

PLANNING COMMISSION

Agenda Item No.: H.1

Date: April 8, 2008

CASE NUMBER: Tract 878 Extension of Time

APPLICANT: REC Consultants

LOCATION: On the western side of the terminus of the Lion Valley Road cul-de-sac, addressed as 323 Lion Valley Road.

TYPE OF PROJECT: Extension of Time for Previously Approved Tentative Map

PROJECT DESCRIPTION: A request for a three-year Extension of Time for a previously approved 11-lot (now 10-lot) Tentative Subdivision Map (Tract 878) on a 3.11-acre property in the R-1-10 zone (Single-family Residential – 10,000 SF minimum lot size). Proposed lot sizes would range from approximately 10,000 SF to 11,186 SF. Access to all of the proposed lots would be provided by an extension of the Lion Valley Road cul-de-sac. No new changes to the project are proposed in conjunction with this extension.

STAFF RECOMMENDATION: Approval of the extension for three (3) additional years.

GENERAL PLAN DESIGNATION/TIER: Suburban (up to 3.3 du/acre)
Tier 1 – Midway Subarea

ZONING: R-1-10 (Single-family Residential – 10,000 SF minimum lot size)

BACKGROUND/SUMMARY OF ISSUES: The project applicant has requested an extension of time for Tract 878, a 10-lot, single-family residential development on 3.11 acres. The project was originally approved by the Planning Commission on January 11, 2005. The Tentative Subdivision Map was due to expire on January 11, 2008. Section 32.210.02 of the Escondido Subdivision Ordinance states that Tentative Maps shall be valid for three years and may be extended up to five additional years. The applicant filed a request for an extension of time on December 21, 2007, prior to the expiration date. Since the request was filed prior to the expiration date, expiration of the map is suspended until a final decision is made regarding the extension request.

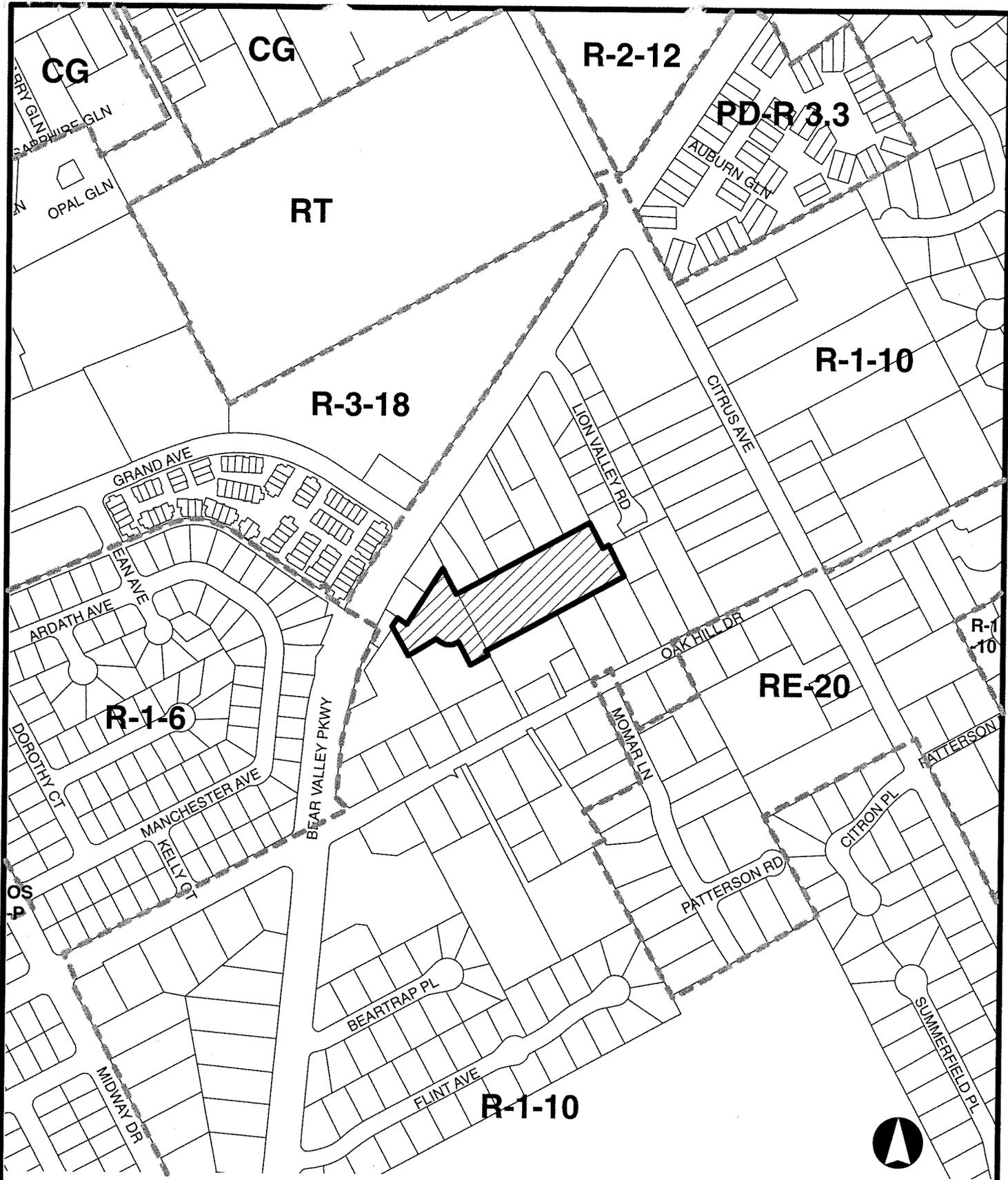
A boundary adjustment completed following approval of the Tentative Map resulted in one of the lots being removed from the development. The Planning Division later made a finding of substantial conformance for the change from an 11-lot subdivision to the current 10-lot subdivision.

The applicant and his engineer currently are working with the Engineering Division to complete approval of the final map, grading plans and improvement plans, and to post the necessary bonds for improvements to record the map. No additional modifications are proposed to the approved Tentative Subdivision Map. All conditions remain the same as previously approved with the exception of those related to specific lots. In those cases, lot numbers have been changed to reflect the renumbering that occurred with the current 10-lot configuration.

Respectfully submitted,



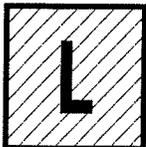
Bill Martin
Principal Planner



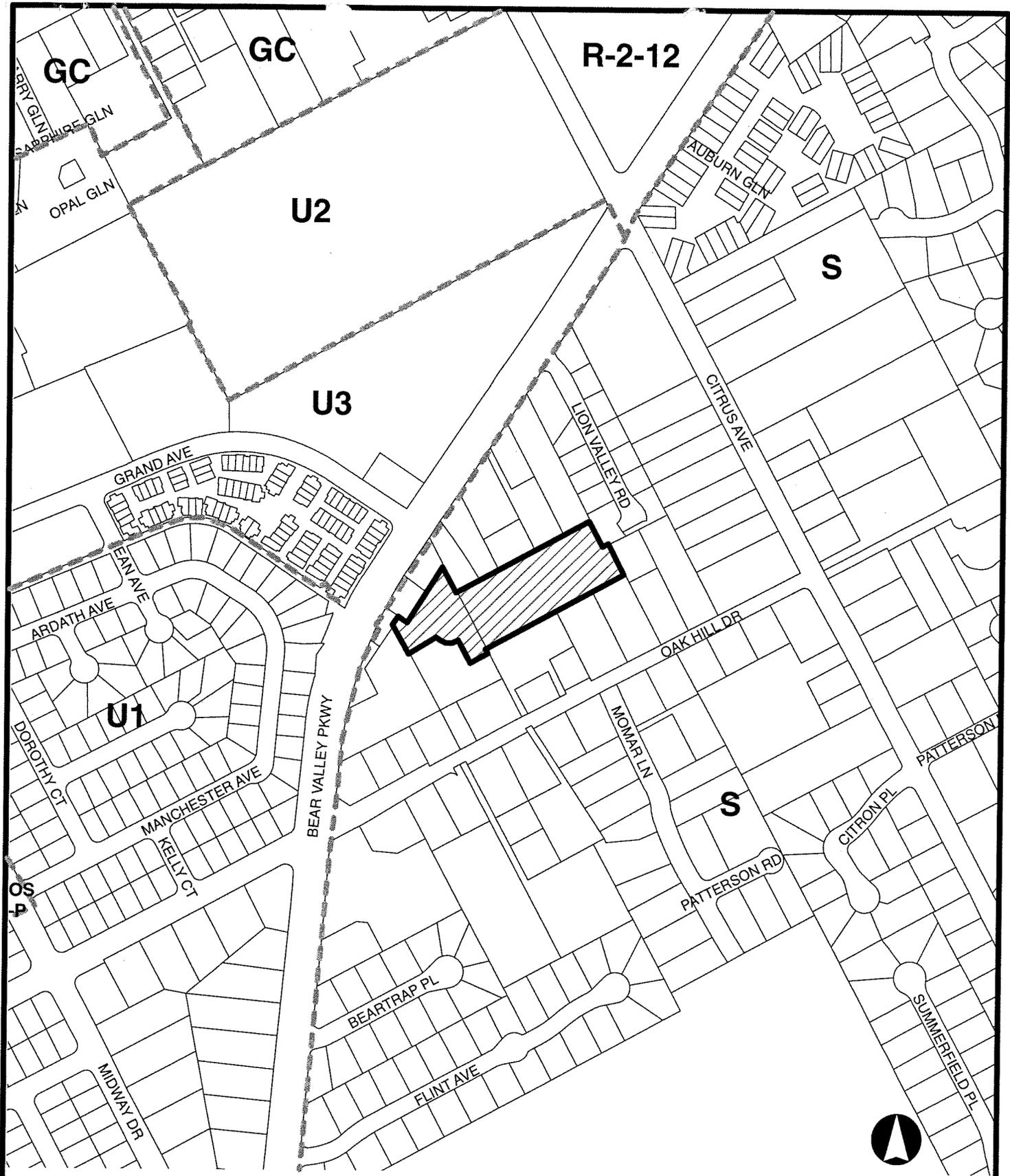
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**PROPOSED EXTENSION
OF TIME
TR 878 (EQT)**



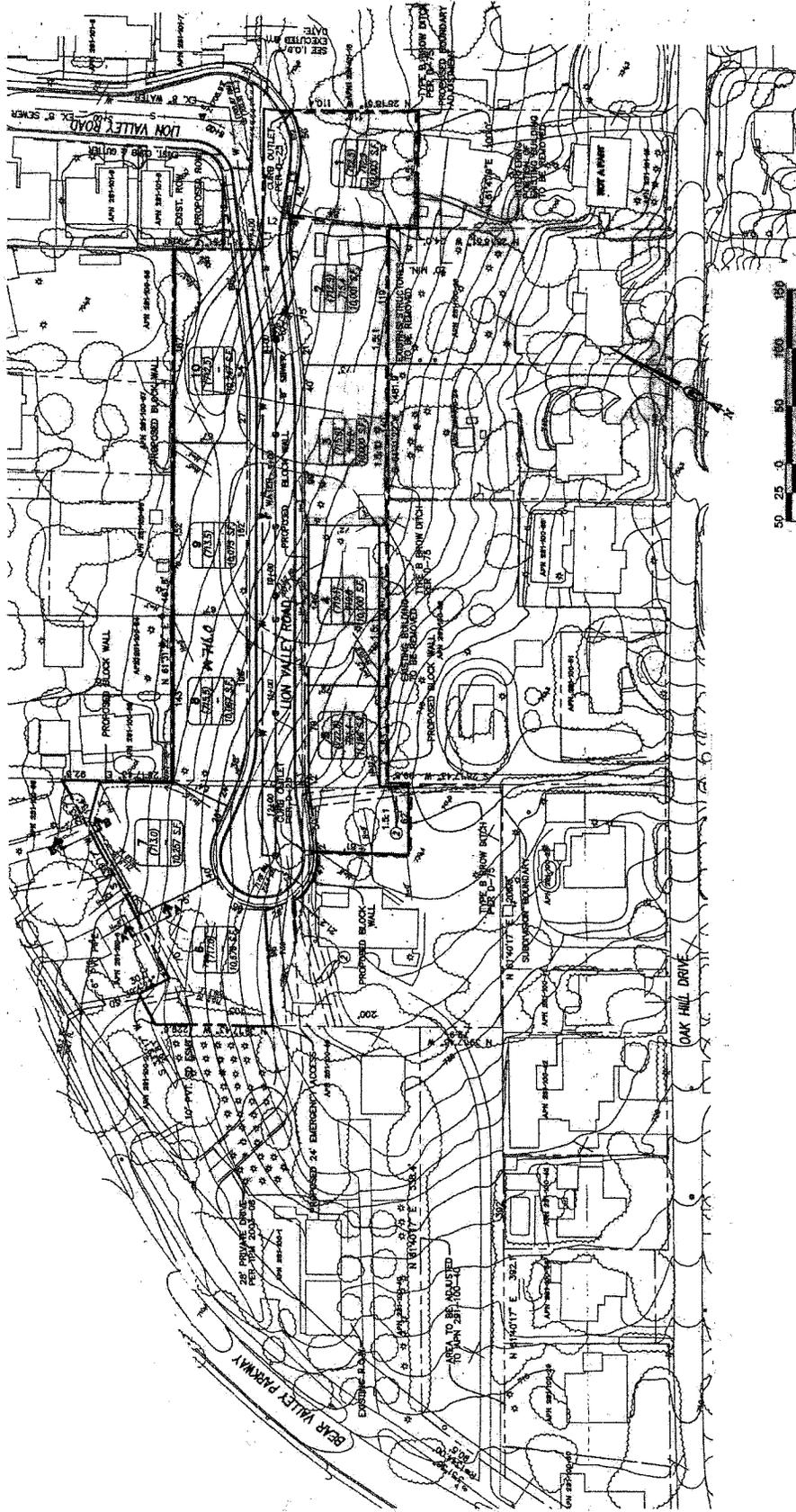
LOCATION/ZONING



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**PROPOSED EXTENSION
OF TIME
TR 878 (EOT)**

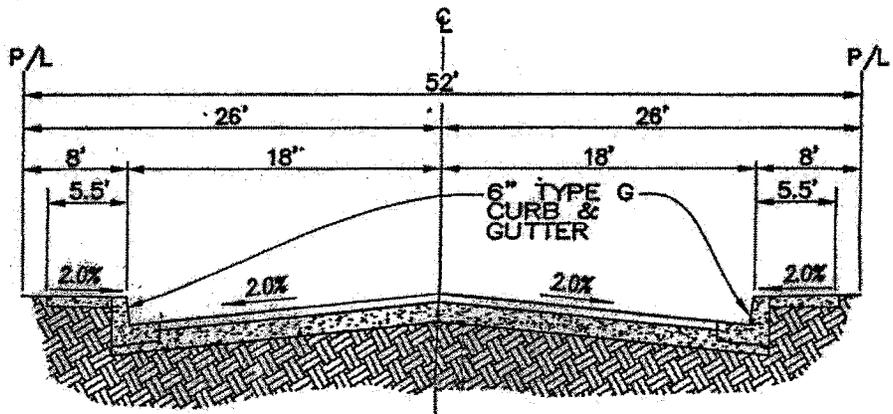




**PROPOSED EXTENSION OF TIME
TR 878 (EOT)**



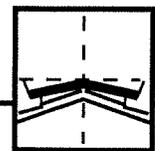
SITE PLAN



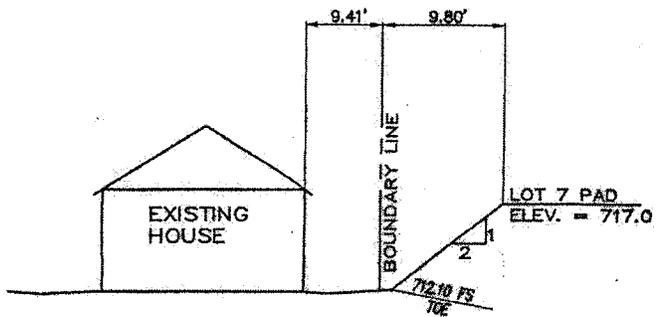
LION VALLEY ROAD

NO SCALE

**PROPOSED EXTENSION OF TIME
TR 878 (EOT)**

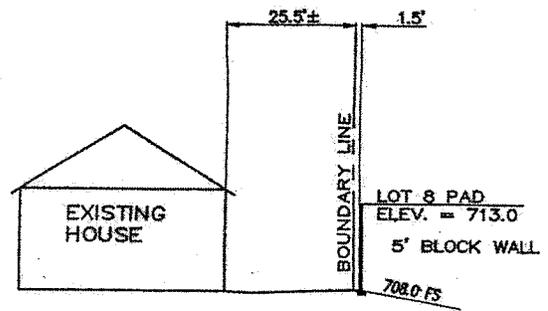


STREET SECTION



SECTION A-A

NO SCALE



SECTION B-B

NO SCALE

**PROPOSED EXTENSION OF TIME
TR 878 (EOT)**

ANALYSIS

An extension of time for a Tentative Subdivision Map is subject to the following findings, which are based on the map's compliance with the City's current General Plan and Zoning Ordinance, and the requirements of the California Environmental Quality Act (CEQA).

General Plan Compliance

The General Plan land use designation on the site is Suburban, which allows up to 3.3 dwelling units per acre and requires a minimum lot size of 10,000 SF. The proposed lot sizes, ranging from 10,000 SF to 11,186 SF, and project density of 3.22 du/acre (10 units on 3.11 acres) are consistent with the Suburban designation.

Zoning Ordinance Compliance

The current zoning designation of the site is R-1-10, which requires a minimum lot size of 10,000 SF. The approved Tentative Subdivision Map consists of ten lots ranging in size from 10,000 SF to 11,186 SF, which is consistent with the Zoning Code requirement. The proposed lots also are consistent with the existing zoning designation requirements for minimum width and frontage. The requirement for average lot width in the R-1-10 zone is 80 feet, while the resulting lots each have a minimum lot width of 80 feet. All lots abut a public street for a minimum of 35 feet, as required in the R-1-10 zone. In addition, each proposed lot has an adequate pad size to accommodate a single-family residence. The Tentative Map meets the requirements of the R-1-10 zone.

CEQA Conformance

A Negative Declaration, City Log No. ER 2004-16 was issued on November 10, 2004, for the Tentative Subdivision Map. There have been no substantial changes in the project or circumstances under which the project was undertaken which would require revisions to the environmental document. Staff feels the Mitigated Negative Declaration adequately addresses the environmental impacts of the proposed development.

Other Issues:

The subdivision was originally comprised of all or portions of three separate lots. The original subdivider completed a boundary adjustment that was needed to provide emergency access to the property on June 20, 2005. As part of that boundary adjustment, Lot 6 of TR 878 was established as a separate legal lot. That lot was retained by the original subdivider when the balance of the development was sold. On November 17, 2005, the Planning Division determined the 10-lot version of TR 878 was in substantial compliance with the original approval.

The applicant has been working with the Engineering Department to complete the final map and grading and improvement plans. According to the Engineering Division, the final map is close to being ready for recordation. The Extension of Time is needed so that the Tentative Map does not expire while the applicant is working with the City to record it.

The Fire Department has reviewed the Extension of Time request and determined that no additional conditions are needed in order to meet current Fire Department requirements. The Engineering Division also has not added any new conditions since the original approval of the project. Since no additional conditions of approval for the project are required with the Extension of Time request, and the proposed project is in compliance with the zoning requirements and the previously approved Tentative Subdivision Map, staff feels a three-year Extension of Time should be approved.

**FINDINGS OF FACT
TRACT 878 EOT
EXHIBIT "A"**

1. The proposed map is consistent with the maximum density of 3.3 du/acre permitted by the Suburban designation of the General Plan since the proposed density is 3.22 du/acre and lot sizes meet or exceed the Suburban requirement of 10,000 SF.
2. The design and improvement of the proposed subdivision is consistent with the General Plan and the Zoning Code since lot sizes and configurations are consistent with the Suburban designation and R-1-10 zone requirements.
3. The site is suitable for the residential type of development proposed since the property is zoned for single-family residential development and the site is near residential development of similar densities and lot sizes. Adequate access and utilities can be provided to the site.
4. The site is physically suitable for the proposed density of development since the project is an infill development and adequate building pads can be provided.
5. The design of the map and type of improvements are not likely to cause substantial environmental problems or substantially and avoidably injure fish or wildlife or their habitat since no stream courses or endangered wildlife occurs on the property as determined during Environmental Review, City Log No. ER 2004-16.
6. The design of the map and the type of improvements are not likely to cause serious public health problems since the project will not degrade the levels of service on the adjoining streets or drainage system and city sewer and water is available or can be provided with minor extension of nearby facilities.
7. The design of the map and type of improvements will not conflict with easements of record, or easements established through court judgment, or acquired by the population at large, for access through, or use of property within the proposed map. This was based on a review of all available maps and a preliminary title report submitted by the applicant. Neither the City of Escondido, nor its employees assume any responsibility for the completeness or accuracy of these documents.
8. All of the requirements of the California Environmental Quality Act have been met since it was found that the project will not have a significant effect on the environment as demonstrated in ER 2004-16. A Negative Declaration was issued on November 10, 2004.
9. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The subdivision configuration provides opportunities for passive/solar heating and landscaping will provide opportunities for the shading of each unit.
10. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to the recordation of the map.

CONDITIONS OF APPROVAL
Extension of Time Tract 878
EXHIBIT "B"

Landscaping

1. Prior to occupancy, all slope landscaping and street trees shall be installed. All vegetation shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
2. In compliance with Article 62 (Landscape Standards), Section 1327 (Slope Planting) of the Zoning Code, all manufactured slopes over three feet high shall be irrigated and planted with landscape materials as follows: Each one thousand SF of fill slope shall contain a minimum of six (6) trees, fifteen gallon in size; ten shrubs, five gallon in size; and groundcover to provide one hundred percent coverage within one year of installation. Each one thousand SF of cut slope shall contain a minimum of six (6) trees, five gallon in size; ten (10) shrubs, one gallon in size; and groundcover to provide one hundred percent coverage within one year of installation.
3. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of Grading or building permits, and shall be equivalent or superior to the concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee of \$1,040.00 will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Ordinance 93-12. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
4. The installation of the landscaping and irrigation shall be inspected by the project landscape architect. upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
5. All manufactured slopes or slopes cleared of vegetation shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then an interim landscaping solution may be acceptable. The type of plant material, irrigation and the method of application shall be to the satisfaction of the Planning Department and City Engineer.
6. Street trees shall be provided along every frontage within, or adjacent to this subdivision in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. A minimum of 26 24"-box size trees shall be incorporated into the landscape design to mitigate the removal of existing mature trees on the site as required by the Tree Preservation Ordinance (Ord. 93-11) to the satisfaction of the Planning Division.
7. Details of project fencing, including materials and colors, shall be provided on the landscape plans.
8. The final map shall include a tree planting easement adjacent to the street right-of-way with a sufficient width to accommodate the required street trees.

General

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City-Wide Facilities fees.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.

3. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
4. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
5. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
6. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75).
7. Fire hydrants capable of delivering 1,500 gallons per minute fire flow at 20 pounds per square inch residual pressure are required. The number, spacing and locations of the fire hydrants shall be subject to Fire Department approval.
8. An emergency access road with a minimum width of 24-feet shall be required from the end of the Lion Valley Road cul-de-sac to Bear Valley Parkway. Prior to issuance of a grading permit, the emergency access road width, pavement and gate specifications shall be reviewed and approved by the Fire Department. The emergency access road shall be constructed to the satisfaction of the Fire Department prior to occupancy of any new homes in the development. Fire access gates shall be installed to Fire Department standards and the applicant shall provide an endowment for maintenance of the gates in an amount satisfactory to the Fire Department and Engineering Division if the gates are not maintained by an HOA.
9. Access for use of heavy fire fighting equipment, as required by the Fire Marshal, shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials and no foundation inspections until adequate fire suppression requirements are in place to the satisfaction of the Fire Marshal.
10. An inspection by the Planning Division will be required prior to occupancy of any new residences. Items subject to inspection include, but are not limited to slope landscaping and street trees, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
11. Colors, materials and design of the project shall conform to the exhibits and references in the staff report to the satisfaction of the Planning Division.
12. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47).
13. All new utilities shall be underground.
14. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
15. Three copies of a revised Tentative Map, reflecting all modifications and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans and the final map.
16. All habitable buildings shall be noise-insulated to maintain interior noise levels not exceeding 45 dBA or less.
17. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform with the conceptual grading as shown on the Tentative Map. All fill slopes and retaining wall heights for Lots 6, 7, 8, 9, and 10 shall be limited to a maximum height of five feet as depicted on the Tentative Map.

18. Prior to recordation of the final map, two copies of the CC&Rs shall be submitted to the Planning Division for review and approval. The CC&Rs shall contain provisions for the maintenance of any common landscaping, walls, the emergency access road, etc. to the satisfaction of the Planning Division.
19. Prior to occupancy on Lots 6-10, a six-foot high wood fence shall be constructed at the top of the slope or retaining wall on each lot.
20. Prior to occupancy, the developer shall post the address of each residence on the exterior of the home and paint the address numbers on the curb.
21. All lots shall meet the average lot width and lot area requirements of the underlying zoning category. Conformance with these requirements shall be demonstrated on the grading plan and final map. Non-compliance with these minimum standards will result in revisions to the map.
22. Prior to issuance of building permits for the new residences, architectural plans shall be submitted to the Planning Division for review by the Design Review Board.
23. Prior to recordation of a final map, the applicant shall complete the boundary adjustment between the subject property and the Regan property (Adj. Plat 2004-10) and record Certificates of Compliance for each affected parcel.
24. Prior to recordation of a final map, all existing structures on the site to be removed shall be removed and the existing accessory building on the "Not a Part" property that encroaches onto Lot 1 shall be modified to meet the setback requirement.
25. As required by the Planning Commission, Lots 7 and 8 (former Lots 8 and 9 at time of Planning Commission hearing) shall be limited to one-story residences to minimize overlooking onto the adjacent properties.

ENGINEERING CONDITIONS OF APPROVAL ESCONDIDO TRACT NUMBER 878

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.
2. The location of all on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.
3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.
4. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
 - a) All conditions of the Tentative Subdivision Map have been fulfilled: or
 - b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.
5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
7. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall construct street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets within and adjoining the project boundary:

STREET

CLASSIFICATION

Lion Valley Road

Residential Cul-De-Sac

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The developer shall be required to grind (5' header cut) along lip of gutter and overlay (2") existing Lion Valley Road from Bear Valley Parkway to existing terminus point as determined by the City Engineer prior to completion of the project.
4. All damaged curb & gutter and sidewalk along existing section of Lion Valley Road shall be removed and reconstructed to the satisfaction of the City Engineer.
5. The address of each lot/dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer.
6. Sidewalk construction shall be contiguous to the curb in accordance with current Escondido Design Standards.
7. All cul-de-sacs shall conform to the current Escondido Design Standards.
8. All knuckles within the public rights-of-way shall conform to current Escondido Design Standards.
9. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
10. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. The developer shall be responsible for all signage and striping for the project.
11. The developer shall be required to construct an emergency access road to the satisfaction of the City Engineer and City Fire Marshal. The developer shall provide long-term maintenance program for the future maintenance and repair of the proposed emergency access gate to the satisfaction of the City Engineer and Fire Chief.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. Increased cut slope setbacks may be required along the project boundary to avoid disrupting any existing septic systems in the adjoining residential areas and may be required to avoid encountering ground water problems. Actual setbacks to be used will be based on recommendations of the soils engineer. The requirements of the San Diego County Health Department should be consulted in this regard. In lieu of these requirements, or if the County Health Department requirements cannot be met, the developer must arrange to connect adjoining existing dwelling units, now on private septic systems, to the public sewer system. In this regard, the developer will be required to make necessary arrangements for all main extensions, easements and payment of all connection and permit fees. Any dwellings in the unincorporated areas must have special approval of the City Council before being connected to the City sewer system. This requirement shall also apply to off-site road and utility improvements where existing septic systems are jeopardized as a result of these improvements.
3. It shall be the responsibility of the developer to pay all plan check and inspection fees required by the San Diego County Health Department.
4. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
5. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
6. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of five(5) or more acres.
7. Lot drainage shall meet the requirements of current Escondido Design Standards and the City Engineer and shall include the construction of necessary brow ditches.
8. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
9. Unless specifically permitted to remain by the County Health Department, all existing wells within the project or affected by the off-site improvements shall be

abandoned and capped, and all existing septic tanks within the project or affected by the off-site improvements shall be pumped and backfilled per County Health Department requirements prior to issuance of Grading Permit.

10. Cross-lot drainage may be allowed in rural estate zones on a case-by-case basis, to be approved by the City Engineer.
11. All driveway grades shall conform to current Escondido Design Standards and Escondido Standard Drawings.
12. All lot lines shall be located at the top of slope unless otherwise approved by the City Engineer.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study and water quality technical report to be prepared by the engineer of work. The drainage study and water quality technical report shall be in conformance with the City of Escondido Design Standards and Storm Water Management Requirements.
2. All on-site storm drains not in public easements are private. The responsibility for maintenance of these storm drains shall be that of the property owner's association. Provisions stating this shall be included in the CC&R'S.
3. Drainage facilities shall be provided at the toe of all commonly maintained large slope areas to intercept irrigation runoff approaching the individual lots.

WATER SUPPLY

1. All water main locations and sizing shall be to the satisfaction of the City Engineer. Required water main improvements shall include extension of the existing 8-inch water line on Lion Valley Road and looped to connect to the existing water line on Bear Valley Parkway.
2. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.

SEWER

1. All sewer main locations and sizing of mains shall be to the satisfaction of the City Engineer.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications (or, if appropriate, offer of dedications) for public rights-of-way on the following streets contiguous to the project to bring the roadways to the indicated classification.

STREET

CLASSIFICATION

Lion Valley Road

Residential Cul-De-Sac

2. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
3. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.

REPAYMENTS AND FEES

1. A cash security or other security satisfactory to the City Engineer shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading work up to a maximum of \$30,000, unless a higher amount is deemed necessary by the City Engineer. The balance of the grading work shall be secured by performance bonds, an instrument of credit, a letter of credit or such other security as may be approved by the City Engineer and City Attorney.
2. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

CC&R's

1. Copies of the CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance. The developer may request a waiver of this condition by writing a letter to the City Engineer explaining his/her reasons for requesting the waiver. The developer will be required to pay a waiver fee as adopted by City Council resolution.

2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

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PLANNING COMMISSION

Agenda Item No.: G.1

Date: January 11, 2005

CASE NUMBER: TR 878

APPLICANT: Mike Sholders

LOCATION: On the western side of the terminus of the Lion Valley Road cul-de-sac, addressed as 323 Lion Valley Road.

TYPE OF PROJECT: Tentative Subdivision Map

PROJECT DESCRIPTION: A Tentative Subdivision Map for 11 single-family residential lots on a 3.87 acre property in the R-1-10 zone (Single-family Residential – 10,000 SF minimum lot size). Proposed lot sizes would range from approximately 10,000 SF to 34,045 SF. Access to all of the proposed lots would be provided by an extension of the Lion Valley Road cul-de-sac.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION/TIER: Suburban (up to 3.3 du/acre)
Tier 1 – Midway Subarea

ZONING: R-1-10 (Single-family Residential – 10,000 SF minimum lot size)

BACKGROUND/SUMMARY OF ISSUES: On December 14, 2004, the Planning Commission voted 7-0 to continue this item to allow the applicant additional time to secure a small piece of right-of-way on Lion Valley Road. The applicant has now secured the right-of-way. The applicant is proposing to subdivide a 3.87-acre site into 11 single-family residential lots. The proposed development site is an assemblage of all or portions of three properties and is completely surrounded by existing single-family residential development. The only access to the site is through the uncompleted cul-de-sac at the end of Lion Valley Road. The applicant would complete the cul-de-sac and extend Lion Valley Road westward approximately 640 feet to provide access to all of the lots in the subdivision. The extended cul-de-sac length would require the construction of an emergency access road from the end of the cul-de-sac west through an adjacent property to Bear Valley Parkway. There are currently two residences on the site. One residence would remain on Lot 6, while the other residence in the vicinity of Lots 3 and 4 on the southern boundary of the site would be demolished.

On October 11, 1989, the City Council approved a seven-lot subdivision over the central portion of the site now comprising Lots 2-5 and Lots 9-11. The Planning Commission had previously denied the project because of a ten-foot high fill slope along the northern property line and the potential for overlooking onto adjoining properties. The City Council on appeal referred the project back to the Planning Commission for redesign and suggested the fill slope be lowered and the three northern lots be limited to one-story. The applicant redesigned the slope to a height of six feet and accepted a one-story limitation on the three northern lots and the requirement for a wood fence at the top of the slope. The Planning Commission and City Council both approved the redesigned project. Although several extensions of time were granted, a final map never recorded and the Tentative Map ultimately expired in October of 1998.

On October 18, 2004, a neighborhood meeting was held to discuss the proposed subdivision. Several property owners on Lion Valley Road expressed concern that the cul-de-sac extension would result in a doubling of the number of homes on the street and that all of the traffic from the new homes would have to come past their homes to access Bear Valley Parkway. None of the property owners on Bear Valley Parkway were present to discuss potential overlooking issues.

Staff feels that the issues are as follow:

1. Appropriateness of extending the Lion Valley Road cul-de-sac and placing additional residential traffic on the street.
2. Appropriateness of the proposed grading design and whether potential overlooking has been minimized to the extent feasible.
3. Whether the potential for condemnation exists based on the need for an off-site emergency access road and drainage/utility easement.

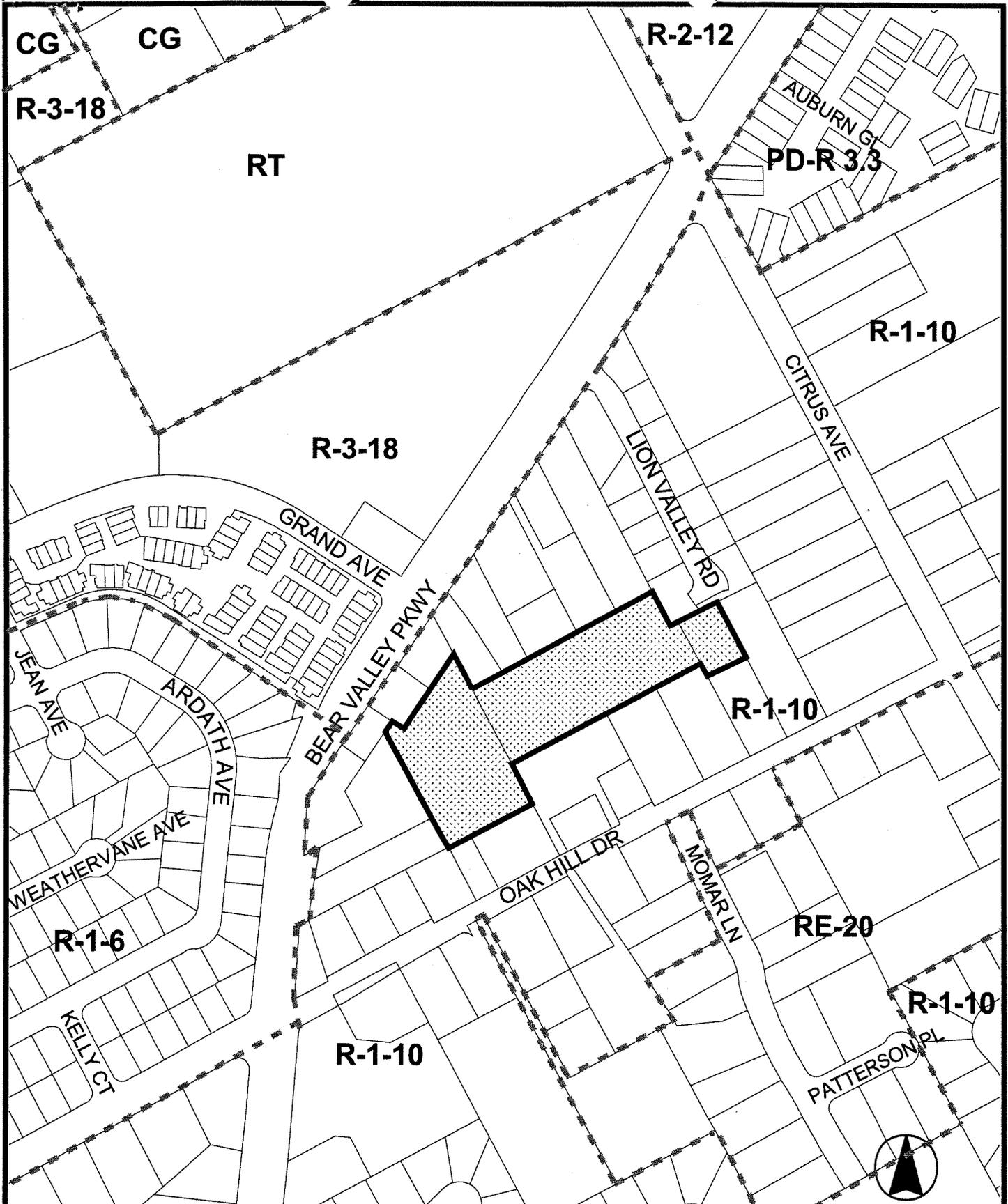
REASONS FOR STAFF RECOMMENDATION:

1. Staff feels the extension of the street is the only viable option to provide access to the subdivision and the existing terminus of Lion Valley Road was obviously designed to extend to the site. Although residential traffic on Lion Valley Road would essentially double, the new traffic generation rate of approximately 220 ADTs would be well within the capacity of the street.
2. The proposed Tentative Map has been revised three times to address the height of the fill slope/retaining wall along the northern boundary of the site. Staff feels the proposed design has minimized the height of the retaining wall on Lots 7-11 since wall heights range from approximately two to five feet. Although the applicant has indicated the minimal depth of the lots will result in two-story homes on each lot, staff feels overlooking has been minimized by the five-foot maximum height on the retaining wall and the placement of wood fencing on top of the wall. Staff feels review of the two-story issue is most appropriate during the Design Review Board stage of the project.
3. Although the proposed design of the subdivision relies on the need for two off-site easements, the adjacent property owner involved has indicated a willingness to offer the easements. The potential for condemnation still exists if something should change, but staff feels it is unlikely and would not significantly affect the involved property if it were to occur.

Respectfully submitted,



Bill Martin
Senior Planner

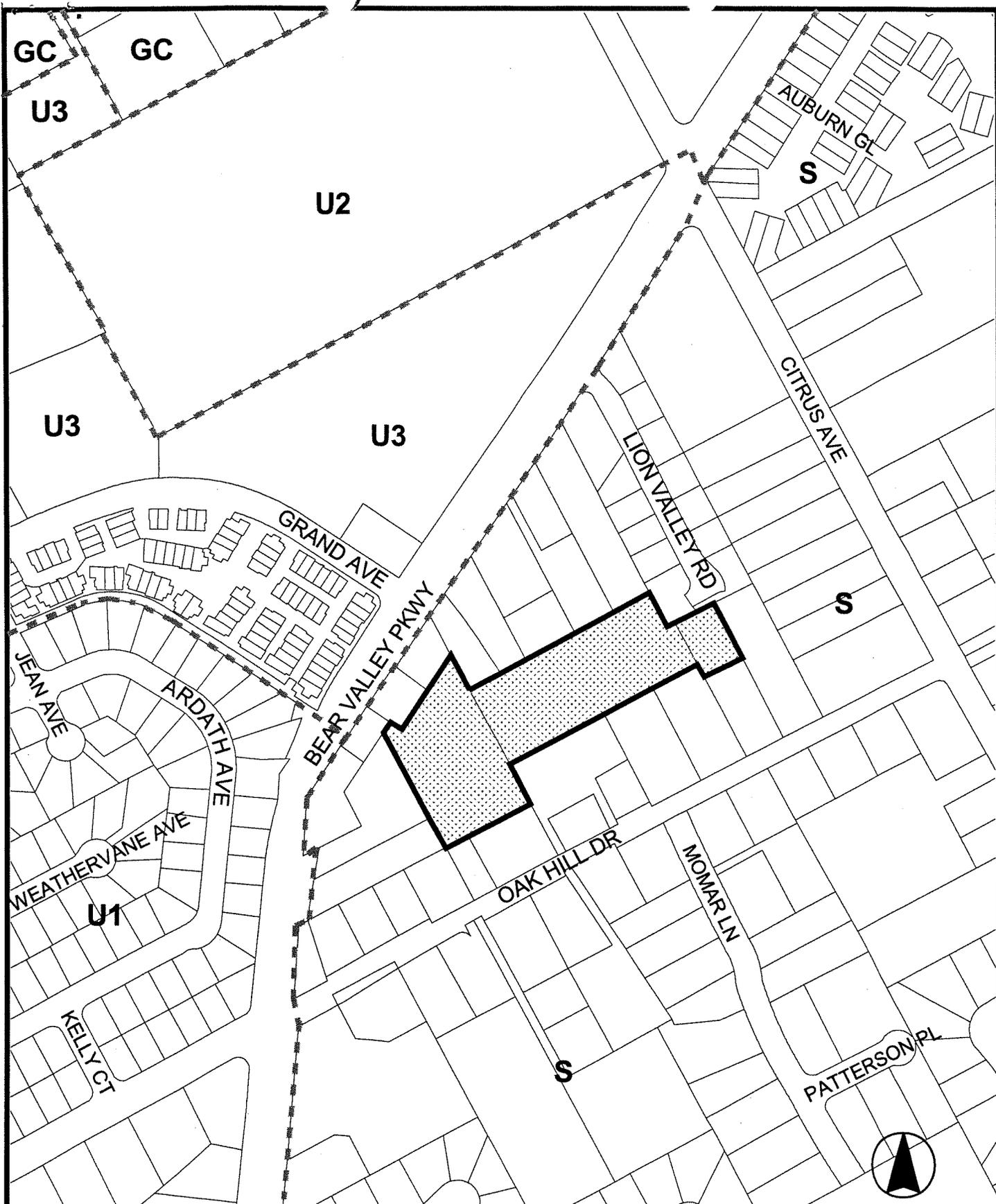


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**PROPOSED SUBDIVISION
TR 878**



LOCATION/ZONING

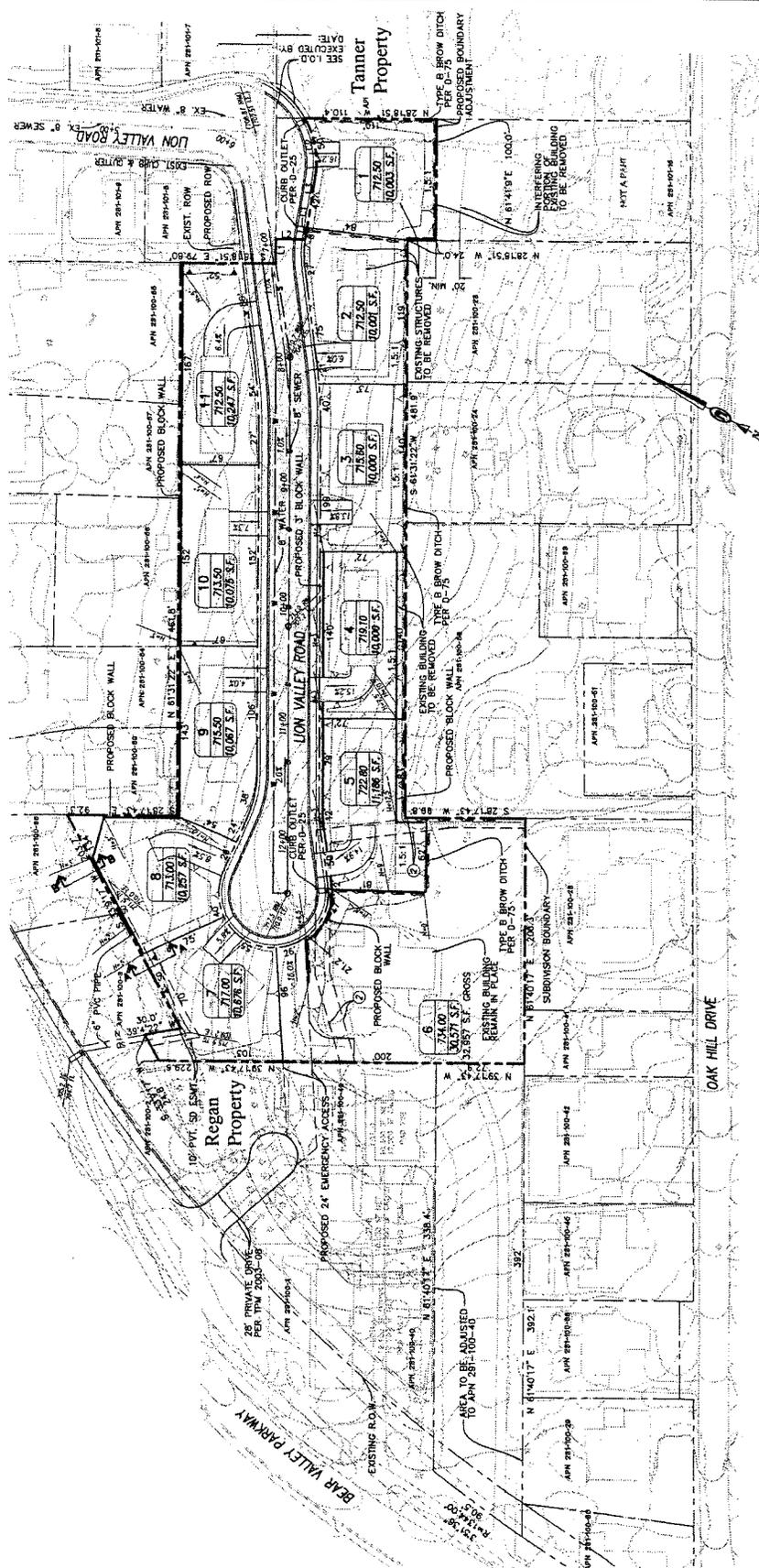


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**PROPOSED SUBDIVISION
TR 878**



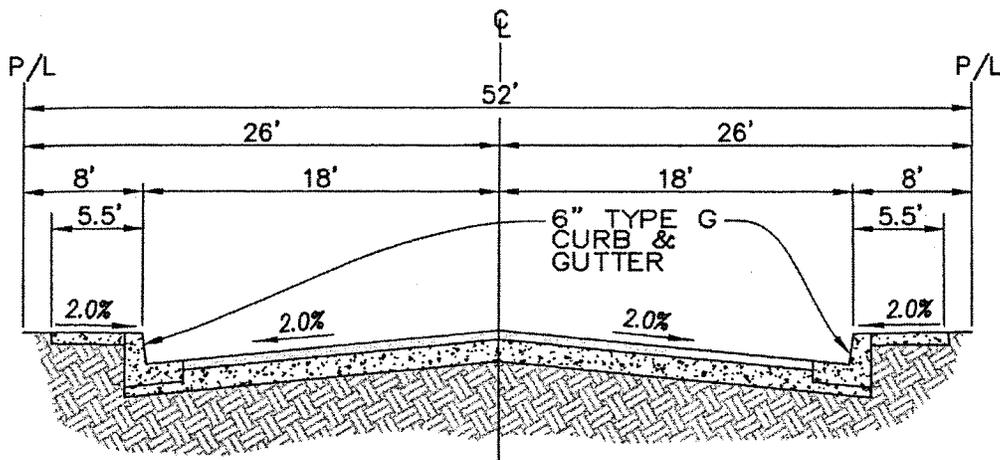
GENERAL PLAN



**PROPOSED SUBDIVISION
TR 878**



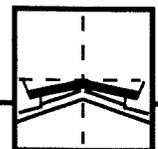
SITE PLAN



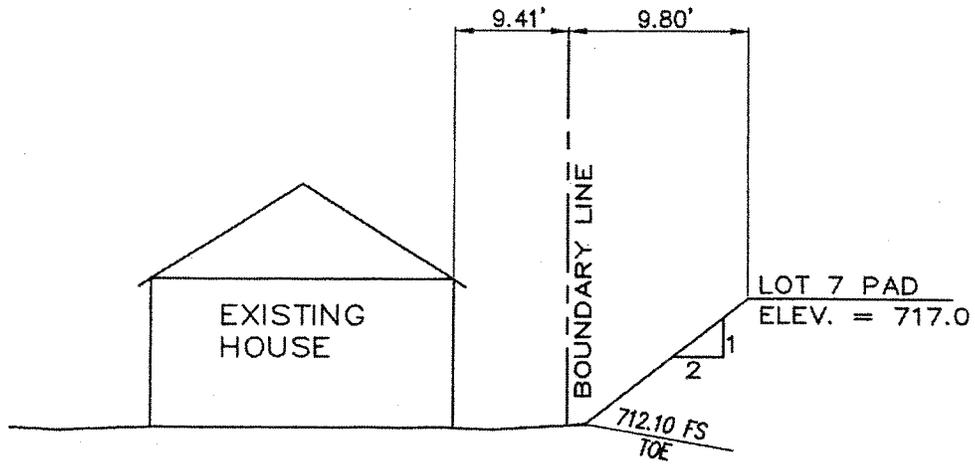
LION VALLEY ROAD

NO SCALE

**PROPOSED SUBDIVISION
TR 878**

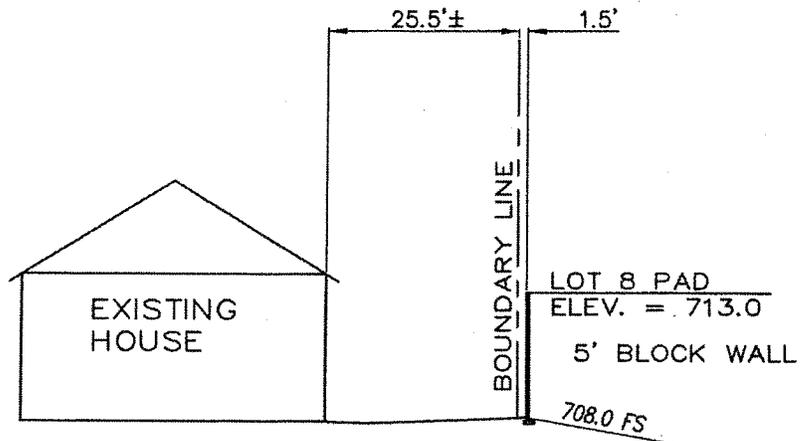


STREET SECTION



SECTION A-A

NO SCALE



SECTION B-B

NO SCALE

**PROPOSED SUBDIVISION
TR 878**

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH - R-1-10 zoning (Single-family Residential – 10,000 SF minimum lot size)/ Single-family residences on lots ranging in size from approximately 10,000 SF to 0.95 acre.

SOUTH - R-1-10 zoning/ Single-family residences on lots ranging in size from approximately 10,000 SF to 0.87 acre.

EAST - R-1-10 zoning/ Single-family residences on lots ranging in size from approximately 6,000 SF to 0.80 acre.

WEST - R-1-10 zoning/ Single-family residences on lots ranging in size from approximately 10,000 SF to 0.80 acre.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service – The Police Department has expressed no concern regarding their ability to provide service to the site.
2. Effect on Fire Service – The Fire Department has expressed no concerns relative to its ability to provide service to the site. The site will be served by Fire Station No. 2 (421 N. Midway Drive) which is within the five minute response time mandated by the General Plan.
3. Traffic -- The project will take access from Lion Valley Road, which is an unclassified residential street. Lion Valley Road intersects with Bear Valley Parkway, which is designated as a Major Road on the Circulation Element of the General Plan. Bear Valley Parkway currently carries approximately 9,260 ADT (Average Daily Trips) and operates at a Level of Service (LOS) "C" under existing improvement conditions. Street improvements are currently being constructed on Bear Valley Parkway to provide four travel lanes with a raised median. Access to and from Lion Valley Road would be limited to right-turn-in and right-turn-out only. Once these improvements are completed, this section of Bear Valley Parkway will operate at a Level of Service "A."

Based on the SANDAG traffic generation rates for the San Diego region, the project will generate approximately 10 trips per residence or 110 ADT for the one existing home and the 10 new homes that would be constructed in the proposed development. This traffic would be added to the residential traffic on Lion Valley Road that is generated by the existing 12 homes on the street. Although the proposed project would approximately double the amount of traffic on Lion Valley Road, the new traffic generation rate of approximately 230 ADTs would be well within the capacity of the street. The Engineering Department has indicated that the proposed project would not materially degrade the levels of service on adjacent streets or intersections.

4. Utilities – City sewer and water mains with sufficient capacity to serve the project are available within the adjoining street or easement. The project does not materially degrade the levels of service of the public sewer and water system.
5. Drainage – There are no significant drainage courses within or adjoining the property. The project is conditioned to provide a drainage study, which will determine the extent of drainage facilities necessary to control runoff. Runoff from the project will be directed to the adjoining public street or other approved drainage facility. The project does not materially degrade the levels of service of the existing drainage facilities.

C. ENVIRONMENTAL STATUS

1. A Negative Declaration, City Log No. ER 2004-16 was issued on November 10, 2004.
2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.

3. The project will have a de minimis impact on fish and wildlife resources as no sensitive or protected habitat occurs on-site or will be impacted by the proposed development.

D. CONFORMANCE WITH CITY POLICY

General Plan

The General Plan land use designation on the site is Suburban which allows up to 3.3 dwelling units per acre. The project density of 2.84 du/acre is consistent with the Urban II designation. The project will be required to conform to the provisions of the Citywide Facilities Plan through the payment of fees to ensure that the Quality of Life Standards will continue to be met.

Extension of the Lion Valley Road Cul-de-Sac and Increase in Traffic

When the existing subdivision on Lion Valley Road was approved in the late 1980's, the project (TR 642) was conditioned to construct a portion of cul-de-sac at the southern end of the site and extend right-of-way or a road easement to the subject property. The intent was to provide access to the subject property located to the west. The final map provided an offer of dedication for the unconstructed portion of the cul-de-sac that was on the TR 642 site up to the eastern boundary of the applicant's site.

The proposed development would utilize that existing offer of dedication, some on-site area, and approximately 350 SF of off-site land that has recently been offered for dedication to construct a 90 degree knuckle on Lion Valley Road and extend the cul-de-sac west approximately 640 feet ending in a new cul-de-sac. The curb-to-curb width of the new street would be developed to public street standards which would allow parking on both sides of the street. All eleven lots in the proposed development, including the existing home on Lot 6 which currently has access to Bear Valley Parkway, would take access from the cul-de-sac extension. The existing home on Lot 6 would lose its Bear Valley Parkway frontage and access as part of a boundary adjustment with the property owner to the west.

There are twelve existing homes that were constructed on Lion Valley Road as part of Tract 642. During a neighborhood meeting held on October 18, 2004, several homeowners on Lion Valley Road expressed concern that the street would now be extended to provide access to another eleven homes. All of the traffic from the new development would have to pass by their homes on the way to and from Bear Valley Parkway. With a number of children in the neighborhood, the neighbors generally felt that the extension would create an unsafe situation. The only potential alternative to extending the cul-de-sac would be to construct a new street from Bear Valley Parkway through the "area to be adjusted" that extends west from Lot 6. This land was originally part of Lot 6 on the initial project submittal and was later shown to be adjusted away as part of an agreement for easements across the adjoining land. Even if the land were not adjusted, access from this side of the development would result in the loss of the existing home on Lot 6, which the applicant has consistently resisted. If the applicant were to agree to remove the home, it remains unknown whether the street could be designed to bend into the rest of the site and still meet city design standards for public streets while maintaining the same street grade necessary to minimize fill slopes along the northern side of the site. Although the proposed design would almost double the number of homes taking access from Lion Valley Road, the number of vehicle trips would increase from 120 ADT to 230 ADT which is definitely within the capacity of a residential public street. Therefore, staff supports the applicant's street design because the street has available capacity and the existing terminus of Lion Valley Road was designed from the beginning to extend into and accommodate development of the applicant's site.

Grading Design and Whether Potential Overlooking has been Minimized to the Extent Feasible.

Fifteen years ago when a portion of the site was approved for residential development, it was recognized that the development of the property could result in negative impacts to adjacent northern properties. This is due to the slope of the land which slightly falls from south to north requiring a fill slope for the lots on the northern side of the street so that they can drain and sewer back towards the street. A fill slope along the northern side of the property places it in close proximity to at least four residences on Bear Valley Parkway.

When the proposed development was initially submitted, the grading design included a retaining wall up to eight-feet high along the northern side of Lots 9-11 and a fill slope up to 14.5-feet high along the northern side of Lots 7 and 8. Considering that a six-foot high fence would be placed at the top of the slope or wall, staff expressed concern about the overall height and affect on adjoining properties. The grading design was subsequently modified three times to get to the current proposal. Modifications included reducing the wall height, increasing the cut slope height on the southern side of the development, lowering the street profile, lowering the building pad heights and eliminating the fill slope behind Lot 8 in favor of extending the retaining wall.

The Grading Ordinance requires Planning Commission approval for any perimeter fill slope in excess of ten-feet high. Fill slopes between five feet and ten feet in height may be permitted at the discretion of the Community Development Director and fill slopes less than five feet generally require no discretion or enhanced level of review. The current plan for the grading along the northern side of the project shows a continuous retaining wall behind Lots 8, 9, 10, and 11. Wall heights range from approximately two feet to five feet in height. A small fill slope on Lot 7 is approximately four-feet high. All of these slope and wall heights are considered acceptable because they fall below the threshold for discretionary review.

During the early stages of the project review, the owner of the property at 2201 Bear Valley Parkway called staff to express concern about the development of Lot 8. The neighbor's property abuts both Lot 8 and Lot 9. The applicant had already indicated his intent to place two-story homes on each lot because of the lack of depth to most of the lots and minimal pad size on the others. The neighbor was concerned that the pad height was approximately 10.5 feet higher than his swimming pool which is approximately five feet away from the property line. Since that time, the applicant has reduced the pad height on Lot 8 by 5.5 feet resulting in a five-foot high retaining wall adjacent to this neighbor as opposed to a fill slope that ranged up to 11.5-feet high in the previous design. Although potential overlooking issues would continue to exist if a two-story residence were to be placed on Lot 8, staff feels the overlooking has been minimized because the wall heights have been reduced to five feet and a condition has been added to require a six-foot high wood fence along the rear of Lots 7-11. Also, the pad for Lot 8 has been slightly enlarged to where an adequately-sized one-story home may be appropriate for the lot. This is an issue that staff intends to resolve at the design review stage of the project.

Potential for Condemnation for Off-site Easements and Street Dedication

The proposed subdivision requires the use of off-site easements in two areas from the adjacent property owner to the west (Regan). The most significant need is for an emergency access easement. Emergency access is required because the extended length of the Lion Valley Road cul-de-sac would definitely exceed the 800-foot maximum length for a single means of access. The emergency access easement would extend from the new cul-de-sac on Lion Valley Road west to a future cul-de-sac to be constructed as part of a recently approved Tentative Parcel Map on that property. The Fire Department has indicated that the emergency access easement is acceptable provided it is constructed with a minimum width of 24-feet as shown on the plan. In a letter dated May 13, 2004, Mr. Regan states that he would be interested in granting the emergency access easement in return for a portion of the applicant's land adjacent to his southern boundary and shown on the proposed Tentative Map as "Area to be Adjusted." A boundary adjustment between the two properties has been submitted for review and will be required as a condition of the proposed development.

The applicant needs an additional easement across the Regan property from the northern boundary of Lot 7 to Bear Valley Parkway. The need for this drainage easement was generated by the most recent design for the subdivision where the building pads for Lots 7 and 8 were lowered to reduce the slope/wall height on these lots. Now that the lots have been dropped below street level, they no longer can drain towards Lion Valley Road and will have to drain north through the Regan property to Bear Valley Parkway. In a letter dated December 1, 2004, Mr. Regan states that he is willing to dedicate a utility easement to the applicant in the area where a storm drain line is needed.

Should the adjacent property owner ultimately decline to offer the easements, there exists a potential for condemnation to fulfill the conditions of the Tentative Map. Staff feels the potential for condemnation is negligible on the Regan property since he has already agreed to provide the easements and in return will benefit by the property transfer.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The site is an assemblage of all or portions of three properties and is completely surrounded by existing single-family residential development. There are currently two residences on the site. One residence will remain on Lot 6, while the other residence in the vicinity of Lots 3 and 4 on the southern boundary of the site will be demolished. The remainder of the site is generally vacant with vegetation consisting primarily of weedy, invasive species with some remnant ornamental species. No areas of native vegetation remain on the site.

B. SUPPLEMENTAL DETAILS OF REQUEST

	<u>Proposed Development</u>	<u>R-1-10 Zoning Requirements</u>
1. Property Size:	3.87 acres	N/A
2. Number of Lots:	11	Up to 12 based on General Plan yield
3. Proposed Lot Sizes:		
Minimum:	10,000 SF	10,000 SF minimum
Maximum:	32,957 SF	
4. Overall Density:	2.84 units per acre	Up to 3.3 units per acre
5. Lot Width:	90 feet minimum	80 feet minimum
6. Landscaping:	All landscaping to comply with Landscape Ordinance and Tree Replacement Ordinance requirements including street trees, slope plantings, erosion control and box-size replacement trees.	

C. GENERAL PLAN COMPLIANCE

1. General Plan:
 - a. Land Use Element Designation: The site is in the Suburban designation of the General Plan which permits up to 3.3 du/acre.
 - b. Circulation Element: Lion Valley Road is an unclassified residential street.
 - c. Noise Element: The site is not located within a projected Year 2000 noise contour with an anticipated CNEL of 60 dB or greater.
 - d. Ridgeline: The site is not located on or near any intermediate or skyline ridgelines.
 - e. Trails: There are no trail dedications required at this site.

**FINDINGS OF FACT
TR 878
EXHIBIT "A"**

1. The proposed map is consistent with the maximum density of 3.3 du/acre permitted by the Suburban designation of the General Plan since the proposed density is 2.84 du/acre and lot sizes meet or exceed the Suburban requirement of 10,000 SF.
2. The design and improvement of the proposed subdivision is consistent with the General Plan and the Zoning Code since lot sizes and configurations are consistent with the Suburban designation and R-1-10 zone requirements.
3. The site is suitable for the residential type of development proposed since the property is zoned for single-family residential development and the site is near residential development of similar densities and lot sizes. Adequate access and utilities can be provided to the site.
4. The site is physically suitable for the proposed density of development since the project is an infill development and adequate building pads can be provided.
5. The design of the map and type of improvements are not likely to cause substantial environmental problems or substantially and avoidably injure fish or wildlife or their habitat since no stream courses or endangered wildlife occurs on the property as determined during Environmental Review, City Log No. ER 2004-16.
6. The design of the map and the type of improvements are not likely to cause serious public health problems since the project will not degrade the levels of service on the adjoining streets or drainage system and city sewer and water is available or can be provided with minor extension of nearby facilities.
7. The design of the map and type of improvements will not conflict with easements of record, or easements established through court judgment, or acquired by the population at large, for access through, or use of property within the proposed map. This was based on a review of all available maps and a preliminary title report submitted by the applicant. Neither the City of Escondido, nor its employees assume any responsibility for the completeness or accuracy of these documents.
8. All of the requirements of the California Environmental Quality Act have been met since it was found that the project will not have a significant effect on the environment as demonstrated in ER 2004-16. A Negative Declaration was issued on November 10, 2004.
9. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The subdivision configuration provides opportunities for passive/solar heating and landscaping will provide opportunities for the shading of each unit.
10. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will be obtained prior to the recordation of the map.

**CONDITIONS OF APPROVAL
TR 878
EXHIBIT "B"**

Landscaping

1. Prior to occupancy, all slope landscaping and street trees shall be installed. All vegetation shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
2. In compliance with Article 62 (Landscape Standards), Section 1327 (Slope Planting) of the Zoning Code, all manufactured slopes over three feet high shall be irrigated and planted with landscape materials as follows: Each one thousand SF of fill slope shall contain a minimum of six (6) trees, fifteen gallon in size; ten shrubs, five gallon in size; and groundcover to provide one hundred percent coverage within one year of installation. Each one thousand SF of cut slope shall contain a minimum of six (6) trees, five gallon in size; ten (10) shrubs, one gallon in size; and groundcover to provide one hundred percent coverage within one year of installation.
3. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of Grading or building permits, and shall be equivalent or superior to the concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee of \$1,040.00 will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Ordinance 93-12. The plans shall be prepared by, or under the supervision of a licensed landscape architect.
4. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
5. All manufactured slopes or slopes cleared of vegetation shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then an interim landscaping solution may be acceptable. The type of plant material, irrigation and the method of application shall be to the satisfaction of the Planning Department and City Engineer.
6. Street trees shall be provided along every frontage within, or adjacent to this subdivision in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. A minimum of 26 24"-box size trees shall be incorporated into the landscape design to mitigate the removal of existing mature trees on the site as required by the Tree Preservation Ordinance (Ord. 93-11) to the satisfaction of the Planning Division.
7. Details of project fencing, including materials and colors, shall be provided on the landscape plans.
8. The final map shall include a tree planting easement adjacent to the street right-of-way with a sufficient width to accommodate the required street trees.

General

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City-Wide Facilities fees.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.

3. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
4. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
5. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
6. All exterior lighting shall conform to the requirements of Article 35, Outdoor Lighting (Ordinance No. 86-75).
7. Fire hydrants capable of delivering 1,500 gallons per minute fire flow at 20 pounds per square inch residual pressure are required. The number, spacing and locations of the fire hydrants shall be subject to Fire Department approval.
8. An emergency access road with a minimum width of 24-feet shall be required from the end of the Lion Valley Road cul-de-sac to Bear Valley Parkway. Prior to issuance of a grading permit, the emergency access road width, pavement and gate specifications shall be reviewed and approved by the Fire Department. The emergency access road shall be constructed to the satisfaction of the Fire Department prior to occupancy of any new homes in the development. Fire access gates shall be installed to Fire Department standards and the applicant shall provide an endowment for maintenance of the gates in an amount satisfactory to the Fire Department and Engineering Division if the gates are not maintained by an HOA.
9. Access for use of heavy fire fighting equipment, as required by the Fire Marshal, shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials and no foundation inspections until adequate fire suppression requirements are in place to the satisfaction of the Fire Marshal.
10. An inspection by the Planning Division will be required prior to occupancy of any new residences. Items subject to inspection include, but are not limited to slope landscaping and street trees, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
11. Colors, materials and design of the project shall conform to the exhibits and references in the staff report to the satisfaction of the Planning Division.
12. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47).
13. All new utilities shall be underground.
14. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
15. Three copies of a revised Tentative Map, reflecting all modifications and any required changes shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans and the final map.
16. All habitable buildings shall be noise-insulated to maintain interior noise levels not exceeding 45 dBA or less.
17. No exemptions from the Grading Ordinance are approved as part of this project. All proposed grading shall conform with the conceptual grading as shown on the Tentative Map. All fill slopes and retaining wall heights for Lots 7, 8, 9, 10, and 11 shall be limited to a maximum height of five feet as depicted on the Tentative Map.

18. Prior to recordation of the final map, two copies of the CC&Rs shall be submitted to the Planning Division for review and approval. The CC&Rs shall contain provisions for the maintenance of any common landscaping, walls, the emergency access road, etc. to the satisfaction of the Planning Division.
19. Prior to occupancy on Lots 7-11, a six-foot high wood fence shall be constructed at the top of the slope or retaining wall on each lot.
20. Prior to occupancy, the developer shall post the address of each residence on the exterior of the home and paint the address numbers on the curb.
21. All lots shall meet the average lot width and lot area requirements of the underlying zoning category. Conformance with these requirements shall be demonstrated on the grading plan and final map. Non-compliance with these minimum standards will result in revisions to the map.
22. Prior to issuance of building permits for the new residences, architectural plans shall be submitted to the Planning Division for review by the Design Review Board.
23. Prior to recordation of a final map, the applicant shall complete the boundary adjustment between the subject property and the Regan property (Adj. Plat 2004-10) and record Certificates of Compliance for each affected parcel.
24. Prior to recordation of a final map, all existing structures on the site to be removed shall be removed and the existing accessory building on the "Not a Part" property that encroaches onto Lot 1 shall be modified to meet the setback requirement.

ENGINEERING CONDITIONS OF APPROVAL ESCONDIDO TRACT NUMBER 878

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.
2. The location of all on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.
3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.
4. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
 - a) All conditions of the Tentative Subdivision Map have been fulfilled: or
 - b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.
5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
7. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall construct street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets within and adjoining the project boundary:

STREET

CLASSIFICATION

Lion Valley Road

Residential Cul-De-Sac

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The developer shall be required to grind (5' header cut) along lip of gutter and overlay (2") existing Lion Valley Road from Bear Valley Parkway to existing terminus point as determined by the City Engineer prior to completion of the project.
4. All damaged curb & gutter and sidewalk along existing section of Lion Valley Road shall be removed and reconstructed to the satisfaction of the City Engineer.
5. The address of each lot/dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer.
6. Sidewalk construction shall be contiguous to the curb in accordance with current Escondido Design Standards.
7. All cul-de-sacs shall conform to the current Escondido Design Standards.
8. All knuckles within the public rights-of-way shall conform to current Escondido Design Standards.
9. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
10. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. The developer shall be responsible for all signage and striping for the project.
11. The developer shall be required to construct an emergency access road to the satisfaction of the City Engineer and City Fire Marshal. The developer shall provide long-term maintenance program for the future maintenance and repair of the proposed emergency access gate to the satisfaction of the City Engineer and Fire Chief.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. Increased cut slope setbacks may be required along the project boundary to avoid disrupting any existing septic systems in the adjoining residential areas and may be required to avoid encountering ground water problems. Actual setbacks to be used will be based on recommendations of the soils engineer. The requirements of the San Diego County Health Department should be consulted in this regard. In lieu of these requirements, or if the County Health Department requirements cannot be met, the developer must arrange to connect adjoining existing dwelling units, now on private septic systems, to the public sewer system. In this regard, the developer will be required to make necessary arrangements for all main extensions, easements and payment of all connection and permit fees. Any dwellings in the unincorporated areas must have special approval of the City Council before being connected to the City sewer system. This requirement shall also apply to off-site road and utility improvements where existing septic systems are jeopardized as a result of these improvements.
3. It shall be the responsibility of the developer to pay all plan check and inspection fees required by the San Diego County Health Department.
4. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
5. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
6. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of five(5) or more acres.
7. Lot drainage shall meet the requirements of current Escondido Design Standards and the City Engineer and shall include the construction of necessary brow ditches.
8. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
9. Unless specifically permitted to remain by the County Health Department, all existing wells within the project or affected by the off-site improvements shall be

abandoned and capped, and all existing septic tanks within the project or affected by the off-site improvements shall be pumped and backfilled per County Health Department requirements prior to issuance of Grading Permit.

10. Cross-lot drainage may be allowed in rural estate zones on a case-by-case basis, to be approved by the City Engineer.
11. All driveway grades shall conform to current Escondido Design Standards and Escondido Standard Drawings.
12. All lot lines shall be located at the top of slope unless otherwise approved by the City Engineer.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study and water quality technical report to be prepared by the engineer of work. The drainage study and water quality technical report shall be in conformance with the City of Escondido Design Standards and Storm Water Management Requirements.
2. All on-site storm drains not in public easements are private. The responsibility for maintenance of these storm drains shall be that of the property owner's association. Provisions stating this shall be included in the CC&R'S.
3. Drainage facilities shall be provided at the toe of all commonly maintained large slope areas to intercept irrigation runoff approaching the individual lots.

WATER SUPPLY

1. All water main locations and sizing shall be to the satisfaction of the City Engineer. Required water main improvements shall include extension of the existing 8-inch water line on Lion Valley Road and looped to connect to the existing water line on Bear Valley Parkway.
2. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.

SEWER

1. All sewer main locations and sizing of mains shall be to the satisfaction of the City Engineer.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications (or, if appropriate, offer of dedications) for public rights-of-way on the following streets contiguous to the project to bring the roadways to the indicated classification.

STREET

Lion Valley Road

CLASSIFICATION

Residential Cul-De-Sac

2. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
3. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.

REPAYMENTS AND FEES

1. A cash security or other security satisfactory to the City Engineer shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading work up to a maximum of \$30,000, unless a higher amount is deemed necessary by the City Engineer. The balance of the grading work shall be secured by performance bonds, an instrument of credit, a letter of credit or such other security as may be approved by the City Engineer and City Attorney.
2. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

CC&R's

1. Copies of the CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance. The developer may request a waiver of this condition by writing a letter to the City Engineer explaining his/her reasons for requesting the waiver. The developer will be required to pay a waiver fee as adopted by City Council resolution.

2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

Tr878.doc

Brian C. Maria D. Regan

1811 Rock Springs Road
San Marcos CA 92069
Tel 760-480-6092
Fax 760-431-8863
e-mail BREGAN@HOME.COM

May 13, 2004

Mr. Mike Sholders
Sholders & Associates
1875 E. Valley Parkway Ste 101
Escondido, CA 92027

Dear Mike:

Thank you for taking time to meet with me last week. We are interested in acquiring the "Bigelback" panhandle. We also are willing to grant you a 24' wide emergency access to our cul-de-sac as long as the city of Escondido will allow it without having to revise my Tentative Parcel Map.

At present I cannot see a way to grant you the extra 20 feet from Lot D to enlarge your lot 10. I will study it a little more to see what we can do. We can better determine the price of panhandle land after the answer is in from the city and see if we can get you that extra 20 feet.

Sincerely,


Brian C. Regan

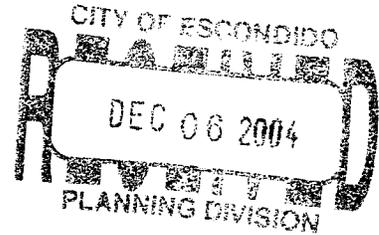
CITY OF ESCONDIDO
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PLANNING DIVISION



MASSON & ASSOCIATES, INC.
PLANNING ▾ ENGINEERING ▾ SURVEYING

December 1, 2004

Bill Martin
Senior Manager
CITY OF ESCONDIDO
Planning Division
201 N. Broadway
Escondido, CA 92025

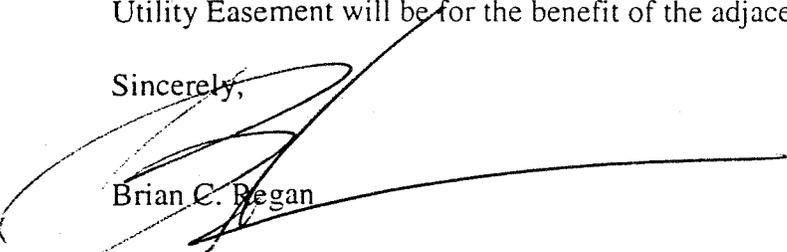


RE: LION VALLEY SUBDIVISION

Dear Bill,

Per the Tentative Parcel Map TPM 2003-08/ CUP 2003-23 I will dedicate a Public Utility Easement for the portion of land no less than 20 feet wide running along the North Eastern boundary of APN 231-100-02. The section will run from the boundary line adjacent to APN 231-100-70 to the right of way for Bear Valley Parkway. The Public Utility Easement will be for the benefit of the adjacent property APN 231-100-70.

Sincerely,


Brian C. Regan



CITY OF ESCONDIDO
Planning Division
201 North Broadway
Escondido, CA 92025-2798
(760) 839-4671

Environmental Checklist Form

- 1. Project title: Lion Valley Road 11-Lot Subdivision (TR 878, ER 2004-16)
2. Lead agency name and address: City of Escondido
Planning Division
201 North Broadway
Escondido, CA 92025
3. Contact person and phone number: Bill Martin (760) 839-4557
4. Project location: 323 Lion Valley Road, Escondido, CA
5. Project sponsor's name and address: Mike Sholders
1875 E. Valley Parkway, Ste. 101
Escondido, CA 92027
6. General Plan designation: Suburban 7. Zoning: R-1-10
8. Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)
An 11-lot single-family residential subdivision on 3.87 acres in the R-1-10 zone (Single-family Residential - 10,000 SF minimum lot size).
9. Surrounding land uses and setting (briefly describe the project's surroundings):
North - Single-family residences.
South - Single-family residences and a non-conforming appliance business.
East - Single-family residences.
West - Single-family residences and vacant land with Tentative Parcel Map approval.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below potentially would be affected by this project involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** shall be prepared.
- I find that, although the proposed project might have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by, or agreed to, the project proponent. A **MITIGATED NEGATIVE DECLARATION** shall be prepared.
- I find that the proposed project might have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** shall be required.
- I find that the proposed project might have a "potentially significant impact" or "potentially significant unless mitigated impact" on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** shall be required, but it must analyze only the effects that remain to be addressed.
- I find that, although the proposed project might have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further shall be required.

Signature

Date

Printed Name

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take into account the whole action involved, including off-site, on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact might occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect might be significant. If there are one or more "Potentially Significant Impact" entries once the determination is made, an EIR shall be required.
4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where an effect has been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to the tiering, program EIR, or other CEQA. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where it is available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of an adequately analyzed earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate references to information sources for potential impacts into the checklist (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies normally should address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance of criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant

SAMPLE QUESTION

Issues:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. LAND USE AND PLANNING

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

II. AGRICULTURE RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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III. TRANSPORTATION/TRAFFIC

Would the project:

a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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e. Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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f. Result in inadequate parking capacity?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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IV. AIR QUALITY

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d. Expose sensitive receptors to substantial pollutant concentrations?
- e. Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. BIOLOGICAL RESOURCES

Would the project:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- c. Have a substantial adverse effect on federally projected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance?
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VI. CULTURAL RESOURCES

Would the project:

- a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d. Disturb any human remains, including those interred outside of formal cemeteries?

VII. GEOLOGY AND SOILS

Would the project:

- a. Expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
 - ii. Strong seismic ground shaking?
 - iii. Seismic-related ground failure, including liquefaction?
 - iv. Landslides?
- b. Result in substantial soil erosion or the loss of topsoil?
- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IX. HYDROLOGY AND WATER QUALITY

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Violate any water quality standards or waste discharge requirements, including but not limited to increasing pollutant discharges to receiving waters (Consider temperature, dissolved oxygen, turbidity and other typical storm water pollutants)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b. Have potentially significant adverse impacts on ground water quality, including but not limited to, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial/increased erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and/or significant adverse environmental impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Cause significant alteration of receiving water quality during or following construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Cause an increase of impervious surfaces and associated run-off?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Cause potentially significant adverse impact on ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Cause or contribute to an exceedance of applicable surface or ground water receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. Create or exacerbate already existing environmentally sensitive areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Create potentially significant environmental impact on surface water quality, to either marine, fresh, or wetland waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m. Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
n. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

- o. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- p. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- q. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- r. Inundation by seiche, tsunami, or mudflow?

X. MINERAL RESOURCES

Would the project:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan?

XI. NOISE

Would the project result in:

- a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XII. POPULATION AND HOUSING

Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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XIII. PUBLIC SERVICES

Would the project:

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Parks?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Other public facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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XIV. RECREATION

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XV. UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Require, or result in, the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range, of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Source of Information/Material Used in Preparation of this Analysis

1. Escondido General Plan – 1990
2. Escondido General Plan EIR
3. Escondido Zoning Code and Land Use Map
4. SANDAG Summary of Trip Generation Rates
5. Escondido Drainage Master Plan (1995)
6. County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List
7. Escondido Historical Resources Survey
8. Site Visits/Field Inspection
9. Comments from other Departments:
 - Engineering
 - Building
 - Fire
10. Project Description and Preliminary Information



CITY OF ESCONDIDO
 PLANNING DIVISION
 201 NORTH BROADWAY
 ESCONDIDO, CA 92025-2798
 (760) 839-4671

NEGATIVE DECLARATION

CASE NO.: ER 2004-16
 DATE ISSUED: November 10, 2004
 PUBLIC REVIEW PERIOD: November 12, 2004 – December 2, 2004

PROJECT DESCRIPTION: A Tentative Subdivision Map for 11 single-family residential lots on a 3.87 acre property in the R-1-10 zone (Single-family Residential – 10,000 SF minimum lot size). Proposed lot sizes would range from approximately 10,000 SF to 34,045 SF. Access to all of the proposed lots would be provided by an extension of the Lion Valley Road cul-de-sac. A Grading Exemption is also proposed for a 12-foot-high fill slope adjacent to the northern property line on Lots 7 and 8.

LOCATION: On the western side of the terminus of the Lion Valley Road cul-de-sac, addressed as 323 Lion Valley Road.

APPLICANT: Mike Sholders

An Initial Study has been prepared to assess this project as required by the California Environmental Quality Act and Guidelines, Ordinance and Regulations of the City of Escondido. The Initial Study is on file in the City of Escondido Planning Division.

Findings: The findings of this review are that the project will not have a significant effect on the environment since there is no substantial evidence in the record to indicate project related impacts are potentially significant.



 BILL MARTIN
 Senior Planner

ER2004-16

INITIAL STUDY PART II SUPPLEMENTAL COMMENTS

(Lion Valley Road 11-Lot Subdivision)
ER-2004-16

General Purpose

The following section evaluates the potential impacts of the proposed 11-lot single-family residential subdivision. The attached environmental checklist, consistent with the California Environmental Quality Act (CEQA) Guidelines, was used to focus this study on physical factors that may be further impacted by the proposed development. The Initial Study will serve to identify and evaluate any effects determined to be potentially significant leading to the issuance of a Negative Declaration.

Project Description

A Tentative Subdivision Map for 11 single-family residential lots on a 3.87 acre property in the R-1-10 zone (Single-family Residential – 10,000 SF minimum lot size). Proposed lot sizes would range from approximately 10,000 SF to 34,045 SF. Access to all of the proposed lots would be provided by an extension of the Lion Valley Road cul-de-sac. A Grading Exemption is also proposed for a 12-foot-high fill slope adjacent to the northern property line on Lots 7 and 8.

Environmental Setting

The site is an assemblage of all or portions of three properties and is completely surrounded by existing single-family residential development. There are currently two residences on the site. One residence will remain on Lot 6, while the other residence in the vicinity of Lots 3 and 4 on the southern boundary of the site will be demolished. The remainder of the site is generally vacant with vegetation consisting primarily of weedy, invasive species with some remnant ornamental species. No areas of native vegetation remain on the site.

Adjacent land uses and zoning are as follows:

- North: R-1-10 zoning (Single-family Residential – 10,000 SF minimum lot size)/ Single-family residences on lots ranging in size from approximately 10,000 SF to 0.95 acre.
- South: R-1-10 zoning/ Single-family residences on lots ranging in size from approximately 10,000 SF to 0.87 acre.
- East: R-1-10 zoning/ Single-family residences on lots ranging in size from approximately 6,000 SF to 0.80 acre
- West: R-1-10 zoning/ Single-family residences on lots ranging in size from approximately 10,000 SF to 0.80 acre

Land Use and Planning (1.)

The General Plan Land Use Designation for the project site is Suburban, which allows a maximum density of up to 3.3 dwelling units per acre. The proposed subdivision would be consistent with the General Plan density provisions since the overall density on the site is proposed to be 2.84 dwelling units per acre. The existing R-1-10 zoning (Single-family Residential – 10,000 SF minimum lot size) is also consistent with the Suburban designation and all adjacent properties are also zoned R-1-10. No changes are proposed to the existing zoning or General Plan designations on the site.

The proposed 11-lot residential subdivision would not disrupt or divide the physical arrangement of the area since the infill site is zoned for residential development, and the project density and lot sizes would be consistent with the underlying Suburban land use designation. Access to all of the residences would be provided from a 625-foot long extension of the Lion Valley Road cul-de-sac that currently terminates at the eastern boundary of the site. Adequate public facilities are available and sewer and water service can be provided to the project with nominal extension of nearby facilities.

The proposed project would not conflict with applicable environmental plans since the subject property does not contain any sensitive habitat or species, or any area designated for preservation. No rare upland habitats such as coastal sage scrub or native grassland would be impacted by project construction. Therefore, the project would not interfere with the preservation of high quality habitat or biological corridors and linkage areas identified by the MHCP. The project site is not listed as Prime Agricultural Lands as identified in the Final Environmental Impact Report (Figure II-2), which was prepared for the City's 1990 General Plan.

Development of the proposed project would create a new source of light and glare in the area. The primary source of light would be from street lights and residential lighting. Compliance with the City's Outdoor Lighting Ordinance (Article 35 in the City Zoning Code) would ensure that impacts related to light and glare, resulting from the proposed project, are less than significant.

Agricultural Resources (2.)

The project site has been cleared of native vegetation and may have been used for agricultural activities in the past. The project site is not listed as Prime Agricultural Lands as identified in the Final Environmental Impact Report (Figure II-2), which was prepared for the City's 1990 General Plan. While the site has the capacity of producing viable crops, the loss of such production in this area would not be considered significant, and the loss of a relatively small area of agricultural land would have a minimal impact upon the existing or potential agricultural activity in Escondido or North San Diego County.

Transportation/Traffic (3.)

The project will take access from Lion Valley Road, which is an unclassified residential street. Lion Valley Road intersects with Bear Valley Parkway, which is designated as a Major Road on the Circulation Element of the General Plan. Bear Valley Parkway currently carries approximately 9,260 ADT (Average Daily Trips) and operates at a Level of Service (LOS) "C" under existing improvement conditions. Street improvements are currently being constructed on Bear Valley Parkway to provide four travel lanes with a raised median. Once these improvements are completed, this section of Bear Valley Parkway will operate at a Level of Service "A."

Based on the SANDAG traffic generation rates for the San Diego region, the project will generate approximately 10 trips per residence or 110 ADT for the one existing home and the 10 new homes that would be constructed in the proposed development. This traffic would be added to the residential traffic on Lion Valley Road that is generated by the existing 11 homes on the street. Although the proposed project would approximately double the amount of traffic on Lion Valley Road, the new traffic generation rate of approximately 220 ADTs would be well within the capacity of the street and no significant effect is anticipated.

The extension of Lion Valley Road would result in an overall cul-de-sac length in excess of 800 feet. This would require the provision of a secondary emergency access road to allow the evacuation of residents and access by public safety personnel in the event of an emergency. The project applicant has proposed to provide emergency access through a 24-foot-wide easement across the adjacent property to the west. This gated easement would provide access directly to Bear Valley Parkway and would be constructed prior to occupancy of any new residences.

Air Quality (4.)

The San Diego Air Basin is a non-attainment area for federal and state air quality standards for ozone. The proposed residential development would create an incremental increase in the amount of traffic in the area. Local air-quality impacts are directly related to the number of vehicle

trips and operation levels on adjacent streets and intersections. At buildout, the project is anticipated to generate approximately 100 additional average weekday trips. The addition of the 100 weekday trips does not significantly impact the existing level-of-service on the adjacent roadway network. Since the project would not deteriorate the Level of Service on adjacent streets and intersections, the project would not result in a significant impact to local or regional air quality.

Project construction would generate short-term emission of air pollutants. Dust, or particulate matter emission would be generated by any necessary grading, moving of earth, hauling and other site preparation and construction activities. With the appropriate use of grading and operating procedures, the project would not generate significant emissions of particulate matter or dust.

Since the project would not materially degrade the Levels-of-Service on adjacent streets and the anticipated daily emission are within SCAQMD thresholds, the project will not have a significant impact on air quality.

Biological Resources (5.)

Since the project site supports non-native vegetation of little or no local or regional biological resource value, and because no significant populations of sensitive plants or animals are present, development of the site would result in impacts which are less than significant. The proposed project will not encroach upon any wildlife habitat areas or have any potential adverse, individual or cumulative effects on wildlife resources. The proposed project requires no mitigation measures to be incorporated into the proposed development which would affect fish or wildlife resources and the project will have a de minimus impact to these resources.

Cultural Resources (6.)

The project site is currently occupied by two residences and neither residence is listed on the City's Local Register or Historic Sites Survey. An investigation of the site revealed no physical evidence of any historic or cultural resources on the property. A review of the City's Archaeological Resource Inventory reveals no known archaeological sites within close proximity. Since there are no historical, archaeological and/or paleontological resources known to be present within the subject area, the project will not result in any significant impacts.

Geology and Soils (7.)

The site gently slopes down from south to north and is not within an area subject to inundation from a 100-year flood event. Over 90% of the property is within the 0-15% slope category. There are no significant topographic features on the property. Proposed grading would generally consist of the cutting approximately 18,070 cubic yards of material along the southern boundary and filling approximately 4,967 cubic yards along the northern boundary of the site. This results in a net export of approximately 13,103 cubic yards from the property. A five foot-high retaining wall would be placed along the northern boundary of Lots 9-11 to contain the fill slope and allow for backyards. The maximum fill slope height would be approximately twelve feet along the northern boundary on Lots 7 and 8. This exceeds the Grading Ordinance maximum perimeter fill slope limit of ten feet and will require a grading exemption.

The project site is an underutilized infill parcel with two existing homes surrounded by similar single-family residential development. There are no significant views into or from the site. The twelve-foot height of the fill slope on Lot 8 will result in some overlooking issues that will have to be addressed on a policy level. However, the proposed grading would not result in a significant visual impact since the height of the slopes and location of the pads would not block any significant views from adjacent properties. Appropriate slope landscaping would be provided to screen and soften visual effects of the manufactured slopes as well as views from surrounding properties. Any grading and subsequent compaction of the site, as necessary, would be per City standards to the satisfaction of the City Engineer. No significant impacts are anticipated.

The project will not expose people or property to geologic hazards since there are no active faults within the immediate area and the North County Region is not known for its seismic activity. Although Escondido is within a seismic zone 4, the nearest active faults are the Carlsbad fault to

the west, the Elsinore Fault approximately 15 miles east of the site, and the Rose Canyon and Newport-Inglewood (offshore) Fault zones approximately 17 and 22 miles southwest and northwest of the site, respectively. In the event of a major earthquake on these faults or other faults within the southern California region, the site could be subjected to moderate to severe ground shaking. However, the site is not considered to possess a significantly greater seismic risk than that of the surrounding area in general.

Hazards and Hazardous Materials (8.)

Due to the nature of the development and the lack of hazardous materials associated with residential development, the project would not result in the creation of any health hazard nor expose people to potential health hazards. The project site is not located near an airport or private airstrip and has not been identified as a significant risk area for wildland fire. Additionally, the site has not been identified as a hazardous waste site on the County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List.

Hydrology and Water Quality (9.)

The site is currently developed with two residences and the amount of run-off would be expected to increase once the site is developed with ten new residences due to the amount of impervious surfaces associated with residential development (i.e. roofs, streets, hardscape, etc.). The amount of run-off and change to absorption rates is not anticipated to be significant and runoff would be directed to the adjoining public street or other approved drainage facility.

The Engineering Department has indicated that the project would not materially degrade levels of service of existing drainage facilities or have a significant impact to water resources. The project would be conditioned to provide a detailed drainage study which would determine the extent of the drainage improvements necessary to control run-off.

Proposed street improvements and grading are not anticipated to impact any adjacent wells. The project would be served by city sewer and water.

Mineral Resources (10.)

Since the site does not contain any significant natural resources, and, based on the limited use of the structure(s), the construction of a residential development on the site would not substantially increase the use of, or result in the depletion of any nonrenewable natural resources. The proposal will not utilize substantial amounts of fuel or energy or require the development of new sources of energy due to its limited size and energy requirements. Therefore, no impact to existing on-site energy and mineral resources will result.

Noise (11.)

The project site is not located within a projected Year 2000 noise contour of 60 dB or greater. Lion Valley Road is an unclassified residential street. The Noise Element of the General Plan contains noise policies which outline acceptable noise levels associated with each type of land use. The Noise Element also establishes noise/land use compatibility guidelines. All habitable buildings within identified noise contours are required to be constructed with sound attenuation measures to maintain interior levels at 45 dB or less based on Year 2000 noise projections. The General Plan goal for outdoor noise levels in residential areas is a CNEL of 60 dB or less, especially where outdoor use is a major consideration such as rear yards. Since the project site is not located within an identified noise contour, it is anticipated that the future residences constructed on the site would be able to meet the guidelines of the General Plan with standard construction practices and materials.

The project would introduce up to 10 new single-family residences and their associated roadways and traffic into the area. Development of the homes would incrementally increase noise levels with the immediate area. However, there would not be any new or unusual noise sources introduced to the area which would impact existing residences adjacent to the project site since the project also is proposing single-family residences. Noises would be those associated with typical domestic activities and would not be considered significant.

Construction of the project and any off-site infrastructure (e.g., roads, utilities, etc.) would create a temporary impact both on-site and at nearby existing residences. Activities would include excavation, grading, house construction, landscaping, etc. Haulage trucks also can be expected along some area roads. Modern construction equipment, properly used and maintained, meet the noise limits contained in the City's Noise Ordinance. Upon completion of the project, all construction noise would cease.

Population and Housing (12.)

Population within the surrounding area and city would incrementally increase as a result of this residential project. However, the density of this development would be in conformance with the General Plan's land-use designation of Suburban and the R-1-10 zoning. The project site is adjacent to single-family residential development of similar density and lot sizes. Therefore, the proposed development of eleven new lots with ten new homes would not significantly alter the location, distribution or population density within the area, nor would it adversely impact the City's housing demand.

The proposed project would add to the existing housing stock and would not create a demand for additional housing since it would be a residential subdivision consisting of 11 single-family homes. The development also would contribute to the City's Regional Share housing requirements. The proposed development would not be considered growth inducing since the project site is located within a developed residential area and public facilities are available to the site or can be provided via a nominal extension.

Public Services (13.)

Development of the site would result in an incremental increase in demand for Police Services. However, the Escondido Police Department indicated their ability to adequately serve the proposed project and no significant impacts to police services are anticipated.

The site is served by Fire Station No. 2, which is located at 421 North Midway. Development of the site would contribute incremental increases in demand for Fire Services. Comments received from the Fire Department indicate that an emergency access road will be required connecting the extended cul-de-sac to Bear Valley Parkway. The gate(s) for the emergency access road shall meet all Fire Department specifications. Fire hydrants capable of delivering 1,500 gallons per minute fire flow at 20 pounds per square inch residual water pressure will be required in locations approved by the Fire Department. The Escondido Fire Department indicated their ability to adequately serve the proposed project and no significant impacts to fire services are anticipated.

Development of 10 new residential homes would generate approximately 4.3 elementary school students (10 x 0.4309) and approximately 1.3 high school students (10 x 0.13). The Escondido Elementary School District and Escondido High School District indicated that due to the continuing growth throughout the area, they are unable to meet the Quality-of-Life Standards approved within the City of Escondido's General Plan without mitigation of student housing needs generated by new development. However, the incremental impact of proposed residential developments on the school system would be offset by the future impact fees collected upon issuance of building permits. These fees are set by the school district. The City's Growth Management provisions require a will serve letter from the school district prior to issuance of building permits.

Recreation (14.)

The proposed development would cause an incremental increase in demand on the City's recreational facilities. However, the development fees paid by the developer would offset the anticipated impact on existing facilities. The proposal will not impact the quality or quantity of existing recreational opportunities since no recreational opportunities currently exist on the site. The project site is not listed as a potential park site in the City's Master Plan of Parks and Trails.

Utilities and Service Systems (15.)

The majority of fuel and energy usage associated with this development would be for space and water heating needs (natural gas) and for everyday lighting and power needs (electricity). The

proposal would not utilize substantial amounts of fuel or energy, or require the development of new sources of energy due to its limited size and energy requirements.

Escondido Disposal, Inc. (EDI) currently provides solid waste removal service for the Escondido area. EDI also operates a solid waste transfer station at their Washington Avenue site where solid waste is consolidated into larger transfer trucks and taken to a class III landfill for disposal. Solid waste pick-up will be available for the project by EDI for all phases of project implementation, including from construction to residential curbside collection. No significant solid waste disposal impacts are anticipated.

Adequate public facilities are available and sewer and water service can be provided to the project with nominal extension of nearby facilities. The proposed project would not result in the need for new utility systems since the area surrounding the site has been previously developed with residential uses and the site is currently served by public water, sewer and utility services. According to the Engineering Department, a drainage study would be required to determine the extent of drainage facilities necessary to control runoff. No significant drainage impacts are anticipated based upon the proposed grading plan and the anticipated use of the site.

Mandatory Findings of Significance (16.)

In staff's opinion, the proposed project would not have a significant individual or cumulative impact to the environment. No significant biological resources exist on the site. Therefore, there will be no adverse effect on any animal or plant species. The project will not degrade the quality of the environment for plant or animal communities since the project will not cause fish and wildlife populations to drop below self-sustaining levels nor reduce the number or restrict the range of endangered plants or animals. The project will not materially degrade levels of service on the adjacent streets or utilities. Consequently, the project is not expected to have any significant impacts, either long-term or short-term, nor will it cause substantial adverse effect on human beings, either directly or indirectly.

Materials Used in Preparation of this Analysis

1. Escondido General Plan – 1990
2. Escondido General Plan EIR
3. Escondido Zoning Code and Land Use Map
4. SANDAG Summary of Trip Generation Rates
5. Escondido Drainage Master Plan (1995)
6. County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List
7. Escondido Historical Resources Survey
8. Site Visits/Field Inspection
9. Comments from other Departments:
 - Engineering
 - Building
 - Fire
10. Project Description and Preliminary Information

CITY OF ESCONDIDO**MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION
January 11, 2005**

The meeting of the Escondido Planning Commission was called to order at 7:30 p.m. by Chairman Caster, in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: Jack Campbell, Commissioner; Darol Caster, Chairman; Barry Newman, Commissioner; Bob McQuead, Commissioner; Jeffery Weber, Vice-chairman; Edward Lehman, Commissioner; and Jack Reddick, Commissioner.

Commissioners absent: None.

Staff present: Jonathan Brindle, Assistant Planning Director; Bill Martin, Senior Planner; Ed Domingue, Deputy Director of Public Works/Engineering; Susan Ryan, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Newman, seconded by Commissioner Lehman, to approve the minutes of the December 14, 2004, meeting. Motion carried unanimously. (7-0)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS:

- a. Tract 889: 15-lot single-family subdivision, with annexation, on Stanley Avenue. Tuesday, January 18, 2005, 6:30 p.m., in the Mitchell Room.

CITY COUNCIL UPDATE – None.

ORAL COMMUNICATIONS – None.

PUBLIC HEARINGS:

1. **TENTATIVE SUBDIVISION MAP - TRACT 878: (continued from December 14, 2004)**
REQUEST: A Tentative Subdivision Map for eleven single-family residential lots on 3.87 acres in the R-1-10 zone (Single-Family Residential - 10,000 SF minimum lot size). Proposed lot sizes would range

from approximately 10,000 SF to 32,957 SF. Access to all of the proposed lots would be provided by an extension of the Lion Valley Road cul-de-sac. The project also includes potential condemnation on the adjacent property to the west (Regan) for a 24-foot-wide emergency access road and drainage easement.

LOCATION: 3.87 acres located on the southern and western sides of the Lion Valley Road cul-de-sac, addressed as 323 Lion Valley Road.

Bill Martin, Senior Planner, referenced the staff report and noted staff issues were the appropriateness of extending the Lion Valley Road cul-de-sac and placing additional residential traffic on the street, the appropriateness of the proposed grading design and whether potential overlooking had been minimized to the extent feasible, and whether the potential for condemnation exists based on the need for an off-site emergency access road and drainage/utility easement. Staff recommended approval based on the following: 1) Staff felt the extension of the street is the only viable option to provide access to the subdivision and the existing terminus of Lion Valley Road was obviously designed to extend to the site. Although residential traffic on Lion Valley Road would essentially double, the new traffic generation rate of approximately 220 ADTs would be well within the capacity of the street; 2) The proposed Tentative Map has been revised three times to address the height of the fill slope/retaining wall along the northern boundary of the site. Staff feels the proposed design has minimized the height of the retaining wall on Lots 7-11 since wall heights range from approximately two to five feet. Although the applicant has indicated the minimal depth of the lots will result in two-story homes on each lot, staff feels overlooking has been minimized by the five-foot maximum height on the retaining wall and the placement of wood fencing on top of the wall. Staff feels review of the two-story issue is most appropriate during the Design Review Board stage of the project; and 3) Although the proposed design of the subdivision relies on the need for two off-site easements, the adjacent property owner involved has indicated a willingness to offer the easements. The potential for condemnation still exists if something should change, but staff feels it is unlikely and would not significantly affect the involved property if it were to occur.

Commissioner McQuead and staff discussed the location for potential condemnation as indicated on Page 10 of the staff report.

Commissioner Reddick asked if there was a legal document regarding the easement between the developer and Mr. Regan. Mr. Martin replied in the negative, but noted a letter had been provided indicating the easement would be granted.

Vice-chairman Weber and Mr. Martin discussed the setbacks for the project.

Commissioner Newman and staff discussed Lot 9 in relation to being conditioned to single-story.

Mike Sholders, representing the applicants, noted he and other representatives were available for questions.

Commissioner Reddick asked Mr. Sholders if any discussion had occurred regarding taking the main entrance out to Bear Valley Parkway so traffic would not flow onto Lion Valley Road. Mr. Sholders responded by saying they were still in the process of negotiations for the emergency access easement in that area.

William Discher, Escondido, stated that he was concerned with the visual impacts the project would have on his property. He also noted concern with erosion problems occurring from the project and asked who would be responsible for any potential damages. Mr. Domingue noted the developer would be subject to drainage and grading regulations along with placing a security deposit for any problems during construction. Mr. Discher asked if he could obtain a copy of the plans for the subject project. Mr. Domingue replied in the affirmative.

David Green, Escondido, noted concern with the project's two-story residences invading the privacy of his property.

Brian Regan, Escondido, supported the project and noted they had signed the application for the boundary adjustment. He also stated that as long as the boundary adjustment occurred the easements would be granted.

Commissioner Campbell supported the project but felt Lot 8 should be single-story. He also felt it would be appropriate for the Commission to pass along recommendations for building heights when applicable. Commissioner Newman concurred.

Commissioner Lehman supported the project but felt access needed to be provided for the retaining wall on Lot No. 8 down to the lower part of the yard.

Vice-chairman Weber felt Lot No. 8 should be conditioned for single-story.

Commissioner McQuead felt Lot Nos. 8 and 9 should be conditioned to single-story.

Commissioner Reddick supported the project and concurred with conditioning Lot No. 8 to single-story.

Chairman Caster referenced the extension of the cul-de-sac and noted that the subject street was originally set up to be extended. He also concurred with Lot Nos. 8 and 9 being conditioned to single-story.

ACTION:

Moved by Commissioner Newman, seconded by Commissioner Reddick, to approve staff's recommendation. The motion included Conditioning Lot Nos. 8 and 9 to single-story. Motion carried unanimously. (7-0)

2. CONDITIONAL USE PERMIT - 2004-63-CUP:

REQUEST: Conditional Use Permit to construct an approximately 2,889 SF, single-story, church facility and seventeen parking spaces on a 26,400 SF parcel of land within the R-1-6 zone (Single-Family Residential, 6,000 SF minimum lot size). The proposed building would consist of an approximately 1,152 SF sanctuary area, 112 SF kitchen, lobby, bathrooms, 135 SF nursery/playrooms, and a covered drop-off area in front of the main building entryway. Access to the site would be provided by two separate driveways from Washington Avenue, which would be improved along the project frontage.

LOCATION: 26,400 SF portion of a larger 4.5-acre City-owned parcel, addressed as 2512 E. Washington Avenue.

Bill Martin, Senior Planner, referenced the staff report and noted staff's main issue was whether the location and design of the facility would be compatible with the adjacent residential neighborhood. Staff recommended approval based on the following: 1) Staff felt the proposed church facility would be compatible with the existing neighborhood due to its location along a Circulation Element Street, small size, low traffic generation, landscape setbacks and relatively quiet nature of the use. The size and design of the proposed 2,889 SF, single-story building would be in character with the adjacent residential homes located immediately to the west, and south across Washington Avenue. Adequate on-site parking also would be provided to accommodate the use. Mr. Martin then referenced an added condition limiting the hours of operation to 9:00 p.m.

Commissioner McQuead and staff discussed the future status for the private road easement.

Chairman Caster referenced Page 12 (outdoor activities) and asked if the intention was not to allow outdoor activities. Mr. Martin noted this was not explicitly listed as a condition but noted this condition could be revised as such.

Commissioner Newman referenced Page 16, General Condition No. 26, and noted all the operational limitations were listed in the supplement to the staff report as opposed to this condition. Mr. Martin noted Item 26 could be broadened to include the limitations listed in the supplemental portion of the staff report.

Commissioner McQuead asked if General Condition No. 17 on Page 16 of the staff report was a common condition. Mr. Martin replied in the affirmative.

District of the Downtown Specific Plan to incorporate the property located at 439 West Washington Avenue.

Commissioner Campbell and Mr. Brindle discussed the reasoning behind the 75-foot cap. Commissioner Campbell felt the cap was excessive.

Discussion ensued regarding a clarification of the Type 4 height limit.

Commissioner Reddick noted concern with the overall taking away of commercial areas and turning them into residential when there was a limited supply of commercial areas. Mr. Brindle noted the Downtown Specific Plan provided for residential development, noting the Downtown Business Association and City Council were in favor of residential in the subject area.

Commissioner Campbell noted concern with the height cap for projects in the downtown area.

ACTION:

Moved by Vice-chairman Weber, seconded by Commissioner Newman, to approve staff's recommendation. Motion carried unanimously. (7-0)

3. TENTATIVE SUBDIVISION MAP TRACT 878:

REQUEST: A Tentative Subdivision Map for eleven single-family residential lots on 3.87 acres in the R-1-10 zone (Single-family Residential – 10,000 square feet minimum lot size). Proposed lot sizes would range from approximately 10,000 SF to 32,957 SF. Access to all of the proposed lots would be provided by an extension of the Lion Valley Road cul-de-sac. The project also includes potential condemnation on the adjacent property to the west (Regan) for a 24-foot-wide emergency access road and drainage easement, and an adjacent property to the east (Tanner) to complete the Lion Valley Road cul-de-sac.

LOCATION: 3.87 acres located on the southern and western sides of the Lion Valley Road cul-de-sac, addressed as 323 Lion Valley Road.

ACTION:

Moved by Commissioner Lehman, seconded by Commissioner Newman, to continue Item 3 to January 11, 2005 meeting. Motion carried unanimously. (7-0)

4. CONDITIONAL USE PERMIT - 2004-51-CUP:

REQUEST: Conditional Use Permit to construct a Wireless Communications Facility for Verizon Wireless consisting of nine panel antennas mounted on an existing 61-foot 7-inch communications antenna. The nine antennas would be mounted at approximately 50 feet (center of