

STAFF REPORT*CITY OF OCEANSIDE*

DATE: January 10, 2024

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **RESOLUTION UPHOLDING PLANNING COMMISSION RESOLUTION NO. 2023-P19 APPROVING TENTATIVE MAP (T22-00003), DEVELOPMENT PLAN (D22-00004), AND DENSITY BONUS (DB22-00003) TO ALLOW THE SUBDIVISION OF A 2.00-ACRE PARCEL INTO 13 LOTS AND THE DEVELOPMENT OF 13 SINGLE-FAMILY HOMES WITH ONE RESERVED FOR VERY LOW-INCOME HOUSEHOLDS LOCATED BETWEEN LOMA ALTA DRIVE AND CROUCH STREET APPROXIMATELY 150 FEET SOUTH OF WALSH STREET – APPLICANT: LOMA ALTA TERRACES, LLC, SCOTT DARNELL – APPELLANT: LINK LADUTKO**

SYNOPSIS

Staff recommends that the City Council adopt a resolution upholding Planning Commission Resolution No. 2023-P19 approving Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003) to allow the construction of 13 single-family homes with one reserved for very low-income households on a 2.00-acre parcel located between Loma Alta Drive and Crouch Street approximately 150 feet south of Walsh Street.

BACKGROUND

On August 28, 2023, the Planning Commission conducted a public hearing on the proposed project. After due consideration, the Planning Commission voted unanimously to direct the applicant to conduct further community outreach and continue the item to its October 9, 2023 meeting. The August 28, 2023 Planning Commission Staff Report is provided in Attachment 5.

In response to the concerns raised by the Planning Commission and general public, the applicant held an additional outreach event, revised the project plans for consistency, and updated the color palette of the proposed homes in alignment with input collected from the community.

On October 9, 2023, the Planning Commission voted 4-2 (Balma, Malik – No) to approve the proposed project. The October 9, 2023 Planning Commission staff report is provided in Attachment 6.

On October 18, 2023, Link Ladutko appealed the project. The letter of appeal is included in Attachment 2. Staff’s responses to the appeal points are discussed under the analysis section of this report.

PROJECT DESCRIPTION

The project site consists of an undeveloped 2.00-acre lot located approximately 150 feet south of Walsh Street with frontages on both Loma Alta Drive and Crouch Street. Located within the Loma Alta Neighborhood Planning Area, the site has a General Plan land use designation of Estate B Residential (EB-R) and a corresponding zoning designation of Residential Estate B (RE-B). Surrounding land uses include single-family homes on all sides.

The proposed project requires a Tract Map, a Development Plan, and a Density Bonus request to subdivide the 2.00-acre lot into 13 lots ranging from 2,752 square feet to 12,131 square feet, each to be developed with a single-family home. The applicant is proposing two distinct floor plans. Eleven (11) of the units, referenced to as Housing Product A, would be 3,203-square foot, three-story structures with four bedrooms, five bathrooms, and a three-car garage. The remaining two lots would be developed with homes referenced to as Housing Product B, consisting of two-story, 1,600-square foot structures with five bedrooms, two bathrooms, and a two-car garage. One of the Housing Product B homes would be reserved for very low-income (VLI) households, thereby allowing the proposed project to exceed the maximum allowable density of 4.36 units per acre.

To accommodate the proposed increased density allowed under Density Bonus Law, the applicant is requesting waivers of development standards, including setbacks, lot coverage, and building height, among others, for certain units. The parking provided within the proposed project conforms to the minimum requirements of the Zoning Ordinance as well as the reduced parking requirements allowed by State Density Bonus Law (SDBL). A detailed table depicting the proposed development standard waivers is provided below.

Development Standard	Zoning (RE-B) Standard	Proposed*	Notes
Minimum Lot Area	10,000 sf	2,752 sf	Waiver
Minimum Lot Width	70 feet	29 feet	Waiver
Maximum Lot Depth/Width Ratio	2.5 to 1	3.6:1	Waiver
Minimum Setbacks			
Front	25 feet	18 feet	Waiver
Side	7.5 feet	4 feet	Waiver
Corner Side	15 feet	4 feet	Waiver

Development Standard	Zoning (RE-B) Standard	Proposed*	Notes
Rear	20 feet	7 feet	Waiver
Minimum Driveway Length	20 feet	18 feet	Waiver
Maximum Height	36 feet	39 feet including retaining wall below unit	Waiver
Maximum Wall Height	6 feet	10 feet	Waiver
Minimum Site Landscaping	50% in front yard	34% in front yard	Waiver
Minimum Tree Canopy	12%	24%	Complies with Code
Minimum Permeable Surface	22%	44%	Complies with Code
Minimum Usable Open Space	300sf per unit	>300sf per unit	Complies with Code
Parking (Maximum required by Density Bonus Law)	0-1 bedroom: 1 parking space 2-3 bedrooms: 1.5 parking spaces 3+ bedrooms: 2.5 parking spaces	Floorplan A: 5 parking spaces (3-car garage + driveway) Floorplan B: 4 parking spaces (2-car garage + driveway)	Complies with City Code & Density Bonus Law
Undergrounding of Overhead Utilities			<i>Concession</i>

Currently, the project site has no frontage improvements along Crouch Street with only a curb along Loma Alta Drive. As part of this project, the applicant is proposing to install curbs, gutters, and sidewalks on both frontages. Street dedications and road widening would occur on each frontage resulting in a roadway widening of up to nine feet. The additional roadway width would allow for street parking on both frontages where none exists today.

ANALYSIS

Pursuant to Section 4605(C) of the Zoning Ordinance, the City Council may consider only the issues that were raised in the appeal filed with the City. The following is a summary of the Appellant's reasons, as understood by staff, for filing an appeal of the Planning Commission's decision to deny the project. Staff's responses follow each point. The Appellant's letter of appeal, which includes the full text of each appeal point,

has been included as Attachment 2 for reference.

ISSUE 1: The proposed development is out of character relative to the surrounding community.

Pursuant to Government Code Section 65589.5 (the Housing Accountability Act), cities are limited in their ability to deny housing projects. The Housing Accountability Act specifies that a city may only deny a housing project that conforms to all applicable plans, codes, policies, or standard if both of the following findings can be made:

- 1) the project would have a specific, adverse impact upon public health or safety; and
- 2) there is no feasible method to mitigate or avoid the adverse impact.

The Housing Accountability Act goes on to specify that a specific, adverse impact is defined as a “significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards.” As reviewed by the subject matter experts from the various disciplines within the City, this project would not have a specific, adverse impact, as defined, upon public health or safety.

The appellant notes that the proposed project is inconsistent with Policy 1.12 B of the Land Use Element which states “The use of land shall not create negative visual impacts to surrounding land uses.” However, in order to accommodate the increased density allowed under SDBL and maintain the single-family lot design and character of the underlying zone, the proposed project cannot physically comply with all of the development standards that apply to non-SDBL projects. Based on the current design to accommodate the development at the density proposed, the applicant requested a number of waivers including waivers from minimum setbacks, maximum lot coverage, and maximum allowable height, as shown in the Development Standard Waiver Table above. The Housing Accountability Act specifies that projects utilizing Density Bonus shall not be considered inconsistent with a plan, policy, or ordinance because of the proposed waivers and concessions included in the project.

In 2011, the appellate courts confirmed in *Wollmer v. City of Berkeley* that local agencies cannot lawfully redesign a qualifying SDBL project on the theory that if the project were configured differently, it would not need the requested concessions or waivers. The City must consider the project as proposed, inclusive of any requested concessions and waivers.

Due to the various protections offered from the Housing Accountability Act and SDBL, projects reserving a percentage of the proposed units to lower income households are awarded additional density and certain waivers and concessions which allow them to be built at a larger scale than surrounding conforming properties. Subsequent case law confirms that cities cannot require design changes of proposed Density Bonus projects; therefore, this project cannot be denied on the basis that its design is incompatible or out of character with the surrounding community.

ISSUE 2: *The proposed development does not respect the privacy of existing residents or the potential residents of this development.*

After concerns were expressed at the August 28, 2023 Planning Commission meeting regarding the privacy of existing residents or the potential residents of the proposed development, the developer agreed to comply with a condition that all rear windows within 20.5 feet of a rear property line be installed with frosted coatings. For reference, the minimum rear yard setback for the RE-B district is 20 feet. By staff's analysis, the condition described above would apply to lots 5, 6, 10, and 11.

Similar to the reasoning for Issue 1 above, the City cannot deny the project based on this concern. Respecting the privacy of adjacent properties is not an objective, quantifiable, written health and safety standard and thus cannot be utilized to deny the project per the Housing Accountability Act.

ISSUE 3: *The proposed development would increase traffic on Loma Alta Drive which would negatively impact the surrounding community.*

The proposed project would not have significant traffic impacts pursuant to the City's adopted vehicle miles traveled (VMT) and level of service (LOS) guidelines. The guidelines establish thresholds for when a VMT and/or LOS analysis must be prepared by the applicant. Projects which are consistent with the General Plan, like the subject project, which would add less than 1,000 average daily trips (ADT) do not have to conduct a VMT analysis. According to the San Diego Association of Governments (SANDAG) (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, single-family residential units have an estimated 10 ADT; therefore, this 13-home project would result in 130 ADT. The estimated 130 ADT is significantly less than the 1,000-trip threshold; as such, the proposed project was not required to conduct a VMT analysis. In addition, various projects which are considered to be VMT-reducing projects and are "screened out" from requiring a VMT analysis. Because this project is located in a low-VMT generating area as identified on the most recent SANDAG SB 743 VMT Screening Map, the proposed project is considered a VMT-reducing project and would not trigger the need for a VMT analysis.

LOS analyses are similar to VMT analyses in that there are adopted thresholds which, if surpassed, require a project to conduct a Local Transportation Assessment (LTA) or Local Transportation Study (LTS). LTAs differ from LTSs as they are more limited in scope, requiring fewer road segments and intersections, as well as fewer scenarios, to be analyzed. Projects which are consistent with the General Plan are required to conduct an LTS if they have over 1,000 ADT. Projects which are expected to generate over 200 ADT must conduct an LTA. The project in question does not meet any of the thresholds required for LOS analysis.

Regardless of the City's VMT or LOS analysis requirements, the proposed project would not have a tangible negative impact on traffic along Loma Alta Drive, as the appellant claims. According to the City's own traffic counts, there were 332 total trips

along Loma Alta Drive on September 14, 2022 and 495 total trips on November 13, 2007. Both counts referenced above were taken on weekdays. For reference, two-lane local street segments can carry up to 2,200 daily trips, according to the Circulation Element, before experiencing significant delays. Combining the estimated trips of the subject project with the City's highest count for Loma Alta Drive, a total of 625 trips, leaves the two-lane local street with surplus capacity (1,575 trips) before congestion would be expected. It should be noted that there was a separate project, named the Loma Alta 10, approved in 2017 for a 10-unit subdivision approximately 500 feet north of the project site on Loma Alta Drive. That project would add an estimated 100 ADT to Loma Alta Drive, still leaving the street with substantial capacity (1,475 trips) before congestion would be expected.

ISSUE 4: The proposed development would make the existing street less safe. The added street parking would exacerbate this issue.

Consistent with industry practice and City requirements, the proposed project would only be responsible to mitigate for its impact to the existing conditions of the roadway network, and would not be responsible for addressing existing conditions of the neighborhood. The proposed project would create a new intersection where Loma Alta Drive and the private cul-de-sac meet. After hearing concerns from the community about traffic safety along Loma Alta Drive, the applicant and Traffic Engineering Division staff agreed to install a stop sign at the proposed intersection. Therefore, traffic along Loma Alta Drive would be able to proceed uninterrupted and vehicles from inside the proposed subdivision would have to stop, only entering Loma Alta Drive when it is safe to do so.

With the right-of-way dedications provided as part of this project, Loma Alta Drive would be 36 feet from curb-to-curb, thereby meeting the City standard for local streets. A 36-foot curb-to-curb distance allows for two travel lanes and two parking lanes, if desired. Ultimately, the City may decide whether or not to allow street parking. However, allowing street parking may calm traffic as doing so narrows travel lanes prompting motorists to slow down.

In addition, Loma Alta Drive was analyzed by the City's Public Works Department staff as part of the City's Neighborhood Traffic Calming Program. In order to be considered for safety improvements, a street must meet certain criteria, including having persistent speeding issues (an 85th percentile speed of 32 mph or higher) and having a minimum ADT of at least 1,000. Loma Alta Drive did not meet either of the above thresholds and therefore was not considered a candidate for safety improvements. Although Loma Alta Drive did not meet the requirements, that does not mean safety improvements are undesired. Should more resources become available in the future, the City may elect to include Loma Alta Drive in the Neighborhood Traffic Calming Program.

ISSUE 5: Cumulative impacts should have been analyzed for this project considering other recent approvals in the neighborhood.

See Issue 3 above. There is only one approved project in the vicinity of this project, which is located approximately 500 feet north of the subject site. Including the existing trips along Loma Alta Drive, the proposed trips respective to this project, and the proposed trips respective to the nearby project, Loma Alta Drive would not be expected to experience significant or recurring delays.

ISSUE 6: The City should require all the bonus units to be reserved for low-income households at an affordable price.

Density Bonus is a state law which awards developers additional density for reserving a percentage of the project for lower-income households. The law specifically states that it “shall be interpreted liberally in favor of producing the maximum number of total housing units.” Deed-restricted units are not sold or rented at a profit with today’s housing costs. Awarding developers additional density is meant as an incentive to spur the construction of more housing as well as more deed-restricted housing. Requiring all bonus units to be deed-restricted would disincentivize housing as the added costs would make density bonus projects less financially feasible than non-density bonus projects. Under state law, the City does not have the authority to require all density bonus units to be deed restricted as affordable.

ISSUE 7: The applicant could add Accessory Dwelling Units (ADU) to each of the properties. They could even convert the garages, removing the parking.

In accordance with ADU law, cities cannot lawfully restrict the rights of property owners to build ADUs. The decision to construct ADUs or convert garages to ADUs would be left to the individual homeowners. The potential for ADUs is speculative and cannot be used as justification to deny the project.

ISSUE 8: The proposed project would result in increased stormwater runoff to adjacent properties and could overburden the existing facilities along Loma Alta Drive and/or Crouch Street.

Through the entitlement review process, the City’s stormwater consultant reviewed the proposed project for conceptual compliance with the requirements set forth in the San Diego County Hydrology Manual and the San Diego County Drainage Design Manual, as well as industry best practices. Existing flow patterns would be maintained and the additional runoff created by the proposed impervious areas (buildings, private street, driveways, etc.) would be managed through the project’s proposed stormwater facilities. The proposed detention facility located at the southwest corner of the site would be designed to maintain the pre-project peak flow rates and durations for up to a 100-year storm, as conditioned in Planning Commission Resolution 2023-P19. As entitlements are conceptual in nature, the specifics of the required stormwater facilities will be finalized in the final engineering stage whereby staff would assure that this proposed project, like all projects, would not have any negative impact on the downstream drainage facilities.

ISSUE 9: *The proposed development would be a fire hazard to the surrounding community as well as the future residents of the proposed homes because of the following:*

- a. Density of the proposed subdivision and lack of space between structures,***
- b. The proposed height and building materials of the structures,***
- c. Natural risks, such as high-speed gusts, dry climate, vegetation, topography, nearby overhead powerlines, and an unreliable water supply.***

For reference, the project site is not located within a high fire severity zone according to the most recent CalFire maps. The City's Fire Department reviewed the proposed project for compliance with the California Fire Code. As the impartial subject matter experts, the Fire Department determined that the proposed project would not result in a specific, adverse impact to public health or safety. Entitlements are conceptual in nature and complete compliance with the requirements of the Fire Code (e.g. fire sprinkler requirements, fire rated wall requirements, fire resistant exterior materials, etc.) would be assured prior to the issuance of building permits. The Fire Department also requires a fire flow test for all new developments to ensure that the fire hydrants have adequate flow and pressure for the fire protection systems.

For reference, the project site is not located within a high fire severity zone according to the most recent CalFire maps.

ISSUE 10: *The proposed subdivision would present an undue evacuation risk for the future residents of the project by having only one point of egress.*

The California Fire Code requires a secondary access for developments when the project exceeds 30 single-family homes or 200 multifamily units. Because this project only proposes to develop 13 homes, a second means of egress is not required.

ISSUE 11: *The proposed development could overload the sewer system and cause backups for the existing residents in the community and the future residents of the subdivision.*

In the entitlement review process, the City's Water Utilities Department reviews projects for compliance with the *Water, Sewer, and Recycled Water Design and Construction Manual* and ensures that the proposed project would not create negative impacts for the existing residents of the surrounding community. In this case, the project is proposing to tie into the existing water and sewer mains under Loma Alta Drive. The existing sewer main is a six-inch gravity-fed vitrified clay pipe (VCP) which does not meet the City's standard for sewer mains. Therefore, the project has been conditioned to replace approximately 450 linear feet of the substandard sewer main down Loma Alta Drive with a new eight-inch PVC pipe at the developer's expense.

ENVIRONMENTAL DETERMINATION:

In accordance with the California Environmental Quality Act (CEQA), staff finds that the

proposed project is categorically exempt pursuant to CEQA Guidelines Article 19 Section 15332 "In-fill Development Projects." The project site is located in an urbanized area, and would not result in any significant environmental effects. An infill exemption justification memo as well as a traffic impact memo is included as an attachment to both Planning Commission staff reports.

COMMUNITY OUTREACH

The applicant hosted a virtual community meeting regarding the project on March 21, 2023 at 8:00 a.m.; approximately 10 members of the public attended. At its August 28, 2023 meeting, the Planning Commission considered the applicant's outreach efforts to be insufficient and continued the proposed project to a later meeting date. The applicant then held a second community meeting at the project site on September 18, 2023; approximately 40 members of the public attended. During this meeting, the applicant gave a description of the proposed project and offered exhibits to collect the community's input of potential color schemes. The applicant then revised the color scheme of the project from the originally proposed blue and gray with wood accents to white and black with gray accents. The Community Outreach Report submitted by the applicant is included as an attachment to the October 9, 2023 Planning Commission staff report.

FISCAL IMPACT

No fiscal impact.

COMMISSION OR COMMITTEE REPORT

On August 28, 2023, the Planning Commission conducted a public hearing on the proposed project. After due consideration, the Planning Commission voted unanimously to direct the applicant to conduct further community outreach and continued the proposed project to its October 9, 2023 Planning Commission meeting. On October 9, 2023, the Planning Commission voted 4-2 (Balma, Malik – no) to approve the proposed project.

CITY ATTORNEY'S ANALYSIS

The City Council is authorized to hold a public hearing in this matter. Consideration of the matter should be based on the testimony and evidence presented at the hearing. After conducting the public hearing, the Council shall affirm, modify or deny the project. The supporting documents have been reviewed and approved as to form by the City Attorney.

RECOMMENDATION

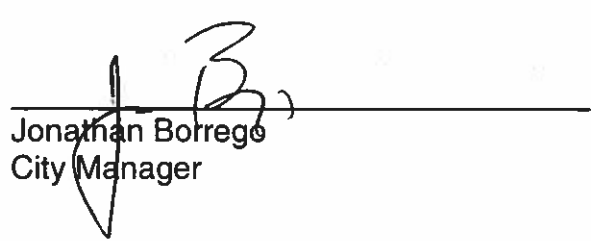
Staff recommends that the City Council adopt a resolution upholding Planning Commission Resolution No. 2023-P19 approving Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003) to allow the construction of 13 single-family homes with one reserved for very low-income households on a 2.00-acre parcel located between Loma Alta Drive and Crouch Street approximately 150 feet south of Walsh Street.

PREPARED BY:



Dane Thompson
Planner II

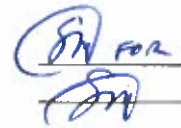
SUBMITTED BY:



Jonathan Borrego
City Manager

REVIEWED BY:

Darlene Nicandro, Development Services Director
Sergio Madera, City Planner



ATTACHMENTS:

1. City Council Resolution
2. Letter of Appeal
3. Architectural Plans
4. Tentative Map
5. Planning Commission Staff Report dated August 28, 2023
6. Planning Commission Staff Report dated October 9, 2023
7. Planning Commission Resolution 2023-P19
8. Public Correspondence

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE UPHOLDING PLANNING COMMISSION RESOLUTION NO. 2023-P19 APPROVING TENTATIVE MAP (T22-00003), DEVELOPMENT PLAN (D22-00004), AND DENSITY BONUS (DB22-00003) TO ALLOW A 13-LOT SUBDIVISION AND THE CONSTRUCTION OF 13 SINGLE-FAMILY HOMES WITH ONE RESERVED FOR VERY LOW-INCOME HOUSEHOLDS ON A 2.00-ACRE PARCEL LOCATED BETWEEN LOMA ALTA DRIVE AND CROUCH STREET APPROXIMATELY 150 FEET SOUTH OF WALSH STREET -

**(Loma Alta Terraces, LLC – Applicant)
(Link Ladutko -Appellant)**

WHEREAS, on October 9, 2023, the Planning Commission of the City of Oceanside, after holding a duly advertised public hearing, approved by a vote of 4 – 2 (Balma, Malik - no) Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003), to permit a thirteen (13)-lot subdivision for single-family residential purposes on a 2.00-acre site located between Loma Alta Drive and Crouch Street approximately 150 feet south of Walsh Street; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) of 1970 and State Guidelines there to, the project qualifies for a Class 32 Categorical Exemption (In fill Development Projects); and

WHEREAS, on October 18, 2023, a timely appeal of the Planning Commission’s approval of said project was filed with the City Clerk; and

WHEREAS, on January 10, 2024, the City Council of the City of Oceanside held a duly noticed public hearing and heard and considered evidence and testimony by all interested parties concerning the Planning Commission’s approval of the Tentative Map, Development Plan, and Density Bonus; and

WHEREAS, based on such evidence, testimony, and staff reports, this Council has determined that the findings of fact articulated by the Planning Commission adequately address all of the issues raised in the appeal of this project, and therefore the Council accepts the findings of

1 fact as set forth in Planning Commission Resolution No. 2023-P19, attached hereto as Exhibit "A,"
2 and incorporates them by reference as if fully set forth herein;

3 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

4 1. The Council affirms the Planning Commission action of October 9, 2023, confirms the approval
5 of the CEQA Class 32 Categorial Exemption and upholds the approval of Tentative Map (T22-00003),
6 Development Plan (D22-00004), and Density Bonus (DB22-00003), as specified by Planning
7 Commission Resolution No. 2023-P19, attached hereto as Exhibit "A" and incorporated herein by this
8 reference.

9 2. Notice is hereby given that the time within which judicial review must be sought on this decision
10 is governed by Public Resources Code section 21167(d), and well as Code of Civil Procedure section
11 1094.6(b) as set forth in Oceanside City Code Section 1.10.

12
13 PASSED and ADOPTED by the City Council of the City of Oceanside, California this
14 ____ day of _____ 2024, by the following vote:

15 AYES:

16 NAYS:

17 ABSENT:

18 ABSTAIN:

19
20
21 _____
22 Mayor of the City of Oceanside

23 ATTEST:

24 APPROVED AS TO FORM:
25 OFFICE OF THE CITY ATTORNEY

26 _____
27 City Clerk

28 _____
City Attorney

OCEANSIDE_{CA}

RECEIVED
 City Clerk Department
 300 North Coast Highway
 Oceanside, CA 92054
 Tel (760) 435-3000 Fax (760) 967-3922
 OCEANSIDE CITY CLERK

APPEAL OF PLANNING COMMISSION ACTION

APPEALS MUST BE FILED WITH THE CITY CLERK'S OFFICE WITHIN 10 CALENDAR DAYS OF
 THE DATE OF FINAL ACTION

PROJECT/ACTION BEING APPEALED			
PROJECT NAME <i>Loma Alta Terraces</i>		DATE OF FINAL DECISION <i>October 9, 2023</i>	
RESOLUTION NUMBER <i>2023-P19</i>			
FORM OF APPEAL			
APPEAL FEE - \$1,838 <input type="checkbox"/> PETITION <input checked="" type="checkbox"/> (PLEASE SEE BELOW FOR EXPLANATION/SIGN OFF)			
LETTER INCLUDING A STATEMENT SPECIFICALLY IDENTIFYING THE PORTION(S) OF THE DECISION BEING APPEALED AND THE BASIS FOR THE APPEAL IS ATTACHED <input checked="" type="checkbox"/>			
PERSON FILING APPEAL			
NAME <i>LINK LADUTKO</i>		Daytime Telephone: <i>760-754-5465</i>	
ADDRESS <i>154 Loma Alta Dr.</i>	CITY <i>Oceanside</i>	STATE <i>CA</i>	ZIP <i>92054</i>
APPEALED BY APPLICANT <input type="checkbox"/> INTERESTED PARTY <input type="checkbox"/>		PROPERTY OWNER <input checked="" type="checkbox"/> WITHIN NOTICE AREA	
SIGNATURE <i>Link Ladutko</i>		DATE <i>10-18-2023</i>	
CONTACT PERSON (IF DIFFERENT FROM PERSON FILING APPEAL)			
NAME <i>GLENDA M. KIMBREL</i>			
ADDRESS <i>146 LOMA ALTA DR.</i>	CITY <i>OCEANSIDE</i>	STATE <i>CA</i>	ZIP <i>92054</i>
Daytime Telephone <i>760-433-9078</i>	Fax Number <i>~</i>	Email Address <i>pgkimbrel@icloud.com</i>	
<p>Section 4604: To appeal by petition for a waiver of the appeal fee, the appeal must be accompanied by the signatures of 50% of the property owners within the noticed area or 25 signatures of the property owners or tenants within the noticed area, whichever is less.</p> <p>I hereby certify that this appeal is being submitted in accordance with the Zoning Ordinance and meets the criteria specified in Section 4604 for an appeal by petition.</p> <p>Signature: <u><i>Link Ladutko</i></u> Date: <u><i>10/18/2023</i></u></p> <p>NOTE: All petitions must contain <u>original</u> signatures, along with the printed name and address of each signer.</p>			

Received by: *TS*
 Via: *Cochter*
 Copy to: *CAO, COM, Portland*
Sergue, Dave Thompson

Letter to Oceanside City Council and Oceanside Planning Department re: Appeal of the 4 to 2 decision of the Oceanside Planning Commission approving the proposed housing development commonly known as Loma Alta Terraces on October 9, 2023. Development Plan D22-00004; Density Bonus DB22-00003 for a 13 lot subdivision entitled Loma Alta Terraces.

The following topics and issues, that may be presented at the City Council meeting at a date and time to be determined, are supported by the many emails, letters and in person comments at two planning commission hearings and are incorporated by reference and therefore within the scope of this appeal:

THE PROJECT

The applicant has elected to proceed under the Density Bonus Law (DBL), Government Code section 65915 et al. The proposed housing development consists of 11 three story homes and 2 two story homes on a relatively small parcel of land (2 acres). The project has one access point on Loma Alta Dr. One home is designated as "affordable" and is to be held for rent, according to the applicant. Further, according to Planning Commissioner Sergio Madera, there is no prohibition that each of the homes are qualified to convert their garage into an ADU.

THE ADVERSE IMPACTS

DENSITY: We have maintained that this project, not only is completely out of character for our local community, but lacks privacy for both the residents of the adjacent existing homes and the residents within the proposed development. Further, this rarefied density also presents an unreasonable risk to health and safety, for all residents of the community and to the entire city as well, from the danger of fire discussed in more detail below.

INFRASTRUCTURE

The concerns running the gamut include the possibility of sewage backup without replacing and upgrading the existing piping all the way to the main has been raised by two local plumbers. Stormwater runoff into downgrade streets and housing has also been a subject of concern. Due to the nature and design of Loma Alta Drive, traffic and street parking safety issues are magnified by this project and by another approved project on Loma Alta.

FIRE

As we all know too well from past history, our area is susceptible to wildfires. A major cause of these fires has been determined to be related to power poles and powerlines. This project has several power poles on its eastern side bordering Crouch Street. Placing the power supply underground would make sense and provide a measure of protection.

As we see it, this project has six problems that magnify the possibility of extreme danger due to fire:

1. Density, in terms of lack of space between the structures;
2. The height, and the building materials of the structures;
3. Nearby overhead power poles and lines;
4. Access limited to only one point on Loma Alta Dr;
5. Our natural conditions of seasonal high wind events, dry climate, vegetation, and topography, and
6. Our unreliable water supply.

We understand that this project is planned to have sprinklers for each home. Why not build upon that theme and require that all building materials for framing, siding, and roofing be fire resistant. Hopefully, we will be spared from a conflagration, but the unreasonable risk will always remain. Hoping that something bad will not happen, is not a plan.

The Fourth District Court of Appeal, in their 2022 decision in the case of Bankers Hill 150 v. City of San Diego, recognized the limited exception to the DBL upon a finding by the city that a specific adverse impact upon public health and safety exists. For the reasons stated above, we argue that this project is the very essence of a specific adverse impact.

THE DENSITY BONUS LAW

We have several nagging questions posed by this DBL statute. Since the stated purpose of the DBL is to provide affordable housing, then why not require that all "bonus" houses be dedicated to that goal? In this project, that would increase affordable housing from 1 to 4 which computes from 7.8 percent to 31.8 percent. (1 divided by 13 to 4 divided by 13).

Can you explain, after 43 years since the DBL was enacted, for the express purpose of making housing affordable, why housing prices have not become more affordable ?

Could it be because the law was never really intended to address the affordability issue? Could it be because affordable housing was merely a pretext for a powerful industry, with a team of lobbyists, for financial gain ? Our neighborhood community and others are doing what we can to raise the alarm. Why doesn't our city try to take back control of our housing policies, despite the possible financial consequences ? There are ways to provide affordable housing and at the same time protect existing communities.

Attached to this document is the Appeal form and Petition with signatures of residents within the noticed area. We are requesting the City Council to deny this project and send it back to the drawing board to design a more responsible and safe plan.

Thank you.



Link Ladutko

**PETITION TO APPEAL PLANNING COMMISSION APPROVAL OF LOMA ALTA TERRACE DEVELOPMENT
TENATIVE MAP T22-00003, DEVELOPMENT PLAN D22-00004, DENSITY BONUS DB22-00003**

Petition summary & background	Appeal the approval by the Oceanside Planning Commission of 13 single-family homes on a 2.0-acre parcel located between Loma Alta Drive & Crouch Street (Loma Alta Terrace)
Action Petition for	Oceanside City Council to reverse the approval of the Loma Alta Terrace Development

Date	Printed Name	Street Address	Signature
10/11/23	LINK Ladutko	154 Loma Alta Dr.	<i>Link Ladutko</i>
Oct/11/23	Angie Ladutko	154 Loma Alta Dr	<i>Angie Ladutko</i>
10/11/23	GLENN KIMBREL	146 Loma Alta Dr. O	<i>Glenn Kimbrel</i>
10-11-23	Charles P. Kimbrel	146 Loma Alta Dr	<i>Charles P. Kimbrel</i>
10/11/23	BEAN KIMBREL	142 LOMA ALTA DRIVE	<i>Bean Kimbrel</i>
10/11/23	Judy Kimbrel	142 Loma Alta Dr	<i>Judy Kimbrel</i>
10/12/23	Lora Benedict	144 Loma Alta Drive	<i>Lora Benedict</i>
10/12/23	JORDAN KRONE	140 LOMA ALTA DRIVE	<i>Jordan Krone</i>
10/12/23	Dana Krone	140 Loma Alta Drive	<i>Dana Krone</i>
10/12/23	Andrea Espinoza	141 Loma Alta Dr	<i>Andrea Espinoza</i>
10/12/23	Ronald Johnson	141 Loma Alta Dr	<i>Ronald Johnson</i>
10/12/23	DAVID CRONE	131 LOMA ALTA DR	<i>David Krone</i>
10/12/23	Kim Crone	131 Loma Alta Dr.	<i>Kim Crone</i>
10/13/23	Cheryl Hassoldt	129 Crouch St	<i>Cheryl Hassoldt</i>
10/13/23	Bryan Hassoldt	129 Crouch St	<i>Bryan Hassoldt</i>
10/13/23	Betty Siemer	129 Crouch St	<i>Betty Siemer</i>
10/15/23	Margaret Hernandez	124 Crouch St	<i>Margaret Hernandez</i>
10/15/23	Joan Groux	114 Crouch St	<i>Joan Groux</i>
10/15/23	Elizabeth Eichholz	111 Crouch St	<i>Elizabeth Eichholz</i>

**PETITION TO APPEAL PLANNING COMMISSION APPROVAL OF LOMA ALTA TERRACE DEVELOPMENT
TENATIVE MAP T22-00003, DEVELOPMENT PLAN D22-00004, DENSITY BONUS DB22-00003**

Petition summary & background	Appeal the approval by the Oceanside Planning Commission of 13 single-family homes on a 2.0-acre parcel located between Loma Alta Drive & Crouch Street (Loma Alta Terrace)
Action Petition for	Oceanside City Council to reverse the approval of the Loma Alta Terrace Development

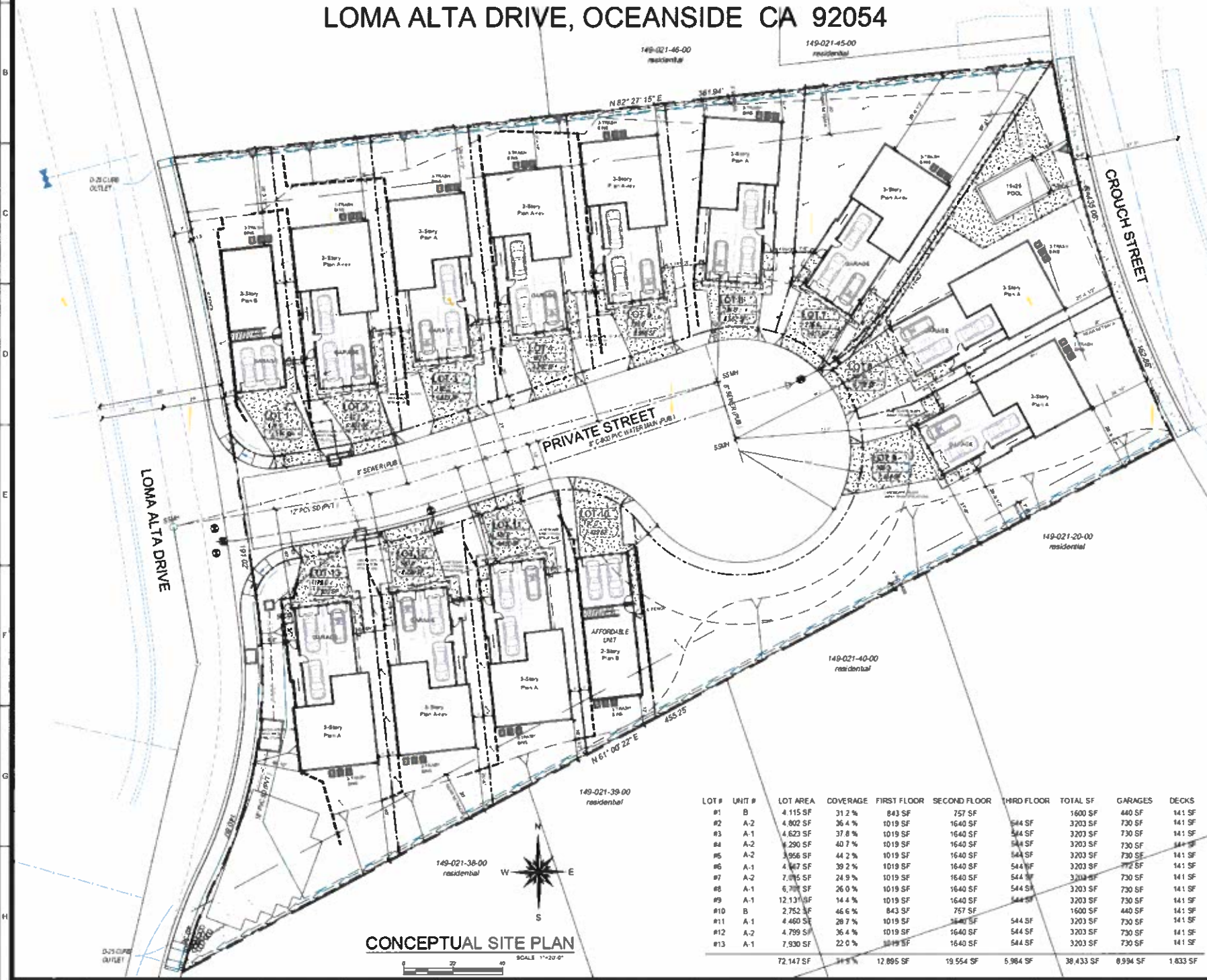
Date	Printed Name	Street Address	Signature
10/12/2023	GALE WOZNICKI	223 WALSH ST. OCEANSIDE	
10/12/2023	Roy Woznicki	223 WALSH ST OCEANSIDE CA.	
10/12/2023	Vanessa Haaland	210 Walsh St Oceanside CA	
10/12/2023	Chad Haaland	210 Walsh St Oceanside CA	
10/12/23	Jessica Van	231 Walsh St. Oceanside CA	
10/12/23	Gabe Morvil	277 Walsh St Oceanside CA	
10/12/23	Thomas Saye	276 Walsh St Oceanside, CA	
10/12/23	Shane Takely	234 Walsh St Oceanside, CA	
10/12/23	Loch Takely	" " "	
10-12-23	NICOLA VARDAKOTIS	262 WALSH ST Oside CA.	
10-12-23	DEE LATON	262 WALSH ST Oside CA.	
10-12-23	Kathleen MURPHY	275 Walsh St.	
10-12-23	FERNANDA DE CARVALHO	238 Walsh ST	
10-12-23	GARY MURPHY	237 WALSH ST. Oceanside, CA 92054	
10-12-23	REBECCA MURPHY	237 WALSH ST OCEANSIDE, CA	
10-12-23	JAKE WOZNICKI	114 WALSH ST Oside	
10-12-23	Autumn Woznicki	114 WALSH ST Oside	
10-12-23	Paige Woznicki	114 Walsh St. Oceanside	
10-12-23	Jessica Hearst	211 Walsh St Oceanside	
10/12/23	Sheri Hyens	255 Walsh St. Oceanside	

LOMA ALTA TERRACES

13 SINGLE FAMILY RESIDENCE
LOMA ALTA DRIVE, OCEANSIDE CA 92054

Attachment 3

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LOT #	UNIT #	LOT AREA	COVERAGE	FIRST FLOOR	SECOND FLOOR	THIRD FLOOR	TOTAL SF	GARAGES	DECKS
#1	B	4,115 SF	31.2 %	843 SF	757 SF		1600 SF	440 SF	141 SF
#2	A-2	4,802 SF	36.4 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
#3	A-1	4,623 SF	37.8 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
#4	A-2	4,290 SF	40.7 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
#5	A-2	3,956 SF	44.2 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
#6	A-1	4,447 SF	39.2 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
#7	A-2	4,785 SF	24.9 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
#8	A-1	6,707 SF	26.0 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
#9	A-1	12,131 SF	14.4 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
#10	B	2,752 SF	46.6 %	843 SF	757 SF		1600 SF	440 SF	141 SF
#11	A-1	4,460 SF	28.7 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
#12	A-2	4,799 SF	36.4 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
#13	A-1	7,930 SF	22.0 %	1019 SF	1640 SF	544 SF	3203 SF	730 SF	141 SF
		72,147 SF	34.8 %	12,895 SF	19,554 SF	5,984 SF	38,433 SF	8,994 SF	1,833 SF

SCOPE OF WORK

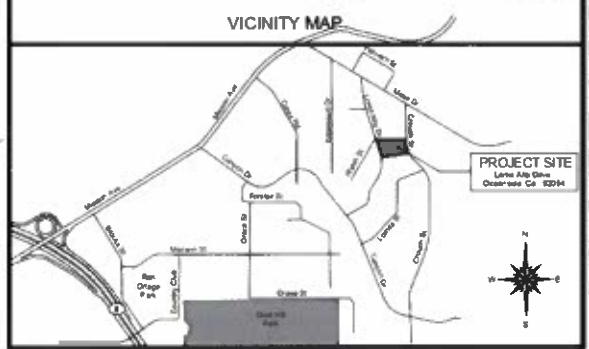
- PROVIDE (13) 3-BEDROOM SINGLE FAMILY RESIDENCES WITHIN THE 2.0 ACRES SITE AT LOMA ALTA DRIVE.
- PROPOSED DEVELOPMENT WILL CONSTRUCT A NEW PRIVATE CULDEBAG WITH CURB, GUTTERS AND SIDEWALK. PROJECT WILL INCLUDE PROVIDING TWO ADDITIONAL FIRE HYDRANTS, EXTENSION OF STORM WATER, SEWER AND WATER FROM LOMA ALTA DRIVE. IT ALSO INCLUDES ADDING CURB, GUTTER AND SIDE WALKS TO BOTH LOMA ALTA AND CROUCH STREET.

BUILDING CODE

BUILDING CODE APPLICABLE, 2022 CBC, 2022 CMC, 2022 CPC, 2022 CEC, 2022 CFC, 2022 HFA 13 & 17, 2022 COBCC, and 2022 CA Energy Code

PROJECT DATA

PROJECT NO	T22-00003, D22-00004, D822-00004	
BUILDING DEPARTMENT	CITY OF OCEANSIDE	
SITE ADDRESS	LOMA ALTA DRIVE, OCEANSIDE, CA 92054	
A.P.N.	149-021-18-00	
LEGAL DESCRIPTION	TR 1986 BLK B LOT 10	
SITE AREA	2.0 ACRES (87,328 SF)	
GENERAL PLAN	RESIDENTIAL ESTATE	
ZONING	RLEB	
OCCUPANCY TYPE	R-3 Single Family Residential	
CONSTRUCTION TYPE	VB	
SPRINKLERS	YES	
SETBACKS	FRONT	25 FT. (DENSITY WAIVED)
	SIDE	7 FT. (DENSITY WAIVED)
	REAR	20 FT.
	REQUIRED/ALLOWED	PROVIDED
BUILDING HEIGHTS	30' MAX	VARIABLE - 31' MAX (3 STORES)
DENSITY	13 LOTS	13 LOTS
PROPOSED 11.4% VERY LOW INCOME HOUSEHOLD	11% + 8 LOTS/BASE ALLOWABLE + 89 ROUNDED UP TO 1 LOT	13 UNITS (12 MARKET) + 13 UNITS (12 MARKET)
8 LOTS + 0 DENSITY BONUS + 3 19 ROUNDED UP TO 4 LOTS		
9 LOTS/BASE ALLOWABLE + 4 LOTS/DENSITY BONUS UNITS + 13 TOTAL LOTS ALLOWED		
MAXIMUM COVERAGE	35%	48.8% MAX 31.9% AVERAGE
LANDSCAPE AREA		81,980 SF + 73%
PARKING	31 SPACES 2.3 BEDROOMS 1:1.1 + 3 A.U.P. BEDROOMS 2.5:1.1 + 219 EXCLUDING 500 SF IN HOV1 ALLOWANCES	83 SPACES + 0 CAR 1:0.5 CAR - @ 170% SF=388



RICHARD & RICHARD CONSTRUCTION COMPANY, INC.
 ARCHITECTS & ENGINEERS
 1000 LOMA ALTA DRIVE, OCEANSIDE, CA 92054
 TEL: 760-755-1000 FAX: 760-755-1000

R&R

LOMA ALTA TERRACES

NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE CA, APN # 149-021-18

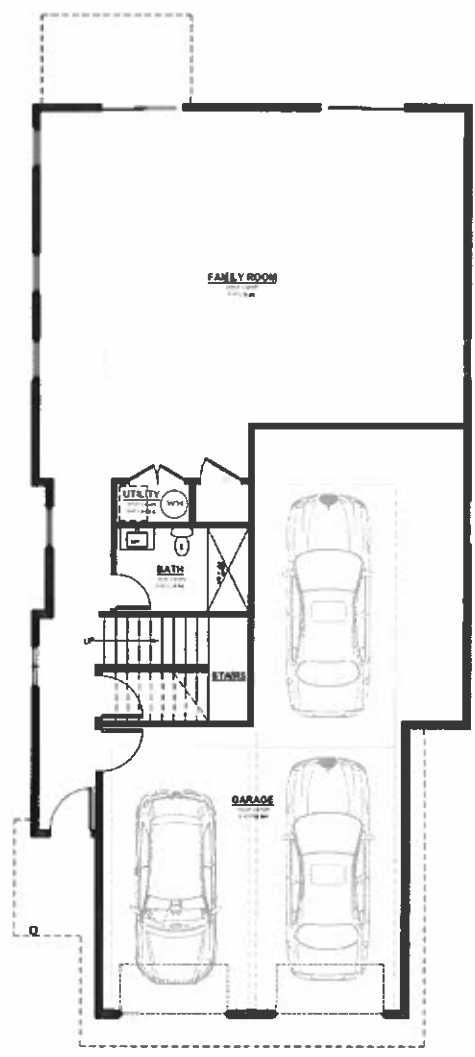
NO.	REVISION	DATE
1	ISSUED FOR PERMITTING	10-14-2022
2	ISSUED FOR PERMITTING	10-14-2022
3	ISSUED FOR PERMITTING	10-14-2022
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6	ISSUED FOR PERMITTING	10-14-2022
7	ISSUED FOR PERMITTING	10-14-2022
8	ISSUED FOR PERMITTING	10-14-2022
9	ISSUED FOR PERMITTING	10-14-2022
10	ISSUED FOR PERMITTING	10-14-2022

DATE: 10-14-2022
JOB #: 22281

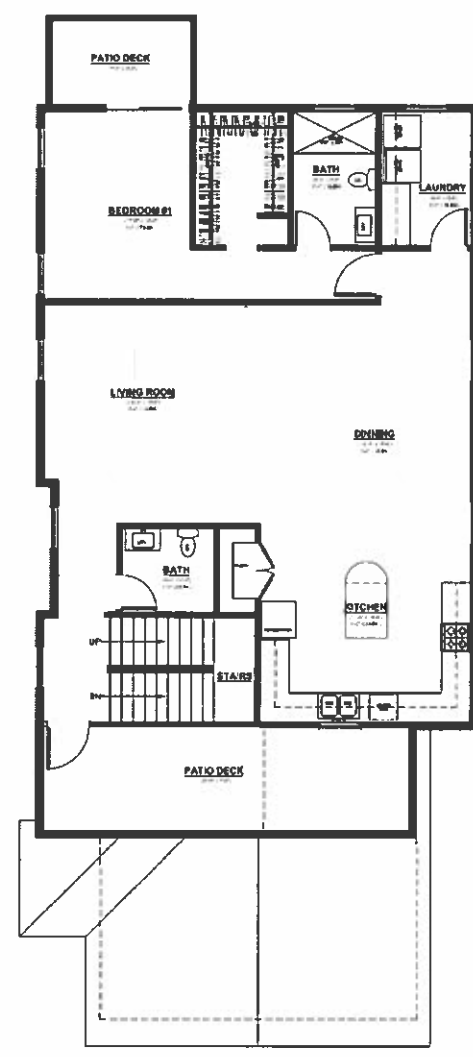
SHEET NUMBER: **A100**

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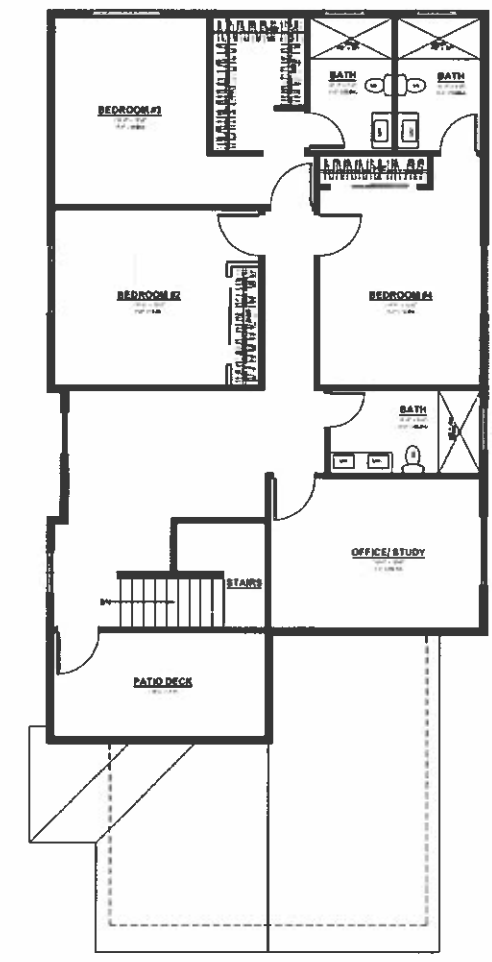
122-00803, D22-00004, D822-00004



**PLAN A
FIRST FLOOR PLAN**
SCALE 3/16" = 1'-0"



**PLAN A
SECOND FLOOR PLAN**
SCALE 3/16" = 1'-0"



**PLAN A
THIRD FLOOR PLAN**
SCALE 3/16" = 1'-0"

PLAN "A" CONCEPTUAL FLOOR PLANS

RICHARD & RICHARD
CONSTRUCTION COMPANY, INC.
2555 VENTURE ST., SUITE 100
SAN MARINO, CA 91766
TEL: 909-235-1234 FAX: 909-235-1234



LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE CA, APN # 149-021-18

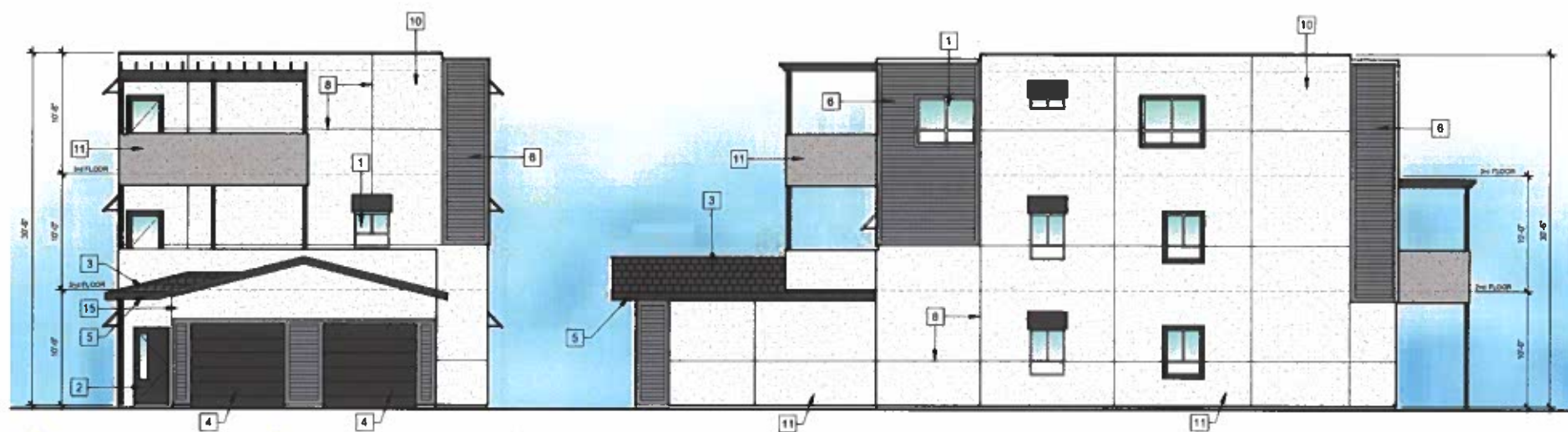
This drawing is a set of conceptual floor plans and is not intended to be used for construction. It is the responsibility of the client to verify all dimensions and details with the architect and engineer. No warranty is made by the architect or engineer for any errors or omissions. The drawings are the property of Richard & Richard Construction Company, Inc. and may not be reproduced or disclosed without the written consent of Richard & Richard Construction Company, Inc.

NO.	REVISION	DATE
1	ISSUED FOR PERMITTING	10-14-2022
2	FOR CONSTRUCTION	
3	FOR CONSTRUCTION	
4	FOR CONSTRUCTION	
5	FOR CONSTRUCTION	
6	FOR CONSTRUCTION	

DATE: 10-14-2022
JOB #: 22281

PLAN "A"
CONCEPTUAL
FLOOR PLANS
SHEET NUMBER
A-200

T22-00003 D22-00004 D822-00004



PLAN A - FRONT ELEVATION
SCALE 3/16" = 1'-0"

PLAN A - SIDE ELEVATION
SCALE 3/16" = 1'-0"

TYPICAL ELEVATION LEGEND

- 1 Vinyl Windows - dual pane w/ Solarban 70XL and low E Glazing
- 2 3'x6'-8" Entry Door w/ half Glass lite (TYP) - prefinished
- 3 Class "A" Roofing Material (TYP) Asphalt Shingle Owens Corning Roofing or EQ Oakridge Estate Gray Over No. 30. Asphalt Saturated Felt, ICES ESR-2423
- 4 6'-0" x 6'-8" Steel garage door (TYP)
- 5 Painted 2x8 Foca
- 6 James Hardie- Aspyre Collection Superior siding
- 7 DELETED
- 8 Stucco Expansion Joint - See Detail 16/A6 0
- 9 James Hardie- Board and Batten siding
- 10 7/8" Stucco System - Stucco (ST-1), Omega Stucco, 9005 Iceberg, Sand Finish.
- 11 7/8" Stucco System - Stucco (ST-2), Omega Stucco, 9015 Berryblue, Sand Finish
- 12 7/8" Stucco System - Alt. Stucco (ST-3), Omega Stucco, 9017 Salem, Sand Finish
- 13 7/8" Stucco System - Alt. Stucco (ST-4), Omega Stucco 9029, Outlaw, Sand Finish
- 14 18'-0" x 6'-8" Steel garage door (TYP)
- 15 12" High Address Numbers w/ a Minimum Stroke of 1 1/2". In Contrasting Color Plainly Visible. Individual Sta. Numbers Shall Shall be 6" High
- 16 Decorative Wall Sconce Lighting - Style TBD (TYP)
- 17
- 18
- 19



PLAN A - REAR ELEVATION
SCALE 3/16" = 1'-0"

PLAN A - SIDE ELEVATION
SCALE 3/16" = 1'-0"

PLAN "A" CONCEPTUAL ELEVATIONS

RICHARD & RICHARD
CONSTRUCTION COMPANY, INC.
3555 VERBENA ST., STE 100
SAN MARINO, CA 91766
TEL: 909-261-2222 FAX: 909-261-2222



LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE CA. APN # 149-021-18

The drawings are those of the architect and are not to be used for any other purpose without the written consent of the architect. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable codes and regulations. The contractor shall also be responsible for obtaining all necessary approvals from the local authorities. The contractor shall be responsible for obtaining all necessary approvals from the local authorities.

NO.	REVISION	DATE
1	ISSUED FOR PERMITS	10-14-2022
2	FOR CONSTRUCTION	10-14-2022
3	FOR CONSTRUCTION	10-14-2022
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15	FOR CONSTRUCTION	10-14-2022
16	FOR CONSTRUCTION	10-14-2022
17	FOR CONSTRUCTION	10-14-2022
18	FOR CONSTRUCTION	10-14-2022
19	FOR CONSTRUCTION	10-14-2022

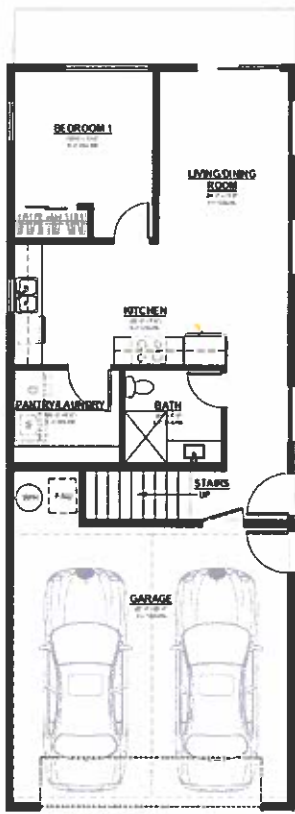
DATE 10-14-2022
JOB # 22281

SHEET NUMBER
A-300

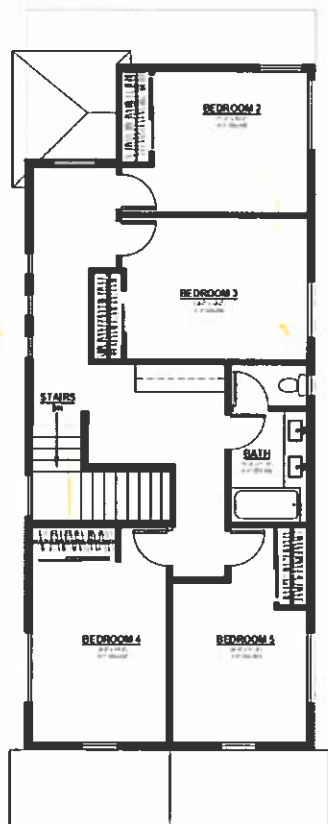
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T22-00003 D22-00004 D622-00004

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**PLAN B
FIRST FLOOR PLAN**
SCALE 3/16" = 1'-0"



**PLAN B
SECOND FLOOR PLAN**
SCALE 3/16" = 1'-0"

PLAN "B" CONCEPTUAL FLOOR PLANS

RICHARD & RICHARD
CONSTRUCTION COMPANY, INC.
2505 VENTURA ST., SUITE 100
SAN ANTONIO, TEXAS 78207
781-581-8888 FAX 781-581-8889



LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE CA, APN # 149-021-18

This drawing is a part of the set of plans for the above project. It is to be read in conjunction with the other drawings and specifications. It is the responsibility of the contractor to verify all dimensions and conditions on the ground before construction. No field changes are to be made without the written approval of the architect. The contractor shall be responsible for obtaining all necessary permits and licenses for the work shown on this drawing.

NO	REVISION	DATE
1	ISSUED FOR PERMITS	10-14-2022
2	FOR CONSTRUCTION	10-14-2022
3	FOR PERMITS	10-14-2022
4	FOR PERMITS	10-14-2022
5	FOR PERMITS	10-14-2022

DATE 10-14-2022
JOB # Z2281

PLAN "B"
CONCEPTUAL
FLOOR PLANS

SHEET NUMBER
A-201

C:\Users\james\Desktop\2022\Projects\LOMA ALTA 13 Single Family Residences\1. Conceptual Drawings\A-201.dwg 9/24/22 09:32:21 PM Dave

RICHARD & RICHARD
CONSTRUCTION COMPANY, INC.
254 VENTURA ST., SUITE 200
LOS ANGELES, CA 90059
TEL: 782-18-2288



LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE CA, APN # 149-021-18

This drawing is a set of conceptual elevations for the proposed project. It is not intended to be used for construction. The contractor shall verify the accuracy of the information provided and shall be responsible for any errors or omissions. The contractor shall obtain all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for any changes or modifications to this drawing.

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10-14-2022
2	REVISION	10-14-2022
3	REVISION	10-14-2022
4	REVISION	10-14-2022

DATE: 10-14-2022
JOB #: 22081

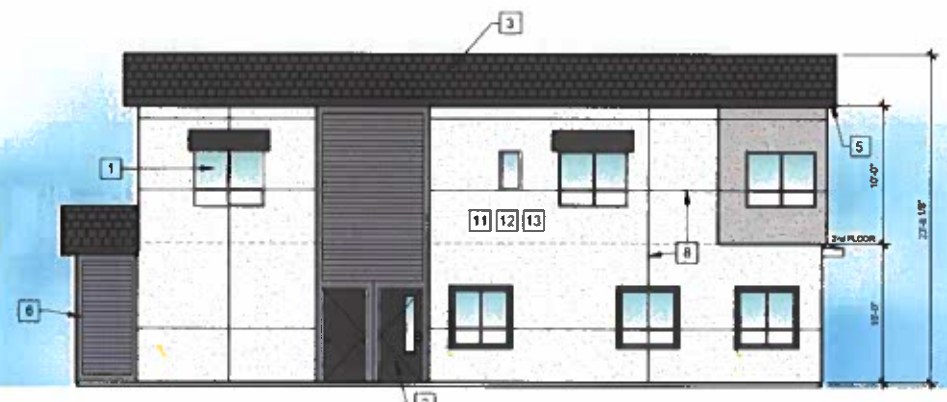
PLAN "B"
CONCEPTUAL
ELEVATION

SHEET NUMBER

A-301



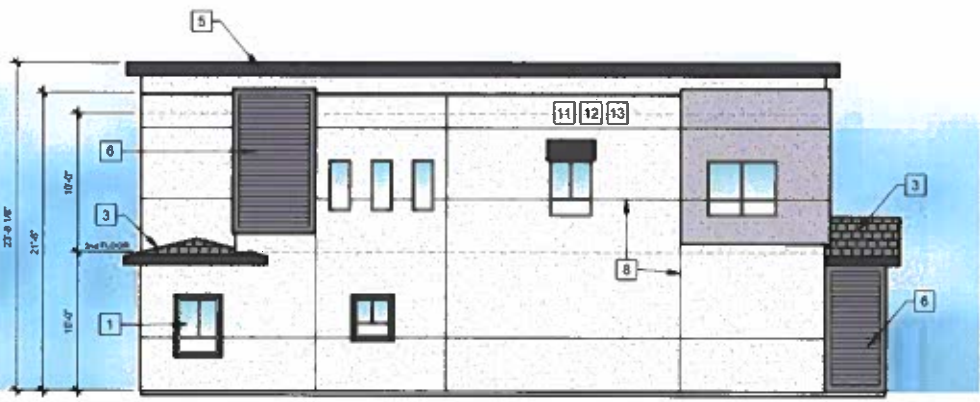
PLAN B FRONT ELEVATION
SCALE 3/16" = 1'-0"



PLAN B SIDE ELEVATION
SCALE 3/16" = 1'-0"



PLAN B REAR ELEVATION
SCALE 3/16" = 1'-0"



PLAN B SIDE ELEVATION
SCALE 3/16" = 1'-0"

TYPICAL ELEVATION LEGEND

- 1 Vinyl Windows - dual pane w/ Solarben 70XL and low E Glazing
- 2 3'x6'-8" Entry Door w/ half Glass lite (TYP) - prefinished
- 3 Class "A" Roofing Material (TYP), Asphalt Shingle, Owens Corning Roofing or EQ, Oakridge Estate Gray" Over 1/4" 30 Asphalt Saturated Felt, ICC-ES ESR-2423
- 4 8'-0" x 6'-8" Steel garage door (TYP)
- 5 Painted 2x8 Facia
- 6 James Hardie - Aspyre Collection Superior siding
- 7 DELETED
- 8 Stucco Expansion Joint - See Detail 16/A6 0
- 9 James Hardie - Board and Batten siding
- 10 7/8" Stucco System - Stucco (ST-1), Omega Stucco, 9005 Iceberg, Sand Finish
- 11 7/8" Stucco System - Stucco (ST-2), Omega Stucco, 9015 Berryblue, Sand Finish
- 12 7/8" Stucco System - Alt. Stucco (ST-3), Omega Stucco, 9017 Salem, Sand Finish
- 13 7/8" Stucco System - Alt. Stucco (ST-4), Omega Stucco 9029, Outlaw, Sand Finish
- 14 16'-0" x 6'-8" Steel garage door (TYP)
- 15 12" High Address Numbers w/ a Minimum Stroke of 1 1/2" in Contrasting Color Plainly Visible. Individual Site Numbers Shall Shall be 6" High
- 16 Decorative Wall Sconce Lighting - Style TBD (TYP)
- 17
- 18
- 19

PLAN "B" CONCEPTUAL ELEVATIONS

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CITY OF OCEANSIDE TT 22-00003 TENTATIVE SUBDIVISION MAP

LEGAL DESCRIPTION

LOT 10 IN BLOCK "B" OF ELLERY'S LOMA ALTA ADDITION, ACCORDING TO THE MAP THEREOF NO. 1956, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON NOVEMBER 8, 1926.

ZONING

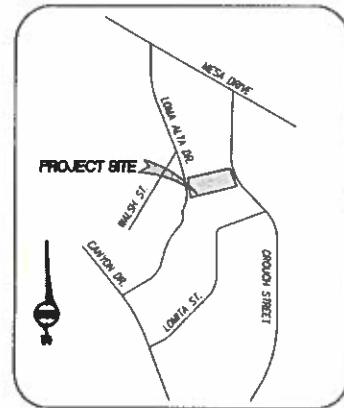
EXISTING: RE-B
NO ZONING CHANGE

GENERAL PLAN

EB-R

ASSESSOR'S PARCEL NUMBER

149-021-18



LEGEND VICINITY MAP
NOT TO SCALE

- RIGHT OF WAY
- PROPERTY LINE/RIGHT OF WAY CENTER LINE
- CURB (PUB)
- DRIVEWAY
- CURB RAMP (PUB)
- MODULAR METLANDS UNIT
- CONCRETE (PVT)
- LOT NUMBER
- FINISH FLOOR ELEV.
- LOT SIZE
- STORM DRAIN INLET SDRSD TYPE B
- STORM DRAIN PIPE (PUB)
- STORM DRAIN PIPE (PVT)
- 8" SEWER MAIN (PUB)
- SEWER MANHOLE (5' DIA) (PUB)
- 4" SEWER LATERAL (PVT)
- 8" WATER MAIN (PUB)
- 1" WATER SERVICE W/ 1" METER & BFP (PUB)
- WATER GATE VALVE (PUB)
- FIRE HYDRANT (PUB)
- TREE WELL
- R-TANK
- EX. TREE
- WOOD FENCE
- CHAIN LINK FENCE
- IRON FENCE
- SEWER MANHOLE
- WATER METER
- WATER VALVE
- EX. STREET LIGHT
- EX. STORM DRAIN PIPE
- EX. WATER LINE (PUBLIC)
- EX. SEWER LINE (PUBLIC)
- EX. GAS LINE (PUB)
- EX. ELECTRICAL LINE (PUB)

GEOTECHNICAL

SIGGS, INC.
7040 AVENIDA ENOMAS SUITE 104-469
CARLSBAD, CA 92011
760-937-4608

TOPOGRAPHIC SURVEY

PREPARED BY SWS ENGINEERING, INC. SEPTEMBER 2021

BASIS OF BEARING

THE CALIFORNIA SPATIAL REFERENCE SYSTEM (CSRS) ZONE 6, EPOCH 2017.50, AS DETERMINED LOCALLY BY C.P.S. MEASUREMENTS TAKEN ON 12/03/21 FROM CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) AND (OCSD) OF THE CALIFORNIA REAL TIME NETWORK.
LC: N 152045° W

BENCHMARK

CITY OF OCEANSIDE GEOD. CONTROL NETWORK PD 2 1/2" BD 1014 157854 @ ON TOP OF EASTERLY CURB INLET OF EDGEWOOD DR. AT THE NORTH END OF THE NORTHWEST CORNER RETURN OF EDGEWOOD DR. HELD ALE ST INTERSECT.
(NAVD83) EL=138.07

NOTE: ADJUSTED ALL GPS PTS + 0.153 BASED ON GPS PD BM P18 102 EL= 137.917 @ PD BM THEN ADJUSTED ALL ST PTS +0.141 BASED ON THE COMMON GPS P101=178.198 AND THE ST/201 EL=178.057

PROPERTY OWNER

LOMA ALTA TERRACES, LLC.
113 WEST G ST. #503
SAN DIEGO, CA 92101

APPLICANT / SUBDIVIDER

SEDDIT DARNELL
852 5th Ave. Suite 235
San Diego, CA 92101
(619) 890-1260

SITE ADDRESS

LOMA ALTA DRIVE
OCEANSIDE, CA

ENGINEER

SWS ENGINEERING, INC.
1635 LAKE SAN MARCOS DRIVE, SUITE 200
SAN MARCOS, CA 92078
P: 760-744-0011
F: 760-744-0046
MICHAEL D. SCHWITZER, RCE 59658

SHEET INDEX

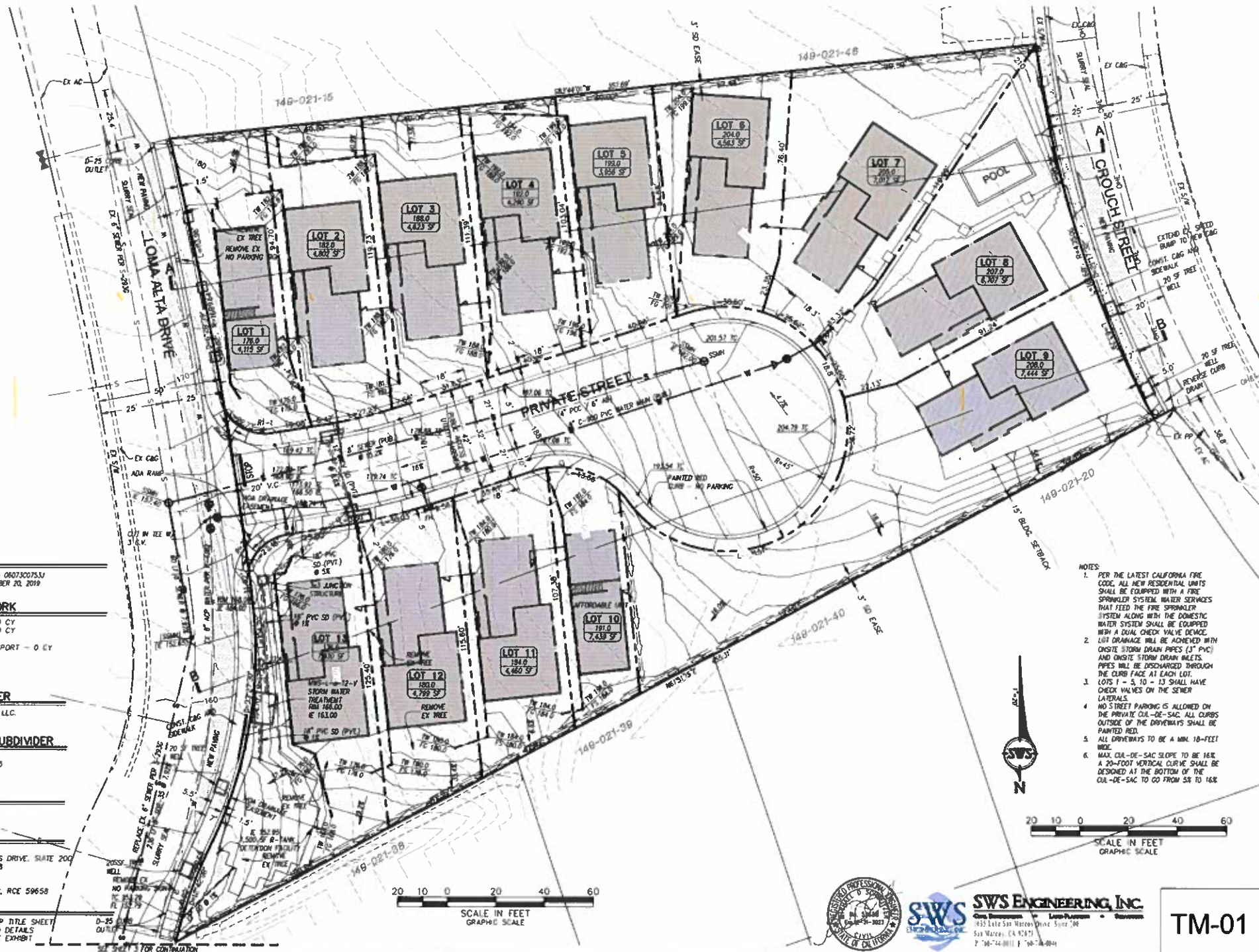
TM-01 TENTATIVE MAP TITLE SHEET
TM-02 SECTIONS AND DETAILS
TM-03 SITE DISTANCE EXHIBIT

FEMA

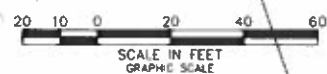
MAP NUMBER - 0607300753J
DATE - DECEMBER 20, 2019
ZONE - I

EARTHWORK

CUT - 7,200 CY
FILL - 7,200 CY
EXCESS / IMPORT - 0 CY



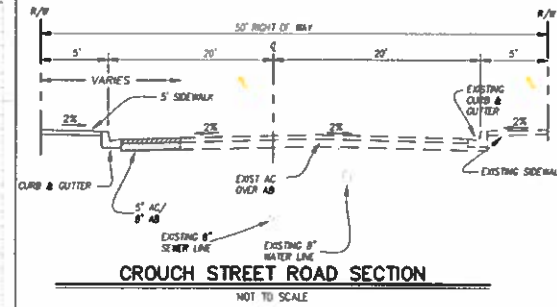
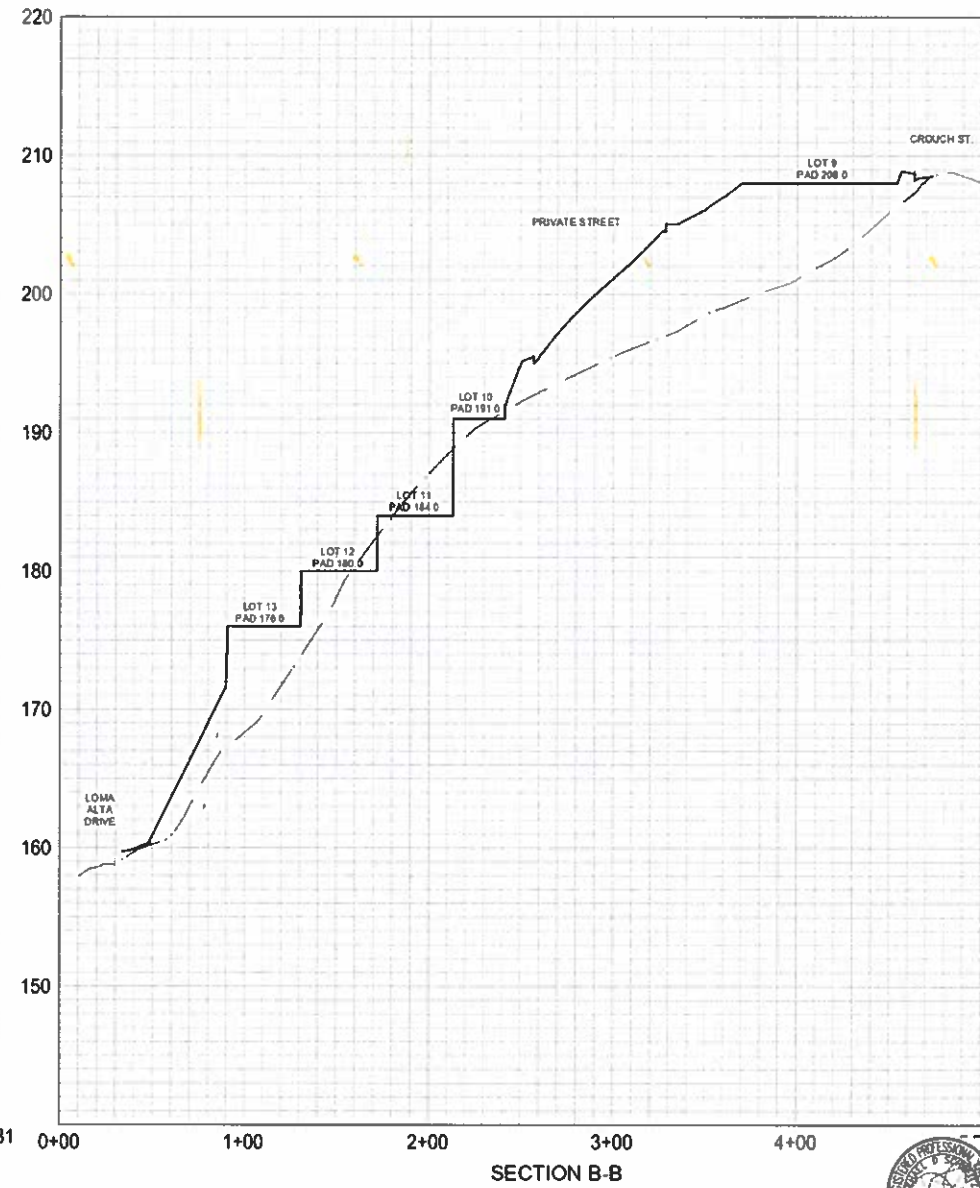
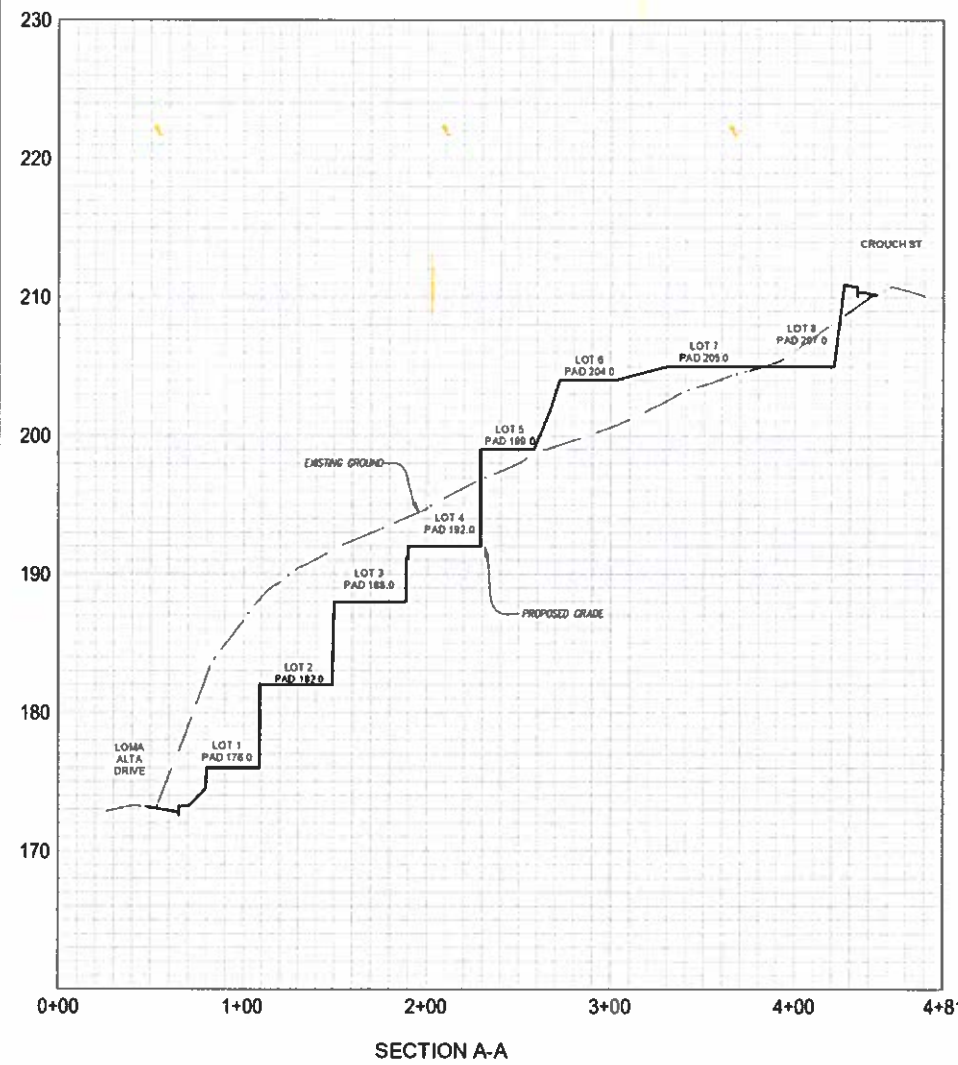
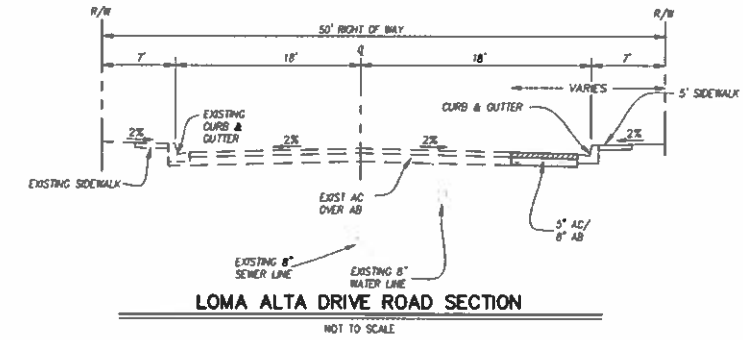
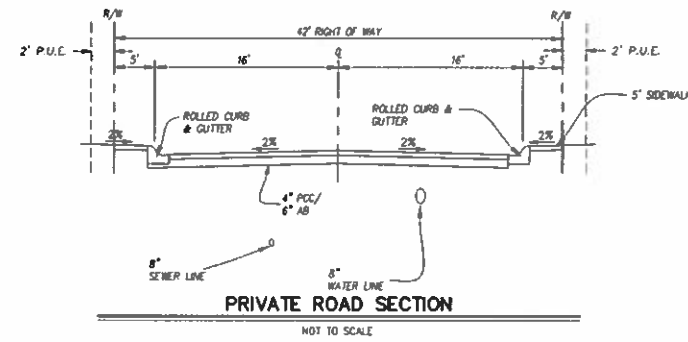
- NOTES**
- FOR THE LATEST CALIFORNIA FIRE CODE, ALL NEW RESIDENTIAL UNITS SHALL BE EQUIPPED WITH A FIRE SPROUHLER SYSTEM WATER SERVICES THAT FEED THE FIRE SPROUHLER SYSTEM ALONG WITH THE DOMESTIC WATER SYSTEM SHALL BE EQUIPPED WITH A DUAL CHECK VALVE DEVICE.
 - LAST DRAINAGE WILL BE ACHIEVED WITH ON-SITE STORM DRAIN PIPES (3" PVC) AND ON-SITE STORM DRAIN INLETS. PIPES WILL BE DISCHARGED THROUGH THE CURB FACE AT EACH LOT.
 - LOTS 1 - 5, 10 - 13 SHALL HAVE CHECK VALVES ON THE SEWER LATERALS.
 - NO STREET PARKING IS ALLOWED ON THE PRIVATE OUL-DE-SAC. ALL CURBS OUTSIDE OF THE DRIVEWAYS SHALL BE PAINTED RED.
 - ALL DRIVEWAYS TO BE A MIN. 10-FOOT WIDE.
 - MAX. OUL-DE-SAC SLOPE TO BE 16% A 20-FOOT VERTICAL CURVE SHALL BE DESIGNED AT THE BOTTOM OF THE OUL-DE-SAC TO GO FROM 5% TO 16%.



SWS ENGINEERING, INC.
Civil Engineering - Land Planning - Surveying
1635 Lake San Marcos Drive, Suite 200
San Marcos, CA 92078
P: 760-744-0011 F: 760-744-0046

TM-01

CITY OF OCEANSIDE TT 22-00003 TENTATIVE SUBDIVISION MAP

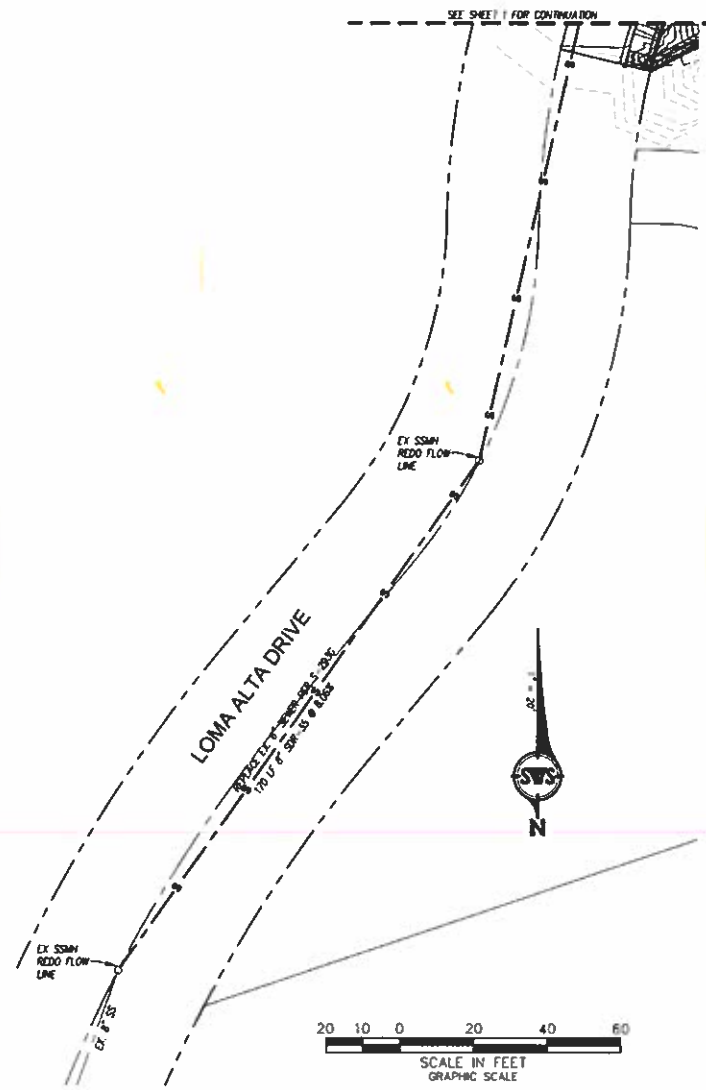


SWS ENGINEERING, INC.
Civil Engineers • Land Planners • Surveyors
1433 Lake San Marcos Drive, Suite 200
San Marcos, CA 92075
P: 760-448-9111 F: 760-448-9144

TM-02

CITY OF OCEANSIDE TT 22-00003 TENTATIVE SUBDIVISION MAP

NOTES:
1. LOMA ALTA DRIVE DESIGN SPEED - 25 MPH



SITE DISTANCE EXHIBIT



SWS ENGINEERING, INC.
Civil Engineers • Land Planners • Surveyors
1125 Lake San Marcos Blvd., Suite 200
San Marcos, CA 92583
P: 760-449-1111 F: 760-449-1944

TM-03

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PLANNING COMMISSION**AGENDA NO. 4**
STAFF REPORT

DATE: August 28, 2023

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department – Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T22-00003), DEVELOPMENT PLAN (D22-00004), AND DENSITY BONUS (DB22-00003) FOR A 13-LOT SUBDIVISION AND DEVELOPMENT OF 13 SINGLE-FAMILY RESIDENCES ON A 2.0-ACRE PARCEL LOCATED BETWEEN LOMA ALTA DRIVE AND CROUCH STREET APPROXIMATELY 150 FEET SOUTH OF WALSH STREET – LOMA ALTA TERRACES – APPLICANT: LOMA ALTA TERRACES, LLC**

RECOMMENDATION

Staff recommends that the Planning Commission by motion;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003) by adopting Planning Commission Resolution No. 2023-P19 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review & Background: The project site consists of an undeveloped 2.0-acre through lot located approximately 150 feet south of Walsh Street with frontages on both Loma Alta Drive and Crouch Street. Located within the Loma Alta Neighborhood Planning Area, the site has a General Plan land use designation of Estate B Residential (EB-R) and a corresponding zoning designation of Residential Estate B (RE-B). Surrounding land uses include single-family homes on all sides. The project site and the surrounding area are depicted in Figure 1.

Figure 1: Location Map



Project Description: The proposed project is a request for three entitlements:

Tentative Tract Map (T22-00003):

A Tentative Map to subdivide the existing 2.0-acre parcel into 13 residential lots ranging in size from 2,752 square feet to 12,131 square feet. The lots would face inward on a newly created private cul-de-sac.

Development Plan (D22-00004):

A Development Plan to construct 13 single-family residences; one on each of the newly created lots. Eleven (11) of the residences would be three-story, 3,203-square foot structures with four (4) bedrooms and three-car garages and two (2) would be 1,600-square foot two-story structures with five (5) bedrooms and two-car garages. Associated improvements would include a private street accessed from Loma Alta Drive in a cul-de-sac orientation, landscaping, perimeter fencing, frontage improvements, and a storm water management basin.

Architecture

The proposed project would include two housing products floor plans, Plan "A" and Plan "B," both of which are described by the applicant as drawing inspiration from modern farmhouse architecture. Design of the proposed units include a variety of different architectural elements, and include floor plans mirrored on each lot to provide some visual variety.

For the 11 dwellings designated as Plan "A," roof elements include a gable roof in the rear, awning-style roofs on the small portions of the building projecting from the main building wall on the sides, an inverse hip roof topping the front façade, and various flat roof elements. The proposed color palette mainly consists of shades of blue and grey, with contrasting garage/front doors. Exterior materials include stucco with an accenting section of Hardie board panel siding and asphalt shingles on the pitched roof elements.

The two (2) Plan "B" dwellings would have many of the same features, including contrasting garage doors with a variety of roof elements in shades of grey. Colored elevations are provided in the Architectural Plans (Attachment 2).

Landscaping

Proposed landscaping includes two types of trees, Brisbane Box Trees and Strawberry Trees, two types of ground covers, Japanese Honeysuckle and Huntington Carpet Rosemary, and four different types of shrubs. Most of the shrubs and ground covers would be planted around the perimeter of the site or in the storm water management basin (also known as biofiltration basin). A majority of the lots would be planted with a Strawberry Tree in the front yard. More details about the project's proposed landscaping can be found in the attached conceptual landscape plan (see Attachment 4).

Access, Parking, Traffic & Frontage Improvements

The proposed project would include a cul-de-sac accessed from Loma Alta Drive from the midpoint of the site’s frontage. No vehicular access is proposed from Crouch Street. The private street would not have the capacity to provide street parking on one side due to its 32-foot width from curb to curb. Each of the Plan “A” dwellings would include a three-car garage, with one garage space provided in a tandem configuration, and a two-car driveway. The two (2) smaller units would have a two-car garage and a two-car driveway. Additional traffic resulting from this project is estimated at 130 average daily trips (ADT). Ten (10) additional trips are estimated to take place during the morning and evening peak hours.

Currently, the project site includes one curb on the Loma Alta Drive frontage with no frontage improvements along Crouch Street. As part of this project, the applicant is proposing to install curbs, gutters, and sidewalks on both the Loma Alta Drive and Crouch Street frontages. Street dedications and road widening would occur on each frontage resulting in a widening of up to nine (9) feet. The additional roadway width would allow for street parking on both frontages where none exists today.

Density Bonus (DB22-00003):

The proposed project includes a request to utilize State Density Bonus Law (GOV §65915 et seq.) to exceed the maximum permitted density of the Estate B (EB-R) General Plan land use designation by reserving 11 percent of the units as affordable to Very Low-Income (VLI) households. Pursuant to Density Bonus Law, a project reserving 11 percent of the units for VLI is entitled to a 35 percent increase in allowable density. The density calculations are shown below in Table 1. It should be noted that Density Bonus requests in single-family residential zones do not overrule the restriction of one unit per lot inherent to single-family zoning. As further described below, Density Bonus Law allows an applicant to request a deviation from the minimum lot sizes through reductions or waivers of development standards, thereby resulting in smaller lots than would otherwise be allowed by the Zoning Ordinance.

Table 1: Density Calculations

Base Density (EB-R): 2.0-acre site x 4.356 du/acre	9 units*
Units Reserved: 11% deed restricted Very Low Income*	1 unit
Density Bonus: 35% of 9 units	4 units*
Total Allowable Units: 9 units base density + 4 bonus units	13 units
Realized Density with Density Bonus	6.5 u/acre

Very Low Income households are defined as those earning 31 to 50 percent (31% - 50%) of the area local median income, or AMI. The current AMI for San Diego County is \$116,800.

**All unit calculations are rounded up in accordance with Density Bonus Law*

State law entitles Density Bonus projects to a certain amount of incentives or concessions, as well as an unlimited number of waivers. Incentives or concessions are requests by the applicant for a Density Bonus project to be exempted from meeting a requirement that would add a significant cost to the project. The proposed project is granted two (2) incentives per

Density Bonus Law by reserving at least 10 percent of the total units for VLI households; however, only one incentive is being requested as part of this project, as listed below. Waivers, on the other hand, are unlimited and allow an applicant to waive development standards that would physically preclude the project at the density proposed. Density Bonus Law prohibits the City from denying any requested incentives/concessions or waivers unless findings are made that the incentives/concessions or waivers would have a "Specific Adverse Impact," which is defined as "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete." State law further establishes that "inconsistency with zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact on public health or safety..."

Incentive/Concession #1

An incentive/concession is requested to waive the City's utility undergrounding requirement. The undergrounding of overhead utilities is required for Development Plans pursuant to Section 3023 of the Zoning Ordinance and for Tract Maps pursuant to Section 901.G of the Subdivision Ordinance. The City's Engineering Division can recommend a waiver of this requirement regardless of whether or not the project is utilizing density bonus in circumstances where the requirement is not justified. A common example is when the utility poles along a site's frontage contain high-voltage electricity lines that cannot be feasibly undergrounded. The project site has one utility pole on the Crouch Street frontage which otherwise would need to be undergrounded. However, because the nearest utility pole to the south of the project site is located more than 100 feet outside of the property boundary, the applicant would need to install a new utility pole 100 feet away which would ultimately result in no net decrease in overhead utility poles. Therefore, the Engineering Division supports a waiver of the undergrounding requirement consistent with the applicant's incentive/concession request.

Waivers

Multiple waivers of development standards are being requested by the project applicant that would otherwise preclude the project at the proposed density. The following table is provided to illustrate the development standards applicable to the project and to identify the standards proposed to be waived as a part of the Density Bonus application:

Table 2: Development Standards

Development Standard	Zoning (RE-B) Standard	Proposed*	Notes
Minimum Lot Area	10,000 sf	2,752 sf	Waiver
Minimum Lot Width	70 feet	29 feet	Waiver
Maximum Lot Depth/Width Ratio	2.5 to 1	3.6:1	Waiver
Minimum Setbacks			
Front	25 feet	18 feet	Waiver
Side	7.5 feet	4 feet	Waiver

Corner Side	15 feet	4 feet	Waiver
Rear	20 feet	7 feet	Waiver
Minimum Driveway Length	20 feet	18 feet	Waiver
Maximum Height	36 feet	39 feet including retaining wall below unit	Waiver
Maximum Wall Height	6 feet	10 feet	Waiver
Minimum Site Landscaping	50% in front yard	34% in front yard	Waiver
Minimum Tree Canopy	12%	24%	Complies with Code
Minimum Permeable Surface	22%	44%	Complies with Code
Minimum Usable Open Space	300sf per unit	>300sf per unit	Complies with Code
Parking (Maximum required by Density Bonus Law)	0-1 bedroom: 1 parking space 2-3 bedrooms: 1.5 parking spaces 3+ bedrooms: 2.5 parking spaces	Floorplan A: 5 parking spaces (3-car garage + driveway) Floorplan B: 4 parking spaces (2-car garage + driveway)	Complies with City Code & Density Bonus Law

**Figures in the "proposed" column represent the most non-compliant development standard, not development standards for every proposed structure.*

ANALYSIS

Development on the subject property is subject to the policies and standards of the following:

1. General Plan
2. Zoning Ordinance
3. Subdivision Ordinance
4. California Environmental Quality Act (CEQA)

1. General Plan Conformance

The General Plan Land Use Map designation for the subject property is Estate B Residential (EB-R). The proposed project is consistent with this land use designation and the policies of the City's General Plan as follows:

Land Use Element: The Land Use Element establishes the following relevant goals, objectives, and policies applicable to the proposed project.

Goal 1.16: *Housing.* To ensure that decent, safe and sanitary housing is available to all current and future residents of the community at a cost that is within the reach of the diverse economic segments of Oceanside.

Policy C: The City shall ensure that housing is developed in areas with adequate access to employment opportunities, community facilities, and public services.

Policy E: The City shall protect, encourage, and where feasible, provide housing opportunities for persons of low and moderate income.

The proposed project is requesting to deed-restrict 11 percent of the total number of units, or one (1) unit, which would provide decent, safe, and sanitary housing for a lower-income household within the Oceanside community. By providing a deed-restricted affordable unit, the project would provide housing opportunities in an area that would otherwise be unattainable for lower income families.

The project site is located within the Loma Alta neighborhood in close proximity to recreational facilities like Buddy Todd Park and multiple employment centers including those located along the Mission Avenue and Oceanside Boulevard corridors.

The Regional Housing Needs Assessment (RHNA) for the Sixth Housing Element Cycle (2021-2029) estimates that the City of Oceanside will experience demand for more than 5,443 new dwelling units over the next eight years. 1,268 of those units need to be affordable to Very Low Income and Extremely Low Income households. By contributing one (1) VLI unit and twelve (12) new market-rate dwelling units to the City's existing housing stock, the proposed project would help to meet the City's projected housing demand.

Housing Element: The Housing Element establishes the following relevant goals, and policies applicable to the proposed project.

Goal 2: Encourage the development of a variety of housing opportunities, with special emphasis on providing:

- A broad range of housing types, with varied levels of amenities and number of bedrooms.
- Sufficient rental stock for all segments of the community, including families with children.
- Housing that meets the special needs of the elderly, homeless, farm workers, and persons with disabilities, and those with developmental disabilities.
- Housing that meets the needs of large families.

Policy 2.2: Encourage both the private and public sectors to produce or assist in the production of housing with particular emphasis on housing affordable and

accessible to lower income households, persons with disabilities, elderly, large families, female-headed households, farm workers, and homeless persons.

- Goal 3: Protect, encourage, and provide housing opportunities for persons of low and moderate income.
- Policy 3.7: Encourage the disbursement of lower and moderate income housing opportunities throughout all areas of the City.
- Policy 3.8: Encourage inclusionary housing to be built on or off-site for new housing projects rather than pay in-lieu fee.

The proposed project is consistent with the identified goals and policies of the Housing Element in that the project would provide not only market rate units, but also housing affordable to a lower income household. It is also creating a lower income housing opportunity in an area of the City that otherwise would be unattainable for lower income households. In addition, the project would satisfy the City's Inclusionary Housing requirements by providing an affordable unit on site.

Staff finds that the project, as proposed, is consistent with the cited Goals, Objectives, and Policies of the General Plan.

2. Zoning Ordinance Compliance

The proposed project is subject to the RE-B development standards provided in Article 10 of the Zoning Ordinance. The Zoning Ordinance identifies single-family homes as a land use permitted within the RE-B zoning district. With respect to development standards, the proposed project complies with the development standards of the RE-B zoning district and where it does not, the applicant is seeking waivers of the development standards consistent with Density Bonus Law and as previously highlighted in Table 2 of this report.

The applicant is not seeking any reductions of parking requirements allowed pursuant to Density Bonus Law. As proposed, all Plan "A" homes would include three-car garages and the two Plan "B" homes would have two-car garages. In addition, all of the homes would have two-car driveways equating to five (5) parking spaces for Plan "A" lots and four (4) parking spaces for the Plan "B" lots. The availability of such parking would offset the on-street parking limitation on the cul-de-sac.

3. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance. Pursuant to Article IV of the Subdivision Ordinance, the proposed Tentative Subdivision Map has been prepared in a manner acceptable to the Engineering Division. The design of the subdivision or the type of improvements meet City standards and will not conflict with easements, acquired by the public at large, for access through or the use of property within the proposed subdivision. Street improvements have been designed in a manner consistent with City standards; and access to the proposed project would not conflict with the existing road network. On-site circulation and all improvements would be designed, constructed, and maintained consistent with City standards, unless expressly waived in accordance with Density Bonus Law.

4. California Environmental Quality Act Compliance

In accordance with the California Environmental Quality Act (CEQA), staff finds that the proposed project is categorically exempt pursuant to CEQA Guidelines Article 19 Categorical Exemptions, Section 15332 "In-fill Development Projects." The project site is located in an urbanized area, and would not result in any significant environmental effects. An Infill Exemption Justification Memo is included as Attachment 5. A traffic memo also has been prepared by a licensed traffic engineer and included as Attachment 7 justifying how the proposed project would not result in significant traffic impacts.

PUBLIC NOTIFICATION

The applicant complied with the City's Enhanced Notification Program and conducted a virtual community outreach meeting on March 21, 2023 at 8 a.m., to which ten members of the public attended. Common concerns expressed in the meeting including concerns about the loss of private views, unsafe roadways, and aesthetic incompatibility with the surrounding neighborhood. More details about the meeting can be found in the applicant's Community Outreach Report included as Attachment 9.

Legal notice was published in the newspaper and mailed notices were sent to property owners of record within 1,500 feet and tenants within 100 feet of the subject property as well as interested parties. To date, staff has received eight (8) letters of opposition from the public (see Attachment 10). The common concerns arising from residents near a proposed development were evident for this project, including parking, traffic, density, and aesthetic impacts. The other concerns centered around perceived impacts to the health and safety of the surrounding residents, including decreased quality of life, inadequate infrastructure, and the creation of an unsafe intersection and roadway.

In response to the public's concerns, the City has conditioned the proposed project to install a stop sign where the private street meets Loma Alta Drive, which was originally proposed as an uncontrolled intersection. No stop signs are proposed for through traffic on Loma Alta Drive. Furthermore, the proposed project has been conditioned to widen both Loma Alta Drive and Crouch Street up to nine feet and install curbs, gutters, and sidewalks along the project frontage.

4.01 ATTACHMENT 1

**PLANNING COMMISSION
RESOLUTION NO. 2023-P19**

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

**APPLICATION NO: T22-00003, D22-00004, DB22-00003
APPLICANT: LOMA ALTA TERRACES, LLC
LOCATION: Loma Alta Drive approximately 150 feet south of Walsh
Street (APN 149-021-18)**

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

**WHEREAS, there was filed with the City’s Development Services Department a
verified petition on the forms prescribed by the City requesting approval of a Tentative Tract
Map, Development Plan, and Density Bonus Request under the provisions of Articles 10,
30, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:**

**a 13 lot subdivision for single-family residential purposes and the construction of 13
new single-family detached homes, each with associated on-site parking facilities and
landscaping;**

on certain real property described in the project description.

**WHEREAS, the Planning Commission, after giving the required notice, did on the
28th day of August, 2023 conduct a duly advertised public hearing as prescribed by law to
consider said application.**

**WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
Guidelines thereto (Section 15332); this project qualifies for a Class 32 categorical
exemption (In-Fill Development Projects), as it involves in-fill development consistent with
General Plan and zoning designation, is located in an urbanized area, and would not result in
any significant environmental effects;**

SUMMARY

Staff finds that the proposed project is consistent with the applicable objectives and policies of the City's General Plan as well as the applicable standards of the City's Zoning Ordinance and Subdivision Ordinance. Staff thus recommends that the Planning Commission approve the proposal.

Staff recommends that the Planning Commission, by motion;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003) by adopting Planning Commission Resolution No. 2023-P19 with findings and conditions of approval attached herein.

PREPARED BY:



Dane Thompson
Planner II

SUBMITTED BY:



Sergio Madera
City Planner

Attachments:

1. Planning Commission Resolution No. 2023-P19
2. Architectural Plans
3. Tentative Map
4. Conceptual Landscape Plan
5. CEQA Infill Exemption Memo
6. Biological Report
7. Traffic Memo
8. Slope Analysis Map
9. Community Outreach Report
10. Public Correspondence
11. Other Attachments (Application, Description & Justification Letter, Legal Description, Notice of Exemption)

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

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

Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Parks (Residential only)	Ord. No. 91-09 Reso. No. 15-R0638-1
Schools (Residential)	OUSD Reso. # 30(19-20) VUSD Reso # 21-04 CUSD Reso. # 33-1516 Ord # 91-34 Education Code section 17620
Traffic Signal & Thoroughfare (Single-Family Residential)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Reso. #15-R0638-1 Ord #85-23
Wastewater System Capacity Buy-In Fee (Single-Family Res)	Reso. #87-97 Ord# 15-OR0479-1 City Code 32.7.29
Water System Capacity Buy-in Fee (Residential and Non-Residential)	Reso. No. 87-96 Ord. No. 15-OR0480-1 City Code 37.7.37
San Diego County Water Authority (Residential and Non-Residential)	SDCWA Ord. 2017

Description	Authority for Imposition
Inclusionary Housing In-Lieu fees (Residential)	Chapter 14C of the MC Reso. No. 03-R175-1 Reso. No. 11-R0483-1

WHEREAS, the fees listed above have been identified by the City as being applicable to the project as proposed. Failure by the City to list an applicable fee above does not alleviate the developer from paying all applicable fees at the time when such fees become due;

WHEREAS, the fee amount to be paid for each category referenced above shall be the amount listed on the schedule of fees published by the Development Services Department at the time when such fees become due and payable;

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

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

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

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

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

FINDINGS:

1 For Tentative Map (T22-00003):

- 2 1. The proposed Tentative Tract Map is consistent with the General Plan of the City
3 as the underlying EB-R General Plan land use designation allows single-family
4 residential development as proposed with the project. In addition, the project is
5 consistent with Goal 1.16 of the Land Use Element and Policies 2.2, 3.7, and 3.8
6 of the Housing Element as it relates to the provision of affordable housing.
- 7 2. The site is physically suitable for the type and proposed density of development
8 because the 2.0-acre project site is not significantly constrained by geology,
9 hydrologic hazards, sensitive or protected habitat, easements or other limiting
10 features based on the proposed project design. The site of the proposed single-
11 family residential subdivision is located within a residential area surrounded by
12 residential land uses in all directions. The project site can be adequately, reasonably
13 and conveniently served by existing and planned public services, utilities and
14 public facilities.
- 15 3. The design of the subdivision or the proposed improvements will not cause
16 substantial environmental damage or substantially and avoidably injure fish or
17 wildlife or their habitat as the project site is located in an urbanized and developed
18 area of the City. As documented in the Project's Infill Exemption Justification
19 Memo, the project would have less than significant impacts under CEQA to
20 biological resources and no mitigation is required. The recommendations of the
21 biological report prepared for this project have been included as conditions in this
22 resolution.
- 23 4. The design of the subdivision or the type of improvements meet City standards and
24 will not conflict with easements, acquired by the public at large, for access through
25 or the use of property within the proposed subdivision as all frontage and street
26 improvements have been designed in a manner consistent with City standards.
27 Improvements related to this project include street dedications on Loma Alta Drive
28 and Crouch Street with new curbs, gutters, and sidewalks, and a new private cul-
- 29

1 de-sac to provide on-site circulation; all of which would be designed, constructed,
2 and maintained consistent with City standards.

- 3 5. The subdivision complies with all other applicable ordinances, regulations and
4 guidelines of the City of Oceanside because the proposed tentative tract map
5 conforms to the applicable requirements of the City's Subdivision Ordinance
6 (Section 401).

7 For the Development Plan (D22-00004):

- 8 1. The site plan and physical design of the project as proposed is consistent with the
9 purposes of the Zoning Ordinance because the siting of residential lots is consistent
10 with the provisions of Section 3032 of the Zoning Ordinance.
- 11 2. The Development Plan as proposed conforms to the General Plan of the City, in
12 that the underlying EB-R General Plan land use allows single-family residential
13 development as proposed with the project. In addition, the project is consistent
14 with Goal 1.16 of the Land Use Element and Policies 2.2, 3.7, and 3.8 of the
15 Housing Element as it relates to the provision of affordable housing.
- 16 3. The area covered by the Development Plan can be adequately, reasonably, and
17 conveniently served by existing and planned public services, utilities, and public
18 facilities because the project site is situated within an urbanized area currently
19 served by existing public services, utilities, and public facilities.
- 20 4. The proposed project is compatible with existing and potential development in the
21 vicinity of the project site as the project is consistent with the applicable provisions
22 of Article 10 and Section 3032 of the Zoning Ordinance and is between the
23 densities of the more sprawling, low-density properties to the north and the large,
24 medium density apartment complex about 200 feet to the south, which comprises
25 a density of 10.35 units per acre.
- 26 5. The site plan and physical design of the project is consistent with the policies
27 contained within Section 1.24 and 1.25 of the Land Use Element of the General
28 Plan, the Development Guidelines for Hillside, of this ordinance as the project site
29

1 does not contain qualifying slopes or topographic features that would be considered
2 undevelopable, nor does the site contain any riparian areas.

3 For the Density Bonus (DB22-00003):

- 4 1. The affordable unit will be reserved for tenancy by households within the Very
5 Low Income (VLI) category and will be subject to a restrictive covenant
6 guaranteeing affordability for the VLI households for a period of 55 years.
- 7 2. The affordable unit has been designed to be proportional to the project's market
8 rate units in terms of floor plan, square footage, and exterior design. The affordable
9 unit consists of a 3-bedroom 2-bathroom residence with a garage and is the same
10 size as another market rate unit within the subdivision. The affordable unit has
11 been interspersed throughout the project site and will have a similar appearance as
12 the market rate units along in the subdivision.
- 13 3. The restricted covenant associated with the affordable unit will be for a period of
14 55 years.
- 15 4. The maximum allowable rent for the project's affordable units comply with the law
16 for the Very Low Income category.
- 17 5. The project's affordable unit will be available at affordable housing costs, as
18 defined in Health and Safety Code Section 50052.5.
- 19 6. Buyers must enter into an equity sharing agreement with the City, unless the equity
20 sharing requirements conflict with the requirements of another public funding
21 source or law. The equity sharing agreement does not restrict the resale price, but
22 requires the original owner to pay the City a portion of any appreciation received
23 on resale.
- 24 7. The project is subject to the yearly accounting requirement to the Neighborhood
25 Services Department for the affordable unit as outlined in Section 3032(M)(7) of
26 the Zoning Ordinance.

27 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does
28 hereby approve Tentative Tract Map (T22-00003), Development Plan (D22-00004), and
29 Density Bonus Request (DB22-00003), subject to the following conditions:

1 **Building:**

2 1. The granting of approval under this action shall in no way relieve the applicant/project
3 from compliance with all Current State and local building codes.

4 This development review checklist is not intended to be a complete review for any
5 project. Further review will be required during a Building permit application and plan
6 submittal. This checklist is intended to address any significant design considerations
7 based on the type of Building, location of building, and proposed use of a Building.

8 The 2022 triennial edition of the California Code of Regulations, Title 24 (California
9 Building Standards Code) applies to all occupancies that applied for a building permit
10 on or after January 1, 2023, and remains in effect until the effective date of the 2022
11 triennial edition which will be January 1, 2026.

12 Beginning on January 1, 2023, Oceanside Development Services (ODS) is required
13 by State law to enforce the 2022 Edition of California Building Standards Codes
14 (a.k.a., Title 24 of the California Codes of Regulations).

15 Every three years, the State adopts new model codes (known collectively as the
16 California Building Standards Code) to establish uniform standards for the
17 construction and maintenance of buildings, electrical systems, plumbing systems,
18 mechanical systems, and fire and life safety systems.

19 Sections 17922, 17958 and 18941.5 of the California Health and Safety Code require
20 that the latest edition of the California Building Standards code and Uniform Housing
21 Code apply to local construction 180 days after publication.

- 22 • Part 2: The 2022 California Building Code (CBC).
- 23 • Part 2.5: The 2022 California Residential Code (CRC).
- 24 • Part 3: The 2022 California Electrical Code (CEC).
- 25 • Part 4: The 2022 California Mechanical Code (CMC).
- 26 • Part 5: The 2022 California Plumbing Code (CPC).
- 27 • Part 6: The 2022 California Energy Code
- 28 • Part 9: The 2022 California Fire Code (CFC)

1 • Part 11: The 2022 California Green Building Standards Code (CALGreen Code)
2 This Part is known as the California Green Building Standards Code, and it is
3 intended that it shall also be known as the CALGreen Code.

4 • The City of Oceanside Municipal Code

5 2. The building plans for this project shall be prepared by a licensed architect or engineer
6 and shall be in compliance with this requirement prior to submittal for building plan
7 review.

8 3. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the
9 plans. Separate/unique addresses may be required to facilitate utility releases.
10 Verification that the addresses have been properly assigned by the City's Planning
11 Division shall accompany the Building Permit application.

12 4. Structural Plans, Soils Report, and Energy Calculations, must be submitted for this
13 project.

14 5. Plumbing Electrical and Mechanical plans must show compliance with the 2020
15 California Residential Code.

16 6. Electrical Vehicle Chargers, must be have pre-wiring installed per Green Building
17 Code Requirements.

18 7. Solar PV systems must be installed per Energy Calculation requirements.

19 8. A form or foundation survey shall be required prior to the placement of concrete to
20 show the location of the new structure in respect to the property lines, known
21 easements, and known setback lines. By obtaining a form survey the location of the
22 foundation is checked prior to the placement of concrete, and can save costly
23 corrective measures in case of an encroachment of a property line.

24 9. Construction waste management. Recycle and/or salvage for reuse a minimum of
25 65% of the nonhazardous construction and demolition waste in accordance with
26 either CAL Green Section 4.408.2 Waste Management Plan, 4.408.3 Waste
27 Management Company or 4.408.4 Waste Stream Reduction Alternative. A City
28 approved waste management company/hauler shall be used for recycling of
29

1 construction waste. Documentation of compliance with Section 4.408.1 shall be
2 provided to the Authority Having Jurisdiction prior to project final approval.

3 10. Energy Calculations for the new 2022 California Energy code must be submitted at
4 time of Plan Review.

5 Construction Hours:

6 Per City of Oceanside Municipal Code section 6.25:

7 It shall be unlawful to operate equipment or perform any construction in the erection,
8 demolition, alteration, or repair of any Building or structure or the grading or
9 excavation of land during the following hours:

- 10 a) Before 7:00 a.m. and after 7:00 p.m. Monday through Saturday.
11 b) All day Sunday; and
12 c) On any federal holiday.

13 Exceptions.

14 i. An owner/occupant or resident/tenant of residential property may engage
15 in a home improvement project between the hours of 9:00 a.m. and 5:00
16 p.m. on Sundays and holidays provided the project is for the benefit of said
17 residential property and is personally carried out said owner/occupant or
18 resident/tenant.

19 ii. The Building official may authorize extended or alternate hours of
20 construction for the following circumstances:

- 21 1. Emergency work
22 2. Adverse weather conditions
23 3. Compatibility with store Business hours.
24 4. When the work is less objectionable at night than during daylight
25 hours.
26 5. Per the direction of the City Managers office for projects that have
27 been determined that rapid completion is in the best interest of the
28 general public.

29 //

1 **Engineering:**

- 2 11. Prior to the demolition of any existing structure or surface improvements on site, a
3 grading plan application shall be submitted to the Engineering Division and erosion
4 control plans shall be approved by the City Engineer. No demolition shall be
5 permitted without an approved erosion control plan.
- 6 12. Design and construction of all improvements shall be in accordance with the City
7 of Oceanside's Engineers Design and Processing Manual, City Ordinances,
8 standard engineering and specifications of the City of Oceanside, and subject to
9 approval by the City Engineer.
- 10 13. All right-of-way alignments, street dedications, exact geometrics and widths shall
11 be designed, dedicated, and constructed or replaced in accordance with the City of
12 Oceanside Engineers Design and Processing Manual, and as required by the City
13 Engineer.
- 14 14. Owner/developer shall provide an updated Title Report dated within 6 months of
15 the grading plan application submittal.
- 16 15. The approval of the tentative map shall not mean that closure, vacation, or
17 abandonment of any public street, right of way, easement, or facility is granted or
18 guaranteed to the owner/developer. The owner/developer is responsible for
19 applying for all closures, vacations, and abandonments as necessary. The
20 application(s) shall be reviewed and approved or rejected by the City of Oceanside
21 under separate process-(es) per codes, ordinances, and policies in effect at the time
22 of the application. The City of Oceanside retains its full legislative discretion to
23 consider any application to vacate a public street or right of way.
- 24 16. Owner/developer shall submit to the City for processing a covenant attesting to the
25 project's development conditions. The approved covenant shall be recorded at the
26 County prior to the issuance of a grading permit.
- 27 17. All public improvement requirements shall be covered by a Subdivision
28 Improvement Agreement and secured with sufficient improvement securities or
29 bonds guaranteeing performance and payment for labor and materials, setting of

1 survey monuments, and warranties against defective materials and workmanship
2 before the approval of the public improvement plans.

3 18. Prior to the issuance of any building permits, all improvements including landscaping,
4 landscaped medians, frontage improvements shall be under construction to the
5 satisfaction of the City Engineer.

6 19. Prior to the issuance of a Certificate of Occupancy permit, all improvements,
7 including landscaping, landscaped medians, frontage improvements shall be
8 completed to the satisfaction of the City Engineer.

9 20. Prior to approval of the map, provide the City of Oceanside with certification from
10 each public utility and each public entity owning easements within the proposed
11 project stating that: (a) they have received from the owner/developer a copy of the
12 proposed map; (b) they object or do not object to the filing of the map without their
13 signature; (c) in case of a street dedication affected by their existing easement, they
14 will sign a "subordination certificate" or "joint-use certificate" on the map when
15 required by the governing body.

16 21. Legal access to Loma Alta Drive shall be provided to Lot "10" on the previously
17 recorded final map, map no. 1956.

18 22. The tract shall be recorded and developed as one. The City Engineer shall require
19 the dedication and construction of necessary utilities, streets and other
20 improvements outside the area of any particular map, if such is needed for
21 circulation, parking, access or for the welfare or safety of future occupants of the
22 development. The boundaries of any multiple final map increments shall be subject
23 to the approval of the City Engineer.

24 23. All property corners, survey monuments that control public rights-of-way, and City
25 benchmarks shall be protected in place or perpetuated in conformance with
26 Greenbook Standard 400-2 and Business and Professions Code 8771.

27 24. A traffic control plan shall be prepared in accordance with the City's traffic control
28 guidelines and approved by the City Engineer prior to the start of work within the
29 public Right-of-Way. Traffic control safety and implementation for construction or

1 re-construction of streets shall be in accordance with construction signing,
2 marking, and other protection as required by Caltrans' Traffic Manual and City
3 Traffic Control Guidelines. Traffic control plan implementation and hours shall be
4 in accordance with the approved traffic control plans.

5 25. Proposed public improvements located within the City's ROW or onsite shall be
6 displayed on separate public improvement plans in accordance with the City's
7 Engineer's Design and Processing Manual.

8 26. Any existing public or private improvements that are being joined to and that are
9 already damaged or damaged during construction of the project, shall be repaired or
10 replaced as necessary by the developer to provide a competent and stable connection,
11 and to the City's satisfaction.

12 27. An Encroachment Removal Agreement (ERA) application shall be submitted to the
13 City for proposed private improvements located within the City's ROW along Loma
14 Alta Drive or over any City easement. The ERA shall be submitted for review prior
15 to the issuance of a grading permit and recorded at the County prior to improvement
16 plan As-Builts.

17 28. Loma Alta Drive shall be constructed with new curb and gutter and sidewalk.
18 Sidewalk improvements (construct/replace) shall comply with current ADA
19 requirements.

20 29. ADA-compliant pedestrian ramps shall be constructed at the corner of the Loma Alta
21 Drive and Private Street intersection, and other locations as required by the City
22 Engineer.

23 30. Publicly-maintained pedestrian ramps (maintained by the City of Oceanside) must be
24 located entirely within the public right-of-way (ROW). Pedestrian ramps not located
25 entirely within the City's ROW shall be provided with a ROW dedication on the final
26 map and shown on the improvement plans and grading plans. The ROW dedication
27 shall be submitted prior to the approval of the grading plans and recorded prior to the
28 grading plan As-Builts.

- 1 31. Minimum curb return radius at pedestrian ramps and driveway locations shall comply
2 with the City of Oceanside Engineers Design and Processing Manual.
- 3 32. Loma Alta Drive shall be provided with a 7-foot minimum parkway between the face
4 of curb and Right-of-Way line, and the design shall be displayed on the improvement
5 plans.
- 6 33. Sight distance requirements at the project driveway(s) or street shall conform to the
7 sight distance criteria as provided by Caltrans. The owner/developer shall provide a
8 plan and profile of the line of sight for each direction of traffic at each proposed
9 driveway on the grading plans.
- 10 34. A pavement evaluation report shall be submitted for offsite street and/or alley
11 pavements with the grading plan application. The owner/developer shall contract with
12 a geotechnical engineering firm to perform a field investigation of the existing
13 pavement on all streets adjacent to the project boundary. The limits of the study shall
14 be half-street width along the project's Loma Alta Drive and Crouch Street frontage.
15 The field investigation shall be performed according to a specific boring plan
16 prepared by a licensed Geotechnical Engineer and approved by the City Engineer
17 prior to the issuance of a grading permit. In the absence of an approved boring plan,
18 the field investigation shall include a minimum of one pavement boring per every
19 fifty linear feet (50) of street frontage.
20 Should the study conclude that the existing road pavement does not meet current
21 pavement thickness requirements set forth in the City of Oceanside Engineers Design
22 and Processing Manual, the Owner/developer shall remove and reconstruct the
23 existing pavement section in accordance with City requirements. Otherwise, the City
24 Engineer shall determine whether the Owner/developer shall: 1) Repair all failed
25 pavement sections, 2) header cut and grind per the direction of the City Engineer, or
26 3) Perform R-value testing and submit a study that determines if the existing
27 pavement meets current City standards/traffic indices.
- 28 35. Owner/developer shall place a covenant on the non-title sheet of the grading plan
29 agreeing to the following: "The present or future owner/developer shall indemnify

1 and save the City of Oceanside, its officers, agents, and employees harmless from
2 any and all liabilities, claims arising from any landslide on this site”.

3 36. Owner/developer shall develop and submit a draft neighborhood-notification flier to
4 the City for review. The flier shall contain information on the project, construction
5 schedule, notification of anticipated construction noise and traffic, and contact
6 information. Prior to the issuance of a grading permit, the approved flier shall be
7 distributed to area residents, property owners, and business owners located within a
8 500-foot radius area of the project.

9 37. A precise grading plan, which includes proposed onsite private improvements, shall
10 be prepared, reviewed, secured and approved prior to the issuance of any building
11 permit. The plan shall reflect all pavement, thickened & roughened private street
12 pavement section, flatwork, landscaped areas, special surfaces, curbs, gutters,
13 medians, striping, and signage, footprints of all structures, walls, drainage devices and
14 utility services. Parking lot striping and any on site traffic calming devices shall be
15 shown on the precise grading plans.

16 38. The landowners shall enter into a maintenance agreement, obliging the landowners
17 to protect, maintain, repair and replace the landscaping and slope stability
18 associated with the retaining walls identified in the project’s grading plans, as
19 detailed in the exhibits, in perpetuity. The Agreement shall be approved by the City
20 Attorney’s Office and recorded at the County Recorder’s Office prior to the
21 issuance of a precise grading permit.

22 39. Prior to the issuance of a grading permit, a comprehensive soil and geologic
23 investigation shall be conducted for the project site. All necessary measures shall be
24 taken and implemented to assure slope stability, erosion control, and soil integrity;
25 and these measures shall be incorporated as part of the grading plan design. No
26 grading shall occur at the site without a grading permit.

27 40. It is the responsibility of the owner/developer to evaluate and determine that all soil
28 imported as part of this development is free of hazardous and/or contaminated
29 material as defined by the City and the County of San Diego Department of

1 Environmental Health. Exported or imported soils shall be properly screened,
2 tested, and documented regarding hazardous contamination.

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

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

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

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

23 d) Owner/developer shall complete a haul route permit application (if required for
24 import/export of dirt) and submit to the City of Oceanside Transportation
25 Engineering Section forty-eight hours (48) in advance of beginning of work.
26 Hours of hauling operations shall be dictated by the approved haul route permit.

27 42. The project shall provide and maintain year-round erosion control for the site. Prior
28 to the issuance of a grading permit, an approved erosion control plan, designed for all
29 proposed stages of construction, shall be secured by the owner/developer with cash

1 securities or a Letter-of-Credit and approved by the City Engineer; a Certificate of
2 Deposit will not be accepted for this security.

3 43. Landscape and irrigation plans for disturbed areas shall be submitted to the City
4 Engineer prior to the issuance of a grading permit and approved by the City Engineer
5 prior to the issuance of building permits. Landscaping plans, including plans for the
6 construction of walls, fences or other structures at or near intersections, must conform
7 to intersection sight distance requirements. Frontage and median landscaping shall be
8 installed and established prior to the issuance of any certificates of occupancy.
9 Securities shall be required only for landscape items in the public right-of-way. Any
10 project fences, sound or privacy walls and monument entry walls/signs shall be shown
11 on, bonded for and built from the approved landscape plans. These features shall also
12 be shown on the precise grading plans for purposes of location only. Plantable,
13 segmental walls shall be designed, reviewed and constructed from grading plans and
14 landscape/irrigation design/construction shall be from landscape plans. All plans
15 must be approved by the City Engineer and a pre-construction meeting held prior to
16 the start of any improvements.

17 44. The drainage design shown on the conceptual grading/site plan, and the drainage
18 report for this development plan is conceptual only. The final drainage report and
19 design shall be based upon a hydrologic/hydraulic study that is in accordance with
20 the latest San Diego County Hydrology and Drainage Manual, and is to be approved
21 by the City Engineer prior to the issuance of a grading permit. All drainage picked up
22 in an underground system shall remain underground until it is discharged into an
23 approved channel, or as otherwise approved by the City Engineer.

24 45. The project's drainage system shall not connect or discharge to another private
25 stormdrain system without first obtaining written permission from the owner of the
26 system. The written permission letter shall be provided to the City prior to the
27 issuance of a grading permit. The owner/developer shall be responsible for obtaining
28 any off-site easements for storm drainage facilities.

1 46. All public storm drains shall be shown on separate public improvement plans. Public
2 storm drain easements shall be dedicated to the City where required.

3 47. Drainage facilities shall be designed and installed to adequately accommodate the
4 local storm water runoff, and shall be in accordance with the San Diego County
5 Hydrology Manual and the City of Oceanside Engineers Design and Processing
6 Manual, and to the satisfaction of the City Engineer.

7 48. Storm drain facilities shall be designed and constructed to allow inside travel lanes of
8 streets classified as a Collector or above, to be passable during a 100-year storm event.

9 49. Sediment, silt, grease, trash, debris, and pollutants shall be collected on site and
10 disposed of in accordance with all state and federal requirements, prior to discharging
11 of stormwater into the City drainage system.

12 50. Owner/developer shall comply with the provisions of the National Pollutant
13 Discharge Elimination System (NPDES) General Permit for Storm Water
14 Discharges Associated with Construction and Land Disturbance Activities
15 (General Permit) Water Quality Order 2022-0057-DWQ. The General Permit
16 continues in force and effect until the effective date of a new General Permit
17 adopted the State Water Board or the State Water Board rescinds this General
18 Permit. Dischargers that obtain coverage under the expiring General Permit prior
19 to the effective date of this permit, may continue coverage under the previous
20 permit up to two years after the effective date of this General Permit (September 1,
21 2023). Construction activity subject to the General Permit includes, but not limited
22 to, clearing, demolition, grading, excavation and other land disturbance activities
23 that results in one or more acre of land surface, or that are part of common plan of
24 development or sale.

25 The discharger shall obtain a Waste Discharge Identification (WDID) number prior
26 to the commencement of construction activity by electronically certifying and
27 submitting the Permit Registration Documents from Section III of the General
28 Permit through the State Water Board Stormwater Multiple Application and Report
29 Tracking System (SMARTS). In addition, coverage under the General Permit shall

1 not occur until an adequate SWPPP is developed for the project as outlined in
2 Section A of the General Permit. The site specific SWPPP shall be maintained on
3 the project site at all times. The SWPPP shall be provided, upon request, to the
4 United States Environmental Protection Agency (USEPA), State Water Resources
5 Control Board (SWRCB), Regional Water Quality Control Board (RWQCB), City
6 of Oceanside, and other applicable governing regulatory agencies. The SWPPP is
7 considered a report that shall be available to the public by the RWQCB under
8 section 308(b) of the Clean Water Act. The provisions of the General Permit and
9 the site specific SWPPP shall be continuously implemented and enforced until the
10 owner/developer obtains a Notice of Termination (NOT) for the SWRCB.

11 Owner/developer is required to retain records of all monitoring information, copies
12 of all reports required by this General Permit, and records of all data used to
13 complete the NOT for all construction activities to be covered by the General
14 Permit for a period of at least three years from the date generated. This period may
15 be extended by request of the SWRCB and/or RWQCB.

16 51. The project is categorized as a stormwater-Standard Development Project (SDP).
17 A final Storm Water Quality Management Plan (SWQMP) shall be submitted to
18 the City for review at the final engineering phase. Approval of this document is
19 required prior to the issuance of a grading permit.

20 52. The owner/developer shall enter into a City-Standard Stormwater Facilities
21 Maintenance Agreement (SWFMA) with the City, obliging the owner/developer to
22 maintain, repair and replace the Storm Water Best Management Practices (BMPs)
23 structures identified in the project's approved SWQMP, as detailed in the O&M
24 Plan, in perpetuity. Furthermore, the SWFMA will allow the City with access to
25 the site for the purpose of BMP inspection and maintenance, if necessary. The
26 Agreement shall be approved by the City Attorney's Office and recorded at the
27 County Recorder's Office prior to the issuance of a precise grading permit. A non-
28 refundable **Security in the form of cash** shall be required prior to issuance of a
29 precise grading permit. The amount of the non-refundable security shall be equal

1 to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed
2 a total of \$25,000. The owner/developer's civil engineer shall prepare the O&M
3 cost estimate.

4 53. The BMPs described in the project's approved SWQMP shall not be altered in any
5 way, unless reviewed and approved by the City Engineer. The determination of
6 whatever action is required for changes to a project's approved SWQMP shall be
7 made by the City Engineer.

8 54. Prior to receiving a temporary or permanent occupancy permit, the project shall
9 demonstrate that all structural BMPs, including Storm Water Pollutant Control
10 BMPs and Hydromodification Management BMPs, are constructed and fully
11 operational, are consistent with the approved SWQMP and the approved Precise
12 Grading Plan, and are in accordance with San Diego RWQCB Order No. R9-2013-
13 0001 §E.3.e. (1)(d).

14 55. The BMPs described in the project's approved SWQMP shall not be altered in any
15 way, unless reviewed and approved by the City Engineer. Certain aspects of the
16 drainage and water quality design were deferred to final engineering. Development
17 of the final engineering design may require the incorporation of additional cost
18 items not identified on the conceptual grading/ site plan. Cost items may include,
19 but are not limited to: additional storm drain, additional underground storage,
20 additional water quality BMPs, additional structural elements, and/or the
21 incorporation of pump systems. The incorporation of these items may be necessary
22 and appropriate to achieve the intent of the conceptual design approved in the
23 SWQMP. If a change is proposed to the conceptual design, the determination of
24 whatever action is required for changes to a project's approved SWQMP shall be
25 made by the City Engineer.

26 56. An appropriate hardscape contingency for each lot must be factored into the
27 stormwater and drainage analyses, as the future creation of hardscape by
28 homeowners is a reasonably foreseeable impact and would be expected to have
29

1 potentially significant impacts on post-construction hydrology and the requisite
2 functionality of the project's stormwater and/or detention system(s).

3 57. Open space areas, down-sloped areas visible from a collector-level or above roadway
4 classification, and improvements within the common areas that are not maintained by
5 the property owner, shall be maintained by a homeowners' association that will ensure
6 operation and maintenance of these items in perpetuity. These areas shall be indicated
7 on the map and reserved for an association. Future buyers shall be made aware of any
8 estimated monthly maintenance costs. The CC&R's shall be submitted and approved
9 by the City prior to the recordation of the map.

10 58. All new extension services for the development of the project, including but not
11 limited to, electrical, cable and telephone, shall be placed underground as required by
12 the City Engineer and current City policies.

13 59. Prior to the approval of plans and the issuance of a grading permit, owner/developer
14 shall obtain all necessary permits and clearances from public agencies having
15 jurisdiction over the project due to its type, size, location, or infrastructure impact.
16 The list of public agencies includes, but is not limited to, Public Utility Companies,
17 the California Department of Transportation (Caltrans), the City of Carlsbad, the City
18 of Vista, Fallbrook, the County of San Diego, the U. S. Army Corps of Engineers, the
19 California Department of Fish & Game, the U. S. Fish and Wildlife Service, the San
20 Diego Regional Water Quality Control Board, and the San Diego County Health
21 Department.

22 60. Owner/developer shall comply with all the provisions of the City's cable television
23 ordinances, including those relating to notification as required by the City Engineer.

24 61. As part of the City's Opportunistic Beach Fill Permit, this project has been
25 conditioned to test proposed excavated material to determine suitability for deposit
26 on city beaches as part of the Beach Sand Replenishment program. Preliminary soil
27 test results shall be provided as part of the project geotechnical report which is
28 required prior to approval of the grading plan and issuance of the grading permit.
29

1 Suitable beach replenishment material shall be at least 75% sand with no more than
2 a 10% difference in sand content between material at the source and discharge site.
3 Replenishment material shall contain only clean construction materials suitable for
4 use in the oceanic environment; no debris, silt, soil, sawdust, rubbish, cement or
5 concrete washings, oil or petroleum products,
6 hazardous/toxic/radioactive/munitions from construction or dredging or disposal
7 shall be allowed to enter into or be placed where it may be washed by rainfall or
8 runoff into waters of the United States. Any and all excess or unacceptable material
9 shall be completely removed from the site/work area and disposed of in an
10 appropriate upland site.

11 If the sediment to be exported is determined to be suitable beach replenishment
12 material and is approved by the regulatory agencies, the developer's contractor will
13 coordinate with the City's Coastal Zone Administrator for further discussion and
14 direction on placement.

15 **Coordination is required to occur a minimum of eight weeks in advance** of the
16 need to place approved excavated material on the beach.

17 62. If shoring is required for the construction of the proposed development, the shoring
18 design plans shall be included within the grading plan set, and the structural design
19 calculations shall be submitted with the grading plan application.

20 63. Approval of this development project is conditioned upon payment of all applicable
21 impact fees and connection fees in the manner provided in chapter 32B of the
22 Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare
23 fees, park fees, reimbursements, and other applicable charges, fees and deposits shall
24 be paid prior to recordation of the map or the issuance of any building permits, in
25 accordance with City Ordinances and policies. **Payment of drainage impact fees are**
26 **required prior to docketing the map for City Council hearing and the recording of the**
27 **final map.** The owner/developer shall also be required to join into, contribute, or
28 participate in any improvement, lighting, or other special district affecting or affected
29 by this project.

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

6 65. In the event that there are discrepancies in information between the conceptual plan
7 and the conditions set forth in the project's entitlement resolution (Conditions of
8 Approval), the project's entitlement resolution shall prevail.

9 **Landscaping:**

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

- 24 a) Final landscape plans shall accurately show placement of all plant
25 material such as but not limited to trees, shrubs, and groundcovers.
26 b) Landscape Architect shall be aware of all utility, sewer, water, gas and
27 storm drain lines and utility easements and place planting locations
28 accordingly to meet City of Oceanside requirements.
29

- 1 c) Final landscape plans shall be prepared under the direct supervision of a
2 Registered Landscape Architect (State of California), with all drawings
3 bearing their professional stamp and signature.
- 4 d) All required landscape areas both public and private (including trees and
5 palms in the public rights-of-way) shall be maintained by owner, project
6 association or successor of the project (including public rights-of-way
7 along Loma Alta Drive, Crouch Street and Private Drive.) The
8 landscape areas shall be maintained per City of Oceanside requirements.
- 9 e) The As-built/ Maintenance Guarantee (refundable cash deposit) shall not
10 be released until the as-built drawings have been approved on the
11 original approved Mylar landscape plan and the required maintenance
12 period has been successfully terminated.
- 13 f) Proposed landscape species shall fit the site and meet climate changes
14 indicative to their planting location. The selection of plant material shall
15 also be based on cultural, aesthetic, and maintenance considerations. In
16 addition proposed landscape species shall be low water users as well as
17 meet all fire department requirements.
- 18 g) All planting areas shall be prepared and implemented to the required
19 depth with appropriate soil amendments, fertilizers, and appropriate
20 supplements based upon a soils report from an agricultural suitability
21 soil sample taken from the site.
- 22 h) Ground covers or bark mulch shall fill in between the shrubs to shield
23 the soil from the sun, evapotranspiration and run-off. All the flower and
24 shrub beds shall be mulched to a 3" depth to help conserve water, lower
25 the soil temperature and reduce weed growth.
- 26 i) The shrubs shall be allowed to grow in their natural forms. All landscape
27 improvements shall follow the City of Oceanside Guidelines.
- 28 j) Root barriers shall be installed adjacent to all paving surfaces where a
29 paving surface is located within 6 feet of a tree trunk on site (private)

1 and within 10 feet of a tree trunk in the right-of-way (public). Root
2 barriers shall extend 5 feet in each direction from the centerline of the
3 trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in
4 depth. Installing a root barrier around the tree's root ball is unacceptable.

5 k) All fences, gates, walls, stone walls, retaining walls, and plantable walls
6 shall obtain Planning Division approval for these items in the conditions
7 or application stage prior to 1st submittal of working drawings.

8 l) For the planting and placement of trees and their distances from
9 hardscape and other utilities/ structures the landscape plans shall follow
10 the City of Oceanside's (current) Tree Planting Distances and Spacing
11 Standards.

12 m) An automatic irrigation system shall be installed to provide coverage for
13 all planting areas shown on the plan. Low volume equipment shall
14 provide sufficient water for plant growth with a minimum water loss due
15 to water run-off.

16 n) Irrigation systems shall use high quality, automatic control valves,
17 controllers and other necessary irrigation equipment. All components
18 shall be of non-corrosive material. All drip systems shall be adequately
19 filtered and regulated per the manufacturer's recommended design
20 parameters.

21 o) All irrigation improvements shall follow the City of Oceanside
22 Guidelines and Water Conservation Ordinance.

23 p) The landscape plans shall match all plans affiliated with the project.

24 q) Landscape construction drawings are required to implement approved
25 Fire Department regulations, codes, and standards at the time of plan
26 approval.

27 r) Landscape plans shall comply with Biological and/or Geotechnical
28 reports, as required, shall match the grading and improvement plans,
29 comply with Storm Water Management Plan (SWMP),

1 Hydromodification Plan, or Best Management Practices and meet the
2 satisfaction of the City Engineer.

3 s) Existing landscaping on and adjacent to the site shall be protected in
4 place and supplemented or replaced to meet the satisfaction of the City
5 Engineer.

6 t) All pedestrian paving (both decorative and standard) shall comply with
7 the most current edition of the American Disability Act.

8 67. All landscaping, fences, walls, etc. on the site, in medians within the public right-
9 of-way and within any adjoining public parkways shall be permanently maintained
10 by the owner, his assigns or any successors-in-interest in the property. The
11 maintenance program shall include: a) normal care and irrigation of the landscaping
12 b) repair and replacement of plant materials (including interior trees and street
13 trees) c) irrigation systems as necessary d) general cleanup of the landscaped and
14 open areas e) maintenance of parking lots, walkways, enhanced hardscape, trash
15 enclosures, walls, fences, etc. f) pruning standards for street trees shall comply with
16 the International Society of Arboriculture (ISA) *Standard Practices for Tree Care*
17 *Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H;*
18 *and Tree Pruning Guidelines, Appendix F* (most current edition). Failure to
19 maintain landscaping shall result in the City taking all appropriate enforcement
20 actions including but not limited to citations. This maintenance program condition
21 shall be recorded with a covenant as required by this resolution.

22 68. In the event that the conceptual landscape plan (CLP) does not match the conditions
23 of approval, the resolution of approval shall govern.

24 **Fire:**

25 69. All roadways shall be a minimum of 28ft in width with no street parking. Current
26 drive is shown as 32ft in width, which permits only one side of street parking. The
27 side without street parking shall be painted and marked as a fire lane (preferably
28 the side with the fire hydrant) in accordance with City of Oceanside Fire Ordinance
29 and Fire Master Plan.

1 70. No parking permitted in the cul-de-sac and it shall be painted and marked as a fire
2 lane in accordance with City of Oceanside Fire Ordinance and Fire Master Plan.

3 71. A fire master plan shall be submitted to Oceanside Fire.

4 72. All homes shall be equipped with an NFPA 13D fire sprinkler system. A deferred
5 submittal is required to be submitted to Oceanside Fire for these systems.

6 73. If there are any property vehicle gates to be installed, the installation shall be in
7 accordance with City of Oceanside Fire Ordinance and Fire Master Plan.

8 74. All buildings shall have an address posted on the street side with the numbers a
9 minimum of 4" with a 1/2" stroke and be posted on a contrasting background.

10 75. The entrance of the community shall have a master site map directory.

11 76. The grade of the entire private drive has been accepted to be a maximum of 16%
12 with a 20ft vertical curve at the entrance of the road. A road test will be conducted
13 with Oceanside Fire apparatus to ensure the proposed grade percentage and
14 turnaround will be sufficient as shown.

15 77. Final Approval is subject to Required Field Inspection(s). Any approvals made are
16 based upon submitted plans. Final approval is subject to required field inspection(s)
17 and acceptance test(s), with acceptable results, as required. Additional
18 requirements may be issued at the time of the field inspection(s) if there is any
19 deviation from the approved plans or in the event that issues not addressed in the
20 plan approval process are discovered in the field.

21 **Housing**

22 78. Rental Units (Government Code Section 65915 (c) (1))

23 a) Income and rent restrictions must remain in place for a 55-year term for
24 very low- or lower-income units. Maximum household income
25 information may be found at
26 <http://ahsinfo.com/SDMedianIncome2022.pdf>.

27 b) Rents for the lower income density bonus units shall be set at an
28 affordable rent, as defined in Section 50053 of the Health and Safety
29 Code, and must include a reasonable utility allowance

1 (https://www.ci.oceanside.ca.us/home/showpublisheddocument/12658/
2 638217492871730000). HCD calculated housing costs may be found on
3 the Housing and Neighborhood Services' website at
4 https://www.ci.oceanside.ca.us/home/showpublisheddocument/8642/63
5 8217505802530000.

- 6 c) Household size appropriate to the unit means 1 for a studio unit, 2 for a
7 one-bedroom unit, 3 for a two-bedroom unit, 4 for a three-bedroom unit,
8 etc.

9 79. For Sale Units (Government Code Section 65915 (c) (2))

- 10 a) Affordable for sale units must be sold to the initial buyer at an affordable
11 housing cost. Housing related costs include mortgage loan payments,
12 mortgage insurance payments, property taxes and assessments,
13 homeowner association fees, reasonable utilities allowance, insurance
14 premiums, maintenance costs, and space rent, as that cost is defined in
15 Section 50052.5 of the Health and Safety Code. HCD calculated housing
16 costs may be found on the Housing and Neighborhood Services' website
17 at Affordable Sales Price Calculator 2022.xlsx (live.com).
- 18 b) Buyers must enter into an equity sharing agreement with the City, unless
19 the equity sharing requirements conflict with the requirements of another
20 public funding source or law. The equity sharing agreement does not
21 restrict the resale price, but requires the original owner to pay the City a
22 portion of any appreciation received on resale.
- 23 c) The City percentage of appreciation is the purchase price discount
24 received by the original buyer, plus any down payment assistance
25 provided by the City.
- 26 d) The seller is permitted to retain its original down payment, the value of
27 any improvements made to the home, and the remaining share of the
28 appreciation.
- 29

1 e) The income and affordability requirements are not binding on resale
2 purchasers (but if other public funding sources or programs are used,
3 such as the Inclusionary Housing program, the requirements may apply
4 to resales for a fixed number of years).

5 f) As an alternative, the developer may sell affordable units to nonprofit
6 housing corporations rather than selling the units directly to a low- or
7 moderate-income homebuyer. The nonprofit housing corporation must
8 then sell each home to a lower- income buyer subject to affordability
9 requirements with a term of at least 45 years, an equity sharing
10 agreement, and a repurchase option in favor of the nonprofit corporation.

11 80. Applicants, requesting a density/FAR bonus, incentive(s) or concession(s),
12 waivers, and density bonus parking standards pursuant to State Density Bonus law
13 shall demonstrate compliance with this law by executing an affordable housing
14 agreement with the City. This Agreement, along with the approved site
15 development plan and a deed of trust securing such covenants, shall then be
16 recorded against the entire development and the relevant terms and conditions
17 recorded as a deed restriction or regulatory agreement on the property. The
18 Agreement will be recorded prior to issuance of building permits for the residential
19 units. The Agreement shall be binding to all future owners and successors in
20 interest. A sample of the Inclusionary Housing/Density Bonus Agreement and
21 Inclusionary Housing/Density Bonus Deed of Trust may be obtained by contacting
22 the City's Housing Department.

23 81. Compliance with the applicable restrictions will be subject annually to a regulatory
24 audit and such restrictions must be maintained for the full applicable compliance
25 period. A monitoring fee will be required for the total number of restricted units as
26 defined in the Regulatory Agreement. An initial set up fee of \$500 will be required
27 at the time of the Certificate of Occupancy is issued for the first housing unit and
28 \$77.34 per affordable unit for the first year and increased annually by the 12-month
29 percentage in the Consumer Price Index published by the U.S. Department of Labor

1 Statistics for all Urban Consumers (CPI-U), San Diego average for the previous
2 year. Such fee covers the costs of software, third-party vendors and staff time to
3 perform the monitoring functions. Applicant shall cooperate with and utilize such
4 forms, software, websites and third-party vendors as may be required by the City.
5 The City also reserves the right to periodically inspect the restricted units to ensure
6 compliance with the health and safety standards associated with the restricted units.

7 82. The Project shall be conditioned to require: 1) Recordation of the affordable
8 housing agreement or regulatory agreement; or 2) Payment of the applicable
9 Inclusionary Housing In-Lieu fees prior to the approval of any final or parcel map
10 or building permit for the residential project to ensure the provision of housing in
11 compliance with OCC Chapter 14C and any replacement housing obligations under
12 State law.

13 83. Each residential development providing affordable housing to low- and moderate-
14 income households must carry out a marketing strategy to attract prospective
15 renters/buyers, regardless of race, creed, color, national origin, sexual orientation,
16 military status, sex, gender identity, age, disability, marital status, or familial status.
17 The purpose of this affirmative fair housing marketing program is to target and
18 outreach to specific groups who may need differing efforts in order to be made
19 aware of and apply for the available affordable housing opportunities. The
20 affirmative fair housing marketing program should Identify the demographic
21 groups within the housing market area which are least likely to apply for housing
22 without special outreach efforts and an outreach program which includes special
23 measures designed to attract those groups, in addition to other efforts designed to
24 attract persons from the total population. Outreach efforts should include
25 appropriate media outlets and groups that have direct contact with the identified
26 populations. Appropriate community contacts include, but are not limited to, social
27 service agencies, religious bodies, advocacy groups, community centers, and the
28 City's Community Resource Centers. All marketing materials must include the
29

1 applicable fair housing logos, including the Equal Housing Opportunity and
2 Accessibility logos.

- 3 84. Projects must submit an Affirmative Fair Housing Marketing Plan (AFHMP) to be
4 reviewed and accepted by the Housing and Neighborhood Services Department.
5 The AFHMP should be submitted at least 6 months before anticipated occupancy.

6 **Planning:**

- 7 85. This Tentative Map, Development Plan, and Density Bonus shall expire 36 months
8 from its approval, unless the project is implemented per the provisions of Article
9 43, Section 4308(B) of the Zoning Ordinance or the approval is extended pursuant
10 to the provisions of Section 408 or 409 of the Subdivision Ordinance.

- 11 86. This Tentative Map, Development Plan, and Density Bonus Request approves only
12 a 13-lot Single-Family Home subdivision as shown on the plans and exhibits
13 presented to the Planning Commission for review and approval. No deviation from
14 these approved plans and exhibits shall occur without Planning Division approval.
15 Substantial deviations shall require a revision to the Development Plan or a new
16 Development Plan.

- 17 87. Each consecutive unit shall be mirrored, where feasible, when consisting of the
18 same floor plan as shown on the architectural plans submitted to the Planning
19 Commission for review and approval.

- 20 88. The applicant, permittee or any successor-in-interest shall defend, indemnify and
21 hold harmless the City of Oceanside, its agents, officers or employees from any
22 claim, action or proceeding against the City, its agents, officers, or employees to
23 attack, set aside, void or annul an approval of the City, concerning Tentative Map
24 (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003).
25 The City will promptly notify the applicant of any such claim, action or proceeding
26 against the city and will cooperate fully in the defense. If the City fails to promptly
27 notify the applicant of any such claim action or proceeding or fails to cooperate
28 fully in the defense, the applicant shall not, thereafter, be responsible to defend,
29 indemnify or hold harmless the City.

- 1 89. Outdoor lighting shall be low emission, shielded, and directed away from the
2 property lines, so that 0 foot-candles is achieved at the property boundary.
- 3 90. A covenant or other recordable document approved by the City Attorney shall be
4 prepared by the property owner and recorded prior to the approval of the final map.
5 The covenant shall provide that the property is subject to this resolution, and shall
6 generally list the conditions of approval.
- 7 91. Prior to the transfer of ownership and/or operation of the site the owner shall
8 provide a written copy of the applications, staff report and resolutions for the
9 project to the new owner and or operator. This notification's provision shall run
10 with the life of the project and shall be recorded as a covenant on the property.
- 11 92. Failure to meet any conditions of approval shall constitute a violation of the
12 Tentative Map, Development Plan, and Density Bonus;
- 13 93. Unless expressly waived, all current zoning standards and City ordinances and
14 policies in effect at the time building permits are issued. The approval of this
15 project constitutes the applicant's agreement with all statements in the Description
16 and Justification and other materials and information submitted with this
17 application, unless specifically waived by an adopted condition of approval.
- 18 94. The developer's construction of all fencing and walls associated with the project
19 shall be in conformance with the approved Development Plan. Any substantial
20 change in any aspect of fencing or wall design from the approved Development
21 Plan shall require a revision to the Development Plan.
- 22 95. If any aspect of the project fencing and walls is not covered by an approved
23 Development Plan, the construction of fencing and walls shall conform to the
24 development standards of the City Zoning Ordinance. In no case, shall the
25 construction of fences and walls (including combinations thereof) exceed the
26 limitations of the zoning code, unless expressly granted by a Density Bonus Waiver
27 or other development approval.
- 28 96. The project shall, comply with the applicable provisions of the City's anti-graffiti
29 (Ordinance No. 93-19/Section 20.25 of the City Code). These requirements,

1 including the obligation to remove or cover with matching paint all graffiti within 24
2 hours, shall be noted on the Landscape Plan.

3 97. Elevations, siding materials, colors, roofing materials and floor plans shall be
4 substantially the same as those approved by the Planning Commission. These shall
5 be shown on plans submitted to the Building Division and Planning Division.

6 98. Prior to issuance of any building or grading permit, the Director of Housing and
7 Neighborhood Services shall certify that the proposed development has complied
8 with the requirements for inclusionary housing and all provisions of Chapter 14C.

9 99. Prior to Building Permit issuance, the applicant shall submit and obtain final
10 approval of a Construction Management Plan from the City Planner or their
11 designee. The Construction Management Plan shall be implemented during the
12 entire duration of construction of the 13-unit subdivision project.

13 100. Garages shall be kept available and useable for the parking of tenant's automobiles at
14 all times.

15 101. Individual Trash/Recycling bins for all waste streams shall be kept within the
16 designated spaces provided within the garage areas for each individual units. No
17 storage of bins on the outside shall occur. Bins shall be wheeled out to an appropriate
18 location on the designated pickup date and returned within 24 hours to the interior
19 spaces within the garages.

20 102. The developer is prohibited from entering into any agreement with a cable television
21 franchisee of the City, which gives such franchisee exclusive rights to install, operate,
22 and or maintain its cable television system in the development.

23 103. In accordance with Density Bonus requirements, one (1) single-family dwelling
24 units shall be reserved for sale to very low-income households. This affordable
25 unit shall be provided proportional to the overall project in unit size, dispersed
26 throughout the project, and have access to all amenities available to other residents.
27 The City shall determine the eligibility of the very low-income households. A deed
28 restriction, covenant, and/or other instrument enforceable by the city and approved
29 by the City Attorney and Director of Housing and Neighborhood Services, limiting

1 the sale of such units to eligible very low-income households shall be recorded
2 against the title of the property. The duration of such sale restrictions shall be in
3 effect for a minimum of fifty-five (55) years.

4 104. The required "Affordable Housing Regulatory Agreement" shall be recorded
5 against the project site prior to the issuance of any permits for the project.

6 105. All units proposed as part of this project shall be rented for no less than 31-days.

7 106. A letter of clearance from the affected school district in which the property is
8 located shall be provided as required by City policy at the time building permits
9 are issued.

10 107. Prior to the issuance of a Grading Permit, the Applicant/Owner shall enter into a
11 pre-excavation agreement, otherwise known as a Tribal Cultural Resources
12 Treatment and Tribal Monitoring Agreement with the "Traditionally and Culturally
13 Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe".
14 A copy of the agreement shall be included in the Grading Plan Submittals for the
15 Grading Permit. The purpose of this agreement shall be to formalize protocols and
16 procedures between the Applicant/Owner and the "Traditionally and Culturally
17 Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe"
18 for the protection and treatment of, including but not limited to, Native American
19 human remains, funerary objects, cultural and religious landscapes, ceremonial
20 items, traditional gathering areas and tribal cultural resources, located and/or
21 discovered through a monitoring program in conjunction with the construction of
22 the proposed project, including additional archaeological surveys and/or studies,
23 excavations, geotechnical investigations, grading, and all other ground disturbing
24 activities. At the discretion of the Luiseño Native American Monitor, artifacts may
25 be made available for 3D scanning/printing, with scanned/printed materials to be
26 curated at a local repository meeting the federal standards of 36CFR79.

27 108. Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading
28 Contractor shall provide a written and signed letter to the City of Oceanside
29 Planning Division stating that a Qualified Archaeologist and Luiseño Native

1 American Monitor have been retained at the Applicant/Owner or Grading
2 Contractor's expense to implement the monitoring program, as described in the
3 pre-excavation agreement.

4 109. The Qualified Archaeologist shall maintain ongoing collaborative consultation
5 with the Luiseño Native American monitor during all ground-disturbing activities.
6 The requirement for the monitoring program shall be noted on all applicable
7 construction documents, including demolition plans, grading plans, etc. The
8 Applicant/Owner or Grading Contractor shall notify the City of Oceanside
9 Planning Division of the start and end of all ground-disturbing activities.

10 110. A qualified biologist should conduct a nesting bird survey at least 14 days prior to
11 the start of construction should it become necessary to conduct work within the
12 breeding season for Cooper's hawk, yellow breasted chat, yellow warbler, and
13 other nesting birds (February 1 through September 15). Should nesting individuals
14 be detected, appropriate buffers and protection measures will be established. A
15 training shall be developed and include a description of any target species of
16 concern, its habitats, the general provisions of the Endangered Species Act (Act),
17 the MHCP, and MBTA, the need to adhere to the provision of the Act and the
18 MHCP, the penalties associated with violating the provisions of the Act, the general
19 measures that are being implemented to conserve the target species of concern.

20 111. Stockpiling of materials and other aspects of construction staging shall be limited
21 to disturbed areas. Equipment storage, fueling and staging areas shall be located to
22 minimize risk of runoff to surrounding areas. All project related spills of hazardous
23 materials shall be reported to appropriate entities and cleaned up immediately.
24 Contaminated soils shall be removed to appropriate disposal areas. To avoid
25 attracting predators of any target species of concern, the project site shall be kept
26 clean of debris as much as possible. All food related trash items shall be enclosed
27 in sealed containers and regularly removed from the site. Pets of project personnel
28 shall not be allowed on site where they may come in contact with any listed species.
29 To prevent inadvertent disturbance to areas outside the limits of work, the

1 contractor should install temporary fencing along the limits of grading. The final
2 landscape plans should be reviewed by a qualified biologist to confirm that there
3 are no invasive plant species as included on the most recent version of the
4 California Invasive Plant Council Inventory for the project region.

- 5 112. Construction employees shall strictly limit their activities, vehicles, equipment, and
6 construction materials to the proposed footprint and designated staging areas and
7 routes of travel. The construction area(s) shall be the minimal area necessary to
8 complete the project and shall be specified in the construction plans.

9 **Solid Waste**

- 10 113. The City of Oceanside reserves the right to review program and services levels and
11 request increases if deemed necessary. The City of Oceanside Municipal Code
12 Chapter 13 requires that Oceanside residents, businesses and multifamily projects
13 are to separate all recyclable material from other solid waste. Additionally, the
14 State of California regulations requires all California businesses participate in
15 Mandatory Recycling (AB 341) and Mandatory Commercial Organics Recycling
16 (AB 1826 & SB 1383) as outlined in the Oceanside Solid Waste code.

17 **Water Utilities:**

18 **General Conditions:**

- 19 114. For developments requiring new water service or increased water service to a
20 property, the landowner must enter into an agreement with the City providing for
21 landowner's assignment of any rights to divert or extract local groundwater supplies
22 for the benefit of the property to receive new or increased water service, in return for
23 water service from the City, upon such terms as may be provided by the Water
24 Utilities Director.
- 25 115. All existing active and non-active groundwater wells must be shown on conceptual,
26 grading, and improvement plans.
- 27 116. The developer will be responsible for developing all water and sewer utilities
28 necessary to develop the property. Any relocation of water and/or sewer utilities is
29

1 the responsibility of the developer and shall be done by an approved licensed
2 contractor at the developer's expense.

3 117. All Water and Wastewater construction shall conform to the most recent edition of
4 the *Water, Sewer, and Recycled Water Design and Construction Manual* or as
5 approved by the Water Utilities Director.

6 118. The property owner shall maintain private water and wastewater utilities located on
7 private property.

8 119. Water services and sewer laterals constructed in existing right-of-way locations are
9 to be constructed by an approved and licensed contractor at developer's expense.

10 120. Each new residential dwelling unit shall be equipped with a separate individual
11 water meter, and a separate sewer lateral connection.

12 121. A public water main (min. 8-inch) shall be constructed within the private road to
13 serve the residences. A fire hydrant shall be located at the end of the line for
14 maintenance. The public water main shall be located a minimum 5 feet off curb
15 face. Developer shall obtain a waiver from the Division of Drinking Water if the
16 minimum 10' separation (wall to wall) for water and sewer mains is not satisfied.

17 122. The public water main shall connect to the existing 8-inch AC water main in Loma
18 Alta Dr. Connections to the existing main shall be made with a cut-in tee and three
19 valves on each side.

20 123. A public sewer main (min. 8-inch) shall be constructed within the private road to
21 serve the residences. The sewer main shall be located along the centerline of the
22 road. A manhole shall be required at the terminus (starting point). The manhole
23 shall be located off the curb so that on street parking will not obscure and cover the
24 manhole.

25 124. Where water and sewer mains are located within the same easement, the minimum
26 easement size shall be 30 feet wide.

27 125. Provide a dedicated irrigation water meter for on-site common area (HOA)
28 landscaping. Meters shall be managed and paid for by the Homeowner's Association
29

1 for the development. An address assignment will need to be completed for the meters,
2 and can be processed through the City Planning Department.

3 126. Per the latest approved California Fire Code, all new residential units shall be
4 equipped with fire sprinkler system. Water services that feed the fire sprinkler system
5 along with the domestic water system shall be equipped with a dual check valve
6 device.

7 127. Hot tap connections will not be allowed for size on size connections, and connections
8 that are one pipe size smaller than the water main. These connections shall be cut-in
9 tees with three valves for each end of the tee. Provide a connection detail on the
10 improvement plans for all cut-in tee connections.

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

13 128. Any water and/or sewer improvements required to develop the proposed property will
14 need to be included in the improvement plans and designed in accordance with the
15 *Water, Sewer, and Recycled Water Design and Construction Manual*.

16 129. All public water and/or sewer facilities not located within the public right-of-way
17 shall be provided with easements sized according to the *Water, Sewer, and Recycled*
18 *Water Design and Construction Manual*. Easements shall be constructed for all
19 weather access.

20 130. No trees, structures or building overhang shall be located within any water or
21 wastewater utility easement.

22 131. All lots with a finish pad elevation located below the elevation of the next upstream
23 manhole cover of the public sewer shall be protected from backflow of sewage by
24 installing and maintaining an approved type backwater valve, per the latest adopted
25 California Plumbing Code.

26 132. All water and sewer mains not meeting the minimum main diameter and material
27 requirements shall be replaced by the Developer, and at the Developer's expense, to
28 meet current design standards for all new residential developments of four (4) units
29 or more. Water and sewer improvements shall be required as part of engineering plan

1 submittal. Where the full replacement length along the frontage property is deemed
2 in excess of the overall project cost, the developer may pay an impact fee upon the
3 approval of the Water Utilities Director. The impact fee will be based on the estimated
4 construction costs of similar size and type of work in the past year, and shall meet
5 prevailing wage requirements. This shall be paid prior to engineering plan approval.

6 133. The existing 6" sewer main in Loma Alta Drive does not meet the current design
7 standards of a minimum 8" diameter sewer main. Therefore, the Developer will be
8 required to replace the sewer main along the property frontage with an 8" PVC
9 main at the Developer's expense. The main replacement shall include the partial
10 segment of 6" main from the connection point to the next downstream manhole,
11 and continue south along the property frontage to the next manhole located across
12 from 235 Loma Alta Drive.

13 134. Per City of Oceanside Ordinance No. 14-OR0565-1, the developer shall pay a
14 recycled water impact fee since the proposed project is not within 75 feet of a recycled
15 water main. The impact fee shall be established by submitting a formal letter
16 requesting the City to determine this fee, which is based on 75% of the design and
17 construction cost to construct a recycled water line fronting the property in Loma Alta
18 Drive.

19 135. Connections to a public sewer main with a 6-inch or larger sewer lateral will require
20 a new sewer manhole for connection to main per Section 3.3 of *Water, Sewer, and*
21 *Recycled Water Design and Construction Manual*.

22 136. Connection to an existing sewer manhole will require rehabilitation of the manhole
23 per City standards. Rehabilitation may include, but not be limited to, re-channeling
24 of the manhole base, surface preparation and coating the interior of the manhole,
25 and replacing the manhole cone with a 36" opening and double ring manhole frame
26 and lid.

27 137. A separate irrigation meter and connection with an approved backflow prevention
28 device is required to serve common landscaped areas and shall be displayed on the
29 plans.

1 138. Provide peak irrigation flows per zone or control valve to verify size of irrigation
2 meter and reduced pressure principle backflow device on Landscape Plans.

3 139. All existing and proposed sewer manholes shall be accessible by the City vector truck.
4 Developer shall provide access roads, turf block, or pavement that can support H-20
5 loading to support the truck. Access road or pavement must allow a minimum
6 turning radius of 46-feet (outer wheel) for curb clearance and a wall clearance of
7 46'-11". Truck length is 41'-6".

8 140. Provide stationing and offsets for existing and proposed water service connections
9 and sewer laterals on plans.

10 141. Any unused water services or sewer laterals by the proposed development or
11 redevelopment, shall be abandoned in accordance with Water Utilities
12 requirements.

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

14 142. Show location and size of proposed water meter(s) on site plan of building plans.
15 Show waterline from proposed meter to connection point at residence.

16 143. Show location and size of proposed sewer lateral(s) from property line or connection
17 to sewer main to connection point at residence.

18 144. Provide a fixture unit count table and supply demand estimate per the latest adopted
19 California Plumbing Code (Appendix A) to size the water meter(s) and service line(s).

20 145. Provide drainage fixture unit count per the latest adopted California Plumbing Code
21 to size sewer lateral for property.

22 \\\

23 \\\

24 \\\

25 \\\

26 \\\

27 146. Water and Wastewater buy-in fees and the San Diego County Water Authority Fees
28 are to be paid to the City at the time of Building Permit issuance per City Code
29 Section 32B.7.

1 PASSED AND ADOPTED Resolution No. 2023-P19 on August 28, 2023, by the
2 following vote, to wit:

3 AYES:

4 NAYS:

5 ABSENT:

6 ABSTAIN:

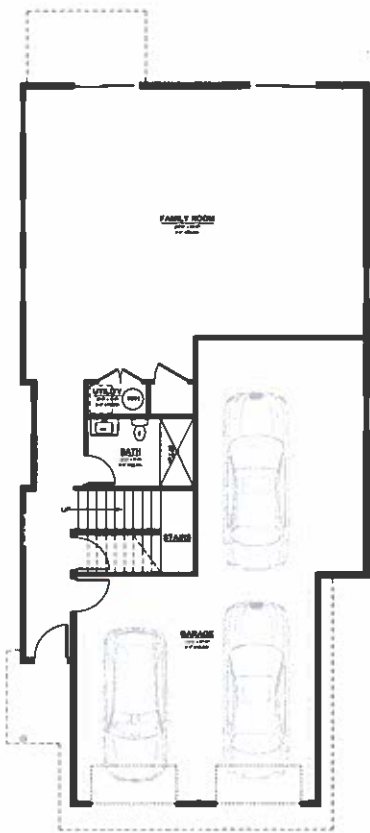
7 _____
8 Tom Rosales, Chairperson
9 Oceanside Planning Commission

10 ATTEST:

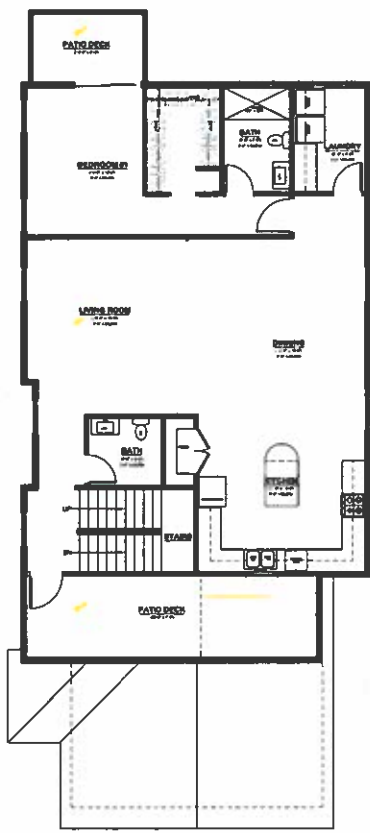
11 _____
12 Sergio Madera, Secretary

13 I, Sergio Madera, Secretary of the Oceanside Planning Commission, hereby certify that
14 this is a true and correct copy of Resolution No. 2023-P19.

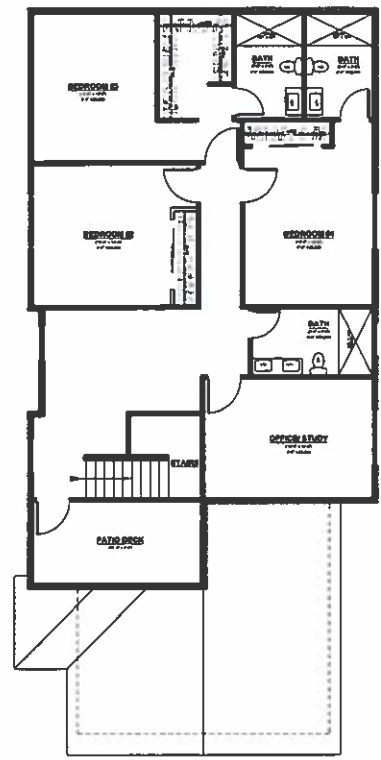
15 Dated: August 28, 2023
16
17
18
19
20
21
22
23
24
25
26
27
28
29



**PLAN A
FIRST FLOOR PLAN**
SCALE 3/16" = 1'-0"



**PLAN A
SECOND FLOOR PLAN**
SCALE 3/16" = 1'-0"



**PLAN A
THIRD FLOOR PLAN**
SCALE 3/16" = 1'-0"

PLAN "A" CONCEPTUAL FLOOR PLANS

**RICHARD RICHARD
CONSTRUCTION COMPANY, INC.**
3541 VENTURE ST., SUITE 100
SAN MARINO, CA 91766
909-796-0088 FAX 909-796-0089



LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE CA, APN # 18-021-18

NO.	REVISION	DATE
1	ISSUED FOR PERMITTING	10-14-2022
2	ISSUED FOR PERMITTING	10-14-2022
3	ISSUED FOR PERMITTING	10-14-2022
4	ISSUED FOR PERMITTING	10-14-2022
5	ISSUED FOR PERMITTING	10-14-2022
6	ISSUED FOR PERMITTING	10-14-2022
7	ISSUED FOR PERMITTING	10-14-2022
8	ISSUED FOR PERMITTING	10-14-2022
9	ISSUED FOR PERMITTING	10-14-2022
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14	ISSUED FOR PERMITTING	10-14-2022
15	ISSUED FOR PERMITTING	10-14-2022
16	ISSUED FOR PERMITTING	10-14-2022
17	ISSUED FOR PERMITTING	10-14-2022
18	ISSUED FOR PERMITTING	10-14-2022
19	ISSUED FOR PERMITTING	10-14-2022
20	ISSUED FOR PERMITTING	10-14-2022

DATE: 10-14-2022
JOB #: 22261

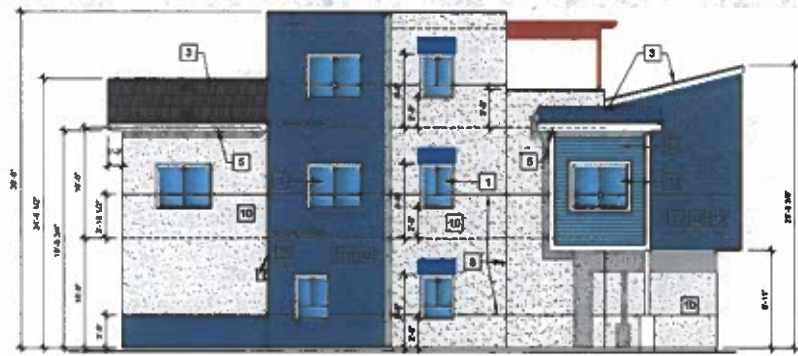
PLAN "A"
CONCEPTUAL
FLOOR PLANS

SHEET NUMBER

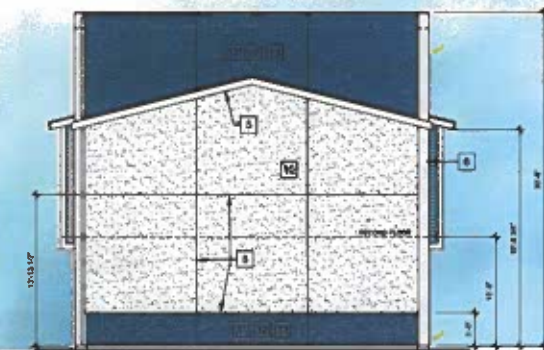
A-200



PLAN A - FRONT ELEVATION
SCALE 3/16" = 1'-0"



PLAN A - SIDE ELEVATION
SCALE 3/16" = 1'-0"



PLAN A - REAR ELEVATION
SCALE 3/16" = 1'-0"



PLAN A - SIDE ELEVATION
SCALE 3/16" = 1'-0"

NOTE: ALL MECHANICAL EQUIPMENT WILL BE SCREENED

TYPICAL ELEVATION LEGEND	
1	Vinyl Windows - dual pane w/ Solartan 70XL and low E Glazing
2	3'x6'-8" Entry Door w/ half Glass lite (TYP) - unfinished
3	Class "A" Roofing Material (TYP): Asphalt Shingle; Owens Corning Roofing or EQ; Oakridge Estate Gray Over No. 30 Asphalt Saturated Felt; ICC-ES ESR-2423
4	9'-0" x 6'-8" Steel garage door (TYP)
5	Painted Zeb Facia
6	James Hardie- Aspyre Collection Superior sliding
7	DELETED
8	Stucco Expansion Joint - See Detail 18/A6.0
9	James Hardie- Board and Batten siding
10	7/8" Stucco System - Stucco (ST-1), Omega Stucco, 9005 Iceberg, Sand Finish
11	7/8" Stucco System - Stucco (ST-2), Omega Stucco, 9015 Berryblue, Sand Finish
12	7/8" Stucco System - All Stucco (ST-3), Omega Stucco, 9017 Bekem, Sand Finish
13	7/8" Stucco System - All Stucco (ST-4), Omega Stucco 9026, Outlaw, Sand Finish
14	16'-0" x 6'-8" Steel garage door (TYP)
15	12" High Address Numbers w/ a Minimum Stroke of 1 1/2" in Contrasting Color Plainly Visible. Individual Sta. Numbers Shall Shall be 6" High
16	Decorative Wall Sconce Lighting - Style TBD (TYP)
17	
18	
19	

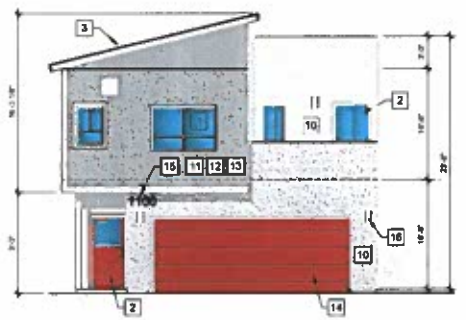


LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCCASIDE CA. APN # 149-021-18

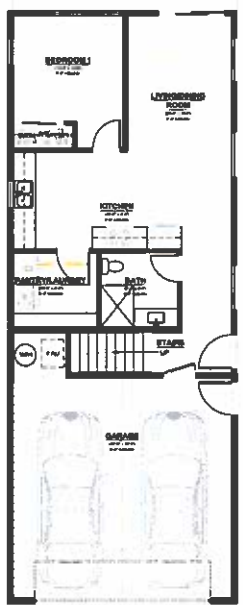
NO.	REVISION	DATE
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2	REVISED PER COMMENTS	10-14-2022
3	REVISED PER COMMENTS	10-14-2022
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5	REVISED PER COMMENTS	10-14-2022
6	REVISED PER COMMENTS	10-14-2022
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13	REVISED PER COMMENTS	10-14-2022
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15	REVISED PER COMMENTS	10-14-2022
16	REVISED PER COMMENTS	10-14-2022
17	REVISED PER COMMENTS	10-14-2022
18	REVISED PER COMMENTS	10-14-2022
19	REVISED PER COMMENTS	10-14-2022

DATE: 10-14-2022
JOB #: 2281

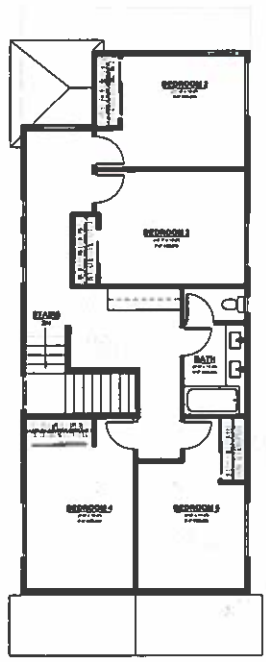
PLAN "A" CONCEPTUAL ELEVATIONS A-300



PLAN B ELEVATION
SCALE 3/16" = 1'-0"



PLAN B FIRST FLOOR PLAN
SCALE 3/16" = 1'-0"



PLAN B SECOND FLOOR PLAN
SCALE 3/16" = 1'-0"

TYPICAL ELEVATION LEGEND

- 1 Vinyl Windows - dual pane w/ Solarban 70XL and low E Glazing
- 2 3'x6'-8" Entry Door w/ half Glass lite (TYP) - prefinished
- 3 Class "A" Roofing Material (TYP): Asphalt Shingle, Owens Corning Roofing or EQ, Ostridge Estate Grey Over No. 30, Asphalt Saturated Felt, ICC-ES ESR-2423
- 4 9'-0" x 6'-8" Steel garage door (TYP)
- 5 Painted Z&B Facia
- 6 James Hardie- Aspyre Collection Superior siding
- 7 DELETED
- 8 Stucco Expansion Joint - See Detail 18/A6.0
- 9 James Hardie- Board and Batten siding
- 10 7/8" Stucco System - Stucco (ST-1), Omega Stucco, 9005 Iceberg, Sand Finish
- 11 7/8" Stucco System - Stucco (ST-2), Omega Stucco, 9015 BerryBlue, Sand Finish
- 12 7/8" Stucco System - At. Stucco (ST-3), Omega Stucco, 9017 Salem, Sand Finish
- 13 7/8" Stucco System - At. Stucco (ST-4), Omega Stucco 9029, Outlaw, Sand Finish
- 14 16'-0" x 6'-8" Steel garage door (TYP)
- 15 12" High Address Numbers w/ a Minimum Stroke of 1 1/2" in Contrasting Color Plainly Visible Individual Sta. Numbers Shall Shall be 6" High
- 16 Decorative Wall Sconce Lighting - Style TBD (TYP)
- 17
- 18
- 19

RICHARD & RICHARD
CONSTRUCTION COMPANY, INC.
2541 VENTUREWAY ST., SUITE 100
SAN MARINO, CA 91766
909-291-0000 FAX 909-291-0000



LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE CA, APN # 140-021-18

NO.	REVISION	DATE
1	ISSUED FOR PERMITS	10-14-2022
2	ISSUED FOR PERMITS	10-14-2022
3	ISSUED FOR PERMITS	10-14-2022
4	ISSUED FOR PERMITS	10-14-2022
5	ISSUED FOR PERMITS	10-14-2022
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12	ISSUED FOR PERMITS	10-14-2022
13	ISSUED FOR PERMITS	10-14-2022
14	ISSUED FOR PERMITS	10-14-2022
15	ISSUED FOR PERMITS	10-14-2022
16	ISSUED FOR PERMITS	10-14-2022
17	ISSUED FOR PERMITS	10-14-2022
18	ISSUED FOR PERMITS	10-14-2022
19	ISSUED FOR PERMITS	10-14-2022

DATE 10-14-2022
JOB # 22081

PLAN "B"
CONCEPTUAL
FLOOR PLANS &
ELEVATION
SHEET NUMBER

A-301

PLAN "B" CONCEPTUAL FLOOR PLANS/ELEVATION

CITY OF OCEANSIDE TT 22-00003 TENTATIVE SUBDIVISION MAP

LEGAL DESCRIPTION

LOT 10 IN BLOCK "B" OF ELLORY'S LOMA ALTA ADDITION, ACCORDING TO THE MAP INDEX NO. 1954, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON NOVEMBER 6, 1905.

ZONING

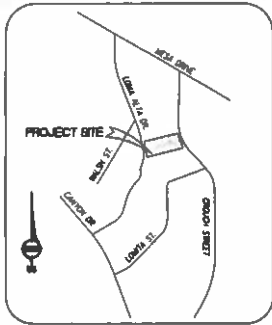
EXISTING: RE-B
NO ZONING CHANGE

GENERAL PLAN

ER-R

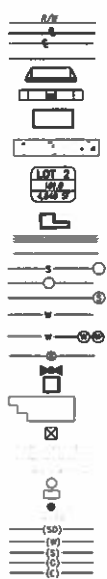
ASSESSOR'S PARCEL NUMBER

149-021-18



LEGEND VICINITY MAP
NOT TO SCALE

- RIGHT OF WAY
- PROPERTY LINE / FRONT OF WAY
- CENTER LINE
- CURB (PUB)
- DRIVEWAY
- CURB RAMP (PUB)
- MODULAR WETLANDS UNIT
- CONCRETE (PVT)
- LOT NUMBER
- FINISH FLOOR ELEV.
- LOT SIZE
- STORM DRAIN INLET SORSD TYPE B
- STORM DRAIN PIPE (PUB)
- STORM DRAIN PIPE (PVT)
- 8" SEWER MAIN (PUB)
- SEWER MANHOLE (5 DIA) (PUB)
- 4" SEWER LATERAL (PVT)
- 8" WATER MAIN (PUB)
- 1" WATER SERVICE w/ 1" METER @ BPP (PUB)
- WATER GATE VALVE (PUB)
- FIRE HYDRANT (PUB)
- TREE WELL
- R-TANK
- EX. FENCE
- WOOD FENCE
- CHAIN LINK FENCE
- IRON FENCE
- SEWER MANHOLE
- WATER METER
- WATER VALVE
- EX. STREET LIGHT
- EX. STORM DRAIN PIPE
- EX. WATER LINE (PUBLIC)
- EX. SEWER LINE (PUBLIC)
- EX. GAS LINE (PUB)
- EX. ELECTRICAL LINE (PUB)



FEMA
MAP NUMBER 0802225L
DATE: DECEMBER 30, 2009
ZONE: 2

EARTHWORK
CUT - 2,200 CY
FILL - 2,200 CY
EXCESS / IMPORT - 0 CY

PROPERTY OWNER
LOMA ALTA TERRACES, LLC
113 WEST G ST, #503
SAN DIEGO, CA 92101

APPLICANT / SUBDIVIDER
SCOTT DARNELL
852 5th Ave, Suite 235
San Diego, CA 92101
(619) 890-1260

SITE ADDRESS
LOMA ALTA DRIVE
OCEANSIDE, CA

ENGINEER
SWS ENGINEERING, INC.
1635 LAKE SAN MARCOS DRIVE, SUITE 200
SAN MARCOS, CA 92078
P: 760-744-0011
F: 760-744-0048
MICHAEL D. SCHWEITZER, PCE 58858

SHEET INDEX
TM-01 TENTATIVE MAP TITLE SHEET
TM-02 SECTIONS AND DETAILS
TM-03 SITE DISTANCE EXHIBIT

GEOTECHNICAL
SOCS, INC.
7040 AVENIDA ENCINAS SUITE 104-489
CARLSBAD, CA 92011
760-837-9600

TOPOGRAPHIC SURVEY
PREPARED BY SWS ENGINEERING, INC SEPTEMBER 2007

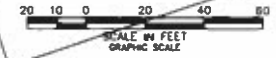
BASIS OF BEARING
THE CALIFORNIA SPINAL REFERENCE SYSTEM (CSRS) ZONE 8, EPOCH 2011.261 AS DETERMINED LOCALLY BY C.P.S. MEASUREMENTS TAKEN ON 12/01/21 FROM CONTIGUOUS OPERATING REFERENCE STATIONS (01.03) AND (02.03) OF THE CALIFORNIA REAL MEASURE.
N 15°20'45" W

BENCHMARK
CITY OF OCEANSIDE CLASSIC CORNER, NE CORNER TO 2 1/2' WID 10'4" LEGS @ NW COR OF EASTLY CURB WALT OF CENTER DR. AT THE NORTH END OF THE NORTHWEST CURB RETURN OF CENTER DR. W/ALDRE ST INTER.
(941093) (1)-130.87

NOTE: ADJUSTED ALL OPS PIS + 0.153 BASED ON OPS TO BM P18 102 (1) = 137.817
@ TO BM BBN ADJUSTED ALL 57 PIS +0.149 BASED ON THE COMMON OPS P18B=138.708 AND THE 5708B (1)=137.817



- NOTES:**
- PER THE LATEST CALIFORNIA FIRE CODE, ALL NEW RESIDENTIAL UNITS SHALL BE EQUIPPED WITH A FIRE SPRINKLER SYSTEM. WATER SERVICES MAY FEED THE FIRE SPRINKLER SYSTEM ALONG WITH THE DOMESTIC WATER SYSTEM SHALL BE EQUIPPED WITH A BACK CHECK VALVE BEHIND.
 - LOT DRAINAGE WILL BE ACHIEVED WITH CURBIE STORM DRAIN PIPES (12" PVC) AND CURBIE STORM DRAIN INLETS. APRES WILL BE DISCHARGED THROUGH THE CURB FACE AT EACH LOT.
 - LOTS 1 - 5, 10 - 12 SHALL HAVE CHECK VALVES ON THE SEWER LATERALS.
 - NO STREET PARKING IS ALLOWED ON THE FRONTING OX-DE-SAC. ALL CURBS OUTSIDE OF THE DRIVEWAYS SHALL BE PARKED RED.
 - ALL DRIVEWAYS TO BE A MIN. 18-FOOT WIDE.
 - MAKE OX-DE-SAC SLOPE TO BE A 2% POSITIVE SLOPE. CURB SHALL BE ACHIEVED AT THE BOTTOM OF THE OX-DE-SAC TO GO FROM SE TO NE.

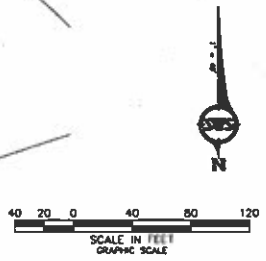
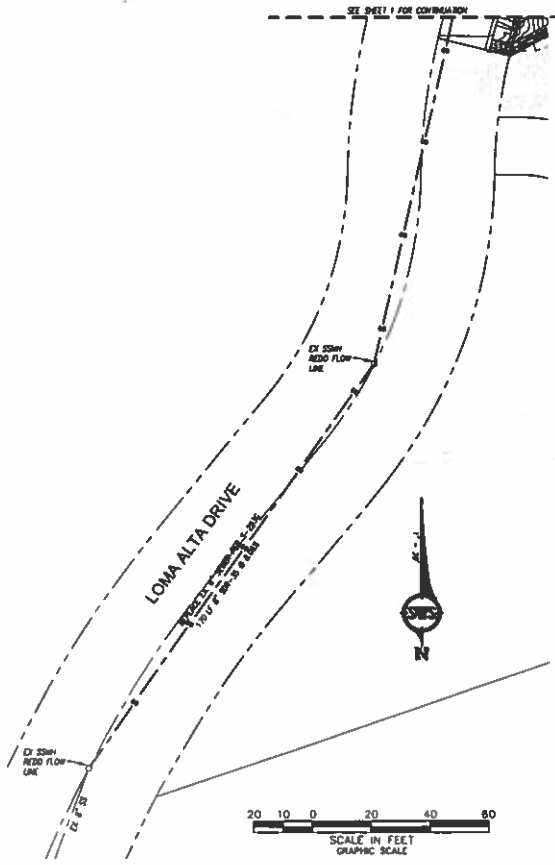


SWS ENGINEERING, INC.
Professional Engineers
1635 Lake San Marcos Drive, Suite 200
San Marcos, CA 92078
P: 760-744-0011 | F: 760-744-0048

TM-01

CITY OF OCEANSIDE TT 22-00003 TENTATIVE SUBDIVISION MAP

NOTES
1. LOMA ALTA DRIVE DESIGN SPEED = 25 MPH



SITE DISTANCE EXHIBIT



SWS ENGINEERING, INC.
1375 Lake San Marcos Drive, Suite 200
San Marcos, CA 92186
P: 760-744-0011 | F: 760-744-0006

TM-03

CONCEPTUAL LANDSCAPE PLAN

4.04 ATTACHMENT 4

GENERAL NOTES
 All landscaping will be in accordance with the City of Oceanside Landscape Design Guidelines. FINAL LANDSCAPE PLANS SHALL ACCURATELY SHOW PLACEMENT OF TREES, SHRUBS, AND GROUNDCOVERS. LANDSCAPE ARCHITECT SHALL BE AWARE OF UTILITY, SEWER, WATER, GAS, AND STORM DRAIN LINES AND UTILITY EASEMENTS AND PLACE PLANTING LOCATIONS ACCORDINGLY TO MEET CITY OF OCEANSIDE REQUIREMENTS.

IRRIGATION NOTES
 An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low VOLUME equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off. Irrigation systems shall use high quality, automatic control valves, brass, moisture sensing devices and other necessary irrigation equipment. All components shall be of non-corrosive materials. All drip systems shall be adequately tested and regulated per the manufacturer's recommended design parameters. Moisture sensing devices will be installed as required to monitor soil moisture levels. PVC lateral lines shall be buried 12" minimum below finished grade. PVC class 319 pressure mainline irrigation shall be installed as per manufacturer's specifications. All landscape and irrigation improvements shall be installed as per the provisions of the City of Oceanside Zoning Ordinance section 3019 and the City of Oceanside Landscape Design Guidelines.

PLANTING NOTES
 Generally, planting within the project will be a drought tolerant combination of southern California natives and ornamental species. The selection of plant material is based on cultural, aesthetic, and maintenance considerations. All planting areas shall be prepared with soil conditioner, fertilizers, and appropriate supplements based upon soil samples taken from the site. All planter areas to have a 3" depth of elevated bark mulch.

FIRE DEPARTMENT NOTE
 LANDSCAPE IMPROVEMENT PLAN SET AND INSTALLATION ARE REQUIRED TO IMPLEMENT APPROVED FIRE DEPARTMENT REGULATIONS, CODES, AND STANDARDS AT THE TIME OF PROJECT APPROVAL.

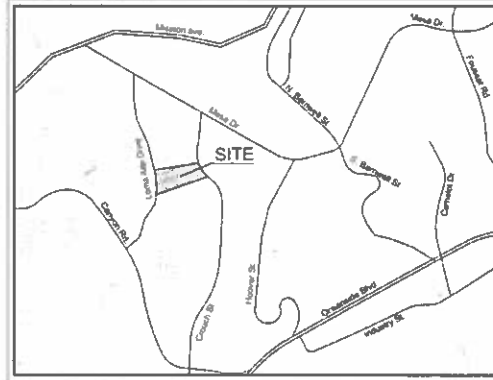
OWNER
 ELMAN NEDO HEYVEN
 736 WOODHAUS ROAD
 SANTA CLARA, CA 95061

SITE INFORMATION
 PROJECT NAME: LOMA ALTA DRIVE HOMES
 LOMA ALTA DRIVE
 OCEANSIDE, CA 92064
 APN: 148-324-B

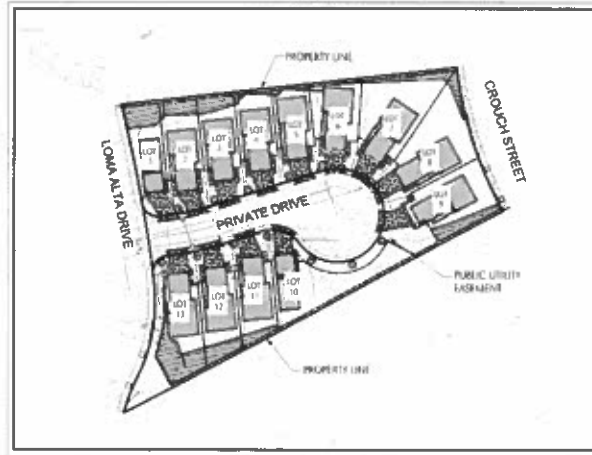
APPLICANT
 SCOTT DANIEL
 352 5TH AVE. SUITE 235
 SAN DIEGO, CA 92101
 619-550-1260

ENGINEER
 SVS ENGINEERING INC
 1835 LAKE SAN MARCOS DRIVE
 SUITE 200
 SAN MARCOS, CA 94078
 760-744-2001
 MICHAEL J. SCHWARTZ

LANDSCAPE ARCHITECT
 STONE - GROVE LANDSCAPE ARCHITECTS
 200 NORTH CEDAR
 SOLANA BEACH, CA 92075
 959-545-1480
 BRADY STONE - OWNER/CO
 CONTACT: BRIAN GROVE



VICINITY MAP
 NOT TO SCALE

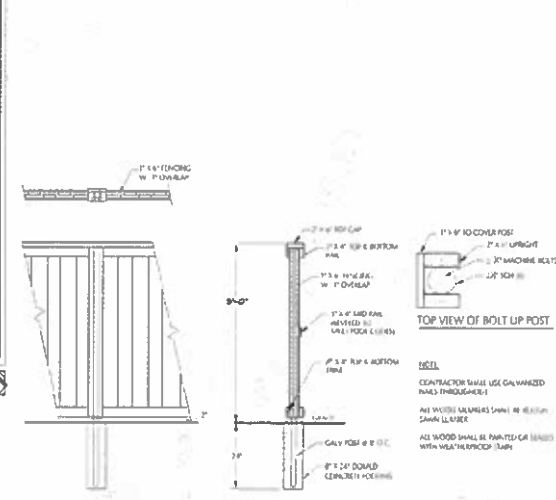


MAINTENANCE RESPONSIBILITY:
 PRIVATE (6215 s.f.)

GENERAL NOTES
 a) Final landscape plans shall accurately show placement of trees, shrubs, and groundcovers.
 b) Landscape architect shall be aware of utility, sewer, storm drain easement and place planting locations accordingly to meet City of Oceanside requirements.
 c) All required landscape areas including the row shall be maintained by owner. The landscape areas shall be maintained per city of Oceanside requirements.
 d) All trees within 8' of hardscape or within 10' of public right-of-way shall require root barrier control device WITH A MINIMUM 24" DEPTH.
 e) IRRIGATION NOTE TO BE LOCATED ON PLAN SUCH AS BUT NOT LIMITED TO: AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE COVERAGE FOR ALL PLANTING AREAS SHOWN ON THE PLAN. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off. Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive materials. All drip systems shall be adequately tested and regulated per the manufacturer's recommended design parameters. All irrigation improvements shall follow the city of Oceanside guidelines and water conservation ordinance.
 f) Fire notes:
 all shrubs at maturity shall be spaced:
 1 - 3 feet from fire hydrants (around all sides)
 2 - 3 feet from fire department connections (fdc)
 3 - 2 feet from post indicator valves.
 4 - 3 feet from double check detectors.
 All lines shall be spaced no closer than:
 5 - 5 feet from fire hydrants.
 6 - 1 feet from the department connections (fdc)
 7 - 5 feet from post indicator valves
 8 - 5 feet from double check detectors.

g) Landscape improvement plan set and installation are required to implement approved fire dept. regulations, codes, and standards at the time of project approval.
 h) All trees at maturity shall meet a horizontal clearance along all roadways from curb to curb, horizontal roadway clearance for a one-story building is 20-foot wide and buildings 35-foot or taller a 35-foot wide clearance along roadways is required and shall be maintained as such.
 i) All trees at maturity shall meet a vertical clearance of 14-feet from the top of the roadway to the lowest branches.
 j) Planting note to be located on plan such as, but not limited to: the selection of plant material is based on cultural, aesthetic, and maintenance considerations.
 k) All planting areas shall be prepared with appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils report form an agricultural suitability soil sample taken from the site, ground covers or bark mulch shall fill in between the shrubs to shade the soil from the sun, evaporate/insulation and run-off. At the flower and shrub beds shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth. The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the city of Oceanside guidelines.
 l) Current general notes shown below refer to the placement of trees and their distances from hardscape and other outdoor structures. please add the notes on the site and space trees accordingly to the city of Oceanside's current tree planting distances/spacing on the site:
 streets trees and other trees shall be spaced:
 1 - 8 feet (approximately 3 feet) from transformers, cables, and pull boxes.
 2 - 5 feet from mailboxes.
 3 - 5 feet from fire hydrants (all sides)
 4 - 10 feet from corners (approximately 7 feet) of all utility lines (without easement) (sewer, water, storm drains, double check valves, or relief valves and gas)
 5 - 10 feet from easement boundaries (sewer, water, storm drains, access or other utilities)
 6 - 10 feet from driveways (unless a line of sight is determined by the traffic division to be otherwise)
 7 - 10 feet from traffic and directional signs.
 8 - 15 feet (measured) from streetlight, other utility poles, (determined by specifications)
 9 - Street trees shall be planted 3' outside right-of-way if the right-of-way does not allow space, subject to the city engineer's approval.
 10 - line of sight at entrance, collector and local streets shall be reviewed and determined by traffic engineer - a minimum of twenty-five feet (25') from street intersection or as approved by the traffic engineer
 11 - minimum fifteen feet (15') straight and stop sign or clearance determined by specifications.
 12 - screen all utilities according to specific agency requirements.

Calculations for minimum open space requirements per Section 1050(C) will be required on the final landscape plans.



④ 5' HIGH WOOD/PRIVACY FENCE

SUBMITTAL DATE: 10-24-22
 REVISION 1: 01-12-23
 REVISION 2: 02-23-23
 REVISION 3: 04-04-23

PREPARED BY:
 STONE - GROVE LANDSCAPE ARCHITECTS
 200 NORTH CEDAR
 SOLANA BEACH, CA 92075
 PROJECT ADDRESS:
 LOMA ALTA DRIVE
 OCEANSIDE, CA 92064
 PROJECT NAME:
 LOMA ALTA HOMES

LOMA ALTA HOMES
 LOMA ALTA DRIVE
 OCEANSIDE, CA 92064



TITLE: LANDSCAPE CONCEPT PLAN
 DATE: 4-4-23
 JOB NO:
 SCALE: NTS
 DRAWN BY: WAK
 CHECKED: LDF

SUBMITTAL DATE: 10-24-22
 REVISION 1: 01-12-23
 REVISION 2: 02-23-23
 REVISION 3: 04-04-23

PREPARED BY:
 STONE + GROVE LANDSCAPE ARCHITECTS
 235 NORTH DUNBAR
 SOLANA BEACH, CA 92075

PROJECT ADDRESS:
 LOMA ALTA DRIVE
 OCEANSIDE, CA 92064

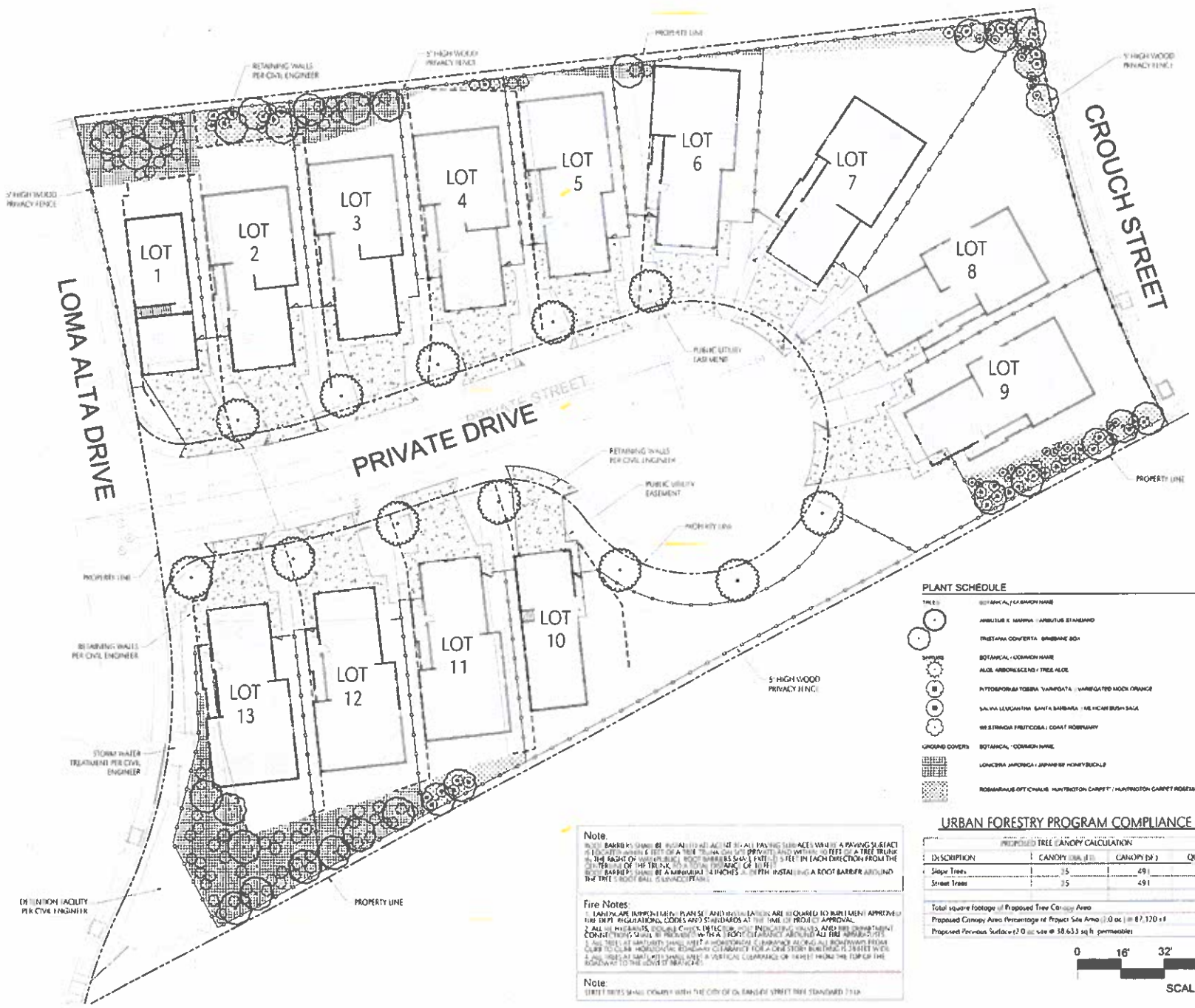
PROJECT NAME:
 LOMA ALTA HOMES

LOMA ALTA HOMES

LOMA ALTA DRIVE
OCEANSIDE, CA 92064



TITLE: LANDSCAPE ARCHITECTURE
 DATE: 10-24-22
 JOB NO.: 22-001
 SCALE: 1" = 16'
 SHEET: 2 OF 2



PLANT SCHEDULE

TREE	BOTANICAL / COMMON NAME	EQWT	QTY
ARBUTUS F. MADRUS	ARBUTUS STRANDED	36"DBH	12
CRISTINA	CONVERTA BRIBBANE BOX	24"DBH	01
BOTANICAL / COMMON NAME		DBH	QTY
ALOU	ARBORVITAE / TREE ALICE	1.0CAL	26
PYRUS	PIRUS TIBERINA / VAMPIRE	15.0CAL	21
SALIX	LEUCANTHUS SANTA BARBARA / SILVER BIRCH BARK	1.0CAL	44
WESTRINQA	FRUTICOSA / COAST ROSEMARY	1.0CAL	64
GROUND COVER	BOTANICAL / COMMON NAME	EQWT	SPACING
	LONICERA AFRICANA / JAPANESE HONEYBUCKLE	FLAT	1' @ 4'
	ROSEMARINUS OFFICINALIS / MEDITERRANEAN CARPET / MEDITERRANEAN CARPET ROSEMARY	1.0CAL	3' @ 4'

URBAN FORESTRY PROGRAM COMPLIANCE - CODE 3049

PROPOSED TREE CANOPY CALCULATION

DESCRIPTION	CANOPY (SQ. FT.)	CANOPY (%)	QUANTITY	DATE (SIGN. DATE)
Slope Trees	75	49%	11	15.721
Street Trees	75	49%	12	5.891
Total square footage of Proposed Tree Canopy Area				21.112
Proposed Canopy Area Percentage of Project Site Area (10.0 ac) = 87,120 sq ft				74%
Proposed Permeable Surface (2.0 ac) = 17,280 sq ft permeability				48%



Note:
 ALL BARBERS SHALL BE INSTALLED AT ALL OF ALL PAVING SURFACES WITH A FINISH SUBJECT TO LOCAL ORDINANCES & CITY OF OCEANSIDE PRIVATE AND PUBLIC TO FEET OF A TREE TRUNK IN THE CASE OF VERTICAL ROOT BARRIERS SHALL BE 1" TO 1.5" FEET IN EACH DIRECTION FROM THE CENTERLINE OF THE TRUNK. SEE TABLE FOR SPECIFIC TREE TYPES.
 ALL BARBERS SHALL BE A MINIMUM 4" THICK & 18" DEEP. INSTALL A ROOT BARRIER AROUND THE TREE'S ROOT BALL & SPACING SHALL BE:

Fire Notes:
 ALL LANDSCAPE INSTALLATION, PLANTING, AND MAINTENANCE ARE REQUIRED TO BE IN ACCORDANCE WITH THE CITY OF OCEANSIDE FIRE DEPARTMENT APPROVAL. ALL FIRE DEPARTMENT APPROVALS AND STANDARDS AT THE TIME OF PROJECT APPROVAL. ALL FIRE DEPARTMENT APPROVALS AND STANDARDS AT THE TIME OF PROJECT APPROVAL. ALL FIRE DEPARTMENT APPROVALS AND STANDARDS AT THE TIME OF PROJECT APPROVAL. ALL FIRE DEPARTMENT APPROVALS AND STANDARDS AT THE TIME OF PROJECT APPROVAL.

Note:
 STREET TREES SHALL COMPLY WITH THE CITY OF OCEANSIDE STREET TREE STANDARD (11.1)

MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 760.942.5147 T 800.450.1818 F 760.632.0164

April 12, 2023

Scott Darnell
Loma Alta Terraces LLC
113 West G St, #503
San Diego, CA 92101

Subject: Justification for CEQA Class 32 Infill Exemption for Loma Alta Development Project, City of Oceanside, California

Dear Mr. Darnell,

Dudek has evaluated the Loma Alta Development project (project) within the City of Oceanside, California. Based on our review of the proposed project, the project meets the Class 32 "Infill" Categorical Exemption (CEQA Guideline Section 15332), hereafter referred to as the Class 32 Exemption, which exempts infill development within urbanized areas if it meets certain criteria criteria. The class consists of environmentally benign infill projects that are consistent with the General Plan and Zoning requirements.

The approximately 2.16-acre project site is in Oceanside, California on Assessor's Parcel Number 149-0211-800. The project occurs approximately 0.8-mile northeast of Interstate 5, and 0.5-mile northwest of Oceanside Boulevard, on an undeveloped parcel in a residential area of the city. The project is bordered by open space areas and lower density housing to the north, but is surrounded by high density residential development to the east, south, and west. Crouch Street borders the project's eastern edge, and Loma Alta Drive borders the project's western edge. The proposed project is the development of thirteen (13) single-family residential lots and associated infrastructure and landscaping.

QUALIFICATION

The Class 32 Exemption is not available for any project that requires mitigation measures to reduce potential environmental impacts to less than significant. Additionally, there are exceptions to the exemptions depending on the nature or location of the project, pursuant to CEQA Section 15300.2. For a proposed project to qualify, none of the following Exceptions can apply to the project:

- The project and successive projects of the same type in the same place will result in cumulative impacts;

Scott Darnell

Subject: *Justification for CEQA Class 32 Infill Exemption for Loma Alta Development Project, City of Oceanside, California*

- There are unusual circumstances creating the reasonable possibility of significant effects;
- The project may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within an officially designated scenic highway;
- The project is located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government Code section 65962.5, as being affected by hazardous wastes or clean-up problems; or
- The project may cause a substantial adverse change in the significance of an historical resource.

Based on review of the project, as well as the associated biology, cultural and paleontological assessments, none of these exceptions apply to the project.

JUSTIFICATION CRITERIA

Class 32 Infill exemptions are appropriate for projects that meet the following conditions:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The project designated Residential land use, and is zoned Residential (RE-B) where the base density is 1.0 dwelling units per gross acre and the maximum potential density is 3.5 dwelling units per gross acre. The proposed project is consistent with the existing land use and zoning per the City of Oceanside's General Plan.

- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The approximately 2.0-acre project site is in Oceanside, California on Assessor's Parcel Number 149-0211-800. The project is bordered by lower density housing to the north and higher density residential development to the east, south, and west. Therefore, the project is within the City of Oceanside limits, less than 5 acres and substantially surrounded by urban uses.

- The project site has no value as habitat for endangered, rare or threatened species.

*The attached biological assessment concludes that the site consists of disturbed habitat and *Toxicodendron diversilobum* Association. ToxDiv vegetation community is*

Scott Darnell

Subject: Justification for CEQA Class 32 Infill Exemption for Loma Alta Development Project, City of Oceanside, California

dominated by poison oak, with toyon (Heteromeles arbutifolia) and golden wattle (Acacia longifolia) intermixed. Permanent impacts to disturbed habitat and ToxDiv are considered less than significant, and no mitigation is required. No special-status plant or wildlife species, jurisdictional aquatic resources, or regional wildlife corridors have the potential to be directly impacted by the proposed project.

- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The project consists of Thirteen (13) single-family residential lots Using the trip generate rate for a Single Family Detached Residence contained in the SANDAG (2002) Brief Guide of Vehicular Trip Generation Rates for the San Diego Region, the proposed project would generate approximately 130 daily trips and nominal peak hour trips. Consistent with the City of Oceanside August 2020 Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service (LOS) Assessment (TIA guidelines), because project would generate less than 1,000 daily trips, the project would screen-out from a detailed VMT analysis per the City's TIA guidelines and VMT impacts under CEQA and can be presumed to be less than significant. Because the project generates less than 200 daily trips, it would not require a Local Transportation Analysis or traffic study. The project traffic would not cause any measurable change to the transportation facilities in its vicinity. The proposed project is also not expected to result in significant noise, air quality and water quality effects.

- The site can be adequately served by all required utilities and public services.

The proposed project will be adequately served by City of Oceanside Water, City of Oceanside Sewer, and City of Oceanside storm drain systems. Power is served SDG&E.

July 22, 2022

14440

Scott Darnell
Darnell Capital Management
852 5th Avenue, Suite 314
San Diego, CA 92101

Subject: Biological Letter Report for the Loma Alta Development Project, City of Oceanside, California

1 Introduction

The following letter report describes the results of a biological site assessment performed by Dudek and a summary of identified potential biological constraints and recommendations for the future construction of the Loma Alta Development project (project) within the City of Oceanside, California (Attachment A, Figure 1, Project Location). This report provides a summary of the pertinent biological resource regulations, the project setting, survey methods, existing biological resources, special-status biological resources, project impacts (direct and indirect), and proposed mitigation. Any proposed avoidance, and mitigation recommendations are discussed in accordance with all applicable federal, state, and local regulations.

2 Project Details and Regulatory Context

2.1 Project Location

The approximately 2.16-acre project site is in Oceanside, California (Figure 1, Project Location) on Assessor's Parcel Number 149-0211-800. The project occurs approximately 0.8-mile northeast of Interstate 5, and 0.5-mile northwest of Oceanside Boulevard, on an undeveloped parcel in a residential area of the city. The site is centered on the U.S. Geological Service 7.5-minute San Luis Rey quadrangle map, within Section 24 of Range 5 West, Township 11 South. The project is bordered by open space areas and lower density housing to the north, but is surrounded by high density residential development to the east, south, and west. Crouch Street borders the project's eastern edge, and Loma Alta Drive borders the project's western edge.

2.2 Project Description

The proposed project is the development of a single-family residence and associated infrastructure and landscaping.

2.3 Regulatory Context

2.3.1 Federal Regulations

2.3.1.1 Federal Endangered Species Act

The federal Endangered Species Act (ESA) of 1973 (16 USC 1531 et seq.), as amended, is administered by the U.S. Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration, and National Marine Fisheries Service. This legislation is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend and provide programs for the conservation of those species, thus preventing extinction of plants and wildlife. Under provisions of Section 9 (16 USC 1538[a][1][B]) of ESA, it is unlawful to “take” any listed species. “Take” is defined in Section 3 (16 USC 1532[19]) of ESA as, “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.”

The ESA allows for the issuance of “incidental take” permits for listed species under Section 7, which is generally available for projects that also require other federal agency permits or other approvals, and under Section 10, which provides for the approval of habitat conservation plans on private property without any other federal agency involvement. Upon development of a habitat conservation plan, USFWS can issue incidental take permits for listed species.

2.3.1.2 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) was originally passed in 1918 as four bilateral treaties, or conventions, for the protection of a shared migratory bird resource. The primary motivation for the international negotiations was to stop the “indiscriminate slaughter” of migratory birds by market hunters and others. Each of the treaties protects selected species of birds and provides for closed and open seasons for hunting game birds. MBTA protects over 800 species of birds and prohibits the take of any migratory bird or any part, nest, or eggs of any such bird. Under the MBTA, “take” is defined as pursuing, hunting, shooting, capturing, collecting, or killing, or attempting to do so (16 USC 703 et seq.). In December 2017, Department of the Interior Principal Deputy Solicitor Jorjani issued a memorandum (M-37050) that interprets the MBTA to prohibit only intentional take. Unintentional or accidental take is not prohibited (DOI 2017). Additionally, Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, requires that any project with federal involvement address impacts of federal actions on migratory birds with the purpose of promoting conservation of migratory bird populations (66 FR 3853–3856). The Executive Order requires federal agencies to work with USFWS to develop a memorandum of understanding. USFWS reviews actions that might affect these species.

Two species of eagles that are native to the United States, the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*), were granted additional protection within the United States under the Bald and Golden Eagle Protection Act (16 USC 668–668d) to prevent the species from becoming extinct.

2.3.1.3 Clean Water Act

Pursuant to Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and/or fill material into “waters of the United States (U.S.).” On April 21, 2020, the Navigable Waters Protection Rule was adopted and became effective on June 22, 2020. The notable changes from the previous definition of waters of the U.S. is that there is a clearer definition of which waters are and are not jurisdictional,

there is a new definition of “adjacency,” ephemeral waters are no longer considered waters of the U.S., and ditches are explicitly excluded as waters of the U.S. The term “adjacent wetlands” (a subset of waters of the U.S.) is defined in Title 33 of the Code of Federal Regulations (CFR), Section 328.3I(16) (33 CFR 328.3[c][16]), as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” In the absence of wetlands, the limits of USACE jurisdiction in non-tidal waters, such as intermittent streams, extend to the “ordinary high water mark”, which is defined in 33 CFR 328.3(c)(7) as “that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.”

2.3.2 State Regulations

2.3.2.1 California Environmental Quality Act

CEQA (PRC Section 21000 et seq.) and the CEQA Guidelines (14 CCR 15000 et seq.) require identification of a project’s potentially significant impacts on biological resources and feasible mitigation measures and alternatives that could avoid or reduce significant impacts. CEQA Guidelines Section 15380(b)(1) defines endangered animals or plants as species or subspecies whose “survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors” (14 CCR 15000 et seq.). A rare animal or plant is defined in CEQA Guidelines Section 15380(b)(2) as a species that, although not currently threatened with extinction, exists “in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or ... [t]he species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered ‘threatened’ as that term is used in the federal Endangered Species Act.” Additionally, an animal or plant may be presumed to be endangered, rare, or threatened if it meets the criteria for listing, as defined further in CEQA Guidelines Section 15380(c). CEQA also requires identification of a project’s potentially significant impacts on riparian habitats (such as wetlands, bays, estuaries, and marshes) and other sensitive natural communities, including habitats occupied by endangered, rare, and threatened species.

The California Department of Fish and Wildlife (CDFW) defines a “stream” (including creeks and rivers) as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation” (14 CCR, Section 1.72).

In 14 CCR 1.56, CDFW’s definition of “lake” includes “natural lakes or man-made reservoirs.” Diversion, obstruction, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife requires authorization from CDFW by means of entering into an agreement pursuant to Section 1602 of the California Fish and Game Code (CFGC), described below.

CDFW recognizes that all plants with California Rare Plant Rank (CRPR) 1A, 1B, 2, and some ranked 3, of the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants in California (CNPS 2021) may meet the criteria for listing as threatened or endangered and should be considered under CEQA. Some of the CRPR 3 and 4 plants meet the criteria for determination as “rare” or “endangered” as defined in Section 1901, Chapter 10 (Native Plant Protection Act), Division 2, of the CFGC, as well as Section 2062 and Section 2067, Chapter 1.5

(CESA), Division 3. Therefore, consideration under CEQA for these CRPR 3 and 4 species is strongly recommended by CNPS (CNPS 2021).

For purposes of this report, animals considered “rare” under CEQA include endangered or threatened species, Birds of Conservation Concern (USFWS 2021a), California Species of Special Concern (CDFW 2021a), and fully protected species.

Section IV, Appendix G (Environmental Checklist Form) of the CEQA Guidelines (14 CCR 15000 et seq.) requires an evaluation of impacts to “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 [now CDFW] or the U.S. Fish and Wildlife Service.”

The criteria used to determine the significance of impacts to biological resources under CEQA are provided in Chapter 5, Anticipated Project Impacts and Analysis of Significance.

2.3.2.2 California Endangered Species Act

CDFW administers the California Endangered Species Act (CESA), which prohibits the “take” of plant and animal species designated by the California Fish and Game Commission as endangered or threatened in the state of California. Under CESA Section 86, take is defined as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” CESA Section 2053 stipulates that state agencies may not approve projects that will “jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat which would prevent jeopardy.”

CESA defines an endangered species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.” CESA defines a threatened species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the [California Fish and Game] Commission as rare on or before January 1, 1985, is a threatened species.” A candidate species is defined as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the Commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the Commission has published a notice of proposed regulation to add the species to either list.” CESA does not list invertebrate species.

CESA authorizes the taking of threatened, endangered, or candidate species if take is incidental to otherwise lawful activity and if specific criteria are met. These provisions also require CDFW to coordinate consultations with USFWS for actions involving federally listed species that are also state-listed species. In certain circumstances, CESA allows CDFW to adopt a CESA incidental take authorization as satisfactory for CEQA purposes based on finding that the federal permit adequately protects the species and is consistent with state law.

A CESA permit may not authorize the take of “fully protected” species that are protected in other provisions of the CFGC, discussed further below.

2.3.2.3 California Fish and Game Code

Under the CFGC, CDFW provides protection from “take” for a variety of species, including Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the CFGC provide that designated fully protected species may not be taken or possessed without a permit. Incidental take of these species is not authorized by law.

Pursuant to Section 3503.5 of the CFGC, it is unlawful to take, possess, or destroy any birds of prey; or to take, possess, or destroy any nest or eggs of such birds. Birds of prey refer to species in the orders Falconiformes and Strigiformes.

Nests of all other birds (except English sparrow [*Passer domesticus*] and European starling [*Sturnus vulgaris*]) are protected under Sections 3503 and 3513 of the CFGC.

Pursuant to Section 1602 of the CFGC, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife. Diversion, obstruction, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife requires authorization from CDFW by means of entering into an agreement pursuant to Section 1602 of the CFGC.

2.3.2.4 Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) protects water quality and the beneficial uses of water. It applies to surface water and groundwater. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the Regional Water Quality Control Boards (RWQCBs) develop regional basin plans that identify beneficial uses, water quality objectives, and implementation plans. The RWQCBs have the primary responsibility to implement the provisions of statewide plans and basin plans. Waters regulated under the Porter-Cologne Act include isolated waters that are not regulated by USACE. RWQCBs regulate discharging waste, or proposing to discharge waste, within any region that could affect a “water of the state” (California Water Code, Section 13260[a]). Waters of the state are defined as “any surface water or groundwater, including saline waters, within the boundaries of the state” (California Water Code, Section 13050[e]). Developments with impacts on jurisdictional waters must demonstrate compliance with the goals of the Porter-Cologne Act by developing stormwater pollution prevention plans, standard urban stormwater mitigation plans, and other measures to obtain a Clean Water Act Section 401 certification. If a Clean Water Act Section 404 permit is not required for the project, the RWQCB may still require a permit (i.e., Waste Discharge Requirement) for impacts to waters of the state under the Porter-Cologne Act.

2.3.3 Local Regulations

2.3.3.1 North County Multiple Habitat Conservation Program

The North County Multiple Habitat Conservation Program (MHCP) is a long-term regional conservation plan established to protect sensitive species and habitats in northern San Diego County. The MHCP is divided into seven Subarea Plans—one for each jurisdiction within the MHCP—that are permitted and implemented separately from one another. The City of Carlsbad is the only city under the MHCP that has an approved and permitted Subarea Plan. The City of Oceanside Subarea Plan (Subarea Plan) has been prepared and is used as a guidance document for development projects in the City of Oceanside, but the Subarea Plan has not been approved or permitted (City

of Oceanside 2010). The project area is located within a Biological Core and Linkage Area identified in the North County MHCP (Figure 2-4 in SANDAG 2003).

2.3.3.2 City of Oceanside Subarea Plan

The overall goal of the Oceanside Subarea Plan is to contribute to regional biodiversity and the viability of rare, unique, or sensitive biological resources throughout the City of Oceanside and the larger region while allowing public and private development to occur consistent with the City's General Plan and Capital Improvement Program. In addition, the plan calls for the conservation of 90% to 100% of all hardline conservation areas; conservation of a minimum of 2,511 acres of existing native habitats as a biological preserve in the City of Oceanside; conservation of a minimum of 95% of rare and narrow endemic species populations within the preserve and a minimum of 80% throughout the City as a whole; and restoration of a minimum of 164 acres of coastal sage scrub habitat within the City of Oceanside, of which 145 acres will be within a wildlife corridor planning zone. Parcels within the wildlife corridor planning zone contribute to the north-south regional California gnatcatcher (*Poliioptila californica californica*) steppingstone corridor. Although the Oceanside Subarea Plan is used as a guidance document for development projects in the City of Oceanside, the Subarea Plan has yet to be approved by the Oceanside City Council, and incidental take authority has therefore not been transferred to the City of Oceanside from USFWS and CDFW.

The Oceanside Subarea Plan identifies undeveloped lands within the City where conservation and management will achieve the Subarea Plan's biological goals while minimizing adverse effects on lands uses, economics, or private property rights. In addition, the Subarea Plan establishes preserve planning zones, the existing biological conditions and goals of which were used as foundations for their designation; however, the zones are defined for effective implementation of the Subarea Plan. The following are brief descriptions of the preserve planning zones:

- **Wildlife Corridor Planning Zone.** The Wildlife Corridor Planning Zone extends from U.S. Marine Corps Base Camp Pendleton south to Buena Vista Creek. This zone varies in width from 1 to 2 miles along most of its length and is centered roughly on El Camino Real and the associated SDG&E electric transmission corridor. It encompasses those habitat parcels that potentially contribute to the north-south, regional gnatcatcher steppingstone corridor, recognizing that existing Preserve lands north of the San Luis Rey River complete the steppingstone corridor connection to U.S. Marine Corps Base Camp Pendleton. The study area is located within the Wildlife Corridor Planning Zone. Additionally, the Subarea Plan has specific standards for wildlife road crossings. For example, new roads or improvements to existing roads must include wildlife crossing improvements to accommodate safe animal movement between occupied habitats on either side of the road. Any new road should be located in the least environmentally damaging location.
- **Pre-Approved Mitigation Areas.** These areas represent land areas that have significant resource value and therefore will qualify for on-site mitigation credit. Development is allowed in pre-approved mitigation areas, subject to planning guidelines to avoid, minimize, and fully mitigate impacts. The study area is located within a pre-approved mitigation area.
- **Agricultural Exclusion Zone.** This zone includes lands north of the San Luis Rey River that are planned for agricultural uses under the Oceanside General Plan. Ongoing agricultural practices may continue in this area as long as they do not remove existing natural habitats. The study area is not located within an agricultural exclusion zone.
- **Off-Site Mitigation Zone.** This zone includes all other parcels within the City of Oceanside that support natural vegetation outside of the Wildlife Corridor Planning Zone, agriculture exclusion zone, and coastal

zone. The off-site mitigation zone includes several pre-approved mitigation areas. The study area is not located within an off-site mitigation zone.

- **Coastal Zone.** This zone outlines all areas within the City's coastal zone where the federal Coastal Zone Management Act and California Coastal Act policies apply. The study area is not located within the coastal zone.

In addition to preserve planning zones, the Subarea Plan also identifies specific "hardline" and "outline" preserves. Generally, hardline preserves are areas that are already preserved to Subarea Plan standards and outline preserves are areas specifically targeted for preservation through application of Subarea Plan standards and policies. Portions of the study area are located within a hardline preserve (Figure 2, Regional Conservation Planning). The Oceanside Subarea Plan describes hardline preserves as areas specifically targeted for future preservation through the application of the Subarea Plan standards and policies. Hardline preserves are also considered part of Focused Planning Areas. Preserve areas within the Subarea Plan area prohibit the following land uses: all forms of development, agricultural uses, active recreation, mineral extraction, landfills, itinerant worker camps, roads or other transportation facilities, most flood control projects, and brush control or fuel management, except for existing firebreaks that must be maintained for safety reasons within 100 feet of existing buildings (City of Oceanside 2010). Any implementation of these prohibited land uses within the preserve would require written concurrence from the City and CDFW and USFWS (the wildlife agencies) through an amendment process. Conditionally allowed land uses in preserve areas include passive recreation (i.e., hiking, birdwatching, and fishing); utility projects that include full restoration of temporarily impacted habitat, flood control, or siltation basins that support natural vegetation and habitat value; and maintenance of existing firebreaks adjacent to existing buildings.

Wetland Buffers: Wetland buffers generally refer to an area that extends perpendicularly into upland areas from the delineated edge of wetland or riparian areas. Wetland buffer areas establish an upland zone adjacent to wetlands designed to avoid and minimize indirect effects on wetland functions (e.g., species habitat, water quality maintenance, flood capacity). Under Section 5.2.4 of the Subarea Plan (City of Oceanside 2010):

Wherever development or other discretionary actions are proposed in or adjacent to riparian habitats (not including the San Luis Rey River), the riparian area and other wetlands or associated natural habitats shall be designated as biological open space and incorporated into the Preserve. In addition, a minimum 50-foot biological buffer, plus a minimum 50-foot planning buffer (total width of both equals 100 feet) shall be established for upland habitats, beginning at the outer edge of riparian vegetation. The planning buffer serves as an area of transition between the biological buffer and specified land uses on adjoining uplands. Foot paths, bikeways, and passive recreational uses may be incorporated into planning buffers, but buildings, roads, or other intensive uses are prohibited. The following uses are prohibited in the 50-foot biological buffer: (1) new development, (2) foot paths, bikeways, and passive recreational uses not already planned, and (3) fuel modification activities for new development. In the event that natural habitats do not currently (at the time of proposed action) cover the 50-foot buffer area, native habitats appropriate to the location and soils shall be restored as a condition of project approval. In most cases, coastal sage scrub vegetation shall be the preferred habitat to restore within the biological buffer.

However, since the Subarea Plan has not been approved by the City, these buffers and setbacks are subject to reduction based on approval from the City and the wildlife agencies.

3 Methods

3.1 Literature Review

Prior to conducting field investigations, a review of the existing biological resources within the vicinity of the project was conducted using the following sources:

- UC Davis/NRCS SoilWeb (UC Davis/NRCS 2022)
- CDFW California Natural Diversity Database–RareFind 5 and CNDDDB in BIOS (CDFW 2022b)
- The Calflora Database (Calflora 2022)
- CNPS Inventory of Rare and Endangered Plants (CNPS 2022)
- USFWS Species Occurrence Data (USFWS 2022b)
- San Diego Natural History Museum's Plant Atlas (SDNHM 2022)
- Aerial imagery (Google Earth 2022)

The purpose of this review was to determine if sensitive plant and wildlife species were known to occur within the project, or in the nearby vicinity, and what constraints these occurrences might have on the project. Additionally, the Oceanside Subarea Plan (City of Oceanside 2010) was reviewed for potential project constraints related to preserve and habitat conservation overlay zones.

3.2 Field Reconnaissance

A reconnaissance-level biological field survey (including a focused search for potential jurisdiction aquatic resources) of the study area was conducted on June 23, 2021, by Dudek biologist Tommy Molioo. Table 1 shows details associated with this survey.

Table 1. Schedule of Surveys

Date	Time	Personnel	Survey Type	Conditions
Field Reconnaissance Survey				
06/23/2021	9:00 a.m.– 10:30 a.m.	Tommy Molioo	Field Reconnaissance	74°F –78°F, 0% cloud cover, 1–2 mph winds

3.2.1 Resource Mapping

During the biological reconnaissance, the project was surveyed on foot to visually cover 100% of the site. The biologist mapped all vegetation communities and recorded all observable plants and wildlife occurring within the project site boundaries.

The vegetation community and land cover mapping follow the Preliminary Descriptions of the Terrestrial Natural Communities of California (Holland 1986) as modified by the County and noted in Draft Vegetation Communities of San Diego County (Oberbauer et al. 2008).

Collector for ArcGIS (ESRI 2022) mobile mapping application was utilized to map vegetation communities and record any special-status biological resources directly observed in the field. Observable biological resources—including perennial plants and conspicuous wildlife commonly accepted as regionally special status by CNPS, CDFW, and USFWS—were recorded on the field map, where applicable. Additionally, an assessment and determination of potential for locally recognized special-status species (i.e., Narrow Endemic and Covered Species listed in the City’s Subarea Plan) to occur on site was conducted. Following completion of the field work, Dudek Geographic Information System Technician Hailee McOmber transferred the digital mapped findings to ArcGIS and calculated vegetation acreages.

3.2.2 Flora and Fauna

All plant species encountered during field surveys were identified and recorded directly into a digital field notebook. Those species that could not be identified immediately were brought into the laboratory for further investigation. A compiled list of plant species observed in the study area is presented in Attachment B.

Wildlife species detected during the field survey by sight, calls, tracks, scat, or other signs were recorded directly into the field notebook. Binoculars (10×42 magnification) were used to aid in the identification of wildlife. In addition to species actually detected during the surveys, expected wildlife use of the site was determined by known habitat preferences of local species and knowledge of their relative distributions in the area. A list of wildlife species observed in the study area is presented in Attachment C.

Latin and common names of animals follow Crother (2017) for reptiles and amphibians, American Ornithologists’ Union (AOU 2022) for birds, Wilson and Reeder (2005) for mammals, and North American Butterfly Association (NABA 2016)/San Diego Natural History Museum (SDNHM 2002) for butterflies.

Latin and common names for plant species with a CRPR (formerly CNPS List) follow the CNPS Online Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2022). For plant species without a CRPR, Latin names follow the Jepson Interchange List of Currently Accepted Names of Native and Naturalized Plants of California (Jepson Flora Project 2022) and common names follow the USDA NRCS Plants Database (USDA 2022).

3.2.3 Jurisdictional Aquatic Resources Assessment

Dudek conducted a brief and informal assessment of potentially jurisdictional aquatic resources within the project by searching for areas dominated by riparian vegetation, streams possessing an ordinary high-water mark, or other wetland/non-wetland waters of the U.S. or state. Potentially jurisdictional aquatic features occurring within 50 feet of the proposed project were noted and mapped informally using aerial imagery and visual surveying. The informal delineation recorded/defined areas potentially under the jurisdiction of the CDFW pursuant to Sections 1600–1603 of the CFGC, under the jurisdiction of the USACE pursuant to Section 404 of the federal Clean Water Act, and under the jurisdiction of RWQCB pursuant to Clean Water Act Section 401 and the Porter–Cologne Act. Collectively, areas under the jurisdiction of one or all of the aquatic resource agencies (USACE, RWQCB, and CDFW) are termed jurisdictional aquatic resources.

3.3 Survey Limitations

The site visit was conducted during daylight hours. Complete inventories of biological resources present on a site often require numerous focused surveys at different times of day during different seasons. Some species such as annual plants are present in only spring or summer, and nocturnal animals are difficult to detect during the day. Other species may be present in such low numbers that they could be missed. Due to such timing and seasonal variations, survey results are not an absolute list of all species that the study area may support. Sensitive species with potential to occur are described in Sections 4.5 and 4.6 of this report and in Attachments C and D.

4 Results

4.1 Physical Characteristics

Topography and Land Uses

Topography at the project site is generally flat, though the land slopes downwards to the southwest. Elevation ranges from approximately 163 feet to 205 feet above mean sea level. This parcel, while cleared and not heavily vegetated, does not contain any buildings or human infrastructure. Pedestrians were seen walking on the site during the reconnaissance survey and multiple footpaths occur on-site. The southwestern corner contains several large trees, though the majority of the project only supports low growing vegetation, leaving visibility open across most of the property. (Attachment A: Figure 2).

Soils

According to Soilweb (UC Davis/NRCS 2021), three dominant soil types; Las Flores loamy fine sand, Las Flores-Urban land complex, and Chesterton fine sandy loam are mapped within the study area (Attachment A: Figure 3).

4.2 Vegetation Communities/Land Cover Types

Two habitat types, disturbed habitat and *Toxicodendron diversilobum* Association were identified within the project site. Urban/developed land occurs in the surrounding study area. Acreages are presented in Table 2 and land cover spatial distributions within the study area presented on the Biological Resources Map (Attachment A: Figure 4).

Table 2. Vegetation Communities and Land Cover Types

Vegetation Community	Project Site	Study Area
Disturbed Habitat (DH)	1.98	0.7
Urban/Developed (DEV)	-	3.13
<i>Toxicodendron diversilobum</i> Association (ToxDiv)	0.18	-
TOTAL	2.16	3.84

Disturbed Habitat

According to Oberbauer et al. (2008), disturbed habitat are the areas which have been had physical anthropogenic disturbance and as a result cannot be identified as a native or naturalized vegetation association. However, these areas do have a recognizable soil substrate. The existing vegetation is typically composed of non-native ornamental or exotic species. There can also be impacts from animal uses, grading, or repeated clearing for fuel management on disturbed habitat that leave the land incapable of providing a suitable or sustainable habitat for native species to persist.

Disturbed habitat comprises the majority of the project site. Vegetation cover in this area is typically under 10%–15%; vegetation is usually entirely composed of non-native weeds like prickly Russian thistle (*Salsola tragus*). Several mature red gum trees occur in this land cover type, near the western edge of the project.

Toxicodendron diversilobum Association (ToxDiv)

The ToxDiv vegetation community is not described by Oberbauer. It occurs nears the southwestern corner of the project and is mapped adjacent Loma Alta Drive. This community is dominated by poison oak, with toyon (*Heteromeles arbutifolia*) and golden wattle (*Acacia longifolia*) intermixed.

Urban/Developed Land

According to Oberbauer et al. (2008), urban/ developed lands represent areas that have been constructed upon or otherwise physically altered to an extent that native vegetation communities are not supported. This land cover type generally consists of semi-permanent structures, homes, parking lots, pavement or hardscape, and landscaped areas that require maintenance and irrigation (e.g., ornamental greenbelts). Typically, this land cover type is unvegetated or supports a variety of ornamental plants and landscaping. Urban/developed land is not regulated by the environmental resource agencies and is often considered a disturbed category.

Urban/developed land comprises most of the study area, including the nearby residences, roadways, and other urban infrastructure. The study area is surrounded by similarly developed areas on all sides.

4.3 Jurisdictional Aquatic Resources Assessment

No potentially jurisdictional aquatic features were observed within the study area. Accordingly, the project would not require waters related permits from USACE, CDFW, or RWQCB.

4.4 Plants and Animals

A total of 15 species of vascular plants, 5 native (33%) and 10 non-native (67%), were recorded during the biological reconnaissance surveys for the project. Of the total 15 plant species observed during field surveys, none are considered special status. A cumulative list of all common and sensitive plant species observed in the project site are provided in Attachment A.

There is limited suitable habitat for upland wildlife species (e.g., birds, reptiles, and small mammals) within the study area and it can be assumed that the diversity of wildlife species is low given the disturbed nature of the project.

A total of 5 wildlife species were recorded during the biological reconnaissance surveys within the project site. Of the total 5 wildlife species observed during field surveys, none are considered special status. A cumulative list of all common and sensitive wildlife species observed in the study area during field surveys is provided in Attachment B.

4.5 Special-Status Plants

Plant species are considered special-status if they have been listed or proposed for listing by the federal or state government as rare, endangered, or threatened (“listed species”), have a CRPR of 1–4, or are listed on the Oceanside Subarea Plan Proposed Covered Species list (City of Oceanside 2010). An evaluation of known records in the San Luis Rey quadrangle and the surrounding quadrangles including Oceanside, Las Pulgas Canyon, Morro Hill, Bonsall, San Marcos, Rancho Santa Fe, and Encinitas. (CDFW 2022b; CNPS 2022; USFWS 2022b) was conducted to determine which species have been recorded in the project vicinity. In addition, Dudek’s knowledge of biological resources and regional distribution of each species and results from the 2022 reconnaissance survey, as well as elevation, habitat, and soils present within the project footprint, were evaluated to determine the potential for various special-status species to occur.

Based on Dudek’s analysis, no special status plant species have a moderate or high potential to occur within the study area. Only two special status plant species known to occur in the region have a low potential occur within the study area; San Diego thorn-mint (*Acanthomintha ilicifolia*) and San Diego ambrosia (*Ambrosia pumila*). These species are described in further detail in Attachment C.

4.6 Special-Status Wildlife

Special-status wildlife species are those listed as federal/state endangered or threatened, proposed for listing, fully protected by CDFW, California Watch List, California SSC, or listed on the Oceanside Subarea Plan Proposed Covered Species list (City of Oceanside 2010). An evaluation of known records in the San Luis Rey quadrangle and the surrounding quadrangles including Oceanside, Las Pulgas Canyon, Morro Hill, Bonsall, San Marcos, Rancho Santa Fe, and Encinitas. (CDFW 2021b and USFWS 2021b) was conducted to determine which species have been recorded in the project vicinity. In addition, Dudek’s knowledge of biological resources and regional distribution of each species and results from 2022 reconnaissance surveys, as well as elevation, habitat, and soils present within the project site, were evaluated to determine the potential for various special-status species to occur.

Based on Dudek’s analysis, no special status wildlife species have a moderate or high potential to occur within the study area. Sensitive wildlife species determined to have low potential to occur within the study area include Cooper’s hawk (*Accipiter cooperii*), yellow-breasted chat (*Icteria virens*), and yellow warbler (*Setophaga petechia*). These species are described in further detail in Attachment D. Most special-status wildlife species are not expected to occur within the project footprint due to the disturbed nature of the on-site habitat and the surrounding urban land uses.

4.7 Wildlife Corridor and Linkage

The study area is surrounded by residential development and sits in an area that that has progressively become more and more built out in the last three decades, according to historical aerials (Google 2022). The disturbed habitat on-site generally lacks significant vegetative cover and only a handful of shrubs and mature trees were

recorded near the edges of the project. Given the project site's uniqueness relative to the surrounding area, it's likely that wildlife in the area may favor the project site when passing through the area. That said, the study area does not occur within any known wildlife corridor planning zones, preserve areas, or mitigation areas.

4.8 Wetland Buffer

Per Section 5.2.4 of the Subarea Plan (City of Oceanside 2010), a 50-foot biological buffer and 50-foot planning buffer should be established from the edge of sensitive areas including wetlands. Since no wetlands or aquatic resources were observed in the study area, no buffer is required.

5 Anticipated Project Impacts and Analysis of Significance

5.1 Explanation of Findings of Significance

Impacts to special-status vegetation communities, special-status plants, special-status wildlife species, jurisdictional resources, and wildlife movement must be quantified and analyzed to determine whether such impacts are significant under CEQA. CEQA Guidelines Section 15064(b) states that an ironclad definition of "significant" effect is not possible because the significance of an activity may vary with the setting. Appendix G of the Guidelines, however, does provide "examples of consequences which may be deemed to be a significant effect on the environment" (14 CCR 15064[e]). These effects include substantial effects on rare or endangered species of animals or plants or the habitat of the species. Guidelines Section 15065(a) is also helpful in defining whether a project may have "a significant effect on the environment." Under that section, a proposed project may have a significant effect on the environment if the project has the potential to (1) substantially degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) substantially reduce the number or restrict the range of an endangered, rare or threatened species, or (6) eliminate important examples of the major period of California history or prehistory.

Direct Impacts include both the permanent loss of on-site habitat and the plant and wildlife species that it contains and the temporary loss of on-site habitat. Direct impacts were quantified by assuming the entire project site would be impacted during construction. Direct impacts include the permanent loss of vegetation and habitat associated with construction. Temporary impacts are not anticipated.

Indirect Impacts include potential short-term or temporary indirect impacts to special-status vegetation communities and special-status plants (if they occur) in the biological study area and would primarily result from construction activities. This includes impacts related to or resulting from the generation of fugitive dust, changes in hydrology resulting from construction, including sedimentation and erosion, and the introduction of chemical pollutants. Potential short-term indirect impacts could affect special-status vegetation communities within the biological study area, and special-status plants that have a moderate to high potential to occur in the biological study area.

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed project to special-status vegetation communities and/or special-status plants after construction. Permanent indirect

impacts that could affect special-status vegetation communities include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity.

Cumulative Impacts refer to incremental individual environmental effects of two or more projects when considered together. These impacts taken individually may be minor, but collectively significant as they occur over a period of time.

5.2 Direct Impacts

5.2.1 Direct Impacts to Vegetation Communities

Permanent Direct Impacts

The proposed project would result in permanent direct impacts. These impacts are summarized in Table 3 and shown on Figure 4.

Table 3. Impacts to Vegetation Communities and Land Cover Types

Vegetation Community	Impacts (Acres)	Mitigation Ratio ^a	Acres of Mitigation Required ^b
Disturbed Habitat	1.94	NA*	0
ToxDiv	0.18	NA*	0
TOTAL:	2.16	0	0

Notes:

- ^a Per Table 5-2 in the Subarea Plan (City of Oceanside 2010).
- ^b Acreages may not sum precisely due to rounding.
- * May be subject to Habitat Development Fee.

Permanent impacts to disturbed habitat and ToxDiv are considered less than significant, and no mitigation is required. These habitats may however be subject to the City's Habitat Development Fee, as described in Section 5.5.2 of the Subarea Plan.

5.2.2 Direct Impacts to Special-Status Plants

Direct impacts to special-status plants could occur if any of the special-status plant species with potential to occur in the study area (listed in Section 4.5 and Attachment C) overlap with the project site. Permanent or temporary impacts to special-status plants are considered a potentially significant impact.

No special status plant species were found to have a moderate or high potential to occur at the project site. Two species, San Diego ambrosia and San Diego thorn-mint, have a low potential to occur at the project site, but are highly unlikely to appear at the project given the site's high level of disturbance and continued pedestrian impacts.

5.2.3 Direct Impacts to Special-Status Wildlife

Direct impacts to special-status plants could occur if any of the special-status wildlife species with potential to occur in the study area are found to be present at or near the project during construction. Permanent or temporary impacts to special-status wildlife are considered a potentially significant impact.

No species were found to have a moderate or high potential to occur within the study area. Three species, Coopers hawk, yellow warbler, and yellow breasted chat have a low potential occur within the study area as transient foragers but are unlikely to utilize the site for nesting. Impacts to the disturbed habitat and ToxDiv habitat would likely not result in a significant loss of foraging and/or breeding and nesting habitat for these species and would not be considered a potentially significant impact. Direct loss of individual special-status birds within these habitats during construction would be mitigated to a less than significant level through nesting bird surveys (described in the following paragraph) and monitoring of initial clearing of habitat, as described in Recommendation-1), provided in Section 6.1.

CFGC protects bird nests and MBTA prohibits the intentional take of any migratory bird or any part, nest, or eggs of any such bird. If clearing, grubbing, or other activities that result in the removal of vegetation occur during the nesting bird season, any impacts to active nests or the young of nesting bird species would be potentially significant. This impact shall be mitigated to less than significant through nesting bird surveys and establishment of appropriate buffers, as described in Recommendation-1), provided in Section 6.1.

5.2.4 Direct Impacts to Jurisdictional Aquatic Resources

No direct impacts to jurisdictional aquatic resources are expected, and therefore, no mitigation for direct impacts is required.

5.2.5 Direct Impacts to Wildlife Corridors/Habitat Linkages

The study area is not located within Wildlife Corridor Planning Zone designated by the Oceanside Subarea Plan (City of Oceanside 2010). The site is surrounded by roads and development on all sides which limits movement of larger mammals. A small patch of toyon and poison oak occurs at the southwest corner of the site, though it is highly disturbed and only offers marginal habitat for transient wildlife. While the site is currently undeveloped and allows opportunity for wildlife to move through or stop over on the site, the site does not function as a wildlife corridor or linkage between two larger patches of native habitat. Therefore, the project will not result in any direct impacts to wildlife corridors or linkages. No mitigation for direct impacts is required.

5.2.6 Wetland Buffer

Section 2.3.2 describes the wetland buffer per Section 5.2.4 of the Subarea Plan (City of Oceanside 2010), which states that a minimum 50-foot biological buffer, plus a minimum 50-foot planning buffer (total width of both equals 100 feet) shall be established for upland habitats, beginning at the outer edge of riparian vegetation.

The proposed project would not directly impact any aquatic features or riparian areas, therefore, no wetland buffer is required.

5.3 Indirect Impacts

5.3.1 Indirect Impacts to Vegetation Communities and/or Special-Status Plants

Short-Term Indirect Impacts

Potential short-term or temporary indirect impacts to special-status vegetation communities and special-status plants (if they occur) at the project would primarily result from construction activities and include impacts related to or resulting from the generation of fugitive dust, changes in hydrology resulting from construction, including sedimentation and erosion, and the introduction of chemical pollutants. Potential short-term indirect impacts could affect special-status vegetation communities within the biological study area, and special-status plants that have a moderate to high potential to occur in the biological study area. These impacts would be mitigated to less than significant levels through the implementation of Recommendations 2 and 3 provided in Section 6.1.

Long-Term Indirect Impacts

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed project to special-status vegetation communities and/or special-status plants after construction. Permanent indirect impacts that could affect special-status vegetation communities include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity. These impacts would be mitigated to less than significant levels through the implementation of Recommendations 2 and 3 provided in Section 6.1.

5.3.2 Indirect Impacts to Special-Status Wildlife

Short-Term Indirect Impacts

Short-term, construction-related, or temporary indirect impacts to special-status wildlife species that occur within the study area would primarily result from construction activities. Potential temporary indirect impacts could occur as a result of generation of fugitive dust, noise, chemical pollutants, and increased human activity. These impacts would be mitigated to less than significant through biological training (if needed), stockpiling materials/fueling/staging of vehicles and equipment in designated areas, reducing on-site trash and debris, and nesting bird surveys. These impacts would be mitigated to less than significant levels through the implementation of Recommendations 1, 2, and 3 provided in Section 6.1.

Long-Term Indirect Impacts

Potential long-term or permanent indirect impacts to special-status wildlife species that occur within the study area include non-native invasive species and increased human activity, similar to special-status vegetation communities/plants. These impacts would be mitigated to less than significant levels through the implementation of Recommendations 1, 2, and 3 provided in Section 6.1.

5.3.3 Indirect Impacts to Jurisdictional Aquatic Resources

Short-Term Indirect Impacts

Potential short-term or temporary indirect impacts to jurisdictional resources in, or adjacent to, the study area would primarily result from construction activities and include impacts related to or resulting from the generation of fugitive dust, changes in hydrology resulting from construction, including sedimentation and erosion, and the introduction of chemical pollutants. No aquatic resources occur within the study area, therefore, no short-term indirect impacts are expected.

Long-Term Indirect Impacts

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed project to jurisdictional aquatic resources after construction. Permanent indirect impacts that could affect jurisdictional aquatic resources include non-native invasive species and increased human activity. Each of these potential indirect impacts is discussed in the following paragraphs. No aquatic resources occur within the study area, therefore, no short-term indirect impacts are expected.

5.3.4 Indirect Impacts to Wildlife Corridors/Habitat Linkages

Short-Term Indirect Impacts

Short-term indirect impacts to habitat connectivity and wildlife corridors could result from increased human activity during construction. Potential indirect impacts resulting from increased human presence shall be mitigated to less than significant through avoidance of environmentally sensitive habitat, biological training, stockpiling materials/fueling/staging of vehicles and equipment in designated areas, reducing on-site trash and debris, and nesting bird surveys. The study area does not occur within any wildlife corridor or habitat linkage, therefore, no short-term indirect impacts are expected.

Long-Term Indirect Impacts

Long-term indirect impacts include increased human activity and lighting. The study area does not occur within any wildlife corridor or habitat linkage, therefore, no long-term indirect impacts are expected.

5.4 Cumulative Impacts

The study area is covered by the Oceanside Subarea Plan (City of Oceanside 2010). Direct impacts to special-status plant species (if they occur at the project) and special-status wildlife could occur due to project implementation but would be mitigated per the Oceanside Subarea Plan and therefore would not contribute to any cumulative sensitive species impacts. The project would implement standard best management practices, which would avoid contributions towards a cumulative indirect impact to special-status wildlife species and sensitive habitats. As with all other projects, the proposed project would be required to comply with CFGC and MBTA to avoid impacts to nesting birds. Therefore, the project is not anticipated to result in significant cumulative impacts to regional biological resources.

6 Avoidance and Minimization

There is a low potential for direct and indirect significant impacts to vegetation communities, special-status plants, and special-status wildlife species.

6.1 Recommendations

The following measures should be implemented to reduce potential direct and indirect impacts to less than significant levels.

- Recommendation-1 A qualified biologist should conduct a nesting bird survey at least 14 days prior to the start of construction should it become necessary to conduct work within the breeding season for Cooper's hawk, yellow breasted chat, yellow warbler, and other nesting birds (February 1 through September 15). Should nesting individuals be detected, appropriate buffers and protection measures will be established. A training shall be developed and include a description of any target species of concern, its habitats, the general provisions of the Endangered Species Act (Act), the MHCP, and MBTA, the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern.
- Recommendation-2 Stockpiling of materials and other aspects of construction staging shall be limited to disturbed areas. Equipment storage, fueling and staging areas shall be located to minimize risk of runoff to surrounding areas. All project related spills of hazardous materials shall be reported to appropriate entities and cleaned up immediately. Contaminated soils shall be removed to appropriate disposal areas. To avoid attracting predators of any target species of concern, the project site shall be kept clean of debris as much as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site. Pets of project personnel shall not be allowed on site where they may come in contact with any listed species. To prevent inadvertent disturbance to areas outside the limits of work, the contractor should install temporary fencing along the limits of grading. The final landscape plans should be reviewed by a qualified biologist to confirm that there are no invasive plant species as included on the most recent version of the California Invasive Plant Council Inventory for the project region.
- Recommendation-3 Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans.

7 Summary

The Loma Alta Development Project will result in 2.16 acres of permanent direct impacts to disturbed habitat and *Toxicodendron diversilobum* Association. No special-status plant or wildlife species, jurisdictional aquatic resources, or regional wildlife corridors have the potential to be directly impacted. Indirect impacts may occur but with the implementation of measures recommended above, all biology-related project impacts would be reduced to a less than significant level.

Sincerely,



Tommy Malioo
Sr. Biologist

Att: **A: Figures 1-4**
B: Plants Observed Within the Study Area
C: Wildlife Observed Within the Study Area
D: Special-Status Plant Species Potentially Occurring within the Biological Study Area
E: Special-Status Wildlife Species Potentially Occurring within the Biological Study Area

8 Literature Cited

- AOU (American Ornithologists' Union). 2022. "AOU Checklist of North and Middle American Birds." Accessed May 2022. <http://checklist.americanornithology.org/taxa/>
- Calflora. 2022. The Calflora Database: Information on California plants for education, research and conservation, with data contributed by public and private institutions and individuals. Berkeley, California. <http://www.calflora.org>.
- CDFW. 2022a. California Natural Diversity Data Base. "Special Animals List." California Natural Diversity Database. Sacramento, California: CDFW, Biogeographic Data Branch. July 2021. <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.
- CDFW. 2022b. California Natural Diversity Database (CNDDDB). RareFind 5 and CNDDDB in BIOS. (Commercial Subscription). Sacramento, California: CDFW, Biogeographic Data Branch. <https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>.
- City of Oceanside. 2010. Final Oceanside Subarea Plan. <https://www.ci.oceanside.ca.us/gov/dev/planning/subarea.asp>.
- CNPS (California Native Plant Society). 2022. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). Sacramento: CNPS. <http://www.rareplants.cnps.org>.
- Crother, B.I. 2017. Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico, with Comments Regarding Confidence in our Understanding, edited by J.J. Moriarty. 8th ed. Society for the Study of Amphibians and Reptiles (SSAR); Herpetological Circular no. 43. September 2017. <https://ssarherps.org/wp-content/uploads/2017/10/8th-Ed-2017-Scientific-and-Standard-English-Names.pdf>.
- DOI (U.S. Department of the Interior). 2017. "The Migratory Bird Treaty Act Does Not Prohibit Incidental Take." Memorandum M-37050. December 22, 2017.
- ESRI. 2022. Collector for ArcGIS. Version 21.0.1.
- Google Earth. 2022. Aerial Photographs. 1:200 scale.
- HDR. 2009. Final Environmental Impact Report, El Corazon Specific Plan, Oceanside, California. Prepared for the City of Oceanside. March 2009. Approved on June 3, 2009. State Clearinghouse Number: 1998091006.
- Holland, R. F. 1986. Preliminary descriptions of the terrestrial natural communities of California. Nongame-Heritage Program, California Department of Fish and Game.
- Jepson Flora Project. 2022. Jepson eFlora. Berkeley, California: University of California. <http://ucjeps.berkeley.edu/eflora/>.
- NABA (North American Butterfly Association). 2016. "Checklist of North American Butterflies Occurring North of Mexico." Adapted from North American Butterfly Association (NABA) Checklist & English Names of North

American Butterflies, eds. B. Cassie, J. Glassberg, A. Swengel, and G. Tudor. 2nd ed. Morristown, New Jersey: NABA. http://www.naba.org/pubs/enames2_3.html.

Oberbauer, T., M. Kelly, and J. Buegge. 2008. Draft Vegetation Communities of San Diego County. March 2008. https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/Soitec-Documents/Final-EIR-Files/references/rtcref/ch9.0/rtcrefaletters/O14%202014-12-19_OberbauerTM2008.pdf.

SANDAG (San Diego Association of Governments). 2003. MHCP Plan. Volume 1. Final. Administered by SANDAG for the Cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach and Vista. https://www.sandag.org/programs/environment/habitat_preservation/mhcp_vol1.pdf.

SDNHM (San Diego Natural History Museum). 2002. "Butterflies of San Diego County." Revised September 2002. <http://www.sdnhm.org/archive/research/entomology/sdbutterflies.html>.

SDNHM. 2022. San Diego County Plant Atlas. <http://www.sdplantatlas.org/>.

UC Davis/NRCS (University of California, Davis, California Soil Resource Lab; University of California, Division of Agriculture and Natural Resources; Natural Resources Conservation Service). 2022. SoilWeb. University of California; USDA-NRCS. <https://data.nal.usda.gov/dataset/soilweb>.

USDA (U.S. Department of Agriculture). 2022. California State PLANTS Checklist. National Plant Data Team, Greensboro, NC 27401-4901 USA. https://plants.usda.gov/dl_state.html.

USFWS (U.S. Fish and Wildlife Service). 2022a. Birds of Conservation Concern. U.S. Department of Interior, Fish and Wildlife Service, Division of Migratory Bird Management. <https://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>.

USFWS 2022b. "Critical Habitat and Occurrence Data" [map]. USFWS Geospatial Services. <http://www.fws.gov/data>.

Wilson, D.E., and D.M. Reeder, eds. 2005. Mammal Species of the World: A Taxonomic and Geographic Reference. 3rd ed. Baltimore, Maryland: Johns Hopkins University Press.

Attachment A

Figures



SOURCE: SanGIS 2019

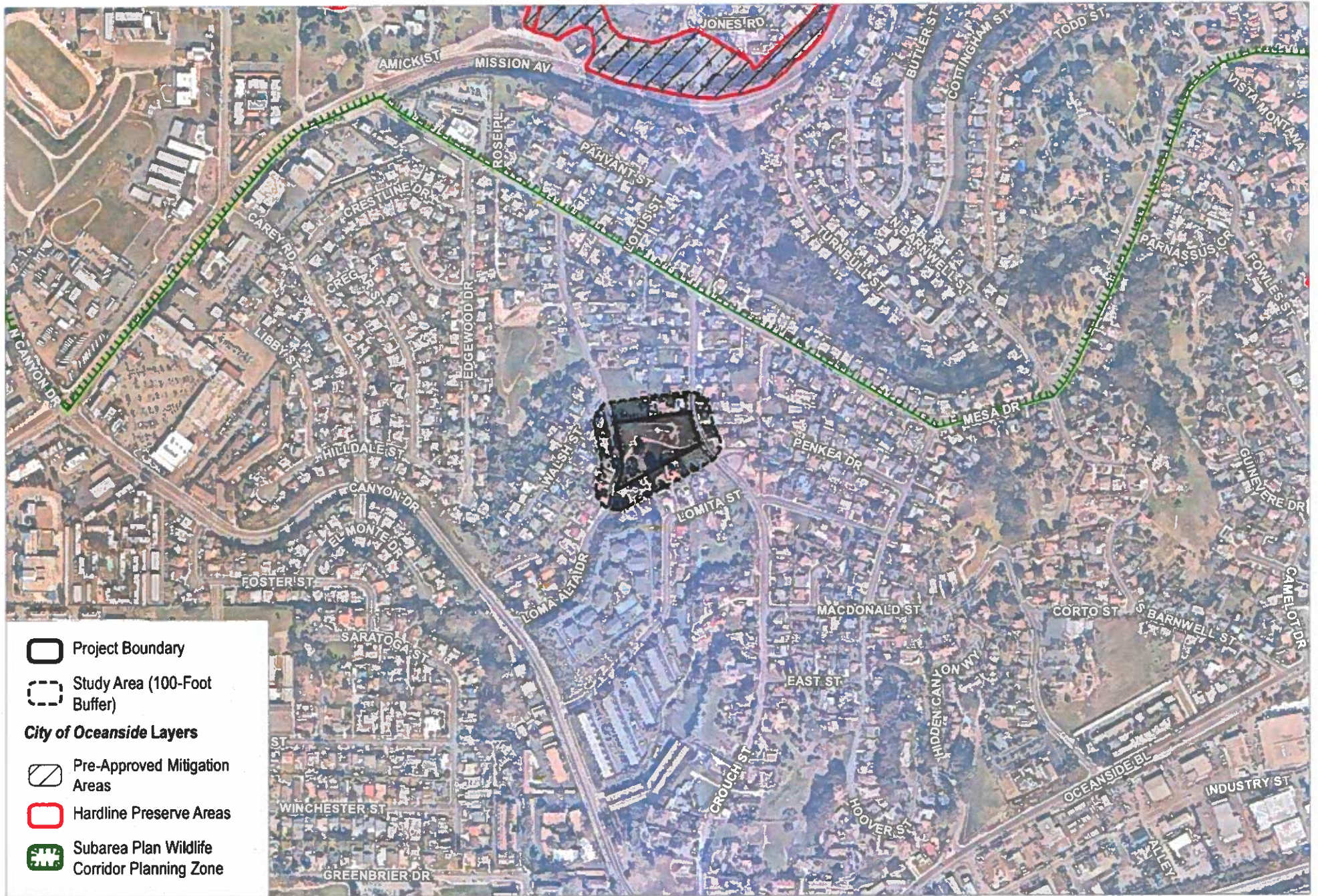
DUDEK



FIGURE 1

Project Location

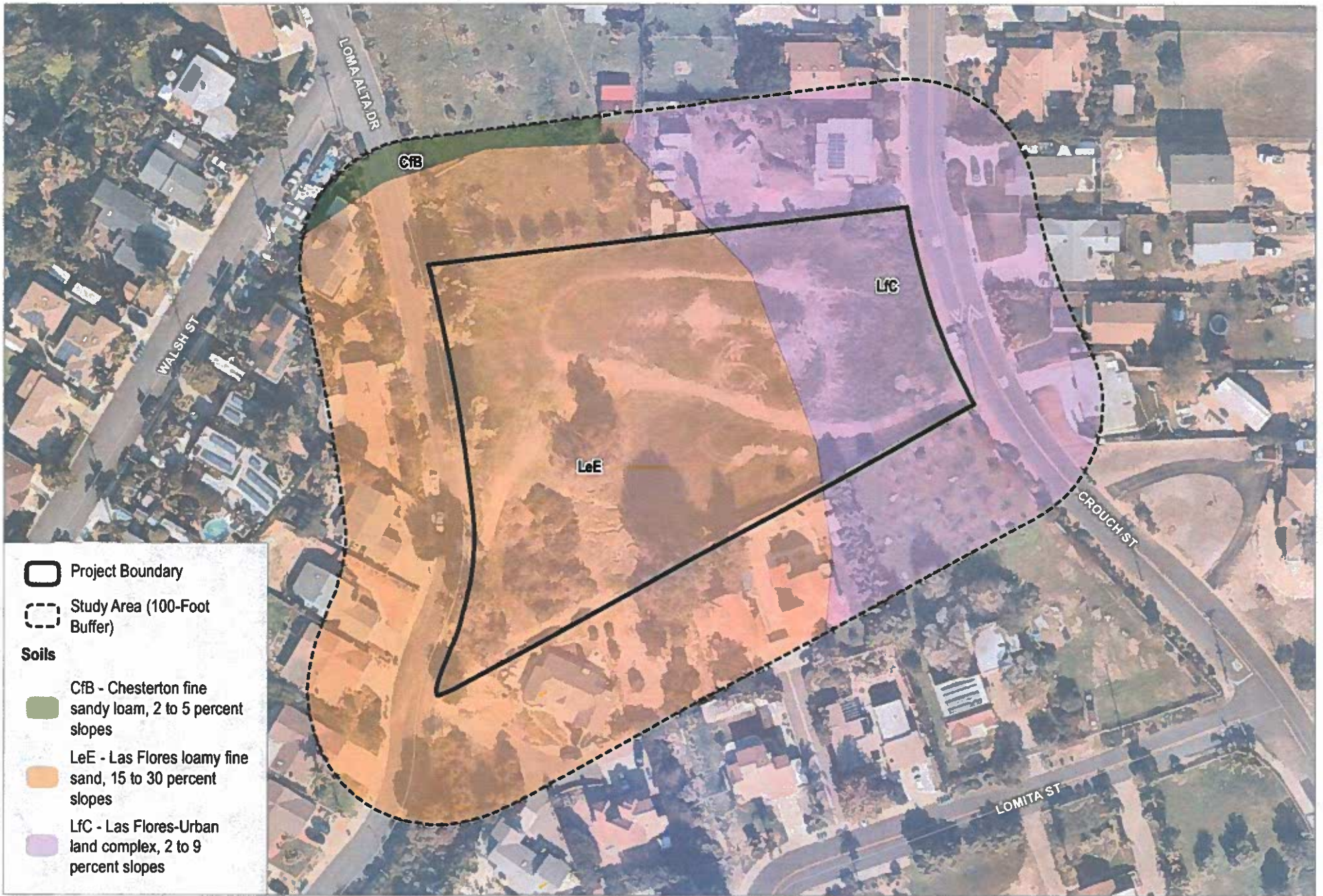
Loma Alta Development Project



SOURCE: SanGIS 2/19; City of Oceanside 2021



FIGURE 2
Regional Conservation Planning
 Loma Alta Development Project



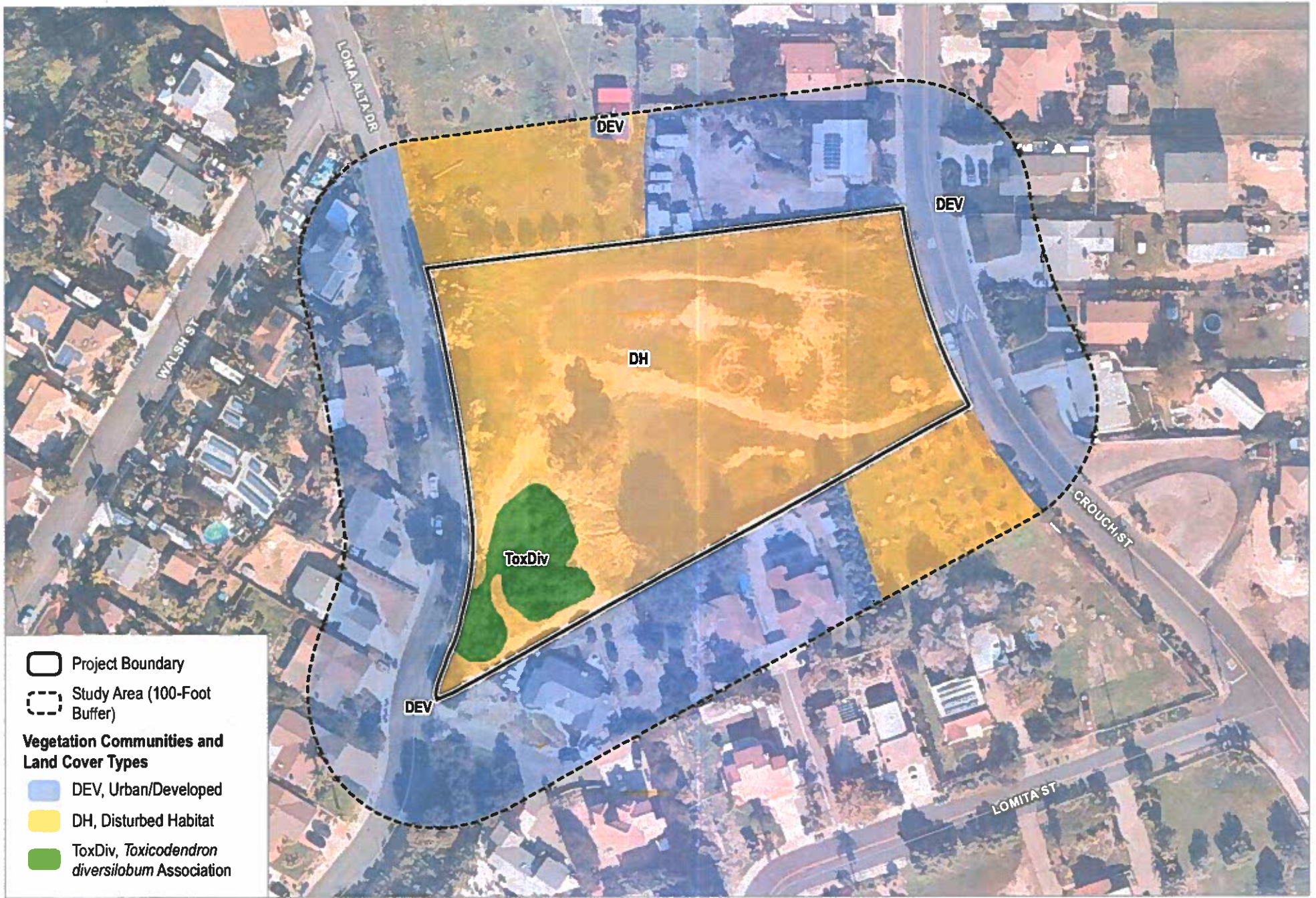
SOURCE: SanGIS 2019; USDA NRCS SSURGO 2019



FIGURE 3

Soils

Loma Alta Development Project



SOURCE: SanGIS 2019

FIGURE 4
Biological Resources
 Loma Alta Development Project

Attachment B

Plants Observed Within the Study Area



Vascular Species

Eudicots

ASTERACEAE – SUNFLOWER FAMILY

- Ambrosia psilostachya* – western ragweed
- * *Centaurea melitensis* – Maltese star-thistle
- Deinandra fasciculata* – clustered tarweed
- Heterotheca grandiflora* – telegraphweed
- Layia platyglossa* – coastal tidytips

BRASSICACEAE – MUSTARD FAMILY

- * *Hirschfeldia incana* – shortpod mustard

CHENOPODIACEAE – GOOSEFOOT FAMILY

- * *Salsola tragus* – prickly Russian thistle

FABACEAE – LEGUME FAMILY

- * *Acacia pycnantha* – golden wattle

MYRTACEAE – MYRTLE FAMILY

- * *Eucalyptus camaldulensis* – river redgum

POLYGONACEAE – BUCKWHEAT FAMILY

- * *Rumex crispus* – curly dock

ROSACEAE – ROSE FAMILY

- Heteromeles arbutifolia* – toyon

Monocots

ARECACEAE – PALM FAMILY

- * *Washingtonia robusta* – Washington fan palm

POACEAE – GRASS FAMILY

- * *Bromus diandrus* – ripgut brome
- * *Bromus madritensis* – compact brome
- * *Bromus tectorum* – cheatgrass

- * Signifies introduced (non-native) species

Attachment C

Wildlife Observed Within the Study Area



Birds

Finches

FRINGILLIDAE – FRINGILLINE AND CARDUELINE FINCHES AND ALLIES

Haemorhous mexicanus – house finch

Hawks

ACCIPITRIDAE – HAWKS, KITES, EAGLES, AND ALLIES

Accipiter cooperii – Cooper's hawk

Jays, Magpies and Crows

CORVIDAE – CROWS AND JAYS

Corvus corax – common raven

Mockingbirds and Thrashers

MIMIDAE – MOCKINGBIRDS AND THRASHERS

Mimus polyglottos – northern mockingbird

Pigeons and Doves

COLUMBIDAE – PIGEONS AND DOVES

Zenaida macroura – mourning dove

Mammals

Squirrels

SCIURIDAE – SQUIRRELS

Otospermophilus beecheyi – California ground squirrel

Attachment D

Special-Status Plant Species Potentially Occurring within the Biological Study Area

ATTACHMENT C / SPECIAL-STATUS PLANT SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State/CRPR)	Primary Habitat Associations/ Life Form/Blooming Period/ Elevation Range (feet)	Elevation Appropriate?	Habitats Appropriate?	Potential to Occur
<i>Abronia maritima</i>	red sand-verbena	None/None/4.2	Coastal dunes/perennial herb/Feb- Nov/0-330	Y	N	Not expected to occur. No suitable vegetation present.
<i>Abronia villosa</i> var. <i>aurita</i>	chaparral sand-verbena	None/None/1B.1	Chaparral, Coastal scrub, Desert dunes; Sandy/annual herb/ (Jan)Mar-Sep/245-5,245	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Acanthomintha llicifolia</i>	San Diego thorn-mint	FT/SE/1B.1	Chaparral, Coastal scrub, Valley and foothill grassland, Vernal pools; Clay, Openings/annual herb/Apr-June/35-3,145	Y	Y	Low potential to occur within the disturbed habitat in the study area. Not observed during 2022 recon survey.
<i>Acemison prostratus</i>	Nuttall's acemison	None/None/1B.1	Coastal dunes, Coastal scrub/annual herb/Mar-June(July)/0-35	N	N	Not expected to occur. The site is outside of the species' known elevation range and there is no suitable vegetation present.
<i>Ambrosia pumila</i>	San Diego ambrosia	FE/None/1B.1	Chaparral, Coastal scrub, Valley and foothill grassland, Vernal pools; Alkaline (sometimes), Clay (sometimes), Disturbed areas (often), Sandy (sometimes)/perennial rhizomatous herb/Apr-Oct/65-1,360	Y	Y	Low potential to occur within the disturbed habitat in the study area. Not observed during 2022 recon survey.
<i>Aphanisma bitoides</i>	aphanisma	None/None/1B.2	Coastal bluff scrub, Coastal dunes, Coastal scrub; Gravelly (sometimes), Sandy (sometimes)/annual herb/Feb-June/5-1,000	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Arctostaphylos glandulosa</i> ssp. <i>crassifolia</i>	Del Mar manzanita	FE/None/1B.1	Chaparral/perennial evergreen shrub/June-Apr/0-1,195	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Artemisia paimeri</i>	San Diego sagewort	None/None/4.2	Chaparral, Coastal scrub, Riparian forest, Riparian scrub, Riparian woodland; Mesic, Sandy/perennial deciduous shrub/(Feb)May-Sep/50-3,000	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Asplenium vespertinum</i>	western spleenwort	None/None/4.2	Chaparral, Cismontane woodland, Coastal scrub; Rocky/perennial rhizomatous herb/Feb-June/590-3,280	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Atriplex coulteri</i>	Coulter's saltbush	None/None/1B.2	Coastal bluff scrub, Coastal dunes, Coastal scrub, Valley and foothill grassland; Alkaline (sometimes), Clay (sometimes)/perennial herb/ Mar-Oct/10-1,505	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Atriplex pacifica</i>	south coast saltscale	None/None/1B.2	Coastal bluff scrub, Coastal dunes, Coastal scrub, Playas/annual herb/ Mar-Oct/0-460	Y	N	Not expected to occur. No suitable vegetation present.
<i>Berberis nevini</i>	Nevin's barberry	FE/SE/1B.1	Chaparral, Cismontane woodland, Coastal scrub, Riparian scrub; Gravelly (sometimes), Sandy (sometimes)/perennial evergreen shrub/ (Feb)Mar-June/230-2,705	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Brodiaea filifolia</i>	thread-leaved brodiaea	FT/SE/1B.1	Chaparral, Cismontane woodland, Coastal scrub, Playas, Valley and foothill grassland, Vernal pools; Clay (often)/perennial bulbiferous herb/ Mar-June/80-3,670	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Brodiaea orcuttii</i>	Orcutt's brodiaea	None/None/1B.1	Chaparral, Cismontane woodland, Closed-cone coniferous forest, Meadows and seeps, Valley and foothill grassland, Vernal pools; Clay, Mesic/perennial bulbiferous herb/May-July/100-5,550	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Calandrinia breweri</i>	Brewer's calandrinia	None/None/4.2	Chaparral, Coastal scrub; Burned areas, Disturbed areas, Loam (sometimes),Sandy (sometimes)/annual herb/(Jan)Mar-June/35-4,000	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Calochortus plummerae</i>	Plummer's mariposa-lily	None/None/4.2	Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Valley and foothill grassland; Granitic, Rocky/ perennial bulbiferous herb/May-July/330-5,575	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Camissoniopsis lewisii</i>	Lewis' evening-primrose	None/None/3	Cismontane woodland, Coastal bluff scrub, Coastal dunes, Coastal scrub, Valley and foothill grassland; Clay (sometimes), Sandy (sometimes)/annual herb/Mar-May(June)/0-985	Y	N	Not expected to occur. No suitable vegetation present.
<i>Caulanthus simulans</i>	Payson's jewelflower	None/None/4.2	Chaparral, Coastal scrub; Granitic, Sandy/annual herb/ (Feb)Mar-May(June)/295-7,215	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Ceanothus cyaneus</i>	Lakeside ceanothus	None/None/1B.2	Chaparral, Closed-cone coniferous forest/perennial evergreen shrub/ Apr-June/770-2,475	N	N	Not expected to occur. The site is outside of the species' known elevation range and there is no suitable vegetation present.

ATTACHMENT C / SPECIAL-STATUS PLANT SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State/CRPR)	Primary Habitat Associations/ Life Form/Blooming Period/ Elevation Range (feet)	Elevation Appropriate?	Habitats Appropriate?	Potential to Occur
<i>Centromadla parryi</i> ssp. <i>australis</i>	southern tarplant	None/None/1B.1	Marshes and swamps, Valley and foothill grassland, Vernal pools/ annual herb/May–Nov/0–1,570	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Centromadla pungens</i> ssp. <i>laevis</i>	smooth tarplant	None/None/1B.1	Chenopod scrub, Meadows and seeps, Playas, Riparian woodland, Valley and foothill grassland; Alkaline/annual herb/Apr–Sep/0–2,095	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Chaenactis glabriuscula</i> var. <i>orcuttiana</i>	Orcutt's pincushion	None/None/1B.1	Coastal bluff scrub, Coastal dunes/annual herb/Jan–Aug/0–330	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Chorizanthe polygonoides</i> var. <i>longispina</i>	long-spined spineflower	None/None/1B.2	Chaparral, Coastal scrub, Meadows and seeps, Valley and foothill grassland, Vernal pools; Clay (often)/annual herb/Apr–July/100–5,015	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Cistanthe maritima</i>	seaside cistanthe	None/None/4.2	Coastal bluff scrub, Coastal scrub, Valley and foothill grassland; Sandy/annual herb/(Feb)Mar–June(Aug)/15–985	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Comarostaphylis diversifolia</i> ssp. <i>diversifolia</i>	summer holly	None/None/1B.2	Chaparral, Cismontane woodland/perennial evergreen shrub/ Apr–June/100–2,590	Y	N	Not expected to occur. No suitable vegetation present.
<i>Convolvulus simulans</i>	small-flowered morning-glory	None/None/4.2	Chaparral, Coastal scrub, Valley and foothill grassland; Clay, Seeps, Serpentine/annual herb/Mar–July/100–2,425	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Corethrogyne flaginifolia</i> var. <i>linifolia</i>	Del Mar Mesa sand aster	None/None/1B.1	Chaparral, Coastal bluff scrub, Coastal scrub; Sandy/perennial herb/May–Sep/15–490	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Cryptantha wigginsii</i>	Wiggins' cryptantha	None/None/1B.2	Coastal scrub; Clay (often)/annual herb/Feb–June/65–900	Y	N	Not expected to occur. No suitable vegetation present.
<i>Deinandra paniculata</i>	paniculate tarplant	None/None/4.2	Coastal scrub, Valley and foothill grassland, Vernal pools; Sandy (sometimes), Vernal Mesic (usually)/annual herb/(Mar)Apr–Nov/80–3,080	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Dichondra occidentalis</i>	western dichondra	None/None/4.2	Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland/perennial rhizomatous herb/(Jan)Mar–July/165–1,640	Y	N	Not expected to occur. No suitable vegetation present.
<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>	Blochman's dudleya	None/None/1B.1	Chaparral, Coastal bluff scrub, Coastal scrub, Valley and foothill grassland; Clay (often), Rocky, Serpentine/perennial herb/ Apr–June/15–1,475	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Dudleya multicaulis</i>	many-stemmed dudleya	None/None/1B.2	Chaparral, Coastal scrub, Valley and foothill grassland; Clay (often)/perennial herb/Apr–July/50–2,590	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Dudleya variegata</i>	variegated dudleya	None/None/1B.2	Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland, Vernal pools; Clay/perennial herb/Apr–June/10–1,900	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Dudleya viscida</i>	sticky dudleya	None/None/1B.2	Chaparral, Cismontane woodland, Coastal bluff scrub, Coastal scrub; Rocky/perennial herb/May–June/35–1,800	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Eryngium aristulatum</i> var. <i>parishii</i>	San Diego button-celery	FE/SE/1B.1	Coastal scrub, Valley and foothill grassland, Vernal pools; Mesic/annual/perennial herb/Apr–June/65–2,030	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Eryngium pendletonense</i>	Pendleton button-celery	None/None/1B.1	Coastal bluff scrub, Valley and foothill grassland, Vernal pools; Clay, Vernal Mesic/perennial herb/Apr–June(July)/50–360	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Erysimum ammophilum</i>	sand-loving wallflower	None/None/1B.2	Chaparral, Coastal dunes, Coastal scrub; Openings, Sandy/perennial herb/Feb–June(July–Aug)/0–195	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Erythranthe diffusa</i>	Palomar monkeyflower	None/None/4.3	Chaparral, Lower montane coniferous forest; Gravelly (sometimes), Sandy (sometimes)/annual herb/Apr–June/4,000–6,000	N	Y	Not expected to occur. The site is outside of the species' known elevation range.

ATTACHMENT C / SPECIAL-STATUS PLANT SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State/CRPR)	Primary Habitat Associations/ Life Form/Blooming Period/ Elevation Range (feet)	Elevation Appropriate?	Habitats Appropriate?	Potential to Occur
<i>Euphorbia misera</i>	cliff spurge	None/None/2B.2	Coastal bluff scrub, Coastal scrub, Mojavean desert scrub; Rocky/perennial shrub/(Oct)Dec-Aug/35-1,640	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Ferocactus viridescens</i>	San Diego barrel cactus	None/None/2B.1	Chaparral, Coastal scrub, Valley and foothill grassland, Vernal pools/perennial stem/May-June/10-1,475	Y	N	Not expected to occur. No suitable vegetation present.
<i>Githopsis diffusa</i> ssp. <i>filicaulis</i>	Mission Canyon bluecup	None/None/3.1	Chaparral/annual herb/Apr-June/1,475-2,295	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Heterotheca sessiliflora</i> ssp. <i>sessiliflora</i>	beach goldenaster	None/None/1B.1	Chaparral, Coastal dunes, Coastal scrub/perennial herb/Mar-Dec/0-4,015	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Holocarpha virgata</i> ssp. <i>elongata</i>	graceful tarplant	None/None/4.2	Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland/annual herb/May-Nov/195-3,605	Y	N	Not expected to occur. No suitable vegetation present.
<i>Hordeum intercedens</i>	vernal barley	None/None/3.2	Coastal dunes, Coastal scrub, Valley and foothill grassland, Vernal pools/annual herb/Mar-June/15-3,280	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Horkelia truncata</i>	Ramona horkelia	None/None/1B.3	Chaparral, Cismontane woodland; Clay, Gabbroic/perennial herb/May-June/1,310-4,265	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Isocoma menziesii</i> var. <i>decumbens</i>	decumbent goldenbush	None/None/1B.2	Chaparral, Coastal scrub/perennial shrub/Apr-Nov/35-445	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Iva hayesiana</i>	San Diego marsh-elder	None/None/2B.2	Marshes and swamps, Playas/perennial herb/Apr-Oct/35-1,640	Y	N	Not expected to occur. No suitable vegetation present.
<i>Juglans californica</i>	Southern California black walnut	None/None/4.2	Chaparral, Cismontane woodland, Coastal scrub, Riparian woodland/perennial deciduous tree/Mar-Aug/165-2,950	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Juncus acutus</i> ssp. <i>leopoldii</i>	southwestern spiny rush	None/None/4.2	Coastal dunes, Marshes and swamps, Meadows and seeps/perennial rhizomatous herb/(Mar)May-June/10-2,950	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	Coulter's goldfields	None/None/1B.1	Marshes and swamps, Playas, Vernal pools/annual herb/Feb-June/5-4,000	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Lepidium virginicum</i> var. <i>robinsonii</i>	Robinson's pepper-grass	None/None/4.3	Chaparral, Coastal scrub/annual herb/Jan-July/5-2,900	Y	N	Not expected to occur. No suitable vegetation present.
<i>Lycium californicum</i>	California box-thorn	None/None/4.2	Coastal bluff scrub, Coastal scrub/perennial shrub/Mar-Aug(Dec)/15-490	Y	N	Not expected to occur. No suitable vegetation present.
<i>Monardella hypoleuca</i> ssp. <i>lanata</i>	felt-leaved monardella	None/None/1B.2	Chaparral, Cismontane woodland/perennial rhizomatous herb/June-Aug/985-5,165	N	N	Not expected to occur. The site is outside of the species' known elevation range and there is no suitable vegetation present.
<i>Monardella viminea</i>	willowy monardella	FE/SE/1B.1	Chaparral, Coastal scrub, Riparian forest, Riparian scrub, Riparian woodland/perennial herb/June-Aug/165-740	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Myosurus minimus</i> ssp. <i>apus</i>	little mousetail	None/None/3.1	Valley and foothill grassland, Vernal pools/annual herb/Mar-June/65-2,095	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Nama stenocarpa</i>	mud nama	None/None/2B.2	Marshes and swamps/annual/perennial herb/Jan-July/15-1,640	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Navarretia fossalis</i>	spreading navarretia	FT/None/1B.1	Chenopod scrub, Marshes and swamps, Playas, Vernal pools/annual herb/Apr-June/100-2,145	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Nemaacaulis denudate</i> var. <i>denudata</i>	coast woolly-heads	None/None/1B.2	Coastal dunes/annual herb/Apr-Sep/0-330	Y	N	Not expected to occur. No suitable vegetation present.

ATTACHMENT C / SPECIAL-STATUS PLANT SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State/CRPR)	Primary Habitat Associations/ Life Form/Blooming Period/ Elevation Range (feet)	Elevation Appropriate?	Habitats Appropriate?	Potential to Occur
<i>Nolina cismontana</i>	chaparral nolina	None/None/1B.2	Chaparral, Coastal scrub/perennial evergreen shrub/(Mar)May-July/460-4,180	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Ophloglossum californicum</i>	California adder's-tongue	None/None/4.2	Chaparral, Valley and foothill grassland, Vernal pools/perennial rhizomatous herb/Jan-June(Dec)/195-1,720	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Orcuttia californica</i>	California Orcutt grass	FE/SE/1B.1	Vernal pools/annual herb/Apr-Aug/50-2,165	Y	N	Not expected to occur. No suitable vegetation present.
<i>Orobanche parishii</i> ssp. <i>brachyloba</i>	short-lobed broomrape	None/None/4.2	Coastal bluff scrub, Coastal dunes, Coastal scrub/perennial herb (parasitic)/Apr-Oct/10-1,000	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Pentachaeta aurea</i> ssp. <i>aurea</i>	golden-rayed pentachaeta	None/None/4.2	Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Riparian woodland, Valley and foothill grassland/annual herb/Mar-July/260-6,065	Y	N	Not expected to occur. No suitable vegetation present.
<i>Phacelia stellaris</i>	Brand's star phacelia	None/None/1B.1	Coastal dunes, Coastal scrub/annual herb/Mar-June/5-1,310	Y	N	Not expected to occur. No suitable vegetation present.
<i>Pinus torreyana</i> ssp. <i>torreyana</i>	Torrey pine	None/None/1B.2	Chaparral, Closed-cone coniferous forest/perennial evergreen tree/100-525	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Pogogyne abramsii</i>	San Diego mesa mint	FE/SE/1B.1	Vernal pools/annual herb/Mar-July/295-655	Y	N	Not expected to occur. No suitable vegetation present.
<i>Polygala cornuta</i> var. <i>fishiae</i>	Fish's milkwort	None/None/4.3	Chaparral, Cismontane woodland, Riparian woodland/perennial deciduous shrub/May-Aug/330-3,280	N	N	Not expected to occur. The site is outside of the species' known elevation range and there is no suitable vegetation present.
<i>Psilocarphus brevissimus</i> var. <i>multiflorus</i>	Delta woolly-marbles	None/None/4.2	Vernal pools/annual herb/May-June/35-1,640	Y	N	Not expected to occur. No suitable vegetation present.
<i>Quercus dumosa</i>	Nuttall's scrub oak	None/None/1B.1	Chaparral, Closed-cone coniferous forest, Coastal scrub/perennial evergreen shrub/Feb-Apr(May-Aug)/50-1,310	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Quercus engelmannii</i>	Engelmann oak	None/None/4.2	Chaparral, Cismontane woodland, Riparian woodland, Valley and foothill grassland/perennial deciduous tree/Mar-June/165-4,265	Y	N	Not expected to occur. No suitable vegetation present.
<i>Seiaginella clnerascens</i>	ashy spike-moss	None/None/4.1	Chaparral, Coastal scrub/perennial rhizomatous herb/65-2,095	Y	N	Not expected to occur. No suitable vegetation present.
<i>Sidaicea neomexicana</i>	salt spring checkerbloom	None/None/2B.2	Chaparral, Coastal scrub, Lower montane coniferous forest, Mojavean desert scrub, Playas/perennial herb/Mar-June/50-5,015	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Sphaerocarpos drewiae</i>	bottle liverwort	None/None/1B.1	Chaparral, Coastal scrub/ephemeral liverwort/295-1,965	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Stemodia durantifolia</i>	purple stemodia	None/None/2B.1	Sonoran desert scrub/perennial herb/(Jan)Apr-Dec/590-985	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Stipa diegoensis</i>	San Diego County needle grass	None/None/4.2	Chaparral, Coastal scrub/perennial herb/Feb-June/35-2,620	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Suaeda esteroa</i>	estuary seablite	None/None/1B.2	Marshes and swamps/perennial herb/(Jan-May)July-Oct/0-15	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Suaeda taxifolia</i>	woolly seablite	None/None/4.2	Coastal bluff scrub, Coastal dunes, Marshes and swamps/perennial evergreen shrub/Jan-Dec/0-165	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Vigulera laciniata</i>	San Diego County viguiera	None/None/4.3	Chaparral, Coastal scrub/perennial shrub/Feb-June(Aug)/195-2,460	Y	N	Not expected to occur. No suitable vegetation present.

Attachment E

Special-Status Wildlife Species Potentially Occurring within the Biological Study Area

ATTACHMENT D / SPECIAL-STATUS WILDLIFE SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State)	Habitat	Appropriate Habitats?	Potential to Occur
Amphibians					
<i>Anaxyrus californicus</i>	arroyo toad	FE/SSC	Semi-arid areas near washes, sandy riverbanks, riparian areas, palm oasis, Joshua tree, mixed chaparral and sagebrush; stream channels for breeding (typically third order); adjacent stream terraces and uplands for foraging and wintering	Y	Not expected to occur. No suitable vegetation present.
<i>Spea hammondi</i>	western spadefoot	BCC/SSC	Primarily grassland and vernal pools, but also in ephemeral wetlands that persist at least 3 weeks in chaparral, coastal scrub, valley-foothill woodlands, pastures, and other agriculture	Y	Not expected to occur. No suitable vegetation present.
Birds					
<i>Accipiter cooperii</i> (nesting)	Cooper's hawk	None/WL	Nests and forages in dense stands of live oak, riparian woodlands, or other woodland habitats often near water	Y	Low potential to occur. May use site as transient forager. Limited nesting opportunity on-site.
<i>Agelaius tricolor</i> (nesting colony)	tricolored blackbird	BCC/SSC, ST	Nests near freshwater, emergent wetland with cattails or tules, but also in Himalayan blackberry; forages in grasslands, woodland, and agriculture	Y	Not expected to occur. No suitable vegetation present.
<i>Aimophila ruficeps canescens</i>	Southern California rufous-crowned sparrow	None/WL	Nests and forages in open coastal scrub and chaparral with low cover of scattered scrub interspersed with rocky and grassy patches	Y	Not expected to occur. No suitable vegetation present.
<i>Aquila chrysaetos</i> (nesting and wintering)	golden eagle	None/FP, WL	Nests and winters in hilly, open/semi-open areas, including shrublands, grasslands, pastures, riparian areas, mountainous canyon land, open desert rimrock terrain; nests in large trees and on cliffs in open areas and forages in open habitats	Y	Not expected to occur. No suitable vegetation present.
<i>Artemisiospiza belli belli</i>	Bell's sage sparrow	None/WL	Nests and forages in coastal scrub and dry chaparral; typically in large, unfragmented patches dominated by chamise; nests in more dense patches but uses more open habitat in winter	Y	Not expected to occur. No suitable vegetation present.
<i>Buteo swainsoni</i> (nesting)	Swainson's hawk	None/ST	Nests in open woodland and savanna, riparian, and in isolated large trees; forages in nearby grasslands and agricultural areas such as wheat and alfalfa fields and pasture	Y	Not expected to occur. No suitable vegetation present.
<i>Campylorhynchus brunneicapillus sandiegensis</i> (San Diego and Orange Counties only)	coastal cactus wren	None/SSC	Southern cactus scrub patches	Y	Not expected to occur. No suitable vegetation present.
<i>Charadrius nivosus nivosus</i> (nesting)	western snowy plover	FT, BCC/SSC	On coasts nests on sandy marine and estuarine shores; in the interior nests on sandy, barren or sparsely vegetated flats near saline or alkaline lakes, reservoirs, and ponds	N	Not expected to occur. No suitable vegetation present.
<i>Circus hudsonius</i> (nesting)	northern harrier	BCC/SSC	Nests in open wetlands (marshy meadows, wet lightly-grazed pastures, old fields, freshwater and brackish marshes); also in drier habitats (grassland and grain fields); forages in grassland, scrubs, rangelands, emergent wetlands, and other open habitats	Y	Not expected to occur. No suitable vegetation present.
<i>Coccyzus americanus occidentalis</i> (nesting)	western yellow-billed cuckoo	FT/SE	Nests in dense, wide riparian woodlands and forest with well-developed understories	Y	Not expected to occur. No suitable vegetation present.
<i>Elenus leucurus</i> (nesting)	white-tailed kite	None/FP	Nests in woodland, riparian, and individual trees near open lands; forages opportunistically in grassland, meadows, scrubs, agriculture, emergent wetland, savanna, and disturbed lands	Y	Not expected to occur. No suitable vegetation present.
<i>Empidonax traillii extimus</i> (nesting)	southwestern willow flycatcher	FE/SE	Nests in dense riparian habitats along streams, reservoirs, or wetlands; uses variety of riparian and shrubland habitats during migration	Y	Not expected to occur. No suitable vegetation present.
<i>Eremophila alpestris actia</i>	California horned lark	None/WL	This subspecies of horned lark occurs on the state's southern and central coastal slope and in the San Joaquin Valley. Nests and forages in grasslands, disturbed lands, agriculture, and beaches.	Y	Not expected to occur. No suitable vegetation present.

ATTACHMENT D / SPECIAL-STATUS WILDLIFE SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State)	Habitat	Appropriate Habitats?	Potential to Occur
<i>Icteria virens</i> (nesting)	yellow-breasted chat	None/SSC	Nests and forages in dense, relatively wide riparian woodlands and thickets of willows, vine tangles, and dense brush	Y	Low potential to occur. May use site as transient forager. Limited nesting opportunity on-site.
<i>Ixobrychus exilis</i> (nesting)	least bittern	None/SSC	Nests in freshwater and brackish marshes with dense, tall growth of aquatic and semi-aquatic vegetation	Y	Not expected to occur. No suitable vegetation present.
<i>Laterallus jamaicensis coturniculus</i>	California black rail	None/FP, ST	Tidal marshes, shallow freshwater margins, wet meadows, and flooded grassy vegetation; suitable habitats are often supplied by canal leakage in Sierra Nevada foothill populations	Y	Not expected to occur. No suitable vegetation present.
<i>Passerculus sandwichensis beldingi</i>	Belding's savannah sparrow	BCC/SE	Nests and forages in coastal saltmarsh dominated by pickleweed (<i>Salicornia</i> spp.)	Y	Not expected to occur. No suitable vegetation present.
<i>Phoebastria albatrus</i>	short-tailed albatross	FE/SSC	Nests on isolated, windswept islands of the western Pacific; extremely rare in migration offshore along the California coast	Y	Not expected to occur. No suitable vegetation present.
<i>Plegadis chini</i> (nesting colony)	white-faced ibis	None/WL	Nests in shallow marshes with areas of emergent vegetation; winter foraging in shallow lacustrine waters, flooded agricultural fields, muddy ground of wet meadows, marshes, ponds, lakes, rivers, flooded fields, and estuaries	Y	Not expected to occur. No suitable vegetation present.
<i>Polioptila californica californica</i>	coastal California gnatcatcher	FT/SSC	Nests and forages in various sage scrub communities, often dominated by California sagebrush and buckwheat; generally avoids nesting in areas with a slope of greater than 40%; majority of nesting at less than 1,000 feet above mean sea level	Y	Not expected to occur. No suitable vegetation present.
<i>Rallus obsoletus levipes</i>	Ridgway's rail	FE/FP, SE	Coastal wetlands, brackish areas, coastal saline emergent wetlands	Y	Not expected to occur. No suitable vegetation present.
<i>Riparia riparia</i> (nesting)	bank swallow	None/ST	Nests in riparian, lacustrine, and coastal areas with vertical banks, bluffs, and cliffs with sandy soils; open country and water during migration	Y	Not expected to occur. No suitable vegetation present.
<i>Setophaga petechia</i> (nesting)	yellow warbler	None/SSC	Nests and forages in riparian and oak woodlands, montane chaparral, open ponderosa pine, and mixed-conifer habitats	Y	Low potential to occur. May use site as transient forager. Limited nesting opportunity on-site.
<i>Sterna antillarum browni</i> (nesting colony)	California least tern	FE/FP, SE	Forages in shallow estuaries and lagoons; nests on sandy beaches or exposed tidal flats	Y	Not expected to occur. No suitable vegetation present.
<i>Vireo bellii pusillus</i> (nesting)	least Bell's vireo	FE/SE	Nests and forages in low, dense riparian thickets along water or along dry parts of intermittent streams; forages in riparian and adjacent shrubland late in nesting season	Y	Not expected to occur. No suitable vegetation present.
Fishes					
<i>Eucyclogobius newberryi</i>	tidewater goby	FE/None	Brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County, to the mouth of the Smith River	Y	Not expected to occur. No suitable vegetation present.
<i>Gila orcuttii</i>	arroyo chub	None/SSC	Warm, fluctuating streams with slow-moving or backwater sections of warm to cool streams at depths >40 centimeters (16 inches); substrates of sand or mud	Y	Not expected to occur. No suitable vegetation present.
Invertebrates					
<i>Bombus crotchii</i>	Crotch bumble bee	None/None	Open grassland and scrub communities supporting suitable floral resources.	Y	Not expected to occur. No suitable vegetation present.
<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	FT/None	Vernal pools, seasonally ponded areas within vernal swales, and ephemeral freshwater habitats	Y	Not expected to occur. No suitable vegetation present.
<i>Branchinecta sandlegonensis</i>	San Diego fairy shrimp	FE/None	Vernal pools, non-vegetated ephemeral pools	Y	Not expected to occur. No suitable vegetation present.
<i>Cicindela senilis frosti</i>	senile tiger beetle	None/None	Inhabits marine shoreline, from Central California coast south to saltmarshes of San Diego; also found at Lake Elsinore	Y	Not expected to occur. No suitable vegetation present.
<i>Danaus plexippus</i> pop. 1	monarch	FC/None	Wind-protected tree groves with nectar sources and nearby water sources	Y	Low potential to occur. May use site as transient forager. No host plants present on-site.

ATTACHMENT D / SPECIAL-STATUS WILDLIFE SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State)	Habitat	Appropriate Habitats?	Potential to Occur
<i>Euphydryas editha quino</i>	quino checkerspot butterfly	FE/SCE	Annual forblands, grassland, open coastal scrub and chaparral; often soils with cryptogamic crusts and fine-textured clay; host plants include <i>Plantago erecta</i> , <i>Antirrhinum coulterianum</i> , and <i>Plantago patagonica</i> (Silverado Occurrence Complex)	Y	Not expected to occur. No suitable vegetation present.
<i>Lycaena hermes</i>	Hermes copper	FT/None	Mixed woodlands, chaparral, and coastal scrub	Y	Not expected to occur. No suitable vegetation present.
<i>Streptocephalus woottoni</i>	Riverside fairy shrimp	FE/None	Vernal pools, non-vegetated ephemeral pools	Y	Not expected to occur. No suitable vegetation present.
<i>Cicindela latesignata</i>	western beach tiger beetle	None/None	Mudflats and beaches in coastal Southern California	N	Not expected to occur. No suitable vegetation present.
Mammals					
<i>Aeorestes cinereus</i>	northern hoary bat	None/None	Forest, woodland riparian, and wetland habitats; also juniper scrub, riparian forest, and desert scrub in arid areas; roosts in tree foliage and sometimes cavities, such as woodpecker holes	N	Not expected to occur. No suitable vegetation present.
<i>Antrozous pallidus</i>	pallid bat	None/SSC	Grasslands, shrublands, woodlands, forests; most common in open, dry habitats with rocky outcrops for roosting, but also roosts in man-made structures and trees	Y	Not expected to occur. No suitable vegetation present.
<i>Chaetodipus californicus femoralis</i>	Dulzura pocket mouse	None/SSC	Open habitat, coastal scrub, chaparral, oak woodland, chamise chaparral, mixed-conifer habitats; disturbance specialist; 0 to 3,000 feet above mean sea level	Y	Not expected to occur. No suitable vegetation present.
<i>Chaetodipus fallax fallax</i>	northwestern San Diego pocket mouse	None/SSC	Coastal scrub, mixed chaparral, sagebrush, desert wash, desert scrub, desert succulent shrub, pinyon-juniper, and annual grassland	Y	Not expected to occur. No suitable vegetation present.
<i>Choeronycteris mexicana</i>	Mexican long-tongued bat	None/SSC	Desert and montane riparian, desert succulent scrub, desert scrub, and pinyon-juniper woodland; roosts in caves, mines, and buildings	Y	Not expected to occur. No suitable vegetation present.
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	None/SSC	Mesic habitats characterized by coniferous and deciduous forests and riparian habitat, but also xeric areas; roosts in limestone caves and lava tubes, man-made structures, and tunnels	Y	Not expected to occur. No suitable vegetation present.
<i>Dasypterus xanthinus</i>	western yellow bat	BCC/SSC	Valley-foothill riparian, desert riparian, desert wash, and palm oasis habitats; below 2,000 feet above mean sea level; roosts in riparian and palms	N	Not expected to occur. No suitable vegetation present.
<i>Dipodomys stephensi</i>	Stephens' kangaroo rat	FE/ST	Annual and perennial grassland habitats, coastal scrub or sagebrush with sparse canopy cover, or in disturbed areas	Y	Not expected to occur. No suitable vegetation present.
<i>Eumops perotis californicus</i>	western mastiff bat	None/SSC	Chaparral, coastal and desert scrub, coniferous and deciduous forest and woodland; roosts in crevices in rocky canyons and cliffs where the canyon or cliff is vertical or nearly vertical, trees, and tunnels	Y	Not expected to occur. No suitable vegetation present.
<i>Leptonycteris yerbabueneae</i>	lesser long-nosed bat	FPD/SSC	Sonoran desert scrub, semi-desert grasslands, lower oak woodlands	Y	Not expected to occur. No suitable vegetation present.
<i>Lepus californicus bennettii</i>	San Diego black-tailed jackrabbit	None/None	Arid habitats with open ground; grasslands, coastal scrub, agriculture, disturbed areas, and rangelands	Y	Not expected to occur. No suitable vegetation present.
<i>Myotis yumanensis</i>	Yuma myotis	None/None	Riparian, arid scrublands and deserts, and forests associated with water (streams, rivers, tinajas); roosts in bridges, buildings, cliff crevices, caves, mines, and trees	Y	Not expected to occur. No suitable vegetation present.
<i>Neotoma lepida intermedia</i>	San Diego desert woodrat	None/SSC	Coastal scrub, desert scrub, chaparral, cacti, rocky areas	Y	Not expected to occur. No suitable vegetation present.
<i>Nyctinomops femorosaccus</i>	pocketed free-tailed bat	None/SSC	Pinyon-juniper woodlands, desert scrub, desert succulent shrub, desert riparian, desert wash, alkali desert scrub, Joshua tree, and palm oases; roosts in high cliffs or rock outcrops with drop-offs, caverns, and buildings	Y	Not expected to occur. No suitable vegetation present.
<i>Perognathus longimembris pacificus</i>	Pacific pocket mouse	FE/SSC	fine-grained sandy substrates in open coastal strand, coastal dunes, and river alluvium	Y	Not expected to occur. No suitable vegetation present.
<i>Taxidea taxus</i>	American badger	None/SSC	Dry, open, treeless areas; grasslands, coastal scrub, agriculture, and pastures, especially with friable soils	Y	Not expected to occur. No suitable vegetation present.

ATTACHMENT D / SPECIAL-STATUS WILDLIFE SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State)	Habitat	Appropriate Habitats?	Potential to Occur
Reptiles					
<i>Anniella stebbinsi</i>	southern California legless lizard	None/SSC	Coastal dunes, stabilized dunes, beaches, dry washes, valley-foothill, chaparral, and scrubs; pine, oak, and riparian woodlands; associated with sparse vegetation and moist sandy or loose, loamy soils	Y	Not expected to occur. No suitable vegetation present.
<i>Arizona elegans occidentalis</i>	California glossy snake	None/SSC	Arid scrub, rocky washes, grasslands, chaparral, open areas with loose soil	Y	Not expected to occur. No suitable vegetation present.
<i>Aspidoscelis hyperythra</i>	orange-throated whiptail	None/WL	Low-elevation coastal scrub, chaparral, and valley-foothill hardwood	Y	Not expected to occur. No suitable vegetation present.
<i>Aspidoscelis tigris stejnegeri</i>	San Diegan tiger whiptail	None/SSC	Hot and dry areas with sparse foliage, including chaparral, woodland, and riparian areas.	Y	Not expected to occur. No suitable vegetation present.
<i>Crotalus ruber</i>	red diamondback rattlesnake	None/SSC	Coastal scrub, chaparral, oak and pine woodlands, rocky grasslands, cultivated areas, and desert flats	Y	Not expected to occur. No suitable vegetation present.
<i>Diadophis punctatus similis</i>	San Diego ringneck snake	None/None	Moist habitats including wet meadows, rocky hillsides, gardens, farmland grassland, chaparral, mixed-conifer forest, and woodland habitats	Y	Not expected to occur. No suitable vegetation present.
<i>Emys marmorata</i>	western pond turtle	None/SSC	Slow-moving permanent or intermittent streams, ponds, small lakes, and reservoirs with emergent basking sites; adjacent uplands used for nesting and during winter	N	Not expected to occur. No suitable vegetation present.
<i>Phrynosoma blainvillii</i>	Blainville's horned lizard	None/SSC	Open areas of sandy soil in valleys, foothills, and semi-arid mountains including coastal scrub, chaparral, valley-foothill hardwood, conifer, riparian, pine-cypress, juniper, and annual grassland habitats	Y	Not expected to occur. No suitable vegetation present.
<i>Plestiodon skiltonianus interparietalis</i>	Coronado skink	None/WL	Woodlands, grasslands, pine forests, and chaparral; rocky areas near water	Y	Not expected to occur. No suitable vegetation present.
<i>Salvadora hexalepis virgutea</i>	coast patch-nosed snake	None/SSC	Brushy or shrubby vegetation; requires small mammal burrows for refuge and overwintering sites	Y	Not expected to occur. No suitable vegetation present.
<i>Thamnophis hammondii</i>	two-striped garter snake	None/SSC	Streams, creeks, pools, streams with rocky beds, ponds, lakes, vernal pools	Y	Not expected to occur. No suitable vegetation present.
<i>Thamnophis sirtalis</i> ssp. (Southern California coastal plain from Ventura County to San Diego County, and from sea level to about 850 m)	south coast garter snake	None/SSC	Marsh and upland habitats near permanent water and riparian vegetation	Y	Not expected to occur. No suitable vegetation present.

Traffic Study

Loma Alta 13 Lot Subdivision
APN: 149-021-18

6-29-2022

Project Description

The proposed project involves the construction of 13 duplex dwelling units on a 87,120 SF parcel at 0 Loma Alta, Oceanside, CA 92054 (APN: 149-021-18)

Project Aerial Photo



Project Map



Trip Generation

Utilizing trip rates from the SANDAG (not so) Brief Guide of Vehicular Traffic Generation Rates, it can be seen that the project would be classified as a Residential use with over 6 dwelling units per acre. As a result, the anticipated trip generation is calculated at a rate of 10 trips per DU. The calculated trip generation is therefore, 130 trips per day with 10 trips in the AM peak hour and 10 trips in the PM peak hour.

City of Oceanside Guidelines

Following the City of Oceanside Guidelines, posted on the City's website, the proposed project would be screened out of conducting a VMT analysis as a small project (less than 1,000 ADT):

Table 2 – Screened Out Projects

Project Type
Projects located in a Transit Priority Areas (TPA) or Smart Growth Opportunity Area as identified in the most recent SANDAG San Diego Forward Regional Plan and is consistent with the General Plan at the time of project application. ⁽¹⁾⁽²⁾
Projects located in a low-VMT generating area identified on the most recent SANDAG SB 743 VMT Screening map
Locally serving K-12 schools
Day care centers
Local parks
Locally serving retail uses less than 50,000 square feet, including: gas stations, banks, restaurants, grocery stores, and shopping centers
Community institutions (Public libraries, fire stations, local government)
Locally serving hotels (e.g. non-destination hotels, non-regionally serving)
Student housing projects on or adjacent to college campuses
Local serving community colleges that are consistent with the assumptions noted in the most recent SANDAG Regional Transportation Plan/Sustainable Communities Strategy
Affordable housing projects ⁽³⁾
Assisted living facilities
Senior housing (as defined by HUD)
Transit projects
Bike projects
Pedestrian projects
Safety improvement projects (e.g. RRFBs and high visibility crosswalks at uncontrolled locations, pedestrian count down timers, additionally projects identified through the Highway Safety Improvement Program)
Safe Routes to School
Projects generating less than 500 daily vehicle trips (if inconsistent with adopted General Plan)
Projects generating less than 1,000 daily vehicle trips (if consistent with adopted General Plan)

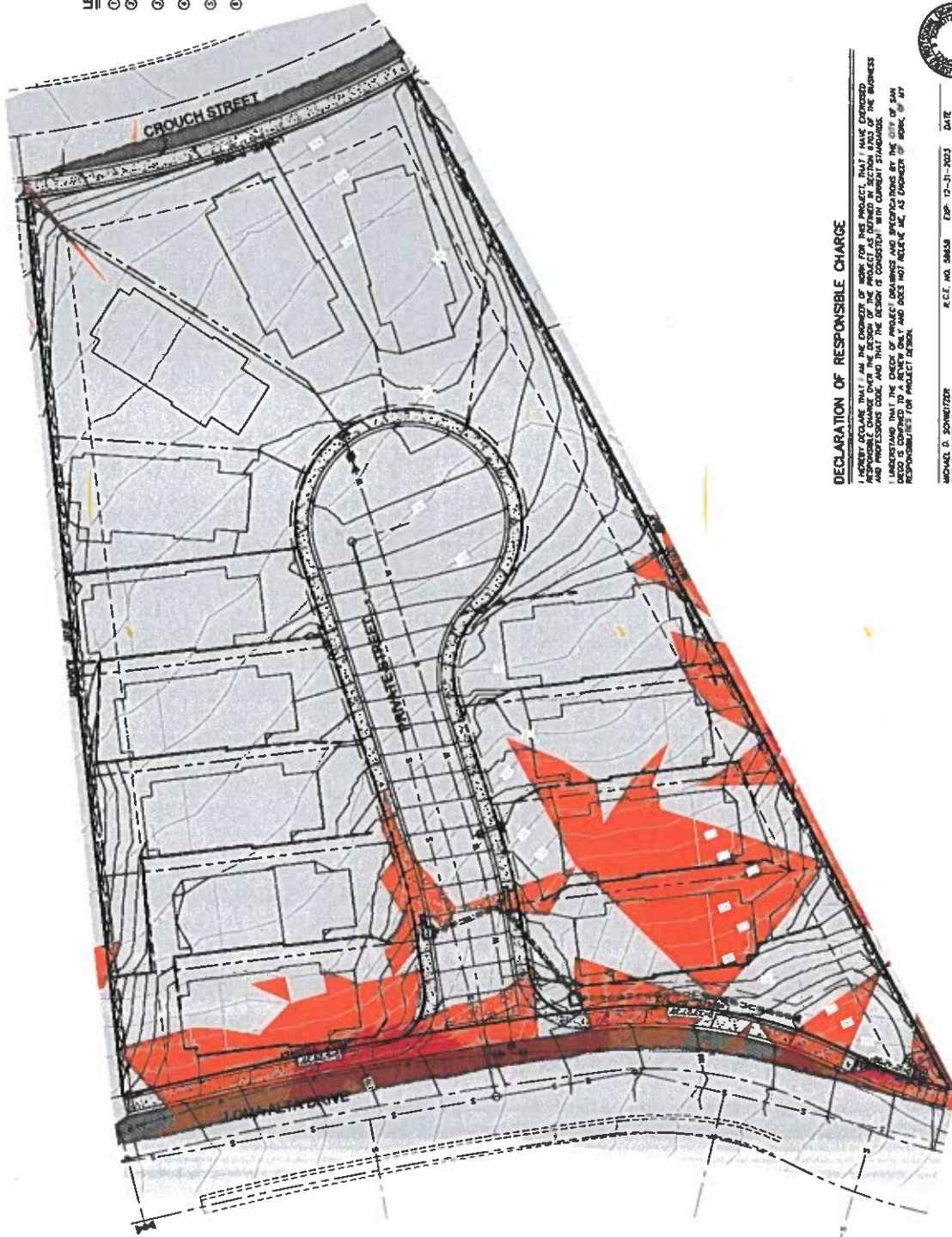
(1) Projects located in a TPA must be able to access the transit station within a ¼ mile walking distance or 6 minute walk continuously without discontinuity of sidewalk or obstructions to the route. Qualifying transit stops means a site containing an existing rail transit station served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods (OPR, 2017). A high-quality transit corridor may also be considered if a corridor with fixed route bus service has service intervals no longer than 15 minutes during peak commute hours (OPR, 2017).

(2) Smart Growth Opportunity Area Map is provided in Appendix B. The most recent version available shall be used.

(3) If a project is a mix of affordable housing and market rate housing or unscreened use, only the affordable housing component would qualify as screened out. Additionally, any removal of affordable housing automatically requires CEQA VMT analysis.

4.08 ATTACHMENT 8

CITY OF OCEANSIDE SLOPE MAP



DECLARATION OF RESPONSIBLE CHARGE
 I, MICHAEL D. SONNETZDER, R.C.E. NO. 38838 EXP. 12-31-2023 DATE
 SWVS ENGINEERING, INC. 2005 ORVIL, SUITE 200
 SAN ANTONIO, CA 78208
 PHONE: (760) 744-0071
 I HEREBY DECLARE THAT I AM THE ENGINEER OF RECORD FOR THIS PROJECT, THAT I HAVE CONDUCTED
 AND PROFESSIONAL CODE, AND THAT THE DESIGN IS CONSIDERED TO BE IN ACCORDANCE WITH ALL APPLICABLE
 I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF SAN
 ANTONIO IS LIMITED TO A REVIEW ONLY AND DOES NOT RELIEVE ME, AS ENGINEER OF RECORD, OF MY
 RESPONSIBILITIES FOR PROJECT DESIGN.



SWVS ENGINEERING, INC.
 2005 ORVIL, SUITE 200
 SAN ANTONIO, TEXAS 78208
 PHONE: (760) 744-0071

SM-01



Construction Company, Inc.
Commercial • Residential • Design Build

Loma Alta Terraces 13 Single family Residence neighborhood meeting:
Date: Tuesday, March 21, 2023 8:00 am

Notification: mailer to every residence within 1500ft of the project plus all 100ft occupants, for a total of 780 mailers sent out 3-3-23 via USPS.

Zoom meeting notes:

Presenters present:

Gary Seward: Architect / Design build

Michael Schweitzer – SWS civil engineering

Scott Darnell - Applicant

A detailed presentation was given to the call-ins on project location, description, and how the density bonus allows 13 residences on this 2 acre Site. We then opened the meeting to questions:

Shane-234 Walsh st. Concerned about uncontrolled intersection on blind corner. On raining days there is run off and floods the street. Concern about speed and flow of traffic. Applicant response: We are glad to share the traffic report with him. We will take his concern and offer to add a stop sign on private culdesac to control traffic leaving the site. Addressed that with the new development, storm water will be addressed and to existing flows through an onsite stormwater detention basin.

Victoria Settles – 210 Crouch st. – Compared project to a fire mountain project that is only doing 5 units. Concern her view will be blocked by 2 and 3 story houses. Crouch has speed bumps

Developer response: explain density bonus rules on how we got to the final density, we let her know the current zoning allows for 36ft height limit and we are proposing to build under the allowable limit and that the project will step with the hillside to mitigate it all being one height.

Glenda Kimbrel- 146 Loma Alta dr. – Project is not in kind with the neighborhood. Talked about another approved project 100 yards away with similar houses and density. Should consider the impact of both projects. Traffic and congestion a concern

Lisa and John Price- 238 and 214 Crouch- They agree with Kimbrel, don't mind responsible development but don't agree with this many houses. Don't like architecture. Affordable should not equate to 4 additional houses. Development should not be allowed beyond the 9 homes. This will add negative traffic and don't see 65 cars parking in the project.

R&R

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RICHARD & RICHARD

Pat – 131 Crouch st- Neighborhood is of small houses and they all have 5 cars that park all over the street. Existing traffic is an issue and so is the density.

Lisa and John Price- 238 Crouch- wanted to know the benefits for the neighborhood. Want to know what classifies as low income. Want additional speed bumps like crouch for traffic control.

Applicant response: We are improving the neighborhood by finishing the streets, adding sidewalks, eliminating the uncontrolled run off, unwanted problems with the site, improving their sewer system and giving others an opportunity to live in Loma Alta, a chance to own their own house and something they can afford.

Dane Thompson

From: victoria settles <victoriacsettles@gmail.com>
Sent: Wednesday, March 22, 2023 2:20 PM
To: Dane Thompson
Subject: Loma Alta Terrace # T22-00003

Warning: External Source

Hi Mr. Thompson,

I was not able to leave my email address with the Zoom meeting on Thursday.

We have lived at this address at 210 Crouch St, Oceanside, CA 92054 for 28 Years.

this street is zoned for estate lots with 7.5 ft setbacks and a minimum 10,000. sq ft lots.

while we understand housing is at a premium, the plan presented is too drastica change for our neighborhood.

Combining the street and the pool will leave less than 2500 sq ft per lot, with each lot containing two separate residences. The math does not fit the semi-rural feel of Loma Alta, and there is not enough parking infrastructure the urban style development.

1

Plan C is 32 ft tall. We thought 30 was the max in our area. A compromise could be reached if the lots were at least 5000 sq ft, and were designed with the current neighborhood aesthetics in mind.

This plan belongs downtown / beach area not in the ranch style setting of hHistoric Loma, please consider a change to the drawings to comply with zoning standards, no with this plan.

Thank you

Sincerely,
Sean Settles
Rfandango@aol.com
6198848012

Dane Thompson

From: Lady Paulus <rainydaydutkie@gmail.com>
Sent: Tuesday, March 21, 2023 9:05 AM
To: Projectpostingsdmc@gmail.com
Cc: Dane Thompson
Subject: Loma Alta Terraces

Warning: External Source

Thank you for the meeting I am still concerned that this will increase the traffic issues that do not stop at your street end but at Crouch and Canyon, Loma Alta and Mesa, Oceanside blvd and Crouch. These should be addressed by the city before allowing the increase. You will be changing the feel of this neighborhood. Have you looked into the impact this will have on the schools you have the potential to fill a classroom. This neighborhood has many that have been here since the 70's or before and the neighborhood has not dramatically changed. My last thought is just because you can doesn't mean you should. If this was your neighborhood how would you feel about this?

Sincerely

Pat Dutkiewicz

131 Crouch Street Oceanside.

Dane Thompson

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Sent: Tuesday, March 21, 2023 9:00 AM
To: Dane Thompson
Cc: projectpostingsdcm@gmail.com; Link Ladutko; Bryan & Cheryl Hasselodt
Subject: Loma Alta Terrace proposed development

Warning: External Source

Dane, as you can tell by this morning's Zoom meeting, the neighboring residents of this development are not opposed to a development, we are concerned with the density, parking, flooding & water run-off, traffic, along with the other concerns you heard. Those of us who have lived in Oceanside for decades and live in the Loma Alta area take pride in the neighborhood...we love Oceanside and want to see it continue to be an enjoyable livable community. This development will negatively effect us.

This proposed development, along with the other that is almost adjacent to this one, will severely impact the entire Loma Alta area. This development is asking for waivers and incentives to be able to squeeze as many houses as allowable under the law into this area of land... does the city have to grant these waivers? What about the quality of living that the current residents are fighting to maintain?

1

It was noted that the meeting was recorded, how may we obtain a copy of the recording as well as a copy of the screens that the developer put up during the meeting, and the traffic study that was mentioned? I would like to obtain copies of each, please.

We are sorry that this Zoom meeting this morning will be the only "community" input the developer will offer for the proposed development...it truly does not give the neighboring residents a proper venue to express our concerns. We are hoping that the City of Oceanside takes the current long-established residents into consideration when making their decisions to allow new developments.

Glenda and Pat Kimbrel
146 Loma Atla Drive
Oceanside, CA
760-433-9078

2

Dane Thompson

From: bhassoldt@cox.net
Sent: Monday, March 20, 2023 5:08 PM
To: Dane Thompson
Cc: projectpostingsdcm@gmail.com
Subject: PLEASE READ FOR 3/21 MEETING: Loma Alta Terraces - Neighbor Response

Warning: External Source

Hello City of Oceanside Planning Department/Dane Thompson,

Thank you for the notice and information most recent proposal on the development of this neighborhood property – Loma Alta Terraces.

Let me start by saying we, Cheryl and I, have lived in Oceanside at this address since 1991 and some of my neighbors have been here for a longer period of time. It's a great attractive custom home neighborhood with large 10,000 square foot lots at minimum; most are closer to at least 13,000 square foot lots and space which provides comfort and quiet with a rural feeling.

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If this lot to be developed is 2 acres, which is 43,560 square feet per acre x 2 or 87,120 square feet, then with basic math division, one can quickly realize that 8 homes would be the absolute maximum with allowance for street, curb and gutter and fire department needs. The standard for this neighborhood since I have been here is 10,000 square foot minimum lots. The ADU or Assisted Dwelling Unit amendments increase and adds on to the size and impact of the project.

It seems that our neighborhood has had to stay on guard and try to keep the City Development standards intact.

Why are we always the group that needs to remind everyone of the building standards? If you want to build, stick to the City driven standards we all live by. This proposed development/variance is just too dense for this neighborhood. We are looking at 40 to 50 new bedrooms, too much noise, traffic, not enough parking curbside, common area or otherwise. We all know people fill their garages and have recreational vehicles. This is simply a push for maximum profit and no concern for quality of life of the existing neighbors or the new ones that would move in.

We already have a large portion of multifamily housing planned in this neighborhood with 300 new units proposed at the south end of the same street on Crouch and Oceanside Boulevard. There is also going to be a 40-bed homeless housing project nearby off Apple Street. In addition, we understand there has been a proposal to build 10 new homes and ADU's on another lot on Loma Alta which is we believe around 4 acres – this project is complying with the 10,000 square foot minimum home lot size requirements.

The entry on Loma Alta might allow the developer to avoid the lowering of telephone poles on Crouch Street but will impact the traffic on Loma Alta Dr. at a curved portion of the street. It should be wider to allow for proper merging or street parking which will occur. There is also storm water control across the entire lot from Crouch Street to Loma Alta

Dr. and grading situation on the Loma Alta Dr. side of the project. These five extra homes will only impact the neighborhood in a negative way.

Please do not approve this project as it is currently proposed.

Thank you for your time,

Bryan Hassoldt
129 Crouch Street
760-807-5557
bhassoldt@cox.net

Dane Thompson

From: Link Ladutko <linkladutkolaw@gmail.com>
Sent: Monday, March 20, 2023 9:26 AM
To: Dane Thompson; Glenda Kimbrel
Subject: T22-00003

Categories: Low Priority

Warning: External Source

Dear Mr. Thompson: I think that I can speak for our entire community in saying that we are depending upon you and your colleagues at the City of Oceanside to protect us, without fear or favor, against all anticipated threats to our health and safety that could result from the above referenced project if not properly addressed prior to construction. Some of the threats include, but are not limited to, the proposed sole access to and from the development from Loma Alta Dr.; storm water runoff onto Loma Alta Dr. and adjacent properties; erosion and potential collapse of the high bank on the east side of Loma Alta Dr.; potential fire within the development during times of our "fire season" exacerbated by a single access point. Emergency vehicles could more effectively respond to a conflagration if there were multiple access points. Also, an increase in the diameter of the waste water pipe may be helpful along with speed control on Loma Alta Dr.. Respectfully submitted, Link Ladutko

Dane Thompson

From: Link Ladutko <linkladutkolaw@gmail.com>
Sent: Thursday, March 16, 2023 5:29 PM
To: Glenda Kimbrel
Cc: Dane Thompson
Subject: Re: T22-00003 "Loma Alta Terraces"

Warning: External Source

Dear Mr. Thompson: One more comment on the access to the proposed development. I think both the city and the developers should be on notice of the problems that we have raised with sole access to the Terraces from Loma Alta Dr. I certainly don't want to put the sole access burden upon the residents on Crouch Street. That's why I suggested dual access points. Also, you should be aware that Crouch St. has speed bumps the full length of the street from Mesa to Canyon. Loma Alta Dr. has no speed restrictions. Regards, Link Ladutko

On Thu, Mar 16, 2023 at 4:09 PM Glenda Kimbrel <pgkimbrel@icloud.com> wrote:

Mr. Thompson

This is regarding the proposed development T22-00003 Loma Alta Terrace...We live at 146 Loma Alta Drive not far from the proposed development. We have lived here for over 40 years and are

1

very familiar with the flow of traffic and some of the problems on the street. We are very concerned with all of these houses using Loma Alta Drive as their main and only source of getting in and out of the development. The section of Loma Alta that it looks like the development will use is not a full width street... Parking is only allowed on one side because the width of the street is not wide enough... do they plan on widening the street, putting sidewalks?

Please also keep in mind there is another proposed development with the same number of homes just about 100 yards from this proposed development with all of those units also filtering out onto Loma Alta Drive. (Loma Alta is their only source of entering and exiting the development.) All of this will only make for a very congested, dangerous street... there are no sidewalks on either side of the street leading to Mesa Drive. The traffic and congestion are just a few of the concerns we have with the project.

Thank you for your time,
Glenda & Charles Kimbrel
146 Loma Alta Drive

On Mar 16, 2023, at 3:26 PM, Link Ladutko <linkladutkolaw@gmail.com> wrote:

2

Dear Mr. Thompson: Thank you for your prompt response to my email. Yes, I request that all of my email etc. be included in the public record with respect to this matter. Since I have no authority to influence the developer in any way, I would request that you, as the planner in this project, broach the issue of a second access to the developer. As I opined in my previous email, there is a credible safety issue with respect to access from Loma Alta Dr. due to the narrow road, curves in the road and slope degree of the road. It is an accident waiting to happen and the developer needs to be given notice of the issue. Respectfully submitted, Link Ladutko

On Thu, Mar 16, 2023 at 7:59 AM Glenda Kimbrel <pgkimbrel@icloud.com> wrote:

Thanks for this information..we finally got the same letter in the mail yesterday! One other thought to bring up, the part of Loma Alta that it looks like the development will use is not a full width street... Parking is only allowed on one side because the width of the street is not wide enough... do they plan on widening the street? I will make every effort to attend the Zoom meeting on Tuesday..thanks for the heads up...Glenda

On Mar 15, 2023, at 4:20 PM, Dane Thompson <DThompson@oceansideca.org> wrote:

Link,

3

Thank you for pointing out that inconsistency with the access. Currently the developer is proposing to only offer access from Loma Alta Drive and there would be no access from Crouch. If you want your comments included in the public record, feel free to send them to me. If you want to request that the developer redesign the project, feel free to send that request to Scott Darnell at SDarnell@darnellcapital.com.

Under density bonus law (GOV §65915) any density calculation that results in a fractional number can be rounded up, even if that number is 3.15.

Thank you,



Dane Thompson, Planner I
City of Oceanside
Planning Division
300 North Coast Highway
Oceanside, CA 92054
Phone: (760) 435-3562
dthompson@oceansideca.org

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4

From: Link Ladutko <linkladutkolaw@gmail.com>
Sent: Monday, March 13, 2023 1:06 PM
To: Dane Thompson <DThompson@oceansideca.org>; Glenda Kimbrel <pgkimbrel@icloud.com>
Subject: T22-00003 "Loma Alta Terraces"

Warning: External Source

Dear Mr. Thompson:

I am just beginning my review of the numerous documents for the above project on your etrakit website. Please expect this email to be the first of many to follow.

In the document entitled Residential Development Tentative Map, December 14, 2022 (rev. 2) there is at least one inconsistency. Under the heading "Landscape Design" the developers state that the primary entrance of Loma Alta Terraces is from Crouch Road (should be Street). Under the heading "Development Plan," it states that the primary site access is from Loma Alta Dr. As I have lived on Loma Alta Dr. for almost 70 years, I am very familiar with this public road. Because of the size, slope and curves of this road, it is not, in my opinion, appropriate as the sole access to the proposed development. However, if there were a second separate access from Crouch St., that could reduce the safety risk imposed by sole access from Loma Alta Dr.

5

Further, in that same document under the heading, "Calculate Density Bonus Units", the developer determined that the project was entitled to 4 additional units, however, the mathematical calculation was actually 3.15. How is 3.15 entitled to be rounded up to 4 units ?

Enough for now. Regards, Link Ladutko, home owner.

6

Dane Thompson

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Sent: Thursday, March 16, 2023 4:09 PM
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Cc: Link Ladutko
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Thank you,



Dane Thompson, Planner I

City of Oceanside

Planning Division

300 North Coast Highway

Oceanside, CA 92054

Phone: (760) 435-3562

dthompson@oceansideca.org

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Enough for now. Regards, Link Ladutko, home owner.

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Thank you,

Dane Thompson, Planner I
City of Oceanside
Planning Division
300 North Coast Highway

2



Oceanside, CA 92054

Phone: (760) 435-3562

dthompson@oceansideca.org

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Enough for now. Regards, Link Ladutko, home owner.

4

Dane Thompson

From: Dane Thompson
Sent: Monday, August 8, 2022 10:02 AM
To: Stefanie Cervantes
Subject: Loma Alta Terrace

I am forwarding the comments of Derek Greedus, kmelville6@gmail.com, received through Public Stuff.

Specific City Staff Member's Name
Planning

Comments

Just received notice of the Loma Alta Terrace planned development. With terrible shortage of water, why are we adding more problems to this situation. Why not wait until the shortage is not a problem?

Thank you,


Dane Thompson, Planner I
City of Oceanside

1



Planning Division
300 North Coast Highway
Oceanside, CA 92054
Phone: (760) 435-3562
dthompson@oceansideca.org

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be disclosed upon request*

 <p>Application for Discretionary Permit Development Services Department / Planning Division (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885</p>				STAFF USE ONLY	
				ACCEPTED	BY
Please Print or Type All Information				HEARING	
PART I – APPLICANT INFORMATION				GPA	
1. APPLICANT Loma Alta Terraces LLC		2. STATUS		MASTER/SP.PLAN	
3. ADDRESS 113 West G Street #503 San Diego CA 92101		4. PHONE/FAX/E-mail 619-777-7087 sdarnell@darnelcapital.com		ZONE CH.	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Scott Darnell Loma Alta Terraces LLC				TENT. MAP	
6. ADDRESS 113 West G Street #503 San Diego CA 92101		7. PHONE/FAX/E-mail 619-777-7087 sdarnell@darnelcapital.com		PAR. MAP	
PART II – PROPERTY DESCRIPTION				DEV. PL.	
8. LOCATION Loma Alta Drive			9. SIZE 2 Acres		
10. GENERAL PLAN EB-R	11. ZONING RE-B	12. LAND USE Residential	13. ASSESSOR'S PARCEL NUMBER 149-021-18		
14. LATITUDE			15. LONGITUDE		
PART III – PROJECT DESCRIPTION					
16. GENERAL PROJECT DESCRIPTION Subdivision of a 2-acre parcel into 13 lots.					
17. PROPOSED GENERAL PLAN EB-R	18. PROPOSED ZONING RE-B	19. PROPOSED LAND USE Residential	20. NO. UNITS 13 lots	21. DENSITY 6.5 lots per acre	
22. BUILDING SIZE	23. PARKING SPACES	24. % LANDSCAPE per code	25. % LOT COVERAGE or FAR per code		
PART IV – ATTACHMENTS					
<input checked="" type="checkbox"/>	26. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/>	27. LEGAL DESCRIPTION	28. TITLE REPORT	
<input type="checkbox"/>	29. NOTIFICATION MAP & LABELS	<input checked="" type="checkbox"/>	30. ENVIRONMENTAL INFO FORM	<input checked="" type="checkbox"/>	31. PLOT PLANS
<input type="checkbox"/>	32. FLOOR PLANS AND ELEVATIONS	<input type="checkbox"/>	33. CERTIFICATION OF POSTING	34. OTHER (See attachment for required reports)	
PART V – SIGNATURES					
SIGNATURES FROM ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).					
35. APPLICANT OR REPRESENTATIVE (Print): Scott Darnell Loma Alta Terraces LLC		36. DATE 8-4-23	37. OWNER (Print) Scott Darnell Loma Alta Terraces LLC		38. DATE 8-4-23
Sign: <i>Scott Darnell</i>			Sign: <i>Scott Darnell</i>		
<ul style="list-style-type: none"> I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS. I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION. 					

Loma Alta Terraces

**Residential Development
Tentative Map, Development Plan
with Density Bonus
T22-00003, D22-00004, DB22-00004**

Description & Justification

August 9, 2022

October 18, 2022 (rev.1)

December 14, 2022 (rev.2)

March 24, 2023 (rev.3)

July 14, 2023 (rev.4)

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Affordable Housing Density Bonus Unit Calculations	4
Required Incentives and Concessions.....	5
Development Standards	6
Tentative Map/Engineering	7
Summary	7

Introduction

This application is for a residential development of 13 lots for 13 single family homes with a density bonus, an associated tentative map, and site improvements. The property (APN 149-021- 18-00) is a vacant parcel of approximately 2.0 acres bound West of Crouch St and East of Loma Alta Drive. The site is bordered on the North and South by existing residential developments with vacant residential land.

This property is zoned Residential Estate B (RE-B), corresponding with the General Plan designation of Estate B (EB-R). Surrounding areas are zoned in a variety of residential zones, including RE-B, RM-C, RM-B, and RS, in the nearby neighborhoods. Commercial zones are located alongside Mission Ave. to the north and Oceanside blvd. to the south, which is less than a mile south of the project site.

The proposed project includes 13 lots, with the zoning designations vary from 3,956sf – 7930sf. The residential units ranging from 1,600 square feet to 3394 sf, located around a newly constructed private cul-de-sac road within the project site. No fewer than 11% of these lots (one lot) will be designated as VLI “affordable” as defined by the State’s Density Bonus Law.

Development Plan

Loma Alta Terrace’s includes 13 lots surrounding a private cul-de-sac. The homes in the development will have a setback from existing residential homes on the North and South side to provide privacy and visual relief to the existing neighboring homes. Primary site access is proposed to be taken from a private drive from Loma Alta Drive. The public road entry leads to the private road with frontage for residences and guest parking areas. Sidewalk improvements proposed for Loma Alta Drive include extending the curb, gutter, and sidewalk on both sides leading into the project site.

Street lighting will be provided through lighting on individual homes rather than overhead lighting to reduce lighting impacts to the surrounding open space areas and improve dark sky regulation compliance.

All the residences include an entrance and front porch located in the front façade closest to the sidewalk or street to create a welcoming entry for guests and residents. Garages are set back from the front façade minimizing the visual importance of garages in the overall appearance of the neighborhood. Driveways are designed to allow for parked cars, effectively allowing for parking for additional cars per home. Homes are two and three-story’s, with living areas on the first floor and bedrooms on the second floor and private outdoor space provided in the adjacent yards. A summary of the floor plan mix for the residential units is provided below:

- 1 Very-Low-Income Affordable
- 12 Market Rate
- 13 Total Lots in Development

Architecture

The architectural style for Loma Alta Terraces takes inspiration from modern and traditional farmhouse styles with each home making the pedestrian entry a welcoming focal point. Two elevations are provided for each of the floorplans, allowing for a variety of facades and a diverse street scene.

Landscape Design

The landscaping at Loma Alta Terraces seeks to respect the natural beauty of the local wild landscape while enhancing the sense of place through drought-tolerant planting.

The primary entrance of Loma Alta Terraces from Crouch Road is reinforced through the addition of street trees and ground level vegetation on the project entry.

All backyard and fenced side yard spaces are private and maintained by the homeowner. Wood fencing provides privacy around yards except for some lots along the Northern and Southern boundaries. These lots provide a quality usable space in the rear yards. The project exceeds the minimum requirement of 300 square feet per dwelling unit.

Affordable Housing Density Bonus Unit Calculations

The State of California's Density Bonus Law (Government Code §65915-65918) was established to promote the construction of affordable housing units, and allows projects to exceed the maximum designated density and to use development standard waivers or reductions or incentives and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations. The City of Oceanside zoning regulations implement the state requirements, and Table 3 summarizes the calculations under Density Bonus Law for this project with detail provided in Table 4. Per State Density Bonus Law, the site could have a total of 13 lots, with 1 lot housing a structure deed-restricted affordable for Very-Low-Income residents.

The Loma Alta Terraces project proposes 13 total possible units, on 13 lots, under Density Bonus Law. Of that total, Density Bonus Law requires that 11%, or one lot's development, be affordable. The project will designate the structure on this lot to be a Very-Low-Income, with the remaining lots/units as market rate, which complies with the State Density Bonus Law provisions regarding affordable housing.

Table 3 - Summary of Project Unit Count

Type of Units	Calculations	Proposed
Total Units	13 units -maximum (Per Density Bonus Law)	13 units
Affordable Units (Very Low Income)	1 (per Density Bonus Law) (1 unit)	1 unit
Market Rate Units	12 units	12 units

Table 4 – Allowable Density Calculations*

<p>STEP 1:</p>	<p>Calculate Base Allowable Density</p> <p>At this site, the Zoning density designates a density of 4.36 lots per acre, and the RE-B zone allows a maximum potential density of 6.5 lots per acre. Under Density Bonus Law, where a density range is provided, the base number of units permitted is determined by multiplying the gross site acreage (2.00 acres) by the maximum density for the specific zoning range and land use element of the general plan applicable to the project (4.36 lots per acre).</p> <p>2.0 acres / 10,000sf per lot = 8.7 Rounded up to 9 lots as base allowable</p>
<p>STEP 2:</p>	<p>Determine Affordability Percentage and Units</p> <p>The project proposes to provide 11.48% of the units as affordable to Very low income households. Per State Density Bonus Law, affordable unit percentage is calculated excluding units added by a Density Bonus.</p> <p>11% x 9 lots (base allowable) = 0.99 round to 1 lot Rounded up to 1 Very Low income unit</p>
<p>STEP 3:</p>	<p>Calculate Density Bonus Units</p> <p>Under Density Bonus Law, the provision of 8% Very low-income units allows the applicant to receive a density bonus of 35%, allowing additional market-rate units to be constructed.</p> <p>9 lots x 0.35 (density bonus) = 3.15 Rounded up to 4 lots</p>
<p>STEP 4:</p>	<p>Calculate Total Dwelling Units</p> <p>Add the base allowable units and the density bonus units.</p> <p>9 lots (base allowable units) + 4 lots (density bonus units) = 13 total lots allowed</p>

Note: Per State Density Bonus Law, all fractional units shall be rounded up.

Required Incentives and Concessions

In addition to the density bonus units and the parking requirements specified in State Density Bonus Law, State Density Bonus Law entitles the project to certain incentives or concessions. These can include, by way of example, a reduction in site development standards or a modification of zoning code or architectural design requirements. By providing 11% Very-Low-Income units, this project is entitled to two incentive/concessions. Density Bonus Law also provides for waivers. The granting of waivers does not reduce the number of incentives allowed on a project, and the number of waivers that may be requested and granted is not limited.

In order to accommodate the increased density allowed under Density Bonus Law and maintain the single-family lot design and character of the underlying zone, the project cannot physically comply with all of the development standards that apply to standard projects. Based on the proposed design to accommodate Density Bonus units, the project seeks a waiver of the following development standards for a housing development pursuant to Density Bonus law.

- Setbacks
- Overall Lot size

- 1050(F) Lot Width to Lot depth ratio
- Setbacks
- Lot front landscaping requirements
- Maximum Fences and walls height and plantable retaining walls
- 20' min. driveway length
- Utility undergrounding

Development Standards

A summary of development standards compliance is provided to demonstrate compliance with the RE-B zone, or where Density Bonus waivers are requested.

Table 5 – Loma Alta Development Standards Matrix - Required Waivers

DEVELOPMENT STANDARD	RE ZONE	PROPOSED LOMA ALTA PROJECT	NOTES
Lot Size (sf)	10,000 sf (min)	3,882 sf (min)-7,913sf	Waiver to accommodate Density Bonus units
Lot Width	70 feet (min)	40 feet (min)	Waiver to accommodate Density Bonus units.
Lot depth to width ratio	Not exceed 2.5:1	3:1	Waiver to accommodate Density Bonus units.
Setbacks Front	25 ft (min)	18 ft (min front building façade to property line 20 ft (min to garage)	Waiver to accommodate Density Bonus units.
Side	7.5 ft (min)	4 ft (min)	Waiver to accommodate Density Bonus units
Corner Side	15 ft. (min)	3.62 ft (min)	
Rear	20 ft (min)	19 ft (min)	
Driveway length	20 ft min.	20 ft. average	Waiver to accommodate Density Bonus units.
Density	4.36 lots/gross acre (13 units max)	13 lots with Density Bonus	See Table 4 for Density Bonus calculation details.
Lot Coverage	35% (max)	46.6% max 31.9% average	Waiver to accommodate Density Bonus units

Building Height	36 ft. (max)	up to 39' including integral retaining wall	Waiver to accommodate increased building height.
Parking	SFR<2500sf = 2-car garage SFR>2500sf = 3-car garage	(2) x2-car garage + (11) x 3-car garages + Full-size driveway for 2 guest parking per unit. 2 spaces x 26 = 61 spaces	Complies with Code
Landscaping	Minimum 50% of yard adjoining street shall be planting or landscape (incl. ornamental gravel). The remainder may be used for driveways or walks.	Average front yard landscaping is 41.6%, remaining is driveway and sidewalks	Waiver to accommodate Density Bonus units.
Fence/ Wall height	1050 (e) max. fence or wall, including retaining walls shall be 6ft.	90% are under 6ft, there is a small portion that exceeds to a max. 10ft retaining	Waiver to accommodate Density Bonus units.
Underground Utilities	Utilities must be underground according to subdivision Ordinance for all subdivision maps	All onsite utilities are underground. Sdg&e power lines along frontage excluded	Waiver to accommodate Density Bonus units.

Tentative Map/Engineering

The project site includes a single existing legal parcel and proposes a Tentative Subdivision Map. The subject property private driveway ends in a cul-de-sac for vehicle turnaround. The final pavement radius at the turnaround 40' and designated as no street parking with a roll curb.

Utilities – Utilities are all served from the local municipality.

Grading - currently vacant site will be graded to create flat building pads.

Retaining Walls – Retaining walls have been included to create flat building pads.

Drainage – Stormwater treatment to meet water quality requirements include a bio-basin design and storm water quality.

Summary

Loma Alta Terraces will add new market rate and Affordable housing with a proposed project that meets the goals, intentions, and objectives of the General Plan, Zoning Ordinance, Density Bonus Law, and affordable housing objectives. The proposed project is consistent with the surrounding single-family residences and designed with a coastal modern architectural theme. The project will be improving both Crouch and Loma Alta by providing needed street improvements, sidewalks and utilities to support the site.

The project has been designed to:

- be sensitive to surrounding uses,
- provide high quality architecture and landscape,
- apply stormwater management consistent with most recent regulations,

Traditional home styles complement the area architecture with green spaces and walkways that encourage neighborly gathering and outdoor recreation, while providing affordable and market rate housing within the beautiful City of Oceanside.

LEGAL DESCRIPTION

Real property in the **City of Oceanside**, County of **San Diego**, State of **California**, described as follows:

LOT 10 IN BLOCK "B" OF ELLERY'S LOMA ALTA ADDITION, ACCORDING TO THE MAP THEREOF NO. 1956, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON NOVEMBER 8, 1926.

APN: 149-021-18-00



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** Darnell Capital Management
2. **ADDRESS:** 852 5th Avenue, San Diego, CA 92101
3. **APPLICANT REP:** Scott Darnell, (619) 890-1260
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT PLANNER:** Dane Thompson, Planner II
6. **PROJECT TITLE:** Tentative Subdivision Map (T21-00003), Development Plan (D221-00004) and Density Bonus (DB22-00003) – Loma Alta Terraces
7. **DESCRIPTION:** Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003) for a thirteen (13) lot subdivision and the development of thirteen single-family residences on a 2.0-acre parcel located on Loma Alta Drive and Crouch Street about 150 feet south of Walsh Street (APN: 149-021-18).

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA). Based on this review, the City has determined that further environmental evaluation is not required because:

- The project qualifies for a Class 32 categorical exemption under Section 15332 (In-Fill Development Projects);
- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section, ____ (Sections 15260-15277); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Date: August 1, 2023

Dane Thompson, Planner II

cc: Project file Counter file Library Posting: County Clerk \$50.00 Admin. Fee

PLANNING COMMISSION
AGENDA No. 4
STAFF REPORT

DATE: October 9, 2023

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T22-00003), DEVELOPMENT PLAN (D22-00004), AND DENSITY BONUS (DB22-00003) FOR A 13-LOT SUBDIVISION AND DEVELOPMENT OF 13 SINGLE-FAMILY RESIDENCES ON A 2.0-ACRE PARCEL LOCATED BETWEEN LOMA ALTA DRIVE AND CROUCH STREET APPROXIMATELY 150 FEET SOUTH OF WALSH STREET – LOMA ALTA TERRACES – APPLICANT: LOMA ALTA TERRACES, LLC**

RECOMMENDATION

Staff recommends that the Planning Commission, by motion;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003) by adopting Planning Commission Resolution No. 2023-P19 with findings and conditions of approval attached herein.

BACKGROUND

On August 28, 2023, the Planning Commission conducted a public hearing on the proposed project. After due consideration, the Commission voted unanimously to continue the project to October 9, 2023 and directed the applicant to conduct further community outreach.

The following is an abbreviated description of the project and staff's elaboration of the discussion during the Commission meeting. Additional project information and analysis is included in the August 28, 2023 Planning Commission staff report included as Attachment 2.

PROJECT DESCRIPTION

The subject property is a 2.00-acre lot that fronts both Loma Alta Drive and Crouch Street within the Loma Alta Neighborhood Planning Area. Thirteen (13) lots are proposed, each

to be developed with a single-family residence. Two (2) floor plans are proposed for the 13 units, 11 of which would consist of three-story, 3,200 square foot units and the other two would consist of two-story, 1,600 square foot units. A private cul-de-sac would connect to Loma Alta Drive would provide access to each of the units.

The project is utilizing State Density Bonus Law by proposing to reserve one of the units for very-low income households, for which the law awards the developer additional density, two (2) concessions, and an unlimited number of waivers. Concessions or incentives can be used to waive local requirements that would have otherwise been a financial burden on the applicant. Waivers can be used to eliminate or reduce development standards (e.g. setbacks, height limits, minimum lot sizes, etc.) that would physically preclude the project at the density proposed. Detailed descriptions of the density bonus calculation, concessions, and waivers can be found in the staff report from the August 28, 2023 Planning Commission meeting.

DISCUSSION

The Planning Commission had significant concerns with the proposed project and thus voted to continue the project to a subsequent hearing to allow the applicant an opportunity to address issues raised on August 28, 2023. The main concerns identified by the Commission have been included below:

1. Community Outreach

Pursuant to City Council Policy 300-14, the Enhanced Notification Program requires applicants of discretionary projects to make efforts to notify and engage the surrounding community. The Planning Commission expressed concern that the applicant did not conduct adequate public outreach during the entitlement process. A virtual community meeting was hosted by the applicant on March 21, 2023 at 8:00 a.m. During public testimony, it was noted that attendees were unhappy with the early meeting time and the virtual meeting unexpectedly ended after 40 minutes without sufficient time for attendees to have all questions answered by the applicant.

After direction from the Planning Commission, the applicant held an additional outreach meeting at the project site on September 18, 2023 at 6:00 p.m. According to the applicant, notices were sent out to the specified radii of the Enhanced Notification Policy and emails were sent to those that formally commented on the project.

Approximately 40 members of the public attended the September 18, 2023 community meeting. Beyond a quick summary of the project, the meeting consisted mostly of a question and answer period. The applicant also provided a few examples of different architectural styles, to collect the community's input on which colors would best fit in with neighborhood.

2. Project Notification Sign

The Planning Commission noted that the project notification sign was missing from the property in advance of the August 28th meeting. According to the applicant, a yellow project sign was posted on the site's Loma Alta frontage on August 1, 2022. That sign was vandalized and replaced on August 22, 2022. Pursuant to the Enhanced Notification Policy, project sites that abut two public streets require the applicant to post signs on each frontage. Staff overlooked this inconsistency during the project review period and instructed the applicant to post new signs after the August 28th public hearing. Two project signs were posted at the site on September 9, 2023 and subsequently vandalized. The two signs were replaced at the site on September 18, 2023.

3. Site Plan and Architectural Drawings

The Commission expressed concern that the project plans were inconsistent in many areas and included features that did not make sense. For instance, the elevations did not match up with the floor plan configurations and trash can locations for each lot were located across adjoining property lines. The architectural plans and elevations have since been updated to address the inconsistencies and can be found in Attachment 3.

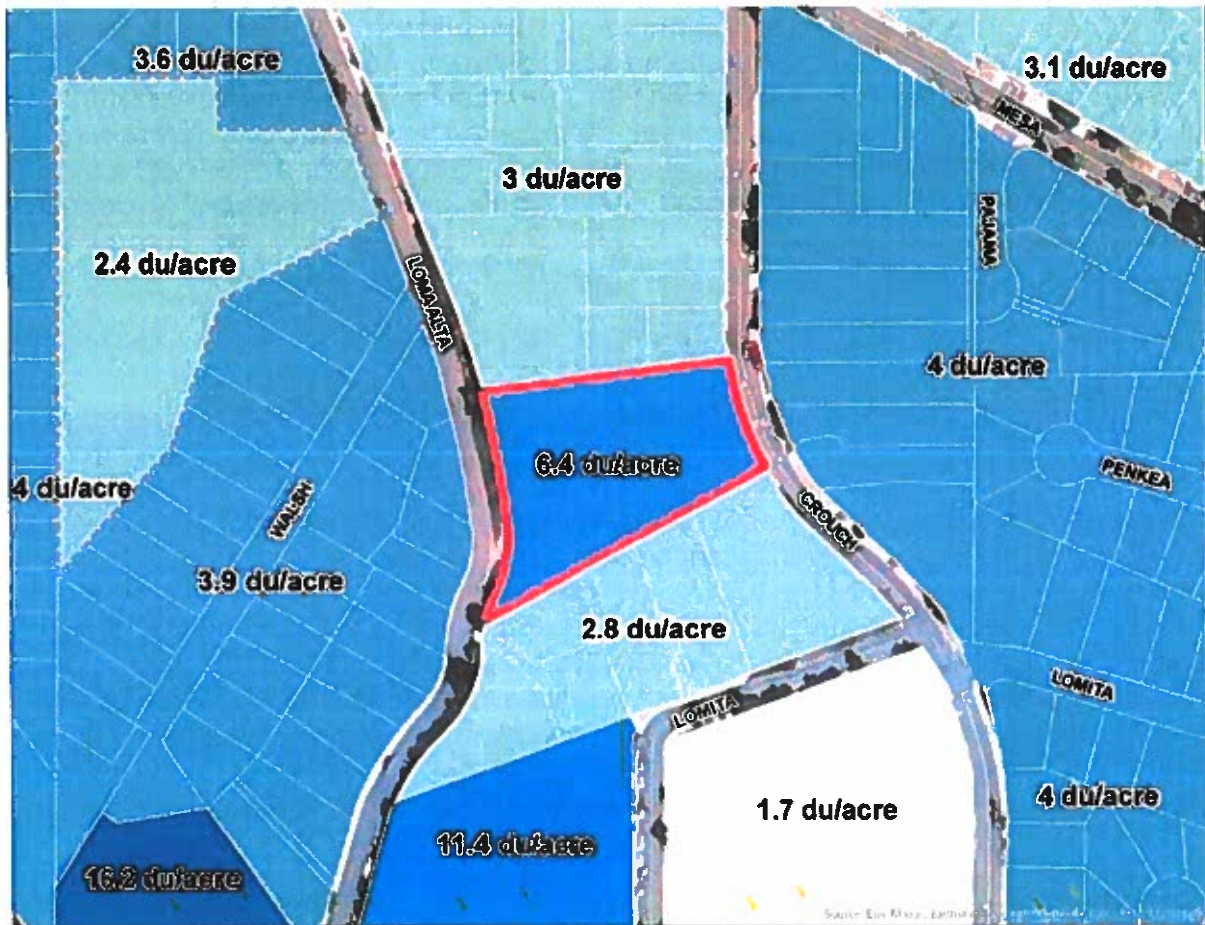
The Commission expressed frustration that the developer was not respecting the privacy of existing residences that abut the project site due to the minimal rear setbacks and tall elevations. Because the proposed project is utilizing Density Bonus Law, the City is limited in its discretion to require the applicant modify their design. Nevertheless, the applicant has agreed to a condition that every rear window above the ground floor be frosted if it is located within 20 feet 5 inches from rear property line on lots 5, 6, 10, and 11. The revised resolution with this added condition can be found in Attachment 1.

The Commission was also critical of many aspects of the architectural design of the proposed project—that the project did not have a coherent architectural theme, that the houses were too tall, and that the colors were not complementary. While the size and scale of the project has not changed, the applicant has provided a revised color palette. The color palette now consists mainly of white and black with gray accents instead of shades of blue and gray with wood accents. The chosen colors were a direct result of the feedback collected at the follow-up community meeting.

4. Incompatibility with the surrounding neighborhood

The Planning Commission noted that the project was out of scale with the neighborhood regarding height, density, lot sizes, and design. This applicant is proposing three-story homes in a neighborhood of mostly one- and two-story homes. Lot sizes within the proposed subdivision range from 2,752 square feet to 12,131 square feet in an area where half-acre lots are not uncommon. A gross density of 6.5 units an acre is denser than the most of the surrounding community, which allows up to 4.356 units an acre. Figure 1 below shows the effective density of instinctive residential clusters surrounding the project site.

Figure 1: Density Map



The applicant is entitled to the density proposed pursuant to State Density Bonus Law. The density calculation table can be found in the August 28, 2023 staff report. The applicant is also entitled to an unlimited number of development standard waivers that would otherwise preclude the project. This includes but is not limited to minimum lot sizes, setbacks from property lines, lot coverage limits, and height limits. Cities must grant these waivers, unless doing so would have a "specific adverse impact" based on written, identified public health or safety standards. A table listing the waivers requested by this project is included in the August 28, 2023 staff report.

5. Site Design

The Planning Commission expressed concern with aspects of the project's site plan, including the proposed access from Loma Alta Drive. The Commission also questioned why the private street couldn't connect through to Crouch Street to increase accessibility and reduce traffic impacts. Figure 2 below shows the proposed site plan for the project.

ANALYSIS

As previously discussed in the August 28, 2023 staff report, staff maintains that the project meets the requisite findings for approval in accordance with applicable objectives and policies of the General Plan, applicable standards of the Zoning Ordinance and Subdivision Ordinance, and in accordance with provisions of Density Bonus law.

Following the Planning Commission meeting, the applicant held a second community outreach meeting and prepared revised plans that accurately reflect the proposed elevations and floor plans. To address privacy concerns, the applicant agreed to a condition to frost certain rear windows that would face adjacent properties. The applicant also revised the color palette of the project to be more in alignment with the community's desires. The size, unit count, landscaping, and layout of the project have not changed.

Density Bonus is a state mandate and developers who meet the requirements of state law are entitled to receive the maximum allowable density bonus and other benefits as a matter of right. Therefore, the City cannot require material design changes to a density bonus project. This includes requiring different architectural styles, colors, materials, and a greater variety of elevations and floorplans. Furthermore, a density bonus project is entitled to an unlimited amount of development standard waivers that would physically preclude the project and a specified number of concessions that result in identifiable cost reductions.

The burden to justify denial of a waiver is placed on the local agency, and such denial must be based on substantial evidence that waiving the requirement: (1) would have a specific, adverse impact upon public health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact; (2) would have an adverse impact on any historic resource; or (3) would be contrary to state or federal law. Concessions are similar to waivers in that the City can only deny a request for a concession on the basis of one of the findings listed above or if the request would not result in an identifiable and actual cost reduction. The burden of proof lies on the City, not the applicant, to determine if a concession would result in tangible cost savings.

Government Code Section 65589.5(d)(2) defines a specific, adverse impact as a "significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete." Inconsistency with a zoning ordinance or general plan land use designation cannot constitute a specific, adverse impact.

Furthermore, Government Code Sections 65915(d)(3) and 65915(e)(1) clarify that the applicant may initiate judicial proceedings against the City if they wish to contest the denial of a waiver or concession. The code sections continue to assert that if the court finds the jurisdiction violated density bonus law by refusing to grant the requested waivers or concessions, the court shall award the plaintiff reasonable attorney's fees and costs of suit.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

In accordance with the California Environmental Quality Act (CEQA), staff finds that the proposed project is categorically exempt pursuant to CEQA Guidelines Article 19 Categorical Exemptions, Section 15332 "In-fill Development Projects." The project site is located in an urbanized area, and would not result in any significant environmental effects. An Infill Exemption Justification Memo is included as Attachment 5. A traffic memo also has been prepared by a licensed traffic engineer and included as Attachment 7 justifying how the proposed project would not result in significant traffic impacts.

PUBLIC CORRESPONDENCE

At the time of publication of the staff report, four letters of opposition have been received since the Planning Commission voted to continue the project. Correspondence received for the August 28, 2023 Planning Commission meeting included eight letters in opposition to the project. All correspondence is provided as Attachment 11.

SUMMARY

Staff finds that the proposed project is consistent with the applicable objectives and policies of the City's General Plan as well as the applicable standards of the City's Zoning Ordinance and Subdivision Ordinance. Pursuant to Density Bonus Law, the requested waivers are found necessary to construct the project at its permitted density and the concession found to result in an actual cost savings. Staff thus recommends that the Planning Commission approve the project.

Staff recommends that the Planning Commission;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003) by adopting Planning Commission Resolution No. 2023-P19 with findings and conditions of approval attached herein.

PREPARED BY:



For Dane Thompson
Planner II

SUBMITTED BY:



Sergio Madera
City Planner

Attachments:

1. Planning Commission Resolution No. 2023-P19 (Revised)
2. August 28, 2023 Planning Commission Staff Report
3. Architectural Plans
4. Tentative Map
5. Conceptual Landscape Plan
6. CEQA Infill Exemption Memo
7. Biological Report
8. Traffic Memo
9. Slope Analysis Map
10. Community Outreach Report
11. Public Correspondence
12. Other Attachments (Application, Description & Justification Letter, Legal Description, Notice of Exemption)

4.01 ATTACHMENT 1

PLANNING COMMISSION RESOLUTION NO. 2023-P19

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

APPLICATION NO: T22-00003, D22-00004, DB22-00003
APPLICANT: LOMA ALTA TERRACES, LLC
LOCATION: Loma Alta Drive approximately 150 feet south of Walsh
Street (APN 149-021-18)

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

WHEREAS, there was filed with the City's Development Services Department a verified petition on the forms prescribed by the City requesting approval of a Tentative Tract Map, Development Plan, and Density Bonus Request under the provisions of Articles 10, 30, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

a 13 lot subdivision for single-family residential purposes and the construction of 13 new single-family detached homes, each with associated on-site parking facilities and landscaping;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 28th day of August, 2023 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, the Planning Commission, voted unanimously on August 28, 2023 to continue the project to their meeting on October 9, 2023.

WHEREAS, the Planning Commission did on the 9th day of October, 2023 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto (Section 15332); this project qualifies for a Class 32 categorical

1 exemption (In-Fill Development Projects), as it involves in-fill development consistent with
 2 General Plan and zoning designation, is located in an urbanized area, and would not result in
 3 any significant environmental effects;

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

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

Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Parks (Residential only)	Ord. No. 91-09 Reso. No. 15-R0638-1
Schools (Residential)	OUSD Reso. # 30(19-20) VUSD Reso # 21-04 CUSD Reso. # 33-1516 Ord # 91-34 Education Code section 17620
Traffic Signal & Thoroughfare (Single-Family Residential)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Reso. #15-R0638-1 Ord #85-23
Wastewater System Capacity Buy-In Fee (Single-Family Res)	Reso. #87-97 Ord# 15-OR0479-1 City Code 32.7.29
Water System Capacity Buy-in Fee (Residential and Non-Residential)	Reso. No. 87-96 Ord. No. 15-OR0480-1 City Code 37.7.37

Description	Authority for Imposition
San Diego County Water Authority (Residential and Non-Residential)	SDCWA Ord. 2017
Inclusionary Housing In-Lieu fees (Residential)	Chapter 14C of the MC Reso. No. 03-R175-1 Reso. No. 11-R0483-1

WHEREAS, the fees listed above have been identified by the City as being applicable to the project as proposed. Failure by the City to list an applicable fee above does not alleviate the developer from paying all applicable fees at the time when such fees become due;

WHEREAS, the fee amount to be paid for each category referenced above shall be the amount listed on the schedule of fees published by the Development Services Department at the time when such fees become due and payable;

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

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

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

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

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

FINDINGS:

1 For Tentative Map (T22-00003):

- 2 1. The proposed Tentative Tract Map is consistent with the General Plan of the City
3 as the underlying EB-R General Plan land use designation allows single-family
4 residential development as proposed with the project. In addition, the project is
5 consistent with Goal 1.16 of the Land Use Element and Policies 2.2, 3.7, and 3.8
6 of the Housing Element as it relates to the provision of affordable housing.
- 7 2. The site is physically suitable for the type and proposed density of development
8 because the 2.0-acre project site is not significantly constrained by geology,
9 hydrologic hazards, sensitive or protected habitat, easements or other limiting
10 features based on the proposed project design. The site of the proposed single-
11 family residential subdivision is located within a residential area surrounded by
12 residential land uses in all directions. The project site can be adequately, reasonably
13 and conveniently served by existing and planned public services, utilities and
14 public facilities.
- 15 3. The design of the subdivision or the proposed improvements will not cause
16 substantial environmental damage or substantially and avoidably injure fish or
17 wildlife or their habitat as the project site is located in an urbanized and developed
18 area of the City. As documented in the Project's Infill Exemption Justification
19 Memo, the project would have less than significant impacts under CEQA to
20 biological resources and no mitigation is required. The recommendations of the
21 biological report prepared for this project have been included as conditions in this
22 resolution.
- 23 4. The design of the subdivision or the type of improvements meet City standards and
24 will not conflict with easements, acquired by the public at large, for access through
25 or the use of property within the proposed subdivision as all frontage and street
26 improvements have been designed in a manner consistent with City standards.
27 Improvements related to this project include street dedications on Loma Alta Drive
28 and Crouch Street with new curbs, gutters, and sidewalks, and a new private cul-
- 29

1 de-sac to provide on-site circulation; all of which would be designed, constructed,
2 and maintained consistent with City standards.

- 3 5. The subdivision complies with all other applicable ordinances, regulations and
4 guidelines of the City of Oceanside because the proposed tentative tract map
5 conforms to the applicable requirements of the City's Subdivision Ordinance
6 (Section 401).

7 For the Development Plan (D22-00004):

- 8 1. The site plan and physical design of the project as proposed is consistent with the
9 purposes of the Zoning Ordinance because the siting of residential lots is consistent
10 with the provisions of Section 3032 of the Zoning Ordinance.
- 11 2. The Development Plan as proposed conforms to the General Plan of the City, in
12 that the underlying EB-R General Plan land use allows single-family residential
13 development as proposed with the project. In addition, the project is consistent
14 with Goal 1.16 of the Land Use Element and Policies 2.2, 3.7, and 3.8 of the
15 Housing Element as it relates to the provision of affordable housing.
- 16 3. The area covered by the Development Plan can be adequately, reasonably, and
17 conveniently served by existing and planned public services, utilities, and public
18 facilities because the project site is situated within an urbanized area currently
19 served by existing public services, utilities, and public facilities.
- 20 4. The proposed project is compatible with existing and potential development in the
21 vicinity of the project site as the project is consistent with the applicable provisions
22 of Article 10 and Section 3032 of the Zoning Ordinance and is between the
23 densities of the more sprawling, low-density properties to the north and the large,
24 medium density apartment complex about 200 feet to the south, which comprises
25 a density of 10.35 units per acre.
- 26 5. The site plan and physical design of the project is consistent with the policies
27 contained within Section 1.24 and 1.25 of the Land Use Element of the General
28 Plan, the Development Guidelines for Hillsides, of this ordinance as the project site
29

1 does not contain qualifying slopes or topographic features that would be considered
2 undevelopable, nor does the site contain any riparian areas.

3 For the Density Bonus (DB22-00003):

- 4 1. The affordable unit will be reserved for tenancy by households within the Very
5 Low Income (VLI) category and will be subject to a restrictive covenant
6 guaranteeing affordability for the VLI households for a period of 55 years.
- 7 2. The affordable unit has been designed to be proportional to the project's market
8 rate units in terms of floor plan, square footage, and exterior design. The affordable
9 unit consists of a 3-bedroom 2-bathroom residence with a garage and is the same
10 size as another market rate unit within the subdivision. The affordable unit has
11 been interspersed throughout the project site and will have a similar appearance as
12 the market rate units along in the subdivision.
- 13 3. The restricted covenant associated with the affordable unit will be for a period of
14 55 years.
- 15 4. The maximum allowable rent for the project's affordable units comply with the law
16 for the Very Low Income category.
- 17 5. The project's affordable unit will be available at affordable housing costs, as
18 defined in Health and Safety Code Section 50052.5.
- 19 6. Buyers must enter into an equity sharing agreement with the City, unless the equity
20 sharing requirements conflict with the requirements of another public funding
21 source or law. The equity sharing agreement does not restrict the resale price, but
22 requires the original owner to pay the City a portion of any appreciation received
23 on resale.
- 24 7. The project is subject to the yearly accounting requirement to the Neighborhood
25 Services Department for the affordable unit as outlined in Section 3032(M)(7) of
26 the Zoning Ordinance.

27 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does
28 hereby approve Tentative Tract Map (T22-00003), Development Plan (D22-00004), and
29 Density Bonus Request (DB22-00003), subject to the following conditions:

1 **Building:**

2 1. The granting of approval under this action shall in no way relieve the applicant/project
3 from compliance with all Current State and local building codes.

4 This development review checklist is not intended to be a complete review for any
5 project. Further review will be required during a Building permit application and plan
6 submittal. This checklist is intended to address any significant design considerations
7 based on the type of Building, location of building, and proposed use of a Building.

8 The 2022 triennial edition of the California Code of Regulations, Title 24 (California
9 Building Standards Code) applies to all occupancies that applied for a building permit
10 on or after January 1, 2023, and remains in effect until the effective date of the 2022
11 triennial edition which will be January 1, 2026.

12 Beginning on January 1, 2023, Oceanside Development Services (ODS) is required
13 by State law to enforce the 2022 Edition of California Building Standards Codes
14 (a.k.a., Title 24 of the California Codes of Regulations).

15 Every three years, the State adopts new model codes (known collectively as the
16 California Building Standards Code) to establish uniform standards for the
17 construction and maintenance of buildings, electrical systems, plumbing systems,
18 mechanical systems, and fire and life safety systems.

19 Sections 17922, 17958 and 18941.5 of the California Health and Safety Code require
20 that the latest edition of the California Building Standards code and Uniform Housing
21 Code apply to local construction 180 days after publication.

- 22 • Part 2: The 2022 California Building Code (CBC).
- 23 • Part 2.5: The 2022 California Residential Code (CRC).
- 24 • Part 3: The 2022 California Electrical Code (CEC).
- 25 • Part 4: The 2022 California Mechanical Code (CMC).
- 26 • Part 5: The 2022 California Plumbing Code (CPC).
- 27 • Part 6: The 2022 California Energy Code
- 28 • Part 9: The 2022 California Fire Code (CFC)

1 • Part 11: The 2022 California Green Building Standards Code (CALGreen Code)
2 This Part is known as the California Green Building Standards Code, and it is
3 intended that it shall also be known as the CALGreen Code.

4 • The City of Oceanside Municipal Code

5 2. The building plans for this project shall be prepared by a licensed architect or engineer
6 and shall be in compliance with this requirement prior to submittal for building plan
7 review.

8 3. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the
9 plans. Separate/unique addresses may be required to facilitate utility releases.
10 Verification that the addresses have been properly assigned by the City's Planning
11 Division shall accompany the Building Permit application.

12 4. Structural Plans, Soils Report, and Energy Calculations, must be submitted for this
13 project.

14 5. Plumbing Electrical and Mechanical plans must show compliance with the 2020
15 California Residential Code.

16 6. Electrical Vehicle Chargers, must be have pre-wiring installed per Green Building
17 Code Requirements.

18 7. Solar PV systems must be installed per Energy Calculation requirements.

19 8. A form or foundation survey shall be required prior to the placement of concrete to
20 show the location of the new structure in respect to the property lines, known
21 easements, and known setback lines. By obtaining a form survey the location of the
22 foundation is checked prior to the placement of concrete, and can save costly
23 corrective measures in case of an encroachment of a property line.

24 9. Construction waste management. Recycle and/or salvage for reuse a minimum of
25 65% of the nonhazardous construction and demolition waste in accordance with
26 either CAL Green Section 4.408.2 Waste Management Plan, 4.408.3 Waste
27 Management Company or 4.408.4 Waste Stream Reduction Alternative. A City
28 approved waste management company/hauler shall be used for recycling of
29

1 construction waste. Documentation of compliance with Section 4.408.1 shall be
2 provided to the Authority Having Jurisdiction prior to project final approval.

3 10. Energy Calculations for the new 2022 California Energy code must be submitted at
4 time of Plan Review.

5 Construction Hours:

6 Per City of Oceanside Municipal Code section 6.25:

7 It shall be unlawful to operate equipment or perform any construction in the erection,
8 demolition, alteration, or repair of any Building or structure or the grading or
9 excavation of land during the following hours:

- 10 a) Before 7:00 a.m. and after 7:00 p.m. Monday through Saturday.
11 b) All day Sunday; and
12 c) On any federal holiday.

13 Exceptions.

14 i. An owner/occupant or resident/tenant of residential property may engage
15 in a home improvement project between the hours of 9:00 a.m. and 5:00
16 p.m. on Sundays and holidays provided the project is for the benefit of said
17 residential property and is personally carried out said owner/occupant or
18 resident/tenant.

19 ii. The Building official may authorize extended or alternate hours of
20 construction for the following circumstances:

- 21 1. Emergency work
22 2. Adverse weather conditions
23 3. Compatibility with store Business hours.
24 4. When the work is less objectionable at night than during daylight
25 hours.
26 5. Per the direction of the City Managers office for projects that have
27 been determined that rapid completion is in the best interest of the
28 general public.

29 //

1 **Engineering:**

- 2 11. Prior to the demolition of any existing structure or surface improvements on site, a
3 grading plan application shall be submitted to the Engineering Division and erosion
4 control plans shall be approved by the City Engineer. No demolition shall be
5 permitted without an approved erosion control plan.
- 6 12. Design and construction of all improvements shall be in accordance with the City
7 of Oceanside's Engineers Design and Processing Manual, City Ordinances,
8 standard engineering and specifications of the City of Oceanside, and subject to
9 approval by the City Engineer.
- 10 13. All right-of-way alignments, street dedications, exact geometrics and widths shall
11 be designed, dedicated, and constructed or replaced in accordance with the City of
12 Oceanside Engineers Design and Processing Manual, and as required by the City
13 Engineer.
- 14 14. Owner/developer shall provide an updated Title Report dated within 6 months of
15 the grading plan application submittal.
- 16 15. The approval of the tentative map shall not mean that closure, vacation, or
17 abandonment of any public street, right of way, easement, or facility is granted or
18 guaranteed to the owner/developer. The owner/developer is responsible for
19 applying for all closures, vacations, and abandonments as necessary. The
20 application(s) shall be reviewed and approved or rejected by the City of Oceanside
21 under separate process-(es) per codes, ordinances, and policies in effect at the time
22 of the application. The City of Oceanside retains its full legislative discretion to
23 consider any application to vacate a public street or right of way.
- 24 16. Owner/developer shall submit to the City for processing a covenant attesting to the
25 project's development conditions. The approved covenant shall be recorded at the
26 County prior to the issuance of a grading permit.
- 27 17. All public improvement requirements shall be covered by a Subdivision
28 Improvement Agreement and secured with sufficient improvement securities or
29 bonds guaranteeing performance and payment for labor and materials, setting of

1 survey monuments, and warranties against defective materials and workmanship
2 before the approval of the public improvement plans.

3 18. Prior to the issuance of any building permits, all improvements including landscaping,
4 landscaped medians, frontage improvements shall be under construction to the
5 satisfaction of the City Engineer.

6 19. Prior to the issuance of a Certificate of Occupancy permit, all improvements,
7 including landscaping, landscaped medians, frontage improvements shall be
8 completed to the satisfaction of the City Engineer.

9 20. Prior to approval of the map, provide the City of Oceanside with certification from
10 each public utility and each public entity owning easements within the proposed
11 project stating that: (a) they have received from the owner/developer a copy of the
12 proposed map; (b) they object or do not object to the filing of the map without their
13 signature; (c) in case of a street dedication affected by their existing easement, they
14 will sign a "subordination certificate" or "joint-use certificate" on the map when
15 required by the governing body.

16 21. Legal access to Loma Alta Drive shall be provided to Lot "10" on the previously
17 recorded final map, map no. 1956.

18 22. The tract shall be recorded and developed as one. The City Engineer shall require
19 the dedication and construction of necessary utilities, streets and other
20 improvements outside the area of any particular map, if such is needed for
21 circulation, parking, access or for the welfare or safety of future occupants of the
22 development. The boundaries of any multiple final map increments shall be subject
23 to the approval of the City Engineer.

24 23. All property corners, survey monuments that control public rights-of-way, and City
25 benchmarks shall be protected in place or perpetuated in conformance with
26 Greenbook Standard 400-2 and Business and Professions Code 8771.

27 24. A traffic control plan shall be prepared in accordance with the City's traffic control
28 guidelines and approved by the City Engineer prior to the start of work within the
29 public Right-of-Way. Traffic control safety and implementation for construction or

1 re-construction of streets shall be in accordance with construction signing,
2 marking, and other protection as required by Caltrans' Traffic Manual and City
3 Traffic Control Guidelines. Traffic control plan implementation and hours shall be
4 in accordance with the approved traffic control plans.

5 25. Proposed public improvements located within the City's ROW or onsite shall be
6 displayed on separate public improvement plans in accordance with the City's
7 Engineer's Design and Processing Manual.

8 26. Any existing public or private improvements that are being joined to and that are
9 already damaged or damaged during construction of the project, shall be repaired or
10 replaced as necessary by the developer to provide a competent and stable connection,
11 and to the City's satisfaction.

12 27. An Encroachment Removal Agreement (ERA) application shall be submitted to the
13 City for proposed private improvements located within the City's ROW along Loma
14 Alta Drive or over any City easement. The ERA shall be submitted for review prior
15 to the issuance of a grading permit and recorded at the County prior to improvement
16 plan As-Builts.

17 28. Loma Alta Drive shall be constructed with new curb and gutter and sidewalk.
18 Sidewalk improvements (construct/replace) shall comply with current ADA
19 requirements.

20 29. ADA-compliant pedestrian ramps shall be constructed at the corner of the Loma Alta
21 Drive and Private Street intersection, and other locations as required by the City
22 Engineer.

23 30. Publicly-maintained pedestrian ramps (maintained by the City of Oceanside) must be
24 located entirely within the public right-of-way (ROW). Pedestrian ramps not located
25 entirely within the City's ROW shall be provided with a ROW dedication on the final
26 map and shown on the improvement plans and grading plans. The ROW dedication
27 shall be submitted prior to the approval of the grading plans and recorded prior to the
28 grading plan As-Builts.
29

- 1 31. Minimum curb return radius at pedestrian ramps and driveway locations shall comply
2 with the City of Oceanside Engineers Design and Processing Manual.
- 3 32. Loma Alta Drive shall be provided with a 7-foot minimum parkway between the face
4 of curb and Right-of-Way line, and the design shall be displayed on the improvement
5 plans.
- 6 33. Sight distance requirements at the project driveway(s) or street shall conform to the
7 sight distance criteria as provided by Caltrans. The owner/developer shall provide a
8 plan and profile of the line of sight for each direction of traffic at each proposed
9 driveway on the grading plans.
- 10 34. A pavement evaluation report shall be submitted for offsite street and/or alley
11 pavements with the grading plan application. The owner/developer shall contract with
12 a geotechnical engineering firm to perform a field investigation of the existing
13 pavement on all streets adjacent to the project boundary. The limits of the study shall
14 be half-street width along the project's Loma Alta Drive and Crouch Street frontage.
15 The field investigation shall be performed according to a specific boring plan
16 prepared by a licensed Geotechnical Engineer and approved by the City Engineer
17 prior to the issuance of a grading permit. In the absence of an approved boring plan,
18 the field investigation shall include a minimum of one pavement boring per every
19 fifty linear feet (50) of street frontage.
- 20 Should the study conclude that the existing road pavement does not meet current
21 pavement thickness requirements set forth in the City of Oceanside Engineers Design
22 and Processing Manual, the Owner/developer shall remove and reconstruct the
23 existing pavement section in accordance with City requirements. Otherwise, the City
24 Engineer shall determine whether the Owner/developer shall: 1) Repair all failed
25 pavement sections, 2) header cut and grind per the direction of the City Engineer, or
26 3) Perform R-value testing and submit a study that determines if the existing
27 pavement meets current City standards/traffic indices.
- 28 35. Owner/developer shall place a covenant on the non-title sheet of the grading plan
29 agreeing to the following: "The present or future owner/developer shall indemnify

1 and save the City of Oceanside, its officers, agents, and employees harmless from
2 any and all liabilities, claims arising from any landslide on this site”.

3 36. Owner/developer shall develop and submit a draft neighborhood-notification flier to
4 the City for review. The flier shall contain information on the project, construction
5 schedule, notification of anticipated construction noise and traffic, and contact
6 information. Prior to the issuance of a grading permit, the approved flier shall be
7 distributed to area residents, property owners, and business owners located within a
8 500-foot radius area of the project.

9 37. A precise grading plan, which includes proposed onsite private improvements, shall
10 be prepared, reviewed, secured and approved prior to the issuance of any building
11 permit. The plan shall reflect all pavement, thickened & roughened private street
12 pavement section, flatwork, landscaped areas, special surfaces, curbs, gutters,
13 medians, striping, and signage, footprints of all structures, walls, drainage devices and
14 utility services. Parking lot striping and any on site traffic calming devices shall be
15 shown on the precise grading plans.

16 38. The landowners shall enter into a maintenance agreement, obliging the landowners
17 to protect, maintain, repair and replace the landscaping and slope stability
18 associated with the retaining walls identified in the project’s grading plans, as
19 detailed in the exhibits, in perpetuity. The Agreement shall be approved by the City
20 Attorney’s Office and recorded at the County Recorder’s Office prior to the
21 issuance of a precise grading permit.

22 39. Prior to the issuance of a grading permit, a comprehensive soil and geologic
23 investigation shall be conducted for the project site. All necessary measures shall be
24 taken and implemented to assure slope stability, erosion control, and soil integrity;
25 and these measures shall be incorporated as part of the grading plan design. No
26 grading shall occur at the site without a grading permit.

27 40. It is the responsibility of the owner/developer to evaluate and determine that all soil
28 imported as part of this development is free of hazardous and/or contaminated
29 material as defined by the City and the County of San Diego Department of

1 Environmental Health. Exported or imported soils shall be properly screened,
2 tested, and documented regarding hazardous contamination.

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

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

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

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

23 d) Owner/developer shall complete a haul route permit application (if required for
24 import/export of dirt) and submit to the City of Oceanside Transportation
25 Engineering Section forty-eight hours (48) in advance of beginning of work.
26 Hours of hauling operations shall be dictated by the approved haul route permit.

27 42. The project shall provide and maintain year-round erosion control for the site. Prior
28 to the issuance of a grading permit, an approved erosion control plan, designed for all
29 proposed stages of construction, shall be secured by the owner/developer with cash

1 securities or a Letter-of-Credit and approved by the City Engineer; a Certificate of
2 Deposit will not be accepted for this security.

3 43. Landscape and irrigation plans for disturbed areas shall be submitted to the City
4 Engineer prior to the issuance of a grading permit and approved by the City Engineer
5 prior to the issuance of building permits. Landscaping plans, including plans for the
6 construction of walls, fences or other structures at or near intersections, must conform
7 to intersection sight distance requirements. Frontage and median landscaping shall be
8 installed and established prior to the issuance of any certificates of occupancy.
9 Securities shall be required only for landscape items in the public right-of-way. Any
10 project fences, sound or privacy walls and monument entry walls/signs shall be shown
11 on, bonded for and built from the approved landscape plans. These features shall also
12 be shown on the precise grading plans for purposes of location only. Plantable,
13 segmental walls shall be designed, reviewed and constructed from grading plans and
14 landscape/irrigation design/construction shall be from landscape plans. All plans
15 must be approved by the City Engineer and a pre-construction meeting held prior to
16 the start of any improvements.

17 44. The drainage design shown on the conceptual grading/site plan, and the drainage
18 report for this development plan is conceptual only. The final drainage report and
19 design shall be based upon a hydrologic/hydraulic study that is in accordance with
20 the latest San Diego County Hydrology and Drainage Manual, and is to be approved
21 by the City Engineer prior to the issuance of a grading permit. All drainage picked up
22 in an underground system shall remain underground until it is discharged into an
23 approved channel, or as otherwise approved by the City Engineer.

24 45. The project's drainage system shall not connect or discharge to another private
25 stormdrain system without first obtaining written permission from the owner of the
26 system. The written permission letter shall be provided to the City prior to the
27 issuance of a grading permit. The owner/developer shall be responsible for obtaining
28 any off-site easements for storm drainage facilities.

1 46. All public storm drains shall be shown on separate public improvement plans. Public
2 storm drain easements shall be dedicated to the City where required.

3 47. Drainage facilities shall be designed and installed to adequately accommodate the
4 local storm water runoff, and shall be in accordance with the San Diego County
5 Hydrology Manual and the City of Oceanside Engineers Design and Processing
6 Manual, and to the satisfaction of the City Engineer.

7 48. Storm drain facilities shall be designed and constructed to allow inside travel lanes of
8 streets classified as a Collector or above, to be passable during a 100-year storm event.

9 49. Sediment, silt, grease, trash, debris, and pollutants shall be collected on site and
10 disposed of in accordance with all state and federal requirements, prior to discharging
11 of stormwater into the City drainage system.

12 50. Owner/developer shall comply with the provisions of the National Pollutant
13 Discharge Elimination System (NPDES) General Permit for Storm Water
14 Discharges Associated with Construction and Land Disturbance Activities
15 (General Permit) Water Quality Order 2022-0057-DWQ. The General Permit
16 continues in force and effect until the effective date of a new General Permit
17 adopted the State Water Board or the State Water Board rescinds this General
18 Permit. Dischargers that obtain coverage under the expiring General Permit prior
19 to the effective date of this permit, may continue coverage under the previous
20 permit up to two years after the effective date of this General Permit (September 1,
21 2023). Construction activity subject to the General Permit includes, but not limited
22 to, clearing, demolition, grading, excavation and other land disturbance activities
23 that results in one or more acre of land surface, or that are part of common plan of
24 development or sale.

25 The discharger shall obtain a Waste Discharge Identification (WDID) number prior
26 to the commencement of construction activity by electronically certifying and
27 submitting the Permit Registration Documents from Section III of the General
28 Permit through the State Water Board Stormwater Multiple Application and Report
29 Tracking System (SMARTS). In addition, coverage under the General Permit shall

1 not occur until an adequate SWPPP is developed for the project as outlined in
2 Section A of the General Permit. The site specific SWPPP shall be maintained on
3 the project site at all times. The SWPPP shall be provided, upon request, to the
4 United States Environmental Protection Agency (USEPA), State Water Resources
5 Control Board (SWRCB), Regional Water Quality Control Board (RWQCB), City
6 of Oceanside, and other applicable governing regulatory agencies. The SWPPP is
7 considered a report that shall be available to the public by the RWQCB under
8 section 308(b) of the Clean Water Act. The provisions of the General Permit and
9 the site specific SWPPP shall be continuously implemented and enforced until the
10 owner/developer obtains a Notice of Termination (NOT) for the SWRCB.

11 Owner/developer is required to retain records of all monitoring information, copies
12 of all reports required by this General Permit, and records of all data used to
13 complete the NOT for all construction activities to be covered by the General
14 Permit for a period of at least three years from the date generated. This period may
15 be extended by request of the SWRCB and/or RWQCB.

16 51. The project is categorized as a stormwater-Standard Development Project (SDP).

17 A final Storm Water Quality Management Plan (SWQMP) shall be submitted to
18 the City for review at the final engineering phase. Approval of this document is
19 required prior to the issuance of a grading permit.

20 52. The owner/developer shall enter into a City-Standard Stormwater Facilities
21 Maintenance Agreement (SWFMA) with the City, obliging the owner/developer to
22 maintain, repair and replace the Storm Water Best Management Practices (BMPs)
23 structures identified in the project's approved SWQMP, as detailed in the O&M
24 Plan, in perpetuity. Furthermore, the SWFMA will allow the City with access to
25 the site for the purpose of BMP inspection and maintenance, if necessary. The
26 Agreement shall be approved by the City Attorney's Office and recorded at the
27 County Recorder's Office prior to the issuance of a precise grading permit. A non-
28 refundable **Security in the form of cash** shall be required prior to issuance of a
29 precise grading permit. The amount of the non-refundable security shall be equal

1 to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed
2 a total of \$25,000. The owner/developer's civil engineer shall prepare the O&M
3 cost estimate.

4 53. The BMPs described in the project's approved SWQMP shall not be altered in any
5 way, unless reviewed and approved by the City Engineer. The determination of
6 whatever action is required for changes to a project's approved SWQMP shall be
7 made by the City Engineer.

8 54. Prior to receiving a temporary or permanent occupancy permit, the project shall
9 demonstrate that all structural BMPs, including Storm Water Pollutant Control
10 BMPs and Hydromodification Management BMPs, are constructed and fully
11 operational, are consistent with the approved SWQMP and the approved Precise
12 Grading Plan, and are in accordance with San Diego RWQCB Order No. R9-2013-
13 0001 §E.3.e. (1)(d).

14 55. The BMPs described in the project's approved SWQMP shall not be altered in any
15 way, unless reviewed and approved by the City Engineer. Certain aspects of the
16 drainage and water quality design were deferred to final engineering. Development
17 of the final engineering design may require the incorporation of additional cost
18 items not identified on the conceptual grading/ site plan. Cost items may include,
19 but are not limited to: additional storm drain, additional underground storage,
20 additional water quality BMPs, additional structural elements, and/or the
21 incorporation of pump systems. The incorporation of these items may be necessary
22 and appropriate to achieve the intent of the conceptual design approved in the
23 SWQMP. If a change is proposed to the conceptual design, the determination of
24 whatever action is required for changes to a project's approved SWQMP shall be
25 made by the City Engineer.

26 56. An appropriate hardscape contingency for each lot must be factored into the
27 stormwater and drainage analyses, as the future creation of hardscape by
28 homeowners is a reasonably foreseeable impact and would be expected to have
29

1 potentially significant impacts on post-construction hydrology and the requisite
2 functionality of the project's stormwater and/or detention system(s).

3 57. Open space areas, down-sloped areas visible from a collector-level or above roadway
4 classification, and improvements within the common areas that are not maintained by
5 the property owner, shall be maintained by a homeowners' association that will ensure
6 operation and maintenance of these items in perpetuity. These areas shall be indicated
7 on the map and reserved for an association. Future buyers shall be made aware of any
8 estimated monthly maintenance costs. The CC&R's shall be submitted and approved
9 by the City prior to the recordation of the map.

10 58. All new extension services for the development of the project, including but not
11 limited to, electrical, cable and telephone, shall be placed underground as required by
12 the City Engineer and current City policies.

13 59. Prior to the approval of plans and the issuance of a grading permit, owner/developer
14 shall obtain all necessary permits and clearances from public agencies having
15 jurisdiction over the project due to its type, size, location, or infrastructure impact.
16 The list of public agencies includes, but is not limited to, Public Utility Companies,
17 the California Department of Transportation (Caltrans), the City of Carlsbad, the City
18 of Vista, Fallbrook, the County of San Diego, the U. S. Army Corps of Engineers, the
19 California Department of Fish & Game, the U. S. Fish and Wildlife Service, the San
20 Diego Regional Water Quality Control Board, and the San Diego County Health
21 Department.

22 60. Owner/developer shall comply with all the provisions of the City's cable television
23 ordinances, including those relating to notification as required by the City Engineer.

24 61. As part of the City's Opportunistic Beach Fill Permit, this project has been
25 conditioned to test proposed excavated material to determine suitability for deposit
26 on city beaches as part of the Beach Sand Replenishment program. Preliminary soil
27 test results shall be provided as part of the project geotechnical report which is
28 required prior to approval of the grading plan and issuance of the grading permit.
29

1 Suitable beach replenishment material shall be at least 75% sand with no more than
2 a 10% difference in sand content between material at the source and discharge site.
3 Replenishment material shall contain only clean construction materials suitable for
4 use in the oceanic environment; no debris, silt, soil, sawdust, rubbish, cement or
5 concrete washings, oil or petroleum products,
6 hazardous/toxic/radioactive/munitions from construction or dredging or disposal
7 shall be allowed to enter into or be placed where it may be washed by rainfall or
8 runoff into waters of the United States. Any and all excess or unacceptable material
9 shall be completely removed from the site/work area and disposed of in an
10 appropriate upland site.

11 If the sediment to be exported is determined to be suitable beach replenishment
12 material and is approved by the regulatory agencies, the developer's contractor will
13 coordinate with the City's Coastal Zone Administrator for further discussion and
14 direction on placement.

15 **Coordination is required to occur a minimum of eight weeks in advance** of the
16 need to place approved excavated material on the beach.

17 62. If shoring is required for the construction of the proposed development, the shoring
18 design plans shall be included within the grading plan set, and the structural design
19 calculations shall be submitted with the grading plan application.

20 63. Approval of this development project is conditioned upon payment of all applicable
21 impact fees and connection fees in the manner provided in chapter 32B of the
22 Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare
23 fees, park fees, reimbursements, and other applicable charges, fees and deposits shall
24 be paid prior to recordation of the map or the issuance of any building permits, in
25 accordance with City Ordinances and policies. Payment of drainage impact fees are
26 required prior to docketing the map for City Council hearing and the recording of the
27 final map. The owner/developer shall also be required to join into, contribute, or
28 participate in any improvement, lighting, or other special district affecting or affected
29 by this project.

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

6 65. In the event that there are discrepancies in information between the conceptual plan
7 and the conditions set forth in the project's entitlement resolution (Conditions of
8 Approval), the project's entitlement resolution shall prevail.

9 **Landscaping:**

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

- 24 a) Final landscape plans shall accurately show placement of all plant
25 material such as but not limited to trees, shrubs, and groundcovers.
26 b) Landscape Architect shall be aware of all utility, sewer, water, gas and
27 storm drain lines and utility easements and place planting locations
28 accordingly to meet City of Oceanside requirements.
29

- 1 c) Final landscape plans shall be prepared under the direct supervision of a
2 Registered Landscape Architect (State of California), with all drawings
3 bearing their professional stamp and signature.
- 4 d) All required landscape areas both public and private (including trees and
5 palms in the public rights-of-way) shall be maintained by owner, project
6 association or successor of the project (including public rights-of-way
7 along Loma Alta Drive, Crouch Street and Private Drive.) The
8 landscape areas shall be maintained per City of Oceanside requirements.
- 9 e) The As-built/ Maintenance Guarantee (refundable cash deposit) shall not
10 be released until the as-built drawings have been approved on the
11 original approved Mylar landscape plan and the required maintenance
12 period has been successfully terminated.
- 13 f) Proposed landscape species shall fit the site and meet climate changes
14 indicative to their planting location. The selection of plant material shall
15 also be based on cultural, aesthetic, and maintenance considerations. In
16 addition proposed landscape species shall be low water users as well as
17 meet all fire department requirements.
- 18 g) All planting areas shall be prepared and implemented to the required
19 depth with appropriate soil amendments, fertilizers, and appropriate
20 supplements based upon a soils report from an agricultural suitability
21 soil sample taken from the site.
- 22 h) Ground covers or bark mulch shall fill in between the shrubs to shield
23 the soil from the sun, evapotranspiration and run-off. All the flower and
24 shrub beds shall be mulched to a 3" depth to help conserve water, lower
25 the soil temperature and reduce weed growth.
- 26 i) The shrubs shall be allowed to grow in their natural forms. All landscape
27 improvements shall follow the City of Oceanside Guidelines.
- 28 j) Root barriers shall be installed adjacent to all paving surfaces where a
29 paving surface is located within 6 feet of a tree trunk on site (private)

1 and within 10 feet of a tree trunk in the right-of-way (public). Root
2 barriers shall extend 5 feet in each direction from the centerline of the
3 trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in
4 depth. Installing a root barrier around the tree's root ball is unacceptable.

5 k) All fences, gates, walls, stone walls, retaining walls, and plantable walls
6 shall obtain Planning Division approval for these items in the conditions
7 or application stage prior to 1st submittal of working drawings.

8 l) For the planting and placement of trees and their distances from
9 hardscape and other utilities/ structures the landscape plans shall follow
10 the City of Oceanside's (current) Tree Planting Distances and Spacing
11 Standards.

12 m) An automatic irrigation system shall be installed to provide coverage for
13 all planting areas shown on the plan. Low volume equipment shall
14 provide sufficient water for plant growth with a minimum water loss due
15 to water run-off.

16 n) Irrigation systems shall use high quality, automatic control valves,
17 controllers and other necessary irrigation equipment. All components
18 shall be of non-corrosive material. All drip systems shall be adequately
19 filtered and regulated per the manufacturer's recommended design
20 parameters.

21 o) All irrigation improvements shall follow the City of Oceanside
22 Guidelines and Water Conservation Ordinance.

23 p) The landscape plans shall match all plans affiliated with the project.

24 q) Landscape construction drawings are required to implement approved
25 Fire Department regulations, codes, and standards at the time of plan
26 approval.

27 r) Landscape plans shall comply with Biological and/or Geotechnical
28 reports, as required, shall match the grading and improvement plans,
29 comply with Storm Water Management Plan (SWMP),

1 Hydromodification Plan, or Best Management Practices and meet the
2 satisfaction of the City Engineer.

3 s) Existing landscaping on and adjacent to the site shall be protected in
4 place and supplemented or replaced to meet the satisfaction of the City
5 Engineer.

6 t) All pedestrian paving (both decorative and standard) shall comply with
7 the most current edition of the American Disability Act.

8 67. All landscaping, fences, walls, etc. on the site, in medians within the public right-
9 of-way and within any adjoining public parkways shall be permanently maintained
10 by the owner, his assigns or any successors-in-interest in the property. The
11 maintenance program shall include: a) normal care and irrigation of the landscaping
12 b) repair and replacement of plant materials (including interior trees and street
13 trees) c) irrigation systems as necessary d) general cleanup of the landscaped and
14 open areas e) maintenance of parking lots, walkways, enhanced hardscape, trash
15 enclosures, walls, fences, etc. f) pruning standards for street trees shall comply with
16 the International Society of Arboriculture (ISA) *Standard Practices for Tree Care*
17 *Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H;*
18 *and Tree Pruning Guidelines, Appendix F* (most current edition). Failure to
19 maintain landscaping shall result in the City taking all appropriate enforcement
20 actions including but not limited to citations. This maintenance program condition
21 shall be recorded with a covenant as required by this resolution.

22 68. In the event that the conceptual landscape plan (CLP) does not match the conditions
23 of approval, the resolution of approval shall govern.

24 **Fire:**

25 69. All roadways shall be a minimum of 28ft in width with no street parking. Current
26 drive is shown as 32ft in width, which permits only one side of street parking. The
27 side without street parking shall be painted and marked as a fire lane (preferably
28 the side with the fire hydrant) in accordance with City of Oceanside Fire Ordinance
29 and Fire Master Plan.

- 1 70. No parking permitted in the cul-de-sac and it shall be painted and marked as a fire
2 lane in accordance with City of Oceanside Fire Ordinance and Fire Master Plan.
- 3 71. A fire master plan shall be submitted to Oceanside Fire.
- 4 72. All homes shall be equipped with an NFPA 13D fire sprinkler system. A deferred
5 submittal is required to be submitted to Oceanside Fire for these systems.
- 6 73. If there are any property vehicle gates to be installed, the installation shall be in
7 accordance with City of Oceanside Fire Ordinance and Fire Master Plan.
- 8 74. All buildings shall have an address posted on the street side with the numbers a
9 minimum of 4" with a ½" stroke and be posted on a contrasting background.
- 10 75. The entrance of the community shall have a master site map directory.
- 11 76. The grade of the entire private drive has been accepted to be a maximum of 16%
12 with a 20ft vertical curve at the entrance of the road. A road test will be conducted
13 with Oceanside Fire apparatus to ensure the proposed grade percentage and
14 turnaround will be sufficient as shown.
- 15 77. Final Approval is subject to Required Field Inspection(s). Any approvals made are
16 based upon submitted plans. Final approval is subject to required field inspection(s)
17 and acceptance test(s), with acceptable results, as required. Additional
18 requirements may be issued at the time of the field inspection(s) if there is any
19 deviation from the approved plans or in the event that issues not addressed in the
20 plan approval process are discovered in the field.

21 **Housing**

- 22 78. Rental Units (Government Code Section 65915 (c) (1))
- 23 a) Income and rent restrictions must remain in place for a 55-year term for
24 very low- or lower-income units. Maximum household income
25 information may be found at
26 <http://ahsinfo.com/SDMedianIncome2022.pdf>.
- 27 b) Rents for the lower income density bonus units shall be set at an
28 affordable rent, as defined in Section 50053 of the Health and Safety
29 Code, and must include a reasonable utility allowance

1 (https://www.ci.oceanside.ca.us/home/showpublisheddocument/12658/
2 638217492871730000). HCD calculated housing costs may be found on
3 the Housing and Neighborhood Services' website at
4 https://www.ci.oceanside.ca.us/home/showpublisheddocument/8642/63
5 8217505802530000.

- 6 c) Household size appropriate to the unit means 1 for a studio unit, 2 for a
7 one-bedroom unit, 3 for a two-bedroom unit, 4 for a three-bedroom unit,
8 etc.

9 **79. For Sale Units (Government Code Section 65915 (c) (2))**

- 10 a) Affordable for sale units must be sold to the initial buyer at an affordable
11 housing cost. Housing related costs include mortgage loan payments,
12 mortgage insurance payments, property taxes and assessments,
13 homeowner association fees, reasonable utilities allowance, insurance
14 premiums, maintenance costs, and space rent, as that cost is defined in
15 Section 50052.5 of the Health and Safety Code. HCD calculated housing
16 costs may be found on the Housing and Neighborhood Services' website
17 at Affordable Sales Price Calculator 2022.xlsx (live.com).

- 18 b) Buyers must enter into an equity sharing agreement with the City, unless
19 the equity sharing requirements conflict with the requirements of another
20 public funding source or law. The equity sharing agreement does not
21 restrict the resale price, but requires the original owner to pay the City a
22 portion of any appreciation received on resale.

- 23 c) The City percentage of appreciation is the purchase price discount
24 received by the original buyer, plus any down payment assistance
25 provided by the City.

- 26 d) The seller is permitted to retain its original down payment, the value of
27 any improvements made to the home, and the remaining share of the
28 appreciation.

1 e) The income and affordability requirements are not binding on resale
2 purchasers (but if other public funding sources or programs are used,
3 such as the Inclusionary Housing program, the requirements may apply
4 to resales for a fixed number of years).

5 f) As an alternative, the developer may sell affordable units to nonprofit
6 housing corporations rather than selling the units directly to a low- or
7 moderate-income homebuyer. The nonprofit housing corporation must
8 then sell each home to a lower- income buyer subject to affordability
9 requirements with a term of at least 45 years, an equity sharing
10 agreement, and a repurchase option in favor of the nonprofit corporation.

11 80. Applicants, requesting a density/FAR bonus, incentive(s) or concession(s),
12 waivers, and density bonus parking standards pursuant to State Density Bonus law
13 shall demonstrate compliance with this law by executing an affordable housing
14 agreement with the City. This Agreement, along with the approved site
15 development plan and a deed of trust securing such covenants, shall then be
16 recorded against the entire development and the relevant terms and conditions
17 recorded as a deed restriction or regulatory agreement on the property. The
18 Agreement will be recorded prior to issuance of building permits for the residential
19 units. The Agreement shall be binding to all future owners and successors in
20 interest. A sample of the Inclusionary Housing/Density Bonus Agreement and
21 Inclusionary Housing/Density Bonus Deed of Trust may be obtained by contacting
22 the City's Housing Department.

23 81. Compliance with the applicable restrictions will be subject annually to a regulatory
24 audit and such restrictions must be maintained for the full applicable compliance
25 period. A monitoring fee will be required for the total number of restricted units as
26 defined in the Regulatory Agreement. An initial set up fee of \$500 will be required
27 at the time of the Certificate of Occupancy is issued for the first housing unit and
28 \$77.34 per affordable unit for the first year and increased annually by the 12-month
29 percentage in the Consumer Price Index published by the U.S. Department of Labor

1 Statistics for all Urban Consumers (CPI-U), San Diego average for the previous
2 year. Such fee covers the costs of software, third-party vendors and staff time to
3 perform the monitoring functions. Applicant shall cooperate with and utilize such
4 forms, software, websites and third-party vendors as may be required by the City.
5 The City also reserves the right to periodically inspect the restricted units to ensure
6 compliance with the health and safety standards associated with the restricted units.

7 82. The Project shall be conditioned to require: 1) Recordation of the affordable
8 housing agreement or regulatory agreement; or 2) Payment of the applicable
9 Inclusionary Housing In-Lieu fees prior to the approval of any final or parcel map
10 or building permit for the residential project to ensure the provision of housing in
11 compliance with OCC Chapter 14C and any replacement housing obligations under
12 State law.

13 83. Each residential development providing affordable housing to low- and moderate-
14 income households must carry out a marketing strategy to attract prospective
15 renters/buyers, regardless of race, creed, color, national origin, sexual orientation,
16 military status, sex, gender identity, age, disability, marital status, or familial status.
17 The purpose of this affirmative fair housing marketing program is to target and
18 outreach to specific groups who may need differing efforts in order to be made
19 aware of and apply for the available affordable housing opportunities. The
20 affirmative fair housing marketing program should identify the demographic
21 groups within the housing market area which are least likely to apply for housing
22 without special outreach efforts and an outreach program which includes special
23 measures designed to attract those groups, in addition to other efforts designed to
24 attract persons from the total population. Outreach efforts should include
25 appropriate media outlets and groups that have direct contact with the identified
26 populations. Appropriate community contacts include, but are not limited to, social
27 service agencies, religious bodies, advocacy groups, community centers, and the
28 City's Community Resource Centers. All marketing materials must include the
29

1 applicable fair housing logos, including the Equal Housing Opportunity and
2 Accessibility logos.

- 3 84. Projects must submit an Affirmative Fair Housing Marketing Plan (AFHMP) to be
4 reviewed and accepted by the Housing and Neighborhood Services Department.
5 The AFHMP should be submitted at least 6 months before anticipated occupancy.

6 **Planning:**

- 7 85. This Tentative Map, Development Plan, and Density Bonus shall expire 36 months
8 from its approval, unless the project is implemented per the provisions of Article
9 43, Section 4308(B) of the Zoning Ordinance or the approval is extended pursuant
10 to the provisions of Section 408 or 409 of the Subdivision Ordinance.

- 11 86. This Tentative Map, Development Plan, and Density Bonus Request approves only
12 a 13-lot Single-Family Home subdivision as shown on the plans and exhibits
13 presented to the Planning Commission for review and approval. No deviation from
14 these approved plans and exhibits shall occur without Planning Division approval.
15 Substantial deviations shall require a revision to the Development Plan or a new
16 Development Plan.

- 17 87. Each consecutive unit shall be mirrored, where feasible, when consisting of the
18 same floor plan as shown on the architectural plans submitted to the Planning
19 Commission for review and approval.

- 20 88. The applicant, permittee or any successor-in-interest shall defend, indemnify and
21 hold harmless the City of Oceanside, its agents, officers or employees from any
22 claim, action or proceeding against the City, its agents, officers, or employees to
23 attack, set aside, void or annul an approval of the City, concerning Tentative Map
24 (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003).
25 The City will promptly notify the applicant of any such claim, action or proceeding
26 against the city and will cooperate fully in the defense. If the City fails to promptly
27 notify the applicant of any such claim action or proceeding or fails to cooperate
28 fully in the defense, the applicant shall not, thereafter, be responsible to defend,
29 indemnify or hold harmless the City.

- 1 89. Outdoor lighting shall be low emission, shielded, and directed away from the
2 property lines, so that 0 foot-candles is achieved at the property boundary.
- 3 90. A covenant or other recordable document approved by the City Attorney shall be
4 prepared by the property owner and recorded prior to the approval of the final map.
5 The covenant shall provide that the property is subject to this resolution, and shall
6 generally list the conditions of approval.
- 7 91. Prior to the transfer of ownership and/or operation of the site the owner shall
8 provide a written copy of the applications, staff report and resolutions for the
9 project to the new owner and or operator. This notification's provision shall run
10 with the life of the project and shall be recorded as a covenant on the property.
- 11 92. Failure to meet any conditions of approval shall constitute a violation of the
12 Tentative Map, Development Plan, and Density Bonus;
- 13 93. Unless expressly waived, all current zoning standards and City ordinances and
14 policies in effect at the time building permits are issued. The approval of this
15 project constitutes the applicant's agreement with all statements in the Description
16 and Justification and other materials and information submitted with this
17 application, unless specifically waived by an adopted condition of approval.
- 18 94. The developer's construction of all fencing and walls associated with the project
19 shall be in conformance with the approved Development Plan. Any substantial
20 change in any aspect of fencing or wall design from the approved Development
21 Plan shall require a revision to the Development Plan.
- 22 95. If any aspect of the project fencing and walls is not covered by an approved
23 Development Plan, the construction of fencing and walls shall conform to the
24 development standards of the City Zoning Ordinance. In no case, shall the
25 construction of fences and walls (including combinations thereof) exceed the
26 limitations of the zoning code, unless expressly granted by a Density Bonus Waiver
27 or other development approval.
- 28 96. The project shall, comply with the applicable provisions of the City's anti-graffiti
29 (Ordinance No. 93-19/Section 20.25 of the City Code). These requirements,

1 including the obligation to remove or cover with matching paint all graffiti within 24
2 hours, shall be noted on the Landscape Plan.

3 97. Elevations, siding materials, colors, roofing materials and floor plans shall be
4 substantially the same as those approved by the Planning Commission. These shall
5 be shown on plans submitted to the Building Division and Planning Division.

6 98. Prior to issuance of any building or grading permit, the Director of Housing and
7 Neighborhood Services shall certify that the proposed development has complied
8 with the requirements for inclusionary housing and all provisions of Chapter 14C.

9 99. Prior to Building Permit issuance, the applicant shall submit and obtain final
10 approval of a Construction Management Plan from the City Planner or their
11 designee. The Construction Management Plan shall be implemented during the
12 entire duration of construction of the 13-unit subdivision project.

13 100. Garages shall be kept available and useable for the parking of tenant's automobiles at
14 all times.

15 101. Individual Trash/Recycling bins for all waste streams shall be kept within the
16 designated spaces provided within the garage areas for each individual units. No
17 storage of bins on the outside shall occur. Bins shall be wheeled out to an appropriate
18 location on the designated pickup date and returned within 24 hours to the interior
19 spaces within the garages.

20 102. The developer is prohibited from entering into any agreement with a cable television
21 franchisee of the City, which gives such franchisee exclusive rights to install, operate,
22 and or maintain its cable television system in the development.

23 103. In accordance with Density Bonus requirements, one (1) single-family dwelling
24 units shall be reserved for sale to very low-income households. This affordable
25 unit shall be provided proportional to the overall project in unit size, dispersed
26 throughout the project, and have access to all amenities available to other residents.
27 The City shall determine the eligibility of the very low-income households. A deed
28 restriction, covenant, and/or other instrument enforceable by the city and approved
29 by the City Attorney and Director of Housing and Neighborhood Services, limiting

1 the sale of such units to eligible very low-income households shall be recorded
2 against the title of the property. The duration of such sale restrictions shall be in
3 effect for a minimum of fifty-five (55) years.

4 104. The required "Affordable Housing Regulatory Agreement" shall be recorded
5 against the project site prior to the issuance of any permits for the project.

6 105. All units proposed as part of this project shall be rented for no less than 31-days.

7 106. A letter of clearance from the affected school district in which the property is
8 located shall be provided as required by City policy at the time building permits
9 are issued.

10 107. Prior to the issuance of a Grading Permit, the Applicant/Owner shall enter into a
11 pre-excavation agreement, otherwise known as a Tribal Cultural Resources
12 Treatment and Tribal Monitoring Agreement with the "Traditionally and Culturally
13 Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe".
14 A copy of the agreement shall be included in the Grading Plan Submittals for the
15 Grading Permit. The purpose of this agreement shall be to formalize protocols and
16 procedures between the Applicant/Owner and the "Traditionally and Culturally
17 Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe"
18 for the protection and treatment of, including but not limited to, Native American
19 human remains, funerary objects, cultural and religious landscapes, ceremonial
20 items, traditional gathering areas and tribal cultural resources, located and/or
21 discovered through a monitoring program in conjunction with the construction of
22 the proposed project, including additional archaeological surveys and/or studies,
23 excavations, geotechnical investigations, grading, and all other ground disturbing
24 activities. At the discretion of the Luiseño Native American Monitor, artifacts may
25 be made available for 3D scanning/printing, with scanned/printed materials to be
26 curated at a local repository meeting the federal standards of 36CFR79.

27 108. Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading
28 Contractor shall provide a written and signed letter to the City of Oceanside
29 Planning Division stating that a Qualified Archaeologist and Luiseño Native

1 American Monitor have been retained at the Applicant/Owner or Grading
2 Contractor's expense to implement the monitoring program, as described in the
3 pre-excavation agreement.

4 109. The Qualified Archaeologist shall maintain ongoing collaborative consultation
5 with the Luiseño Native American monitor during all ground-disturbing activities.
6 The requirement for the monitoring program shall be noted on all applicable
7 construction documents, including demolition plans, grading plans, etc. The
8 Applicant/Owner or Grading Contractor shall notify the City of Oceanside
9 Planning Division of the start and end of all ground-disturbing activities.

10 110. A qualified biologist should conduct a nesting bird survey at least 14 days prior to
11 the start of construction should it become necessary to conduct work within the
12 breeding season for Cooper's hawk, yellow breasted chat, yellow warbler, and
13 other nesting birds (February 1 through September 15). Should nesting individuals
14 be detected, appropriate buffers and protection measures will be established. A
15 training shall be developed and include a description of any target species of
16 concern, its habitats, the general provisions of the Endangered Species Act (Act),
17 the MHCP, and MBTA, the need to adhere to the provision of the Act and the
18 MHCP, the penalties associated with violating the provisions of the Act, the general
19 measures that are being implemented to conserve the target species of concern.

20 111. Stockpiling of materials and other aspects of construction staging shall be limited
21 to disturbed areas. Equipment storage, fueling and staging areas shall be located to
22 minimize risk of runoff to surrounding areas. All project related spills of hazardous
23 materials shall be reported to appropriate entities and cleaned up immediately.
24 Contaminated soils shall be removed to appropriate disposal areas. To avoid
25 attracting predators of any target species of concern, the project site shall be kept
26 clean of debris as much as possible. All food related trash items shall be enclosed
27 in sealed containers and regularly removed from the site. Pets of project personnel
28 shall not be allowed on site where they may come in contact with any listed species.
29 To prevent inadvertent disturbance to areas outside the limits of work, the

1 contractor should install temporary fencing along the limits of grading. The final
2 landscape plans should be reviewed by a qualified biologist to confirm that there
3 are no invasive plant species as included on the most recent version of the
4 California Invasive Plant Council Inventory for the project region.

5 112. Construction employees shall strictly limit their activities, vehicles, equipment, and
6 construction materials to the proposed footprint and designated staging areas and
7 routes of travel. The construction area(s) shall be the minimal area necessary to
8 complete the project and shall be specified in the construction plans.

9 113. The builder shall install frosted windows on all rear windows above the ground
10 floor that are within 20 feet 5 inches from the rear property line.

11 **Solid Waste**

12 114. The City of Oceanside reserves the right to review program and services levels and
13 request increases if deemed necessary. The City of Oceanside Municipal Code
14 Chapter 13 requires that Oceanside residents, businesses and multifamily projects
15 are to separate all recyclable material from other solid waste. Additionally, the
16 State of California regulations requires all California businesses participate in
17 Mandatory Recycling (AB 341) and Mandatory Commercial Organics Recycling
18 (AB 1826 & SB 1383) as outlined in the Oceanside Solid Waste code.

19 **Water Utilities:**

20 **General Conditions:**

21 115. For developments requiring new water service or increased water service to a
22 property, the landowner must enter into an agreement with the City providing for
23 landowner's assignment of any rights to divert or extract local groundwater supplies
24 for the benefit of the property to receive new or increased water service, in return for
25 water service from the City, upon such terms as may be provided by the Water
26 Utilities Director.

27 116. All existing active and non-active groundwater wells must be shown on conceptual,
28 grading, and improvement plans.

- 1 117. The developer will be responsible for developing all water and sewer utilities
2 necessary to develop the property. Any relocation of water and/or sewer utilities is
3 the responsibility of the developer and shall be done by an approved licensed
4 contractor at the developer's expense.
- 5 118. All Water and Wastewater construction shall conform to the most recent edition of
6 the *Water, Sewer, and Recycled Water Design and Construction Manual* or as
7 approved by the Water Utilities Director.
- 8 119. The property owner shall maintain private water and wastewater utilities located on
9 private property.
- 10 120. Water services and sewer laterals constructed in existing right-of-way locations are
11 to be constructed by an approved and licensed contractor at developer's expense.
- 12 121. Each new residential dwelling unit shall be equipped with a separate individual
13 water meter, and a separate sewer lateral connection.
- 14 122. A public water main (min. 8-inch) shall be constructed within the private road to
15 serve the residences. A fire hydrant shall be located at the end of the line for
16 maintenance. The public water main shall be located a minimum 5 feet off curb
17 face. Developer shall obtain a waiver from the Division of Drinking Water if the
18 minimum 10' separation (wall to wall) for water and sewer mains is not satisfied.
- 19 123. The public water main shall connect to the existing 8-inch AC water main in Loma
20 Alta Dr. Connections to the existing main shall be made with a cut-in tee and three
21 valves on each side.
- 22 124. A public sewer main (min. 8-inch) shall be constructed within the private road to
23 serve the residences. The sewer main shall be located along the centerline of the
24 road. A manhole shall be required at the terminus (starting point). The manhole
25 shall be located off the curb so that on street parking will not obscure and cover the
26 manhole.
- 27 125. Where water and sewer mains are located within the same easement, the minimum
28 easement size shall be 30 feet wide.
- 29

1 126. Provide a dedicated irrigation water meter for on-site common area (HOA)
2 landscaping. Meters shall be managed and paid for by the Homeowner's Association
3 for the development. An address assignment will need to be completed for the meters,
4 and can be processed through the City Planning Department.

5 127. Per the latest approved California Fire Code, all new residential units shall be
6 equipped with fire sprinkler system. Water services that feed the fire sprinkler system
7 along with the domestic water system shall be equipped with a dual check valve
8 device.

9 128. Hot tap connections will not be allowed for size on size connections, and connections
10 that are one pipe size smaller than the water main. These connections shall be cut-in
11 tees with three valves for each end of the tee. Provide a connection detail on the
12 improvement plans for all cut-in tee connections.

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

15 129. Any water and/or sewer improvements required to develop the proposed property will
16 need to be included in the improvement plans and designed in accordance with the
17 *Water, Sewer, and Recycled Water Design and Construction Manual*.

18 130. All public water and/or sewer facilities not located within the public right-of-way
19 shall be provided with easements sized according to the *Water, Sewer, and Recycled*
20 *Water Design and Construction Manual*. Easements shall be constructed for all
21 weather access.

22 131. No trees, structures or building overhang shall be located within any water or
23 wastewater utility easement.

24 132. All lots with a finish pad elevation located below the elevation of the next upstream
25 manhole cover of the public sewer shall be protected from backflow of sewage by
26 installing and maintaining an approved type backwater valve, per the latest adopted
27 California Plumbing Code.

28 133. All water and sewer mains not meeting the minimum main diameter and material
29 requirements shall be replaced by the Developer, and at the Developer's expense, to

1 meet current design standards for all new residential developments of four (4) units
2 or more. Water and sewer improvements shall be required as part of engineering plan
3 submittal. Where the full replacement length along the frontage property is deemed
4 in excess of the overall project cost, the developer may pay an impact fee upon the
5 approval of the Water Utilities Director. The impact fee will be based on the estimated
6 construction costs of similar size and type of work in the past year, and shall meet
7 prevailing wage requirements. This shall be paid prior to engineering plan approval.

8 134. The existing 6" sewer main in Loma Alta Drive does not meet the current design
9 standards of a minimum 8" diameter sewer main. Therefore, the Developer will be
10 required to replace the sewer main along the property frontage with an 8" PVC
11 main at the Developer's expense. The main replacement shall include the partial
12 segment of 6" main from the connection point to the next downstream manhole,
13 and continue south along the property frontage to the next manhole located across
14 from 235 Loma Alta Drive.

15 135. Per City of Oceanside Ordinance No. 14-OR0565-1, the developer shall pay a
16 recycled water impact fee since the proposed project is not within 75 feet of a recycled
17 water main. The impact fee shall be established by submitting a formal letter
18 requesting the City to determine this fee, which is based on 75% of the design and
19 construction cost to construct a recycled water line fronting the property in Loma Alta
20 Drive.

21 136. Connections to a public sewer main with a 6-inch or larger sewer lateral will require
22 a new sewer manhole for connection to main per Section 3.3 of *Water, Sewer, and*
23 *Recycled Water Design and Construction Manual*.

24 137. Connection to an existing sewer manhole will require rehabilitation of the manhole
25 per City standards. Rehabilitation may include, but not be limited to, re-channeling
26 of the manhole base, surface preparation and coating the interior of the manhole,
27 and replacing the manhole cone with a 36" opening and double ring manhole frame
28 and lid.

- 1 138. A separate irrigation meter and connection with an approved backflow prevention
- 2 device is required to serve common landscaped areas and shall be displayed on the
- 3 plans.
- 4 139. Provide peak irrigation flows per zone or control valve to verify size of irrigation
- 5 meter and reduced pressure principle backflow device on Landscape Plans.
- 6 140. All existing and proposed sewer manholes shall be accessible by the City vector truck.
- 7 Developer shall provide access roads, turf block, or pavement that can support H-20
- 8 loading to support the truck. Access road or pavement must allow a minimum
- 9 turning radius of 46-feet (outer wheel) for curb clearance and a wall clearance of
- 10 46'-11". Truck length is 41'-6".
- 11 141. Provide stationing and offsets for existing and proposed water service connections
- 12 and sewer laterals on plans.
- 13 142. Any unused water services or sewer laterals by the proposed development or
- 14 redevelopment, shall be abandoned in accordance with Water Utilities
- 15 requirements.

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

- 17 143. Show location and size of proposed water meter(s) on site plan of building plans.
- 18 Show waterline from proposed meter to connection point at residence.
- 19 144. Show location and size of proposed sewer lateral(s) from property line or connection
- 20 to sewer main to connection point at residence.
- 21 145. Provide a fixture unit count table and supply demand estimate per the latest adopted
- 22 California Plumbing Code (Appendix A) to size the water meter(s) and service line(s).
- 23 146. Provide drainage fixture unit count per the latest adopted California Plumbing Code
- 24 to size sewer lateral for property.

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1 147. Water and Wastewater buy-in fees and the San Diego County Water Authority Fees
2 are to be paid to the City at the time of Building Permit issuance per City Code
3 Section 32B.7.

4 PASSED AND ADOPTED Resolution No. 2023-P19 on October 9, 2023, by the
5 following vote, to wit:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10 _____
11 Tom Rosales, Chairperson
12 Oceanside Planning Commission

13 ATTEST:

14 _____
15 Sergio Madera, Secretary

16 I, Sergio Madera, Secretary of the Oceanside Planning Commission, hereby certify that
17 this is a true and correct copy of Resolution No. 2023-P19.

18 Dated: October 9, 2023
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PLANNING COMMISSION**STAFF REPORT**

DATE: August 28, 2023
TO: Chairperson and Members of the Planning Commission
FROM: Development Services Department – Planning Division

SUBJECT: CONSIDERATION OF A TENTATIVE MAP (T22-00003), DEVELOPMENT PLAN (D22-00004), AND DENSITY BONUS (DB22-00003) FOR A 13-LOT SUBDIVISION AND DEVELOPMENT OF 13 SINGLE-FAMILY RESIDENCES ON A 2.0-ACRE PARCEL LOCATED BETWEEN LOMA ALTA DRIVE AND CROUCH STREET APPROXIMATELY 150 FEET SOUTH OF WALSH STREET – LOMA ALTA TERRACES – APPLICANT: LOMA ALTA TERRACES, LLC

RECOMMENDATION

Staff recommends that the Planning Commission by motion;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003) by adopting Planning Commission Resolution No. 2023-P19 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review & Background: The project site consists of an undeveloped 2.0-acre through lot located approximately 150 feet south of Walsh Street with frontages on both Loma Alta Drive and Crouch Street. Located within the Loma Alta Neighborhood Planning Area, the site has a General Plan land use designation of Estate B Residential (EB-R) and a corresponding zoning designation of Residential Estate B (RE-B). Surrounding land uses include single-family homes on all sides. The project site and the surrounding area are depicted in Figure 1.

Figure 1: Location Map



Project Description: The proposed project is a request for three entitlements:

Tentative Tract Map (T22-00003):

A Tentative Map to subdivide the existing 2.0-acre parcel into 13 residential lots ranging in size from 2,752 square feet to 12,131 square feet. The lots would face inward on a newly created private cul-de-sac.

Development Plan (D22-00004):

A Development Plan to construct 13 single-family residences; one on each of the newly created lots. Eleven (11) of the residences would be three-story, 3,203-square foot structures with four (4) bedrooms and three-car garages and two (2) would be 1,600-square foot two-story structures with five (5) bedrooms and two-car garages. Associated improvements would include a private street accessed from Loma Alta Drive in a cul-de-sac orientation, landscaping, perimeter fencing, frontage improvements, and a storm water management basin.

Architecture

The proposed project would include two housing products floor plans, Plan "A" and Plan "B," both of which are described by the applicant as drawing inspiration from modern farmhouse architecture. Design of the proposed units include a variety of different architectural elements, and include floor plans mirrored on each lot to provide some visual variety.

For the 11 dwellings designated as Plan "A," roof elements include a gable roof in the rear, awning-style roofs on the small portions of the building projecting from the main building wall on the sides, an inverse hip roof topping the front façade, and various flat roof elements. The proposed color palette mainly consists of shades of blue and grey, with contrasting garage/front doors. Exterior materials include stucco with an accenting section of Hardie board panel siding and asphalt shingles on the pitched roof elements.

The two (2) Plan "B" dwellings would have many of the same features, including contrasting garage doors with a variety of roof elements in shades of grey. Colored elevations are provided in the Architectural Plans (Attachment 2).

Landscaping

Proposed landscaping includes two types of trees, Brisbane Box Trees and Strawberry Trees, two types of ground covers, Japanese Honeysuckle and Huntington Carpet Rosemary, and four different types of shrubs. Most of the shrubs and ground covers would be planted around the perimeter of the site or in the storm water management basin (also known as biofiltration basin). A majority of the lots would be planted with a Strawberry Tree in the front yard. More details about the project's proposed landscaping can be found in the attached conceptual landscape plan (see Attachment 4).

Access, Parking, Traffic & Frontage Improvements

The proposed project would include a cul-de-sac accessed from Loma Alta Drive from the midpoint of the site's frontage. No vehicular access is proposed from Crouch Street. The private street would not have the capacity to provide street parking on one side due to its 32-foot width from curb to curb. Each of the Plan "A" dwellings would include a three-car garage, with one garage space provided in a tandem configuration, and a two-car driveway. The two (2) smaller units would have a two-car garage and a two-car driveway. Additional traffic resulting from this project is estimated at 130 average daily trips (ADT). Ten (10) additional trips are estimated to take place during the morning and evening peak hours.

Currently, the project site includes one curb on the Loma Alta Drive frontage with no frontage improvements along Crouch Street. As part of this project, the applicant is proposing to install curbs, gutters, and sidewalks on both the Loma Alta Drive and Crouch Street frontages. Street dedications and road widening would occur on each frontage resulting in a widening of up to nine (9) feet. The additional roadway width would allow for street parking on both frontages where none exists today.

Density Bonus (DB22-00003):

The proposed project includes a request to utilize State Density Bonus Law (GOV §65915 et seq.) to exceed the maximum permitted density of the Estate B (EB-R) General Plan land use designation by reserving 11 percent of the units as affordable to Very Low-Income (VLI) households. Pursuant to Density Bonus Law, a project reserving 11 percent of the units for VLI is entitled to a 35 percent increase in allowable density. The density calculations are shown below in Table 1. It should be noted that Density Bonus requests in single-family residential zones do not overrule the restriction of one unit per lot inherent to single-family zoning. As further described below, Density Bonus Law allows an applicant to request a deviation from the minimum lot sizes through reductions or waivers of development standards, thereby resulting in smaller lots than would otherwise be allowed by the Zoning Ordinance.

Table 1: Density Calculations

Base Density (EB-R): 2.0-acre site x 4.356 du/acre	9 units*
Units Reserved: 11% deed restricted Very Low Income*	1 unit
Density Bonus: 35% of 9 units	4 units*
Total Allowable Units: 9 units base density + 4 bonus units	13 units
Realized Density with Density Bonus	6.5 u/acre

Very Low Income households are defined as those earning 31 to 50 percent (31% - 50%) of the area local median income, or AMI. The current AMI for San Diego County is \$116,800.

**All unit calculations are rounded up in accordance with Density Bonus Law*

State law entitles Density Bonus projects to a certain amount of incentives or concessions, as well as an unlimited number of waivers. Incentives or concessions are requests by the applicant for a Density Bonus project to be exempted from meeting a requirement that would add a significant cost to the project. The proposed project is granted two (2) incentives per

Density Bonus Law by reserving at least 10 percent of the total units for VLI households; however, only one incentive is being requested as part of this project, as listed below. Waivers, on the other hand, are unlimited and allow an applicant to waive development standards that would physically preclude the project at the density proposed. Density Bonus Law prohibits the City from denying any requested incentives/concessions or waivers unless findings are made that the incentives/concessions or waivers would have a "Specific Adverse Impact," which is defined as "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete." State law further establishes that "inconsistency with zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact on public health or safety..."

Incentive/Concession #1

An incentive/concession is requested to waive the City's utility undergrounding requirement. The undergrounding of overhead utilities is required for Development Plans pursuant to Section 3023 of the Zoning Ordinance and for Tract Maps pursuant to Section 901.G of the Subdivision Ordinance. The City's Engineering Division can recommend a waiver of this requirement regardless of whether or not the project is utilizing density bonus in circumstances where the requirement is not justified. A common example is when the utility poles along a site's frontage contain high-voltage electricity lines that cannot be feasibly undergrounded. The project site has one utility pole on the Crouch Street frontage which otherwise would need to be undergrounded. However, because the nearest utility pole to the south of the project site is located more than 100 feet outside of the property boundary, the applicant would need to install a new utility pole 100 feet away which would ultimately result in no net decrease in overhead utility poles. Therefore, the Engineering Division supports a waiver of the undergrounding requirement consistent with the applicant's incentive/concession request.

Waivers

Multiple waivers of development standards are being requested by the project applicant that would otherwise preclude the project at the proposed density. The following table is provided to illustrate the development standards applicable to the project and to identify the standards proposed to be waived as a part of the Density Bonus application:

Table 2: Development Standards

Development Standard	Zoning (RE-B) Standard	Proposed*	Notes
Minimum Lot Area	10,000 sf	2,752 sf	Waiver
Minimum Lot Width	70 feet	29 feet	Waiver
Maximum Lot Depth/Width Ratio	2.5 to 1	3.6:1	Waiver
Minimum Setbacks			
Front	25 feet	18 feet	Waiver
Side	7.5 feet	4 feet	Waiver

Corner Side	15 feet	4 feet	Waiver
Rear	20 feet	7 feet	Waiver
Minimum Driveway Length	20 feet	18 feet	Waiver
Maximum Height	36 feet	39 feet including retaining wall below unit	Waiver
Maximum Wall Height	6 feet	10 feet	Waiver
Minimum Site Landscaping	50% in front yard	34% in front yard	Waiver
Minimum Tree Canopy	12%	24%	Complies with Code
Minimum Permeable Surface	22%	44%	Complies with Code
Minimum Usable Open Space	300sf per unit	>300sf per unit	Complies with Code
Parking (Maximum required by Density Bonus Law)	0-1 bedroom: 1 parking space 2-3 bedrooms: 1.5 parking spaces 3+ bedrooms: 2.5 parking spaces	Floorplan A: 5 parking spaces (3-car garage + driveway) Floorplan B: 4 parking spaces (2-car garage + driveway)	Complies with City Code & Density Bonus Law

**Figures in the "proposed" column represent the most non-compliant development standard, not development standards for every proposed structure.*

ANALYSIS

Development on the subject property is subject to the policies and standards of the following:

1. General Plan
2. Zoning Ordinance
3. Subdivision Ordinance
4. California Environmental Quality Act (CEQA)

1. General Plan Conformance

The General Plan Land Use Map designation for the subject property is Estate B Residential (EB-R). The proposed project is consistent with this land use designation and the policies of the City's General Plan as follows:

Land Use Element: The Land Use Element establishes the following relevant goals, objectives, and policies applicable to the proposed project.

Goal 1.16: *Housing.* To ensure that decent, safe and sanitary housing is available to all current and future residents of the community at a cost that is within the reach of the diverse economic segments of Oceanside.

Policy C: The City shall ensure that housing is developed in areas with adequate access to employment opportunities, community facilities, and public services.

Policy E: The City shall protect, encourage, and where feasible, provide housing opportunities for persons of low and moderate income.

The proposed project is requesting to deed-restrict 11 percent of the total number of units, or one (1) unit, which would provide decent, safe, and sanitary housing for a lower-income household within the Oceanside community. By providing a deed-restricted affordable unit, the project would provide housing opportunities in an area that would otherwise be unattainable for lower income families.

The project site is located within the Loma Alta neighborhood in close proximity to recreational facilities like Buddy Todd Park and multiple employment centers including those located along the Mission Avenue and Oceanside Boulevard corridors.

The Regional Housing Needs Assessment (RHNA) for the Sixth Housing Element Cycle (2021-2029) estimates that the City of Oceanside will experience demand for more than 5,443 new dwelling units over the next eight years. 1,268 of those units need to be affordable to Very Low Income and Extremely Low Income households. By contributing one (1) VLI unit and twelve (12) new market-rate dwelling units to the City's existing housing stock, the proposed project would help to meet the City's projected housing demand.

Housing Element: The Housing Element establishes the following relevant goals, and policies applicable to the proposed project.

Goal 2: Encourage the development of a variety of housing opportunities, with special emphasis on providing:

- A broad range of housing types, with varied levels of amenities and number of bedrooms.
- Sufficient rental stock for all segments of the community, including families with children.
- Housing that meets the special needs of the elderly, homeless, farm workers, and persons with disabilities, and those with developmental disabilities.
- Housing that meets the needs of large families.

Policy 2.2: Encourage both the private and public sectors to produce or assist in the production of housing with particular emphasis on housing affordable and

accessible to lower income households, persons with disabilities, elderly, large families, female-headed households, farm workers, and homeless persons.

Goal 3: Protect, encourage, and provide housing opportunities for persons of low and moderate income.

Policy 3.7: Encourage the disbursement of lower and moderate income housing opportunities throughout all areas of the City.

Policy 3.8: Encourage inclusionary housing to be built on or off-site for new housing projects rather than pay in-lieu fee.

The proposed project is consistent with the identified goals and policies of the Housing Element in that the project would provide not only market rate units, but also housing affordable to a lower income household. It is also creating a lower income housing opportunity in an area of the City that otherwise would be unattainable for lower income households. In addition, the project would satisfy the City's Inclusionary Housing requirements by providing an affordable unit on site.

Staff finds that the project, as proposed, is consistent with the cited Goals, Objectives, and Policies of the General Plan.

2. Zoning Ordinance Compliance

The proposed project is subject to the RE-B development standards provided in Article 10 of the Zoning Ordinance. The Zoning Ordinance identifies single-family homes as a land use permitted within the RE-B zoning district. With respect to development standards, the proposed project complies with the development standards of the RE-B zoning district and where it does not, the applicant is seeking waivers of the development standards consistent with Density Bonus Law and as previously highlighted in Table 2 of this report.

The applicant is not seeking any reductions of parking requirements allowed pursuant to Density Bonus Law. As proposed, all Plan "A" homes would include three-car garages and the two Plan "B" homes would have two-car garages. In addition, all of the homes would have two-car driveways equating to five (5) parking spaces for Plan "A" lots and four (4) parking spaces for the Plan "B" lots. The availability of such parking would offset the on-street parking limitation on the cul-de-sac.

3. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance. Pursuant to Article IV of the Subdivision Ordinance, the proposed Tentative Subdivision Map has been prepared in a manner acceptable to the Engineering Division. The design of the subdivision or the type of improvements meet City standards and will not conflict with easements, acquired by the public at large, for access through or the use of property within the proposed subdivision. Street improvements have been designed in a manner consistent with City standards; and access to the proposed project would not conflict with the existing road network. On-site circulation and all improvements would be designed, constructed, and maintained consistent with City standards, unless expressly waived in accordance with Density Bonus Law.

4. California Environmental Quality Act Compliance

In accordance with the California Environmental Quality Act (CEQA), staff finds that the proposed project is categorically exempt pursuant to CEQA Guidelines Article 19 Categorical Exemptions, Section 15332 "In-fill Development Projects." The project site is located in an urbanized area, and would not result in any significant environmental effects. An Infill Exemption Justification Memo is included as Attachment 5. A traffic memo also has been prepared by a licensed traffic engineer and included as Attachment 7 justifying how the proposed project would not result in significant traffic impacts.

PUBLIC NOTIFICATION

The applicant complied with the City's Enhanced Notification Program and conducted a virtual community outreach meeting on March 21, 2023 at 8 a.m., to which ten members of the public attended. Common concerns expressed in the meeting including concerns about the loss of private views, unsafe roadways, and aesthetic incompatibility with the surrounding neighborhood. More details about the meeting can be found in the applicant's Community Outreach Report included as Attachment 9.

Legal notice was published in the newspaper and mailed notices were sent to property owners of record within 1,500 feet and tenants within 100 feet of the subject property as well as interested parties. To date, staff has received eight (8) letters of opposition from the public (see Attachment 10). The common concerns arising from residents near a proposed development were evident for this project, including parking, traffic, density, and aesthetic impacts. The other concerns centered around perceived impacts to the health and safety of the surrounding residents, including decreased quality of life, inadequate infrastructure, and the creation of an unsafe intersection and roadway.

In response to the public's concerns, the City has conditioned the proposed project to install a stop sign where the private street meets Loma Alta Drive, which was originally proposed as an uncontrolled intersection. No stop signs are proposed for through traffic on Loma Alta Drive. Furthermore, the proposed project has been conditioned to widen both Loma Alta Drive and Crouch Street up to nine feet and install curbs, gutters, and sidewalks along the project frontage.

SUMMARY

Staff finds that the proposed project is consistent with the applicable objectives and policies of the City's General Plan as well as the applicable standards of the City's Zoning Ordinance and Subdivision Ordinance. Staff thus recommends that the Planning Commission approve the proposal.

Staff recommends that the Planning Commission, by motion;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003) by adopting Planning Commission Resolution No. 2023-P19 with findings and conditions of approval attached herein.

PREPARED BY:



Dane Thompson
Planner II

SUBMITTED BY:



Sergio Madera
City Planner

Attachments:

1. Planning Commission Resolution No. 2023-P19
2. Architectural Plans
3. Tentative Map
4. Conceptual Landscape Plan
5. CEQA Infill Exemption Memo
6. Biological Report
7. Traffic Memo
8. Slope Analysis Map
9. Community Outreach Report
10. Public Correspondence
11. Other Attachments (Application, Description & Justification Letter, Legal Description, Notice of Exemption)

LOMA ALTA TERRACES

13 SINGLE FAMILY RESIDENCE
LOMA ALTA DRIVE, OCEANSIDE CA 92054

5.03 ATTACHMENT

732-00063 022-00004 0027-00004

RICHARD RICHARDSON
CONSULTING ENGINEER
2025 WILSON AVENUE
OCEANSIDE, CA 92054
PH: 761-732-0004 FAX: 761-732-0005

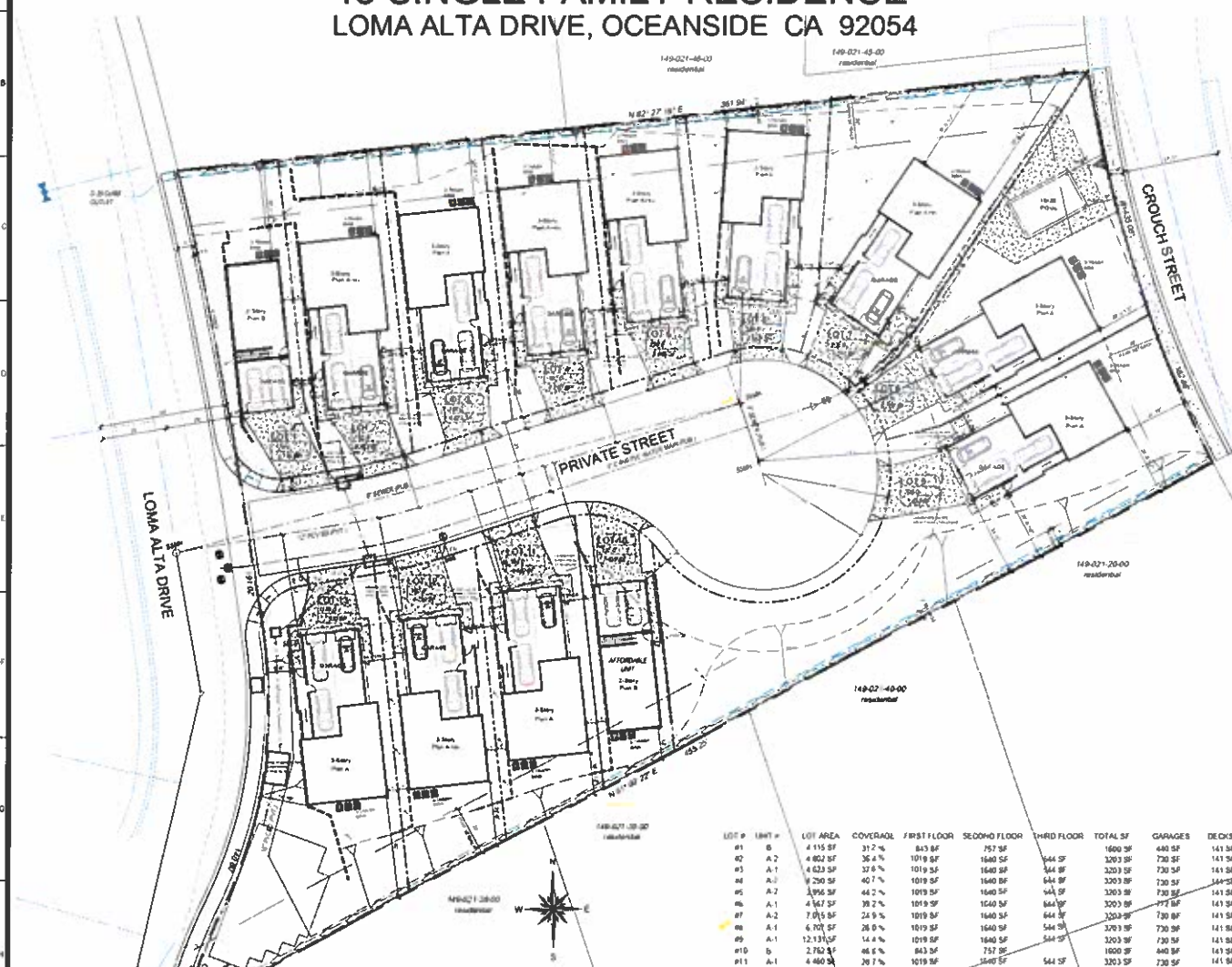
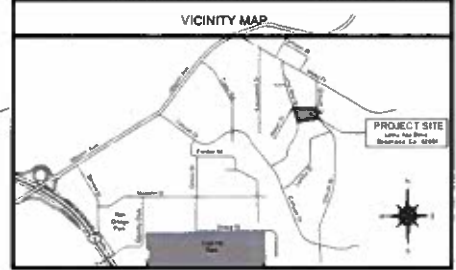
R&R

LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE CA, APN # 149-021-18

SCOPE OF WORK
<ul style="list-style-type: none"> PROVIDE 13 x 2-BEDROOM SINGLE FAMILY RESIDENCES WITHIN THE 13-ACRE SITE AT LOMA ALTA DRIVE. INCLUDES DEVELOPMENT OF ALL UTILITIES AND ALL NECESSARY PERMITS. ALL UTILITIES AND SERVICES PROVIDED WILL INCLUDE PROVIDING TWO ADDITIONAL FIRE HYDRANTS, EXTENSION OF STORM WATER, SEWER AND WATER MAINS FROM LOMA ALTA DRIVE. IT ALSO INCLUDES APPROXIMATE GUTTER AND SIDEWALKS TO 60TH LINE ALTA AND CHURCH STREET.

BUILDING CODE
BUILDING CODE APPLICABLE: 2022 CBC, 2022 CMC, 2022 CPC, 2022 CEC, 2022 CFC, 2021 HPPA 13 & 15, 2021 OESCC, and 2021 CA Energy Code.

PROJECT DATA	
PROJECT NO.	732-00063-022-00004-0027-00004
Subdiv Name Parcel	CP 1 OF OCEANSIDE
TYPE ADDRESS	LOMA ALTA DRIVE, OCEANSIDE, CA 92054
APN	149-021-18
LEGAL DESCRIPTION	TR 1000 BLS & LOT 18
SITE AREA	1.1 ACRES (48,938 SQ FT)
GENERAL PLAN	RESIDENTIAL ESTATE
ZONING	RES
RESIDENCY TYPE	1-2 Single Family Residential
CONSTRUCTION TYPE	18
YEAR BUILT	1988
SETBACKS	FRONT: 25 FT (MIN); REAR: 25 FT (MIN); SIDE: 5 FT (MIN)
REQUIREMENTS	SEE PERMITS
DESIGNER	SEE PERMITS
CONTRACTOR	SEE PERMITS
REMARKS	SEE PERMITS
REVISIONS	SEE PERMITS
DATE	10-14-2022
BY	22261



LOT #	BLK #	LOT AREA	COVERAG	FIRST FLOOR	SECOND FLOOR	THIRD FLOOR	TOTAL SF	GARAGES	DECKS
#1	B	4,115 SF	31.2%	843 SF	757 SF	1600 SF	3203 SF	480 SF	141 SF
#2	A-2	4,802 SF	36.4%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
#3	A-1	4,823 SF	37.6%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
#4	A-2	4,230 SF	40.7%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
#5	A-2	4,996 SF	44.2%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
#6	A-1	4,167 SF	39.2%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
#7	A-2	7,755 SF	24.5%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
#8	A-1	6,707 SF	28.9%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
#9	A-1	12,133 SF	14.4%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
#10	B	2,782 SF	46.6%	843 SF	757 SF	1600 SF	3203 SF	480 SF	141 SF
#11	A-1	4,480 SF	28.1%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
#12	A-2	4,789 SF	36.4%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
#13	A-1	7,830 SF	29.6%	1019 SF	1640 SF	1640 SF	3299 SF	730 SF	141 SF
		72,147 SF	34.9%	12,856 SF	19,964 SF	6,984 SF	30,833 SF	8,994 SF	1,832 SF

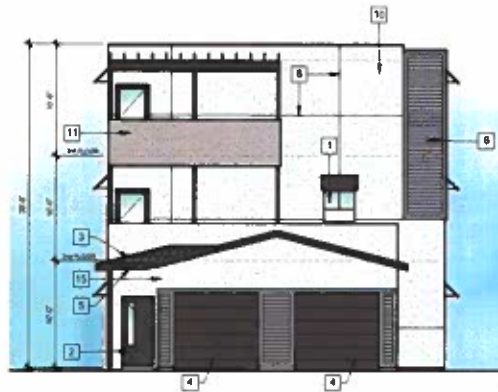
CONCEPTUAL SITE PLAN

SHEET NUMBER
A100

RICHARD RICHARD
CONSTRUCTION COMPANY, INC.
524 VENTURE ST., SUITE 100
SAN MARINO, CA 91076
TEL: 909-261-1000



LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE, CA. APN # 149-021-18



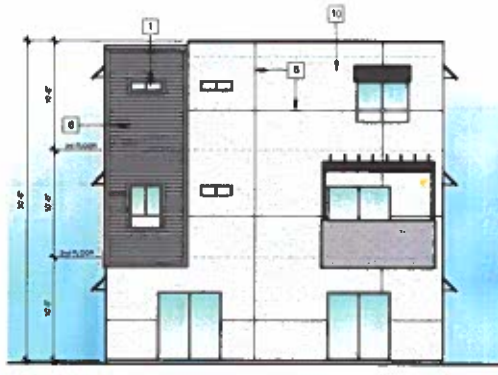
PLAN A - FRONT ELEVATION
SCALE 3/16" = 1'-0"



PLAN A - SIDE ELEVATION
SCALE 3/16" = 1'-0"

TYPICAL ELEVATION LEGEND

- 1 Vinyl Windows - dual pane w/ Solartan 70XL and low E Glazing
- 2 3'x6'-8" Entry Door w/ half Glass lite (TYP) - polished
- 3 Class "A" Roofing Material (TYP), Asphalt Shingle Owens Corning Roofing or EQ, Oakridge Estate Gray Over No. 30 - Asphalt Saturated Felt, ICC-ES ESR-2423
- 4 8'-0" x 6'-8" Steel garage door (TYP)
- 5 Painted 2x8 F-rafts
- 6 James Hardie- Aspire Collection Superior siding
- 7 DELETED
- 8 Stucco Expansion Joint - See Detail 16/A6 0
- 9 James Hardie- Board and Batten siding
- 10 7/8" Stucco System - Stucco (ST-1), Omega Stucco, 9005 Iceberg, Sand Finish
- 11 7/8" Stucco System - Stucco (ST-2), Omega Stucco, 9015 Berryblue, Sand Finish
- 12 7/8" Stucco System - All Stucco (ST-3), Omega Stucco, 9017 Salem, Sand Finish
- 13 7/8" Stucco System - All Stucco (ST-4), Omega Stucco, 9029, Outlaw, Sand Finish
- 14 18'-0" x 6'-8" Steel garage door (TYP)
- 15 12" High Address Numbers w/ a Minimum Stroke of 1 1/2" in Contrasting Color Plainly Visible Individual Die Numbers Shall Be 6" High
- 16 Decorative Wall Sconce Lighting - Style TBD (TYP)
- 17
- 18
- 19



PLAN A - REAR ELEVATION
SCALE 3/16" = 1'-0"



PLAN A - SIDE ELEVATION
SCALE 3/16" = 1'-0"

PLAN "A" CONCEPTUAL ELEVATIONS A-300

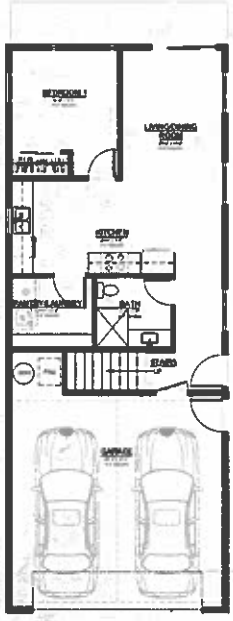
REVISION		DATE	BY	CHKD
1	ISSUED FOR PERMIT	10-14-2022	AR	AR
2	REVISED PER COMMENTS	10-14-2022	AR	AR
3	REVISED PER COMMENTS	10-14-2022	AR	AR
4	REVISED PER COMMENTS	10-14-2022	AR	AR
5	REVISED PER COMMENTS	10-14-2022	AR	AR
6	REVISED PER COMMENTS	10-14-2022	AR	AR
7	REVISED PER COMMENTS	10-14-2022	AR	AR
8	REVISED PER COMMENTS	10-14-2022	AR	AR
9	REVISED PER COMMENTS	10-14-2022	AR	AR
10	REVISED PER COMMENTS	10-14-2022	AR	AR
11	REVISED PER COMMENTS	10-14-2022	AR	AR
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15	REVISED PER COMMENTS	10-14-2022	AR	AR
16	REVISED PER COMMENTS	10-14-2022	AR	AR
17	REVISED PER COMMENTS	10-14-2022	AR	AR
18	REVISED PER COMMENTS	10-14-2022	AR	AR
19	REVISED PER COMMENTS	10-14-2022	AR	AR

ALL DETAILS, DIMENSIONS AND PARTS IN THIS PLAN SHALL BE CONSIDERED TO BE THE PROPERTY OF RICHARD RICHARD CONSTRUCTION CO., INC. AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RICHARD RICHARD CONSTRUCTION CO., INC.

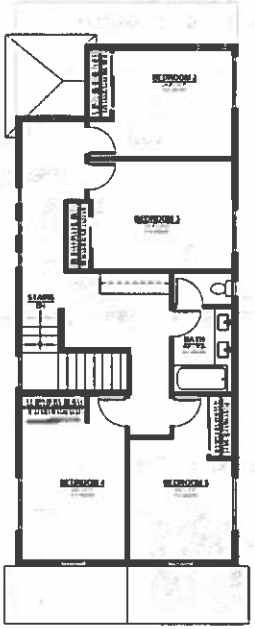
RICHARD & RICHARD
CONSULTING ENGINEERS AND
ARCHITECTS
2541 VENTURA BLVD., SUITE 200
SAN ANTONIO, TEXAS 78204
PH: 214-343-1111
WWW.RANDR.COM



LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE CA, APN # 149-021-18



**PLAN B
FIRST FLOOR PLAN**
SCALE 3/16" = 1'-0"



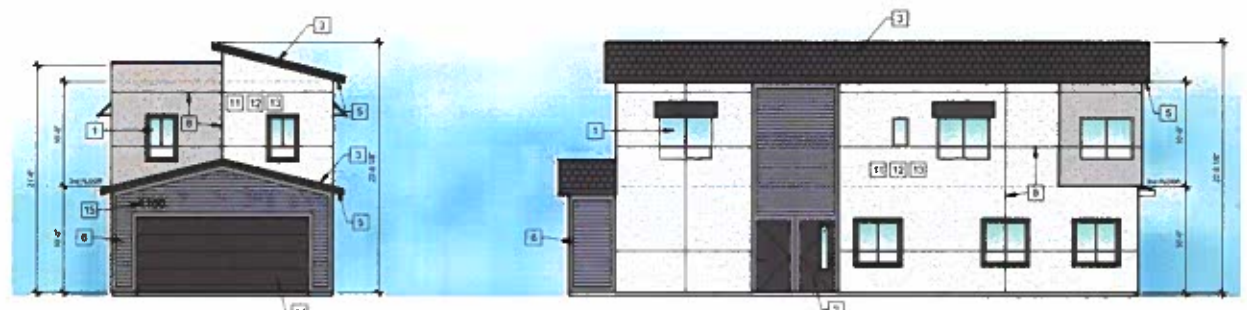
**PLAN B
SECOND FLOOR PLAN**
SCALE 3/16" = 1'-0"

PLAN "B" CONCEPTUAL FLOOR PLANS

NO.	REVISION	DATE
1	ISSUED FOR PERMITS	10-14-2022
2	REVISED PER COMMENTS	10-14-2022
3	REVISED PER COMMENTS	10-14-2022
4	REVISED PER COMMENTS	10-14-2022
5	REVISED PER COMMENTS	10-14-2022
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48	REVISED PER COMMENTS	10-14-2022
49	REVISED PER COMMENTS	10-14-2022
50	REVISED PER COMMENTS	10-14-2022

PLAN "B"
CONCEPTUAL
FLOOR PLANS
SCALE: AS SHOWN
A-201

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PLAN B FRONT ELEVATION
SCALE 3/16" = 1'-0"

PLAN B SIDE ELEVATION
SCALE 3/16" = 1'-0"



PLAN B REAR ELEVATION
SCALE 3/16" = 1'-0"

PLAN B SIDE ELEVATION
SCALE 3/16" = 1'-0"

TYPICAL ELEVATION LEGEND

- 1 Vinyl Windows - dual pane w/ Solarban 70XL and low E Glazing
- 2 3'x6'-6" Entry Door w/ half Glass lite (TYP) - prefinished
- 3 Class "A" Roofing Material (TYP); Asphalt Shingle, Owens Corning Roofing or EQ, Gairidge Slate Grey" Over No. 30 Asphalt Saturated Fel, ICC-ES ESR-7423
- 4 8'-0" x 6'-8" Steel garage door (TYP)
- 5 Painted 2x8 F-ace
- 6 James Hardie - Aspire Collection Superior siding
- 7 DELETED
- 8 Stucco Expansion Joint - See Detail 16/A6 0
- 9 James Hardie - Board and Batten siding
- 10 7/8" Stucco System - Stucco (ST-1), Omega Stucco, 9005 Iceberg, Sand Finish
- 11 7/8" Stucco System - Stucco (ST-2), Omega Stucco, 9015 Barrytone, Sand Finish
- 12 7/8" Stucco System - All Stucco (ST-3), Omega Stucco, 9017 Salem, Sand Finish
- 13 7/8" Stucco System - All Stucco (ST-4), Omega Stucco 9029, Outlaw, Sand Finish
- 14 16'-0" x 6'-8" Steel garage door (TYP)
- 15 12" High Address Numbers w/ a Minimum Stroke of 1/2" in Contrasting Color Plainly Visible Individual Size Numbers Shall Shall be 9" High
- 16 Decorative Wall Sconce Lighting - Style TBD (TYP)
- 17
- 18
- 19

RICHARD RICHARD
CONSTRUCTION COMPANY, INC.
224 VENTURA ST., STE 100
LOS ANGELES, CA 90001
PH: 213-778-1000



LOMA ALTA TERRACES
NEW 13 SINGLE FAMILY RESIDENCES
LOMA ALTA DRIVE, OCEANSIDE CA, APN # 148-021-18

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10/14/2022
2	REVISED PER PERMIT COMMENTS	10/14/2022
3	REVISED PER PERMIT COMMENTS	10/14/2022
4	REVISED PER PERMIT COMMENTS	10/14/2022
5	REVISED PER PERMIT COMMENTS	10/14/2022
6	REVISED PER PERMIT COMMENTS	10/14/2022
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18	REVISED PER PERMIT COMMENTS	10/14/2022
19	REVISED PER PERMIT COMMENTS	10/14/2022

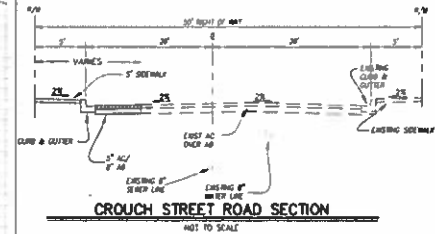
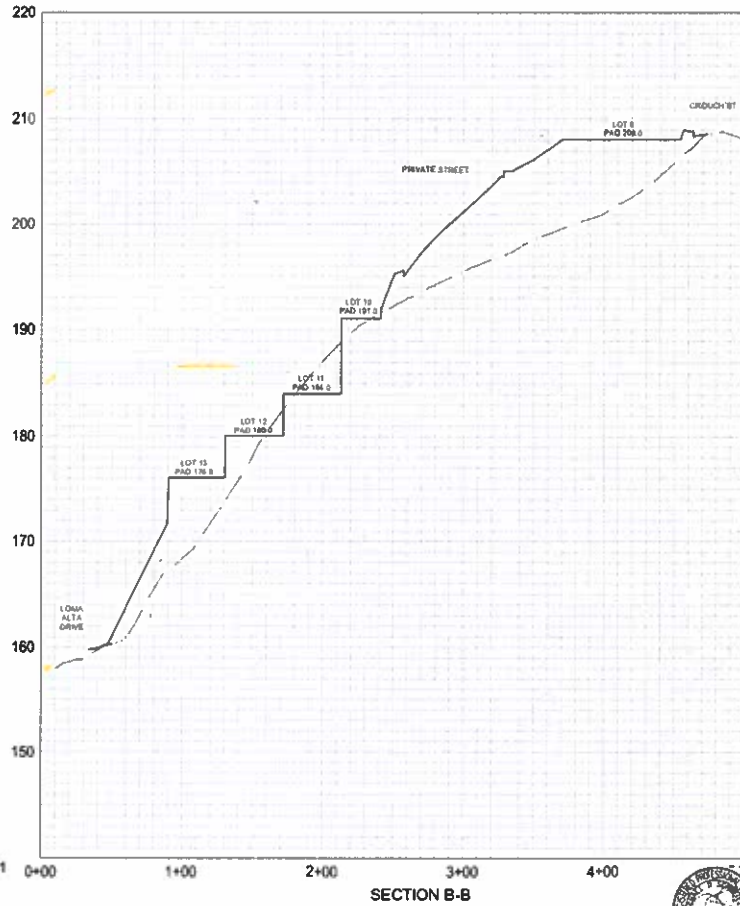
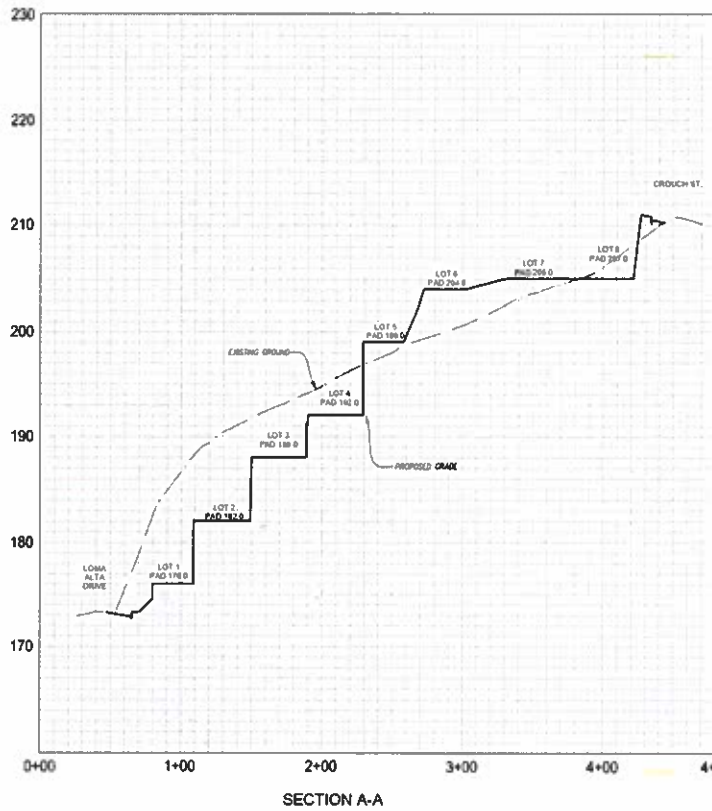
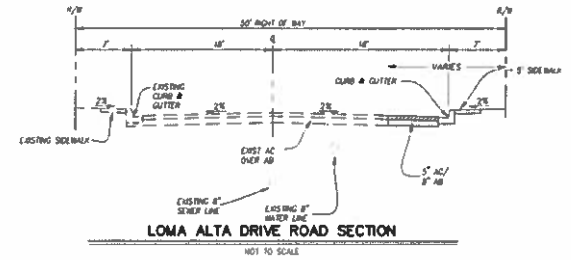
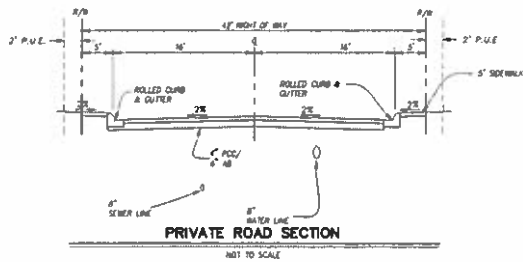
DATE: 10-14-2022
JOB#: 22281

PLAN "B" CONCEPTUAL ELEVATION
SHEET NUMBER
A-301

PLAN "B" CONCEPTUAL ELEVATIONS

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CITY OF OCEANSIDE TT 22-00003 TENTATIVE SUBDIVISION MAP

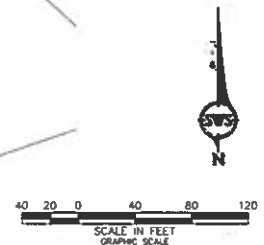
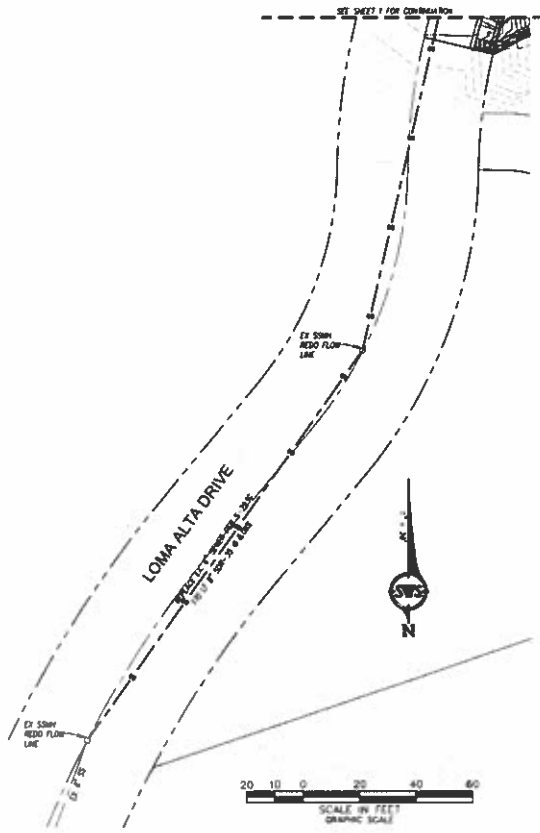


SWS ENGINEERING, INC.
1007 Falls San Marcos Drive, Suite 200
San Marcos, CA 92069
P: 760-341-1111 | F: 760-341-1111

TM-02

CITY OF OCEANSIDE TT 22-00003 TENTATIVE SUBDIVISION MAP

NOTES
1. LOMA ALTA DRIVE DESIGN SPEED - 25 MPH



SITE DISTANCE EXHIBIT



SWS ENGINEERING, INC.
SWS ENGINEERING, INC.
1000 Lake San Marcos Blvd., Suite 200
San Marcos, CA 92079
P: 760-340-8100 F: 760-340-8066

TM-03

CONCEPTUAL LANDSCAPE PLAN

5.05 ATTACHMENT 5

GENERAL NOTES
 All landscaping shall be in accordance with the City of Oceanside Landscape Design Guidelines. FINAL LANDSCAPE PLANS SHALL ACCURATELY SHOW PLACEMENT OF TREES, SHRUBS, AND GROUNDCOVERS. LANDSCAPE ARCHITECTS SHALL BE AWARE OF UTILITY, BEWER, WATER, GAS, AND STORM DRAIN LINES AND UTILITY EASEMENTS AND PLACE PLANTING LOCATIONS ACCORDINGLY TO MEET CITY OF OCEANSIDE REQUIREMENTS.

IRRIGATION NOTES
 An automatic irrigation system shall be installed to provide coverage for all planting areas shown on this plan. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off. Right on systems shall use high quality, automatic control valves, timers, moisture sensing devices and other necessary irrigation equipment. All components shall be of non-corrosive materials. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters. Moisture sensing devices will be installed as required to monitor soil moisture levels. PVC lateral lines shall be buried 12" minimum below finished grade. PVC class 315 pressure mainline irrigation shall be installed as per manufacturer's specifications. All landscape and irrigation improvements shall be installed as per the provisions of the City of Oceanside Zoning Ordinance section 3019 and the City of Oceanside Landscape Design Guidelines.

PLANTING NOTES
 Generally, planting within the project will be a drought tolerant combination of southern California natives and ornamental species. The selection of plant material is based on cultural, aesthetic, and maintenance considerations. All planting areas shall be prepared with soil conditioner, fertilizers, and appropriate mulches based upon soil samples taken from the site. All planting areas to have a 3" depth of shredded bark mulch.

FIRE DEPARTMENT NOTE
 LANDSCAPE IMPROVEMENT PLAN SET AND INSTALLATION ARE REQUIRED TO IMPLEMENT APPROVED FIRE DEPARTMENT REGULATIONS, CODES, AND STANDARDS AT THE TIME OF PROJECT APPROVAL.

OWNER

FRANK MADDALENO
 785 WOODBRIDGE RD.
 OCEANSIDE, CA 92054

SITE INFORMATION

PROJECT NAME: LOMA ALTA DRIVE HOMES
 LOMA ALTA DRIVE
 OCEANSIDE, CA 92054
 APR. 14, 2013

APPLICANT

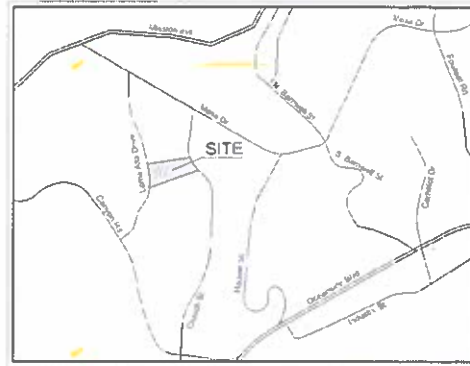
SCOTT JORGE
 852 CIVIC CENTER BLVD. #200
 SAN DIEGO, CA 92161
 619.591.1971

ENGINEER

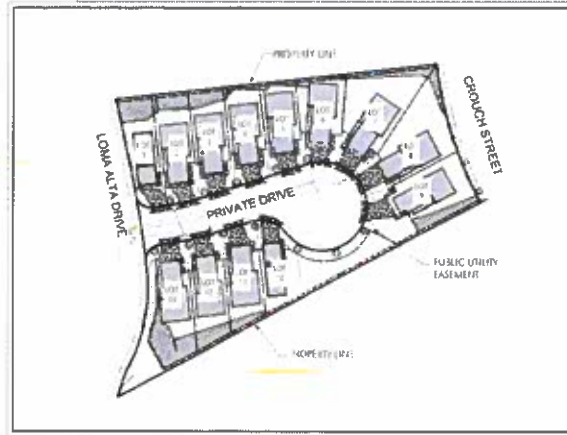
SWAN ENGINEERING INC.
 835 LAKE SAN MARCO DRIVE
 SUITE 202
 SAN MARCO, CA 92078
 760-744-0000
 MICHAEL B. SCHWARTZ

LANDSCAPE ARCHITECT

S'DE + CRONE LANDSCAPE ARCHITECTS
 200 NORTH C STREET
 SAN ANTONIO, TX 78202
 214-224-1591
 BRUNNENSTADT + CRONE CO.
 CONTACT: BRIAN CRONE



VICINITY MAP
 NOT TO SCALE



MAINTENANCE RESPONSIBILITY

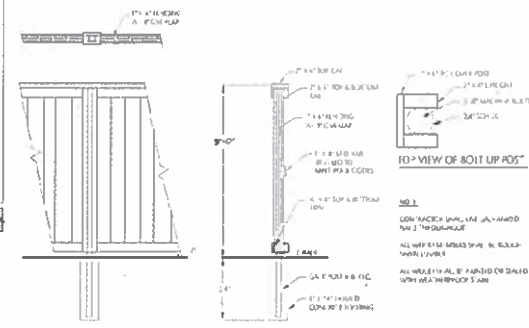
PRIVATE [62.15 S.F.]

GENERAL NOTES

- 1. All landscape plans shall accurately show placement of trees, shrubs, and groundcovers.
- 2. All landscape work shall be in accordance with the City of Oceanside Landscape Design Guidelines.
- 3. All required landscape areas including the site of all be maintained by owner. The landscape areas shall be maintained per City of Oceanside requirements.
- 4. All trees within 6' of hardscapes or within 17' of public right-of-way shall require root barrier control device WITH A MINIMUM 18" DEPTH.
- 5. IRRIGATION NOTE: TO BE LOCATED ON PLAN SUCH AS BUT NOT LIMITED TO: AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE COVERAGE FOR ALL PLANTING AREAS SHOWN ON THE PLAN. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off. Right on systems shall use high quality, automatic control valves, timers, moisture sensing devices and other necessary irrigation equipment. All components shall be of non-corrosive materials. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters. All irrigation improvements shall follow the City of Oceanside guidelines and water conservation standards.
- 6. FIRE NOTES:
 - a. All trees shall be spaced:
 - 1. 3 feet from the hydrants (or any) all sides;
 - 2. 3 feet from the department construction (DC);
 - 3. 3 feet from dual indicator valves;
 - 4. 3 feet from double check detectors;
 - 5. 3 feet from double check detectors;
 - 6. 3 feet from the hydrants;
 - 7. 3 feet from the department connections (DC);
 - 8. 3 feet from dual indicator valves;
 - 9. 3 feet from double check detectors.

- 7. Landscape improvement plan set and installation are required to implement approved fire department regulations, codes, and standards at the time of project plan approval.
- 8. All trees of maturity shall have a horizontal clearance along all roadways from curb to curb, horizontal clearance for a one-story building is 20 feet and for buildings 30 feet or taller a 30-foot width clearance along roadways is required and shall be maintained as such.
- 9. All trees at maturity shall meet a vertical clearance of 14 feet from the top of the roadway to the lowest branches.
- 10. Planting notes to be located on plan such as, but not limited to: the selection or plant material is based on cultural, aesthetic, and maintenance considerations.
- 11. All planting areas shall be prepared with appropriate soil amendments, fertilizers, and appropriate supplements. Distribution is to be made from an approved local seed source. Soil samples shall be taken from the site, ground covers or bark mulch shall be 3" in between 1/4" shingles to shield the soil from the sun, evaporation and run-off. All the lower and shrub beds shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth. The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside guidelines.
- 12. Current general notes shall refer to the placement of trees and their distances from hardscapes and other landscape structures. Please add the notes on the site and space trees accordingly to the City of Oceanside current tree planting standards (spacing on the site):
 - 1. 3 feet from buildings;
 - 2. 3 feet from hardscapes, cables, and all boxes;
 - 3. 3 feet from sidewalks;
 - 4. 3 feet from fire hydrants (all sides);
 - 5. 10 feet from parking spaces;
 - 6. 7 feet from all utility lines (without assessment, sewer, water, storm drains, double check detectors, air relief valves and gas);
 - 7. 10 feet from easements (sewer, water, storm drains, access or other utilities);
 - 8. 10 feet from driveways (unless a line of sight is determined by the traffic division to be otherwise);
 - 9. 10 feet from traffic and directional signs;
 - 10. 15 feet (minimum) from streets, other utility poles, (as determined by specifications);
 - 11. Street trees shall be planted 3' outside right-of-way if the right-of-way does not allow space, subject to the city engineer's approval;
 - 12. Line of sight at arterials, collector and local streets shall be reviewed and determined by traffic engineer. A minimum of thirty-five feet (35') from street intersection or as approved by the traffic engineer;
 - 13. Minimum fifteen feet (15') clearance and stop sign or clearance determined by specifications;
 - 14. so when all volumes according to specific agency requirements.

Callouts for fire department open space requirements per Section 105.02 will be required on the final landscape plans.



5' HIGH WOOD PRIVACY FENCE

SUBMITTAL DATE:	10-24-13
REVISION 1:	11-12-13
REVISION 2:	02-25-14
REVISION 3:	04-04-13

PREPARED BY:
 FRANK MADDALENO
 LOMA ALTA DRIVE HOMES

PROJECT ADDRESS:
 LOMA ALTA DRIVE
 OCEANSIDE, CA 92054
 PROJECT NAME:
 LOMA ALTA HOMES

LOMA ALTA HOMES
 LOMA ALTA DRIVE
 OCEANSIDE, CA 92054



DATE:	LANDSCAPE CONCEPT PLAN
DATE:	4-3-13
JOB NO.:	
SCALE:	
DRAWN BY:	DFP
SHEET:	05

SUBMITTAL DATE: 10-24-22
 REVISION # 01-12-23
 REVISION # 02-20-23
 REVISION # 04-04-23

PREPARED BY:
 STONE + GROSS LANDSCAPE ARCHITECTS
 300 NORTH OCEAN
 SOLANA BEACH, CA 92083
 PROJECT ADDRESS:
 LOMA ALTA DRIVE
 OCEANSIDE, CA 92064
 PROJECT NAME:
 LOMA ALTA HOMES

LOMA ALTA HOMES

LOMA ALTA DRIVE
 OCEANSIDE, CA 92064



DATE:	LANDSCAPE CONCEPT PLAN
SCALE:	8.4:1
DATE:	
SCALE:	
DATE:	
SCALE:	



- EXISTING TREE LEGEND**
- 01 Q. ILEX AGRI-OLIA (Common Live Oak) 8" Dia
 - 02 EUCALYPTUS SPP (Eucalyptus Tree) 10" Dia
 - 03 SCHINUS MOLLE (Pigeon Tree) 6" Dia
 - 04 EUCALYPTUS SPP (Eucalyptus Tree) 10" Dia
 - 05 Q. ILEX AGRI-OLIA (Common Live Oak) 8" Dia

- SCHEDULE OF TREE REPLACEMENT**
- 01 TRISTEMA CONFERTA (Bamboo) 12" Dia
 - 02 ABUTILON MARIANUM (Ranunculus Tree) 12" Dia

SCHEDULE OF TREE REPLACEMENT

Total color removed = 42 inches
 Total color replaced = 99 inches

15 3/4" tree @ 2" replacement = 31 trees = 24
 24" tree @ 2" replacement = 25 trees = 75

- TREE SYMBOL LEGEND**
- TREE TO REMAIN IN PLACE
 - TREE TO BE REPLACED
 - TREE TO BE REMOVED

Note for Existing trees to be protect in place
 REFERENCE TO MECHANICAL GRADING TO AVOID A CHANGE OF GRADE OR ILLUSTRATION AROUND THE BASE OF TREES OR WITHIN THE CANOPY OF THE TREES. NO MECHANICAL EQUIPMENT OR CONSTRUCTION SHALL BE PLACED IN THE CANOPY OF THE TREES TO AVOID THE CANOPY TO CAUSE INJURY TO BRANCHED TREES AND CAUSE DAMAGE TO THE TREE. IF ANY OF THE TREES ARE DAMAGED OR DESTROYED BY CONSTRUCTION ACTIVITIES, THE TREES SHALL BE REPLACED IN KIND AND AT THE SAME SIZE IMMEDIATELY.

EXISTING TREE PLAN



MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 760.942.5147 T 800.450.1818 F 760.632.0164

April 12, 2023

Scott Darnell
Loma Alta Terraces LLC
113 West G St, #503
San Diego, CA 92101

Subject: Justification for CEQA Class 32 Infill Exemption for Loma Alta Development Project, City of Oceanside, California

Dear Mr. Darnell,

Dudek has evaluated the Loma Alta Development project (project) within the City of Oceanside, California. Based on our review of the proposed project, the project meets the Class 32 "Infill" Categorical Exemption (CEQA Guideline Section 15332), hereafter referred to as the Class 32 Exemption, which exempts infill development within urbanized areas if it meets certain criteria criteria. The class consists of environmentally benign infill projects that are consistent with the General Plan and Zoning requirements.

The approximately 2.16-acre project site is in Oceanside, California on Assessor's Parcel Number 149-0211-800. The project occurs approximately 0.8-mile northeast of Interstate 5, and 0.5-mile northwest of Oceanside Boulevard, on an undeveloped parcel in a residential area of the city. The project is bordered by open space areas and lower density housing to the north, but is surrounded by high density residential development to the east, south, and west. Crouch Street borders the project's eastern edge, and Loma Alta Drive borders the project's western edge. The proposed project is the development of thirteen (13) single-family residential lots and associated infrastructure and landscaping.

QUALIFICATION

The Class 32 Exemption is not available for any project that requires mitigation measures to reduce potential environmental impacts to less than significant. Additionally, there are exceptions to the exemptions depending on the nature or location of the project, pursuant to CEQA Section 15300.2. For a proposed project to qualify, none of the following Exceptions can apply to the project:

- The project and successive projects of the same type in the same place will result in cumulative impacts;

Scott Darnell

Subject: Justification for CEQA Class 32 Infill Exemption for Loma Alta Development Project, City of Oceanside, California

- There are unusual circumstances creating the reasonable possibility of significant effects;
- The project may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within an officially designated scenic highway;
- The project is located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government Code section 65962.5, as being affected by hazardous wastes or clean-up problems; or
- The project may cause a substantial adverse change in the significance of an historical resource.

Based on review of the project, as well as the associated biology, cultural and paleontological assessments, none of these exceptions apply to the project.

JUSTIFICATION CRITERIA

Class 32 Infill exemptions are appropriate for projects that meet the following conditions:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The project designated Residential land use, and is zoned Residential (RE-B) where the base density is 1.0 dwelling units per gross acre and the maximum potential density is 3.5 dwelling units per gross acre. The proposed project is consistent with the existing land use and zoning per the City of Oceanside's General Plan.

- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The approximately 2.0-acre project site is in Oceanside, California on Assessor's Parcel Number 149-0211-800. The project is bordered by lower density housing to the north and higher density residential development to the east, south, and west. Therefore, the project is within the City of Oceanside limits, less than 5 acres and substantially surrounded by urban uses.

- The project site has no value as habitat for endangered, rare or threatened species.

The attached biological assessment concludes that the site consists of disturbed habitat and Toxicodendron diversilobum Association. ToxDiv vegetation community is

Scott Darnell

Subject: Justification for CEQA Class 32 Infill Exemption for Loma Alta Development Project,
City of Oceanside, California

dominated by poison oak, with toyon (Heteromeles arbutifolia) and golden wattle (Acacia longifolia) intermixed. Permanent impacts to disturbed habitat and ToxDiv are considered less than significant, and no mitigation is required. No special-status plant or wildlife species, jurisdictional aquatic resources, or regional wildlife corridors have the potential to be directly impacted by the proposed project.

- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The project consists of Thirteen (13) single-family residential lots Using the trip generate rate for a Single Family Detached Residence contained in the SANDAG (2002) Brief Guide of Vehicular Trip Generation Rates for the San Diego Region, the proposed project would generate approximately 130 daily trips and nominal peak hour trips. Consistent with the City of Oceanside August 2020 Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service (LOS) Assessment (TIA guidelines), because project would generate less than 1,000 daily trips, the project would screen-out from a detailed VMT analysis per the City's TIA guidelines and VMT impacts under CEQA and can be presumed to be less than significant. Because the project generates less than 200 daily trips, it would not require a Local Transportation Analysis or traffic study. The project traffic would not cause any measurable change to the transportation facilities in its vicinity. The proposed project is also not expected to result in significant noise, air quality and water quality effects.

- The site can be adequately served by all required utilities and public services.

The proposed project will be adequately served by City of Oceanside Water, City of Oceanside Sewer, and City of Oceanside storm drain systems. Power is served SDG&E.

July 22, 2022

14440

Scott Darnell
Darnell Capital Management
852 5th Avenue, Suite 314
San Diego, CA 92101

Subject: Biological Letter Report for the Loma Alta Development Project, City of Oceanside, California

1 Introduction

The following letter report describes the results of a biological site assessment performed by Dudek and a summary of identified potential biological constraints and recommendations for the future construction of the Loma Alta Development project (project) within the City of Oceanside, California (Attachment A, Figure 1, Project Location). This report provides a summary of the pertinent biological resource regulations, the project setting, survey methods, existing biological resources, special-status biological resources, project impacts (direct and indirect), and proposed mitigation. Any proposed avoidance, and mitigation recommendations are discussed in accordance with all applicable federal, state, and local regulations.

2 Project Details and Regulatory Context

2.1 Project Location

The approximately 2.16-acre project site is in Oceanside, California (Figure 1, Project Location) on Assessor's Parcel Number 149-0211-800. The project occurs approximately 0.8-mile northeast of Interstate 5, and 0.5-mile northwest of Oceanside Boulevard, on an undeveloped parcel in a residential area of the city. The site is centered on the U.S. Geological Service 7.5-minute San Luis Rey quadrangle map, within Section 24 of Range 5 West, Township 11 South. The project is bordered by open space areas and lower density housing to the north, but is surrounded by high density residential development to the east, south, and west. Crouch Street borders the project's eastern edge, and Loma Alta Drive borders the project's western edge.

2.2 Project Description

The proposed project is the development of a single-family residence and associated infrastructure and landscaping.

2.3 Regulatory Context

2.3.1 Federal Regulations

2.3.1.1 Federal Endangered Species Act

The federal Endangered Species Act (ESA) of 1973 (16 USC 1531 et seq.), as amended, is administered by the U.S. Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration, and National Marine Fisheries Service. This legislation is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend and provide programs for the conservation of those species, thus preventing extinction of plants and wildlife. Under provisions of Section 9 (16 USC 1538[a][1][B]) of ESA, it is unlawful to “take” any listed species. “Take” is defined in Section 3 (16 USC 1532[19]) of ESA as, “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.”

The ESA allows for the issuance of “incidental take” permits for listed species under Section 7, which is generally available for projects that also require other federal agency permits or other approvals, and under Section 10, which provides for the approval of habitat conservation plans on private property without any other federal agency involvement. Upon development of a habitat conservation plan, USFWS can issue incidental take permits for listed species.

2.3.1.2 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) was originally passed in 1918 as four bilateral treaties, or conventions, for the protection of a shared migratory bird resource. The primary motivation for the international negotiations was to stop the “indiscriminate slaughter” of migratory birds by market hunters and others. Each of the treaties protects selected species of birds and provides for closed and open seasons for hunting game birds. MBTA protects over 800 species of birds and prohibits the take of any migratory bird or any part, nest, or eggs of any such bird. Under the MBTA, “take” is defined as pursuing, hunting, shooting, capturing, collecting, or killing, or attempting to do so (16 USC 703 et seq.). In December 2017, Department of the Interior Principal Deputy Solicitor Jorjani issued a memorandum (M-37050) that interprets the MBTA to prohibit only intentional take. Unintentional or accidental take is not prohibited (DOI 2017). Additionally, Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, requires that any project with federal involvement address impacts of federal actions on migratory birds with the purpose of promoting conservation of migratory bird populations (66 FR 3853–3856). The Executive Order requires federal agencies to work with USFWS to develop a memorandum of understanding. USFWS reviews actions that might affect these species.

Two species of eagles that are native to the United States, the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*), were granted additional protection within the United States under the Bald and Golden Eagle Protection Act (16 USC 668–668d) to prevent the species from becoming extinct.

2.3.1.3 Clean Water Act

Pursuant to Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and/or fill material into “waters of the United States (U.S.).” On April 21, 2020, the Navigable Waters Protection Rule was adopted and became effective on June 22, 2020. The notable changes from the previous definition of waters of the U.S. is that there is a clearer definition of which waters are and are not jurisdictional.

there is a new definition of “adjacency,” ephemeral waters are no longer considered waters of the U.S., and ditches are explicitly excluded as waters of the U.S. The term “adjacent wetlands” (a subset of waters of the U.S.) is defined in Title 33 of the Code of Federal Regulations (CFR), Section 328.31(16) (33 CFR 328.3(c)[16]), as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” In the absence of wetlands, the limits of USACE jurisdiction in non-tidal waters, such as intermittent streams, extend to the “ordinary high water mark”, which is defined in 33 CFR 328.3(c)(7) as “that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.”

2.3.2 State Regulations

2.3.2.1 California Environmental Quality Act

CEQA (PRC Section 21000 et seq.) and the CEQA Guidelines (14 CCR 15000 et seq.) require identification of a project’s potentially significant impacts on biological resources and feasible mitigation measures and alternatives that could avoid or reduce significant impacts. CEQA Guidelines Section 15380(b)(1) defines endangered animals or plants as species or subspecies whose “survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors” (14 CCR 15000 et seq.). A rare animal or plant is defined in CEQA Guidelines Section 15380(b)(2) as a species that, although not currently threatened with extinction, exists “in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or ... [t]he species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered ‘threatened’ as that term is used in the federal Endangered Species Act.” Additionally, an animal or plant may be presumed to be endangered, rare, or threatened if it meets the criteria for listing, as defined further in CEQA Guidelines Section 15380(c). CEQA also requires identification of a project’s potentially significant impacts on riparian habitats (such as wetlands, bays, estuaries, and marshes) and other sensitive natural communities, including habitats occupied by endangered, rare, and threatened species.

The California Department of Fish and Wildlife (CDFW) defines a “stream” (including creeks and rivers) as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation” (14 CCR, Section 1.72).

In 14 CCR 1.56, CDFW’s definition of “lake” includes “natural lakes or man-made reservoirs.” Diversion, obstruction, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife requires authorization from CDFW by means of entering into an agreement pursuant to Section 1602 of the California Fish and Game Code (CFG), described below.

CDFW recognizes that all plants with California Rare Plant Rank (CRPR) 1A, 1B, 2, and some ranked 3, of the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants in California (CNPS 2021) may meet the criteria for listing as threatened or endangered and should be considered under CEQA. Some of the CRPR 3 and 4 plants meet the criteria for determination as “rare” or “endangered” as defined in Section 1901, Chapter 10 (Native Plant Protection Act), Division 2, of the CFGC, as well as Section 2062 and Section 2067, Chapter 1.5

(CESA), Division 3. Therefore, consideration under CEQA for these CRPR 3 and 4 species is strongly recommended by CNPS (CNPS 2021).

For purposes of this report, animals considered “rare” under CEQA include endangered or threatened species, Birds of Conservation Concern (USFWS 2021a), California Species of Special Concern (CDFW 2021a), and fully protected species.

Section IV, Appendix G (Environmental Checklist Form) of the CEQA Guidelines (14 CCR 15000 et seq.) requires an evaluation of impacts to “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 [now CDFW] or the U.S. Fish and Wildlife Service.”

The criteria used to determine the significance of impacts to biological resources under CEQA are provided in Chapter 5, Anticipated Project Impacts and Analysis of Significance.

2.3.2.2 California Endangered Species Act

CDFW administers the California Endangered Species Act (CESA), which prohibits the “take” of plant and animal species designated by the California Fish and Game Commission as endangered or threatened in the state of California. Under CESA Section 86, take is defined as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” CESA Section 2053 stipulates that state agencies may not approve projects that will “jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat which would prevent jeopardy.”

CESA defines an endangered species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.” CESA defines a threatened species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the [California Fish and Game] Commission as rare on or before January 1, 1985, is a threatened species.” A candidate species is defined as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the Commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the Commission has published a notice of proposed regulation to add the species to either list.” CESA does not list invertebrate species.

CESA authorizes the taking of threatened, endangered, or candidate species if take is incidental to otherwise lawful activity and if specific criteria are met. These provisions also require CDFW to coordinate consultations with USFWS for actions involving federally listed species that are also state-listed species. In certain circumstances, CESA allows CDFW to adopt a CESA incidental take authorization as satisfactory for CEQA purposes based on finding that the federal permit adequately protects the species and is consistent with state law.

A CESA permit may not authorize the take of “fully protected” species that are protected in other provisions of the CFGC, discussed further below.

2.3.2.3 California Fish and Game Code

Under the CFGC, CDFW provides protection from “take” for a variety of species, including Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the CFGC provide that designated fully protected species may not be taken or possessed without a permit. Incidental take of these species is not authorized by law.

Pursuant to Section 3503.5 of the CFGC, it is unlawful to take, possess, or destroy any birds of prey; or to take, possess, or destroy any nest or eggs of such birds. Birds of prey refer to species in the orders Falconiformes and Strigiformes.

Nests of all other birds (except English sparrow [*Passer domesticus*] and European starling [*Sturnus vulgaris*]) are protected under Sections 3503 and 3513 of the CFGC.

Pursuant to Section 1602 of the CFGC, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife. Diversion, obstruction, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife requires authorization from CDFW by means of entering into an agreement pursuant to Section 1602 of the CFGC.

2.3.2.4 Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) protects water quality and the beneficial uses of water. It applies to surface water and groundwater. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the Regional Water Quality Control Boards (RWQCBs) develop regional basin plans that identify beneficial uses, water quality objectives, and implementation plans. The RWQCBs have the primary responsibility to implement the provisions of statewide plans and basin plans. Waters regulated under the Porter-Cologne Act include isolated waters that are not regulated by USACE. RWQCBs regulate discharging waste, or proposing to discharge waste, within any region that could affect a “water of the state” (California Water Code, Section 13260[a]). Waters of the state are defined as “any surface water or groundwater, including saline waters, within the boundaries of the state” (California Water Code, Section 13050[e]). Developments with impacts on jurisdictional waters must demonstrate compliance with the goals of the Porter-Cologne Act by developing stormwater pollution prevention plans, standard urban stormwater mitigation plans, and other measures to obtain a Clean Water Act Section 401 certification. If a Clean Water Act Section 404 permit is not required for the project, the RWQCB may still require a permit (i.e., Waste Discharge Requirement) for impacts to waters of the state under the Porter-Cologne Act.

2.3.3 Local Regulations

2.3.3.1 North County Multiple Habitat Conservation Program

The North County Multiple Habitat Conservation Program (MHCP) is a long-term regional conservation plan established to protect sensitive species and habitats in northern San Diego County. The MHCP is divided into seven Subarea Plans—one for each jurisdiction within the MHCP—that are permitted and implemented separately from one another. The City of Carlsbad is the only city under the MHCP that has an approved and permitted Subarea Plan. The City of Oceanside Subarea Plan (Subarea Plan) has been prepared and is used as a guidance document for development projects in the City of Oceanside, but the Subarea Plan has not been approved or permitted (City

of Oceanside 2010). The project area is located within a Biological Core and Linkage Area identified in the North County MHCP (Figure 2-4 in SANDAG 2003).

2.3.3.2 City of Oceanside Subarea Plan

The overall goal of the Oceanside Subarea Plan is to contribute to regional biodiversity and the viability of rare, unique, or sensitive biological resources throughout the City of Oceanside and the larger region while allowing public and private development to occur consistent with the City's General Plan and Capital Improvement Program. In addition, the plan calls for the conservation of 90% to 100% of all hardline conservation areas; conservation of a minimum of 2,511 acres of existing native habitats as a biological preserve in the City of Oceanside; conservation of a minimum of 95% of rare and narrow endemic species populations within the preserve and a minimum of 80% throughout the City as a whole; and restoration of a minimum of 164 acres of coastal sage scrub habitat within the City of Oceanside, of which 145 acres will be within a wildlife corridor planning zone. Parcels within the wildlife corridor planning zone contribute to the north-south regional California gnatcatcher (*Polioptila californica californica*) steppingstone corridor. Although the Oceanside Subarea Plan is used as a guidance document for development projects in the City of Oceanside, the Subarea Plan has yet to be approved by the Oceanside City Council, and incidental take authority has therefore not been transferred to the City of Oceanside from USFWS and CDFW.

The Oceanside Subarea Plan identifies undeveloped lands within the City where conservation and management will achieve the Subarea Plan's biological goals while minimizing adverse effects on lands uses, economics, or private property rights. In addition, the Subarea Plan establishes preserve planning zones, the existing biological conditions and goals of which were used as foundations for their designation; however, the zones are defined for effective implementation of the Subarea Plan. The following are brief descriptions of the preserve planning zones:

- **Wildlife Corridor Planning Zone.** The Wildlife Corridor Planning Zone extends from U.S. Marine Corps Base Camp Pendleton south to Buena Vista Creek. This zone varies in width from 1 to 2 miles along most of its length and is centered roughly on El Camino Real and the associated SDG&E electric transmission corridor. It encompasses those habitat parcels that potentially contribute to the north-south, regional gnatcatcher steppingstone corridor, recognizing that existing Preserve lands north of the San Luis Rey River complete the steppingstone corridor connection to U.S. Marine Corps Base Camp Pendleton. The study area is located within the Wildlife Corridor Planning Zone. Additionally, the Subarea Plan has specific standards for wildlife road crossings. For example, new roads or improvements to existing roads must include wildlife crossing improvements to accommodate safe animal movement between occupied habitats on either side of the road. Any new road should be located in the least environmentally damaging location.
- **Pre-Approved Mitigation Areas.** These areas represent land areas that have significant resource value and therefore will qualify for on-site mitigation credit. Development is allowed in pre-approved mitigation areas, subject to planning guidelines to avoid, minimize, and fully mitigate impacts. The study area is located within a pre-approved mitigation area.
- **Agricultural Exclusion Zone.** This zone includes lands north of the San Luis Rey River that are planned for agricultural uses under the Oceanside General Plan. Ongoing agricultural practices may continue in this area as long as they do not remove existing natural habitats. The study area is not located within an agricultural exclusion zone.
- **Off-Site Mitigation Zone.** This zone includes all other parcels within the City of Oceanside that support natural vegetation outside of the Wildlife Corridor Planning Zone, agriculture exclusion zone, and coastal

zone. The off-site mitigation zone includes several pre-approved mitigation areas. The study area is not located within an off-site mitigation zone.

- **Coastal Zone.** This zone outlines all areas within the City's coastal zone where the federal Coastal Zone Management Act and California Coastal Act policies apply. The study area is not located within the coastal zone.

In addition to preserve planning zones, the Subarea Plan also identifies specific "hardline" and "outline" preserves. Generally, hardline preserves are areas that are already preserved to Subarea Plan standards and outline preserves are areas specifically targeted for preservation through application of Subarea Plan standards and policies. Portions of the study area are located within a hardline preserve (Figure 2, Regional Conservation Planning). The Oceanside Subarea Plan describes hardline preserves as areas specifically targeted for future preservation through the application of the Subarea Plan standards and policies. Hardline preserves are also considered part of Focused Planning Areas. Preserve areas within the Subarea Plan area prohibit the following land uses: all forms of development, agricultural uses, active recreation, mineral extraction, landfills, itinerant worker camps, roads or other transportation facilities, most flood control projects, and brush control or fuel management, except for existing firebreaks that must be maintained for safety reasons within 100 feet of existing buildings (City of Oceanside 2010). Any implementation of these prohibited land uses within the preserve would require written concurrence from the City and CDFW and USFWS (the wildlife agencies) through an amendment process. Conditionally allowed land uses in preserve areas include passive recreation (i.e., hiking, birdwatching, and fishing); utility projects that include full restoration of temporarily impacted habitat, flood control, or siltation basins that support natural vegetation and habitat value; and maintenance of existing firebreaks adjacent to existing buildings.

Wetland Buffers: Wetland buffers generally refer to an area that extends perpendicularly into upland areas from the delineated edge of wetland or riparian areas. Wetland buffer areas establish an upland zone adjacent to wetlands designed to avoid and minimize indirect effects on wetland functions (e.g., species habitat, water quality maintenance, flood capacity). Under Section 5.2.4 of the Subarea Plan (City of Oceanside 2010):

Wherever development or other discretionary actions are proposed in or adjacent to riparian habitats (not including the San Luis Rey River), the riparian area and other wetlands or associated natural habitats shall be designated as biological open space and incorporated into the Preserve. In addition, a minimum 50-foot biological buffer, plus a minimum 50-foot planning buffer (total width of both equals 100 feet) shall be established for upland habitats, beginning at the outer edge of riparian vegetation. The planning buffer serves as an area of transition between the biological buffer and specified land uses on adjoining uplands. Foot paths, bikeways, and passive recreational uses may be incorporated into planning buffers, but buildings, roads, or other intensive uses are prohibited. The following uses are prohibited in the 50-foot biological buffer: (1) new development, (2) foot paths, bikeways, and passive recreational uses not already planned, and (3) fuel modification activities for new development. In the event that natural habitats do not currently (at the time of proposed action) cover the 50-foot buffer area, native habitats appropriate to the location and soils shall be restored as a condition of project approval. In most cases, coastal sage scrub vegetation shall be the preferred habitat to restore within the biological buffer.

However, since the Subarea Plan has not been approved by the City, these buffers and setbacks are subject to reduction based on approval from the City and the wildlife agencies.

3 Methods

3.1 Literature Review

Prior to conducting field investigations, a review of the existing biological resources within the vicinity of the project was conducted using the following sources:

- UC Davis/NRCS SoilWeb (UC Davis/NRCS 2022)
- CDFW California Natural Diversity Database–RareFind 5 and CNDDDB in BIOS (CDFW 2022b)
- The Calflora Database (Calflora 2022)
- CNPS Inventory of Rare and Endangered Plants (CNPS 2022)
- USFWS Species Occurrence Data (USFWS 2022b)
- San Diego Natural History Museum’s Plant Atlas (SDNHM 2022)
- Aerial imagery (Google Earth 2022)

The purpose of this review was to determine if sensitive plant and wildlife species were known to occur within the project, or in the nearby vicinity, and what constraints these occurrences might have on the project. Additionally, the Oceanside Subarea Plan (City of Oceanside 2010) was reviewed for potential project constraints related to preserve and habitat conservation overlay zones.

3.2 Field Reconnaissance

A reconnaissance-level biological field survey (including a focused search for potential jurisdiction aquatic resources) of the study area was conducted on June 23, 2021, by Dudek biologist Tommy Molioo. Table 1 shows details associated with this survey.

Table 1. Schedule of Surveys

Date	Time	Personnel	Survey Type	Conditions
Field Reconnaissance Survey				
06/23/2021	9:00 a.m.– 10:30 a.m.	Tommy Molioo	Field Reconnaissance	74 °F –78 °F, 0% cloud cover, 1–2 mph winds

3.2.1 Resource Mapping

During the biological reconnaissance, the project was surveyed on foot to visually cover 100% of the site. The biologist mapped all vegetation communities and recorded all observable plants and wildlife occurring within the project site boundaries.

The vegetation community and land cover mapping follow the Preliminary Descriptions of the Terrestrial Natural Communities of California (Holland 1986) as modified by the County and noted in Draft Vegetation Communities of San Diego County (Oberbauer et al. 2008).

Collector for ArcGIS (ESRI 2022) mobile mapping application was utilized to map vegetation communities and record any special-status biological resources directly observed in the field. Observable biological resources—including perennial plants and conspicuous wildlife commonly accepted as regionally special status by CNPS, CDFW, and USFWS—were recorded on the field map, where applicable. Additionally, an assessment and determination of potential for locally recognized special-status species (i.e., Narrow Endemic and Covered Species listed in the City's Subarea Plan) to occur on site was conducted. Following completion of the field work, Dudek Geographic Information System Technician Hailee McOmber transferred the digital mapped findings to ArcGIS and calculated vegetation acreages.

3.2.2 Flora and Fauna

All plant species encountered during field surveys were identified and recorded directly into a digital field notebook. Those species that could not be identified immediately were brought into the laboratory for further investigation. A compiled list of plant species observed in the study area is presented in Attachment B.

Wildlife species detected during the field survey by sight, calls, tracks, scat, or other signs were recorded directly into the field notebook. Binoculars (10×42 magnification) were used to aid in the identification of wildlife. In addition to species actually detected during the surveys, expected wildlife use of the site was determined by known habitat preferences of local species and knowledge of their relative distributions in the area. A list of wildlife species observed in the study area is presented in Attachment C.

Latin and common names of animals follow Crother (2017) for reptiles and amphibians, American Ornithologists' Union (AOU 2022) for birds, Wilson and Reeder (2005) for mammals, and North American Butterfly Association (NABA 2016)/San Diego Natural History Museum (SDNHM 2002) for butterflies.

Latin and common names for plant species with a CRPR (formerly CNPS List) follow the CNPS Online Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2022). For plant species without a CRPR, Latin names follow the Jepson Interchange List of Currently Accepted Names of Native and Naturalized Plants of California (Jepson Flora Project 2022) and common names follow the USDA NRCS Plants Database (USDA 2022).

3.2.3 Jurisdictional Aquatic Resources Assessment

Dudek conducted a brief and informal assessment of potentially jurisdictional aquatic resources within the project by searching for areas dominated by riparian vegetation, streams possessing an ordinary high-water mark, or other wetland/non-wetland waters of the U.S. or state. Potentially jurisdictional aquatic features occurring within 50 feet of the proposed project were noted and mapped informally using aerial imagery and visual surveying. The informal delineation recorded/defined areas potentially under the jurisdiction of the CDFW pursuant to Sections 1600–1603 of the CFGC, under the jurisdiction of the USACE pursuant to Section 404 of the federal Clean Water Act, and under the jurisdiction of RWQCB pursuant to Clean Water Act Section 401 and the Porter–Cologne Act. Collectively, areas under the jurisdiction of one or all of the aquatic resource agencies (USACE, RWQCB, and CDFW) are termed jurisdictional aquatic resources.

3.3 Survey Limitations

The site visit was conducted during daylight hours. Complete inventories of biological resources present on a site often require numerous focused surveys at different times of day during different seasons. Some species such as annual plants are present in only spring or summer, and nocturnal animals are difficult to detect during the day. Other species may be present in such low numbers that they could be missed. Due to such timing and seasonal variations, survey results are not an absolute list of all species that the study area may support. Sensitive species with potential to occur are described in Sections 4.5 and 4.6 of this report and in Attachments C and D.

4 Results

4.1 Physical Characteristics

Topography and Land Uses

Topography at the project site is generally flat, though the land slopes downwards to the southwest. Elevation ranges from approximately 163 feet to 205 feet above mean sea level. This parcel, while cleared and not heavily vegetated, does not contain any buildings or human infrastructure. Pedestrians were seen walking on the site during the reconnaissance survey and multiple footpaths occur on-site. The southwestern corner contains several large trees, though the majority of the project only supports low growing vegetation, leaving visibility open across most of the property. (Attachment A: Figure 2).

Soils

According to Soilweb (UC Davis/NRCS 2021), three dominant soil types; Las Flores loamy fine sand, Las Flores-Urban land complex, and Chesterton fine sandy loam are mapped within the study area (Attachment A: Figure 3).

4.2 Vegetation Communities/Land Cover Types

Two habitat types, disturbed habitat and *Toxicodendron diversilobum* Association were identified within the project site. Urban/developed land occurs in the surrounding study area. Acreages are presented in Table 2 and land cover spatial distributions within the study area presented on the Biological Resources Map (Attachment A: Figure 4).

Table 2. Vegetation Communities and Land Cover Types

Vegetation Community	Project Site	Study Area
Disturbed Habitat (DH)	1.98	0.7
Urban/Developed (DEV)	-	3.13
<i>Toxicodendron diversilobum</i> Association (ToxDiv)	0.18	-
TOTAL	2.16	3.84

Disturbed Habitat

According to Oberbauer et al. (2008), disturbed habitat are the areas which have been had physical anthropogenic disturbance and as a result cannot be identified as a native or naturalized vegetation association. However, these areas do have a recognizable soil substrate. The existing vegetation is typically composed of non-native ornamental or exotic species. There can also be impacts from animal uses, grading, or repeated clearing for fuel management on disturbed habitat that leave the land incapable of providing a suitable or sustainable habitat for native species to persist.

Disturbed habitat comprises the majority of the project site. Vegetation cover in this area is typically under 10%-15%; vegetation is usually entirely composed of non-native weeds like prickly Russian thistle (*Salsola tragus*). Several mature red gum trees occur in this land cover type, near the western edge of the project.

Toxicodendron diversilobum Association (ToxDiv)

The ToxDiv vegetation community is not described by Oberbauer. It occurs nears the southwestern corner of the project and is mapped adjacent Loma Alta Drive. This community is dominated by poison oak, with toyon (*Heteromeles arbutifolia*) and golden wattle (*Acacia longifolia*) intermixed.

Urban/Developed Land

According to Oberbauer et al. (2008), urban/ developed lands represent areas that have been constructed upon or otherwise physically altered to an extent that native vegetation communities are not supported. This land cover type generally consists of semi-permanent structures, homes, parking lots, pavement or hardscape, and landscaped areas that require maintenance and irrigation (e.g., ornamental greenbelts). Typically, this land cover type is unvegetated or supports a variety of ornamental plants and landscaping. Urban/developed land is not regulated by the environmental resource agencies and is often considered a disturbed category.

Urban/developed land comprises most of the study area, including the nearby residences, roadways, and other urban infrastructure. The study area is surrounded by similarly developed areas on all sides.

4.3 Jurisdictional Aquatic Resources Assessment

No potentially jurisdictional aquatic features were observed within the study area. Accordingly, the project would not require waters related permits from USACE, CDFW, or RWQCB.

4.4 Plants and Animals

A total of 15 species of vascular plants, 5 native (33%) and 10 non-native (67%), were recorded during the biological reconnaissance surveys for the project. Of the total 15 plant species observed during field surveys, none are considered special status. A cumulative list of all common and sensitive plant species observed in the project site are provided in Attachment A.

There is limited suitable habitat for upland wildlife species (e.g., birds, reptiles, and small mammals) within the study area and it can be assumed that the diversity of wildlife species is low given the disturbed nature of the project.

A total of 5 wildlife species were recorded during the biological reconnaissance surveys within the project site. Of the total 5 wildlife species observed during field surveys, none are considered special status. A cumulative list of all common and sensitive wildlife species observed in the study area during field surveys is provided in Attachment B.

4.5 Special-Status Plants

Plant species are considered special-status if they have been listed or proposed for listing by the federal or state government as rare, endangered, or threatened (“listed species”), have a CRPR of 1–4, or are listed on the Oceanside Subarea Plan Proposed Covered Species list (City of Oceanside 2010). An evaluation of known records in the San Luis Rey quadrangle and the surrounding quadrangles including Oceanside, Las Pulgas Canyon, Morro Hill, Bonsall, San Marcos, Rancho Santa Fe, and Encinitas. (CDFW 2022b; CNPS 2022; USFWS 2022b) was conducted to determine which species have been recorded in the project vicinity. In addition, Dudek’s knowledge of biological resources and regional distribution of each species and results from the 2022 reconnaissance survey, as well as elevation, habitat, and soils present within the project footprint, were evaluated to determine the potential for various special-status species to occur.

Based on Dudek’s analysis, no special status plant species have a moderate or high potential to occur within the study area. Only two special-status plant species known to occur in the region have a low potential occur within the study area; San Diego thorn-mint (*Acanthomintha ilicifolia*) and San Diego ambrosia (*Ambrosia pumila*). These species are described in further detail in Attachment C.

4.6 Special-Status Wildlife

Special-status wildlife species are those listed as federal/state endangered or threatened, proposed for listing, fully protected by CDFW, California Watch List, California SSC, or listed on the Oceanside Subarea Plan Proposed Covered Species list (City of Oceanside 2010). An evaluation of known records in the San Luis Rey quadrangle and the surrounding quadrangles including Oceanside, Las Pulgas Canyon, Morro Hill, Bonsall, San Marcos, Rancho Santa Fe, and Encinitas. (CDFW 2021b and USFWS 2021b) was conducted to determine which species have been recorded in the project vicinity. In addition, Dudek’s knowledge of biological resources and regional distribution of each species and results from 2022 reconnaissance surveys, as well as elevation, habitat, and soils present within the project site, were evaluated to determine the potential for various special-status species to occur.

Based on Dudek’s analysis, no special status wildlife species have a moderate or high potential to occur within the study area. Sensitive wildlife species determined to have low potential to occur within the study area include Cooper’s hawk (*Accipiter cooperii*), yellow-breasted chat (*Icteria virens*), and yellow warbler (*Setophaga petechia*). These species are described in further detail in Attachment D. Most special-status wildlife species are not expected to occur within the project footprint due to the disturbed nature of the on-site habitat and the surrounding urban land uses.

4.7 Wildlife Corridor and Linkage

The study area is surrounded by residential development and sits in an area that that has progressively become more and more built out in the last three decades, according to historical aerials (Google 2022). The disturbed habitat on-site generally lacks significant vegetative cover and only a handful of shrubs and mature trees were

recorded near the edges of the project. Given the project site's uniqueness relative to the surrounding area, it's likely that wildlife in the area may favor the project site when passing through the area. That said, the study area does not occur within any known wildlife corridor planning zones, preserve areas, or mitigation areas.

4.8 Wetland Buffer

Per Section 5.2.4 of the Subarea Plan (City of Oceanside 2010), a 50-foot biological buffer and 50-foot planning buffer should be established from the edge of sensitive areas including wetlands. Since no wetlands or aquatic resources were observed in the study area, no buffer is required.

5 Anticipated Project Impacts and Analysis of Significance

5.1 Explanation of Findings of Significance

Impacts to special-status vegetation communities, special-status plants, special-status wildlife species, jurisdictional resources, and wildlife movement must be quantified and analyzed to determine whether such impacts are significant under CEQA. CEQA Guidelines Section 15064(b) states that an ironclad definition of "significant" effect is not possible because the significance of an activity may vary with the setting. Appendix G of the Guidelines, however, does provide "examples of consequences which may be deemed to be a significant effect on the environment" (14 CCR 15064[e]). These effects include substantial effects on rare or endangered species of animals or plants or the habitat of the species. Guidelines Section 15065(a) is also helpful in defining whether a project may have "a significant effect on the environment." Under that section, a proposed project may have a significant effect on the environment if the project has the potential to (1) substantially degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) substantially reduce the number or restrict the range of an endangered, rare or threatened species, or (6) eliminate important examples of the major period of California history or prehistory.

Direct Impacts include both the permanent loss of on-site habitat and the plant and wildlife species that it contains and the temporary loss of on-site habitat. Direct impacts were quantified by assuming the entire project site would be impacted during construction. Direct impacts include the permanent loss of vegetation and habitat associated with construction. Temporary impacts are not anticipated.

Indirect Impacts include potential short-term or temporary indirect impacts to special-status vegetation communities and special-status plants (if they occur) in the biological study area and would primarily result from construction activities. This includes impacts related to or resulting from the generation of fugitive dust, changes in hydrology resulting from construction, including sedimentation and erosion, and the introduction of chemical pollutants. Potential short-term indirect impacts could affect special-status vegetation communities within the biological study area, and special-status plants that have a moderate to high potential to occur in the biological study area.

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed project to special-status vegetation communities and/or special-status plants after construction. Permanent indirect

impacts that could affect special-status vegetation communities include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity.

Cumulative Impacts refer to incremental individual environmental effects of two or more projects when considered together. These impacts taken individually may be minor, but collectively significant as they occur over a period of time.

5.2 Direct Impacts

5.2.1 Direct Impacts to Vegetation Communities

Permanent Direct Impacts

The proposed project would result in permanent direct impacts. These impacts are summarized in Table 3 and shown on Figure 4.

Table 3. Impacts to Vegetation Communities and Land Cover Types

Vegetation Community	Impacts (Acres)	Mitigation Ratio ^a	Acres of Mitigation Required ^b
Disturbed Habitat	1.94	NA*	0
ToxDiv	0.18	NA*	0
TOTAL:	2.16	0	0

Notes:

- ^a Per Table 5-2 in the Subarea Plan (City of Oceanside 2010).
- ^b Acreages may not sum precisely due to rounding.
- * May be subject to Habitat Development Fee.

Permanent impacts to disturbed habitat and ToxDiv are considered less than significant, and no mitigation is required. These habitats may however be subject to the City's Habitat Development Fee, as described in Section 5.5.2 of the Subarea Plan.

5.2.2 Direct Impacts to Special-Status Plants

Direct impacts to special-status plants could occur if any of the special-status plant species with potential to occur in the study area (listed in Section 4.5 and Attachment C) overlap with the project site. Permanent or temporary impacts to special-status plants are considered a potentially significant impact.

No special status plant species were found to have a moderate or high potential to occur at the project site. Two species, San Diego ambrosia and San Diego thorn-mint, have a low potential to occur at the project site, but are highly unlikely to appear at the project given the site's high level of disturbance and continued pedestrian impacts.

5.2.3 Direct Impacts to Special-Status Wildlife

Direct impacts to special-status plants could occur if any of the special-status wildlife species with potential to occur in the study area are found to be present at or near the project during construction. Permanent or temporary impacts to special-status wildlife are considered a potentially significant impact.

No species were found to have a moderate or high potential to occur within the study area. Three species, Coopers hawk, yellow warbler, and yellow breasted chat have a low potential occur within the study area as transient foragers but are unlikely to utilize the site for nesting. Impacts to the disturbed habitat and ToxDiv habitat would likely not result in a significant loss of foraging and/or breeding and nesting habitat for these species and would not be considered a potentially significant impact. Direct loss of individual special-status birds within these habitats during construction would be mitigated to a less than significant level through nesting bird surveys (described in the following paragraph) and monitoring of initial clearing of habitat, as described in Recommendation-1), provided in Section 6.1.

CFGF protects bird nests and MBTA prohibits the intentional take of any migratory bird or any part, nest, or eggs of any such bird. If clearing, grubbing, or other activities that result in the removal of vegetation occur during the nesting bird season, any impacts to active nests or the young of nesting bird species would be potentially significant. This impact shall be mitigated to less than significant through nesting bird surveys and establishment of appropriate buffers, as described in Recommendation-1), provided in Section 6.1.

5.2.4 Direct Impacts to Jurisdictional Aquatic Resources

No direct impacts to jurisdictional aquatic resources are expected, and therefore, no mitigation for direct impacts is required.

5.2.5 Direct Impacts to Wildlife Corridors/Habitat Linkages

The study area is not located within Wildlife Corridor Planning Zone designated by the Oceanside Subarea Plan (City of Oceanside 2010). The site is surrounded by roads and development on all sides which limits movement of larger mammals. A small patch of toyon and poison oak occurs at the southwest corner of the site, though it is highly disturbed and only offers marginal habitat for transient wildlife. While the site is currently undeveloped and allows opportunity for wildlife to move through or stop over on the site, the site does not function as a wildlife corridor or linkage between two larger patches of native habitat. Therefore, the project will not result in any direct impacts to wildlife corridors or linkages. No mitigation for direct impacts is required.

5.2.6 Wetland Buffer

Section 2.3.2 describes the wetland buffer per Section 5.2.4 of the Subarea Plan (City of Oceanside 2010), which states that a minimum 50-foot biological buffer, plus a minimum 50-foot planning buffer (total width of both equals 100 feet) shall be established for upland habitats, beginning at the outer edge of riparian vegetation.

The proposed project would not directly impact any aquatic features or riparian areas, therefore, no wetland buffer is required.

5.3 Indirect Impacts

5.3.1 Indirect Impacts to Vegetation Communities and/or Special-Status Plants

Short-Term Indirect Impacts

Potential short-term or temporary indirect impacts to special-status vegetation communities and special-status plants (if they occur) at the project would primarily result from construction activities and include impacts related to or resulting from the generation of fugitive dust, changes in hydrology resulting from construction, including sedimentation and erosion, and the introduction of chemical pollutants. Potential short-term indirect impacts could affect special-status vegetation communities within the biological study area, and special-status plants that have a moderate to high potential to occur in the biological study area. These impacts would be mitigated to less than significant levels through the implementation of Recommendations 2 and 3 provided in Section 6.1.

Long-Term Indirect Impacts

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed project to special-status vegetation communities and/or special-status plants after construction. Permanent indirect impacts that could affect special-status vegetation communities include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity. These impacts would be mitigated to less than significant levels through the implementation of Recommendations 2 and 3 provided in Section 6.1.

5.3.2 Indirect Impacts to Special-Status Wildlife

Short-Term Indirect Impacts

Short-term, construction-related, or temporary indirect impacts to special-status wildlife species that occur within the study area would primarily result from construction activities. Potential temporary indirect impacts could occur as a result of generation of fugitive dust, noise, chemical pollutants, and increased human activity. These impacts would be mitigated to less than significant through biological training (if needed), stockpiling materials/fueling/staging of vehicles and equipment in designated areas, reducing on-site trash and debris, and nesting bird surveys. These impacts would be mitigated to less than significant levels through the implementation of Recommendations 1, 2, and 3 provided in Section 6.1.

Long-Term Indirect Impacts

Potential long-term or permanent indirect impacts to special-status wildlife species that occur within the study area include non-native invasive species and increased human activity, similar to special-status vegetation communities/plants. These impacts would be mitigated to less than significant levels through the implementation of Recommendations 1, 2, and 3 provided in Section 6.1.

5.3.3 Indirect Impacts to Jurisdictional Aquatic Resources

Short-Term Indirect Impacts

Potential short-term or temporary indirect impacts to jurisdictional resources in, or adjacent to, the study area would primarily result from construction activities and include impacts related to or resulting from the generation of fugitive dust, changes in hydrology resulting from construction, including sedimentation and erosion, and the introduction of chemical pollutants. No aquatic resources occur within the study area, therefore, no short-term indirect impacts are expected.

Long-Term Indirect Impacts

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed project to jurisdictional aquatic resources after construction. Permanent indirect impacts that could affect jurisdictional aquatic resources include non-native invasive species and increased human activity. Each of these potential indirect impacts is discussed in the following paragraphs. No aquatic resources occur within the study area, therefore, no short-term indirect impacts are expected.

5.3.4 Indirect Impacts to Wildlife Corridors/Habitat Linkages

Short-Term Indirect Impacts

Short-term indirect impacts to habitat connectivity and wildlife corridors could result from increased human activity during construction. Potential indirect impacts resulting from increased human presence shall be mitigated to less than significant through avoidance of environmentally sensitive habitat, biological training, stockpiling materials/fueling/staging of vehicles and equipment in designated areas, reducing on-site trash and debris, and nesting bird surveys. The study area does not occur within any wildlife corridor or habitat linkage, therefore, no short-term indirect impacts are expected.

Long-Term Indirect Impacts

Long-term indirect impacts include increased human activity and lighting. The study area does not occur within any wildlife corridor or habitat linkage, therefore, no long-term indirect impacts are expected.

5.4 Cumulative Impacts

The study area is covered by the Oceanside Subarea Plan (City of Oceanside 2010). Direct impacts to special-status plant species (if they occur at the project) and special-status wildlife could occur due to project implementation but would be mitigated per the Oceanside Subarea Plan and therefore would not contribute to any cumulative sensitive species impacts. The project would implement standard best management practices, which would avoid contributions towards a cumulative indirect impact to special-status wildlife species and sensitive habitats. As with all other projects, the proposed project would be required to comply with CFGC and MBTA to avoid impacts to nesting birds. Therefore, the project is not anticipated to result in significant cumulative impacts to regional biological resources.

6 Avoidance and Minimization

There is a low potential for direct and indirect significant impacts to vegetation communities, special-status plants, and special-status wildlife species.

6.1 Recommendations

The following measures should be implemented to reduce potential direct and indirect impacts to less than significant levels.

Recommendation-1 A qualified biologist should conduct a nesting bird survey at least 14 days prior to the start of construction should it become necessary to conduct work within the breeding season for Cooper's hawk, yellow breasted chat, yellow warbler, and other nesting birds (February 1 through September 15). Should nesting individuals be detected, appropriate buffers and protection measures will be established. A training shall be developed and include a description of any target species of concern, its habitats, the general provisions of the Endangered Species Act (Act), the MHCP, and MBTA, the need to adhere to the provision of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern.

Recommendation-2 Stockpiling of materials and other aspects of construction staging shall be limited to disturbed areas. Equipment storage, fueling and staging areas shall be located to minimize risk of runoff to surrounding areas. All project related spills of hazardous materials shall be reported to appropriate entities and cleaned up immediately. Contaminated soils shall be removed to appropriate disposal areas. To avoid attracting predators of any target species of concern, the project site shall be kept clean of debris as much as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site. Pets of project personnel shall not be allowed on site where they may come in contact with any listed species. To prevent inadvertent disturbance to areas outside the limits of work, the contractor should install temporary fencing along the limits of grading. The final landscape plans should be reviewed by a qualified biologist to confirm that there are no invasive plant species as included on the most recent version of the California Invasive Plant Council Inventory for the project region.

Recommendation-3 Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans.

7 Summary

The Loma Alta Development Project will result in 2.16 acres of permanent direct impacts to disturbed habitat and *Toxicodendron diversilobum* Association. No special-status plant or wildlife species, jurisdictional aquatic resources, or regional wildlife corridors have the potential to be directly impacted. Indirect impacts may occur but with the implementation of measures recommended above, all biology-related project impacts would be reduced to a less than significant level.

Sincerely,



Tommy Molino
Sr. Biologist

- Att: A: Figures 1-4
B: Plants Observed Within the Study Area
C: Wildlife Observed Within the Study Area
D: Special-Status Plant Species Potentially Occurring within the Biological Study Area
E: Special-Status Wildlife Species Potentially Occurring within the Biological Study Area

8 Literature Cited

- AOU (American Ornithologists' Union). 2022. "AOU Checklist of North and Middle American Birds." Accessed May 2022. <http://checklist.americanornithology.org/taxa/>
- Calflora. 2022. The Calflora Database: Information on California plants for education, research and conservation, with data contributed by public and private institutions and individuals. Berkeley, California. <http://www.calflora.org>.
- CDFW. 2022a. California Natural Diversity Data Base. "Special Animals List." California Natural Diversity Database. Sacramento, California: CDFW, Biogeographic Data Branch. July 2021. <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.
- CDFW. 2022b. California Natural Diversity Database (CNDDDB). RareFind 5 and CNDDDB in BIOS. (Commercial Subscription). Sacramento, California: CDFW, Biogeographic Data Branch. <https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>.
- City of Oceanside. 2010. Final Oceanside Subarea Plan. <https://www.ci.oceanside.ca.us/gov/dev/planning/subarea.asp>.
- CNPS (California Native Plant Society). 2022. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). Sacramento: CNPS. <http://www.rareplants.cnps.org>.
- Crother, B.I. 2017. Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico, with Comments Regarding Confidence in our Understanding, edited by J.J. Moriarty. 8th ed. Society for the Study of Amphibians and Reptiles (SSAR); Herpetological Circular no. 43. September 2017. <https://ssarherps.org/wp-content/uploads/2017/10/8th-Ed-2017-Scientific-and-Standard-English-Names.pdf>.
- DOI (U.S. Department of the Interior). 2017. "The Migratory Bird Treaty Act Does Not Prohibit Incidental Take." Memorandum M-37050. December 22, 2017.
- ESRI. 2022. Collector for ArcGIS. Version 21.0.1.
- Google Earth. 2022. Aerial Photographs. 1:200 scale.
- HDR. 2009. Final Environmental Impact Report, El Corazon Specific Plan, Oceanside, California. Prepared for the City of Oceanside. March 2009. Approved on June 3, 2009. State Clearinghouse Number: 1998091006.
- Holland, R. F. 1986. Preliminary descriptions of the terrestrial natural communities of California. Nongame-Heritage Program, California Department of Fish and Game.
- Jepson Flora Project. 2022. Jepson eFlora. Berkeley, California: University of California. <http://ucjeps.berkeley.edu/eflora/>.
- NABA (North American Butterfly Association). 2016. "Checklist of North American Butterflies Occurring North of Mexico." Adapted from North American Butterfly Association (NABA) Checklist & English Names of North

- American Butterflies, eds. B. Cassie, J. Glassberg, A. Swengel, and G. Tudor. 2nd ed. Morristown, New Jersey: NABA. http://www.naba.org/pubs/enames2_3.html.
- Oberbauer, T., M. Kelly, and J. Buegge. 2008. Draft Vegetation Communities of San Diego County. March 2008. https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/Soitec-Documents/Final-EIR-Files/references/rtcref/ch9.0/rtcrefaletters/O14%202014-12-19_OberbauerTM2008.pdf.
- SANDAG (San Diego Association of Governments). 2003. MHCP Plan. Volume 1. Final. Administered by SANDAG for the Cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach and Vista. https://www.sandag.org/programs/environment/habitat_preservation/mhcp_vol1.pdf.
- SDNHM (San Diego Natural History Museum). 2002. "Butterflies of San Diego County." Revised September 2002. <http://www.sdnhm.org/archive/research/entomology/sdbutterflies.html>.
- SDNHM. 2022. San Diego County Plant Atlas. <http://www.sdplantatlas.org/>.
- UC Davis/NRCS (University of California, Davis, California Soil Resource Lab; University of California, Division of Agriculture and Natural Resources; Natural Resources Conservation Service). 2022. SoilWeb. University of California; USDA-NRCS. <https://data.nal.usda.gov/dataset/soilweb>.
- USDA (U.S. Department of Agriculture). 2022. California State PLANTS Checklist. National Plant Data Team, Greensboro, NC 27401-4901 USA. https://plants.usda.gov/dl_state.html.
- USFWS (U.S. Fish and Wildlife Service). 2022a. Birds of Conservation Concern. U.S. Department of Interior, Fish and Wildlife Service, Division of Migratory Bird Management. <https://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>.
- USFWS 2022b. "Critical Habitat and Occurrence Data" [map]. USFWS Geospatial Services. <http://www.fws.gov/data>.
- Wilson, D.E., and D.M. Reeder, eds. 2005. Mammal Species of the World: A Taxonomic and Geographic Reference. 3rd ed. Baltimore, Maryland: Johns Hopkins University Press.

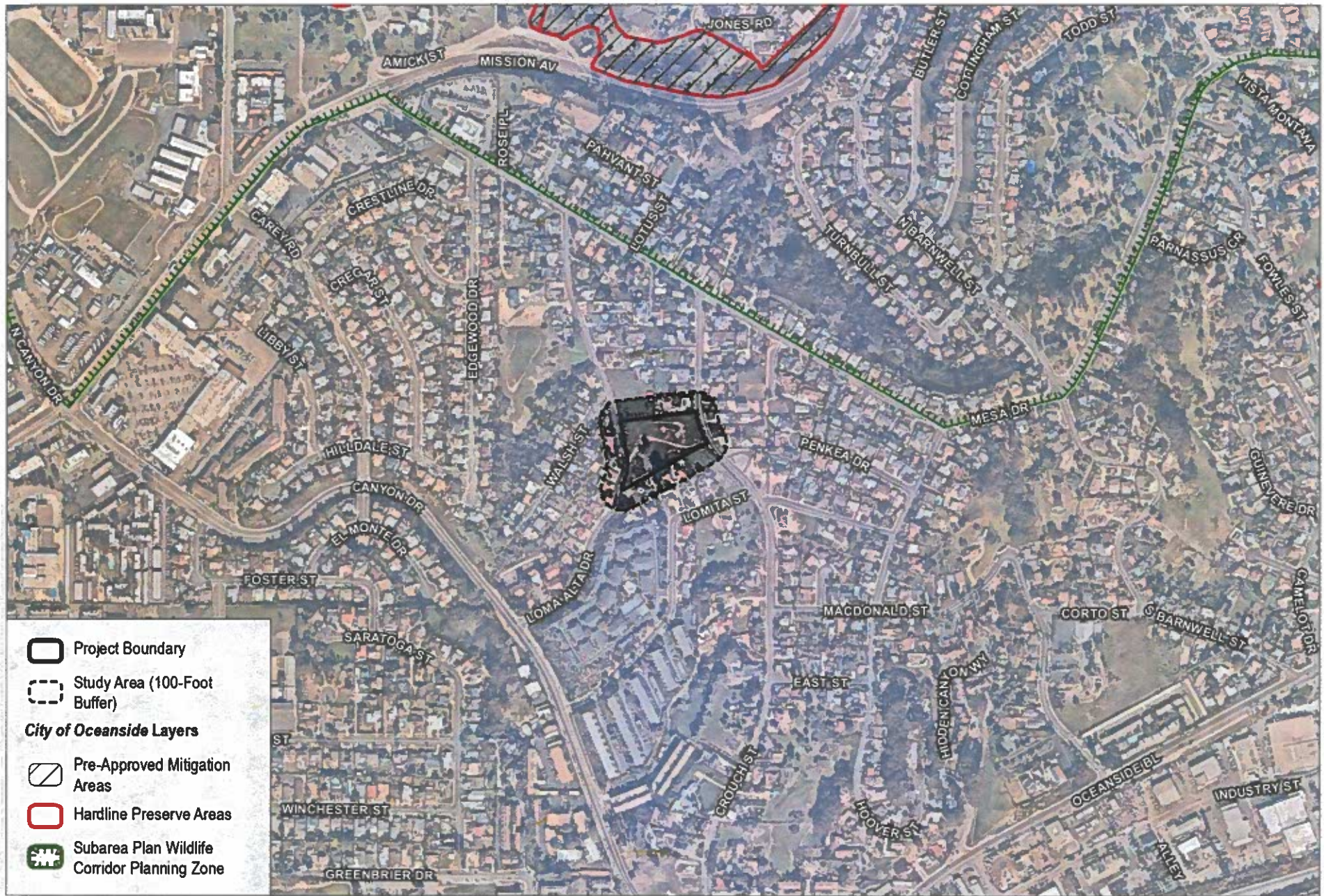
Attachment A

Figures



SOURCE SanGIS 2019

FIGURE 1
Project Location
 Loma Alta Development Project

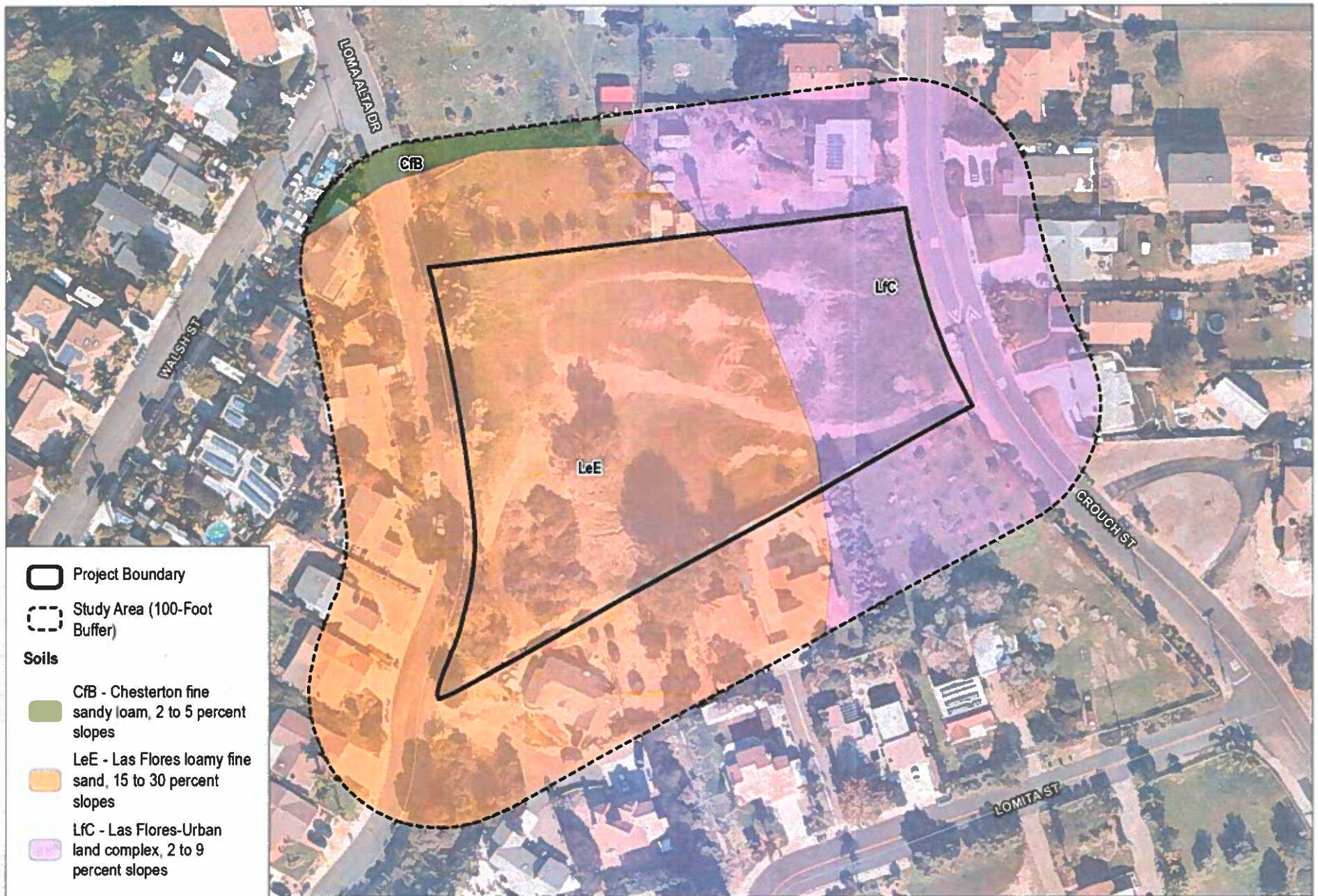


 Project Boundary
 Study Area (100-Foot Buffer)
City of Oceanside Layers
 Pre-Approved Mitigation Areas
 Hardline Preserve Areas
 Subarea Plan Wildlife Corridor Planning Zone

SOURCE: SanGIS 2019; City of Oceanside 2021



FIGURE 2
 Regional Conservation Planning
 Loma Alta Development Project



SOURCE: SanGIS 2019; USDA NRCS SSURGO 2019

FIGURE 3

Soils



Loma Alta Development Project



SOURCE: SanGIS 2019



FIGURE 4
Biological Resources
 Loma Alta Development Project

Attachment B

Plants Observed Within the Study Area

Vascular Species

Eudicots

ASTERACEAE – SUNFLOWER FAMILY

- Ambrosia psilostachya* – western ragweed
- * *Centaurea melitensis* – Maltese star-thistle
- Deinandra fasciculata* – clustered tarweed
- Heterotheca grandiflora* – telegraphweed
- Layia platyglossa* – coastal tidytips

BRASSICACEAE – MUSTARD FAMILY

- * *Hirschfeldia incana* – shortpod mustard

CHENOPODIACEAE – GOOSEFOOT FAMILY

- * *Salsola tragus* – prickly Russian thistle

FABACEAE – LEGUME FAMILY

- * *Acacia pycnantha* – golden wattle

MYRTACEAE – MYRTLE FAMILY

- * *Eucalyptus camaldulensis* – river redgum

POLYGONACEAE – BUCKWHEAT FAMILY

- * *Rumex crispus* – curly dock

ROSACEAE – ROSE FAMILY

- Heteromeles arbutifolia* – toyon

Monocots

ARECACEAE – PALM FAMILY

- * *Washingtonia robusta* – Washington fan palm

POACEAE – GRASS FAMILY

- * *Bromus diandrus* – ripgut brome
- * *Bromus madritensis* – compact brome
- * *Bromus tectorum* – cheatgrass

- * Signifies introduced (non-native) species

Attachment C

Wildlife Observed Within the Study Area

Birds

Finches

FRINGILLIDAE - FRINGILLINE AND CARDUELINE FINCHES AND ALLIES

Haemorhous mexicanus - house finch

Hawks

ACCIPITRIDAE - HAWKS, KITES, EAGLES, AND ALLIES

Accipiter cooperii - Cooper's hawk

Jays, Magpies and Crows

CORVIDAE - CROWS AND JAYS

Corvus corax - common raven

Mockingbirds and Thrashers

MIMIDAE - MOCKINGBIRDS AND THRASHERS

Mimus polyglottos - northern mockingbird

Pigeons and Doves

COLUMBIDAE - PIGEONS AND DOVES

Zenaida macroura - mourning dove

Mammals

Squirrels

SCIURIDAE - SQUIRRELS

Otospermophilus beecheyi - California ground squirrel

Attachment D

Special-Status Plant Species Potentially Occurring within the Biological Study Area

ATTACHMENT C / SPECIAL STATUS PLANT SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State/CRPR)	Primary Habitat Associations/ Life Form/Blooming Period/ Elevation Range (feet)	Elevation Appropriate?	Habitats Appropriate?	Potential to Occur
<i>Abronia maritima</i>	red sand-verbena	None/None/4.2	Coastal dunes/perennial herb/Feb-Nov/0-330	Y	N	Not expected to occur. No suitable vegetation present.
<i>Abronia villosa</i> var. <i>aurita</i>	chaparral sand-verbena	None/None/1B.1	Chaparral. Coastal scrub. Desert dunes. Sandy/annual herb/ (Jan)Mar-Sep/245-5,245	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Acanthomintha illicifolia</i>	San Diego thorn-mint	FT/SE/1B.1	Chaparral. Coastal scrub. Valley and foothill grassland. Vernal pools; Clay. Openings/annual herb/Apr-June/35-3,145	Y	Y	Low potential to occur within the disturbed habitat in the study area. Not observed during 2022 recon survey.
<i>Acmlspon prostratus</i>	Nuttall's acmlspon	None/None/1B.1	Coastal dunes. Coastal scrub/annual herb/Mar-June(July)/0-35	N	N	Not expected to occur. The site is outside of the species' known elevation range and there is no suitable vegetation present.
<i>Ambrosia pumila</i>	San Diego ambrosia	FE/None/1B.1	Chaparral. Coastal scrub. Valley and foothill grassland. Vernal pools; Alkaline (sometimes). Clay (sometimes). Disturbed areas (often). Sandy (sometimes)/perennial rhizomatous herb/Apr-Oct/65-1,360	Y	Y	Low potential to occur within the disturbed habitat in the study area. Not observed during 2022 recon survey.
<i>Aphanisma blitoides</i>	aphanisma	None/None/1B.2	Coastal bluff scrub. Coastal dunes. Coastal scrub: Gravelly (sometimes). Sandy (sometimes)/annual herb/Feb-June/5-1,000	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Arctostaphylos glandulosa</i> ssp. <i>crassifolia</i>	Del Mar manzanita	FE/None/1B.1	Chaparral/perennial evergreen shrub/June-Apr/0-1,195	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Artemisia palmeri</i>	San Diego sagewort	None/None/4.2	Chaparral. Coastal scrub. Riparian forest. Riparian scrub. Riparian woodland; Mesic. Sandy/perennial deciduous shrub/(Feb)May-Sep/50-3,000	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Asplenium vespertinum</i>	western spleenwort	None/None/4.2	Chaparral. Cismontane woodland. Coastal scrub. Rocky/perennial rhizomatous herb/Feb-June/590-3,280	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Atriplex coulteri</i>	Coulter's saltbush	None/None/1B.2	Coastal bluff scrub. Coastal dunes. Coastal scrub. Valley and foothill grassland; Alkaline (sometimes). Clay (sometimes)/perennial herb/ Mar-Oct/10-1,505	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Atriplex pacifica</i>	south coast saltscale	None/None/1B.2	Coastal bluff scrub. Coastal dunes. Coastal scrub. Playas/annual herb/ Mar-Oct/0-460	Y	N	Not expected to occur. No suitable vegetation present.
<i>Berberis nevadensis</i>	Nevin's barberry	FE/SE/1B.1	Chaparral. Cismontane woodland. Coastal scrub. Riparian scrub; Gravelly (sometimes). Sandy (sometimes)/perennial evergreen shrub/ (Feb)Mar-June/230-2,705	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Brodiaea filifolia</i>	thread-leaved brodiaea	FT/SE/1B.1	Chaparral. Cismontane woodland. Coastal scrub. Playas. Valley and foothill grassland. Vernal pools. Clay (often)/perennial bulbiferous herb/ Mar-June/80-3,670	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Brodiaea orcuttii</i>	Orcutt's brodiaea	None/None/1B.1	Chaparral. Cismontane woodland. Closed-cone coniferous forest. Meadows and seeps. Valley and foothill grassland. Vernal pools. Clay. Mesic/perennial bulbiferous herb/May-July/100-5,550	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Calandrinia breweri</i>	Brewer's calandrinia	None/None/4.2	Chaparral. Coastal scrub; Burned areas. Disturbed areas. Loam (sometimes).Sandy (sometimes)/annual herb/(Jan)Mar-June/35-4,000	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Calochortus plummerae</i>	Plummer's mariposa-lily	None/None/4.2	Chaparral. Cismontane woodland. Coastal scrub. Lower montane coniferous forest. Valley and foothill grassland; Granitic. Rocky/ perennial bulbiferous herb/May-July/330-5,575	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Camissoniopsis lewisii</i>	Lewis' evening-primrose	None/None/3	Cismontane woodland. Coastal bluff scrub. Coastal dunes. Coastal scrub. Valley and foothill grassland; Clay (sometimes). Sandy (sometimes)/annual herb/Mar-May(June)/0-985	Y	N	Not expected to occur. No suitable vegetation present.
<i>Caulanthus simulans</i>	Payson's jewelflower	None/None/4.2	Chaparral. Coastal scrub; Granitic. Sandy/annual herb/ (Feb)Mar-May(June)/295-7,215	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Ceanothus cyaneus</i>	Lakeside ceanothus	None/None/1B.2	Chaparral. Closed-cone coniferous forest/perennial evergreen shrub/ Apr-June/770-2,475	N	N	Not expected to occur. The site is outside of the species' known elevation range and there is no suitable vegetation present.

Scientific Name	Common Name	Status (Federal/State/CRPR)	Primary Habitat Associations/ Life Form/Blooming Period/ Elevation Range (feet)	Elevation Appropriate?	Habitats Appropriate?	Potential to Occur
<i>Centromadia parryi</i> ssp. <i>australis</i>	southern tarplant	None/None/1B.1	Marshes and swamps, Valley and foothill grassland, Vernal pools/ annual herb/May-Nov/0-1,570	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Centromadia pungens</i> ssp. <i>laevis</i>	smooth tarplant	None/None/1B.1	Chenopod scrub, Meadows and seeps, Playas, Riparian woodland, Valley and foothill grassland; Alkaline/annual herb/Apr-Sep/0-2,095	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Chaenactis giabruscula</i> var. <i>orcuttiana</i>	Orcutt's pincushion	None/None/1B.1	Coastal bluff scrub, Coastal dunes/annual herb/Jan-Aug/0-330	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Chorizanthe polygonoides</i> var. <i>longispina</i>	long-spined spineflower	None/None/1B.2	Chaparral, Coastal scrub, Meadows and seeps, Valley and foothill grassland, Vernal pools; Clay (often)/annual herb/Apr-July/100-5,015	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Cistanthe maritima</i>	seaside cistanthe	None/None/4.2	Coastal bluff scrub, Coastal scrub, Valley and foothill grassland; Sandy annual herb/(Feb)Mar-June(Aug)/15-985	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Comarostaphylis diversifolia</i> ssp. <i>diversifolia</i>	summer holly	None/None/1B.2	Chaparral, Cismontane woodland/perennial evergreen shrub/ Apr-June/100-2,590	Y	N	Not expected to occur. No suitable vegetation present.
<i>Convolvulus simulans</i>	small-flowered morning-glory	None/None/4.2	Chaparral, Coastal scrub, Valley and foothill grassland; Clay, Seeps, Serpentine/annual herb/Mar-July/100-2,425	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Corethrogyne filaginifolia</i> var. <i>linifolia</i>	Del Mar Mesa sand aster	None/None/1B.1	Chaparral, Coastal bluff scrub, Coastal scrub; Sandy/perennial herb/May-Sep/15-490	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Cryptantha wigginsii</i>	Wiggins' cryptantha	None/None/1B.2	Coastal scrub; Clay (often)/annual herb/Feb-June/65-900	Y	N	Not expected to occur. No suitable vegetation present.
<i>Deinandra paniculata</i>	paniculate tarplant	None/None/4.2	Coastal scrub, Valley and foothill grassland, Vernal pools; Sandy (sometimes), Vernal Mesic (usually)/annual herb/(Mar)Apr-Nov/80-3,080	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Dichondra occidentalis</i>	western dichondra	None/None/4.2	Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland/perennial rhizomatous herb/(Jan)Mar-July/165-1,640	Y	N	Not expected to occur. No suitable vegetation present.
<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>	Blochman's dudleya	None/None/1B.1	Chaparral, Coastal bluff scrub, Coastal scrub, Valley and foothill grassland; Clay (often), Rocky, Serpentine/perennial herb/ Apr-June/15-1,475	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Dudleya multicaulis</i>	many-stemmed dudleya	None/None/1B.2	Chaparral, Coastal scrub, Valley and foothill grassland; Clay (often)/perennial herb/Apr-July/50-2,590	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Dudleya variegata</i>	variegated dudleya	None/None/1B.2	Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland, Vernal pools; Clay/perennial herb/Apr-June/10-1,900	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Dudleya viscida</i>	sticky dudleya	None/None/1B.2	Chaparral, Cismontane woodland, Coastal bluff scrub, Coastal scrub; Rocky/perennial herb/May-June/35-1,800	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Eryngium aristulatum</i> var. <i>parishii</i>	San Diego button-celery	FE/SE/1B.1	Coastal scrub, Valley and foothill grassland, Vernal pools; Mesic/annual/perennial herb/Apr-June/65-2,030	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Eryngium pendletonense</i>	Pendleton button-celery	None/None/1B.1	Coastal bluff scrub, Valley and foothill grassland, Vernal pools; Clay, Vernal Mesic/perennial herb/Apr-June(July)/50-360	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Erysimum amorphillum</i>	sand-loving wallflower	None/None/1B.2	Chaparral, Coastal dunes, Coastal scrub; Openings, Sandy/perennial herb/Feb-June(July-Aug)/0-195	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Erythranthe diffusa</i>	Palomar monkeyflower	None/None/4.3	Chaparral, Lower montane coniferous forest; Gravelly (sometimes), Sandy (sometimes)/annual herb/Apr-June/4,000-6,000	N	Y	Not expected to occur. The site is outside of the species' known elevation range.

ATTACHMENT C / SPECIAL STATUS PLANT SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State/CRPR)	Primary Habitat Associations/ Life Form/Blooming Period/ Elevation Range (feet)	Elevation Appropriate?	Habitats Appropriate?	Potential to Occur
<i>Euphorbia misera</i>	cliff spurge	None/None/2B.2	Coastal bluff scrub, Coastal scrub, Mojavean desert scrub, Rocky/perennial shrub/Oct-Dec-Aug/35-1,640	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Ferocactus viridescens</i>	San Diego barrel cactus	None/None/2B.1	Chaparral, Coastal scrub, Valley and foothill grassland, Vernal pools/perennial stem/May-June/10-1,475	Y	N	Not expected to occur. No suitable vegetation present.
<i>Githopsis diffusa</i> ssp. <i>filcaulis</i>	Mission Canyon bluecup	None/None/3.1	Chaparral/annual herb/Apr-June/1,475-2,295	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Heterotheca sessiliflora</i> ssp. <i>sessiliflora</i>	beach goldenaster	None/None/1B.1	Chaparral, Coastal dunes, Coastal scrub/perennial herb/Mar-Dec/0-4,015	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Holocarpha virgata</i> ssp. <i>elongata</i>	graceful tarplant	None/None/4.2	Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland/annual herb/May-Nov/195-3,605	Y	N	Not expected to occur. No suitable vegetation present.
<i>Hordeum intercedens</i>	vernal barley	None/None/3.2	Coastal dunes, Coastal scrub, Valley and foothill grassland, Vernal pools/annual herb/Mar-June/15-3,280	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Horkelia truncata</i>	Ramona horkelia	None/None/1B.3	Chaparral, Cismontane woodland, Clay, Gabbroic/perennial herb/May-June/1,310-4,265	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Isocoma menziesii</i> var. <i>decumbens</i>	decumbent goldenbush	None/None/1B.2	Chaparral, Coastal scrub/perennial shrub/Apr-Nov/35-445	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Iva hayesiana</i>	San Diego marsh-elder	None/None/2B.2	Marshes and swamps, Playas/perennial herb/Apr-Oct/35-1,640	Y	N	Not expected to occur. No suitable vegetation present.
<i>Juglans californica</i>	Southern California black walnut	None/None/4.2	Chaparral, Cismontane woodland, Coastal scrub, Riparian woodland/perennial deciduous tree/Mar-Aug/165-2,950	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Juncus acutus</i> ssp. <i>leopoldii</i>	southwestern spiny rush	None/None/4.2	Coastal dunes, Marshes and swamps, Meadows and seeps/perennial rhizomatous herb/(Mar)May-June/10-2,950	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	Coulter's goldfields	None/None/1B.1	Marshes and swamps, Playas, Vernal pools/annual herb/Feb-June/5-4,000	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Lepidium virginicum</i> var. <i>robinsonii</i>	Robinson's pepper-grass	None/None/4.3	Chaparral, Coastal scrub/annual herb/Jan-July/5-2,900	Y	N	Not expected to occur. No suitable vegetation present.
<i>Lycium californicum</i>	California box-thorn	None/None/4.2	Coastal bluff scrub, Coastal scrub/perennial shrub/Mar-Aug/Dec/15-490	Y	N	Not expected to occur. No suitable vegetation present.
<i>Monardella hypoleuca</i> ssp. <i>lanata</i>	felt-leaved monardella	None/None/1B.2	Chaparral, Cismontane woodland/perennial rhizomatous herb/June-Aug/985-5,165	N	N	Not expected to occur. The site is outside of the species' known elevation range and there is no suitable vegetation present.
<i>Monardella viminea</i>	willow monardella	FE/SE/1B.1	Chaparral, Coastal scrub, Riparian forest, Riparian scrub, Riparian woodland/perennial herb/June-Aug/165-740	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Myosurus minimus</i> ssp. <i>apus</i>	little mouse-tail	None/None/3.1	Valley and foothill grassland, Vernal pools/annual herb/Mar-June/65-2,095	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Nama stenocarpa</i>	mud nama	None/None/2B.2	Marshes and swamps/annual/perennial herb/Jan-July/15-1,640	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Navarretia fossalis</i>	spreading navarretia	FT/None/1B.1	Chenopod scrub, Marshes and swamps, Playas, Vernal pools/annual herb/Apr-June/100-2,145	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Nemacaulis denudata</i> var. <i>denudata</i>	coast woolly-heads	None/None/1B.2	Coastal dunes/annual herb/Apr-Sep/0-330	Y	N	Not expected to occur. No suitable vegetation present.

ATTACHMENT C / SPECIAL STATUS PLANT SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State/CRPR)	Primary Habitat Associations/ Life Form/Blooming Period/ Elevation Range (feet)	Elevation Appropriate?	Habitats Appropriate?	Potential to Occur
<i>Nolina cismontana</i>	chaparral nolina	None/None/1B.2	Chaparral. Coastal scrub/perennial evergreen shrub/(Mar)May-July/460-4,180	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Ophioglossum californicum</i>	California adder's-tongue	None/None/4.2	Chaparral. Valley and foothill grassland. Vernal pools/perennial rhizomatous herb/Jan-June(Dec)/195-1,720	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Orcuttia californica</i>	California Orcutt grass	FE/SE/1B.1	Vernal pools/annual herb/Apr-Aug/50-2,165	Y	N	Not expected to occur. No suitable vegetation present.
<i>Orobanche parishii</i> ssp. <i>brachyloba</i>	short-lobed broomrape	None/None/4.2	Coastal bluff scrub. Coastal dunes. Coastal scrub/perennial herb (parasitic)/Apr-Oct/10-1,000	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Pentachaeta aurea</i> ssp. <i>aurea</i>	golden-rayed pentachaeta	None/None/4.2	Chaparral. Cismontane woodland. Coastal scrub. Lower montane coniferous forest. Riparian woodland. Valley and foothill grassland/annual herb/Mar-July/260-6,065	Y	N	Not expected to occur. No suitable vegetation present.
<i>Phacelia stelleris</i>	Brand's star phacelia	None/None/1B.1	Coastal dunes. Coastal scrub/annual herb/Mar-June/5-1,310	Y	N	Not expected to occur. No suitable vegetation present.
<i>Pinus torreyana</i> ssp. <i>torreyana</i>	Torrey pine	None/None/1B.2	Chaparral. Closed-cone coniferous forest/perennial evergreen tree/100-525	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Pogogyne abramsii</i>	San Diego mesa mint	FE/SE/1B.1	Vernal pools/annual herb/Mar-July/295-655	Y	N	Not expected to occur. No suitable vegetation present.
<i>Polygala cornuta</i> var. <i>fishiae</i>	Fish's milkwort	None/None/4.3	Chaparral. Cismontane woodland. Riparian woodland/perennial deciduous shrub/May-Aug/330-3,280	N	N	Not expected to occur. The site is outside of the species' known elevation range and there is no suitable vegetation present.
<i>Psilocarphus brevissimus</i> var. <i>multiflorus</i>	Delta woolly-marbles	None/None/4.2	Vernal pools/annual herb/May-June/35-1,640	Y	N	Not expected to occur. No suitable vegetation present.
<i>Quercus dumosa</i>	Nuttall's scrub oak	None/None/1B.1	Chaparral. Closed-cone coniferous forest. Coastal scrub/perennial evergreen shrub/Feb-Apr(May-Aug)/50-1,310	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Quercus engelmannii</i>	Engelmann oak	None/None/4.2	Chaparral. Cismontane woodland. Riparian woodland. Valley and foothill grassland/perennial deciduous tree/Mar-June/165-4,265	Y	N	Not expected to occur. No suitable vegetation present.
<i>Selaginella cinerascens</i>	ashy spike-moss	None/None/4.1	Chaparral. Coastal scrub/perennial rhizomatous herb/65-2,095	Y	N	Not expected to occur. No suitable vegetation present.
<i>Sidalcea neomexicana</i>	salt spring checkerbloom	None/None/2B.2	Chaparral. Coastal scrub. Lower montane coniferous forest. Mojavean desert scrub. Playas/perennial herb/Mar-June/50-5,015	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Sphaerocarpos drewiae</i>	bottle liverwort	None/None/1B.1	Chaparral. Coastal scrub/ephemeral liverwort/295-1,965	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Stemodia durantifolia</i>	purple stemodia	None/None/2B.1	Sonoran desert scrub/perennial herb/(Jan)Apr-Dec/590-985	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Stipa diegoensis</i>	San Diego County needle grass	None/None/4.2	Chaparral. Coastal scrub/perennial herb/Feb-June/35-2,620	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Suaeda esteroa</i>	estuary seablite	None/None/1B.2	Marshes and swamps/perennial herb/(Jan-May)July-Oct/0-15	N	Y	Not expected to occur. The site is outside of the species' known elevation range.
<i>Suaeda taxifolia</i>	woolly seablite	None/None/4.2	Coastal bluff scrub. Coastal dunes. Marshes and swamps/perennial evergreen shrub/Jan-Dec/0-165	Y	Y	Not expected to occur. No suitable vegetation present.
<i>Viguiera laciniata</i>	San Diego County viguiera	None/None/4.3	Chaparral. Coastal scrub/perennial shrub/Feb-June(Aug)/195-2,460	Y	N	Not expected to occur. No suitable vegetation present.

Attachment E

Special-Status Wildlife Species Potentially Occurring within the Biological Study Area

Scientific Name	Common Name	Status (Federal/State)	Habitat	Appropriate Habitats?	Potential to Occur
Amphibians					
<i>Anaxyrus californicus</i>	arroyo toad	FE/SSC	Semi-arid areas near washes, sandy riverbanks, riparian areas, palm oasis, Joshua tree, mixed chaparral and sagebrush; stream channels for breeding (typically third order), adjacent stream terraces and uplands for foraging and wintering	Y	Not expected to occur. No suitable vegetation present.
<i>Spea hammondi</i>	western spadefoot	BCC/SSC	Primarily grassland and vernal pools, but also in ephemeral wetlands that persist at least 3 weeks in chaparral, coastal scrub, valley-foothill woodlands, pastures, and other agriculture	Y	Not expected to occur. No suitable vegetation present.
Birds					
<i>Accipiter cooperii</i> (nesting)	Cooper's hawk	None/WL	Nests and forages in dense stands of live oak, riparian woodlands, or other woodland habitats often near water	Y	Low potential to occur. May use site as transient forager. Limited nesting opportunity on-site.
<i>Agelaius tricolor</i> (nesting colony)	tricolored blackbird	BCC/SSC, ST	Nests near freshwater, emergent wetland with cattails or tules, but also in Himalayan blackberry; forages in grasslands, woodland, and agriculture	Y	Not expected to occur. No suitable vegetation present.
<i>Aimophila ruficeps canescens</i>	Southern California rufous-crowned sparrow	None/WL	Nests and forages in open coastal scrub and chaparral with low cover of scattered scrub interspersed with rocky and grassy patches	Y	Not expected to occur. No suitable vegetation present.
<i>Aquila chrysaetos</i> (nesting and wintering)	golden eagle	None/FP, WL	Nests and winters in hilly, open/semi-open areas, including shrublands, grasslands, pastures, riparian areas, mountainous canyon land, open desert rimrock terrain; nests in large trees and on cliffs in open areas and forages in open habitats	Y	Not expected to occur. No suitable vegetation present.
<i>Artemisiospiza belli belli</i>	Bell's sage sparrow	None/WL	Nests and forages in coastal scrub and dry chaparral; typically in large, unfragmented patches dominated by chamise; nests in more dense patches but uses more open habitat in winter	Y	Not expected to occur. No suitable vegetation present.
<i>Buteo swainsoni</i> (nesting)	Swainson's hawk	None/ST	Nests in open woodland and savanna, riparian, and in isolated large trees; forages in nearby grasslands and agricultural areas such as wheat and alfalfa fields and pasture	Y	Not expected to occur. No suitable vegetation present.
<i>Campylorhynchus brunneicapillus sandiegensis</i> (San Diego and Orange Counties only)	coastal cactus wren	None/SSC	Southern cactus scrub patches	Y	Not expected to occur. No suitable vegetation present.
<i>Charadrius nivosus nivosus</i> (nesting)	western snowy plover	FT, BCC/SSC	On coasts nests on sandy marine and estuarine shores; in the interior nests on sandy, barren or sparsely vegetated flats near saline or alkaline lakes, reservoirs, and ponds	N	Not expected to occur. No suitable vegetation present.
<i>Circus hudsonius</i> (nesting)	northern harrier	BCC/SSC	Nests in open wetlands (marshy meadows, wet lightly-grazed pastures, old fields, freshwater and brackish marshes); also in drier habitats (grassland and grain fields); forages in grassland, scrubs, rangelands, emergent wetlands, and other open habitats	Y	Not expected to occur. No suitable vegetation present.
<i>Coccyzus americanus occidentalis</i> (nesting)	western yellow-billed cuckoo	FT/SE	Nests in dense, wide riparian woodlands and forest with well-developed understories	Y	Not expected to occur. No suitable vegetation present.
<i>Elanus leucurus</i> (nesting)	white-tailed kite	None/FP	Nests in woodland, riparian, and individual trees near open lands, forages opportunistically in grassland, meadows, scrubs, agriculture, emergent wetland, savanna, and disturbed lands	Y	Not expected to occur. No suitable vegetation present.
<i>Empidonax traillii extimus</i> (nesting)	southwestern willow flycatcher	FE/SE	Nests in dense riparian habitats along streams, reservoirs, or wetlands; uses variety of riparian and shrubland habitats during migration	Y	Not expected to occur. No suitable vegetation present.
<i>Eremophila alpestris actia</i>	California horned lark	None/WL	This subspecies of horned lark occurs on the state's southern and central coastal slope and in the San Joaquin Valley. Nests and forages in grasslands, disturbed lands, agriculture, and beaches.	Y	Not expected to occur. No suitable vegetation present.

ATTACHMENT D / SPECIAL STATUS WILDLIFE SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State)	Habitat	Appropriate Habitats?	Potential to Occur
<i>Icteria virens</i> (nesting)	yellow-breasted chat	None/SSC	Nests and forages in dense, relatively wide riparian woodlands and thickets of willows, vine tangles, and dense brush	Y	Low potential to occur. May use site as transient forager. Limited nesting opportunity on-site.
<i>Ixobrychus exilis</i> (nesting)	least bittern	None/SSC	Nests in freshwater and brackish marshes with dense, tall growth of aquatic and semi-aquatic vegetation	Y	Not expected to occur. No suitable vegetation present.
<i>Laterallus jamaicensis coturniculus</i>	California black rail	None/FP, ST	Tidal marshes, shallow freshwater margins, wet meadows, and flooded grassy vegetation; suitable habitats are often supplied by canal leakage in Sierra Nevada foothill populations	Y	Not expected to occur. No suitable vegetation present.
<i>Passerculus sandwichensis beldingi</i>	Belding's savannah sparrow	BCC/SE	Nests and forages in coastal saltmarsh dominated by pickleweed (<i>Salicornia</i> spp.)	Y	Not expected to occur. No suitable vegetation present.
<i>Phoebastria albatrus</i>	short-tailed albatross	FE/SSC	Nests on isolated, windswept islands of the western Pacific; extremely rare in migration offshore along the California coast	Y	Not expected to occur. No suitable vegetation present.
<i>Plegadis chihi</i> (nesting colony)	white-faced ibis	None/WL	Nests in shallow marshes with areas of emergent vegetation; winter foraging in shallow lacustrine waters, flooded agricultural fields, muddy ground of wet meadows, marshes, ponds, lakes, rivers, flooded fields, and estuaries	Y	Not expected to occur. No suitable vegetation present.
<i>Polioptila californica californica</i>	coastal California gnatcatcher	FT/SSC	Nests and forages in various sage scrub communities, often dominated by California sagebrush and buckwheat; generally avoids nesting in areas with a slope of greater than 40%; majority of nesting at less than 1,000 feet above mean sea level	Y	Not expected to occur. No suitable vegetation present.
<i>Rallus obsoletus levipes</i>	Ridgway's rail	FE/FP, SE	Coastal wetlands, brackish areas, coastal saline emergent wetlands	Y	Not expected to occur. No suitable vegetation present.
<i>Riparia riparia</i> (nesting)	bank swallow	None/ST	Nests in riparian, lacustrine, and coastal areas with vertical banks, bluffs, and cliffs with sandy soils; open country and water during migration	Y	Not expected to occur. No suitable vegetation present.
<i>Setophaga petechia</i> (nesting)	yellow warbler	None/SSC	Nests and forages in riparian and oak woodlands, montane chaparral, open ponderosa pine, and mixed-conifer habitats	Y	Low potential to occur. May use site as transient forager. Limited nesting opportunity on-site.
<i>Sterna antillarum browni</i> (nesting colony)	California least tern	FE/FP, SE	Forages in shallow estuaries and lagoons; nests on sandy beaches or exposed tidal flats	Y	Not expected to occur. No suitable vegetation present.
<i>Vireo bellii pusillus</i> (nesting)	least Bell's vireo	FE/SE	Nests and forages in low, dense riparian thickets along water or along dry parts of intermittent streams; forages in riparian and adjacent shrubland late in nesting season	Y	Not expected to occur. No suitable vegetation present.
Fishes					
<i>Eucyclogobius newberryi</i>	tidewater goby	FE/None	Brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County, to the mouth of the Smith River	Y	Not expected to occur. No suitable vegetation present.
<i>Gila orcuttii</i>	arroyo chub	None/SSC	Warm, fluctuating streams with slow-moving or backwater sections of warm to cool streams at depths >40 centimeters (16 inches); substrates of sand or mud	Y	Not expected to occur. No suitable vegetation present.
Invertebrates					
<i>Bombus crotchii</i>	Crotch bumble bee	None/None	Open grassland and scrub communities supporting suitable floral resources	Y	Not expected to occur. No suitable vegetation present.
<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	FT/None	Vernal pools, seasonally ponded areas within vernal swales, and ephemeral freshwater habitats	Y	Not expected to occur. No suitable vegetation present.
<i>Branchinecta sandiegonensis</i>	San Diego fairy shrimp	FE/None	Vernal pools, non-vegetated ephemeral pools	Y	Not expected to occur. No suitable vegetation present.
<i>Cicindela senilis frosti</i>	senile tiger beetle	None/None	Inhabits marine shoreline, from Central California coast south to saltmarshes of San Diego; also found at Lake Elsinore	Y	Not expected to occur. No suitable vegetation present.
<i>Danaus plexippus</i> pop. 1	monarch	FC/None	Wind-protected tree groves with nectar sources and nearby water sources	Y	Low potential to occur. May use site as transient forager. No host plants present on-site.

Scientific Name	Common Name	Status (Federal/State)	Habitat	Appropriate Habitats?	Potential to Occur
<i>Euphydryas editha quino</i>	quino checkerspot butterfly	FE/SCE	Annual forblands, grassland, open coastal scrub and chaparral; often soils with cryptogamic crusts and fine-textured clay; host plants include <i>Plantago erecta</i> , <i>Antirrhinum coulterianum</i> , and <i>Plantago patagonica</i> (Silverado Occurrence Complex)	Y	Not expected to occur. No suitable vegetation present.
<i>Lycaena hermes</i>	Hermes copper	FT/None	Mixed woodlands, chaparral, and coastal scrub	Y	Not expected to occur. No suitable vegetation present.
<i>Streptocephalus woottoni</i>	Riverside fairy shrimp	FE/None	Vernal pools, non-vegetated ephemeral pools	Y	Not expected to occur. No suitable vegetation present.
<i>Cicindela latesignata</i>	western beach tiger beetle	None/None	Mudflats and beaches in coastal Southern California	N	Not expected to occur. No suitable vegetation present.
Mammals					
<i>Aeorestes cinereus</i>	northern hoary bat	None/None	Forest, woodland riparian, and wetland habitats; also juniper scrub, riparian forest, and desert scrub in arid areas; roosts in tree foliage and sometimes cavities, such as woodpecker holes	N	Not expected to occur. No suitable vegetation present.
<i>Antrozous pallidus</i>	pallid bat	None/SSC	Grasslands, shrublands, woodlands, forests, most common in open, dry habitats with rocky outcrops for roosting, but also roosts in man-made structures and trees	Y	Not expected to occur. No suitable vegetation present.
<i>Chaetodipus californicus femoralis</i>	Dulzura pocket mouse	None/SSC	Open habitat, coastal scrub, chaparral, oak woodland, chamise chaparral, mixed-conifer habitats, disturbance specialist, 0 to 3,000 feet above mean sea level	Y	Not expected to occur. No suitable vegetation present.
<i>Chaetodipus fallax fallax</i>	northwestern San Diego pocket mouse	None/SSC	Coastal scrub, mixed chaparral, sagebrush, desert wash, desert scrub, desert succulent shrub, pinyon-juniper, and annual grassland	Y	Not expected to occur. No suitable vegetation present.
<i>Choeronycteris mexicana</i>	Mexican long-tongued bat	None/SSC	Desert and montane riparian, desert succulent scrub, desert scrub, and pinyon-juniper woodland; roosts in caves, mines, and buildings	Y	Not expected to occur. No suitable vegetation present.
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	None/SSC	Mesic habitats characterized by coniferous and deciduous forests and riparian habitat, but also xeric areas; roosts in limestone caves and lava tubes, man-made structures, and tunnels	Y	Not expected to occur. No suitable vegetation present.
<i>Dasypterus xanthinus</i>	western yellow bat	BCC/SSC	Valley-foothill riparian, desert riparian, desert wash, and palm oasis habitats; below 2,000 feet above mean sea level; roosts in riparian and palms	N	Not expected to occur. No suitable vegetation present.
<i>Dipodomys stephensi</i>	Stephens' kangaroo rat	FE/ST	Annual and perennial grassland habitats, coastal scrub or sagebrush with sparse canopy cover, or in disturbed areas	Y	Not expected to occur. No suitable vegetation present.
<i>Eumops perotis californicus</i>	western mastiff bat	None/SSC	Chaparral, coastal and desert scrub, coniferous and deciduous forest and woodland; roosts in crevices in rocky canyons and cliffs where the canyon or cliff is vertical or nearly vertical, trees, and tunnels	Y	Not expected to occur. No suitable vegetation present.
<i>Leptonycteris yerbabuena</i>	lesser long-nosed bat	FPD/SSC	Sonoran desert scrub, semi-desert grasslands, lower oak woodlands	Y	Not expected to occur. No suitable vegetation present.
<i>Lepus californicus bennettii</i>	San Diego black-tailed jackrabbit	None/None	Arid habitats with open ground, grasslands, coastal scrub, agriculture, disturbed areas, and rangelands	Y	Not expected to occur. No suitable vegetation present.
<i>Myotis yumanensis</i>	Yuma myotis	None/None	Riparian, arid scrublands and deserts, and forests associated with water (streams, rivers, tinajas); roosts in bridges, buildings, cliff crevices, caves, mines, and trees	Y	Not expected to occur. No suitable vegetation present.
<i>Neotoma lepida intermedia</i>	San Diego desert woodrat	None/SSC	Coastal scrub, desert scrub, chaparral, cacti, rocky areas	Y	Not expected to occur. No suitable vegetation present.
<i>Nyctinomops femorosaccus</i>	pocketed free-tailed bat	None/SSC	Pinyon-juniper woodlands, desert scrub, desert succulent shrub, desert riparian, desert wash, alkali desert scrub, Joshua tree, and palm oases; roosts in high cliffs or rock outcrops with drop-offs, caverns, and buildings	Y	Not expected to occur. No suitable vegetation present.
<i>Perognathus longimembris pacificus</i>	Pacific pocket mouse	FE/SSC	fine-grained sandy substrates in open coastal strand, coastal dunes, and river alluvium	Y	Not expected to occur. No suitable vegetation present.
<i>Taxidea taxus</i>	American badger	None/SSC	Dry, open, treeless areas; grasslands, coastal scrub, agriculture, and pastures, especially with friable soils	Y	Not expected to occur. No suitable vegetation present.

ATTACHMENT D / SPECIAL STATUS WILDLIFE SPECIES POTENTIALLY OCCURRING WITHIN THE BIOLOGICAL STUDY AREA

Scientific Name	Common Name	Status (Federal/State)	Habitat	Appropriate Habitats?	Potential to Occur
Reptiles					
<i>Anniella stebbinsi</i>	southern California legless lizard	None/SSC	Coastal dunes, stabilized dunes, beaches, dry washes, valley-foothill, chaparral, and scrubs; pine, oak, and riparian woodlands, associated with sparse vegetation and moist sandy or loose, loamy soils	Y	Not expected to occur. No suitable vegetation present.
<i>Arizona elegans occidentalis</i>	California glossy snake	None/SSC	Arid scrub, rocky washes, grasslands, chaparral, open areas with loose soil	Y	Not expected to occur. No suitable vegetation present.
<i>Aspidoscelis hyperythra</i>	orange-throated whiptail	None/WL	Low-elevation coastal scrub, chaparral, and valley-foothill hardwood	Y	Not expected to occur. No suitable vegetation present.
<i>Aspidoscelis tigris stejnegeri</i>	San Diegan tiger whiptail	None/SSC	Hot and dry areas with sparse foliage, including chaparral, woodland, and riparian areas.	Y	Not expected to occur. No suitable vegetation present.
<i>Crotalus ruber</i>	red diamondback rattlesnake	None/SSC	Coastal scrub, chaparral, oak and pine woodlands, rocky grasslands, cultivated areas, and desert flats	Y	Not expected to occur. No suitable vegetation present.
<i>Diadophis punctatus similis</i>	San Diego ringneck snake	None/None	Moist habitats including wet meadows, rocky hillsides, gardens, farmland grassland, chaparral, mixed-conifer forest, and woodland habitats	Y	Not expected to occur. No suitable vegetation present.
<i>Emys marmorata</i>	western pond turtle	None/SSC	Slow-moving permanent or intermittent streams, ponds, small lakes, and reservoirs with emergent basking sites; adjacent uplands used for nesting and during winter	N	Not expected to occur. No suitable vegetation present.
<i>Phrynosoma blainvillii</i>	Blainville's horned lizard	None/SSC	Open areas of sandy soil in valleys, foothills, and semi-arid mountains including coastal scrub, chaparral, valley-foothill hardwood, conifer, riparian, pine-cypress, juniper, and annual grassland habitats	Y	Not expected to occur. No suitable vegetation present.
<i>Plestiodon skiltonianus interparietalis</i>	Coronado skink	None/WL	Woodlands, grasslands, pine forests, and chaparral; rocky areas near water	Y	Not expected to occur. No suitable vegetation present.
<i>Salvadora hexalepis virgulata</i>	coast patch-nosed snake	None/SSC	Brushy or shrubby vegetation; requires small mammal burrows for refuge and overwintering sites	Y	Not expected to occur. No suitable vegetation present.
<i>Thamnophis hammondi</i>	two-striped garter snake	None/SSC	Streams, creeks, pools, streams with rocky beds, ponds, lakes, vernal pools	Y	Not expected to occur. No suitable vegetation present.
<i>Thamnophis sirtalis</i> ssp. (Southern California coastal plain from Ventura County to San Diego County, and from sea level to about 850 m)	south coast garter snake	None/SSC	Marsh and upland habitats near permanent water and riparian vegetation	Y	Not expected to occur. No suitable vegetation present.

Traffic Study

**Loma Alta 13 Lot Subdivision
APN: 149-021-18**

6-29-2022

Project Description

The proposed project involves the construction of 13 duplex dwelling units on a 87,120 SF parcel at 0 Loma Alta, Oceanside, CA 92054 (APN: 149-021-18)

Project Aerial Photo



Project Map



Trip Generation

Utilizing trip rates from the SANDAG (not so) Brief Guide of Vehicular Traffic Generation Rates, it can be seen that the project would be classified as a Residential use with over 6 dwelling units per acre. As a result, the anticipated trip generation is calculated at a rate of 10 trips per DU. The calculated trip generation is therefore, 130 trips per day with 10 trips in the AM peak hour and 10 trips in the PM peak hour.

City of Oceanside Guidelines

Following the City of Oceanside Guidelines, posted on the City's website, the proposed project would be screened out of conducting a VMT analysis as a small project (less than 1,000 ADT):

Table 2 – Screened Out Projects

Project Type
Projects located in a Transit Priority Areas (TPA) or Smart Growth Opportunity Area as identified in the most recent SANDAG San Diego Forward Regional Plan and is consistent with the General Plan at the time of project application. ⁽¹⁾⁽²⁾
Projects located in a low-VMT generating area identified on the most recent SANDAG SB 743 VMT Screening map
Locally serving K-12 schools
Day care centers
Local parks
Locally serving retail uses less than 50,000 square feet, including: gas stations, banks, restaurants, grocery stores, and shopping centers
Community institutions (Public libraries, fire stations, local government)
Locally serving hotels (e.g. non-destination hotels, non-regionally serving)
Student housing projects on or adjacent to college campuses
Local serving community colleges that are consistent with the assumptions noted in the most recent SANDAG Regional Transportation Plan/Sustainable Communities Strategy
Affordable housing projects ⁽³⁾
Assisted living facilities
Senior housing (as defined by HUD)
Transit projects
Bike projects
Pedestrian projects
Safety improvement projects (e.g. RRFBs and high visibility crosswalks at uncontrolled locations, pedestrian count down timers, additionally projects identified through the Highway Safety Improvement Program)
Safe Routes to School
Projects generating less than 500 daily vehicle trips (if inconsistent with adopted General Plan)
Projects generating less than 1,000 daily vehicle trips (if consistent with adopted General Plan)

(1) Projects located in a TPA must be able to access the transit station within a ¼ mile walking distance or 6 minute walk continuously without discontinuity of sidewalk or obstructions to the route. Qualifying transit stops means a site containing an existing rail transit station served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods (OPR, 2017). A high-quality transit corridor may also be considered if a corridor with fixed route bus service has service intervals no longer than 15 minutes during peak commute hours (OPR, 2017).

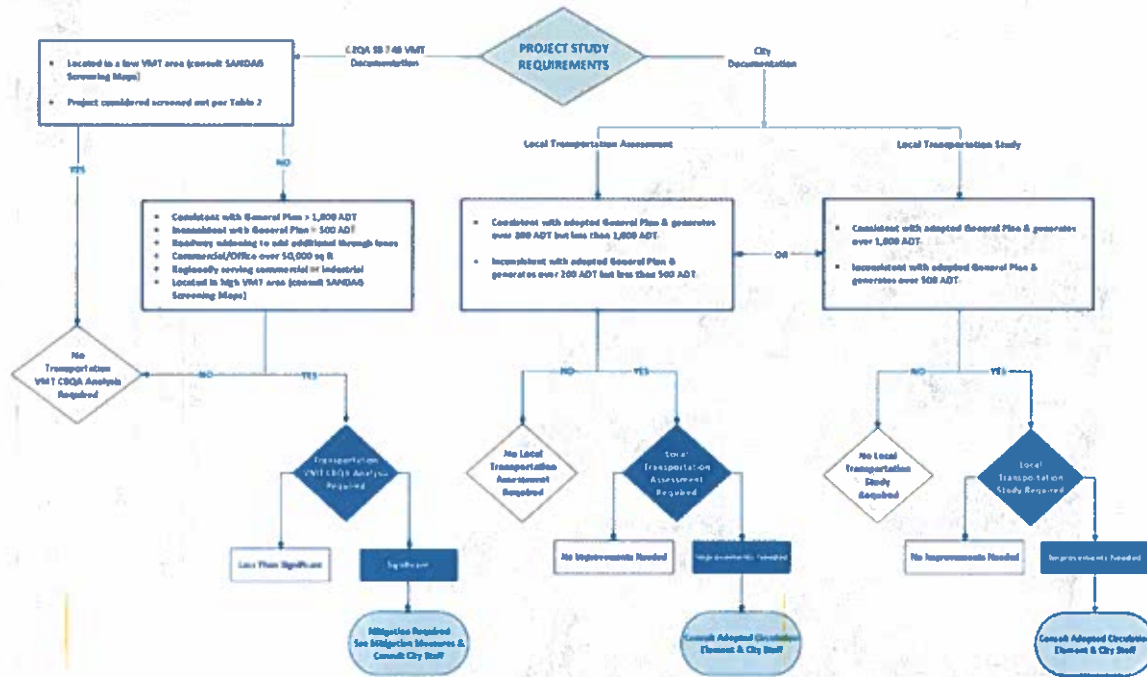
(2) Smart Growth Opportunity Area Map is provided in **Appendix B**. The most recent version available shall be used.

(3) If a project is a mix of affordable housing and market rate housing or unscreened use, only the affordable housing component would qualify as screened out. Additionally, any removal of affordable housing automatically requires CEQA VMT analysis.

In addition, the project generates less than 200 ADT and would be screened out of a Local Transportation Assessment (see flow chart below)



Figure 8-1 Project Study Requirements



* Projects are not confined to what is listed above and will need to be coordinated with City Staff to determine study requirements for developments not listed. This flowchart is a generalization, it is up to the City's discretion to determine if additional analyses will be required and if potential mitigation or improvements are acceptable.

Conclusion

Based on the size of the project and the modest trip generation, no transportation study would be required under the City's Guidelines. Please advise if any specific or specialty analysis would be required by the City of Oceanside.

Justin P. Schlaefli, PE TE PTOE
 President
 Urban Systems Associates, Inc.
 8451 Miralani Drive, Suite A
 San Diego, CA 92126
 619-818-6465

5.09 ATTACHMENT

CITY OF OCEANSIDE SLOPE MAP



DECLARATION OF RESPONSIBLE CHARGE

I HEREBY DECLARE THAT I AM THE ENGINEER OF RECORD FOR THE PROJECT THAT I HAVE ENDED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6203 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS AND PRACTICES. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE DESIGN OR FOR THE ACCURACY OF THE DATA PROVIDED TO ME BY THE CLIENT. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE ACCURACY OF THE DATA PROVIDED TO ME BY THE CLIENT.

MICHAEL D. SCHWARTZ
SWS ENGINEERING, INC.
1001 EAST OCEAN BLVD. SUITE 200
SAN MARCOS, CA 92078
PHONE: (760) 744-0511

R.E.C. NO. 50958 EXP. 12-31-2023 DATE



SWS ENGINEERING, INC.
1001 East Ocean Blvd. Ste 200
San Marcos, CA 92078
P. 760.744.0511 Fax 760.744.0512

SM-01

Loma Alta Terraces LLC Community Outreach Plan Recap

The Applicant for the Loma Alta Terraces 13 Single family lot subdivision arranged a comprehensive follow up community meeting to address and discuss questions and concerns from some local community members.

Notification: a mailer to every residence within 1500ft of the project plus all 100ft occupants, for a total of 780 mailers sent out via USPS (on ~9/8/23).

The meeting took place:

Date: 9-18-23

Time: 6:00PM

Location: Project Site

Participation:

Applicant Representative: Scott Darnell (Loma Alta Terraces LLC)

Applicants Architectural Designer: Glen Linthicum (Richard & Richard)

Applicants Civil Engineer: Matt Spenser (SWS Engineering)

City of Oceanside Planning: Dane Thompson

37 registered Community Members (possibly more were members there that did not register with the Applicant)

A detailed presentation was be given on the project location, description, density bonus, architecture, engineering, and potential color palettes. We involved community members in potentially bettering the project through their input and potentially make some positive changes to the project and to address some prior concerns.

1. The applicant provided a table to display a full size plan set and some chairs for less able bodied residents if they wanted to sit.
2. The Applicant provided a clipboard sign in sheet for residents to offer their participation.
3. The Applicant provided the plan set below for residents to offer their participation, questions, and directional comments.

- a. Plan sheets presented:
 - i. A100 – Site Plan
 - ii. A200 – Plan A Conceptual Floor Plans
 - iii. A300 – Conceptual Elevations
 - iv. A301 – Plan B Conceptual Floor Plans/Elevation
 - v. Exterior Color Schemes: 19 directional comments on color schemes received
 - vi. Conceptual Landscape Plan Title Sheet
 - vii. Landscape Site Plan
 - viii. Existing Tree Plan
 - ix. Color Landscape Palette
 - x. TM-01 Tentative Map 1
 - xi. TM-01 Tentative Map 2
 - xii. TM-01 Tentative Map 3 Color Aerial

4. The Applicant provided an introduction on the format of the meeting and a collective hope for a collaborative meeting and an open Q&A at the latter part of the meeting.

5. The Applicant commented on the plan presentation (including renderings and color printouts of landscape improvements for the community members to comment on and imagine
 - i. Exterior Color Schemes: 19 directional comments on color schemes received
 1. Black-Grey-White
 - a. 9 directional comments
 2. Blue-Grey-White
 - a. 5 directional comments
 3. Earth Tones
 - a. 5 directional comments

6. The Applicant read aloud the attached pre-prepared questions with answers for the community members to understand in the event some of them had not heard the original responses.

7. The Applicant then opened the floor to Q&A. The Applicant answered all questions asked until the end of the meeting which ended later than the time allotted at 7:20PM or so.

a. A few of the questions raised had to do with traffic circulation outside of the applicants property lines in which residents were looking for answers that were out of the applicants control.

8. All in all, the Applicant did everything in their power to answer any and all questions or concerns raised and feel that it was a positive overall operation.

Applicant Responses to Questions/Concerns

- **Project is too dense for the neighborhood.**
 - The applicant has specifically adhered to state and local codes, specifically designed for projects of this nature.
- **Project will interfere with walking dogs and kids playing on property.**
 - The subject property is private property, so they have no external right to walk or play on privately owned property.
- **There was never a project sign.**
- 8/1/22: Sign posted on Loma Alta per City of Oceanside
- 8/4/22: Revised sign posted on Loma Alta with updated Planner
- 8/22/22: Reposted sign because of vandalism
- 9/7/23: Signs reposted Loma Alta & Crouch Street because vandalism
- 9/18/23: New signs to be potentially to be reposted on both frontages (due to vandalism if needed)
- **Design of units does not fit with the neighborhood.**
 - The applicant doesn't notice a specific architectural theme to match in the local neighborhood. We are going to review some color schemes for community members to give feedback on.
- **Project will increase Traffic and no report was produced.**
 - City staff commented that no report is required because the projected impact is 'around' 10% of the requirement to require a report.
 - Upon community request and with approval from the City Staff, the Applicant added a stop sign to address any traffic concerns.
- **Upper windows are too close to the neighboring property line.**
 - Any rear windows above the ground floor, within 20' 5" of a rear setback, will receive non-translucent glass. The City Code is only 20'. Please note that this distance is only to the property line and many neighboring structures are well behind the common property lines.

Applicant Responses to Questions/Concerns

- **Cut through access from Crouch to Loma Alta**
 - This issue was brought up on the original Community Outreach Zoom call with the community members and was studied during the original site layout. A few commented that they did not want 'cut through traffic'.
 - A neighbor on Crouch brought up the idea on the call and two neighbors on Loma Alta objected to it as it would bring traffic from Crouch down to Loma Alta which they specifically objected to. The City's circulation element does not include a road connection in this area, nor was it requested by the Traffic Department. Given all of the constraints that this option presented to the lot layout, the better residential feel to a cul-de-sac, we chose not to pursue that direction.
- **Sewer Size Concerns**
 - The project will be upsizing ~466 LF of sewer main in Loma Alta from a 6-inch main to an 8-inch main.

Loma Alta Terraces 13 Single family Residence neighborhood meeting:
Date: Tuesday, March 21, 2023 8:00 am

Notification: mailer to every residence within 1500ft of the project plus all 100ft occupants, for a total of 780 mailers sent out 3-3-23 via USPS.

Zoom meeting notes:

Presenters present:

Gary Seward: Architect / Design build

Michael Schweitzer – SWS civil engineering

Scott Darnell - Applicant

A detailed presentation was given to the call-ins on project location, description, and how the density bonus allows 13 residences on this 2 acre Site. We then opened the meeting to questions:

Shane-234 Walsh st. Concerned about uncontrolled intersection on blind corner. On raining days there is run off and floods the street. Concern about speed and flow of traffic.
Applicant response: We are glad to share the traffic report with him. We will take his concern and offer to add a stop sign on private culdesac to control traffic leaving the site. Addressed that with the new development, storm water will be addressed and to existing flows through an onsite stormwater detention basin.

Victoria Settles – 210 Crouch st. – Compared project to a fire mountain project that is only doing 5 units. Concern her view will be blocked by 2 and 3 story houses. Crouch has speed bumps

Developer response: explain density bonus rules on how we got to the final density, we let her know the current zoning allows for 36ft height limit and we are proposing to build under the allowable limit and that the project will step with the hillside to mitigate it all being one height.

Glenda Kimbrel- 146 Loma Alta dr. – Project is not in kind with the neighborhood. Talked about another approved project 100 yards away with similar houses and density. Should consider the impact of both projects. Traffic and congestion a concern

Lisa and John Price- 238 and 214 Crouch- They agree with Kimbrel, don't mind responsible development but don't agree with this many houses. Don't like architecture. Affordable should not equate to 4 additional houses. Development should not be allowed beyond the 9 homes. This will add negative traffic and don't see 65 cars parking in the project.

R&R

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RICHARD & RICHARD

Pat – 131 Crouch st- Neighborhood is of small houses and they all have 5 cars that park all over the street. Existing traffic is an issue and so is the density.

Lisa and John Price- 238 Crouch- wanted to know the benefits for the neighborhood. Want to know what classifies as low income. Want additional speed bumps like crouch for traffic control.

Applicant response: We are improving the neighborhood by finishing the streets, adding sidewalks, eliminating the uncontrolled run off, unwanted problems with the site, improving their sewer system and giving others an opportunity to live in Loma Alta, a chance to own their own house and something they can afford.

Dane Thompson

From: victoria settles <victoriacsettles@gmail.com>
Sent: Wednesday, March 22, 2023 2:20 PM
To: Dane Thompson
Subject: Loma Alta Terrace # T22-00003

Warning: External Source

Hi Mr. Thompson,

I was not able to leave my email address with the Zoom meeting on Thursday.

We have lived at this address at 210 Crouch St, Oceanside, CA 92054 for 28 Years.
this street is zoned for estate lots with 7.5 ft setbacks and a minimum 10,000. sq ft lots.
while we understand housing is at a premium, the plan presented is too drastica change for our neighborhood.
Combining the street and the pool will leave less than 2500 sq ft per lot, with each lot containing two
separate residences. The math does not fit the semi-rural feel of Loma Alta, and there is not enough parking
infrastructure the urban style development.

1

Plan C is 32 ft tall. We thought 30 was the max in our area. A compromise could be reached if the lots were at least 5000 sq ft, and were designed with the current neighborhood aesthetics in mind.

This plan belongs downtown / beach area not in the ranch style setting of hHistoric Loma, please consider a change to the drawings to comply with zoning standards, no with this plan.

Thank you

Sincerely,
Sean Settles
Rfandango@aol.com
6198848012

2

Dane Thompson

From: Lady Paulus <rainydaydutkie@gmail.com>
Sent: Tuesday, March 21, 2023 9:05 AM
To: Projectpostingsdmc@gmail.com
Cc: Dane Thompson
Subject: Loma Alta Terraces

Warning: External Source

Thank you for the meeting I am still concerned that this will increase the traffic issues that do not stop at your street end but at Crouch and Canyon, Loma Alta and Mesa, Oceanside blvd and Crouch. These should be addressed by the city before allowing the increase. You will be changing the feel of this neighborhood. Have you looked into the impact this will have on the schools you have the potential to fill a classroom. This neighborhood has many that have been here since the 70's or before and the neighborhood has not dramatically changed. My last thought is just because you can doesn't mean you should. If this was your neighborhood how would you feel about this?

Sincerely

Pat Dutkiewicz

131 Crouch Street Oceanside.

Dane Thompson

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Sent: Tuesday, March 21, 2023 9:00 AM
To: Dane Thompson
Cc: projectpostingsdcm@gmail.com; Link Ladutko; Bryan & Cheryl Hasselodt
Subject: Loma Alta Terrace proposed development

Warning: External Source

Dane, as you can tell by this morning's Zoom meeting, the neighboring residents of this development are not opposed to a development, we are concerned with the density, parking, flooding & water run-off, traffic, along with the other concerns you heard. Those of us who have lived in Oceanside for decades and live in the Loma Alta area take pride in the neighborhood...we love Oceanside and want to see it continue to be an enjoyable livable community. This development will negatively effect us.

This proposed development, along with the other that is almost adjacent to this one, will severely impact the entire Loma Alta area. This development is asking for waivers and incentives to be able to squeeze as many houses as allowable under the law into this area of land... does the city have to grant these waivers? What about the quality of living that the current residents are fighting to maintain?

1

It was noted that the meeting was recorded, how may we obtain a copy of the recording as well as a copy of the screens that the developer put up during the meeting, and the traffic study that was mentioned? I would like to obtain copies of each, please.

We are sorry that this Zoom meeting this morning will be the only "community" input the developer will offer for the proposed development...it truly does not give the neighboring residents a proper venue to express our concerns. We are hoping that the City of Oceanside takes the current long-established residents into consideration when making their decisions to allow new developments.

Glenda and Pat Kimbrel
146 Loma Atla Drive
Oceanside, CA
760-433-9078

2

Dane Thompson

From: bhassoldt@cox.net
Sent: Monday, March 20, 2023 5:08 PM
To: Dane Thompson
Cc: projectpostingsdcm@gmail.com
Subject: PLEASE READ FOR 3/21 MEETING: Loma Alta Terraces - Neighbor Response

Warning: External Source

Hello City of Oceanside Planning Department/Dane Thompson,

Thank you for the notice and information most recent proposal on the development of this neighborhood property – Loma Alta Terraces.

Let me start by saying we, Cheryl and I, have lived in Oceanside at this address since 1991 and some of my neighbors have been here for a longer period of time. It's a great attractive custom home neighborhood with large 10,000 square foot lots at minimum; most are closer to at least 13,000 square foot lots and space which provides comfort and quiet with a rural feeling.

1

If this lot to be developed is 2 acres, which is 43,560 square feet per acre x 2 or 87,120 square feet, then with basic math division, one can quickly realize that 8 homes would be the absolute maximum with allowance for street, curb and gutter and fire department needs. The standard for this neighborhood since I have been here is 10,000 square foot minimum lots. The ADU or Assisted Dwelling Unit amendments increase and adds on to the size and impact of the project.

It seems that our neighborhood has had to stay on guard and try to keep the City Development standards intact.

Why are we always the group that needs to remind everyone of the building standards? If you want to build, stick to the City driven standards we all live by. This proposed development/variance is just too dense for this neighborhood. We are looking at 40 to 50 new bedrooms, too much noise, traffic, not enough parking curbside, common area or otherwise. We all know people fill their garages and have recreational vehicles. This is simply a push for maximum profit and no concern for quality of life of the existing neighbors or the new ones that would move in.

We already have a large portion of multifamily housing planned in this neighborhood with 300 new units proposed at the south end of the same street on Crouch and Oceanside Boulevard. There is also going to be a 40-bed homeless housing project nearby off Apple Street. In addition, we understand there has been a proposal to build 10 new homes and ADU's on another lot on Loma Alta which is we believe around 4 acres – this project is complying with the 10,000 square foot minimum home lot size requirements.

The entry on Loma Alta might allow the developer to avoid the lowering of telephone poles on Crouch Street but will impact the traffic on Loma Alta Dr. at a curved portion of the street. It should be wider to allow for proper merging or street parking which will occur. There is also storm water control across the entire lot from Crouch Street to Loma Alta

2

Dr. and grading situation on the Loma Alta Dr. side of the project. These five extra homes will only impact the neighborhood in a negative way.

Please do not approve this project as it is currently proposed.

Thank you for your time,

Bryan Hassoldt
129 Crouch Street
760-807-5557
bhassoldt@cox.net

Dane Thompson

From: Link Ladutko <linkladutkolaw@gmail.com>
Sent: Monday, March 20, 2023 9:26 AM
To: Dane Thompson; Glenda Kimbrel
Subject: T22-00003

Categories: Low Priority

Warning: External Source

Dear Mr. Thompson: I think that I can speak for our entire community in saying that we are depending upon you and your colleagues at the City of Oceanside to protect us, without fear or favor, against all anticipated threats to our health and safety that could result from the above referenced project if not properly addressed prior to construction. Some of the threats include, but are not limited to, the proposed sole access to and from the development from Loma Alta Dr.; storm water runoff onto Loma Alta Dr. and adjacent properties; erosion and potential collapse of the high bank on the east side of Loma Alta Dr.; potential fire within the development during times of our "fire season" exacerbated by a single access point. Emergency vehicles could more effectively respond to a conflagration if there were multiple access points. Also, an increase in the diameter of the waste water pipe may be helpful along with speed control on Loma Alta Dr.. Respectfully submitted, Link Ladutko

From: Link Ladutko <linkladutkolaw@gmail.com>
Sent: Monday, March 13, 2023 1:06 PM
To: Dane Thompson <DThompson@oceansideca.org>; Glenda Kimbrel <pgkimbrel@icloud.com>
Subject: T22-00003 "Loma Alta Terraces"

Warning: External Source

Dear Mr. Thompson:

I am just beginning my review of the numerous documents for the above project on your etrakit website. Please expect this email to be the first of many to follow.

In the document entitled Residential Development Tentative Map, December 14, 2022 (rev. 2) there is at least one inconsistency. Under the heading "Landscape Design" the developers state that the primary entrance of Loma Alta Terraces is from Crouch Road (should be Street). Under the heading "Development Plan," it states that the primary site access is from Loma Alta Dr. As I have lived on Loma Alta Dr. for almost 70 years, I am very familiar with this public road. Because of the size, slope and curves of this road, it is not, in my opinion, appropriate as the sole access to the proposed development. However, if there were a second separate access from Crouch St., that could reduce the safety risk imposed by sole access from Loma Alta Dr.

5

Further, in that same document under the heading, "Calculate Density Bonus Units", the developer determined that the project was entitled to 4 additional units, however, the mathematical calculation was actually 3.15. How is 3.15 entitled to be rounded up to 4 units ?

Enough for now. Regards, Link Ladutko, home owner.

6

Dane Thompson

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Sent: Thursday, March 16, 2023 4:09 PM
To: Dane Thompson
Cc: Link Ladutko
Subject: Re: T22-00003 "Loma Alta Terraces"

Warning: External Source

Mr. Thompson

This is regarding the proposed development T22-00003 Loma Alta Terrace... We live at 146 Loma Alta Drive not far from the proposed development. We have lived here for over 40 years and are very familiar with the flow of traffic and some of the problems on the street. We are very concerned with all of these houses using Loma Alta Drive as their main and only source of getting in and out of the development. The section of Loma Alta that it looks like the development will use is not a full width street... Parking is only allowed on one side because the width of the street is not wide enough... do they plan on widening the street, putting sidewalks?

1

Please also keep in mind there is another proposed development with the same number of homes just about 100 yards from this proposed development with all of those units also filtering out onto Loma Alta Drive. (Loma Alta is their only source of entering and exiting the development.) All of this will only make for a very congested, dangerous street... there are no sidewalks on either side of the street leading to Mesa Drive. The traffic and congestion are just a few of the concerns we have with the project.

Thank you for your time,
Glenda & Charles Kimbrel
146 Loma Alta Drive

On Mar 16, 2023, at 3:26 PM, Link Ladutko <linkladutkolaw@gmail.com> wrote:

Dear Mr. Thompson: Thank you for your prompt response to my email. Yes, I request that all of my email etc. be included in the public record with respect to this matter. Since I have no authority to influence the developer in any way, I would request that you, as the planner in this project, broach the issue of a second access to the developer. As I opined in my previous email, there is a credible safety issue with respect to access from Loma Alta Dr. due to the narrow road, curves in the road and slope

2

degree of the road. It is an accident waiting to happen and the developer needs to be given notice of the issue. Respectfully submitted, Link Ladutko

On Thu, Mar 16, 2023 at 7:59 AM Glenda Kimbrel <pgkimbrel@icloud.com> wrote:

Thanks for this information..we finally got the same letter in the mail yesterday! One other thought to bring up, the part of Loma Alta that it looks like the development will use is not a full width street... Parking is only allowed on one side because the width of the street is not wide enough... do they plan on widening the street? I will make every effort to attend the Zoom meeting on Tuesday..thanks for the heads up...Glenda

On Mar 15, 2023, at 4:20 PM, Dane Thompson <DThompson@oceansideca.org> wrote:

Link,

Thank you for pointing out that inconsistency with the access. Currently the developer is proposing to only offer access from Loma Alta Drive and there would be no access from Crouch. If you want your comments included in the public record, feel free to send them to me. If you want to request that the developer redesign the project, feel free to send that request to Scott Darnell at SDarnell@darnellcapital.com.

3

Under density bonus law (GOV §65915) any density calculation that results in a fractional number can be rounded up, even if that number is 3.15.

Thank you,



Dane Thompson, Planner I

City of Oceanside

Planning Division

300 North Coast Highway

Oceanside, CA 92054

Phone: (760) 435-3562

dthompson@oceansideca.org

All voicemail to and e-mail to and from the City of Oceanside may be considered public information and may be disclosed upon request.

From: Link Ladutko <linkladutkolaw@gmail.com>

Sent: Monday, March 13, 2023 1:06 PM

To: Dane Thompson <DThompson@oceansideca.org>; Glenda Kimbrel

4

<pgkimbrel@icloud.com>

Subject: T22-00003 "Loma Alta Terraces"

Warning: External Source

Dear Mr. Thompson:

I am just beginning my review of the numerous documents for the above project on your etrakit website. Please expect this email to be the first of many to follow.

In the document entitled Residential Development Tentative Map, December 14, 2022 (rev. 2) there is at least one inconsistency. Under the heading "Landscape Design" the developers state that the primary entrance of Loma Alta Terraces is from Crouch Road (should be Street). Under the heading "Development Plan," it states that the primary site access is from Loma Alta Dr. As I have lived on Loma Alta Dr. for almost 70 years, I am very familiar with this public road. Because of the size, slope and curves of this road, it is not, in my opinion, appropriate as the sole access to the proposed development. However, if there were a second separate access from Crouch St., that could reduce the safety risk imposed by sole access from Loma Alta Dr.

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Enough for now. Regards, Link Ladutko, home owner.

Dane Thompson

From: Link Ladutko <linkladutkolaw@gmail.com>
Sent: Thursday, March 16, 2023 3:27 PM
To: Glenda Kimbrel; Dane Thompson
Subject: Re: T22-00003 "Loma Alta Terraces"

Warning: External Source

Dear Mr. Thompson: Thank you for your prompt response to my email. Yes, I request that all of my email etc. be included in the public record with respect to this matter. Since I have no authority to influence the developer in any way, I would request that you, as the planner in this project, broach the issue of a second access to the developer. As I opined in my previous email, there is a credible safety issue with respect to access from Loma Alta Dr. due to the narrow road, curves in the road and slope degree of the road. It is an accident waiting to happen and the developer needs to be given notice of the issue. Respectfully submitted, Link Ladutko

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Under density bonus law (GOV §65915) any density calculation that results in a fractional number can be rounded up, even if that number is 3.15.

Thank you,

Dane Thompson, Planner I
City of Oceanside
Planning Division
300 North Coast Highway

2



Oceanside, CA 92054

Phone: (760) 435-3562

dthompson@oceansideca.org

All voicemail to and e-mail to and from the City of Oceanside may be considered public information and may be disclosed upon request.

From: Link Ladutko <linkladutkolaw@gmail.com>

Sent: Monday, March 13, 2023 1:06 PM

To: Dane Thompson <DThompson@oceansideca.org>; Glenda Kimbrel <pgkimbrel@icloud.com>

Subject: T22-00003 "Loma Alta Terraces"

Warning: External Source

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3

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Enough for now. Regards, Link Ladutko, home owner.

4

Dane Thompson

From: Dane Thompson
Sent: Monday, August 8, 2022 10:02 AM
To: Stefanie Cervantes
Subject: Loma Alta Terrace

I am forwarding the comments of Derek Greedus, kmelville6@gmail.com, received through Public Stuff.

Specific City Staff Member's Name
Planning

Comments

Just received notice of the Loma Alta Terrace planned development. With terrible shortage of water, why are we adding more problems to this situation. Why not wait until the shortage is not a problem?

Thank you,

Dane Thompson, Planner I
City of Oceanside

1



Planning Division
300 North Coast Highway
Oceanside, CA 92054
Phone: (760) 435-3562
dthompson@oceansideca.org

All voicemail to and e-mail to and from the City of Oceanside may be considered public information and may be disclosed upon request.

2

Dane Thompson

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Sent: Tuesday, September 12, 2023 1:07 PM
To: sdarnell@darnellcapital.com; Dane Thompson; Sergio Madera; Planning-Planning Commission
Subject: Loma Alta Terraces

Warning: External Source

To: Scott Darnell, Loma Alta Terraces LLC

Dane Thompson, Oceanside Planning Department

Sergio Madera, Oceanside Planning Department

Oceanside Planning Commission

September 11, 2023

1

Re: Tentative Map (T22-00003)
Development Plan (D22-00004)
Density Bonus (DB22-00003)
Loma Alta Terraces, LLC

On September 9, 2023, we received the notice sent by Mr. Scott Darnell for the "Project Information Meeting" on the Loma Alta Terraces Single-Family Residential Development. The proposed project site is located between Loma Alta Drive and Crouch Street. The purpose stated in the letter is for a presentation to be held on Monday, September 18, regarding the residential development proposed in our neighborhood.

Unfortunately, my husband and I will not be able to attend this meeting, we will be out of state at the time, therefore, we are writing this letter explaining our concerns and thoughts regarding the development.

At the Planning Commission meeting on August 28, 2023, I spoke to many of the concerns we had regarding the density, safety, traffic, fire, infrastructure, poor home design not congruent with the surrounding "Historic Loma Alta" neighborhood, future HOA management, another high-density development being proposed less than a block away, along with other issues.

2

The Planning Commission had numerous concerns as well, which is why they instructed the developer to go back, talk with the neighbors, and possibly look at a re-design of portions of the project. One of the ideas, brought up by the Planning Commission was to consider the private cul-de-sac street to go through to Crouch to not force all the traffic from these proposed homes spilling out on Loma Alta. This would be a tremendous benefit for many of the concerns including the severe impact of the traffic on Loma Alta as well as some of the fire safety issues. The other traffic concern is that where this development is proposed on Loma Alta, the road is steep and curvy, with blind spots and cars speeding up and down hill. If the proposed street went through to Crouch, which has less curves in that area and on flatter ground, this would allow for a safer flow of traffic offering two directions for this new heavily congested street to utilize.

The design, home and lot size and incongruency of the homes for this neighborhood was also an issue. Two of the homes would be 1,600 square foot two story structures with five (5) bedrooms and two-car garages. The city needs to have the developer show the design interior of each of the homes, laying out the sizes of each room, showing just how small each of the rooms would be for a large family needing five bedrooms.

We are asking for consideration of fewer homes to be built on this sight with larger lot sizes so homes are not built so close together, allowing for families to have some space. Look around this Loma Alta neighborhood and you will see homes with spacious lot sizes. This proposed development again, is not congruent with this neighborhood and only lends itself to problems and issues in the future.

The neighborhood is not against a development and Mr. Darnell has every right to develop the property. We are just asking for sound, well-planned homes that are in harmony with the surrounding "Historic Loma Alta" neighborhood. This neighborhood was given this name by the city for a reason, we are striving to keep the character, charm and livability of this area as it is designed to be.

We know the Planning Commission was not pleased by what was initially presented by Mr. Darnell and his associates. Mr. Darnell, we would like you to please listen to our concerns and take them into consideration as you hopefully re-design this project. We also expect the Planning Commission, even though they are bound by codes and laws, to see beyond these codes and laws to what will truly benefit the residents of Oceanside. The decisions you make today will have a significant impact on the future generations that chose to live in Oceanside. It is not just the developer that has rights, the residents of Oceanside also have rights, those who have lived and worked here for decades.

Thank you for your time and consideration.

Respectfully,

Glenda & Pat Kimbrel

146 Loma Alta Drive

Oceanside, CA 92054

760-433-9078

pgkimbrel@icloud.com

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author details the process of reconciling the accounts. This involves comparing the internal records with the bank statements to identify any discrepancies. It is crucial to investigate these differences promptly to prevent errors from compounding over time.

The third section focuses on the role of technology in modern accounting. It highlights how software solutions can streamline the recording and reporting process, reducing the risk of human error and saving valuable time.

Finally, the document concludes with a summary of the key principles of good accounting practice. It reiterates the need for honesty, accuracy, and consistency in all financial reporting.

Dane Thompson

From: Jennifer Meaders <meaders.jen@gmail.com>
Sent: Wednesday, September 13, 2023 12:18 PM
To: Sergio Madera; Planning-Planning Commission; Dane Thompson
Subject: Loma Alta Terrace

Warning: External Source

City planners and members of the City Planning Committee. I am writing to you as a resident living on Loma Alta Dr.; I attended the meeting on August 28th regarding Loma Alta Terrace but didn't speak. I would like to give my input on the development and future developments.

It may be for the residents of Loma Alta that our hands are tied, and there is nothing we can do to stop the 13 residential units slated to be built on only 2 acres or even to reduce the number of units allowed to be built. With that being said, I would like to give you a thought for your consideration that you might think about going forward.

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We are told that Oceanside is suffering from not just a lack of housing but a lack of affordable housing. That is not entirely the case. A cursory glance at the number of short-term rentals located is shocking. You can easily access the information found right here: <https://oceanside.maps.arcgis.com/apps/webappviewer/index.html?id=ed84a04bf86b4a27aeb0b221aad43fbd> this information came directly from the city's website. I understand it is not our place to tell owners how to use their property. However, telling locals they must disturb their peaceful neighborhood to provide housing for families when there is clearly an overabundance of vacation rentals is a kick in the stomach. There is a saying, and I will not be crass, but it goes like this: Don't pee on my leg and tell me it's raining.

This is a cycle that will not stop: a hamster on a wheel. Developers can build houses, condos, and apartments all day, but the city can do nothing to stop investors who do not live here from buying properties that will turn them into more short-term rentals. I understand there was a city council meeting recently where residents made impassioned pleas to increase low-income housing setbacks. Someone may finally stand up for the residents and let the public know the issue is not all about lack of housing. It is how the housing is being used.

Thank you for your time,
Jennifer Meaders

2

Dane Thompson

From: J Burnett <james.burnett.sr@gmail.com>
Sent: Monday, September 18, 2023 7:51 AM
To: sdarnell@darnellcapital.com; Dane Thompson; Sergio Madera; Planning-Planning Commission
Subject: Loma Alta proposed addition to neighborhood

Warning: External Source

To: Scott Darnell, Loma Alta Terraces LLC
Dane Thompson, Oceanside Planning Department
Sergio Madera, Oceanside Planning Department
Oceanside Planning Commission
September 14, 2023

Re: Tentative Map (T22-00003)
Development Plan (D22-00004)
Density Bonus (DB22-00003)
Loma Alta Terraces, LLC

1

This building plan is not congruent with Oceanside's historic pioneer neighborhood and the City's infrastructure is not prepared to absorb this number of new homes in the way currently planned.

Storm Drains: The storm drain run off from the building project will overwhelm the current storm drainage infrastructure. Why? There are no "catch basins" or drainage conduit. There is only Curb and Gutter in place. It is to be expected that converting 2 acres of steep hillside into nonabsorbent roof tops, concrete driveways, or asphalt is going to send excessive water downhill towards the neighbors. Therefore, it is the responsibility of the builder to include a storm drain conduit that will carry water from these new homes and connect to the Storm Drain system at Canyon Drive; or install an area for the adequate collection of rainwater runoff.

Street Width: Loma Alta is not a traditional city street, it has a steep hill, just South of Walsh Street it is also very narrow and winding. How narrow? The width of the Loma Alta Drive near the development is less than 28 feet wide. In fact, the city has long ago installed "NO PARKING" signs on the East side of Loma Alta because of safety concerns. In addition, the builders' current plans show these new homes will require substantial Street parking. However, the East side of Loma Alta is already a NO PARKING area.

In addition, Walsh is a dead-end street with a significant number of homes that have no ingress or egress except the intersection at Loma Alta. The intersection is not a normal 90-degree intersection. Walsh turns South onto Loma Alta with an ACUTE angle and because the street is so narrow and near the crest in the hill, it

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is difficult to see automobiles coming up the hill until they are very close. Building without widening the street is going to make the area very unsafe.

Adding more homes on this narrow street is only going to increase the number of automobiles driving to their home; the number of utility trucks, post office vehicles, FedEx, UPS, Waste management, etc.... At a minimum the street must be "Significantly widened". Also, for safety a sidewalk should definitely be included on the East Side of the street because this area is already used more than most for people exercising or walking their pets.

Before building additional homes Loma Alta Drive needs to be a minimum of 40 feet wide, especially in the area near this new building project. The minimum 40 feet width inside the curb would be equal to the width of the Loma Alta further down the street near Canyon Drive. Which would be a more than reasonable request if the builder really wants to build.

Electrical utility:

Last year the state issued many warnings about rolling black outs. So it is not without reason that increased electrical demand is considered before the addition of these 13 additional dwellings. The electrical lines on Loma Alta Drive are old and need to be upgraded to plan for increased use of these additional homes.

The state of California has many approaching requirements for electric vehicles which will further increase demand in all neighborhoods. This comes at a time when the number of family-owned electric vehicles is

already growing exponentially, and new housing will require at least one if not two automobile charging connections to each home. The builder needs to include this feature in the initial plans so that the city can consider the increased electrical load of this building project. The additional draw on electrical lines and transformers must be evaluated, planned for, and electrical upgrades should be installed to ensure safety before this project is built.

Sewer:

Loma Alta street has a smaller older existing sewer line which is at maximum capacity, occasionally it exceeds its limits and requires the City to send a utility crew to plunge the line. IF there are to be more homes then there needs to be a sewer line with a larger diameter. This larger sewer line needs to be in place before the builder begins the project.

Parks and Recreation:

The Loma Alta neighborhood is the overflow for the local parks. That is because Buddy Todd Park is often over crowded and adding more "high density housing" is going to increase that problem. People come from all over the city to this safe, beautiful neighborhood that is spread out enough to ride bikes, walk their pets, and run, or just walk with their family. We ask that the city help preserve the normal spacing of housing and not condense housing more than the neighborhoods existing normal size lots and setbacks.

Loma Alta was a master planned community with a focus on walkable spaces, lot sizes large enough to allow residents to grow fruit trees or truck patch vegetable gardens, and adequate parking; The building project is not congruent with these principles.

I ask the city of Oceanside to re-examine high-density housing in "existing" neighborhoods where single family homes were built under a previous set of conditions. Changing the requirements after decades of regulation and code enforcement is not ethical to the previous residents.

There should be a clear difference between "NEW" developments and "additions in existing neighborhoods" Loma Alta Drive, is a "existing" well established neighborhood. This building project will undermine the guidelines the City of Oceanside has enforced for decades. If allowed to be constructed it would reverse the stringent regulations which protected this neighborhood and the residents.

Builders should NOT be incentivized just to increase density but also to contribute to the overall well-being of the community, infrastructure improvements, and thoughtful design. It's crucial for any addition to be in accordance with previous requirements for the neighborhood. Allowing high density housing in an area such as Loma Alta will do more harm than good.

We ask the City Council to delay this building project and research some of the information provided.

James Burnett

5

153 Loma Alta Drive
Oceanside Ca 92054
(949) 636-5034
James.burnett.sr@gmail.com

6

Dane Thompson

From: Audrey Thornton <apthornton09@gmail.com>
Sent: Monday, September 18, 2023 11:04 AM
To: Dane Thompson
Subject: Loma Alta Terraces Project

Warning: External Source

Hi Dane,

I am a neighbor within 1500 feet of the Loma Alta Terraces Project proposed on Crouch Street in Oceanside. I am an interested party - please keep me updated with all notices regarding this project.

Could you please tell me what Conditional Use Permits were asked for by the developer? And which ones have been granted?

I object to the massive scale of this project, the fact that it does not comply with the guidelines of the Oceanside City Code to respect our neighborhood character or complement the site surroundings, because it will have 13 3-story houses in the historic neighborhood of Loma Alta which is comprised of 1-story single family homes.

1

Would you also send me the list of addresses of neighbors within 1500 feet of this project to whom you sent the public notice?


Thank you.

*Audrey Powers Thornton
2606 Mesa Dr.
Oceanside, California 92054*

"Stay brilliant. You are needed."

-Naomi Ann Powers Thornton

2

 <p>Application for Discretionary Permit Development Services Department / Planning Division (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885</p>				STAFF USE ONLY	
				ACCEPTED	BY
Please Print or Type All Information				HEARING	
PART I – APPLICANT INFORMATION				GPA	
1. APPLICANT Loma Alta Terraces LLC		2. STATUS		MASTER/SP.PLAN	
3. ADDRESS 113 West G Street, #503 San Diego CA 92101		4. PHONE/FAX/E-mail 619-777-7087 sdarnell@darnellcapital.com		ZONE CH.	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Scott Darnell Loma Alta Terraces LLC		7. PHONE/FAX/E-mail 619-777-7087 sdarnell@darnellcapital.com		TENT. MAP	
6. ADDRESS 113 West G Street, #503 San Diego CA 92101		7. PHONE/FAX/E-mail 619-777-7087 sdarnell@darnellcapital.com		PAR. MAP	
PART II – PROPERTY DESCRIPTION				DEV. PL.	
8. LOCATION Loma Alta Drive			9. SIZE 2 Acres		
10. GENERAL PLAN EB-R	11. ZONING RE-B	12. LAND USE Residential	13. ASSESSOR'S PARCEL NUMBER 149-021-18		
14. LATITUDE		15. LONGITUDE			
PART III – PROJECT DESCRIPTION					
16. GENERAL PROJECT DESCRIPTION Subdivision of a 2-acre parcel into 13 lots.					
17. PROPOSED GENERAL PLAN EB-R	18. PROPOSED ZONING RE-B	19. PROPOSED LAND USE Residential	20. NO. UNITS 13 lots	21. DENSITY 6.5 lots per acre	
22. BUILDING SIZE	23. PARKING SPACES	24. % LANDSCAPE per code	25. % LOT COVERAGE or FAR per code		
PART IV – ATTACHMENTS					
<input checked="" type="checkbox"/>	26. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/>	27. LEGAL DESCRIPTION	28. TITLE REPORT	
<input type="checkbox"/>	29. NOTIFICATION MAP & LABELS	<input checked="" type="checkbox"/>	30. ENVIRONMENTAL INFO FORM	<input checked="" type="checkbox"/>	31. PLOT PLANS
<input type="checkbox"/>	32. FLOOR PLANS AND ELEVATIONS	<input type="checkbox"/>	33. CERTIFICATION OF POSTING	34. OTHER (See attachment for required reports)	
PART V – SIGNATURES					
SIGNATURES FROM ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).					
35. APPLICANT OR REPRESENTATIVE (Print): Scott Darnell Loma Alta Terraces LLC		36. DATE 8-4-23	37. OWNER (Print) Scott Darnell Loma Alta Terraces LLC		38. DATE 8-4-23
Sign: <i>Scott Darnell</i>		Sign: <i>Scott Darnell</i>			
<ul style="list-style-type: none"> I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS. I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION. 					

Loma Alta Terraces

**Residential Development
Tentative Map, Development Plan
with Density Bonus
T22-00003, D22-00004, DB22-00004**

Description & Justification

August 9, 2022

October 18, 2022 (rev.1)

December 14, 2022 (rev.2)

March 24, 2023 (rev.3)

July 14, 2023 (rev.4)

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Landscape Design	4
Affordable Housing Density Bonus Unit Calculations	4
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Introduction

This application is for a residential development of 13 lots for 13 single family homes with a density bonus, an associated tentative map, and site improvements. The property (APN 149-021- 18-00) is a vacant parcel of approximately 2.0 acres bound West of Crouch St and East of Loma Alta Drive. The site is bordered on the North and South by existing residential developments with vacant residential land.

This property is zoned Residential Estate B (RE-B), corresponding with the General Plan designation of Estate B (EB-R). Surrounding areas are zoned in a variety of residential zones, including RE-B, RM-C, RM-B, and RS, in the nearby neighborhoods. Commercial zones are located alongside Mission Ave. to the north and Oceanside blvd. to the south, which is less than a mile south of the project site.

The proposed project includes 13 lots, with the zoning designations vary from 3,956sf – 7930sf. The residential units ranging from 1,600 square feet to 3394 sf, located around a newly constructed private cul-de-sac road within the project site. No fewer than 11% of these lots (one lot) will be designated as VLI “affordable” as defined by the State’s Density Bonus Law.

Development Plan

Loma Alta Terrace’s includes 13 lots surrounding a private cul-de-sac. The homes in the development will have a setback from existing residential homes on the North and South side to provide privacy and visual relief to the existing neighboring homes. Primary site access is proposed to be taken from a private drive from Loma Alta Drive. The public road entry leads to the private road with frontage for residences and guest parking areas. Sidewalk improvements proposed for Loma Alta Drive include extending the curb, gutter, and sidewalk on both sides leading into the project site.

Street lighting will be provided through lighting on individual homes rather than overhead lighting to reduce lighting impacts to the surrounding open space areas and improve dark sky regulation compliance.

All the residences include an entrance and front porch located in the front façade closest to the sidewalk or street to create a welcoming entry for guests and residents. Garages are set back from the front façade minimizing the visual importance of garages in the overall appearance of the neighborhood. Driveways are designed to allow for parked cars, effectively allowing for parking for additional cars per home. Homes are two and three-story’s, with living areas on the first floor and bedrooms on the second floor and private outdoor space provided in the adjacent yards. A summary of the floor plan mix for the residential units is provided below:

- 1 Very-Low-Income Affordable
- 12 Market Rate
- 13 Total Lots in Development

Architecture

The architectural style for Loma Alta Terraces takes inspiration from modern and traditional farmhouse styles with each home making the pedestrian entry a welcoming focal point. Two elevations are provided for each of the floorplans, allowing for a variety of facades and a diverse street scene.

Landscape Design

The landscaping at Loma Alta Terraces seeks to respect the natural beauty of the local wild landscape while enhancing the sense of place through drought-tolerant planting.

The primary entrance of Loma Alta Terraces from Crouch Road is reinforced through the addition of street trees and ground level vegetation on the project entry.

All backyard and fenced side yard spaces are private and maintained by the homeowner. Wood fencing provides privacy around yards except for some lots along the Northern and Southern boundaries. These lots provide a quality usable space in the rear yards. The project exceeds the minimum requirement of 300 square feet per dwelling unit.

Affordable Housing Density Bonus Unit Calculations

The State of California's Density Bonus Law (Government Code §65915-65918) was established to promote the construction of affordable housing units, and allows projects to exceed the maximum designated density and to use development standard waivers or reductions or incentives and concessions in exchange for providing affordable housing units in compliance with all current density bonus regulations. The City of Oceanside zoning regulations implement the state requirements, and Table 3 summarizes the calculations under Density Bonus Law for this project with detail provided in Table 4. Per State Density Bonus Law, the site could have a total of 13 lots, with 1 lot housing a structure deed-restricted affordable for Very-Low-Income residents.

The Loma Alta Terraces project proposes 13 total possible units, on 13 lots, under Density Bonus Law. Of that total, Density Bonus Law requires that 11%, or one lot's development, be affordable. The project will designate the structure on this lot to be a Very-Low-Income, with the remaining lots/units as market rate, which complies with the State Density Bonus Law provisions regarding affordable housing.

Table 3 - Summary of Project Unit Count

Type of Units	Calculations	Proposed
Total Units	13 units -maximum (Per Density Bonus Law)	13 units
Affordable Units (Very Low Income)	1 (per Density Bonus Law) (1 unit)	1 unit
Market Rate Units	12 units	12 units

Table 4 – Allowable Density Calculations*

<p>STEP 1:</p>	<p>Calculate Base Allowable Density</p> <p>At this site, the Zoning density designates a density of 4.36 lots per acre, and the RE-B zone allows a maximum potential density of 6.5 lots per acre. Under Density Bonus Law, where a density range is provided, the base number of units permitted is determined by multiplying the gross site acreage (2.00 acres) by the maximum density for the specific zoning range and land use element of the general plan applicable to the project (4.36 lots per acre).</p> <p>2.0 acres / 10,000sf per lot = 8.7 Rounded up to 9 lots as base allowable</p>
<p>STEP 2:</p>	<p>Determine Affordability Percentage and Units</p> <p>The project proposes to provide 11.48% of the units as affordable to Very low income households. Per State Density Bonus Law, affordable unit percentage is calculated excluding units added by a Density Bonus.</p> <p>11% x 9 lots (base allowable) =0.99 round to 1 lot Rounded up to 1 Very Low income unit</p>
<p>STEP 3:</p>	<p>Calculate Density Bonus Units</p> <p>Under Density Bonus Law, the provision of 8% Very low-income units allows the applicant to receive a density bonus of 35%, allowing additional market-rate units to be constructed.</p> <p>9 lots x 0.35 (density bonus) = 3.15 Rounded up to 4 lots</p>
<p>STEP 4:</p>	<p>Calculate Total Dwelling Units</p> <p>Add the base allowable units and the density bonus units.</p> <p>9 lots (base allowable units) + 4 lots (density bonus units) = 13 total lots allowed</p>

Note: Per State Density Bonus Law, all fractional units shall be rounded up.

Required Incentives and Concessions

In addition to the density bonus units and the parking requirements specified in State Density Bonus Law, State Density Bonus Law entitles the project to certain incentives or concessions. These can include, by way of example, a reduction in site development standards or a modification of zoning code or architectural design requirements. By providing 11% Very-Low-Income units, this project is entitled to two incentive/concessions. Density Bonus Law also provides for waivers. The granting of waivers does not reduce the number of incentives allowed on a project, and the number of waivers that may be requested and granted is not limited.

In order to accommodate the increased density allowed under Density Bonus Law and maintain the single-family lot design and character of the underlying zone, the project cannot physically comply with all of the development standards that apply to standard projects. Based on the proposed design to accommodate Density Bonus units, the project seeks a waiver of the following development standards for a housing development pursuant to Density Bonus law.

- Setbacks
- Overall Lot size

- 1050(F) Lot Width to Lot depth ratio
- Setbacks
- Lot front landscaping requirements
- Maximum Fences and walls height and plantable retaining walls
- 20' min. driveway length
- Utility undergrounding

Development Standards

A summary of development standards compliance is provided to demonstrate compliance with the RE-B zone, or where Density Bonus waivers are requested.

Table 5 – Loma Alta Development Standards Matrix - Required Waivers

DEVELOPMENT STANDARD	RE ZONE	PROPOSED LOMA ALTA PROJECT	NOTES
Lot Size (sf)	10,000 sf (min)	3,882 sf (min)-7,913sf	Waiver to accommodate Density Bonus units
Lot Width	70 feet (min)	40 feet (min)	Waiver to accommodate Density Bonus units.
Lot depth to width ratio	Not exceed 2.5:1	3:1	Waiver to accommodate Density Bonus units.
Setbacks Front	25 ft (min)	18 ft (min front building façade to property line 20 ft (min to garage)	Waiver to accommodate Density Bonus units.
Side	7.5 ft (min)	4 ft (min)	Waiver to accommodate Density Bonus units
Corner Side	15 ft. (min)	3.62 ft (min)	
Rear	20 ft (min)	7 ft (shortest)	
Driveway length	20 ft min.	20 ft. average	Waiver to accommodate Density Bonus units.
Density	4.36 lots/gross acre (13 units max)	13 lots with Density Bonus	See Table 4 for Density Bonus calculation details.
Lot Coverage	35% (max)	46.6% max 31.9% average	Waiver to accommodate Density Bonus units

Building Height	36 ft. (max)	30 ft. 6 inches	Waiver to accommodate increased building height.
Parking	SFR<2500sf = 2-car garage SFR>2500sf = 3-car garage	(2) x2-car garage + (11) x 3-car garages + Full-size driveway for 2 guest parking per unit. 2 spaces x 26 = 61 spaces	Complies with Code
Landscaping	Minimum 50% of yard adjoining street shall be planting or landscape (incl. ornamental gravel). The remainder may be used for driveways or walks.	Average front yard landscaping is 41.6%, remaining is driveway and sidewalks	Waiver to accommodate Density Bonus units.
Fence/ Wall height	1050 (e) max. fence or wall, including retaining walls shall be 6ft.	90% are under 6ft, there is a small portion that exceeds to a max. 10ft retaining	Waiver to accommodate Density Bonus units.
Underground Utilities	Utilities must be underground according to subdivision Ordinance for all subdivision maps	All onsite utilities are underground. Sdg&e power lines along frontage excluded	Waiver to accommodate Density Bonus units.

Tentative Map/Engineering

The project site includes a single existing legal parcel and proposes a Tentative Subdivision Map. The subject property private driveway ends in a cul-de-sac for vehicle turnaround. The final pavement radius at the turnaround 40' and designated as no street parking with a roll curb.

Utilities – Utilities are all served from the local municipality.

Grading - currently vacant site will be graded to create flat building pads.

Retaining Walls – Retaining walls have been included to create flat building pads.

Drainage – Stormwater treatment to meet water quality requirements include a bio-basin design and storm water quality.

Summary

Loma Alta Terraces will add new market rate and Affordable housing with a proposed project that meets the goals, intentions, and objectives of the General Plan, Zoning Ordinance, Density Bonus Law, and affordable housing objectives. The proposed project is consistent with the surrounding single-family residences and designed with a coastal modern architectural theme. The project will be improving both Crouch and Loma Alta by providing needed street improvements, sidewalks and utilities to support the site.

The project has been designed to:

- be sensitive to surrounding uses,
- provide high quality architecture and landscape,
- apply stormwater management consistent with most recent regulations,

Traditional home styles complement the area architecture with green spaces and walkways that encourage neighborly gathering and outdoor recreation, while providing affordable and market rate housing within the beautiful City of Oceanside.

LEGAL DESCRIPTION

Real property in the **City of Oceanside**, County of **San Diego**, State of **California**, described as follows:

LOT 10 IN BLOCK "B" OF ELLERY'S LOMA ALTA ADDITION, ACCORDING TO THE MAP THEREOF NO. 1956, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON NOVEMBER 8, 1926.

APN: **149-021-18-00**



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** Darnell Capital Management
2. **ADDRESS:** 852 5th Avenue, San Diego, CA 92101
3. **APPLICANT REP:** Scott Darnell, (619) 890-1260
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT PLANNER:** Dane Thompson, Planner II
6. **PROJECT TITLE:** Tentative Subdivision Map (T21-00003), Development Plan (D221-00004) and Density Bonus (DB22-00003) – Loma Alta Terraces
7. **DESCRIPTION:** Tentative Map (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003) for a thirteen (13) lot subdivision and the development of thirteen single-family residences on a 2.0-acre parcel located on Loma Alta Drive and Crouch Street about 150 feet south of Walsh Street (APN: 149-021-18).

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA). Based on this review, the City has determined that further environmental evaluation is not required because:

- The project qualifies for a Class 32 categorical exemption under Section 15332 (In-Fill Development Projects);
- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section, ____ (Sections 15260-15277); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Date: August 1, 2023

Dane Thompson, Planner II

cc: Project file Counter file Library Posting: County Clerk \$50.00 Admin. Fee

**PLANNING COMMISSION
RESOLUTION NO. 2023-P19**

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

APPLICATION NO: T22-00003, D22-00004, DB22-00003
APPLICANT: LOMA ALTA TERRACES, LLC
LOCATION: Loma Alta Drive approximately 150 feet south of Walsh
Street (APN 149-021-18)

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

WHEREAS, there was filed with the City's Development Services Department a verified petition on the forms prescribed by the City requesting approval of a Tentative Tract Map, Development Plan, and Density Bonus Request under the provisions of Articles 10, 30, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

a 13 lot subdivision for single-family residential purposes and the construction of 13 new single-family detached homes, each with associated on-site parking facilities and landscaping;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 28th day of August, 2023 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, the Planning Commission, voted unanimously on August 28, 2023 to continue the project to their meeting on October 9, 2023.

WHEREAS, the Planning Commission did on the 9th day of October, 2023 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto (Section 15332); this project qualifies for a Class 32 categorical

1 exemption (In-Fill Development Projects), as it involves in-fill development consistent with
2 General Plan and zoning designation, is located in an urbanized area, and would not result in
3 any significant environmental effects;

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

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

Description	Authority for Imposition
Public Facility (Residential)	Ord. No. 91-09 Reso. No. 15-R0638-1
Parks (Residential only)	Ord. No. 91-09 Reso. No. 15-R0638-1
Schools (Residential)	OUSD Reso. # 30(19-20) VUSD Reso # 21-04 CUSD Reso. # 33-1516 Ord # 91-34 Education Code section 17620
Traffic Signal & Thoroughfare (Single-Family Residential)	Reso. No. 16-R0324-1
Drainage and Flood Control Fee	Reso. #15-R0638-1 Ord #85-23
Wastewater System Capacity Buy-In Fee (Single-Family Res)	Reso. #87-97 Ord# 15-OR0479-1 City Code 32.7.29
Water System Capacity Buy-in Fee (Residential and Non-Residential)	Reso. No. 87-96 Ord. No. 15-OR0480-1 City Code 37.7.37

Description	Authority for Imposition
San Diego County Water Authority (Residential and Non-Residential)	SDCWA Ord. 2017
Inclusionary Housing In-Lieu fees (Residential)	Chapter 14C of the MC Reso. No. 03-R175-1 Reso. No. 11-R0483-1

WHEREAS, the fees listed above have been identified by the City as being applicable to the project as proposed. Failure by the City to list an applicable fee above does not alleviate the developer from paying all applicable fees at the time when such fees become due;

WHEREAS, the fee amount to be paid for each category referenced above shall be the amount listed on the schedule of fees published by the Development Services Department at the time when such fees become due and payable;

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

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

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

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

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

FINDINGS:

1 For Tentative Map (T22-00003):

- 2 1. The proposed Tentative Tract Map is consistent with the General Plan of the City
3 as the underlying EB-R General Plan land use designation allows single-family
4 residential development as proposed with the project. In addition, the project is
5 consistent with Goal 1.16 of the Land Use Element and Policies 2.2, 3.7, and 3.8
6 of the Housing Element as it relates to the provision of affordable housing.
- 7 2. The site is physically suitable for the type and proposed density of development
8 because the 2.0-acre project site is not significantly constrained by geology,
9 hydrologic hazards, sensitive or protected habitat, easements or other limiting
10 features based on the proposed project design. The site of the proposed single-
11 family residential subdivision is located within a residential area surrounded by
12 residential land uses in all directions. The project site can be adequately, reasonably
13 and conveniently served by existing and planned public services, utilities and
14 public facilities.
- 15 3. The design of the subdivision or the proposed improvements will not cause
16 substantial environmental damage or substantially and avoidably injure fish or
17 wildlife or their habitat as the project site is located in an urbanized and developed
18 area of the City. As documented in the Project's Infill Exemption Justification
19 Memo, the project would have less than significant impacts under CEQA to
20 biological resources and no mitigation is required. The recommendations of the
21 biological report prepared for this project have been included as conditions in this
22 resolution.
- 23 4. The design of the subdivision or the type of improvements meet City standards and
24 will not conflict with easements, acquired by the public at large, for access through
25 or the use of property within the proposed subdivision as all frontage and street
26 improvements have been designed in a manner consistent with City standards.
27 Improvements related to this project include street dedications on Loma Alta Drive
28 and Crouch Street with new curbs, gutters, and sidewalks, and a new private cul-
- 29

1 de-sac to provide on-site circulation; all of which would be designed, constructed,
2 and maintained consistent with City standards.

- 3 5. The subdivision complies with all other applicable ordinances, regulations and
4 guidelines of the City of Oceanside because the proposed tentative tract map
5 conforms to the applicable requirements of the City's Subdivision Ordinance
6 (Section 401).

7 For the Development Plan (D22-00004):

- 8 1. The site plan and physical design of the project as proposed is consistent with the
9 purposes of the Zoning Ordinance because the siting of residential lots is consistent
10 with the provisions of Section 3032 of the Zoning Ordinance.

- 11 2. The Development Plan as proposed conforms to the General Plan of the City, in
12 that the underlying EB-R General Plan land use allows single-family residential
13 development as proposed with the project. In addition, the project is consistent
14 with Goal 1.16 of the Land Use Element and Policies 2.2, 3.7, and 3.8 of the
15 Housing Element as it relates to the provision of affordable housing.

- 16 3. The area covered by the Development Plan can be adequately, reasonably, and
17 conveniently served by existing and planned public services, utilities, and public
18 facilities because the project site is situated within an urbanized area currently
19 served by existing public services, utilities, and public facilities.

- 20 4. The proposed project is compatible with existing and potential development in the
21 vicinity of the project site as the project is consistent with the applicable provisions
22 of Article 10 and Section 3032 of the Zoning Ordinance and is between the
23 densities of the more sprawling, low-density properties to the north and the large,
24 medium density apartment complex about 200 feet to the south, which comprises
25 a density of 10.35 units per acre.

- 26 5. The site plan and physical design of the project is consistent with the policies
27 contained within Section 1.24 and 1.25 of the Land Use Element of the General
28 Plan, the Development Guidelines for Hillside, of this ordinance as the project site
29

1 does not contain qualifying slopes or topographic features that would be considered
2 undevelopable, nor does the site contain any riparian areas.

3 For the Density Bonus (DB22-00003):

- 4 1. The affordable unit will be reserved for tenancy by households within the Very
5 Low Income (VLI) category and will be subject to a restrictive covenant
6 guaranteeing affordability for the VLI households for a period of 55 years.
- 7 2. The affordable unit has been designed to be proportional to the project's market
8 rate units in terms of floor plan, square footage, and exterior design. The affordable
9 unit consists of a 3-bedroom 2-bathroom residence with a garage and is the same
10 size as another market rate unit within the subdivision. The affordable unit has
11 been interspersed throughout the project site and will have a similar appearance as
12 the market rate units along in the subdivision.
- 13 3. The restricted covenant associated with the affordable unit will be for a period of
14 55 years.
- 15 4. The maximum allowable rent for the project's affordable units comply with the law
16 for the Very Low Income category.
- 17 5. The project's affordable unit will be available at affordable housing costs, as
18 defined in Health and Safety Code Section 50052.5.
- 19 6. Buyers must enter into an equity sharing agreement with the City, unless the equity
20 sharing requirements conflict with the requirements of another public funding
21 source or law. The equity sharing agreement does not restrict the resale price, but
22 requires the original owner to pay the City a portion of any appreciation received
23 on resale.
- 24 7. The project is subject to the yearly accounting requirement to the Neighborhood
25 Services Department for the affordable unit as outlined in Section 3032(M)(7) of
26 the Zoning Ordinance.

27 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does
28 hereby approve Tentative Tract Map (T22-00003), Development Plan (D22-00004), and
29 Density Bonus Request (DB22-00003), subject to the following conditions:

Building:

1. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all Current State and local building codes.

This development review checklist is not intended to be a complete review for any project. Further review will be required during a Building permit application and plan submittal. This checklist is intended to address any significant design considerations based on the type of Building, location of building, and proposed use of a Building.

The 2022 triennial edition of the California Code of Regulations, Title 24 (California Building Standards Code) applies to all occupancies that applied for a building permit on or after January 1, 2023, and remains in effect until the effective date of the 2022 triennial edition which will be January 1, 2026.

Beginning on January 1, 2023, Oceanside Development Services (ODS) is required by State law to enforce the 2022 Edition of California Building Standards Codes (a.k.a., Title 24 of the California Codes of Regulations).

Every three years, the State adopts new model codes (known collectively as the California Building Standards Code) to establish uniform standards for the construction and maintenance of buildings, electrical systems, plumbing systems, mechanical systems, and fire and life safety systems.

Sections 17922, 17958 and 18941.5 of the California Health and Safety Code require that the latest edition of the California Building Standards code and Uniform Housing Code apply to local construction 180 days after publication.

- Part 2: The 2022 California Building Code (CBC).
- Part 2.5: The 2022 California Residential Code (CRC).
- Part 3: The 2022 California Electrical Code (CEC).
- Part 4: The 2022 California Mechanical Code (CMC).
- Part 5: The 2022 California Plumbing Code (CPC).
- Part 6: The 2022 California Energy Code
- Part 9: The 2022 California Fire Code (CFC)

1 • Part 11: The 2022 California Green Building Standards Code (CALGreen Code)
2 This Part is known as the California Green Building Standards Code, and it is
3 intended that it shall also be known as the CALGreen Code.

4 • The City of Oceanside Municipal Code

5 2. The building plans for this project shall be prepared by a licensed architect or engineer
6 and shall be in compliance with this requirement prior to submittal for building plan
7 review.

8 3. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the
9 plans. Separate/unique addresses may be required to facilitate utility releases.
10 Verification that the addresses have been properly assigned by the City's Planning
11 Division shall accompany the Building Permit application.

12 4. Structural Plans, Soils Report, and Energy Calculations, must be submitted for this
13 project.

14 5. Plumbing Electrical and Mechanical plans must show compliance with the 2020
15 California Residential Code.

16 6. Electrical Vehicle Chargers, must be have pre-wiring installed per Green Building
17 Code Requirements.

18 7. Solar PV systems must be installed per Energy Calculation requirements.

19 8. A form or foundation survey shall be required prior to the placement of concrete to
20 show the location of the new structure in respect to the property lines, known
21 easements, and known setback lines. By obtaining a form survey the location of the
22 foundation is checked prior to the placement of concrete, and can save costly
23 corrective measures in case of an encroachment of a property line.

24 9. Construction waste management. Recycle and/or salvage for reuse a minimum of
25 65% of the nonhazardous construction and demolition waste in accordance with
26 either CAL Green Section 4.408.2 Waste Management Plan, 4.408.3 Waste
27 Management Company or 4.408.4 Waste Stream Reduction Alternative. A City
28 approved waste management company/hauler shall be used for recycling of
29

1 construction waste. Documentation of compliance with Section 4.408.1 shall be
2 provided to the Authority Having Jurisdiction prior to project final approval.

3 10. Energy Calculations for the new 2022 California Energy code must be submitted at
4 time of Plan Review.

5 **Construction Hours:**

6 Per City of Oceanside Municipal Code section 6.25:

7 It shall be unlawful to operate equipment or perform any construction in the erection,
8 demolition, alteration, or repair of any Building or structure or the grading or
9 excavation of land during the following hours:

- 10 a) Before 7:00 a.m. and after 7:00 p.m. Monday through Saturday.
11 b) All day Sunday; and
12 c) On any federal holiday.

13 **Exceptions.**

14 i. An owner/occupant or resident/tenant of residential property may engage
15 in a home improvement project between the hours of 9:00 a.m. and 5:00
16 p.m. on Sundays and holidays provided the project is for the benefit of said
17 residential property and is personally carried out said owner/occupant or
18 resident/tenant.

19 ii. The Building official may authorize extended or alternate hours of
20 construction for the following circumstances:

- 21 1. Emergency work
22 2. Adverse weather conditions
23 3. Compatibility with store Business hours.
24 4. When the work is less objectionable at night than during daylight
25 hours.
26 5. Per the direction of the City Managers office for projects that have
27 been determined that rapid completion is in the best interest of the
28 general public.

29 //

1 **Engineering:**

- 2 11. Prior to the demolition of any existing structure or surface improvements on site, a
3 grading plan application shall be submitted to the Engineering Division and erosion
4 control plans shall be approved by the City Engineer. No demolition shall be
5 permitted without an approved erosion control plan.
- 6 12. Design and construction of all improvements shall be in accordance with the City
7 of Oceanside's Engineers Design and Processing Manual, City Ordinances,
8 standard engineering and specifications of the City of Oceanside, and subject to
9 approval by the City Engineer.
- 10 13. All right-of-way alignments, street dedications, exact geometrics and widths shall
11 be designed, dedicated, and constructed or replaced in accordance with the City of
12 Oceanside Engineers Design and Processing Manual, and as required by the City
13 Engineer.
- 14 14. Owner/developer shall provide an updated Title Report dated within 6 months of
15 the grading plan application submittal.
- 16 15. The approval of the tentative map shall not mean that closure, vacation, or
17 abandonment of any public street, right of way, easement, or facility is granted or
18 guaranteed to the owner/developer. The owner/developer is responsible for
19 applying for all closures, vacations, and abandonments as necessary. The
20 application(s) shall be reviewed and approved or rejected by the City of Oceanside
21 under separate process-(es) per codes, ordinances, and policies in effect at the time
22 of the application. The City of Oceanside retains its full legislative discretion to
23 consider any application to vacate a public street or right of way.
- 24 16. Owner/developer shall submit to the City for processing a covenant attesting to the
25 project's development conditions. The approved covenant shall be recorded at the
26 County prior to the issuance of a grading permit.
- 27 17. All public improvement requirements shall be covered by a Subdivision
28 Improvement Agreement and secured with sufficient improvement securities or
29 bonds guaranteeing performance and payment for labor and materials, setting of

1 survey monuments, and warranties against defective materials and workmanship
2 before the approval of the public improvement plans.

3 18. Prior to the issuance of any building permits, all improvements including landscaping,
4 landscaped medians, frontage improvements shall be under construction to the
5 satisfaction of the City Engineer.

6 19. Prior to the issuance of a Certificate of Occupancy permit, all improvements,
7 including landscaping, landscaped medians, frontage improvements shall be
8 completed to the satisfaction of the City Engineer.

9 20. Prior to approval of the map, provide the City of Oceanside with certification from
10 each public utility and each public entity owning easements within the proposed
11 project stating that: (a) they have received from the owner/developer a copy of the
12 proposed map; (b) they object or do not object to the filing of the map without their
13 signature; (c) in case of a street dedication affected by their existing easement, they
14 will sign a "subordination certificate" or "joint-use certificate" on the map when
15 required by the governing body.

16 21. Legal access to Loma Alta Drive shall be provided to Lot "10" on the previously
17 recorded final map, map no. 1956.

18 22. The tract shall be recorded and developed as one. The City Engineer shall require
19 the dedication and construction of necessary utilities, streets and other
20 improvements outside the area of any particular map, if such is needed for
21 circulation, parking, access or for the welfare or safety of future occupants of the
22 development. The boundaries of any multiple final map increments shall be subject
23 to the approval of the City Engineer.

24 23. All property corners, survey monuments that control public rights-of-way, and City
25 benchmarks shall be protected in place or perpetuated in conformance with
26 Greenbook Standard 400-2 and Business and Professions Code 8771.

27 24. A traffic control plan shall be prepared in accordance with the City's traffic control
28 guidelines and approved by the City Engineer prior to the start of work within the
29 public Right-of-Way. Traffic control safety and implementation for construction or

1 re-construction of streets shall be in accordance with construction signing,
2 marking, and other protection as required by Caltrans' Traffic Manual and City
3 Traffic Control Guidelines. Traffic control plan implementation and hours shall be
4 in accordance with the approved traffic control plans.

5 25. Proposed public improvements located within the City's ROW or onsite shall be
6 displayed on separate public improvement plans in accordance with the City's
7 Engineer's Design and Processing Manual.

8 26. Any existing public or private improvements that are being joined to and that are
9 already damaged or damaged during construction of the project, shall be repaired or
10 replaced as necessary by the developer to provide a competent and stable connection,
11 and to the City's satisfaction.

12 27. An Encroachment Removal Agreement (ERA) application shall be submitted to the
13 City for proposed private improvements located within the City's ROW along Loma
14 Alta Drive or over any City easement. The ERA shall be submitted for review prior
15 to the issuance of a grading permit and recorded at the County prior to improvement
16 plan As-Builts.

17 28. Loma Alta Drive shall be constructed with new curb and gutter and sidewalk.
18 Sidewalk improvements (construct/replace) shall comply with current ADA
19 requirements.

20 29. ADA-compliant pedestrian ramps shall be constructed at the corner of the Loma Alta
21 Drive and Private Street intersection, and other locations as required by the City
22 Engineer.

23 30. Publicly-maintained pedestrian ramps (maintained by the City of Oceanside) must be
24 located entirely within the public right-of-way (ROW). Pedestrian ramps not located
25 entirely within the City's ROW shall be provided with a ROW dedication on the final
26 map and shown on the improvement plans and grading plans. The ROW dedication
27 shall be submitted prior to the approval of the grading plans and recorded prior to the
28 grading plan As-Builts.

1 31. Minimum curb return radius at pedestrian ramps and driveway locations shall comply
2 with the City of Oceanside Engineers Design and Processing Manual.

3 32. Loma Alta Drive shall be provided with a 7-foot minimum parkway between the face
4 of curb and Right-of-Way line, and the design shall be displayed on the improvement
5 plans.

6 33. Sight distance requirements at the project driveway(s) or street shall conform to the
7 sight distance criteria as provided by Caltrans. The owner/developer shall provide a
8 plan and profile of the line of sight for each direction of traffic at each proposed
9 driveway on the grading plans.

10 34. A pavement evaluation report shall be submitted for offsite street and/or alley
11 pavements with the grading plan application. The owner/developer shall contract with
12 a geotechnical engineering firm to perform a field investigation of the existing
13 pavement on all streets adjacent to the project boundary. The limits of the study shall
14 be half-street width along the project's Loma Alta Drive and Crouch Street frontage.
15 The field investigation shall be performed according to a specific boring plan
16 prepared by a licensed Geotechnical Engineer and approved by the City Engineer
17 prior to the issuance of a grading permit. In the absence of an approved boring plan,
18 the field investigation shall include a minimum of one pavement boring per every
19 fifty linear feet (50) of street frontage.

20 Should the study conclude that the existing road pavement does not meet current
21 pavement thickness requirements set forth in the City of Oceanside Engineers Design
22 and Processing Manual, the Owner/developer shall remove and reconstruct the
23 existing pavement section in accordance with City requirements. Otherwise, the City
24 Engineer shall determine whether the Owner/developer shall: 1) Repair all failed
25 pavement sections, 2) header cut and grind per the direction of the City Engineer, or
26 3) Perform R-value testing and submit a study that determines if the existing
27 pavement meets current City standards/traffic indices.

28 35. Owner/developer shall place a covenant on the non-title sheet of the grading plan
29 agreeing to the following: "The present or future owner/developer shall indemnify

1 and save the City of Oceanside, its officers, agents, and employees harmless from
2 any and all liabilities, claims arising from any landslide on this site”.

3 36. Owner/developer shall develop and submit a draft neighborhood-notification flier to
4 the City for review. The flier shall contain information on the project, construction
5 schedule, notification of anticipated construction noise and traffic, and contact
6 information. Prior to the issuance of a grading permit, the approved flier shall be
7 distributed to area residents, property owners, and business owners located within a
8 500-foot radius area of the project.

9 37. A precise grading plan, which includes proposed onsite private improvements, shall
10 be prepared, reviewed, secured and approved prior to the issuance of any building
11 permit. The plan shall reflect all pavement, thickened & roughened private street
12 pavement section, flatwork, landscaped areas, special surfaces, curbs, gutters,
13 medians, striping, and signage, footprints of all structures, walls, drainage devices and
14 utility services. Parking lot striping and any on site traffic calming devices shall be
15 shown on the precise grading plans.

16 38. The landowners shall enter into a maintenance agreement, obliging the landowners
17 to protect, maintain, repair and replace the landscaping and slope stability
18 associated with the retaining walls identified in the project’s grading plans, as
19 detailed in the exhibits, in perpetuity. The Agreement shall be approved by the City
20 Attorney’s Office and recorded at the County Recorder’s Office prior to the
21 issuance of a precise grading permit.

22 39. Prior to the issuance of a grading permit, a comprehensive soil and geologic
23 investigation shall be conducted for the project site. All necessary measures shall be
24 taken and implemented to assure slope stability, erosion control, and soil integrity;
25 and these measures shall be incorporated as part of the grading plan design. No
26 grading shall occur at the site without a grading permit.

27 40. It is the responsibility of the owner/developer to evaluate and determine that all soil
28 imported as part of this development is free of hazardous and/or contaminated
29 material as defined by the City and the County of San Diego Department of

1 Environmental Health. Exported or imported soils shall be properly screened,
2 tested, and documented regarding hazardous contamination.

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

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

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

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

23 d) Owner/developer shall complete a haul route permit application (if required for
24 import/export of dirt) and submit to the City of Oceanside Transportation
25 Engineering Section forty-eight hours (48) in advance of beginning of work.
26 Hours of hauling operations shall be dictated by the approved haul route permit.

27 42. The project shall provide and maintain year-round erosion control for the site. Prior
28 to the issuance of a grading permit, an approved erosion control plan, designed for all
29 proposed stages of construction, shall be secured by the owner/developer with cash

1 securities or a Letter-of-Credit and approved by the City Engineer; a Certificate of
2 Deposit will not be accepted for this security.

3 43. Landscape and irrigation plans for disturbed areas shall be submitted to the City
4 Engineer prior to the issuance of a grading permit and approved by the City Engineer
5 prior to the issuance of building permits. Landscaping plans, including plans for the
6 construction of walls, fences or other structures at or near intersections, must conform
7 to intersection sight distance requirements. Frontage and median landscaping shall be
8 installed and established prior to the issuance of any certificates of occupancy.
9 Securities shall be required only for landscape items in the public right-of-way. Any
10 project fences, sound or privacy walls and monument entry walls/signs shall be shown
11 on, bonded for and built from the approved landscape plans. These features shall also
12 be shown on the precise grading plans for purposes of location only. Plantable,
13 segmental walls shall be designed, reviewed and constructed from grading plans and
14 landscape/irrigation design/construction shall be from landscape plans. All plans
15 must be approved by the City Engineer and a pre-construction meeting held prior to
16 the start of any improvements.

17 44. The drainage design shown on the conceptual grading/site plan, and the drainage
18 report for this development plan is conceptual only. The final drainage report and
19 design shall be based upon a hydrologic/hydraulic study that is in accordance with
20 the latest San Diego County Hydrology and Drainage Manual, and is to be approved
21 by the City Engineer prior to the issuance of a grading permit. All drainage picked up
22 in an underground system shall remain underground until it is discharged into an
23 approved channel, or as otherwise approved by the City Engineer.

24 45. The project's drainage system shall not connect or discharge to another private
25 stormdrain system without first obtaining written permission from the owner of the
26 system. The written permission letter shall be provided to the City prior to the
27 issuance of a grading permit. The owner/developer shall be responsible for obtaining
28 any off-site easements for storm drainage facilities.
29

- 1 46. All public storm drains shall be shown on separate public improvement plans. Public
2 storm drain easements shall be dedicated to the City where required.
- 3 47. Drainage facilities shall be designed and installed to adequately accommodate the
4 local storm water runoff, and shall be in accordance with the San Diego County
5 Hydrology Manual and the City of Oceanside Engineers Design and Processing
6 Manual, and to the satisfaction of the City Engineer.
- 7 48. Storm drain facilities shall be designed and constructed to allow inside travel lanes of
8 streets classified as a Collector or above, to be passable during a 100-year storm event.
- 9 49. Sediment, silt, grease, trash, debris, and pollutants shall be collected on site and
10 disposed of in accordance with all state and federal requirements, prior to discharging
11 of stormwater into the City drainage system.
- 12 50. Owner/developer shall comply with the provisions of the National Pollutant
13 Discharge Elimination System (NPDES) General Permit for Storm Water
14 Discharges Associated with Construction and Land Disturbance Activities
15 (General Permit) Water Quality Order 2022-0057-DWQ. The General Permit
16 continues in force and effect until the effective date of a new General Permit
17 adopted the State Water Board or the State Water Board rescinds this General
18 Permit. Dischargers that obtain coverage under the expiring General Permit prior
19 to the effective date of this permit, may continue coverage under the previous
20 permit up to two years after the effective date of this General Permit (September 1,
21 2023). Construction activity subject to the General Permit includes, but not limited
22 to, clearing, demolition, grading, excavation and other land disturbance activities
23 that results in one or more acre of land surface, or that are part of common plan of
24 development or sale.
- 25 The discharger shall obtain a Waste Discharge Identification (WDID) number prior
26 to the commencement of construction activity by electronically certifying and
27 submitting the Permit Registration Documents from Section III of the General
28 Permit through the State Water Board Stormwater Multiple Application and Report
29 Tracking System (SMARTS). In addition, coverage under the General Permit shall

1 not occur until an adequate SWPPP is developed for the project as outlined in
2 Section A of the General Permit. The site specific SWPPP shall be maintained on
3 the project site at all times. The SWPPP shall be provided, upon request, to the
4 United States Environmental Protection Agency (USEPA), State Water Resources
5 Control Board (SWRCB), Regional Water Quality Control Board (RWQCB), City
6 of Oceanside, and other applicable governing regulatory agencies. The SWPPP is
7 considered a report that shall be available to the public by the RWQCB under
8 section 308(b) of the Clean Water Act. The provisions of the General Permit and
9 the site specific SWPPP shall be continuously implemented and enforced until the
10 owner/developer obtains a Notice of Termination (NOT) for the SWRCB.

11 Owner/developer is required to retain records of all monitoring information, copies
12 of all reports required by this General Permit, and records of all data used to
13 complete the NOT for all construction activities to be covered by the General
14 Permit for a period of at least three years from the date generated. This period may
15 be extended by request of the SWRCB and/or RWQCB.

16 51. The project is categorized as a stormwater-Standard Development Project (SDP).

17 A final Storm Water Quality Management Plan (SWQMP) shall be submitted to
18 the City for review at the final engineering phase. Approval of this document is
19 required prior to the issuance of a grading permit.

20 52. The owner/developer shall enter into a City-Standard Stormwater Facilities
21 Maintenance Agreement (SWFMA) with the City, obliging the owner/developer to
22 maintain, repair and replace the Storm Water Best Management Practices (BMPs)
23 structures identified in the project's approved SWQMP, as detailed in the O&M
24 Plan, in perpetuity. Furthermore, the SWFMA will allow the City with access to
25 the site for the purpose of BMP inspection and maintenance, if necessary. The
26 Agreement shall be approved by the City Attorney's Office and recorded at the
27 County Recorder's Office prior to the issuance of a precise grading permit. A non-
28 refundable **Security in the form of cash** shall be required prior to issuance of a
29 precise grading permit. The amount of the non-refundable security shall be equal

1 to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed
2 a total of \$25,000. The owner/developer's civil engineer shall prepare the O&M
3 cost estimate.

4 53. The BMPs described in the project's approved SWQMP shall not be altered in any
5 way, unless reviewed and approved by the City Engineer. The determination of
6 whatever action is required for changes to a project's approved SWQMP shall be
7 made by the City Engineer.

8 54. Prior to receiving a temporary or permanent occupancy permit, the project shall
9 demonstrate that all structural BMPs, including Storm Water Pollutant Control
10 BMPs and Hydromodification Management BMPs, are constructed and fully
11 operational, are consistent with the approved SWQMP and the approved Precise
12 Grading Plan, and are in accordance with San Diego RWQCB Order No. R9-2013-
13 0001 §E.3.e. (1)(d).

14 55. The BMPs described in the project's approved SWQMP shall not be altered in any
15 way, unless reviewed and approved by the City Engineer. Certain aspects of the
16 drainage and water quality design were deferred to final engineering. Development
17 of the final engineering design may require the incorporation of additional cost
18 items not identified on the conceptual grading/ site plan. Cost items may include,
19 but are not limited to: additional storm drain, additional underground storage,
20 additional water quality BMPs, additional structural elements, and/or the
21 incorporation of pump systems. The incorporation of these items may be necessary
22 and appropriate to achieve the intent of the conceptual design approved in the
23 SWQMP. If a change is proposed to the conceptual design, the determination of
24 whatever action is required for changes to a project's approved SWQMP shall be
25 made by the City Engineer.

26 56. An appropriate hardscape contingency for each lot must be factored into the
27 stormwater and drainage analyses, as the future creation of hardscape by
28 homeowners is a reasonably foreseeable impact and would be expected to have
29

1 potentially significant impacts on post-construction hydrology and the requisite
2 functionality of the project's stormwater and/or detention system(s).

3 57. Open space areas, down-sloped areas visible from a collector-level or above roadway
4 classification, and improvements within the common areas that are not maintained by
5 the property owner, shall be maintained by a homeowners' association that will ensure
6 operation and maintenance of these items in perpetuity. These areas shall be indicated
7 on the map and reserved for an association. Future buyers shall be made aware of any
8 estimated monthly maintenance costs. The CC&R's shall be submitted and approved
9 by the City prior to the recordation of the map.

10 58. All new extension services for the development of the project, including but not
11 limited to, electrical, cable and telephone, shall be placed underground as required by
12 the City Engineer and current City policies.

13 59. Prior to the approval of plans and the issuance of a grading permit, owner/developer
14 shall obtain all necessary permits and clearances from public agencies having
15 jurisdiction over the project due to its type, size, location, or infrastructure impact.
16 The list of public agencies includes, but is not limited to, Public Utility Companies,
17 the California Department of Transportation (Caltrans), the City of Carlsbad, the City
18 of Vista, Fallbrook, the County of San Diego, the U. S. Army Corps of Engineers, the
19 California Department of Fish & Game, the U. S. Fish and Wildlife Service, the San
20 Diego Regional Water Quality Control Board, and the San Diego County Health
21 Department.

22 60. Owner/developer shall comply with all the provisions of the City's cable television
23 ordinances, including those relating to notification as required by the City Engineer.

24 61. As part of the City's Opportunistic Beach Fill Permit, this project has been
25 conditioned to test proposed excavated material to determine suitability for deposit
26 on city beaches as part of the Beach Sand Replenishment program. Preliminary soil
27 test results shall be provided as part of the project geotechnical report which is
28 required prior to approval of the grading plan and issuance of the grading permit.
29

1 Suitable beach replenishment material shall be at least 75% sand with no more than
2 a 10% difference in sand content between material at the source and discharge site.
3 Replenishment material shall contain only clean construction materials suitable for
4 use in the oceanic environment; no debris, silt, soil, sawdust, rubbish, cement or
5 concrete washings, oil or petroleum products,
6 hazardous/toxic/radioactive/munitions from construction or dredging or disposal
7 shall be allowed to enter into or be placed where it may be washed by rainfall or
8 runoff into waters of the United States. Any and all excess or unacceptable material
9 shall be completely removed from the site/work area and disposed of in an
10 appropriate upland site.

11 If the sediment to be exported is determined to be suitable beach replenishment
12 material and is approved by the regulatory agencies, the developer's contractor will
13 coordinate with the City's Coastal Zone Administrator for further discussion and
14 direction on placement.

15 **Coordination is required to occur a minimum of eight weeks in advance** of the
16 need to place approved excavated material on the beach.

17 62. If shoring is required for the construction of the proposed development, the shoring
18 design plans shall be included within the grading plan set, and the structural design
19 calculations shall be submitted with the grading plan application.

20 63. Approval of this development project is conditioned upon payment of all applicable
21 impact fees and connection fees in the manner provided in chapter 32B of the
22 Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare
23 fees, park fees, reimbursements, and other applicable charges, fees and deposits shall
24 be paid prior to recordation of the map or the issuance of any building permits, in
25 accordance with City Ordinances and policies. **Payment of drainage impact fees are**
26 **required prior to docketing the map for City Council hearing and the recording of the**
27 **final map.** The owner/developer shall also be required to join into, contribute, or
28 participate in any improvement, lighting, or other special district affecting or affected
29 by this project.

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

6 65. In the event that there are discrepancies in information between the conceptual plan
7 and the conditions set forth in the project's entitlement resolution (Conditions of
8 Approval), the project's entitlement resolution shall prevail.

9 **Landscaping:**

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

- 24 a) Final landscape plans shall accurately show placement of all plant
25 material such as but not limited to trees, shrubs, and groundcovers.
- 26 b) Landscape Architect shall be aware of all utility, sewer, water, gas and
27 storm drain lines and utility easements and place planting locations
28 accordingly to meet City of Oceanside requirements.

- 1 c) Final landscape plans shall be prepared under the direct supervision of a
2 Registered Landscape Architect (State of California), with all drawings
3 bearing their professional stamp and signature.
- 4 d) All required landscape areas both public and private (including trees and
5 palms in the public rights-of-way) shall be maintained by owner, project
6 association or successor of the project (including public rights-of-way
7 along Loma Alta Drive, Crouch Street and Private Drive.) The
8 landscape areas shall be maintained per City of Oceanside requirements.
- 9 e) The As-built/ Maintenance Guarantee (refundable cash deposit) shall not
10 be released until the as-built drawings have been approved on the
11 original approved Mylar landscape plan and the required maintenance
12 period has been successfully terminated.
- 13 f) Proposed landscape species shall fit the site and meet climate changes
14 indicative to their planting location. The selection of plant material shall
15 also be based on cultural, aesthetic, and maintenance considerations. In
16 addition proposed landscape species shall be low water users as well as
17 meet all fire department requirements.
- 18 g) All planting areas shall be prepared and implemented to the required
19 depth with appropriate soil amendments, fertilizers, and appropriate
20 supplements based upon a soils report from an agricultural suitability
21 soil sample taken from the site.
- 22 h) Ground covers or bark mulch shall fill in between the shrubs to shield
23 the soil from the sun, evapotranspiration and run-off. All the flower and
24 shrub beds shall be mulched to a 3" depth to help conserve water, lower
25 the soil temperature and reduce weed growth.
- 26 i) The shrubs shall be allowed to grow in their natural forms. All landscape
27 improvements shall follow the City of Oceanside Guidelines.
- 28 j) Root barriers shall be installed adjacent to all paving surfaces where a
29 paving surface is located within 6 feet of a tree trunk on site (private)

1 and within 10 feet of a tree trunk in the right-of-way (public). Root
2 barriers shall extend 5 feet in each direction from the centerline of the
3 trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in
4 depth. Installing a root barrier around the tree's root ball is unacceptable.

5 k) All fences, gates, walls, stone walls, retaining walls, and plantable walls
6 shall obtain Planning Division approval for these items in the conditions
7 or application stage prior to 1st submittal of working drawings.

8 l) For the planting and placement of trees and their distances from
9 hardscape and other utilities/ structures the landscape plans shall follow
10 the City of Oceanside's (current) Tree Planting Distances and Spacing
11 Standards.

12 m) An automatic irrigation system shall be installed to provide coverage for
13 all planting areas shown on the plan. Low volume equipment shall
14 provide sufficient water for plant growth with a minimum water loss due
15 to water run-off.

16 n) Irrigation systems shall use high quality, automatic control valves,
17 controllers and other necessary irrigation equipment. All components
18 shall be of non-corrosive material. All drip systems shall be adequately
19 filtered and regulated per the manufacturer's recommended design
20 parameters.

21 o) All irrigation improvements shall follow the City of Oceanside
22 Guidelines and Water Conservation Ordinance.

23 p) The landscape plans shall match all plans affiliated with the project.

24 q) Landscape construction drawings are required to implement approved
25 Fire Department regulations, codes, and standards at the time of plan
26 approval.

27 r) Landscape plans shall comply with Biological and/or Geotechnical
28 reports, as required, shall match the grading and improvement plans,
29 comply with Storm Water Management Plan (SWMP),

1 Hydromodification Plan, or Best Management Practices and meet the
2 satisfaction of the City Engineer.

3 s) Existing landscaping on and adjacent to the site shall be protected in
4 place and supplemented or replaced to meet the satisfaction of the City
5 Engineer.

6 t) All pedestrian paving (both decorative and standard) shall comply with
7 the most current edition of the American Disability Act.

8 67. All landscaping, fences, walls, etc. on the site, in medians within the public right-
9 of-way and within any adjoining public parkways shall be permanently maintained
10 by the owner, his assigns or any successors-in-interest in the property. The
11 maintenance program shall include: a) normal care and irrigation of the landscaping
12 b) repair and replacement of plant materials (including interior trees and street
13 trees) c) irrigation systems as necessary d) general cleanup of the landscaped and
14 open areas e) maintenance of parking lots, walkways, enhanced hardscape, trash
15 enclosures, walls, fences, etc. f) pruning standards for street trees shall comply with
16 the International Society of Arboriculture (ISA) *Standard Practices for Tree Care*
17 *Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H;*
18 *and Tree Pruning Guidelines, Appendix F* (most current edition). Failure to
19 maintain landscaping shall result in the City taking all appropriate enforcement
20 actions including but not limited to citations. This maintenance program condition
21 shall be recorded with a covenant as required by this resolution.

22 68. In the event that the conceptual landscape plan (CLP) does not match the conditions
23 of approval, the resolution of approval shall govern.

24 **Fire:**

25 69. All roadways shall be a minimum of 28ft in width with no street parking. Current
26 drive is shown as 32ft in width, which permits only one side of street parking. The
27 side without street parking shall be painted and marked as a fire lane (preferably
28 the side with the fire hydrant) in accordance with City of Oceanside Fire Ordinance
29 and Fire Master Plan.

- 1 70. No parking permitted in the cul-de-sac and it shall be painted and marked as a fire
2 lane in accordance with City of Oceanside Fire Ordinance and Fire Master Plan.
- 3 71. A fire master plan shall be submitted to Oceanside Fire.
- 4 72. All homes shall be equipped with an NFPA 13D fire sprinkler system. A deferred
5 submittal is required to be submitted to Oceanside Fire for these systems.
- 6 73. If there are any property vehicle gates to be installed, the installation shall be in
7 accordance with City of Oceanside Fire Ordinance and Fire Master Plan.
- 8 74. All buildings shall have an address posted on the street side with the numbers a
9 minimum of 4" with a 1/2" stroke and be posted on a contrasting background.
- 10 75. The entrance of the community shall have a master site map directory.
- 11 76. The grade of the entire private drive has been accepted to be a maximum of 16%
12 with a 20ft vertical curve at the entrance of the road. A road test will be conducted
13 with Oceanside Fire apparatus to ensure the proposed grade percentage and
14 turnaround will be sufficient as shown.
- 15 77. Final Approval is subject to Required Field Inspection(s). Any approvals made are
16 based upon submitted plans. Final approval is subject to required field inspection(s)
17 and acceptance test(s), with acceptable results, as required. Additional
18 requirements may be issued at the time of the field inspection(s) if there is any
19 deviation from the approved plans or in the event that issues not addressed in the
20 plan approval process are discovered in the field.

21 **Housing**

- 22 78. Rental Units (Government Code Section 65915 (c) (1))
- 23 a) Income and rent restrictions must remain in place for a 55-year term for
24 very low- or lower-income units. Maximum household income
25 information may be found at
26 <http://ahsinfo.com/SDMedianIncome2022.pdf>.
- 27 b) Rents for the lower income density bonus units shall be set at an
28 affordable rent, as defined in Section 50053 of the Health and Safety
29 Code, and must include a reasonable utility allowance

1 (https://www.ci.oceanside.ca.us/home/showpublisheddocument/12658/
2 638217492871730000). HCD calculated housing costs may be found on
3 the Housing and Neighborhood Services' website at
4 https://www.ci.oceanside.ca.us/home/showpublisheddocument/8642/63
5 8217505802530000.

- 6 c) Household size appropriate to the unit means 1 for a studio unit, 2 for a
7 one-bedroom unit, 3 for a two-bedroom unit, 4 for a three-bedroom unit,
8 etc.

9 **79. For Sale Units (Government Code Section 65915 (c) (2))**

- 10 a) Affordable for sale units must be sold to the initial buyer at an affordable
11 housing cost. Housing related costs include mortgage loan payments,
12 mortgage insurance payments, property taxes and assessments,
13 homeowner association fees, reasonable utilities allowance, insurance
14 premiums, maintenance costs, and space rent, as that cost is defined in
15 Section 50052.5 of the Health and Safety Code. HCD calculated housing
16 costs may be found on the Housing and Neighborhood Services' website
17 at Affordable Sales Price Calculator 2022.xlsx (live.com).
- 18 b) Buyers must enter into an equity sharing agreement with the City, unless
19 the equity sharing requirements conflict with the requirements of another
20 public funding source or law. The equity sharing agreement does not
21 restrict the resale price, but requires the original owner to pay the City a
22 portion of any appreciation received on resale.
- 23 c) The City percentage of appreciation is the purchase price discount
24 received by the original buyer, plus any down payment assistance
25 provided by the City.
- 26 d) The seller is permitted to retain its original down payment, the value of
27 any improvements made to the home, and the remaining share of the
28 appreciation.
- 29

1 e) The income and affordability requirements are not binding on resale
2 purchasers (but if other public funding sources or programs are used,
3 such as the Inclusionary Housing program, the requirements may apply
4 to resales for a fixed number of years).

5 f) As an alternative, the developer may sell affordable units to nonprofit
6 housing corporations rather than selling the units directly to a low- or
7 moderate-income homebuyer. The nonprofit housing corporation must
8 then sell each home to a lower- income buyer subject to affordability
9 requirements with a term of at least 45 years, an equity sharing
10 agreement, and a repurchase option in favor of the nonprofit corporation.

11 80. Applicants, requesting a density/FAR bonus, incentive(s) or concession(s),
12 waivers, and density bonus parking standards pursuant to State Density Bonus law
13 shall demonstrate compliance with this law by executing an affordable housing
14 agreement with the City. This Agreement, along with the approved site
15 development plan and a deed of trust securing such covenants, shall then be
16 recorded against the entire development and the relevant terms and conditions
17 recorded as a deed restriction or regulatory agreement on the property. The
18 Agreement will be recorded prior to issuance of building permits for the residential
19 units. The Agreement shall be binding to all future owners and successors in
20 interest. A sample of the Inclusionary Housing/Density Bonus Agreement and
21 Inclusionary Housing/Density Bonus Deed of Trust may be obtained by contacting
22 the City's Housing Department.

23 81. Compliance with the applicable restrictions will be subject annually to a regulatory
24 audit and such restrictions must be maintained for the full applicable compliance
25 period. A monitoring fee will be required for the total number of restricted units as
26 defined in the Regulatory Agreement. An initial set up fee of \$500 will be required
27 at the time of the Certificate of Occupancy is issued for the first housing unit and
28 \$77.34 per affordable unit for the first year and increased annually by the 12-month
29 percentage in the Consumer Price Index published by the U.S. Department of Labor

1 Statistics for all Urban Consumers (CPI-U), San Diego average for the previous
2 year. Such fee covers the costs of software, third-party vendors and staff time to
3 perform the monitoring functions. Applicant shall cooperate with and utilize such
4 forms, software, websites and third-party vendors as may be required by the City.
5 The City also reserves the right to periodically inspect the restricted units to ensure
6 compliance with the health and safety standards associated with the restricted units.

7 82. The Project shall be conditioned to require: 1) Recordation of the affordable
8 housing agreement or regulatory agreement; or 2) Payment of the applicable
9 Inclusionary Housing In-Lieu fees prior to the approval of any final or parcel map
10 or building permit for the residential project to ensure the provision of housing in
11 compliance with OCC Chapter 14C and any replacement housing obligations under
12 State law.

13 83. Each residential development providing affordable housing to low- and moderate-
14 income households must carry out a marketing strategy to attract prospective
15 renters/buyers, regardless of race, creed, color, national origin, sexual orientation,
16 military status, sex, gender identity, age, disability, marital status, or familial status.
17 The purpose of this affirmative fair housing marketing program is to target and
18 outreach to specific groups who may need differing efforts in order to be made
19 aware of and apply for the available affordable housing opportunities. The
20 affirmative fair housing marketing program should identify the demographic
21 groups within the housing market area which are least likely to apply for housing
22 without special outreach efforts and an outreach program which includes special
23 measures designed to attract those groups, in addition to other efforts designed to
24 attract persons from the total population. Outreach efforts should include
25 appropriate media outlets and groups that have direct contact with the identified
26 populations. Appropriate community contacts include, but are not limited to, social
27 service agencies, religious bodies, advocacy groups, community centers, and the
28 City's Community Resource Centers. All marketing materials must include the
29

1 applicable fair housing logos, including the Equal Housing Opportunity and
2 Accessibility logos.

- 3 84. Projects must submit an Affirmative Fair Housing Marketing Plan (AFHMP) to be
4 reviewed and accepted by the Housing and Neighborhood Services Department.
5 The AFHMP should be submitted at least 6 months before anticipated occupancy.

6 **Planning:**

- 7 85. This Tentative Map, Development Plan, and Density Bonus shall expire 36 months
8 from its approval, unless the project is implemented per the provisions of Article
9 43, Section 4308(B) of the Zoning Ordinance or the approval is extended pursuant
10 to the provisions of Section 408 or 409 of the Subdivision Ordinance.

- 11 86. This Tentative Map, Development Plan, and Density Bonus Request approves only
12 a 13-lot Single-Family Home subdivision as shown on the plans and exhibits
13 presented to the Planning Commission for review and approval. No deviation from
14 these approved plans and exhibits shall occur without Planning Division approval.
15 Substantial deviations shall require a revision to the Development Plan or a new
16 Development Plan.

- 17 87. Each consecutive unit shall be mirrored, where feasible, when consisting of the
18 same floor plan as shown on the architectural plans submitted to the Planning
19 Commission for review and approval.

- 20 88. The applicant, permittee or any successor-in-interest shall defend, indemnify and
21 hold harmless the City of Oceanside, its agents, officers or employees from any
22 claim, action or proceeding against the City, its agents, officers, or employees to
23 attack, set aside, void or annul an approval of the City, concerning Tentative Map
24 (T22-00003), Development Plan (D22-00004), and Density Bonus (DB22-00003).
25 The City will promptly notify the applicant of any such claim, action or proceeding
26 against the city and will cooperate fully in the defense. If the City fails to promptly
27 notify the applicant of any such claim action or proceeding or fails to cooperate
28 fully in the defense, the applicant shall not, thereafter, be responsible to defend,
29 indemnify or hold harmless the City.

- 1 89. Outdoor lighting shall be low emission, shielded, and directed away from the
2 property lines, so that 0 foot-candles is achieved at the property boundary.
- 3 90. A covenant or other recordable document approved by the City Attorney shall be
4 prepared by the property owner and recorded prior to the approval of the final map.
5 The covenant shall provide that the property is subject to this resolution, and shall
6 generally list the conditions of approval.
- 7 91. Prior to the transfer of ownership and/or operation of the site the owner shall
8 provide a written copy of the applications, staff report and resolutions for the
9 project to the new owner and or operator. This notification's provision shall run
10 with the life of the project and shall be recorded as a covenant on the property.
- 11 92. Failure to meet any conditions of approval shall constitute a violation of the
12 Tentative Map, Development Plan, and Density Bonus;
- 13 93. Unless expressly waived, all current zoning standards and City ordinances and
14 policies in effect at the time building permits are issued. The approval of this
15 project constitutes the applicant's agreement with all statements in the Description
16 and Justification and other materials and information submitted with this
17 application, unless specifically waived by an adopted condition of approval.
- 18 94. The developer's construction of all fencing and walls associated with the project
19 shall be in conformance with the approved Development Plan. Any substantial
20 change in any aspect of fencing or wall design from the approved Development
21 Plan shall require a revision to the Development Plan.
- 22 95. If any aspect of the project fencing and walls is not covered by an approved
23 Development Plan, the construction of fencing and walls shall conform to the
24 development standards of the City Zoning Ordinance. In no case, shall the
25 construction of fences and walls (including combinations thereof) exceed the
26 limitations of the zoning code, unless expressly granted by a Density Bonus Waiver
27 or other development approval.
- 28 96. The project shall, comply with the applicable provisions of the City's anti-graffiti
29 (Ordinance No. 93-19/Section 20.25 of the City Code). These requirements,

1 including the obligation to remove or cover with matching paint all graffiti within 24
2 hours, shall be noted on the Landscape Plan.

3 97. Elevations, siding materials, colors, roofing materials and floor plans shall be
4 substantially the same as those approved by the Planning Commission. These shall
5 be shown on plans submitted to the Building Division and Planning Division.

6 98. Prior to issuance of any building or grading permit, the Director of Housing and
7 Neighborhood Services shall certify that the proposed development has complied
8 with the requirements for inclusionary housing and all provisions of Chapter 14C.

9 99. Prior to Building Permit issuance, the applicant shall submit and obtain final
10 approval of a Construction Management Plan from the City Planner or their
11 designee. The Construction Management Plan shall be implemented during the
12 entire duration of construction of the 13-unit subdivision project.

13 100. Garages shall be kept available and useable for the parking of tenant's automobiles at
14 all times.

15 101. Individual Trash/Recycling bins for all waste streams shall be kept within the
16 designated spaces provided within the garage areas for each individual units. No
17 storage of bins on the outside shall occur. Bins shall be wheeled out to an appropriate
18 location on the designated pickup date and returned within 24 hours to the interior
19 spaces within the garages.

20 102. The developer is prohibited from entering into any agreement with a cable television
21 franchisee of the City, which gives such franchisee exclusive rights to install, operate,
22 and or maintain its cable television system in the development.

23 103. In accordance with Density Bonus requirements, one (1) single-family dwelling
24 units shall be reserved for sale to very low-income households. This affordable
25 unit shall be provided proportional to the overall project in unit size, dispersed
26 throughout the project, and have access to all amenities available to other residents.
27 The City shall determine the eligibility of the very low-income households. A deed
28 restriction, covenant, and/or other instrument enforceable by the city and approved
29 by the City Attorney and Director of Housing and Neighborhood Services, limiting

1 the sale of such units to eligible very low-income households shall be recorded
2 against the title of the property. The duration of such sale restrictions shall be in
3 effect for a minimum of fifty-five (55) years.

4 104. The required "Affordable Housing Regulatory Agreement" shall be recorded
5 against the project site prior to the issuance of any permits for the project.

6 105. All units proposed as part of this project shall be rented for no less than 31-days.

7 106. A letter of clearance from the affected school district in which the property is
8 located shall be provided as required by City policy at the time building permits
9 are issued.

10 107. Prior to the issuance of a Grading Permit, the Applicant/Owner shall enter into a
11 pre-excavation agreement, otherwise known as a Tribal Cultural Resources
12 Treatment and Tribal Monitoring Agreement with the "Traditionally and Culturally
13 Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe".
14 A copy of the agreement shall be included in the Grading Plan Submittals for the
15 Grading Permit. The purpose of this agreement shall be to formalize protocols and
16 procedures between the Applicant/Owner and the "Traditionally and Culturally
17 Affiliated (TCA) Native American Monitor associated with a TCA Luiseño Tribe"
18 for the protection and treatment of, including but not limited to, Native American
19 human remains, funerary objects, cultural and religious landscapes, ceremonial
20 items, traditional gathering areas and tribal cultural resources, located and/or
21 discovered through a monitoring program in conjunction with the construction of
22 the proposed project, including additional archaeological surveys and/or studies,
23 excavations, geotechnical investigations, grading, and all other ground disturbing
24 activities. At the discretion of the Luiseño Native American Monitor, artifacts may
25 be made available for 3D scanning/printing, with scanned/printed materials to be
26 curated at a local repository meeting the federal standards of 36CFR79.

27 108. Prior to the issuance of a Grading Permit, the Applicant/Owner or Grading
28 Contractor shall provide a written and signed letter to the City of Oceanside
29 Planning Division stating that a Qualified Archaeologist and Luiseño Native

1 American Monitor have been retained at the Applicant/Owner or Grading
2 Contractor's expense to implement the monitoring program, as described in the
3 pre-excavation agreement.

4 109. The Qualified Archaeologist shall maintain ongoing collaborative consultation
5 with the Luiseño Native American monitor during all ground-disturbing activities.
6 The requirement for the monitoring program shall be noted on all applicable
7 construction documents, including demolition plans, grading plans, etc. The
8 Applicant/Owner or Grading Contractor shall notify the City of Oceanside
9 Planning Division of the start and end of all ground-disturbing activities.

10 110. A qualified biologist should conduct a nesting bird survey at least 14 days prior to
11 the start of construction should it become necessary to conduct work within the
12 breeding season for Cooper's hawk, yellow breasted chat, yellow warbler, and
13 other nesting birds (February 1 through September 15). Should nesting individuals
14 be detected, appropriate buffers and protection measures will be established. A
15 training shall be developed and include a description of any target species of
16 concern, its habitats, the general provisions of the Endangered Species Act (Act),
17 the MHCP, and MBTA, the need to adhere to the provision of the Act and the
18 MHCP, the penalties associated with violating the provisions of the Act, the general
19 measures that are being implemented to conserve the target species of concern.

20 111. Stockpiling of materials and other aspects of construction staging shall be limited
21 to disturbed areas. Equipment storage, fueling and staging areas shall be located to
22 minimize risk of runoff to surrounding areas. All project related spills of hazardous
23 materials shall be reported to appropriate entities and cleaned up immediately.
24 Contaminated soils shall be removed to appropriate disposal areas. To avoid
25 attracting predators of any target species of concern, the project site shall be kept
26 clean of debris as much as possible. All food related trash items shall be enclosed
27 in sealed containers and regularly removed from the site. Pets of project personnel
28 shall not be allowed on site where they may come in contact with any listed species.
29 To prevent inadvertent disturbance to areas outside the limits of work, the

1 contractor should install temporary fencing along the limits of grading. The final
2 landscape plans should be reviewed by a qualified biologist to confirm that there
3 are no invasive plant species as included on the most recent version of the
4 California Invasive Plant Council Inventory for the project region.

5 112. Construction employees shall strictly limit their activities, vehicles, equipment, and
6 construction materials to the proposed footprint and designated staging areas and
7 routes of travel. The construction area(s) shall be the minimal area necessary to
8 complete the project and shall be specified in the construction plans.

9 113. The builder shall install frosted windows on all rear windows above the ground
10 floor that are within 20 feet 5 inches from the rear property line.

11 **Solid Waste**

12 114. The City of Oceanside reserves the right to review program and services levels and
13 request increases if deemed necessary. The City of Oceanside Municipal Code
14 Chapter 13 requires that Oceanside residents, businesses and multifamily projects
15 are to separate all recyclable material from other solid waste. Additionally, the
16 State of California regulations requires all California businesses participate in
17 Mandatory Recycling (AB 341) and Mandatory Commercial Organics Recycling
18 (AB 1826 & SB 1383) as outlined in the Oceanside Solid Waste code.

19 **Water Utilities:**

20 **General Conditions:**

21 115. For developments requiring new water service or increased water service to a
22 property, the landowner must enter into an agreement with the City providing for
23 landowner's assignment of any rights to divert or extract local groundwater supplies
24 for the benefit of the property to receive new or increased water service, in return for
25 water service from the City, upon such terms as may be provided by the Water
26 Utilities Director.

27 116. All existing active and non-active groundwater wells must be shown on conceptual,
28 grading, and improvement plans.

- 1 117. The developer will be responsible for developing all water and sewer utilities
2 necessary to develop the property. Any relocation of water and/or sewer utilities is
3 the responsibility of the developer and shall be done by an approved licensed
4 contractor at the developer's expense.
- 5 118. All Water and Wastewater construction shall conform to the most recent edition of
6 the *Water, Sewer, and Recycled Water Design and Construction Manual* or as
7 approved by the Water Utilities Director.
- 8 119. The property owner shall maintain private water and wastewater utilities located on
9 private property.
- 10 120. Water services and sewer laterals constructed in existing right-of-way locations are
11 to be constructed by an approved and licensed contractor at developer's expense.
- 12 121. Each new residential dwelling unit shall be equipped with a separate individual
13 water meter, and a separate sewer lateral connection.
- 14 122. A public water main (min. 8-inch) shall be constructed within the private road to
15 serve the residences. A fire hydrant shall be located at the end of the line for
16 maintenance. The public water main shall be located a minimum 5 feet off curb
17 face. Developer shall obtain a waiver from the Division of Drinking Water if the
18 minimum 10' separation (wall to wall) for water and sewer mains is not satisfied.
- 19 123. The public water main shall connect to the existing 8-inch AC water main in Loma
20 Alta Dr. Connections to the existing main shall be made with a cut-in tee and three
21 valves on each side.
- 22 124. A public sewer main (min. 8-inch) shall be constructed within the private road to
23 serve the residences. The sewer main shall be located along the centerline of the
24 road. A manhole shall be required at the terminus (starting point). The manhole
25 shall be located off the curb so that on street parking will not obscure and cover the
26 manhole.
- 27 125. Where water and sewer mains are located within the same easement, the minimum
28 easement size shall be 30 feet wide.
- 29

1 126. Provide a dedicated irrigation water meter for on-site common area (HOA)
2 landscaping. Meters shall be managed and paid for by the Homeowner's Association
3 for the development. An address assignment will need to be completed for the meters,
4 and can be processed through the City Planning Department.

5 127. Per the latest approved California Fire Code, all new residential units shall be
6 equipped with fire sprinkler system. Water services that feed the fire sprinkler system
7 along with the domestic water system shall be equipped with a dual check valve
8 device.

9 128. Hot tap connections will not be allowed for size on size connections, and connections
10 that are one pipe size smaller than the water main. These connections shall be cut-in
11 tees with three valves for each end of the tee. Provide a connection detail on the
12 improvement plans for all cut-in tee connections.

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

15 129. Any water and/or sewer improvements required to develop the proposed property will
16 need to be included in the improvement plans and designed in accordance with the
17 *Water, Sewer, and Recycled Water Design and Construction Manual*.

18 130. All public water and/or sewer facilities not located within the public right-of-way
19 shall be provided with easements sized according to the *Water, Sewer, and Recycled*
20 *Water Design and Construction Manual*. Easements shall be constructed for all
21 weather access.

22 131. No trees, structures or building overhang shall be located within any water or
23 wastewater utility easement.

24 132. All lots with a finish pad elevation located below the elevation of the next upstream
25 manhole cover of the public sewer shall be protected from backflow of sewage by
26 installing and maintaining an approved type backwater valve, per the latest adopted
27 California Plumbing Code.

28 133. All water and sewer mains not meeting the minimum main diameter and material
29 requirements shall be replaced by the Developer, and at the Developer's expense, to

1 meet current design standards for all new residential developments of four (4) units
2 or more. Water and sewer improvements shall be required as part of engineering plan
3 submittal. Where the full replacement length along the frontage property is deemed
4 in excess of the overall project cost, the developer may pay an impact fee upon the
5 approval of the Water Utilities Director. The impact fee will be based on the estimated
6 construction costs of similar size and type of work in the past year, and shall meet
7 prevailing wage requirements. This shall be paid prior to engineering plan approval.

8 134. The existing 6" sewer main in Loma Alta Drive does not meet the current design
9 standards of a minimum 8" diameter sewer main. Therefore, the Developer will be
10 required to replace the sewer main along the property frontage with an 8" PVC
11 main at the Developer's expense. The main replacement shall include the partial
12 segment of 6" main from the connection point to the next downstream manhole,
13 and continue south along the property frontage to the next manhole located across
14 from 235 Loma Alta Drive.

15 135. Per City of Oceanside Ordinance No. 14-OR0565-1, the developer shall pay a
16 recycled water impact fee since the proposed project is not within 75 feet of a recycled
17 water main. The impact fee shall be established by submitting a formal letter
18 requesting the City to determine this fee, which is based on 75% of the design and
19 construction cost to construct a recycled water line fronting the property in Loma Alta
20 Drive.

21 136. Connections to a public sewer main with a 6-inch or larger sewer lateral will require
22 a new sewer manhole for connection to main per Section 3.3 of *Water, Sewer, and*
23 *Recycled Water Design and Construction Manual*.

24 137. Connection to an existing sewer manhole will require rehabilitation of the manhole
25 per City standards. Rehabilitation may include, but not be limited to, re-channeling
26 of the manhole base, surface preparation and coating the interior of the manhole,
27 and replacing the manhole cone with a 36" opening and double ring manhole frame
28 and lid.

1 147. Water and Wastewater buy-in fees and the San Diego County Water Authority Fees
2 are to be paid to the City at the time of Building Permit issuance per City Code
3 Section 32B.7.

4 PASSED AND ADOPTED Resolution No. 2023-P19 on October 9, 2023, by the
5 following vote, to wit:

6 AYES: Rosales, Morrissey, Dodds, Anthony

7 NAYS: Balma, Malik

8 ABSENT:

9 ABSTAIN:



10 _____
11 Tom Rosales, Chairperson
12 Oceanside Planning Commission

12 ATTEST:



13 _____
14 Sergio Madera, Secretary

15
16 I, Sergio Madera, Secretary of the Oceanside Planning Commission, hereby certify that
17 this is a true and correct copy of Resolution No. 2023-P19.

18
19 Dated: October 9, 2023

Dane Thompson

From: victoria settles <victoriacsettles@gmail.com>
Sent: Wednesday, March 22, 2023 2:20 PM
To: Dane Thompson
Subject: Loma Alta Terrace # T22-00003

Warning: External Source

Hi Mr. Thompson,

I was not able to leave my email address with the Zoom meeting on Thursday.

We have lived at this address at 210 Crouch St, Oceanside, CA 92054 for 28 Years.
this street is zoned for estate lots with 7.5 ft setbacks and a minimum 10,000. sq ft lots.
while we understand housing is at a premium, the plan presented is too drastica change for our neighborhood.
Combining the street and the pool will leave less than 2500 sq ft per lot, with each lot containing two
separate residences. The math does not fit the semi-rural feel of Loma Alta, and there is not enough parking
infrastructure the urban style development.

1

Plan C is 32 ft tall. We thought 30 was the max in our area. A compromise could be reached if the lots were at least 5000 sq ft, and were designed with the current neighborhood aesthetics in mind.

This plan belongs downtown / beach area not in the ranch style setting of hHistoric Loma, please consider a change to the drawings to comply with zoning standards, no with this plan.

Thank you

Sincerely,
Sean Settles
Rfandango@aol.com
6198848012

Dane Thompson

From: Lady Paulus <rainydaydutkie@gmail.com>
Sent: Tuesday, March 21, 2023 9:05 AM
To: Projectpostingsdmc@gmail.com
Cc: Dane Thompson
Subject: Loma Alta Terraces

Warning: External Source

Thank you for the meeting I am still concerned that this will increase the traffic issues that do not stop at your street end but at Crouch and Canyon, Loma Alta and Mesa, Oceanside blvd and Crouch. These should be addressed by the city before allowing the increase. You will be changing the feel of this neighborhood. Have you looked into the impact this will have on the schools you have the potential to fill a classroom. This neighborhood has many that have been here since the 70's or before and the neighborhood has not dramatically changed. My last thought is just because you can doesn't mean you should. If this was your neighborhood how would you feel about this?

Sincerely

Pat Dutkiewicz

131 Crouch Street Oceanside.

Dane Thompson

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Sent: Tuesday, March 21, 2023 9:00 AM
To: Dane Thompson
Cc: projectpostingsdcm@gmail.com; Link Ladutko; Bryan & Cheryl Hasselodt
Subject: Loma Alta Terrace proposed development

Warning: External Source

Dane, as you can tell by this morning's Zoom meeting, the neighboring residents of this development are not opposed to a development, we are concerned with the density, parking, flooding & water run-off, traffic, along with the other concerns you heard. Those of us who have lived in Oceanside for decades and live in the Loma Alta area take pride in the neighborhood...we love Oceanside and want to see it continue to be an enjoyable livable community. This development will negatively effect us.

This proposed development, along with the other that is almost adjacent to this one, will severely impact the entire Loma Alta area. This development is asking for waivers and incentives to be able to squeeze as many houses as allowable under the law into this area of land... does the city have to grant these waivers? What about the quality of living that the current residents are fighting to maintain?

1

It was noted that the meeting was recorded, how may we obtain a copy of the recording as well as a copy of the screens that the developer put up during the meeting, and the traffic study that was mentioned? I would like to obtain copies of each, please.

We are sorry that this Zoom meeting this morning will be the only "community" input the developer will offer for the proposed development...it truly does not give the neighboring residents a proper venue to express our concerns. We are hoping that the City of Oceanside takes the current long-established residents into consideration when making their decisions to allow new developments.

Glenda and Pat Kimbrel
146 Loma Atla Drive
Oceanside, CA
760-433-9078

2

Dane Thompson

From: bhassoldt@cox.net
Sent: Monday, March 20, 2023 5:08 PM
To: Dane Thompson
Cc: projectpostingsdcm@gmail.com
Subject: PLEASE READ FOR 3/21 MEETING: Loma Alta Terraces - Neighbor Response

Warning: External Source

Hello City of Oceanside Planning Department/Dane Thompson,

Thank you for the notice and information most recent proposal on the development of this neighborhood property – Loma Alta Terraces.

Let me start by saying we, Cheryl and I, have lived in Oceanside at this address since 1991 and some of my neighbors have been here for a longer period of time. It's a great attractive custom home neighborhood with large 10,000 square foot lots at minimum; most are closer to at least 13,000 square foot lots and space which provides comfort and quiet with a rural feeling.

1

If this lot to be developed is 2 acres, which is 43,560 square feet per acre x 2 or 87,120 square feet, then with basic math division, one can quickly realize that 8 homes would be the absolute maximum with allowance for street, curb and gutter and fire department needs. The standard for this neighborhood since I have been here is 10,000 square foot minimum lots. The ADU or Assisted Dwelling Unit amendments increase and adds on to the size and impact of the project.

It seems that our neighborhood has had to stay on guard and try to keep the City Development standards intact.

Why are we always the group that needs to remind everyone of the building standards? If you want to build, stick to the City driven standards we all live by. This proposed development/variance is just too dense for this neighborhood. We are looking at 40 to 50 new bedrooms, too much noise, traffic, not enough parking curbside, common area or otherwise. We all know people fill their garages and have recreational vehicles. This is simply a push for maximum profit and no concern for quality of life of the existing neighbors or the new ones that would move in.

We already have a large portion of multifamily housing planned in this neighborhood with 300 new units proposed at the south end of the same street on Crouch and Oceanside Boulevard. There is also going to be a 40-bed homeless housing project nearby off Apple Street. In addition, we understand there has been a proposal to build 10 new homes and ADU's on another lot on Loma Alta which is we believe around 4 acres – this project is complying with the 10,000 square foot minimum home lot size requirements.

The entry on Loma Alta might allow the developer to avoid the lowering of telephone poles on Crouch Street but will impact the traffic on Loma Alta Dr. at a curved portion of the street. It should be wider to allow for proper merging or street parking which will occur. There is also storm water control across the entire lot from Crouch Street to Loma Alta

2

Dr. and grading situation on the Loma Alta Dr. side of the project. These five extra homes will only impact the neighborhood in a negative way.

Please do not approve this project as it is currently proposed.

Thank you for your time,

Bryan Hassoldt
129 Crouch Street
760-807-5557
bhassoldt@cox.net

Dane Thompson

From: Link Ladutko <linkladutkolaw@gmail.com>
Sent: Monday, March 20, 2023 9:26 AM
To: Dane Thompson; Glenda Kimbrel
Subject: T22-00003

Categories: Low Priority

Warning: External Source

Dear Mr. Thompson: I think that I can speak for our entire community in saying that we are depending upon you and your colleagues at the City of Oceanside to protect us, without fear or favor, against all anticipated threats to our health and safety that could result from the above referenced project if not properly addressed prior to construction. Some of the threats include, but are not limited to, the proposed sole access to and from the development from Loma Alta Dr.; storm water runoff onto Loma Alta Dr. and adjacent properties; erosion and potential collapse of the high bank on the east side of Loma Alta Dr.; potential fire within the development during times of our "fire season" exacerbated by a single access point. Emergency vehicles could more effectively respond to a conflagration if there were multiple access points. Also, an increase in the diameter of the waste water pipe may be helpful along with speed control on Loma Alta Dr.. Respectfully submitted, Link Ladutko

Dane Thompson

From: Link Ladutko <linkladutkolaw@gmail.com>
Sent: Thursday, March 16, 2023 5:29 PM
To: Glenda Kimbrel
Cc: Dane Thompson
Subject: Re: T22-00003 "Loma Alta Terraces"

Warning: External Source

Dear Mr. Thompson: One more comment on the access to the proposed development. I think both the city and the developers should be on notice of the problems that we have raised with sole access to the Terraces from Loma Alta Dr. I certainly don't want to put the sole access burden upon the residents on Crouch Street. That's why I suggested dual access points. Also, you should be aware that Crouch St. has speed bumps the full length of the street from Mesa to Canyon. Loma Alta Dr. has no speed restrictions. Regards, Link Ladutko

On Thu, Mar 16, 2023 at 4:09 PM Glenda Kimbrel <pgkimbrel@icloud.com> wrote:

Mr. Thompson

This is regarding the proposed development T22-00003 Loma Alta Terrace... We live at 146 Loma Alta Drive not far from the proposed development. We have lived here for over 40 years and are

1

very familiar with the flow of traffic and some of the problems on the street. We are very concerned with all of these houses using Loma Alta Drive as their main and only source of getting in and out of the development. The section of Loma Alta that it looks like the development will use is not a full width street... Parking is only allowed on one side because the width of the street is not wide enough... do they plan on widening the street, putting sidewalks?

Please also keep in mind there is another proposed development with the same number of homes just about 100 yards from this proposed development with all of those units also filtering out onto Loma Alta Drive. (Loma Alta is their only source of entering and exiting the development.) All of this will only make for a very congested, dangerous street... there are no sidewalks on either side of the street leading to Mesa Drive. The traffic and congestion are just a few of the concerns we have with the project.

Thank you for your time,
Glenda & Charles Kimbrel
146 Loma Alta Drive

On Mar 16, 2023, at 3:26 PM, Link Ladutko <linkladutkolaw@gmail.com> wrote:

2

Dear Mr. Thompson: Thank you for your prompt response to my email. Yes, I request that all of my email etc. be included in the public record with respect to this matter. Since I have no authority to influence the developer in any way, I would request that you, as the planner in this project, broach the issue of a second access to the developer. As I opined in my previous email, there is a credible safety issue with respect to access from Loma Alta Dr. due to the narrow road, curves in the road and slope degree of the road. It is an accident waiting to happen and the developer needs to be given notice of the issue. Respectfully submitted, Link Ladutko

On Thu, Mar 16, 2023 at 7:59 AM Glenda Kimbrel <pgkimbrel@icloud.com> wrote:

Thanks for this information..we finally got the same letter in the mail yesterday! One other thought to bring up, the part of Loma Alta that it looks like the development will use is not a full width street... Parking is only allowed on one side because the width of the street is not wide enough... do they plan on widening the street? I will make every effort to attend the Zoom meeting on Tuesday..thanks for the heads up...Glenda

On Mar 15, 2023, at 4:20 PM, Dane Thompson <DThompson@oceansideca.org> wrote:

Link,

3

Thank you for pointing out that inconsistency with the access. Currently the developer is proposing to only offer access from Loma Alta Drive and there would be no access from Crouch. If you want your comments included in the public record, feel free to send them to me. If you want to request that the developer redesign the project, feel free to send that request to Scott Darnell at SDarnell@darnellcapital.com.

Under density bonus law (GOV §65915) any density calculation that results in a fractional number can be rounded up, even if that number is 3.15.

Thank you,



Dane Thompson, Planner I
City of Oceanside
Planning Division
300 North Coast Highway
Oceanside, CA 92054
Phone: (760) 435-3562
dthompson@oceansideca.org

All voicemail to and e-mail to and from the City of Oceanside may be considered public information and may be disclosed upon request.

4

From: Link Ladutko <linkladutko1aw@gmail.com>
Sent: Monday, March 13, 2023 1:06 PM
To: Dane Thompson <DThompson@oceansideca.org>; Glenda Kimbrel <pgkimbrel@icloud.com>
Subject: T22-00003 "Loma Alta Terraces"

Warning: External Source

Dear Mr. Thompson:

I am just beginning my review of the numerous documents for the above project on your etrakit website. Please expect this email to be the first of many to follow.

In the document entitled Residential Development Tentative Map, December 14, 2022 (rev. 2) there is at least one inconsistency. Under the heading "Landscape Design" the developers state that the primary entrance of Loma Alta Terraces is from Crouch Road (should be Street). Under the heading "Development Plan," it states that the primary site access is from Loma Alta Dr. As I have lived on Loma Alta Dr. for almost 70 years, I am very familiar with this public road. Because of the size, slope and curves of this road, it is not, in my opinion, appropriate as the sole access to the proposed development. However, if there were a second separate access from Crouch St., that could reduce the safety risk imposed by sole access from Loma Alta Dr.

5

Further, in that same document under the heading, "Calculate Density Bonus Units", the developer determined that the project was entitled to 4 additional units, however, the mathematical calculation was actually 3.15. How is 3.15 entitled to be rounded up to 4 units ?

Enough for now. Regards, Link Ladutko, home owner.

6

Dane Thompson

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Sent: Thursday, March 16, 2023 4:09 PM
To: Dane Thompson
Cc: Link Ladutko
Subject: Re: T22-00003 "Loma Alta Terraces"

Warning: External Source

Mr. Thompson

This is regarding the proposed development T22-00003 Loma Alta Terrace...We live at 146 Loma Alta Drive not far from the proposed development. We have lived here for over 40 years and are very familiar with the flow of traffic and some of the problems on the street. We are very concerned with all of these houses using Loma Alta Drive as their main and only source of getting in and out of the development. The section of Loma Alta that it looks like the development will use is not a full width street... Parking is only allowed on one side because the width of the street is not wide enough... do they plan on widening the street, putting sidewalks?

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2

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3

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Thank you,



Dane Thompson, Planner I

City of Oceanside

Planning Division

300 North Coast Highway

Oceanside, CA 92054

Phone: (760) 435-3562

dthompson@oceansideca.org

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From: Link Ladutko <linkladutkolaw@gmail.com>

Sent: Monday, March 13, 2023 1:06 PM

To: Dane Thompson <DThompson@oceansideca.org>; Glenda Kimbrel

4

<pgkimbrel@icloud.com>

Subject: T22-00003 "Loma Alta Terraces"

Warning: External Source

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Enough for now. Regards, Link Ladutko, home owner.

Dane Thompson

From: Link Ladutko <linkladutkolaw@gmail.com>
Sent: Thursday, March 16, 2023 3:27 PM
To: Glenda Kimbrel; Dane Thompson
Subject: Re: T22-00003 "Loma Alta Terraces"

Warning: External Source

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Thank you,

Dane Thompson, Planner I
City of Oceanside
Planning Division
300 North Coast Highway

2



Oceanside, CA 92054

Phone: (760) 435-3562

dthompson@oceansideca.org

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From: Link Ladutko <linkladutkolaw@gmail.com>

Sent: Monday, March 13, 2023 1:06 PM

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Enough for now. Regards, Link Ladutko, home owner.

4

Dane Thompson

From: Dane Thompson
Sent: Monday, August 8, 2022 10:02 AM
To: Stefanie Cervantes
Subject: Loma Alta Terrace

I am forwarding the comments of Derek Greedus, kmelville6@gmail.com, received through Public Stuff.

Specific City Staff Member's Name
Planning

Comments

Just received notice of the Loma Alta Terrace planned development. With terrible shortage of water, why are we adding more problems to this situation. Why not wait until the shortage is not a problem?

Thank you,

Dane Thompson, Planner I
City of Oceanside

1



Planning Division
300 North Coast Highway
Oceanside, CA 92054
Phone: (760) 435-3562
dthompson@oceansideca.org

All voicemail to and e-mail to and from the City of Oceanside may be considered public information and may be disclosed upon request.

Dane Thompson

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Sent: Tuesday, September 12, 2023 1:07 PM
To: sdarnell@darnellcapital.com; Dane Thompson; Sergio Madera; Planning-Planning Commission
Subject: Loma Alta Terraces

Warning: External Source

To: Scott Darnell, Loma Alta Terraces LLC

Dane Thompson, Oceanside Planning Department

Sergio Madera, Oceanside Planning Department

Oceanside Planning Commission

September 11, 2023

1

Re: Tentative Map (T22-00003)

Development Plan (D22-00004)

Density Bonus (DB22-00003)

Loma Alta Terraces, LLC

On September 9, 2023, we received the notice sent by Mr. Scott Darnell for the "Project Information Meeting" on the Loma Alta Terraces Single-Family Residential Development. The proposed project site is located between Loma Alta Drive and Crouch Street. The purpose stated in the letter is for a presentation to be held on Monday, September 18, regarding the residential development proposed in our neighborhood.

Unfortunately, my husband and I will not be able to attend this meeting, we will be out of state at the time, therefore, we are writing this letter explaining our concerns and thoughts regarding the development.

At the Planning Commission meeting on August 28, 2023, I spoke to many of the concerns we had regarding the density, safety, traffic, fire, infrastructure, poor home design not congruent with the surrounding "Historic Loma Alta" neighborhood, future HOA management, another high-density development being proposed less than a block away, along with other issues.

2

The Planning Commission had numerous concerns as well, which is why they instructed the developer to go back, talk with the neighbors, and possibly look at a re-design of portions of the project. One of the ideas, brought up by the Planning Commission was to consider the private cul-de-sac street to go through to Crouch to not force all the traffic from these proposed homes spilling out on Loma Alta. This would be a tremendous benefit for many of the concerns including the severe impact of the traffic on Loma Alta as well as some of the fire safety issues. The other traffic concern is that where this development is proposed on Loma Alta, the road is steep and curvy, with blind spots and cars speeding up and down hill. If the proposed street went through to Crouch, which has less curves in that area and on flatter ground, this would allow for a safer flow of traffic offering two directions for this new heavily congested street to utilize.

The design, home and lot size and incongruency of the homes for this neighborhood was also an issue. Two of the homes would be 1,600 square foot two story structures with five (5) bedrooms and two-car garages. The city needs to have the developer show the design interior of each of the homes, laying out the sizes of each room, showing just how small each of the rooms would be for a large family needing five bedrooms.

We are asking for consideration of fewer homes to be built on this sight with larger lot sizes so homes are not built so close together, allowing for families to have some space. Look around this Loma Alta neighborhood and you will see homes with spacious lot sizes. This proposed development again, is not congruent with this neighborhood and only lends itself to problems and issues in the future.

The neighborhood is not against a development and Mr. Darnell has every right to develop the property. We are just asking for sound, well-planned homes that are in harmony with the surrounding "Historic Loma Alta" neighborhood. This neighborhood was given this name by the city for a reason, we are striving to keep the character, charm and livability of this area as it is designed to be.

3

We know the Planning Commission was not pleased by what was initially presented by Mr. Darnell and his associates. Mr. Darnell, we would like you to please listen to our concerns and take them into consideration as you hopefully re-design this project. We also expect the Planning Commission, even though they are bound by codes and laws, to see beyond these codes and laws to what will truly benefit the residents of Oceanside. The decisions you make today will have a significant impact on the future generations that chose to live in Oceanside. It is not just the developer that has rights, the residents of Oceanside also have rights, those who have lived and worked here for decades.

Thank you for your time and consideration.

Respectfully,

Glenda & Pat Kimbrel

146 Loma Alta Drive

Oceanside, CA 92054

760-433-9078

pgkimbrel@icloud.com

4

Dane Thompson

From: Jennifer Meaders <meaders.jen@gmail.com>
Sent: Wednesday, September 13, 2023 12:18 PM
To: Sergio Madera; Planning-Planning Commission; Dane Thompson
Subject: Loma Alta Terrace

Warning: External Source

City planners and members of the City Planning Committee. I am writing to you as a resident living on Loma Alta Dr.; I attended the meeting on August 28th regarding Loma Alta Terrace but didn't speak. I would like to give my input on the development and future developments.

It may be for the residents of Loma Alta that our hands are tied, and there is nothing we can do to stop the 13 residential units slated to be built on only 2 acres or even to reduce the number of units allowed to be built. With that being said, I would like to give you a thought for your consideration that you might think about going forward.

1

We are told that Oceanside is suffering from not just a lack of housing but a lack of affordable housing. That is not entirely the case. A cursory glance at the number of short-term rentals located is shocking. You can easily access the information found right here: <https://oceanside.maps.arcgis.com/apps/webappviewer/index.html?id=ed84a04bf86b4a27aeb0b221aad43fbd> this information came directly from the city's website. I understand it is not our place to tell owners how to use their property. However, telling locals they must disturb their peaceful neighborhood to provide housing for families when there is clearly an overabundance of vacation rentals is a kick in the stomach. There is a saying, and I will not be crass, but it goes like this: Don't pee on my leg and tell me it's raining.

This is a cycle that will not stop: a hamster on a wheel. Developers can build houses, condos, and apartments all day, but the city can do nothing to stop investors who do not live here from buying properties that will turn them into more short-term rentals. I understand there was a city council meeting recently where residents made impassioned pleas to increase low-income housing setbacks. Someone may finally stand up for the residents and let the public know the issue is not all about lack of housing. It is how the housing is being used.

Thank you for your time,
Jennifer Meaders

2

Dane Thompson

From: J Burnett <james.burnett.sr@gmail.com>
Sent: Monday, September 18, 2023 7:51 AM
To: sdarnell@darnellcapital.com; Dane Thompson; Sergio Madera; Planning-Planning Commission
Subject: Loma Alta proposed addition to neighborhood

Warning: External Source

To: Scott Darnell, Loma Alta Terraces LLC
Dane Thompson, Oceanside Planning Department
Sergio Madera, Oceanside Planning Department
Oceanside Planning Commission
September 14, 2023

Re: Tentative Map (T22-00003)
Development Plan (D22-00004)
Density Bonus (DB22-00003)
Loma Alta Terraces, LLC

1

This building plan is not congruent with Oceanside's historic pioneer neighborhood and the City's infrastructure is not prepared to absorb this number of new homes in the way currently planned.

Storm Drains: The storm drain run off from the building project will overwhelm the current storm drainage infrastructure. Why? There are no "catch basins" or drainage conduit. There is only Curb and Gutter in place. It is to be expected that converting 2 acres of steep hillside into nonabsorbent roof tops, concrete driveways, or asphalt is going to send excessive water downhill towards the neighbors. Therefore, it is the responsibility of the builder to include a storm drain conduit that will carry water from these new homes and connect to the Storm Drain system at Canyon Drive; or install an area for the adequate collection of rainwater runoff.

Street Width: Loma Alta is not a traditional city street, it has a steep hill, just South of Walsh Street it is also very narrow and winding. How narrow? The width of the Loma Alta Drive near the development is less than 28 feet wide. In fact, the city has long ago installed "NO PARKING" signs on the East side of Loma Alta because of safety concerns. In addition, the builders' current plans show these new homes will require substantial Street parking. However, the East side of Loma Alta is already a NO PARKING area.

In addition, Walsh is a dead-end street with a significant number of homes that have no ingress or egress except the intersection at Loma Alta. The intersection is not a normal 90-degree intersection. Walsh turns South onto Loma Alta with an ACUTE angle and because the street is so narrow and near the crest in the hill, it

2

is difficult to see automobiles coming up the hill until they are very close. Building without widening the street is going to make the area very unsafe.

Adding more homes on this narrow street is only going to increase the number of automobiles driving to their home; the number of utility trucks, post office vehicles, FedEx, UPS, Waste management, etc.... At a minimum the street must be "Significantly widened". Also, for safety a sidewalk should definitely be included on the East Side of the street because this area is already used more than most for people exercising or walking their pets.

Before building additional homes Loma Alta Drive needs to be a minimum of 40 feet wide, especially in the area near this new building project. The minimum 40 feet width inside the curb would be equal to the width of the Loma Alta further down the street near Canyon Drive. Which would be a more than reasonable request if the builder really wants to build.

Electrical utility:

Last year the state issued many warnings about rolling black outs. So it is not without reason that increased electrical demand is considered before the addition of these 13 additional dwellings. The electrical lines on Loma Alta Drive are old and need to be upgraded to plan for increased use of these additional homes.

The state of California has many approaching requirements for electric vehicles which will further increase demand in all neighborhoods. This comes at a time when the number of family-owned electric vehicles is

3

already growing exponentially, and new housing will require at least one if not two automobile charging connections to each home. The builder needs to include this feature in the initial plans so that the city can consider the increased electrical load of this building project. The additional draw on electrical lines and transformers must be evaluated, planned for, and electrical upgrades should be installed to ensure safety before this project is built.

Sewer:

Loma Alta street has a smaller older existing sewer line which is at maximum capacity, occasionally it exceeds its limits and requires the City to send a utility crew to plunge the line. IF there are to be more homes then there needs to be a sewer line with a larger diameter. This larger sewer line needs to be in place before the builder begins the project.

Parks and Recreation:

The Loma Alta neighborhood is the overflow for the local parks. That is because Buddy Todd Park is often over crowded and adding more "high density housing" is going to increase that problem. People come from all over the city to this safe, beautiful neighborhood that is spread out enough to ride bikes, walk their pets, and run, or just walk with their family. We ask that the city help preserve the normal spacing of housing and not condense housing more than the neighborhoods existing normal size lots and setbacks.

4

Loma Alta was a master planned community with a focus on walkable spaces, lot sizes large enough to allow residents to grow fruit trees or truck patch vegetable gardens, and adequate parking; The building project is not congruent with these principles.

I ask the city of Oceanside to re-examine high-density housing in "existing" neighborhoods where single family homes were built under a previous set of conditions. Changing the requirements after decades of regulation and code enforcement is not ethical to the previous residents.

There should be a clear difference between "NEW" developments and "additions in existing neighborhoods" Loma Alta Drive, is a "existing" well established neighborhood. This building project will undermine the guidelines the City of Oceanside has enforced for decades. If allowed to be constructed it would reverse the stringent regulations which protected this neighborhood and the residents.

Builders should NOT be incentivized just to increase density but also to contribute to the overall well-being of the community, infrastructure improvements, and thoughtful design. It's crucial for any addition to be in accordance with previous requirements for the neighborhood. Allowing high density housing in an area such as Loma Alta will do more harm than good.

We ask the City Council to delay this building project and research some of the information provided.

James Burnett

5

153 Loma Alta Drive
Oceanside Ca 92054
(949) 636-5034
James.burnett.sr@gmail.com

6

Dane Thompson

From: Audrey Thornton <apthornton09@gmail.com>
Sent: Monday, September 18, 2023 11:04 AM
To: Dane Thompson
Subject: Loma Alta Terraces Project

Warning: External Source

Hi Dane,

I am a neighbor within 1500 feet of the Loma Alta Terraces Project proposed on Crouch Street in Oceanside. I am an interested party - please keep me updated with all notices regarding this project.

Could you please tell me what Conditional Use Permits were asked for by the developer? And which ones have been granted?

I object to the massive scale of this project, the fact that it does not comply with the guidelines of the Oceanside City Code to respect our neighborhood character or complement the site surroundings, because it will have 13 3-story houses in the historic neighborhood of Loma Alta which is comprised of 1-story single family homes.

1

Would you also send me the list of addresses of neighbors within 1500 feet of this project to whom you sent the public notice?

Thank you.

*Audrey Powers Thornton
2606 Mesa Dr.
Oceanside, California 92054*

*"Stay brilliant. You are needed."
-Naomi Ann Powers Thornton*

2

Dane Thompson

From: Link Ladutko <linkladutkolaw@gmail.com>
Sent: Wednesday, August 23, 2023 11:46 AM
To: Dane Thompson
Subject: T22-00003, D22-00004

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Yellow Category

Warning: External Source

Dear Mr. Thompson
City of Oceanside Planning Commission

I will not be able to attend the scheduled hearing on August 28th, 2023. In lieu of that, I submit this email as my comments on this proposed project. I hope that you will circulate this email to your fellow commissioners. I understand that this project is being considered under what is commonly referred to as the Density Bonus Law which is a series of laws passed by the state legislature around 1979-1980 and amended many times thereafter. For the reasons stated

1

below, in my opinion, this is a flawed and failed attempt to engineer the production of so-called "affordable housing" in our state. The reason I believe it is flawed is mainly because it is a gut punch to the many homeowners who have relied for decades on our local zoning laws and building regulations that have been overridden by the DBL. Further, with the addition of the bonus house structures in this project and in other areas of the city, our city infrastructure is being stressed. This could have a significant effect on our community and the city as a whole. Don't think for one moment that what just happened in Maui, HI couldn't happen here. Building 13 two story tinder boxes on one small parcel of land, is a recipe for disaster. You and your fellow commission members are called planners for a reason. You are mandated to protect the health and safety of the residents of our city. Even the DBL recognizes that duty.

The reason I believe that the law is a failure is in plain sight. This law is about 43 years old. Does anyone believe that housing in California has become more affordable since the passage of the DBL? Housing prices are determined by market conditions. Market conditions are determined by a complex web of multiple factors in our capitalistic economic system. Everyone wants an affordable home UNTIL THEY GET ONE. Everyone wants their investment to increase in value. Have you ever heard any homeowner say "Gee, I hope that the value of my home decreases this year?" The term "affordable housing" was nothing more than the pretext, that a powerful industry with a team of lobbyists, needed to pressure the legislature to pass the DBL.

Respectfully submitted, Link Ladutko, resident on Loma Alta Dr.

2

Dane Thompson

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Sent: Saturday, August 26, 2023 9:50 AM
To: Dane Thompson; Planning-Planning Commission
Subject: Proposed development T22-00003, D22-00004

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Yellow Category

Warning: External Source

To: Dane Thompson and the Oceanside Planning Commission
2023

August 26,

Re: Tentative Map (T22-00003)

1

Development Plan (D22-00004)

Density Bonus (DB22-00003)

Loma Alta Terraces, LLC

As residents that live in close proximity to the proposed development on Loma Alta Drive, we received the notice for the public hearing on August 28, 2023. In that notice it stated that if we wished to challenge this project at some future time, we are limited to raising only those issues which were raised at the public hearing or in written correspondence delivered to the Planning Commission at or prior to the public meeting. This is the purpose of this letter... we are raising the issues contained in this correspondence to you

In the notice is stated that the proposed project has been reviewed and determined that it qualifies for a Class 32 exemption...not to have a potential impact on the environment. We are taking issue with this finding.

As long-time residents we wish to challenge this project and are raising the following concerns and issues prior to the meeting so they may be raised at a later time:

*Severe impact on traffic and parking along Loma Alta Drive

*Density of the homes and the possibility of ADU on each lot

2

*Fire dangers

*Lack of adequate infrastructure...sewer, water, etc

*Poor home design...not similar to the design of other homes in the neighborhood

*Loma Alta is an historic neighborhood, this in-fill project and the possibility of an ADU on each of the lots will lessen the esthetic sense of the neighborhood, which in turn will lessen the value of the homes and their resale values. (See SD UT article 5/14/23)

*Tremendous concern regarding the development of an HOA for these proposed homes; the covenants, codes and restrictions.

*Another proposed high-density project on Loma Alta within about 100 yards of this proposed project... both developments with cul-de-sac private streets and the only entrances and exits to these homes is on to Loma Alta Drive. Tentative Map(T15-0003), Development Plan (D15-00003) and Conditional Use Permit (CUP15-00002)

It is truly disappointing to those of us who have lived and served in Oceanside for decades have very little to no say in the developments the city allows in our neighborhoods. Most of these housing developments are constructed by "absentee" owners and developers, merely for their profit and no thought to the issues and problems that are left in the wake of the development once their houses, condos and apartments are filled with people and cars. It is those of us who have a love and heart for the city that are left with what only contributes to the degradation of our homes and livelihood.

3

Yes, a developer has the right to develop their property... yet there needs to be consideration for the residents effected by the development and high density.

Please take note that the developer did in fact allow for public input... albeit a Zoom meeting on Tuesday, March 21, 2023 from 8:00 am to 8:30 am. This did not allow for a true "public input" meeting, it was merely a token attempt to cover their requirements.

We hope the City Planning Commission will please have some consideration for the residents of Oceanside for which they serve, and not merely the developers.

Respectfully,

Glenda & Pat Kimbrel

146 Loma Alta Drive

Oceanside, CA 92054

760-433-9078

pgkimbrel@icloud.com

4

Dane Thompson

From: bhassoldt@cox.net
Sent: Sunday, August 27, 2023 2:34 PM
To: Dane Thompson; Planning-Planning Commission
Cc: 'Glenda Kimbrel'; 'Link Ladutko'
Subject: RESIDENT RESPONSE: Proposed development T22-00003, D22-00004

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Yellow Category

Warning: External Source

Thank you Glenda,

I agree with your letter and the points behind it.

Adding to the letter are some thoughts I have.

You shouldn't just drop a piece of Orange County in the middle of an old custom home neighborhood. This neighborhood is not tract housing. This was the reason I left Orange County in 1991; when they put the San Juan Creek under a parking lot for a Best Buy off the 5 Interstate that was it.

1

This project is an eye sore, too dense, too high, and not enough parking too much noise and car traffic. I realize the argument of all the environmentalists are the ones that bought last year. I realize people have the right to develop. You're just not going to impact the housing crisis with this type of development, just ruin a neighborhood. Also the taxes alone on these homes being designed are a thousand a month. It's a joke, smaller and less dense design please. Maybe Oceanside should join the SB9 lawsuit Redondo Beach, Carson, Torrance, Whittier and our neighbor Del Mar and any other city that sees the impact of blanket zoning laws passed by foolish unknowing politicians.

At some point the voices of the people being impacted need to be heard. The state has allowed these zoning changes to try and remediate the lack of housing management practices from decades of mismanagement. A large contributor to the housing problem is the fact that investment funds from Wall Street are buying every home on the market with cash and monopolizing the housing markets. There should be a loan available with minimal interest paid in the first five years so people have a chance to build equity and net worth to make their own housing decisions. We should have boarding houses with shared kitchens and bathrooms with rent that has a partial return if invested in a first home. Reward those who work and increase incentive to do so. Corporate America and its tentacles known as politicians has and continues to mine the middle class to the point where there is very little chance to break through and own a home. We have created a new class - the ultra-poor/dependent class.

I visited the planning department for a project I wanted to build at my home, and I was told I could not build a detached dwelling at 127 Crouch because "it would be too easy to rent." This was twenty-five years ago. Obviously, the costs now and property tax inclusion change the whole cost analysis of doing it now. Lack of vision example...

How long has skid row been a problem. It's ridiculous; vagrancy used to be illegal, along with public drug use. These have become huge health issues and should be attended to in a hospital and recovery facilities, not jail. I realize this is off subject but I wish to share it.

2

Bryan Hassoldt
127/129 Crouch Street
Mobile: 760-807-5557
bhassoldt@cox.net

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Sent: Saturday, August 26, 2023 9:53 AM
To: Link Ladutko <ladutko_law1@att.net>; Lisa Price <lisakathleenprice@gmail.com>; michaelkenner4747@gmail.com;
Bryan & Cheryl Hasselodt <bhassoldt@cox.net>
Subject: Fwd: Proposed development T22-00003, D22-00004

Neighbors, this is the letter I just emailed off to the City Planners and Dane Thompson as we ready ourselves for Monday's meeting.

Glenda & Pat

Begin forwarded message:

From: Glenda Kimbrel <pgkimbrel@icloud.com>
Subject: Proposed development T22-00003, D22-00004
Date: August 26, 2023 at 9:50:14 AM PDT
To: Dane Thompson <dtthompson@oceansideca.org>, PlanningCommission@oceansideca.org

3

To: Dane Thompson and
the Oceanside Planning Commission

August 26, 2023

Re: Tentative Map (T22-00003)

Development Plan (D22-00004)

Density Bonus (DB22-00003)

Loma Alta Terraces, LLC

As residents that live in close proximity to the proposed development on Loma Alta Drive, we received the notice for the public hearing on August 28, 2023. In that notice it stated that if we wished to challenge this project at some future time, we are limited to raising only those issues which were raised at the public hearing or in written correspondence delivered to the Planning Commission at or prior to the public meeting. This is the purpose of this letter... we are raising the issues contained in this correspondence to you

In the notice is stated that the proposed project has been reviewed and determined that it qualifies for a Class 32 exemption...not to have a potential impact on the environment. We are taking issue with this finding.

4

As long-time residents we wish to challenge this project and are raising the following concerns and issues prior to the meeting so they may be raised at a later time:

- *Severe impact on traffic and parking along Loma Alta Drive
- *Density of the homes and the possibility of ADU on each lot
- *Fire dangers
- *Lack of adequate infrastructure...sewer, water, etc
- *Poor home design...not similar to the design of other homes in the neighborhood
- *Loma Alta is an historic neighborhood, this in-fill project and the possibility of an ADU on each of the lots will lessen the esthetic sense of the neighborhood, which in turn will lessen the value of the homes and their resale values. (See SD UT article 5/14/23)
- *Tremendous concern regarding the development of an HOA for these proposed homes; the covenants, codes and restrictions.
- *Another proposed high-density project on Loma Alta within about 100 yards of this proposed project... both developments with cul-de-sac private streets and the only entrances and exits to

5

these homes is on to Loma Alta Drive. Tentative Map(T15-0003), Development Plan (D15-00003) and Conditional Use Permit (CUP15-00002)

It is truly disappointing to those of us who have lived and served in Oceanside for decades have very little to no say in the developments the city allows in our neighborhoods. Most of these housing developments are constructed by "absentee" owners and developers, merely for their profit and no thought to the issues and problems that are left in the wake of the development once their houses, condos and apartments are filled with people and cars. It is those of us who have a love and heart for the city that are left with what only contributes to the degradation of our homes and livelihood.

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Respectfully,

Glenda & Pat Kimbrel

6

146 Loma Alta Drive

Oceanside, CA 92054

760-433-9078

pgkimbrel@icloud.com

Dane Thompson

From: Nina's Work <Nina@jrmgt.com>
Sent: Sunday, August 27, 2023 5:13 PM
To: Dane Thompson
Subject: Re: loma alta terraces, project

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Yellow Category

Warning: External Source

Thank you Dane. I have two concerns. I live a few houses down from the proposed development. While I would prefer that less homes would be built on that spot, I realize that there's isn't much regular everyday neighbors can do to stop it. But I do hope that they take into concern some very important and pertinent concerns I have.

1) parking. I know that there are rules and laws that recommend how much parking should be built per unit but I would like this development to provide extra designated parking spaces for each house above and beyond what they have planned and what is required. We know that in most homes there are two driving adults plus kids with vehicles. So I

1

would like to see each home have enough additional spaces to accommodate this within the new neighborhood so that the cars do not spill out into crouch or lomita streets. We already have so many vehicles packed on our streets from all the condo and apartment complexes. At night, the cars line up lomita street almost the the curve, more than halfway up the street and same thing happens on crouch street up from the apartments on canyon, greenbrier, and Apple streets.

2) my next concern is storm water collection. Currently storm water drains down from Mesa drive via the top of crouch, and the top of Hoover and lomita streets and spills out to the street at the corner of crouch and lomita, it pours out of and exit drain when it rains heavily and other times it flows underground beneath crouch street and all of it flows through my backyard creating a gully that gets deeper and more destructive each year. The city has done nothing to assist us in collecting this water or controlling it. The water just flows excessively through the length of my property to a city drain about an acre away in my backyard. I realize that when the new housing development is built, there will be sidewalks and curbs built and this means more storm water will be positioned to flow downward towards my house and there's no way that my gully and drain can handle any more water. I am asking that this new development build a storm water collection drain at the curb that positions the water away from my property and not drain into that storm drain in the road at the intersection of crouch and lomita because that water is dumped directly into my yard. There's no storm pipe or drain pipe that carries it out to the next pipe, it just gets sent to my yard and then after it erodes my property, it flows through a drain and out onto a curb at the lower end of lomita street. If they want to drain through my property, I'm asking that they build an enclosed pipe to carry all the storm water, then back fill the gully with soil to protect the pipe and discourage erosion.

On a side note, this housing proposal might win extra points if they build more curbs and sidewalks down the street for a few blocks. We currently only have half of crouch street with sidewalks.

2

Thank you for listening.

Nina Russell
(760) 277-1221

On Aug 24, 2023, at 3:05 PM, Dane Thompson <DThompson@oceansideca.org> wrote:

Nina,

Just send your comments to me over email and I will send them to the Commissioners prior to the meeting.

Thank you,

<image001.jpg>

Dane Thompson, Planner II
City of Oceanside
Planning Division
300 North Coast Highway
Oceanside, CA 92054

3

Phone: (760) 435-3562

dthompson@oceansideca.org

*All voicemail to and e-mail to and from the City of
Oceanside may be considered public information and may
be disclosed upon request.*

From: Nina Russell <Nina@jrmgt.com>
Sent: Thursday, August 24, 2023 1:18 PM
To: Dane Thompson <DThompson@oceansideca.org>
Subject: loma alta terraces, project

Warning: External Source

Hello, I would like to submit a comment/concern to be presented at the public hearing which is on Monday August 28th. How can I submit that online since I cannot attend in person that day.

Thank you, Nina Russell

4

Dane Thompson

From: Brennin Hardy <Brennin_Hardy@alumni.baylor.edu>
Sent: Monday, August 28, 2023 11:01 AM
To: Dane Thompson
Subject: Loma Alta Terraces

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Yellow Category

Warning: External Source

Hi Dane,

I received the notice of planning for the Loma Alta Terrace community. Residing at 506 Canyon Dr community my only concern is that with so many housing coming in is that there will not be enough parking. There is already issues with parking in this area with the bordering apartment communities and the condo community in this area, I just hope that there is an awareness of the issue when bringing so many more homes to the area.

1

Thanks for hearing my thoughts.

Best of luck with the planning!

Brennin Hardy
Resident of 506 Canyon Dr Condo Community
Concept Engineer, Tour Product

2

Dane Thompson

From: Jordan Krone <jordkrone@gmail.com>
Sent: Sunday, October 1, 2023 10:34 PM
To: sdarnell@darnellcapital.com; Dane Thompson; Sergio Madera; Planning-Planning Commission; Eric Joyce
Subject: Loma Alta Terraces Development

Follow Up Flag: Follow up
Flag Status: Completed

Warning: External Source

I'd like the opportunity to follow up and support the letters already sent to you from my neighbors, regarding the proposed development on Loma Alta Drive:

Residential Development Tentative Map T22-00003, Development Plan D22-00004, with Density Bonus DB22-00004

As a new homeowner and lifelong resident of North County San Diego, I feel obligated to speak up for myself and my neighborhood. To concur with the voice of my neighbors, regarding the size and scope of this development, it is in absolutely no way congruent or fitting with the surrounding neighborhood.

1

Let's remember the identity and charm of what has made "Historic Loma Alta" the special neighborhood that it is. To nurture positive and responsible growth, I urge you all, let's at least make some attempt to hold onto the character, culture, and the uniqueness of this place. Preserving Oceanside's diverse older neighborhoods should be a priority, not only to its long-time residents, but for the City of Oceanside. It's a large reason so many of us all cherish living here.

I, along with my neighbors, many of which have lived and worked here for decades, respectfully ask you all to reconsider this development plan.

Please consider a more balanced and neighborhood-friendly concept, with 8-9 homes which will allow for larger lot sizes. Also, please consider limiting the height of all the homes to 2 stories. That is a reasonably-sized large home for this neighborhood. Both these considerations will help so much to preserve our Historic Loma Alta community.

Thank you for your consideration.

Respectfully,

Jordan Krone
140 Loma Alta Drive
Oceanside, CA 92054
760-390-3462

2

To: Scott Darnell, Loma Alta Terraces LLC
Dane Thompson, Oceanside Planning Department
Sergio Madera, Oceanside Planning Department
Oceanside Planning Commission

October 5, 2023

Re: Tentative Map (T22-00003)
Development Plan (D22-00004)
Density Bonus (DB22-00003)
Loma Alta Terraces, LLC

The building project is planned for a "Private" street does not allow through traffic which further restricts emergency ingress and egress. With another development only a short distance away there will be a significant increase in traffic. However, no traffic study has been conducted for either building project. Especially with the projected street width being too narrow for vehicles entering and exiting the winding slope of Loma Alta Drive. Packing in several more homes along Loma Alta Drive, will increase parking issues and create choke points restricting fire, police, and first responder accessibility.

The minimal distances between new homes are in stark contrast to the existing traditional neighborhood. If the city waives the proper setback distance it increases the risk of fire, not just between the new homes but for existing homes. This is not just fire country, we have earthquakes too, and allowing High density housing with minimal emergency crew access or resident egress is a safety concern.

The confined narrow space between homes and fences increases the risk of a fire spreading and increases the risk that the spaces will be blocked during an emergency. The diagram seems to display these narrow spaces as planned space for garbage containers, which is a safety concern; also, example of why setbacks have been important.

Waiving of the proper setback and increasing the density of homes will increase insurance cost to the existing neighborhood. New construction should not be an increases insurance expense for adjacent properties.

Recommendation (1.) The Private cul de sac should be converted to a Public 'Through' street to reduce problems with safety, and vehicular traffic and maintain the neighborhoods high "walkable" access.

Recommendation (2.) If the builder will not allow a through street, then it is recommended that entrance to Lots #8, #9 and #10, be reversed so the access is from Crouch Street. This reduces traffic on Loma Alta Drive by 3 homes and it makes practical sense that homeowners will likely choose to park on Crouch Street because of its elevation and ease of access. This could also be done to direct rainwater travel around to the storm drain instead of running directly through the Cul de Sac.

Recommendation (3.) With TWO new building projects on Loma Alta Drive there needs to be a traffic study displaying how the vehicle and pedestrian traffic will be impacted. Specifically focused on access of safety vehicles, and egress of residents during an emergency.

Recommendation (4.) Compliance for existing neighborhood setbacks should be maintained for equality of existing homes and to ensure that no penalty is imposed on adjacent property owners from insurance premiums or noise abatement. There are multiple areas of encroachment on privacy between homes,

Recommendation (5.) Crouch Street needs to be wider to compensate for additional on-street parking for homeowners of units #8 and #9.

Recommendation (6.) The building plan does NOT display the distance of overhang from each roof. The diagram only displays the distance between exterior walls. When including the roof overhang and gutters the unenclosed space is extremely narrow. This enclosed area increases the risk and concerns of safety, public health, noise problems, and not congruent with other building style in the neighborhood. It is recommended the builder modify this by increasing the distance between homes to normal setback in this neighborhood.

Recommendation (7.) Reconsider distance between these new homes and planned location of garbage disposal containers under the windows or beside stairs of neighbors

(example Lot 1 - 4) and (Lots 10 to 12) This is poor planning not just from location of a smelly trash container, but the location also restricts a fire exit.

Recommendation (8.) Most 3-bedroom homes have some children; however, 10 of these lots have no reasonable yard space for family activities. The overall recommendation is to reduce the number of units by removing the very small unit #1 and unit #10 and use the space to apply better standoff between the other homes and slightly larger for each of the lots #2 through #6 and #11 through #13. (this action would increase distance for a lot size more acceptable to this neighborhood, provide space for each family to recreate, increase space for storage of garbage containers without being against neighbors property, assist in noise abatement, and improve concerns of safety during fire or emergency.

Recommendation (9.) The swimming pool in lot #8 is closer to Lot #7 than its own house. This infringement on building setback is not practical. Swimming pools are areas of activity and should be closer to the house of ownership. Furthermore, the builder needs to demonstrate modifications to the barrier between lots #8 and #7 to reduce concerns of water run-off.

Recommendation (10). The builders plan to “smoke or darken windows” for privacy between properties is unacceptable. Additionally, smoked windows can be replaced by an owner, and it does nothing for noise abatement. Highlighting the importance of NOT waiving setbacks in a neighborhood with existing traditional setbacks.

Recommendation (11. Remove benefits from High Density Bonus. Remove Unit #1 and Unit #10 allowing more space between other homes; improving safety and being more in line with the planned neighborhood setbacks. without being able to visualize the reducing the number of homes on this lot from 13 to 11.

Recommendation (12). High Density housing is better suited for areas close to public transportation. This location is an existing traditional neighborhood with predetermined setbacks. Remove the “compensation” for High Density housing.

Recommendation (13). The swimming pool in unit #8 is not only too close to Unit #7 but it is within required setbacks from the City Street. (especially when parking and a sidewalk will need to be included)

Recommendation (14.) Water meter exchange – The city of Oceanside has replaced most of the older water meters on Loma Alta Drive with NEW meters. If adding 13 new homes creates a change in the current water pressure to existing homes, it should not be at the expense of current residents. This is the Builders responsibility.

Respectfully submitted

James Burnett Sr.
153 Loma Alta Drive

Dane Thompson

From: Scott Darnell <sdarnell@darnellcapital.com>
Sent: Monday, October 9, 2023 5:49 PM
To: Dane Thompson
Subject: 8 letters of support - Loma Alta

Warning: External Source

Dane

1

One of the project supporters got a flat tire on the way here. Attached are 8 letters of support from Oceanside residents

2

**LOMA ALTA 13 LOT PROJECT
OCTOBER 9th, 2023 PLANNING COMMISSION HEARING**

Dear Oceanside Planning Commission,

I am writing to express my support for the Loma Alta Terraces 13 Lot Subdivision Project. This project deserves your wholehearted support.

The project's design blends the aesthetics of contemporary design with the evolving architectural styles prevalent in the neighborhood. The project showcases an innovative and unique design that celebrates the history of the region, all the while adding much-needed housing to the City of Oceanside.

The project's cul-de-sac residential design with its thoughtful integration of coastal contemporary housing, embodies community living and provides residents and visitors alike an opportunity to enjoy the natural world in the heart of the City.

In conclusion, the Loma Alta Terraces project is a testament to responsible urban planning and design. The project's deliberate and thoughtful design increases housing opportunities and pays homage to the local Loma Alta neighborhood at the same time. I therefore wholeheartedly urge the Planning Commission to support this project.

Thank you for your attention and consideration.

Sincerely,

3

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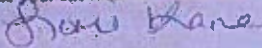
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Thank you for your attention and consideration.

Scott Darnell
Darnell Capital Management
852 5th Ave, Suite 235
San Diego, CA 92101
Direct: (619) 890-1260

Dane Thompson

From: Kathleen Dube <kdube@geiger.com>
Sent: Tuesday, October 10, 2023 11:56 AM
To: Planning-Planning Commission
Subject: RE: Monday Meeting Loma Alta Neighbors-more thoughts

Warning: External Source

Dear Commissioners & Staff,

It was a very disappointing outcome for our efforts to compromise on the Loma Alta Terraces Project last evening.

But again, I want to thank you all for the careful consideration on the effect it will have on our lovely, old & quaint neighborhood.

My neighbors had some good points, you had some good points, the developer: Pointless

No efforts to make some positive changes.

1

Commissioners Balma & Malik, thank you! I wish Chairman Rosales could have voted his conscience but I do think it has gone too far done the line to step back for you all.

What a shame.

With Respect,

Kathleen Dube
2612 Lomita Street (28 year home-owner, widow)



Kathy Dube
Kathydube.geiger.com
760.967.0707 office
760.213.3539 cell

2

From: Kathleen Dube
Sent: Wednesday, August 30, 2023 10:42 AM
To: PlanningCommission@Oceansideca.org
Subject: Monday Meeting Loma Alta Neighbors

Dear Commissioners,

Thank you all for giving us a voice at the meeting on Monday. It felt like you gave consideration to our neighborhood and the effects this project will have on our community.

I am at 2612 Lomita Street and we have lived here for 28 years. Our daughter was born here. I have upgraded our home both inside and outside over the years to make it a wonderful place to live on nearly a quarter acre. We are up a flag lot so have quite a bit of privacy. My daughter recently moved home after graduating from US Berkeley.

I am a business owner and have worked with the city for years promoting going green and recycling in Oceanside.

I know things are bound to change and appreciate you keeping in mind the feel for this neighborhood and all of the space we are afforded as of now. We look forward to the opportunity to have meetings/discussions with the developer and staff and my hope is whatever is done behind me, I will still want to live in my home.

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Best Wishes,

Kathy



Because every day is earth day!
<https://kathydube.geiger.com/c/greenguide>

Kathy Dube
760.967.0707
760.213.3539 (cell)
<http://kathydube.geiger.com>

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