or contribute to the City achieving its General Plan Housing Element (i.e., Regional Housing Needs Assessment) goals to the same extent as the project. This alternative would not generate the same extent of funding for existing and planned infrastructure and services through payment of development impact fees. Additionally, this alternative would not widen or improve off-site roads, or extend or expand existing planned infrastructure. The Existing Zoning – Residential Alternative would cause significant traffic impacts, with average daily trips from the alternative triggering the need for seven (7) of the traffic mitigation measures proposed for the project; however, none of the needed traffic improvements proposed with the project would occur under this alternative.

Further, under CEQA (Public Resources Code, § 21159.26), a reduction in housing units as mitigation is discouraged. A public agency may not reduce the proposed number of housing units as a mitigation measure or project alternative for a particular significant effect on the environment if it determines there is another feasible mitigation measure or project alternative that would provide a comparable level of mitigation. The City considers this factor in determining to reject this project alternative. Mitigation measures proposed and adopted for the project would reduce the environmental effects targeted by this alternative without reducing the number of housing units. For each of these reasons, the City rejects the Existing Zoning—Residential Alternative as both undesirable and infeasible.

D. EIR Alternative 3: Existing Zoning—Agriculture Alternative

1) Description of Alternative

The purpose of this alternative is to maximize agricultural production on site while still remaining consistent with the underlying designations and allowable uses on site. The Existing Zoning – Agriculture Alternative would include approximately 2.7 million square feet of intensive agricultural production in the form of greenhouses and hydroponics, consistent with the existing General Plan and zoning designations of the project site for agricultural uses. This method consists of high-intensity, short-rotation growth of valuable crops such as leafy greens, basil, carrots, and microgreens, which would allow for greater return on investment. Intensive farming would likely have the highest returns; however, this form of farming requires suitable soils and has a high water demand. The remainder of the site would be used for internal circulation, parking, storage, staging, drainage, and other needs.

Improvements to N. River Road would include construction of intersections for access north and south into the project site; no roundabouts are included under this alternative. N. River Road would remain a two-lane roadway through the project site with no additional improvements. Additional site access would be provided off Wilshire Road. Off-site roadway improvements would be provided adjacent to the project site on N. River Road and along the bend of Wilshire Road similar to that proposed by the project. No other off-site improvements would occur.

2) Finding

The City rejects Alternative 3, the Existing Zoning—Agriculture Alternative, as undesirable and infeasible as it would not meet all of the project’s proposed objectives. The City further rejects this alternative for increasing the significance of impacts to utilities compared to the project, including those related to water demand, and for resulting in similar impacts compared to the project related to aesthetics, cultural resources, mineral resources, and tribal cultural resources. Therefore, the Existing Zoning—Agriculture Alternative is rejected because specific economic, legal, social, technological or other considerations make the alternative infeasible.

3) Facts in Support of Finding

This alternative would not provide any residential or commercial components, public improvements, or public access; therefore, the Existing Zoning – Agriculture Alternative would not meet Objectives 2, 3, 6, 7, 8, 9, 10, 11, and 12. The Existing Zoning—Agriculture Alternative would not provide for varying housing densities or diverse housing types (Objective 2). It would not meet Objective 3 to use agriculture as an organizing element of the overall neighborhood plan, as no neighborhood would be developed. This alternative would not create flexibility to accommodate possible changes in the demand for housing types, the local economy, commercial, retail, and community needs during implementation (Objective 6); or provide for a mix of land uses that integrate housing, commercial, educational, and neighborhood serving retail on a site with open space, an urban farm, naturalized environments, and recreation areas. (Objective 9).

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This alternative would also not provide residences to support necessary improvements to public facilities and allow for an urban farm, education, and retail/commercial (Objective 11), and would not include a mix of land uses and facilities (Objective 12.) The Existing Zoning--Agriculture Alternative would also not create a walkable bikeable environment with safe, convenient, attractive connections (Objective 7); connectivity to adjacent neighborhoods, the bike master plan, transit center, and San Luis Rey River trail (Objective 8); or provide for physical improvements to public infrastructure (Objective 10).

This alternative would partially meet Objectives 4 and 5 by developing the site with additional agricultural uses, consistent with the surrounding area; however, the alternative would not serve as a transition between urban uses and adjacent agricultural land. This alternative would meet Objective 1.

This alternative would thus not accommodate any of the planned growth expected to occur in the City, or contribute to the City achieving its General Plan Housing Element (i.e., Regional Housing Needs Assessment) goals. Additionally, this alternative would not widen or improve off-site roads, or extend or expand existing planned infrastructure.

Further, the City's Agritourism Strategic Plan, incorporated herein by reference and available at <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=47528> notes that the agricultural industry has been challenged with significantly increased and costly state regulation, the increased cost of water, increasing labor costs, and a dramatically increased level of competition as a result of the North American Free Trade Agreement, which has seen competition spike, specifically from Mexico with lower labor and environmental and regulatory costs than California. These threats pose significant challenges to the feasibility of continued intensive farming and agricultural viability where unsupported by an established, long-term financing mechanism such as Community Supported Agriculture (CSA).

Thus, for each of these reasons, the City rejects the Existing Zoning—Agriculture Alternative as both undesirable and infeasible.

E. EIR Alternative 4: Reduced Development Alternative

1) Description of Alternative

This alternative provides a combination of residential and commercial development, while reducing land use intensity and the overall development footprint. The proposed development area of this alternative is confined to avoid the 100-year flood hazard zone. Additionally, the majority of the southern portion of the site would remain as existing agricultural uses in its existing condition. To allow for 71 single-family residential units on large lots (ranging from 1 to 2.5 acres) and approximately 7 acres of special commercial (including hotel, restaurant, retail, and educational uses), a General Plan and Zoning Ordinance amendment would be required. The remaining area outside of development footprint of this alternative would retain its existing

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agricultural General Plan and Zoning Ordinance designations. Landscaping would be similar as the proposed project.

Improvements to N. River Road would include construction of intersections for access north and south into the project site; no roundabouts are included under this alternative. This alternative would not provide right-of-way for N. River Road's designation in the City's General Plan as ultimately built out as a four-lane major road. Therefore, N. River Road would remain a two-lane roadway through the project site with no additional improvements. Additional site access would be provided off Wilshire Road. Off-site roadway improvements would be provided adjacent to the project site on N. River Road, along Wilshire Road, and to provide access to the site at the N. River Road/Wilshire Road intersection (without a roundabout), similar to that proposed by the proposed project. No other off-site improvements would occur.

2) Finding

The City rejects Alternative 4, the Reduced Development Alternative, as undesirable and infeasible as it would not meet all of the project's proposed objectives, and would not reduce many environmental impacts compared to the project (i.e., cultural resources, geology and soils, land use and planning, mineral resources, public safety, and tribal cultural resources.) Therefore, the Reduced Development Alternative is rejected because specific economic, legal, social, technological or other considerations make the alternative infeasible.

3) Facts in Support of Finding

The Reduced Development Alternative would meet Objectives 1, 3, 4, 5, and 8 because this alternative includes both residential and commercial components that promote connectivity to agricultural land uses, similar to the proposed project. However, this alternative would not meet Objectives 2, 6, 7, and 9 because it does not include diverse housing types connected by open space, parks, paseos, and other amenities. The Reduced Development Alternative would not provide for varying housing densities or diverse housing types (Objective 2), but only single-family residential development. This alternative would not create flexibility to accommodate possible changes in the demand for housing types, the local economy, commercial, retail, and community needs during implementation (Objective 6) for the same reason. It would also not provide for a mix of land uses that integrate housing, commercial, educational, and neighborhood serving retail on a site with open space, an urban farm, naturalized environments, and recreation areas; but instead would only provide a single, low-density residential and a small amount of commercial land uses. (Objective 9). The Reduced Development Alternative would not create a walkable and bikeable environment with safe, convenient, attractive connections between communities, open space, parks, paseos, agriculture, and other amenities (Objective 7); these connections and amenities would not be provided. This alternative also would meet Objectives 10, 11, and 12 to a lesser degree compared to the proposed project, by providing some public

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improvements, a mix of land uses, and introducing some residents to support commercial and agricultural uses. However, the physical improvements to infrastructure and public facilities provided would be substantially less than with the proposed project.

This alternative would not accommodate the same degree of the planned growth expected to occur in the City, or contribute to the City achieving its General Plan Housing Element (i.e., Regional Housing Needs Assessment) goals to the same degree as the project. This alternative would not generate the same extent of funding for existing and planned infrastructure and services through payment of development impact fees. Additionally, this alternative would not widen or improve off-site roads, or extend or expand existing planned infrastructure. This alternative would also not provide a staffed permanent fire station to address existing deficiencies in the project area. Therefore, while this alternative would result in a smaller increase in demand for public services compared to the project, it would ultimately have a similar impact to the project in terms of public safety. The Reduced Development Alternative would also cause significant traffic impacts, with average daily trips from the alternative triggering the need for seven (7) of the traffic mitigation measures proposed for the project; however, none of the needed traffic improvements proposed with the project would occur under this alternative.

Further, under CEQA (Public Resources Code, § 21159.26), reductions in housing units as mitigation is discouraged. A public agency may not reduce the proposed number of housing units as a mitigation measure or project alternative for a particular significant effect on the environment if it determines there is another feasible mitigation measure or project alternative that would provide a comparable level of mitigation. The City considers this factor in determining to reject this project alternative. Mitigation measures proposed and adopted for the project would reduce the environmental effects targeted by this alternative without reducing the number of housing units. For each of these reasons, the City rejects the Reduced Development Alternative as both undesirable and infeasible.

F. EIR Alternative 5: Clustering

1) Description of Alternative

The purpose of this alternative is two-fold: (1) to reduce the land use intensity such that the alternative would not exceed the City's greenhouse gas efficiency metric of 3.5 metric tons of carbon dioxide equivalent per service population per year (MT CO₂e/SP/yr), and (2) reduce the overall development footprint on site. This alternative would include 600 high-density residential units on the north side of N. River Road, approximately 3.6 acres of special commercial (including hotel, restaurant, and retail) on the south side of N. River Road, approximately 5.3 acres of open space and parks, and internal roadways, with the remainder of the site retained as the existing agricultural land uses in its existing condition. The development of this alternative would require a General Plan and Zoning Ordinance amendment to allow for high density residential and special commercial land uses; the remainder of the site would retain its existing land use and zoning

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designations. The proposed development area of this alternative would avoid the 100-year flood hazard zone. Landscaping would be similar to the proposed project.

Improvements to N. River Road would include construction of intersections for access north and south into the project site; no roundabouts are included under this alternative. This alternative would provide right-of-way for N. River Road's designation in the City's General Plan as ultimately built out as a four-lane major road. This alternative would provide similar improvements to N. River Road within the site as proposed by the proposed project. Additional site access would be provided off Wilshire Road. Off-site roadway improvements would be provided adjacent to the project site on N. River Road and along the bend of Wilshire Road similar to that proposed by the proposed project (no roundabouts included). No other off-site improvements would occur as a result of this alternative.

2) Finding

The City rejects Alternative 5, the Clustering Alternative, as undesirable and infeasible as it would not meet all of the project's proposed objectives, and would not reduce any environmental impacts compared the project. The City further rejects this alternative for increasing the significance of many environmental impacts compared to the project, including those related to aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, GHGs, hydrology and water quality, noise, population and housing, transportation and traffic, utilities and service systems, and energy. Therefore, the Clustering Alternative is rejected because specific economic, legal, social, technological or other considerations make the alternative infeasible.

3) Facts in Support of Finding

The Clustering Alternative would meet Objectives 1, 3, 4, 5, 8, and 9 because this alternative includes both residential and commercial components that promote connectivity to agricultural, parks, and open space land uses, similar to the proposed project. This alternative would meet Objectives 10, 11, and 12, but to a lesser degree compared to the proposed project, by providing some public improvements, a mix of land uses, and introducing some residents to support commercial and agricultural uses. This alternative would not meet Objectives 2, 6, and 7 because it does not include diverse housing types. This alternative also would not provide a staffed permanent fire station to address existing deficiencies in the project area. Thus, as the Clustering Alternative would not meet all of the project's proposed objectives, the City rejects the Clustering Alternative as both undesirable and infeasible.

G. EIR Alternative 6: Single-Family Residential Alternative

1) Description of Alternative

This alternative would develop residential land uses that are not allowed under the existing General Plan and zoning designations. To allow for 400 single-family residential units, a General Plan and Zoning Ordinance Amendment would be required. The remaining area outside of development

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footprint of this alternative would retain its existing agricultural General Plan and Zoning Ordinance designations (approximately 30.8 acres). Landscaping would be similar as the proposed project. No commercial land uses are included in this alternative.

Improvements to N. River Road would include construction of intersections for access north and south into the project site; no roundabouts are included under this alternative. This alternative would provide right-of-way for N. River Road's designation in the City's General Plan as ultimately built out as a four-lane major road. This alternative would provide similar improvements to N. River Road within the site as proposed by the proposed project. Additional site access would be provided off Wilshire Road. Off-site roadway improvements would be provided adjacent to the project site on N. River Road, along Wilshire Road, and provide access to the site at the N. River Road/Wilshire Road intersection (without a roundabout), similar to that proposed by the proposed project. Two off-site storm drainage outlets extending south of the project site would be required under this alternative, similar to the proposed project.

2) Finding

The City rejects Alternative 6, the Single-Family Residential Alternative, as undesirable and infeasible as it would not meet all of the project's proposed objectives or meet objectives to the same degree as would be achieved under the project. The Single-Family Residential Alternative would attain some project objectives, but would not attain objectives 2, 6, 8, 9, 11, or 12 and would meet objectives 3, 4, 7, and 10 to a lesser extent compared to the project. Therefore, the Single-Family Residential Alternative is rejected because specific economic, legal, social, technological or other considerations make the alternative infeasible.

3) Facts in Support of Finding

The Single-Family Residential Alternative would not meet Objectives 2, 6, 8, 9, 11, and 12. The Single-Family Residential Alternative would not provide a mix of land uses that include diverse residential housing options and commercial uses. This alternative would meet Objectives 3, 4, 7, and 10 but to a lesser extent compared to the proposed project. Agricultural uses would still be incorporated into this alternative but would not serve as community assets. Similarly, this alternative would improve pedestrian and bicycle connectivity, but would not include amenities such as paseos or trails. Improvements to roadways would be provided, but not to the same degree as the proposed project. This alternative would also not provide a staffed permanent fire station to address existing deficiencies in the project area. This alternative would meet Objectives 1 and 5.

Further, under CEQA (Public Resources Code, § 21159.26), reductions in housing units as mitigation is discouraged. A public agency may not reduce the proposed number of housing units as a mitigation measure or project alternative for a particular significant effect on the environment if it determines there is another feasible mitigation measure or project alternative that would provide a comparable level of mitigation. The City considers this factor in determining to reject this project alternative. Mitigation measures proposed and adopted for the project would reduce the environmental effects targeted by this alternative without reducing the number of housing

units. For each of these reasons, the City rejects the Single-Family Residential Alternative as both undesirable and infeasible.

VIII. OTHER CEQA CONSIDERATIONS

A. Reasons Why the Project is Being Proposed, Notwithstanding Significant Unavoidable Impacts

Pursuant to CEQA Guidelines Section 15126.2(b), the EIR explains why the project is being proposed notwithstanding its significant unavoidable impacts. While a lead agency must contemplate the implications of adverse environmental impacts, the fundamental purpose of land use planning and development is to supply an array of land uses while considering environmental and economic realities. Here, the benefits of the project will outweigh the significant and unavoidable environmental impacts remaining after implementation of numerous mitigation measures.

B. Growth-Inducing Impacts

Pursuant to CEQA Guidelines Sections 15126(d) and 15126.2(d), the EIR examined ways in which the project could foster economic or population growth, or the construction of additional development, either directly or indirectly, in the surrounding environment. As discussed in the EIR, the project would be considered growth inducing. The proposed project would have growth-inducing potential because planned residential growth would increase by 585 units and 1,863 people (comprised of approximately 1,673 residents and 190 employees), which would exceed the planned population growth under the site's General Plan land use designation. The project would contribute to the City's RHNA allocation for the moderate and above moderate categories. Construction of the proposed project also would generate an economic stimulus from the use of building materials, the sales of residential units, the operation of the project's commercial facilities, and the introduction of new consumer demand in the area. In addition, expansion of sewer line size and capacity would be considered growth inducing.

Therefore, the project has potential for growth inducement, which may result in subsequent adverse environmental effects as a result of such growth. However, there are no known intensity-increasing development applications pending at the City in the immediate project vicinity at this time.

C. Significant Irreversible Environmental Changes

Pursuant to CEQA Guidelines Sections 15126.2(c) and 15127, the Revised FEIR Section 6.2 evaluated significant irreversible environmental changes that will be caused by implementation of the project. This includes the irreversible conversion of existing agricultural land on the project site. The project will require a commitment of nonrenewable and renewable resources that will include soils, gravel, concrete, and asphalt; lumber and other related forest products; petrochemical construction materials; steel, copper, and other metals; water; fuels; and energy. Resources used

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for the project would be typical of similar residential projects in the region. During operation, the project will consume water for water, fuels, and electricity during long-term operation and occupancy. Therefore, the project would result in the long-term use of fossil fuels and other nonrenewable resources.

D. Potential Secondary Effects

Pursuant to CEQA Guidelines Section 15126.4(a)(1)(D), the Revised FEIR evaluated the potential for adverse secondary impacts that could result from implementation the project and proposed mitigation measures. Potential secondary effects are addressed within the appropriate section of the EIR and at Section II through V, above. Except for those potential secondary impacts specifically noted the City finds no adverse secondary impacts will occur as a result of implementation of project mitigation measures.

E. Effects Found not to be Significant

CEQA Guidelines Section 15128 requires an EIR to contain a brief statement indicating reasons that various possible significant effects of a project were determined not to be significant and therefore are not discussed in detail in the EIR. Through the Initial Study, the City did not identify any subject areas where impacts will clearly be less than significant. Therefore, all issue areas were discussed in detail in the EIR. Refer to Section II, above, for effects found not to be significant after study in the EIR.

IX. GENERAL CEQA FINDINGS

A. Mitigation Monitoring and Reporting Program

1) General Finding

Pursuant to Section 21081.6 of the Public Resources Code, the City, in adopting these Findings, also adopts the MMRP for the North River Farms Planned Development Plan project. The MMRP is designed to ensure that, during project implementation, the City and other responsible parties will comply with the mitigation measures adopted in these Findings. The City hereby binds itself to cause the various feasible mitigation measures to be implemented in accordance with the Revised FEIR and MMRP. The mitigation measures constitute a binding set of obligations upon the City's certification and approvals identified herein.

The City hereby finds that the MMRP, which is incorporated into the project conditions of approval, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of project conditions intended to mitigate potential environmental effects of the project.

2) Regulatory Compliance

Federal, state, regional, and local laws contain certain regulatory compliance measures that must be adhered to in implementing the project. The Revised FEIR describes the regulatory setting within each chapter, which includes the details of regulatory compliance measures. Where regulatory compliance measures are required by law, the City has not separately proposed or adopted mitigation requiring regulatory compliance (as it would be declaratory of existing law). Nonetheless, the City finds that the project must comply with all applicable regulatory compliance measures.

B. CEQA Guidelines Sections 15091 And 15092 Findings

Based on the foregoing findings and the information contained in the administrative record, the City has made one or more of the following findings with respect to each of the significant effects of the project:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency, or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly-trained workers, make infeasible the mitigation measures or alternatives identified in the Revised FEIR.

Based on the foregoing findings and the information contained in the administrative record, and as conditioned by the foregoing:

1. All significant effects on the environment due to the project have been eliminated or substantially lessened where feasible.
2. Any remaining significant effects that have been found to be unavoidable are acceptable due to the overriding considerations set forth in Section X of this document.

C. City's Preparation of the EIR Pursuant to CEQA Guidelines Section 15084(d)

CEQA Guidelines section 15084(d) provides a lead agency may choose one of the following arrangements or a combination of them for preparing a draft EIR:

- (1) Preparing the draft EIR directly with its own staff.
- (2) Contracting with another entity, public or private, to prepare the draft EIR.
- (3) Accepting a draft prepared by the Applicant, a consultant retained by the Applicant, or any other person.

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- (4) Executing a third party contract or memorandum of understanding with the Applicant to govern the preparation of a draft EIR by an independent contractor.
- (5) Using a previously prepared EIR.

The City has relied on Section 15084(d)(4) of the CEQA Guidelines, which allows executing a third party contract or memorandum of understanding with the applicant to govern the preparation of a EIR by an independent contractor. Subject to specific responsibilities imposed on the project Applicant and EIR consultant, the City retains the sole right and discretion to determine the adequacy of performance of the EIR consultant, and to independently review and analyze all documentation for the project. In that context, the City allowed the project applicant to select and retain an EIR consultant to prepare the EIR submitted to the City for independent review. The City has reviewed, revised, and clarified, as necessary, the submitted working drafts of the EIR to ensure that both the Draft EIR, draft Final EIR, Recirculated EIR, and Revised FEIR reflect the City's own independent judgment, including reliance on City experienced, technical personnel from various City departments.

D. City's Independent Judgment

Before using a draft EIR prepared by another entity or through a third-party contractor, the City is required to subject the draft to its own review and analysis such that the draft EIR circulated for public review reflects the City's independent judgment (Public Resources Code Section 21082.1(c), CEQA Guidelines Section 15084(e).) The City must also certify the final EIR reflects its independent judgment (Public Resources Code Section 21082.1 (c), CEQA Guidelines Section 15090(a)(3), *Friends of La Vina v. County of Los Angeles* (1991) 232 Cal.App.3d 1446, 1455).

The City extensively reviewed the proposed project, the Draft EIR, draft Final EIR, Recirculated EIR, and Revised FEIR and its analyses to ensure the EIR reflects the City's own independent judgment. Multiple iterations of technical reports and the preliminary draft EIR were "screen-checked" by the City and its staff, as well as the independent third-party reviewer HDR, Inc., to ensure the analyses contained therein are factual, accurate, applicable, and based on the City's independent review and judgment. Further, the City's Development Services Department completes an independent evaluation of private land development applications, including this project, for compliance with applicable City, State, and Federal laws, regulations, and ordinances. As such, City staff is not an advocate for or against the project, but acts in its independent regulatory capacity as the lead agency to review and independently evaluate the EIR and project.

The City conducted multiple screen-check (or iteration) reviews of the Draft EIR prior to release for public review. The City also conducted multiple reviews of technical studies prior to public review. City staff provided comments, clarifications, additions, revisions, and updates that were then addressed by subsequent iterations. The City has further reviewed and edited, as necessary, the submitted working drafts to reflect the City's own independent judgment, including reliance on City's experienced, technical personnel from various City departments. In addition to providing

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comments on the EIR and technical reports, City staff regularly met with the applicant and their consultants to clarify or explain comments and issues, and to resolve outstanding questions and/or issues as they arose.

City staff thoroughly reviewed each iteration of the EIR and technical reports—including the Draft EIR, draft Final EIR, Recirculated EIR, and Revised FEIR—and provided comments, revisions, additions, and clarifications to ensure the documents were consistent with applicable City requirements, CEQA, and the State CEQA Guidelines. Reports were reviewed for technical adequacy and completeness of analysis (e.g., confirming that all relevant anticipated impacts and feasible mitigation and alternatives were addressed adequately). This standard of review is consistent with CEQA Guidelines Section 15003(i) that provides that “CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure.”

In addition to the extensive independent review of the EIR (including the Draft EIR, draft Final EIR, Recirculated EIR, and Revised FEIR), the City has further considered public review and input during the open, lengthy, and extensive public review process. This includes extensive public/agency involvement and participation during the public EIR scoping meeting, the Notice of Preparation review period, and the public/agency review and comment period on the Draft EIR. All comments received during the Draft EIR comment period were responded to in writing and included in the Final EIR for presentation to the Planning Commission and the City Council prior to noticed public hearings. All comments received during the Recirculated EIR comment period were responded to in writing and included in the Revised FEIR for presentation to the City Council prior to noticed public hearings. The City has also considered staff presentations and public hearings regarding the EIR and project. The City has exercised an extraordinary level of independence, objectivity, and thoroughness to ensure the Revised FEIR is a technically adequate environmental document that reflects the City’s independent judgment.

Thus, pursuant to Public Resources Code Section 21082.1(c), and prior to certification, the City hereby finds it has independently reviewed and analyzed:

- The Draft EIR and its technical studies;
- The draft Final EIR, including public comments, responses to comments, revised draft EIR pages, and additional or revised technical studies;
- The Recirculated EIR, including revised draft EIR pages and sections, and additional or revised technical studies; and
- The Revised FEIR, including public comments, responses to comments, revised EIR pages, etc.

The City hereby finds that the Draft EIR, draft Final EIR, Recirculated EIR, and Revised FEIR reflect the independent judgment of the City as the Lead Agency for the project.

E. Nature of Findings

Any finding made by the City shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings by the City, whether or not any particular sentence or clause includes a statement to that effect. The City intends that these findings be considered as an integrated whole and, whether or not any part of these findings fail to cross-reference or incorporate by reference any other part of these findings, that any finding required or committed to be made by the City with respect to any particular subject matter of the Revised FEIR, shall be deemed to be made if it appears in any portion of these findings.

F. Reliance on Record

Each and all of the findings and determinations contained herein are based on substantial evidence, both oral and written, contained in the administrative record relating to the project. In accordance with Public Resources Code Section 21167.6(e), the record of proceedings (i.e., administrative record) for the Council's decision on the project is comprised of the following documents:

- The Revised FEIR (November 2019) for the project, including appendices;
- The Recirculated EIR (August 2019) for the project, including appendices;
- The draft Final EIR (January 2019) for the project, including appendices;
- The Draft EIR (July 2018) for the project, including appendices;
- The Initial Study/Notice of Preparation (IS/NOP) (November 2017) for the project;
- Any appendices, studies or documents cited, referenced, or relied on in the IS/NOP, Draft EIR, draft Final EIR, Recirculated EIR, Revised FEIR, or any document prepared for the project's EIR and either made available to the public during a public review period or included in the City's non-privileged, retained files on the project;
- Reports and technical reports, studies, and memoranda included or referenced in the IS/NOP, Draft EIR, draft Final EIR, Recirculated EIR, Revised FEIR, or City's responses to comments on the project;
- The project application materials;
- All public notices issued by the City in conjunction with the project, including notices issued by the City to comply with CEQA, the CEQA Guidelines, or any other law governing the processing and approval of the project;
- Scoping Meeting(s) notices and comments received at Scoping Meeting(s);
- The Notice of Availability and Notice of Completion of the Draft EIR;
- Comments received on the NOP;

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- All reports, studies, memoranda, maps, or other planning or environmental documents relating to the project or its compliance with CEQA and prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the project that were either made available to the public during a public review period or included in the City's non-privileged, retained files on the project;
- All written comments and attachments on the project received from agencies, organizations, or members of the public during the Draft EIR comment period, Recirculated EIR comment period, or prior to the close of the public hearing before the Council;
- All City responses to comments received from agencies, organizations, or members of the public, or otherwise transferred from the City in connection with the project or its compliance with CEQA;
- Any supplemental documents submitted to the City prior to public hearings on the project;
- Staff reports prepared by the City for any information sessions, public meetings, and public hearings relating to the project, and any exhibits or attachments thereto;
- Minutes and/or transcripts (including all presentation material used or relied upon at such sessions, meetings, and hearings) of all public information sessions, public meetings, and public hearings relating to the project, including the January 28, 2019 Planning Commission hearing; May 6, 2019 Planning Commission hearing; May 22, 2019 City Council hearing on postponement; and November 6, 2019 City Council hearing;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- Any proposed decisions or findings submitted to the City Council and made available to the public during any public review period;
- All findings, resolutions, and ordinances adopted by the Planning Commission or this City Council in connection with the project, and all documents cited or referred to therein;
- Project permit conditions;
- The Mitigation Monitoring and Reporting Program (MMRP) for the project;
- Any documents expressly cited in these findings and any documents incorporated by reference;
- The City of Oceanside General Plan and all pertinent environmental documents prepared in connection with its adoption;
- The full written record actually before the Planning Commission and/or City Council;
- The project's Planned Development Plan and any project approval documents;
- All City website materials relating to the EIR or project;

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- Any other written materials included in the City’s retained files for the EIR or project that are relevant to the City’s compliance with CEQA or its decision on the merits of the project, and that were released for public review or relied upon in the environmental documents prepared for the project; and
- The Notice of Determination.

The Council intends that only those public records relating to the project and its compliance with CEQA and listed above shall comprise the administrative record for the project. Only that evidence was presented to, considered by, and ultimately before the Council prior to reviewing and reaching its decision on the EIR and project shall comprise the administrative record. The Council does not intend that any drafts of any study, findings, or environmental document (or portions thereof), that were not released for public review or otherwise made available to the public be included in the administrative record.

G. Custodian of Records

The custodian of the documents or other material that constitute the record of proceedings upon which the City’s decision is based is identified as follows:

300 North Coast Highway
Oceanside, CA 92054

H. Relationship of Findings to EIR

These findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the Revised FEIR and these Findings, these Findings shall control, and the Revised FEIR is hereby amended as set forth in these Findings.

I. Responses to Late Comments Not Required

CEQA Guidelines Section 15105 requires that the City provide a 45-day public review and comment period on the Draft EIR. To provide additional time, the City afforded an additional week for public review and comment on the Draft EIR. The public comment period for the Draft EIR began on July 27, 2018 and ended on September 19, 2018.

The City subsequently provided a 45-day public review and comment period on the Recirculated EIR pursuant to CEQA Guidelines Section 15088.5, 15086, and 15087. The public comment period for the Draft EIR began on August 12, 2019 and ended on September 26, 2019.

The City has received comments on the Draft EIR and Recirculated EIR after the close of their respective public comment periods. The City is not required to provide written responses to late letters. (Pub. Resources Code, § 21091(d); CEQA Guidelines, § 15088(a).) The City further finds that comments on the Draft EIR or Recirculated EIR that could have been offered during the Draft EIR or Recirculated EIR public comment periods should have been made at that time.

Nonetheless, the City fully considered these comments and finds that the late comments do not negate the adequacy of the environmental analysis prepared for the project, as presented in the project's Revised FEIR.

J. Further Recirculation Not Required

CEQA Guidelines Section 15088.5 provides the criteria that a lead agency is to consider when deciding whether it is required to recirculate an EIR. Recirculation is required when “significant new information” is added to the EIR after public notice of the availability of the Draft EIR is given, but before certification. (CEQA Guidelines, §15088.5(a).) “Significant new information,” as defined in CEQA Guidelines Section 15088.5(a), means information added to an EIR that changes the EIR so as to deprive the public of a meaningful opportunity to comment on a “substantial adverse environmental effect” or a “feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.”

An example of significant new information provided by the CEQA Guidelines is a disclosure showing that a “new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;” that a “substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance;” or that a “feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.” (CEQA Guidelines, §15088.5(a)(1)-(3).)

Recirculation is not required where “the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.” (CEQA Guidelines, §15088.5(b).) Recirculation also is not required simply because new information is added to the EIR — indeed, new information is oftentimes added given CEQA’s public/agency comment and response process and CEQA’s post-Draft EIR circulation requirement of proposed responses to comments submitted by public agencies. In short, recirculation is “intended to be an exception rather than the general rule.” (*Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1132.)

As discussed above, following circulation of the Draft EIR and draft Final EIR, the project applicant proposed a number of improvements to the project in response to comments received from the public, City staff, and Planning Commissioners throughout the CEQA and public hearing process. Because these improvements do not result in a new or worsened substantial adverse impacts, or identify a feasible mitigation measure or alternative not adopted by the applicant, recirculation was not required by CEQA. Nonetheless, in an effort to promote meaningful public review, participation, and comprehension, parts of the EIR were recirculated for review and public comment in September 2019.

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The City hereby finds that further recirculation of the EIR prior to certification is not required. In addition to providing responses to comments, the draft Final EIR included revisions to expand upon information presented in the Draft EIR; explain or enhance the evidentiary basis for the Draft EIR's findings; update information; and to make clarifications, amplifications, updates, or helpful revisions to the Draft EIR. The Recirculated EIR provided further enhancements to the project, clarifications, explanation, evidence, and other helpful revisions to the EIR. The Revised FEIR provides further responses to comments and clarifications, as needed.

Accordingly, the City opted to recirculate the EIR in an effort to promote CEQA's informational purpose. Further recirculation is not required.

K. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT, CEQA GUIDELINES § 15090

The City Council certifies that the Revised FEIR, dated November 2019, on file with the Development Services Department (SCH # 2017111069), has been completed in compliance with CEQA and the State CEQA Guidelines, that the EIR was presented to the Council, and that the Council reviewed and considered the information contained therein before approving the project, and that the EIR reflects the independent judgment and analysis of the Council. (State CEQA Guidelines § 15090.)

X. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081(b) and State CEQA Guidelines section 15093(a) and (b), the City is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of the project, including region-wide or statewide environmental benefits, outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable." (CEQA Guidelines, §15093 (a).) CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the final EIR or elsewhere in the administrative record. (CEQA Guidelines, §15093(b).)

Courts have upheld overriding considerations that were based on a variety of policy considerations including, but not limited to, new jobs, stronger tax base, and implementation of an agency's economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to community plan, and provision of construction jobs, See *Towards Responsibility in Planning v. City Council* (1988) 200 Cal App. 3d 671; *Dusek v. Redevelopment Agency* (1985) 173 Cal App. 3d 1029; *City of Poway v City of San Diego* (1984) 155 Cal App. 3d 1037; *Markley v. City Council* (1982) 131 Cal App.3d 656.

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As explained above, several significant impacts remain significant and unavoidable for the project despite the proposed mitigation measures. These significant unavoidable impacts are related to population and housing (growth inducement) and transportation and traffic. (See Sections III and V, above, and MMRP.)

The City finds that all feasible mitigation measures identified in the Revised FEIR that are within the purview of the City will be implemented with the project, and that the remaining significant unavoidable effects are outweighed and are found to be acceptable due to the following specific overriding economic, legal, social, technological, or other benefits, based upon the facts set forth in these Findings, the Revised FEIR, and the record.

A. Overriding Benefits Resulting from the Project

The City finds that the project would have the following economic, legal, social, technological, or other overriding benefits, including region-wide or statewide environmental benefits. Each of the benefits cited below constitutes a separate and independent basis that justifies approval of the project and outweighs the unavoidable adverse environmental effects of approving the project and thus make the adverse environmental effects acceptable. Thus, even in the absence of one or more of the reasons set forth below, the City has determined that each remaining reason, or any combinations of reasons, is a sufficient basis for approving the project, notwithstanding any significant and unavoidable impacts that may occur.

- 1) Benefits of Sustainable Design:** The project would maintain an environmentally sustainable community and has committed to offset all of its greenhouse gas emissions to achieve and maintain carbon neutrality (i.e., net zero emissions) for the life of the project. In terms of planning and design, the project would promote walkability and alternative transportation modes by creating neighborhoods that are linked by a series of interconnected multi use trails, sidewalks, agriculture and open space. These will connect residents to the San Luis Rey Transit Center, located approximately 0.5 miles from the site, and to the regional river trail system. The project integrate a mix of housing types and commercial, educational, and neighborhood serving retail on a single site with public open space, an urban farm, naturalized environments, and recreation areas. Sustainability practices include energy efficient building design; the efficient use of water through the use of natural drainage systems, drought tolerant landscaping, and the use of pervious surfaces; installation of electric vehicle charging stations in all single-family homes; compliance with California Title 24 building and energy efficiency standards (e.g., the CalGreen Building Code and the California Energy Code); solar on all residential units; and other features to reduce GHG emissions. The project has thus incorporated extensive sustainability features onsite, and has further committed to offset all greenhouse gas emissions to achieve carbon neutrality.
- 2) Benefits from Range of Housing Options:** The project would develop a mix of housing types and choices accommodating a range of consumer life stages and income levels. The project's residential component includes 585 total homes, which include single-family detached

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residential at a density of 3.6-5.9 dwelling units per acre; medium density residential at a density for 6.0-9.9 dwelling units per acre, and medium density residential at a density of 10.0-15.0 dwelling units per acre. The Planned Development Plan contemplates several product types including alley-loaded homes, clustered single-family homes, zero lot line homes, mixed use residential and commercial living, townhomes, and traditional single-family detached homes. In so doing, the project would provide a range of housing opportunities for existing and future residents of the City. The project's mix of housing types and choices would also support a reasonable share of the City of Oceanside's projected regional population growth to help the City meet its required regional housing needs, as detailed in the City's General Plan Housing Element and SANDAG's Regional Housing Needs Assessment.

- 3) Fire Service Benefits:** The project would provide for the construction of fire station facilities within the Village Core to support fire and emergency response services within existing service areas without burden or cost to existing residents, visitors, or the existing community. The project applicant would also pay the City up to \$350,000 for the purchase of an appropriate fire apparatus for use at the fire station. The project would further be conditioned to staff the station with two personnel -- at an estimated cost of \$850,000 per year-- through identified revenue sources. This new fire station facility and staffing would remedy an existing response time deficiency in the community, and provide for timely fire and emergency response to the North River Farms community. In addition, the project would be conditioned to pay fair share fees to fund new and/or expanded permanent fire infrastructure and facilities within the City.
- 4) Onsite Recreation and Park Benefits:** The project would provide a range of recreational amenities and facilities that are accessible to residents of both the project community and the surrounding area. The project would include park and recreational facilities that enhance the quality of life and meet the diverse active and passive recreational needs of the project's residents and visitors. The project's 17.0 acres of recreation and park features include a dog park, variety of parks, buffers, trails, a mountain bike trail, and community gardens throughout the project. The project's parks and recreational facilities would provide a wide range of recreational opportunities and active and passive uses, including lawns, seating, flexible play areas for outdoor games, playgrounds, a pool, basketball court, dog park uses, and other amenities.
- 5) Agritourism Benefits:** The North River Farms Planned Development Plan aims to provide for future agritourism through thoughtful planning principals, integrated design elements, and flexible forward thinking. The uses envisioned for the Village Core, which could include a boutique hotel, maker spaces, retail shops, farmers market, collaborative work spaces, village square, craft production, the farm, residential or the education Center; would create a gathering area for residents and visitors alike and promote connection of farmers with consumers. Activities at the site may include U-pick operations on the farm, animal interaction, demonstration farms and kitchens, onsite farmers' market and retail outlets, winery tours / tastings, lodging, farm to table restaurants, education and other tours. Teaching and providing access to a farm in the region helps to promote healthy food

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and more sustainable living. The project also provides a catalyst for transition of an existing agricultural region and will provide improvements to limited infrastructure including roads, water and sewer allowing neighboring properties to broaden their agritourism opportunities.

- 6) **Agricultural Benefits:** Approximately 68.1 acres of the project site would be dedicated to agricultural land uses. Community gardens would bring residents together to share, learn, and grow food in shared spaces, and provide fresh produce and plants, neighborhood improvement, a sense of community, and a connection to the environment. An interconnected system of on-street sidewalks, Class II and III bicycle lanes, and Class I trails would be designed to engage the resident with agriculture. A 17.6-acre professionally managed community farm on the southern edge of the project site would provide year-round produce and programming opportunities. Produce produced at the site would be available at an on-site farm stand and in-home vegetable box delivery program. In addition to on-site preservation of 68.1 acres of agricultural uses, the project would be conditioned to purchase 176.64 acres of permanent conservation credits from either a City agricultural mitigation program (if one is in place at the time of the application for a grading permit) or through the County's PACE program. The project will thus permanently preserve up to 244.74 acres of agricultural resources on- and off-site.
- 7) **Recycled Water Benefits:** With the project, the applicant has agreed to install an 18" reclaimed water line in North River Road along the project frontage to help expedite the City's initiative toward using reclaimed water in the City, and particularly within the South Morro Hills agricultural area.
- 8) **Offsite Recreation and Park Benefits:** The project applicant will provide \$500,000 to the City for future improvements, at the City's discretion, to the Melba Bishop Recreation Center. This funding would allow the City to enhance the Melba Bishop Recreational Center to better meet the recreational needs of area residents and visitors.
- 9) **Benefits from Job Creation:** The project is estimated to directly create 272 permanent onsite jobs at buildout. In addition the project is anticipated to create 123 jobs annually as a result of business to business spending in the local economy (indirect effect), and 90 jobs annually as a result of spending by direct and indirect employees in the local economy (induced effect). The project would therefore provide permanent job growth of 485 jobs annually.
- 10) **Benefits from Construction Jobs Creation:** The project will also boost the local economy by supporting construction related jobs. The project is anticipated to support approximately 319 construction related jobs annually during the five years of project construction.
- 11) **Benefits of Housing in Proximity to Jobs and Services:** A study released by the San Diego Regional Chamber of Commerce on June 26, 2018 titled San Diego County Housing Study & Economic Impact Analysis confirmed this exodus of workers to other counties and regions due to the housing shortage. Moreover, the jobs-to-housing imbalance is greatest in the North County San

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Diego region, which is projected to add jobs without a proportionate increase in housing stock, resulting a substantial shortage of single-family homes in the region. The study also found that the limited supply of housing and increased housing costs are of concern to the region's employers, to the extent they are considering whether they can exist in San Diego County.

The project would provide an opportunity for workers to reside within in the City in close proximity to North County job centers within the City and surrounding municipalities. It would help correct the jobs-to-housing imbalance by developing demanded housing in the North County San Diego region near where job growth is projected to occur. By providing reasonably priced housing in the City, the project would also support the City's employers and their ability to attract quality employees.

12) Benefits of Housing in Proximity to Transit: On the SANDAG smart growth concept map (available at https://www.sandag.org/uploads/projectid/projectid_296_14003.pdf), a community center node is located at the San Luis Rey Transit Center, located approximately half a mile from the project site. The transit center is 30 minutes from the Oceanside and Vista transit centers; accommodates five local and regional bus routes, and provides connections to Camp Pendleton and SPRINTER rail services, as well as local BREEZE bus service within northeastern Oceanside. The San Luis Rey Transit Center is served by Routes 303, 309, 311, 313, and 315. The project includes east/west bus stop infrastructure (turnouts) along N. River Road within the project site to prepare for future service by NCTD. The project also provides extensive pedestrian and bicycle connections, including to bike routes and the San Luis Rey River trail, to the transit center. Development of the project in close proximity to transit with a focus on options such as walking, cycling, and transit, the project will provide a more diverse, sustainable, transportation network.

13) Fiscal and Tax Benefits: The project, as designed, will provide a stable and significant source of tax revenue for the City, including property tax and sales tax. The project will make a substantial contribution to the City's General Fund and fund City infrastructure. The addition of new retail uses and a farmer's market at the project site would fulfill a recognized need in the community for additional retail development, and reduce the need for area residents to travel outside the community to satisfy their shopping requirements. Based on the May 9, 2018 *Fiscal Impact Analysis* prepared for the project by DPF, and the July 16, 2018 *Updated Fiscal Impact Analysis* prepared by KMA, it is estimated that the project will result in an annual fiscal surplus of \$451,483 to \$601,289 at project buildout. Such revenue may be spent by the City to improve vital services including police and fire protection, parks, roads and other infrastructure in the City. Money added to the General Fund will positively impact the City as a whole.

14) Housing Benefit: The project will provide a variety of quality housing opportunities, totaling 585 units, which would accommodate anticipated population growth and future housing needs within the City as projected by the SANDAG. SANDAG is the agency responsible for

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allocating the region's future housing needs to jurisdictions, taking into account: the market demand for housing; employment opportunities; availability of suitable sites and public facilities; commuting patterns; type and tenure of housing; loss of units in assisted housing developments; over-concentration of lower income households; and geographical and topographical constraints. The project would provide for housing proximate to available transit and consistent with the social, economic, and aesthetic values of the City. Project features have been incorporated to help minimize impacts of new development. The project would accommodate a reasonable share of projected regional population growth at intensities that are appropriate with respect to existing development, environmental resources, community character, available services, and available infrastructure.

- 15) Community Plan Benefit:** The project applicant will provide one million dollars (\$1 million) towards funding preparation of a community plan for the Wilshire and N. River Road areas of South Morro Hills. The funding of this effort is intended to stimulate and encourage the City's timely and thorough undertaking of this long-range planning effort including the development of land use concepts, agritourism, infrastructure requirements, conceptual planning, and analysis.
- 16) Traffic Community Benefit:** The project will assist the City in scoping the preliminary design, collecting proposal, engineering, impact analysis, preliminary cost estimate, evaluate revenue resources and potential financing sources for complete project implementation of the Melrose Bridge and road connection between North River Road and SR-76. The applicant will contribute \$500,000 for third party experts to produce a budget and schedule for the City to move forward with the design of a bridge project, with any remaining balance being applied in the discretion of the City toward CEQA environmental review. The contribution and assistance proposed with the project promotes these long range planning efforts of the City and region.
- 17) Local Emission Reduction Benefit:** As a condition of the project, the applicant will contribute \$100,000 to the City to fund Climate Action Plan implementation measures. Such measures may include, but are not limited to, installation of EV charging stations, subsidizing solar panel installations, or other programs to reduce carbon emissions from the City.

B. Conclusion

In light of the foregoing, and the information contained within the Revised FEIR and other portions of the project record, the City concludes that implementation of the North River Farms Planned Development Plan project will result in the development of a beneficial project as outlined above. The City also finds that the benefits identified above outweigh and make acceptable the significant, unavoidable environmental impacts associated with the North River Farms Planned Development Plan project and, accordingly, adopts this Statement of Overriding Considerations.