

Palos Vista
Specific Plan
SP 87-01

CITY OF ESCONDIDO

Adopted 05-13-87 Council Resolution No. 87-156
Amended 03-15-89 Council Resolution No. 89-92
Amended 07/09/03 Council Resolution No. 2003-167
Amended 08/09/06 Council Resolution No. 2006-189
Amended 08/09/06 Council Resolution No. 2006-190
Amended 06/06/07 Council Resolution No. 2007-75
Amended 05/19/10 Council Resolution No. 2010-79
Amended 01/25/12 Council Resolution No. 2012-08

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CHAPTER I

INTRODUCTION

I. INTRODUCTION

- A. Purpose: The Palos Vista property will be developed in accordance with this Specific Plan, which consists of a map and this text. This Specific Plan is adopted by the City Council of the City of Escondido and establishes development regulations and standards for the Palos Vista site. This Specific Plan will only focus on development regulatory procedures which vary from existing procedures. Existing City Policies and ordinances apply to development within the Palos Vista project unless specifically discussed in this Specific Plan.

- B. Authorization: The authority for adoption of the Palos Vista Specific Plan (SP 87-01) originates from the State Government Code Section 65450. At the local level, the Palos Vista Specific Plan is authorized through the Land Use Element of the City of Escondido General Plan, particularly through the designation of this property as a "Specific Planning Area," through the General Plan Amendment process (GPA 87-02 Sub Item No. 1).

- C. Scope of Specific Plan: The Palos Vista Specific Plan encompasses the property owned by Prima Development Company and Shea Homes as of the amendment date of this Specific Plan. The project consists of approximately 979 acres in which the developer seeks to create a new residential community consisting of a variety of dwelling types totaling 730 units. Within the limits of the Specific Plan, the developer wishes to have some flexibility in determining the precise type of dwelling unit to be constructed. The Specific Plan provides for the development of large-lot estate sales, conventional detached single-family homes, duplexes and zero lot line dwelling units.

The units are distributed among the three neighborhoods as follows:

Neighborhood 1	691
Neighborhood 2	0
Neighborhood 3	39

Section 6.2.3 of the Palos Vista Development Agreement states "In the event that the City shall contend in any action or proceeding that by virtue of the changes shown in the Grading Plan, any rights of Owner under the Existing Vesting Map are changed, modified or affected in any way, then the total number of dwelling units permitted (within Neighborhood 1 and 2 combined) hereunder is 743, the density and intensity of such dwelling units is as set forth in the Existing Vesting Map..."

- D. Location: The Palos Vista property is located within the northwest edge of the City of Escondido. Figure 1 illustrates the project location within the County and in relation to the surrounding area. The City of San Marcos lies to the west and southwest, the Escondido Country Club and surrounding residential neighborhoods are to the southeast, the unincorporated lands in the County of San Diego are located to the north and a few isolated county jurisdiction lands are to the east and south.

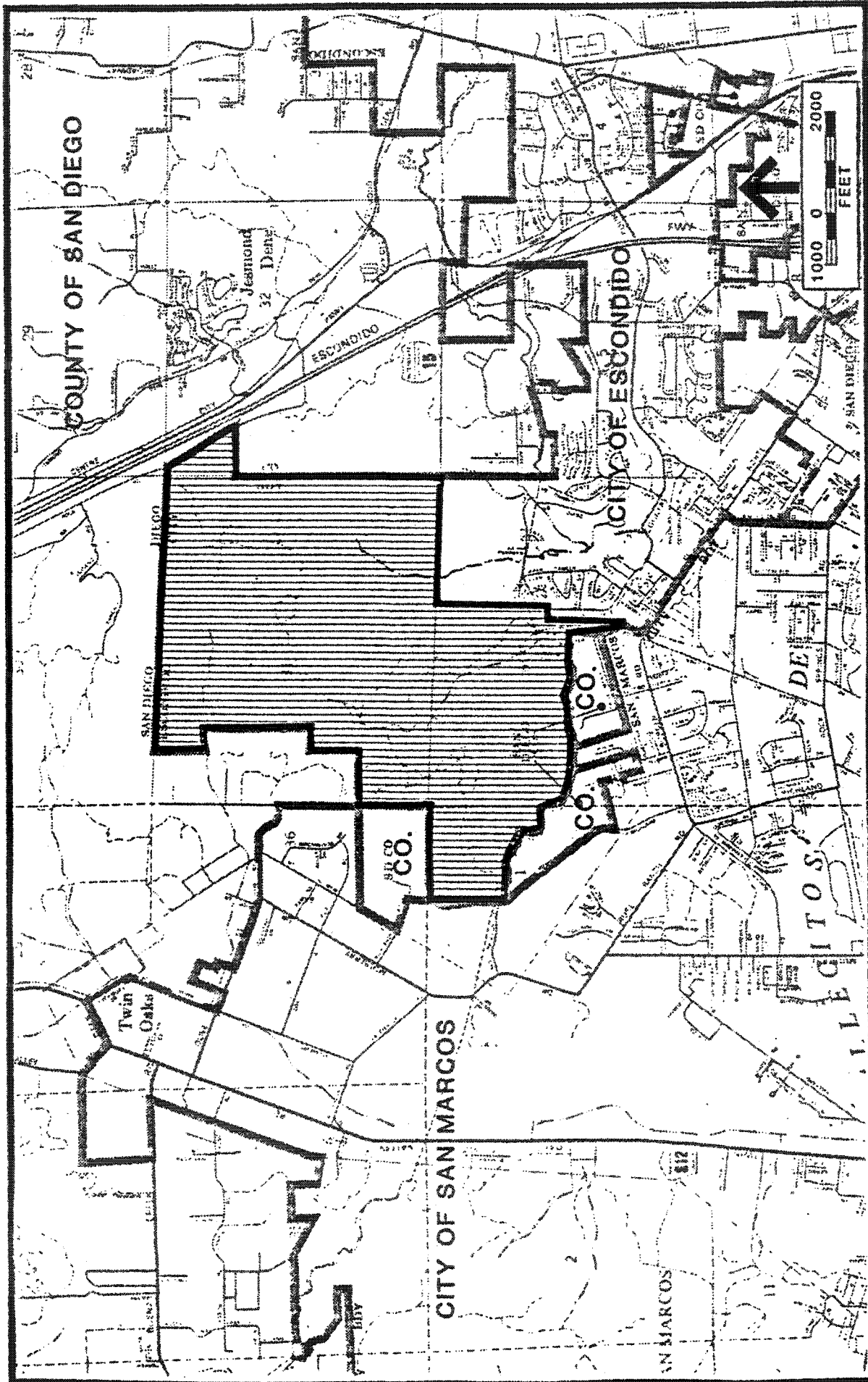


FIGURE 1. LOCAL VICINITY

E. Physical Setting: The property is generally characterized by slopes facing to the northwest and southeast, leading to a broad relatively flat interior ridge in the southwestern portion of the property. The northeast portion of the property is characterized by steeper boulder strewn slopes. The elevational low of 800 feet lies in the southeast corner with the highest point of 1,535 feet being located in the northwest corner. A portion of the southern boundary of the property is formed by a flume owned by the Vista Irrigation District.

F. Amendment: This amended Palos Vista Specific Plan, (Case No. 89-127-DA/SP/GE), is subsequent to the changes which have occurred through processing a Development Agreement and modifications to the previously approved grading design for Vesting Tentative Subdivision Tract 683, Resolution No. 4530. This amendment brings the Specific Plan text into conformance with the modifications made to the grading design and scope of development per the Palos Vista Development Agreement, adopted on March 15, 1989, by Ordinance No. 89-06.

CHAPTER II

SPECIFIC PLAN CONFORMANCE TO STATE LAW AND CITY GENERAL PLAN

II. PLAN CONFORMANCE TO STATE LAW AND CITY REQUIREMENTS

A. Conformance With State Government Code 65450 et seq.:

Section 65451 of the Government Code, identifies the content of specific plans. The following discussion illustrates how Palos Vista Specific Plan conforms to each criterion:

1. State Governmental Code Requirements:
The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.

Palos Vista Specific Plan Conformance:

In addition to the written Palos Vista Specific Plan text, a Specific Plan exhibit has been prepared illustrating the location, distribution, and extent of the uses of the site.

2. State Governmental Code Requirements:
The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

Palos Vista Specific Plan Conformance:

Chapter III, Plan Description, of the Palos Vista Specific Plan describes in detail the essential facilities proposed to be located within the area covered by the plan.

3. State Governmental Code Requirements:
Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

Palos Vista Specific Plan Conformance:

See Chapter IV for a detailed description of standards and criteria by which development will proceed on the Palos Vista project.

4. State Governmental Code Requirements:

- (a) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out requirements (1), (2), and (3).

- (b) The specific plan shall include a statement of the relationship of the specific plan to the general plan.

Palos Vista Specific Plan Conformance:

- (a) A detailed program of implementation measures has been included in the Palos Vista Specific Plan text, see Chapter V.

- (b) The relationship of the Palos Vista Specific Plan to the General Plan is included in this section immediately following the State Governmental Code conformance.

B. General Plan Property Suitability Criteria:

The General Plan for the City of Escondido makes provisions for the utilization of specific plans as a land planning and zoning device for those locations having unique physical characteristics. The following discussion outlines the property suitability criteria identified in the General Plan and illustrates how the Palos Vista Specific Plan complies with each criterion:

1. General Plan Requirement:
Should be of sufficiently large area so as to take advantage of density transfers where appropriate, thereby preserving significant open space areas within the Specific Plan area.

Palos Vista Specific Plan Compliance:

The Palos Vista Specific Plan totaling 979 acres is of sufficient size to enable the transfer of density from 690 acres, which will be preserved in open space.

2. General Plan Requirement:
Should have unique physical characteristics, such as uneven terrain or hillside areas that, without a Specific Plan, would effectively preclude development pursuant to existing land use designations and zoning ordinances.

Palos Vista Specific Plan Compliance:

The Palos Vista site ranges in elevation from 800 feet to 1,500 feet with two major formations reflected in its topography. The property is generally characterized by slopes facing to the northwest and southeast, leading to a broad relatively flat interior ridge in the southwestern portion of the property. The northeast portion of the property is characterized by steeper boulder strewn slopes.

3. General Plan Requirement:
Should be of sufficient area that lends itself to a comprehensive site design utilizing a combination of attractive landscaping and open space amenities left in their natural condition.

Palos Vista Specific Plan Compliance:

The Palos Vista site is large enough to accommodate various recreational amenities, including a community center, tennis courts and swimming pool. Development of the site will be in conformance with landscape guidelines further described in Chapter IV, Development Standards.

4. General Plan Requirement:
Should be of sufficient area and nature that lends itself to long-term development phasing (e.g. in excess of five years) which can effectively be monitored and controlled by a Specific Plan.

Palos Vista Specific Plan Compliance:

The Palos Vista Specific Plan with 730 units will take approximately ten years to build out. The entire development will be controlled by the Specific Plan.

5. General Plan Requirement:
Should be developable by applicants having sufficient financial resources to perform the requisite studies and to satisfy the Mandatory Specific Plan requirements.

Palos Vista Specific Plan Compliance:

The property owners are Prima Development, a partnership, who has owned the property since 1977, and Shea Homes. Prima Development has committed substantial resources into the development of the property in accordance with the Specific Plan requirements.

C. Mandatory Specific Plan Requirements:

No specific plan shall be adopted by the City Council until the Council has reviewed the proposed plan for compliance with the Mandatory Specific Plan Requirements as outlined on page 75 of the Land Use Element of the General Plan. Following is an outline of the requirements and the compliance of the Palos Vista Specific Plan to each requirement:

1. General Plan Requirement:

Residential, industrial, and commercial structures built within the Specific Plan area shall be constructed under rigorous quality control programs and safeguards (e.g. appropriate restrictive covenants running with the land).

Palos Vista Specific Plan Compliance:

The Specific Plan requires development guidelines to be submitted with project plans for review and acceptance by the Homeowners' Association and Architectural Review Committee. See Chapter V, Implementation.

2. General Plan Requirement:

Appropriate protection against soil erosion, particularly where hillside development is involved, shall be assured.

Palos Vista Specific Plan Compliance:

The Design Guidelines and Development Standards establish extensive landscaping guidelines on graded areas to protect against soil erosion. See Chapter IV, Landscaping.

3. General Plan Requirement:

Assurance shall be provided that any hillside cutting will be minimized or appropriately landscaped so that visible scarring will be mitigated to the extent feasible.

Palos Vista Specific Plan Compliance:

The ultimate development will consist of 730 dwelling units of which approximately 691 are located in the flat areas and somewhat gentler slopes with the remaining 39 units being terrain fitted. The landscaping program of the Development Standards requires slope landscaping in order to reduce any visual impacts (see Chapter IV, Landscaping).

4. General Plan Requirement:

All open space areas shall be identified and appropriate measures providing for their preservation shall be included.

Palos Vista Specific Plan Compliance:

The Palos Vista Specific Plan identifies 690 acres of open space. The guidelines for preservation of open space are outlined in Chapter III, Plan Description.

5. General Plan Requirement:
Design criteria, development regulations, and building standards shall be provided sufficient to ensure that residential, industrial, and commercial structures are compatible with the surrounding environment.

Palos Vista Specific Plan Compliance:
Development Standards addressing building standards, development regulations and design criteria are outlined in Chapter IV, Design Guidelines and Development Standards.

6. General Plan Requirement:
Adequate assurance shall be provided that the circulation and access needs of the project residents and the surrounding community are properly addressed.

Palos Vista Specific Plan Compliance
Circulation requirements are established in Chapters III and V.

7. General Plan Requirement:
Appropriate arrangements to ensure that public facilities and services adequate to serve the project residents are available shall be described.

Palos Vista Specific Plan Compliance:
The Palos Vista Specific Plan has provisions for the water, sewer, storm drainage, power, streets, fire protection, communication and recreational requirements of the future residents. See Chapter III and V. The adequacy of these facilities are further illustrated in the E.I.R. and the Fiscal Impact Report.

D. Palos Vista Specific Planning Area Guidelines

1. Design Guidelines and Development Standards:

Palos Vista is a 979 acre master planned residential community. The Specific Plan shall include detailed design standards including landscaping and architecture to insure a cohesive high-quality community. In addition, the Specific Plan shall provide guidance for permitted land uses and their respective development standards.

2. Grading:

Approximately 93% of the proposed dwelling units shall be located within the flatter areas of the Specific Planning Area. The Specific Plan text shall include a grading program outlining standards to be followed on manufactured slopes. A detailed landscaping program for those areas graded, will be included to mitigate any adverse visual impacts.

3. Visual Screening/Off-site

The Specific Plan shall include a comprehensive landscaping program to insure that the development is properly screened from surrounding uses.

4. Architecture:

The Specific Plan shall provide architectural guidelines to insure a strong, consistent level of product quality throughout the Palos Vista planned community.

5. Open Space:

Approximately 690 +/- acres have been designated as open space of the 979 acre Palos Vista development. The Specific Plan shall define those open space areas and make provisions for their maintenance.

6. Services and Utilities:

The Specific Plan text shall include a comprehensive analysis of the services and utilities available and needed for development of the Palos Vista community.

CHAPTER III
PLAN DESCRIPTION

III. PLAN DESCRIPTION:

- A. Overall Concept: The Palos Vista project is a planned community providing a mixture of residential land use densities supported by large open space areas. The development plan for Palos Vista was devised after the site had undergone rigorous analysis and study to identify the areas best suited for development and the most appropriate type of development to be utilized. The broad, relatively flat, interior ridge in the southwestern portion of the site is the area in which density has been directed while the steeper slopes to the northeast are designated Agricultural Estate. The project will preserve the aesthetics of the vicinity through the permanent dedication of large sections of natural and improved open space areas. The anticipated built out of the entire project is between eight and ten years.
- B. Land Use Descriptions: The development plan for the Palos Vista site promotes a balanced rural residential community in terms of housing types and economic appeal. The land use areas generally relate to topographically and environmentally unconstrained areas with the custom estates and agricultural estates extended to areas with moderate constraints. (See the Specific Plan Exhibit on the following page.)

It should be noted that this plan is a general representation of the lot pattern and road locations. The submittal of a Tentative Subdivision Map shall refine the specific plan outlined below without requiring further specific plan amendments.

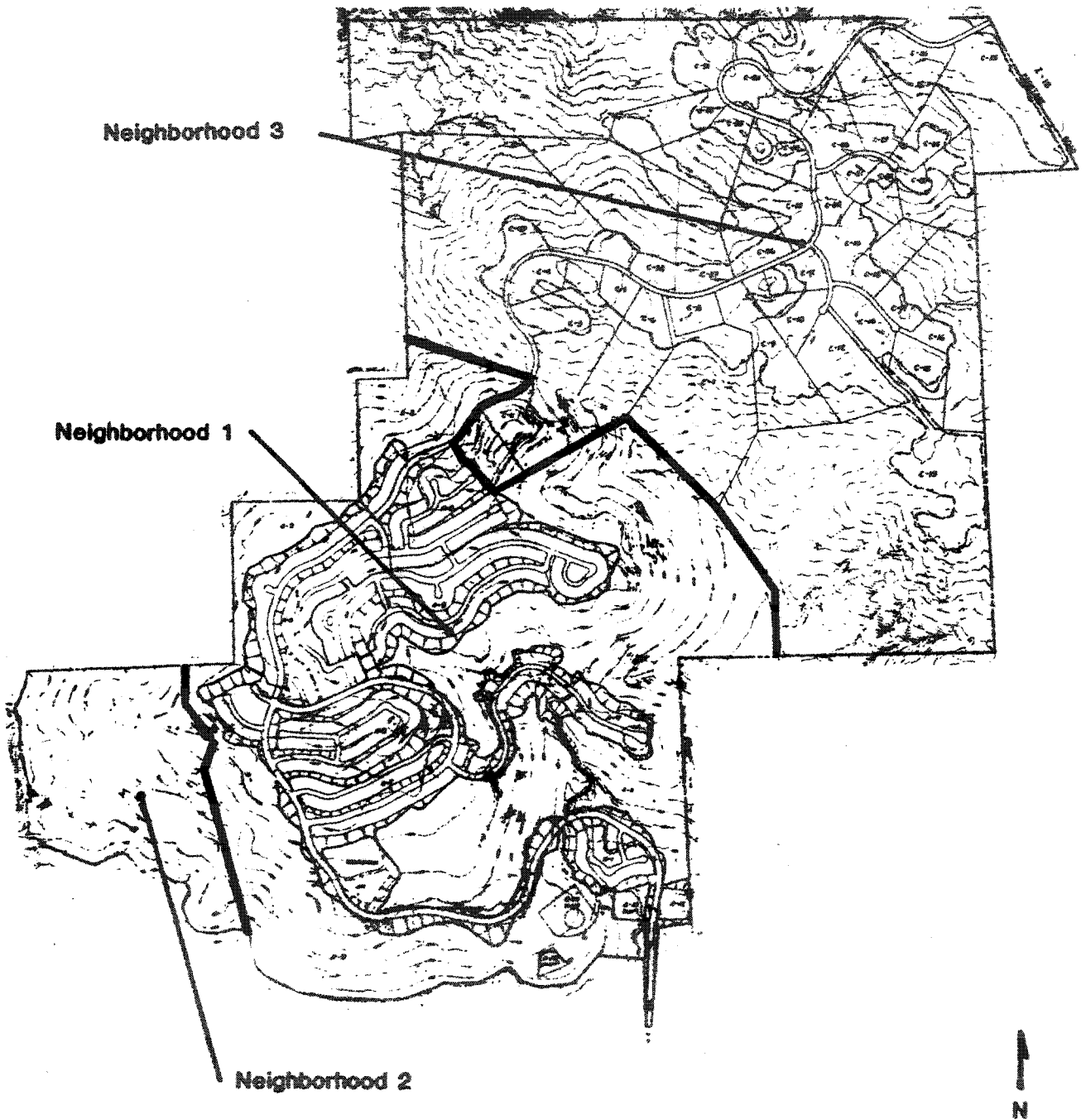
Following is a detailed description of each land use type:

1. Residential:

The total land used for residential purposes (including streets) is 288 acres or 29% of the total 979 acre project. The Palos Vista community is divided into three unique residential neighborhoods in which the land features and product type have been closely tailored. These neighborhoods are identified as Neighborhood One, Two and Neighborhood Three (see Figure 2). A brief synopsis of the development characteristics of each neighborhood follows:

- a. Neighborhood One is located in the flat areas and gentler slopes in the southwestern portion of the property. As a result of these flatter land features the majority of dwelling units will be located within this planned neighborhood. Of the 730 dwelling units ultimately being developed, approximately 691 are located in Neighborhood One. Approximately 128 acres will be developable supported by 289 acres of open space.

Neighborhood One: Neighborhood One is divided into fifteen sub-areas identified as sub-area A-1 through A-15 on the Specific Plan Exhibit. Sub-areas A-1 through A-7, and A-12 are for individual project development, sub-areas A-8 through A-11 will be preserved as open space, sub-area 12 will be designated as a public facility parcel or single-family residence subject to R-1 standards, with sub-areas A-13 through A-15 not included as part of the Specific Plan. Housing types allowed in Neighborhood One are single-family detached residences, zero lot line single-family residences, and duplexes. (Revised 7/9/03, Reso. 2003-167)



Neighborhood Boundaries
Figure 2

Given the large scale nature and long term buildout of the Palos Vista project, developers need to retain flexibility to respond to changing market conditions along with counterbalancing the needs of the public and future property owners. This approach recognizes the developer's intention to retain flexibility for product type varieties within each Sub-area. This is acceptable as long as the balance of Neighborhood One is left to be developed at a level not to exceed the average gross density of 1.9 du's/acre. The total number of dwelling units allowed for Neighborhood One shall not exceed 691.

As part of the approved Development Agreement, the property owner agrees to offer the Public Facility Parcel for dedication to the City for a public library or such other purpose requested by the City which the owner reasonably agrees is consistent with the owner's development of the property. The City has six months from receipt of such offer of dedication to accept the offer. If the City fails to accept the owner's offer with this six month period, the owner's offer of dedication shall be deemed withdrawn.

- b. Neighborhood Two: Neighborhood Two, consisting of approximately 63 acres, is located in the southwest panhandle of the project in relatively steeper topography. This site is to be dedicated to the City of Escondido for park or open space purposes. Section 6.6.1 of the Palos Vista Development Agreement states "owner agrees to offer the Park Parcel for dedication to the City for park purposes or such other purpose requested by the City, which owner, in owner's reasonable judgment, finds to be consistent with the project and in the best interest of the future residents of the project, provided, however, the (i) public access to the Park Dedication shall be provided through Richland Road only and

(ii) the project shall have pedestrian access to the Park Parcel. City shall have six months from receipt of such offer of dedication to accept such offer. If the City fails to accept owner's offer within six month period, owner's offer of dedication shall be deemed withdrawn". In the event the City fails to accept owner's offer, the 63 acres will become private open space to be maintained by Neighborhood One Community Homeowner's Association.

- c. Neighborhood Three: Neighborhood Three is located in the northeast portion of the Palos Vista site and consists of a maximum of thirty-nine (39) Agricultural Estate lots. Generally, these lots average approximately 12 +/- acres in size (See Figure 5). In certain limited instances due to topography and/or road alignment, the lots may range in size from 1.7 +/- to 88 +/- acres. Agricultural uses are permitted within the approximate 337 +/- acres of open space.

2. Open Space:

The Palos Vista project consists of approximately 979 acres of which 690 +/- acres are permanent open space. The open space system primarily serves an aesthetic function in addition to preserving native vegetation, protecting biological habitat, and maintaining natural drainage conditions. Below is a description of the open space by Neighborhoods.

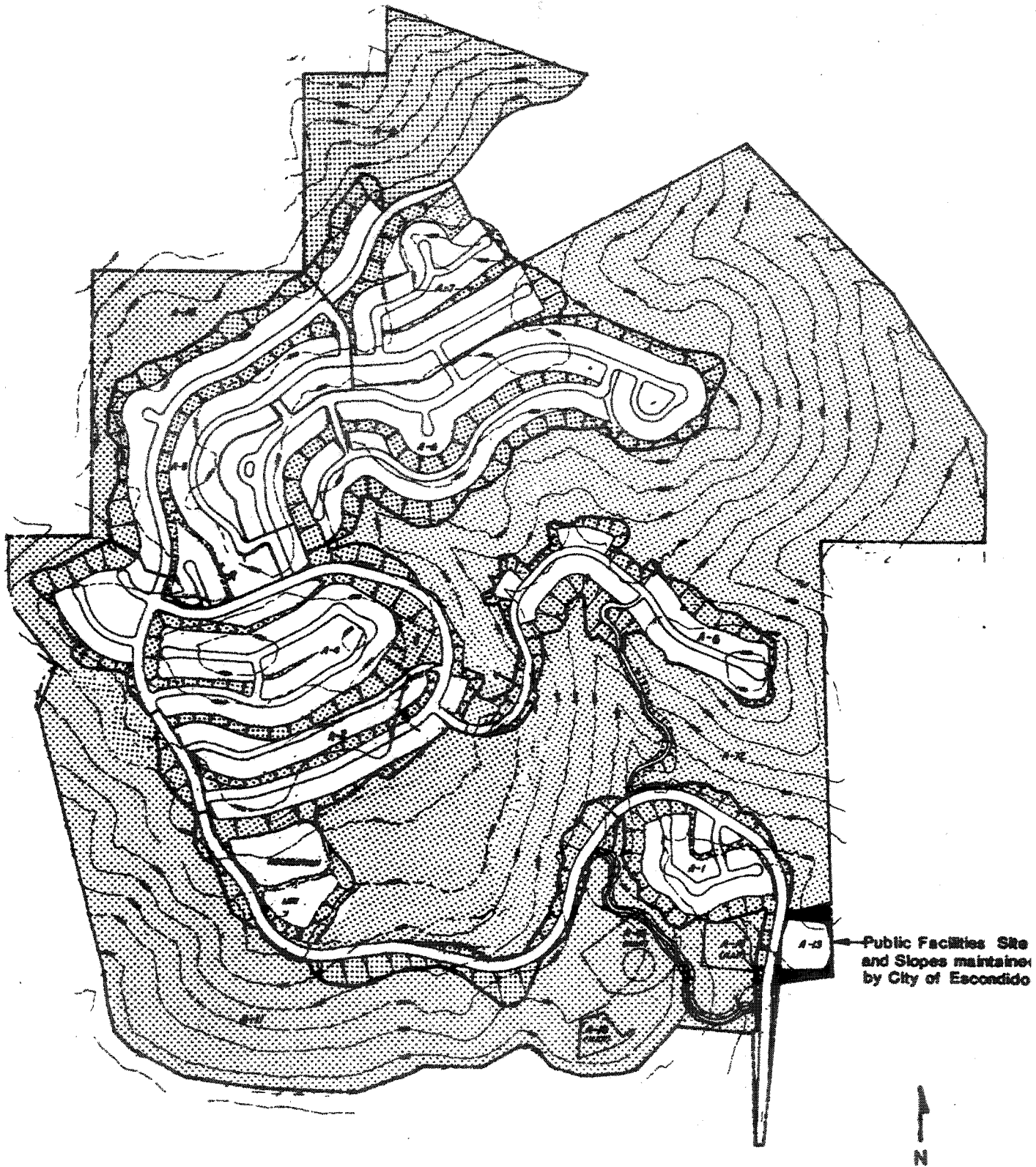
- a. Neighborhood One – Neighborhood One totals approximately 417 acres of which 289 acres are designated as open space. All undisturbed open space within Neighborhood One is contained within four large lots to be permanently reserved as open space and maintained by the Neighborhood One Community Homeowner's Association, however, wireless facilities are a conditionally permitted use within the Neighborhood One Open Space area subject to approval of a conditional use permit. Wireless facilities shall be limited to 35' in height and follow the development standards set forth in the City's Zoning Ordinance Article 34. The manufactured slopes created by the major circulation road will be maintained by the Palos Vista Master Homeowners' Association. The remaining manufactured slopes will be maintained by the Neighborhood One Community Homeowners' Association. Chapter IV, Landscaping, further explains the maintenance responsibilities of the two homeowners' associations. (Revised 7/9/03, Reso. 2003-167)
- b. Neighborhood Two – Neighborhood Two consists of approximately 63 acres and shall be dedicated to the City of Escondido as a park or open space parcel and maintained as such by the City of Escondido. See Chapter III, Item B-1b, for further details.
- c. Neighborhood Three – Neighborhood Three consists of approximately 497 acres of which 337 acres are designated as agricultural open space to be maintained by the individual property owner. An open space easement will be dedicated to the City of Escondido for a 3.3 acre archaeological site. The slopes created by the major circulation road will be maintained by the Palos Vista Master Homeowners' Association.

3. Recreation Center:

The recreation center identified as Lot A-Rec on the Specific Plan exhibit, will serve as the social focus for the Palos Vista community. This 3.5 acre recreation center may consist of such facilities as tennis courts, swimming pool and spa, community center, locker rooms, racquetball courts, volleyball, picnic area and exercise/walking trails. The one acre pad created by grading exemption 4G will serve as a passive recreation area. This one acre site could, at a later date, be improved to include community recreational amenities.

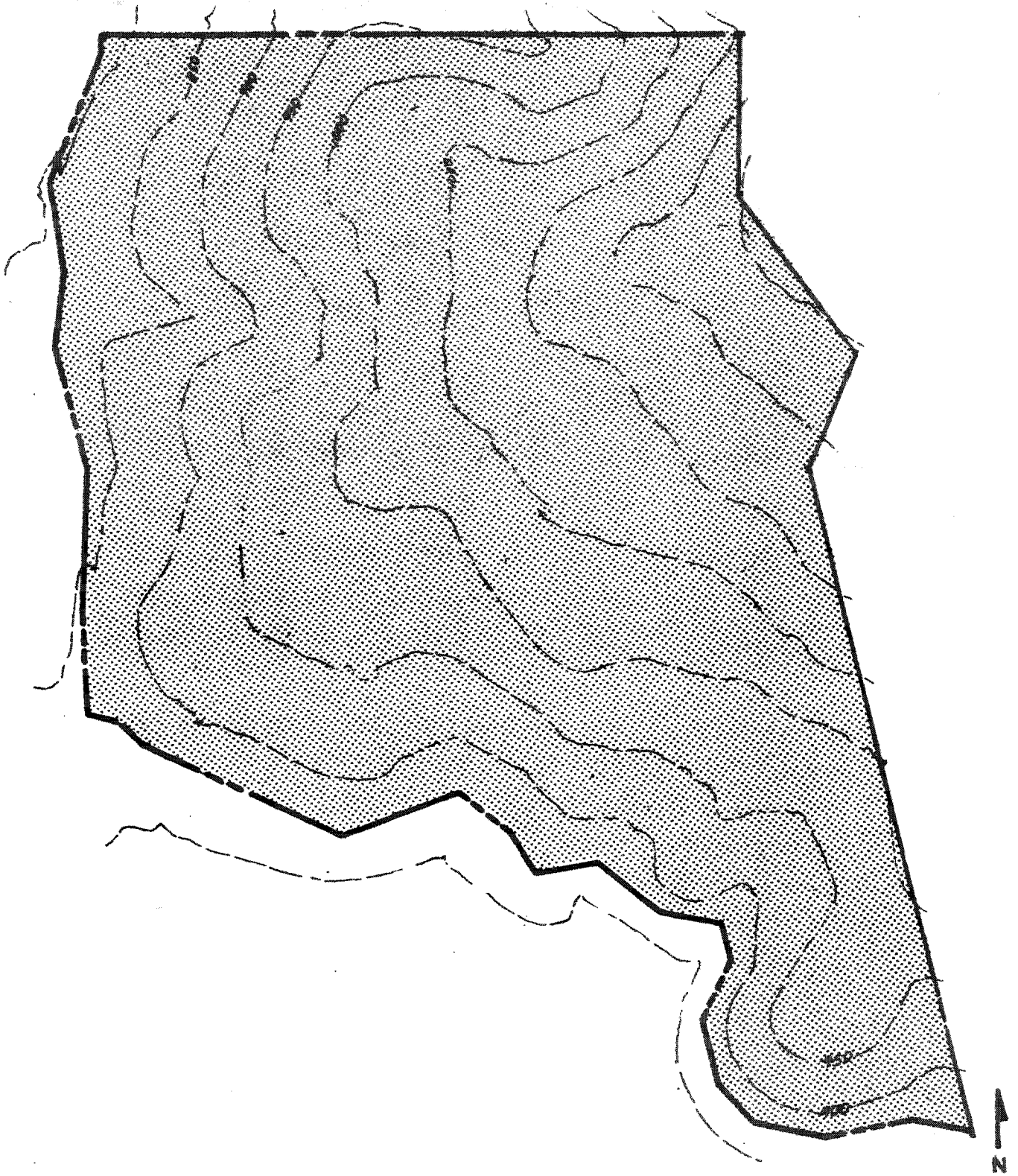
4. Public Facilities Site:

Lot A-12 of the Specific Plan Exhibit is a 1.3 acre lot located at the entry of the Palos Vista project which will be dedicated to the City of Escondido for a public facility site. Much attention and detail will be given by the City of Escondido to both architecture and landscaping of this facility to immediately establish the Spanish Mediterranean and European ambiance of the community. Perimeter buffering to protect adjacent residential properties will be implemented with the final grading plans.




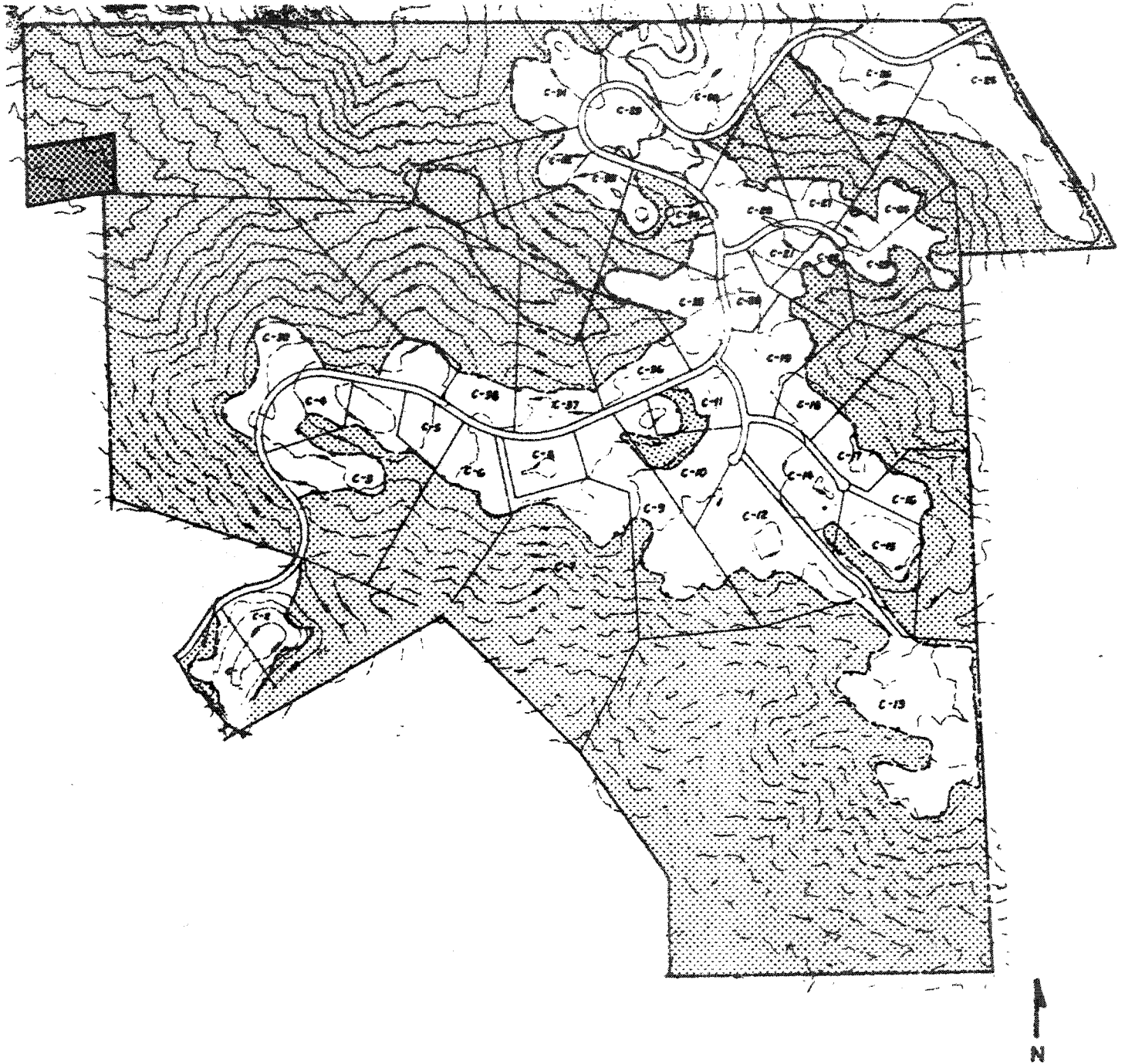
**Neighborhood One
Figure 3**

- Open Space Common Lots & Slopes maintained by Neighborhood One Homeowners Assoc.**
- Slopes to be maintained by City of Escondido**





**Neighborhood Two
Figure 4.**

 Open Space Dedicated to and
Maintained by the City of Escondido



Neighborhood Three
Figure 5

	Archeological Open Space Easement Maintained by City of Escondido
	Agricultural Open Space Areas to be Maintained by Individual Agricultural / Estate Property Owners

C. Circulation Plan: The Palos Vista circulation plan conforms to the existing city design standards, adopted by Council Resolution No. 82-99, unless specifically discussed below.

1. Off-site Circulation: The external circulation system bordering Palos Vista is provided by public streets. The site has access from the south as well as from the north. Access from the south is by El Norte Parkway via Bougher Road with access to the northeast corner of the site provided by the I-15 west frontage road.

2. On-site Circulation: There are three main components of the vehicular circulation plan for the Palos Vista project, namely the major circulation road, private neighborhood streets and emergency access roads (See Figure 6). All internal circulation roads are private and conform to City standards with the exception of the following:

a. Major Circulation Road - The major circulation road is to be built per City "Local Collector" standards throughout Neighborhood One with the exception of reducing the R.O.W. to 54 feet to minimize grading.
R.O.W. - 54' (See Exhibit "A")

As the major circulation road enters Neighborhood Three from Neighborhood One, approximately 1,100 feet from Neighborhood Three's boundary, it transitions from a 54' R.O.W. to a 40' R.O.W. From that transition point on, the major circulation road within Neighborhood Three will be built per "Rural Street" standards excepting:

R.O.W. - 40'
Pavement width - 30' (See Exhibit "A")

b. Neighborhood Streets - The neighborhood streets within the Palos Vista project, are to be built per City "Rural Street" standards excepting the following:

Single loaded streets:	Double loaded street:
R.O.W. - 37'	R.O.W. - 46'
Pavement width - 24'	Pavement width - 30'
(See Exhibit "B")	(See Exhibit "B")

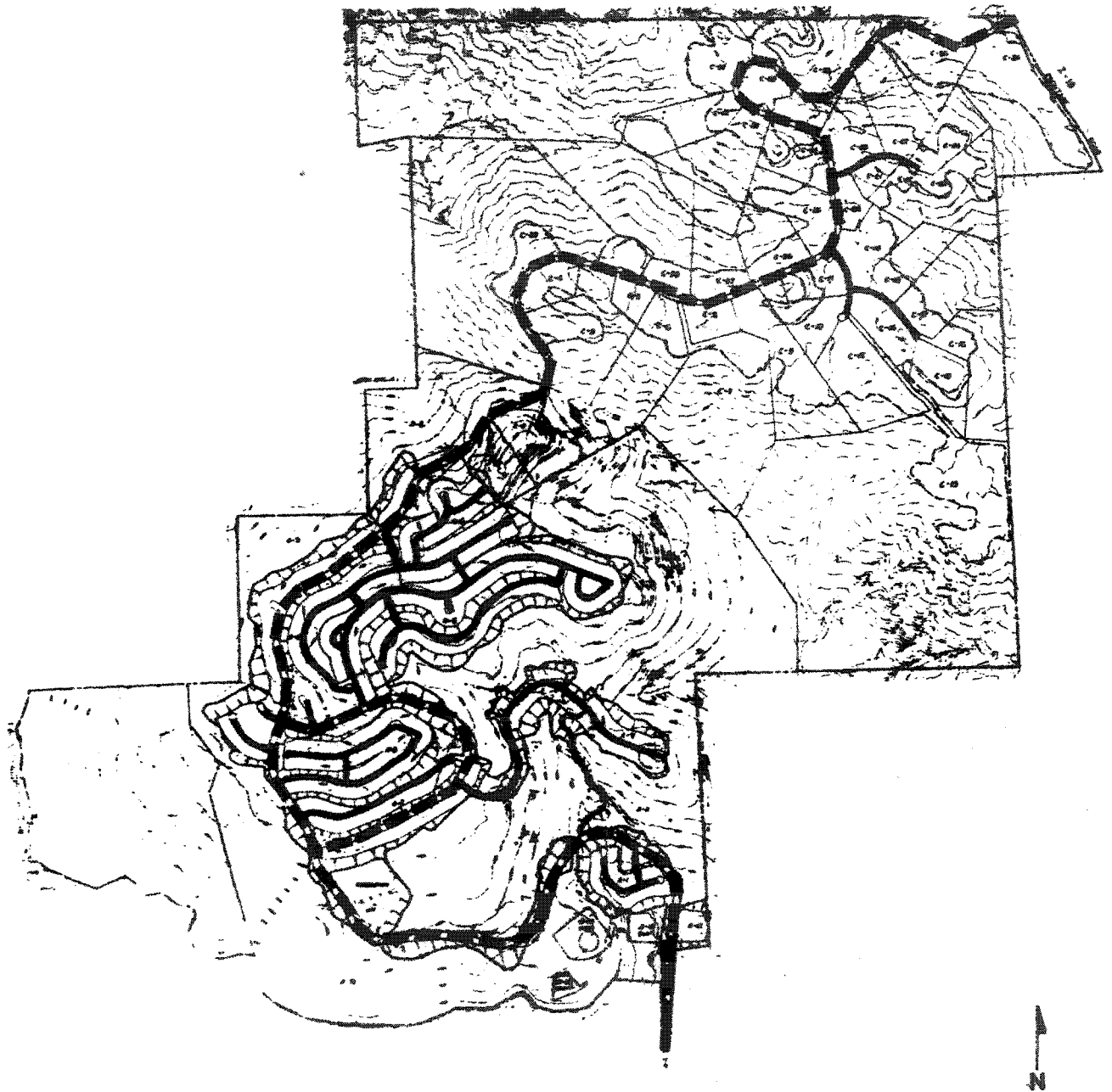
c. Fire Access Roads - These roads are to be built per City of Escondido Fire Department standards:




Pavement width - 20'

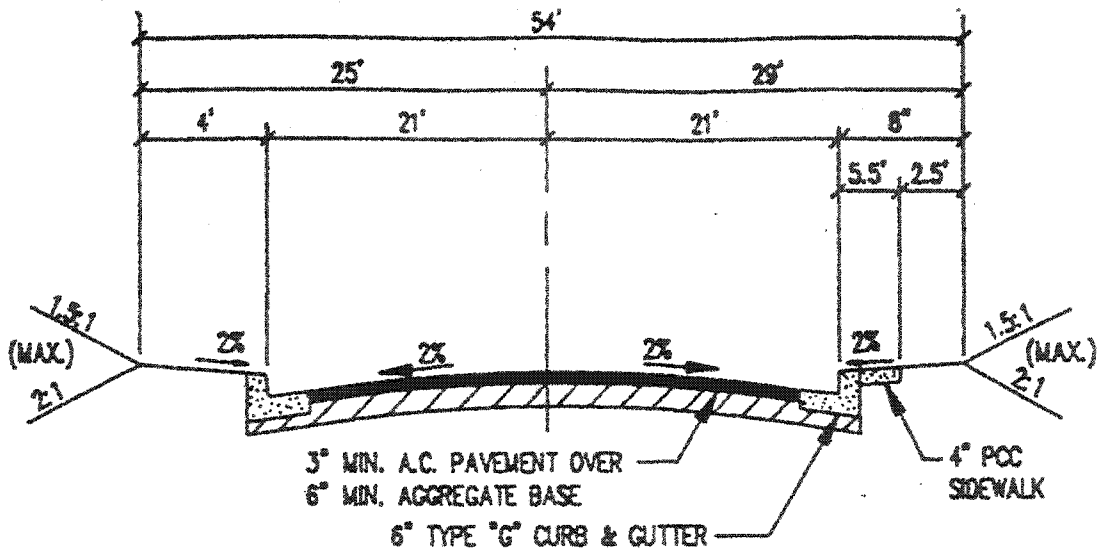
- If grade is less than 10% surface will be all-weather decomposed granite.

- Grade 10% to 15% - asphalt surface

- Grade 15% to 20% - concrete surface

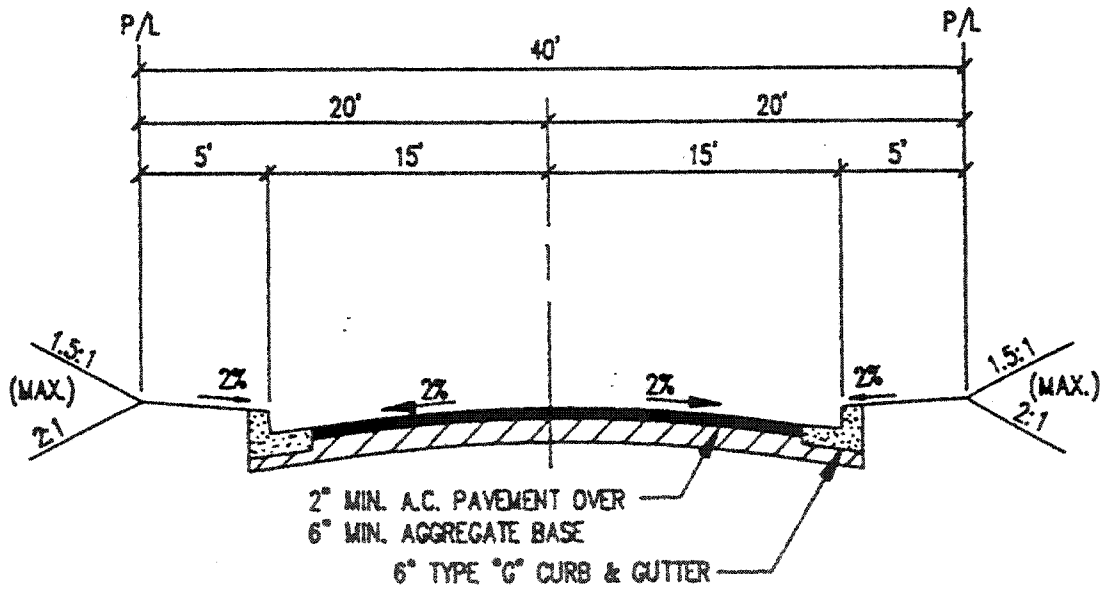


Conceptual Circulation Plan Figure 6		MAJOR CIRCULATE ROAD
		NEIGHBORHOOD STREET
		EMERGENCY ACCESS ROAD



MAJOR CIRCULATION ROAD
NEIGHBORHOOD 1

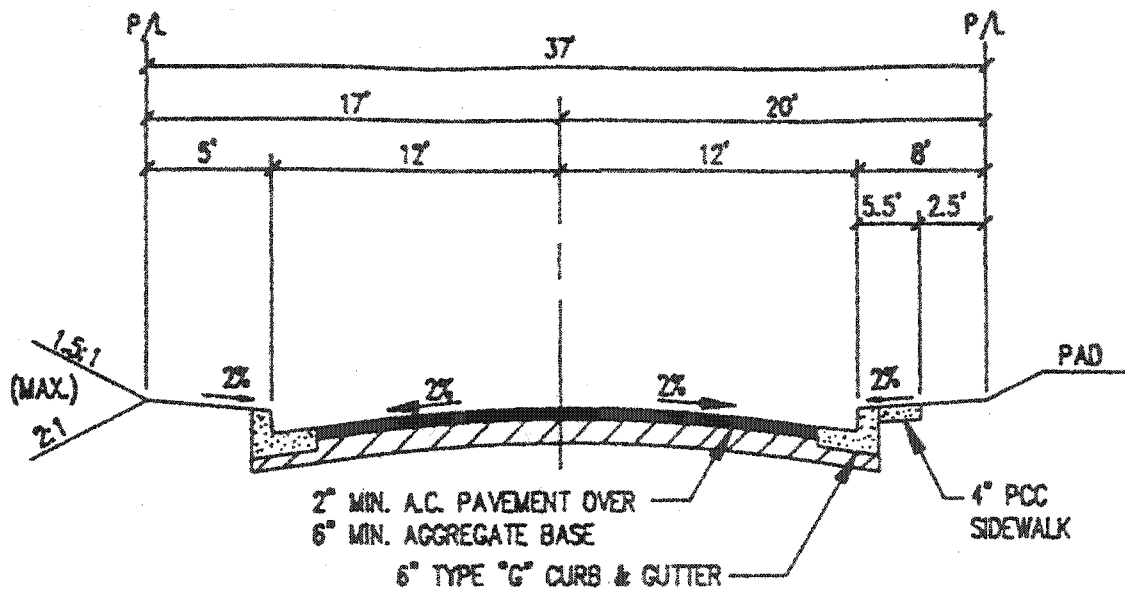
NO SCALE



MAJOR CIRCULATION ROAD
NEIGHBORHOOD 3

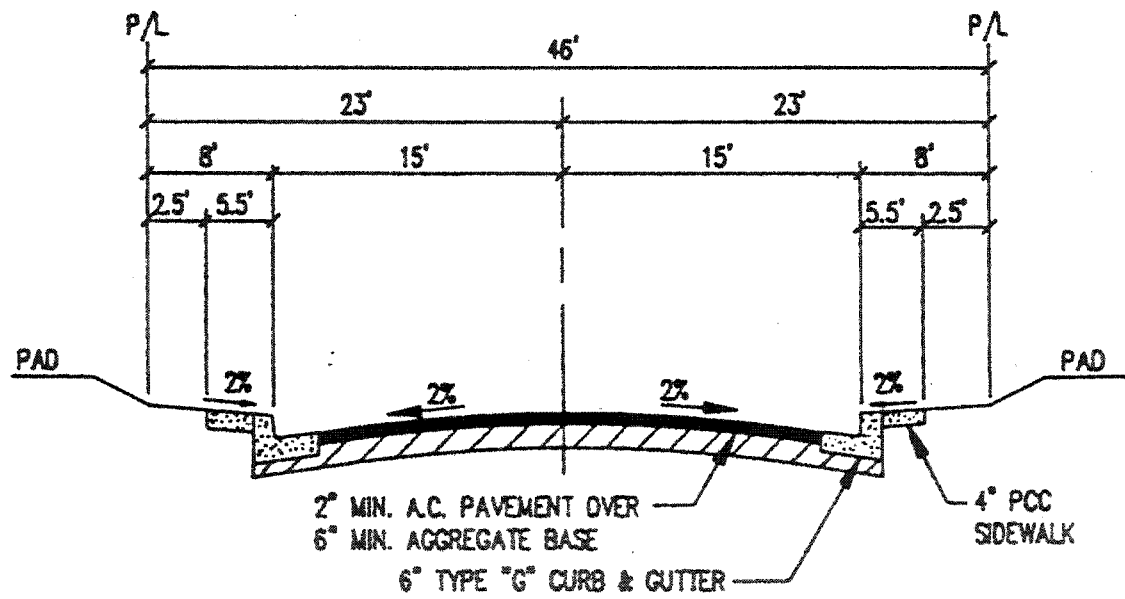
NO SCALE

**Major Circulation Road Sections
Exhibit "A"**



SINGLE LOADED NEIGHBORHOOD STREET

NO SCALE



DOUBLE LOADED NEIGHBORHOOD STREET

NO SCALE

Neighborhood Street Sections Exhibit "B"

3. Pedestrian Circulation: A network of pedestrian paths are proposed to link the various residential projects within the Palos Vista specific plan area. The pedestrian path system will include:
 - a. Sidewalk along the eastern boundary of the major circulation road within Neighborhood One.
 - b. Sidewalk along both sides of double loaded neighborhood streets.
 - c. Sidewalk along one side of single loaded neighborhood streets.

- D. Public Facilities: The public facilities described below are necessary to accommodate the projected development of Palos Vista project. The engineering details and actual phasing of these facilities will be determined later through the implementation of this adopted Specific Plan.
 1. Sewage - Septic systems will be used on the agricultural/estate lots of Neighborhood Three and are subject to the County Health Department regulations. All other dwelling units shall be provided sewer service by a public agency. At the time of the Environmental Impact Report (EIR) Log No. ER 85-29 publication, the San Marcos County Water District (SMCWD) shall be the servicing agency. The district has adequate capacity to serve the project area, however, extension of a 15-inch VCP sewer main existing at the intersection of Rock Springs and Bougher roads will be necessary.
 2. Water - Water for the project will be supplied by SMCWD through the installation of pumping stations and reservoir concurrent with need.
 3. Fire - The City of Escondido Fire Department will provide fire protection to the development. Each subsequent tentative map should include standard requirements established by fire department regarding provision of adequate water service, placement of fire hydrants, design and grade of streets, roof and building materials, fire retardant landscaping, and preparation of emergency access.
 4. Solid Waste Service - Solid waste generated by the project will be transported by private hauler to the San Marcos landfill on Questhaven Road. At present, there is adequate capacity at the San Marcos landfill for disposal.
 5. Health Services - The Palomar Hospital is located within four miles of the Palos Vista project and at present time there is excess capacity. The hospital does not anticipate any problems with capacity to serve the project in the future, since the district is building in relation to the SANDAG growth prediction of four percent per year.
 6. Police Protection - Police protection will be provided by the City of Escondido Police Department. As development is approved, appropriate fees will be imposed on the developer to assure adequate police service.
 7. Schools - The students generated from the Palos Vista project will be served by three school districts, San Marcos Unified School District, Escondido Union School District and Escondido Union High School District. School fees will be collected by respective school districts as construction progresses.

CHAPTER IV
DESIGN GUIDELINES
AND
DEVELOPMENT STANDARDS

IV. Design Guidelines and Development Standards

The purpose of this chapter is to establish development standards and design objectives, guidelines and conceptual design solutions which will aid designers, developers, and review agencies in implementing the Palos Vista Specific Plan. These proposals and standards are intended to offer design guidance in a flexible way. As future development phases are prepared and subsequent final subdivision maps are submitted, supplemental guidelines will be written, implementing these general guidelines.

A. Design Objectives:

1. Create a comprehensive project with visual continuity throughout the entire specific plan area through landscaping, architecture and signage program.
2. Adapt the plan to the physical features of the site in order to minimize disturbance to key environmental features.
3. Create a plan identity through implementing a consistent architectural design program.
4. Maximize both onsite and offsite view opportunities through a comprehensive landscaping program.
5. Incorporate energy and water conservation practices into the design and maintenance of building and landscaped spaces.
6. Implement a comprehensive landscaping program to reduce any adverse effects of grading.

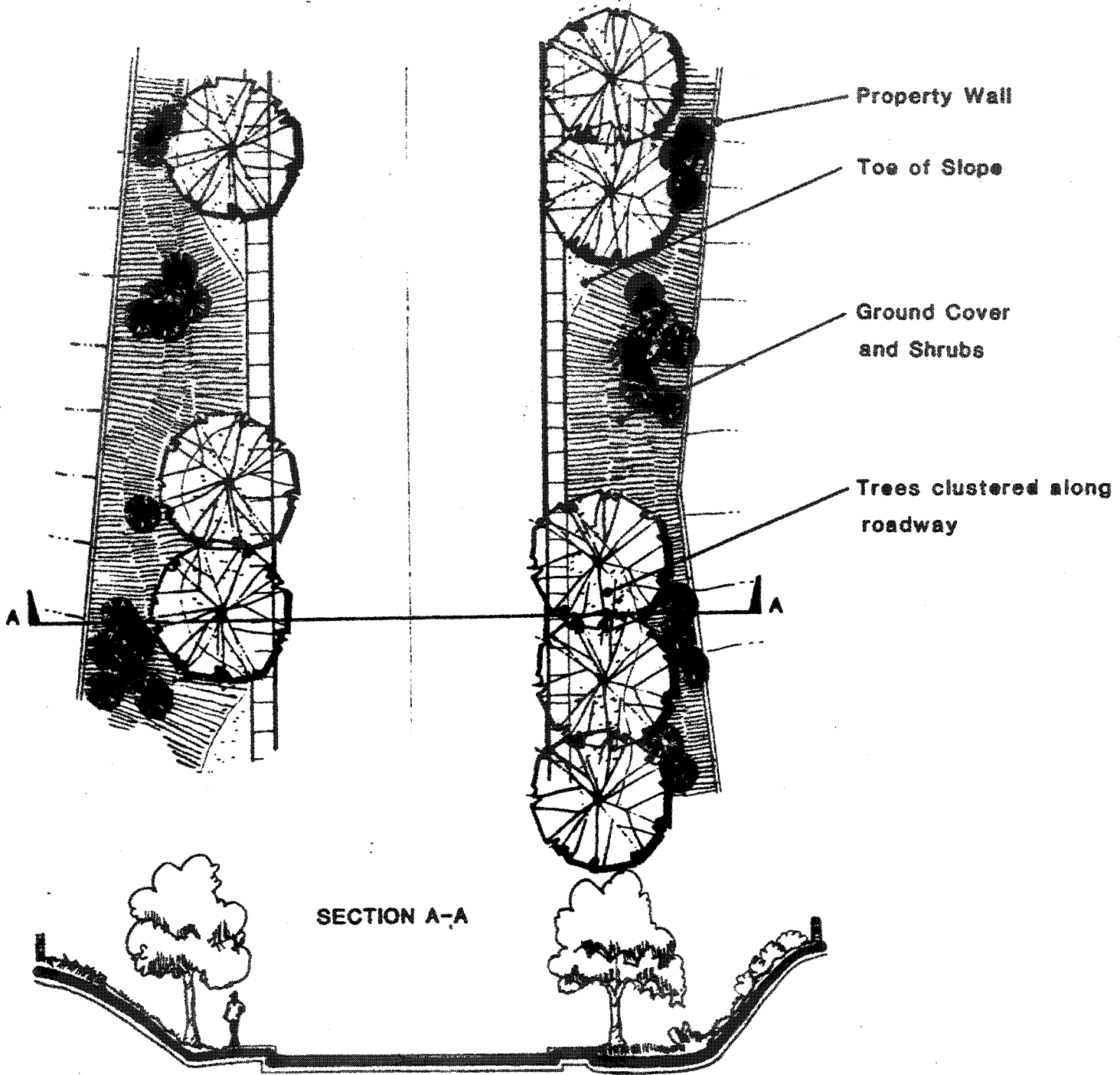
B. Design Treatment:

A variety of design features incorporate grading, landscaping, signage and streetscape treatments to establish a strong sense of community identity. Areas with community or neighborhood exposure, specifically slopes, will share in these design treatments to establish a sense of cohesion and continuity.

1. Streetscape Concept

Two distinct streetscape design treatments are to be utilized along the major circulation road and neighborhood roads to complement adjacent projects and facilities both functionally and aesthetically.

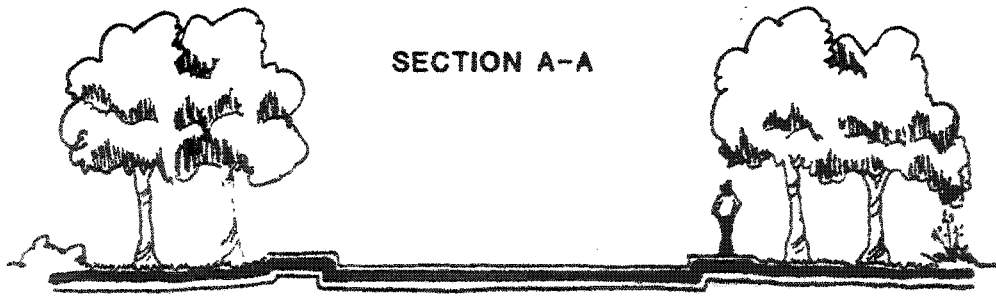
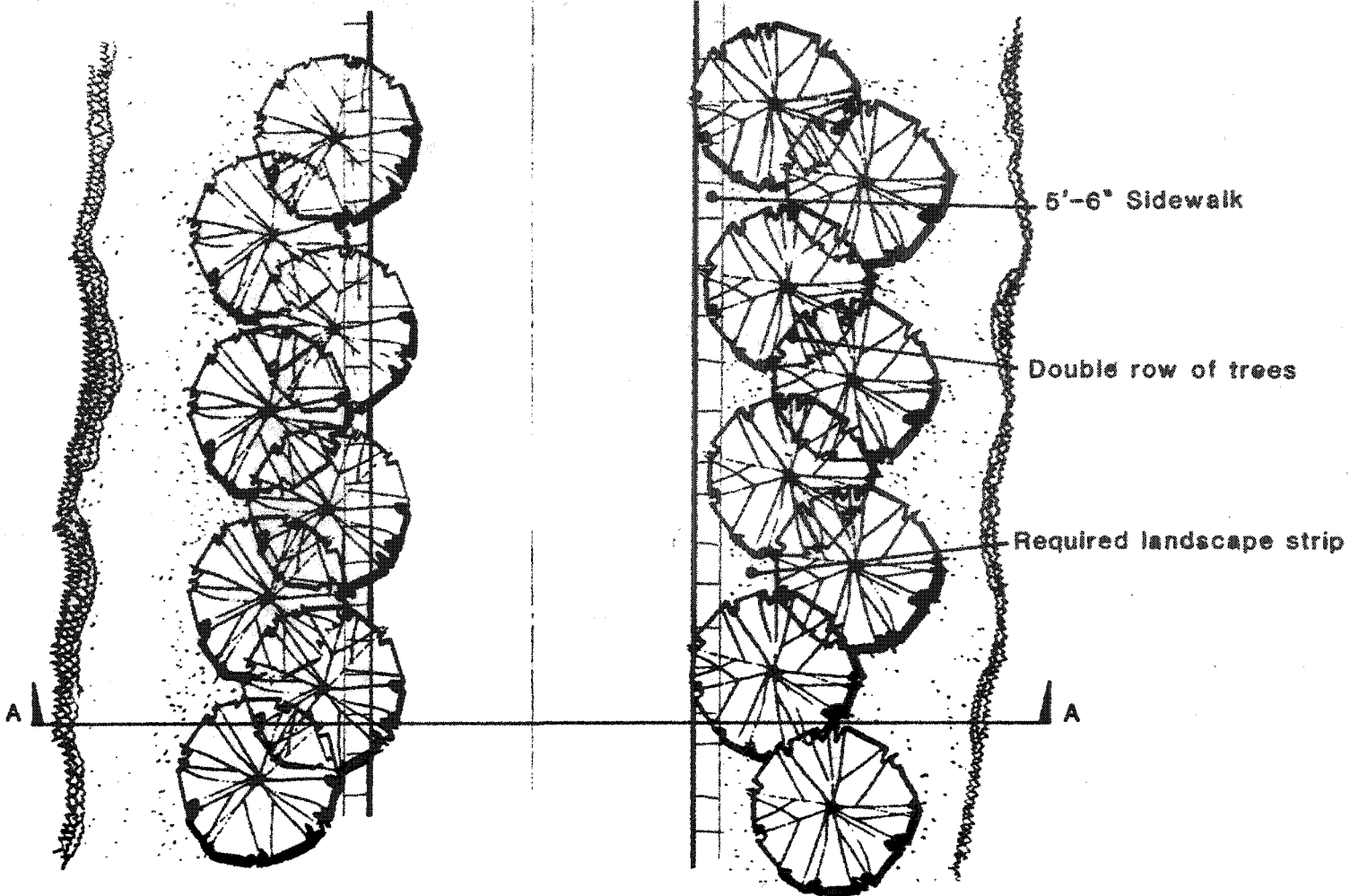
- a. The "slope condition" treatment should be used when the street is lower than adjacent land uses. The objective is to create a meandering informal look with clumps of trees and shrubs (see Figure 7).
- b. The "level condition" of streetscape treatment should be used when the street section is level with or above adjoining land uses. Street trees and ground cover or shrubs should be interspersed equidistant from each other to create visual continuity. Buildings should vary in setback from the street to modulate volumes, create shadow patterns and avoid a continuous architectural edge. The landscape of adjoining development projects should reinforce the street tree concept through supplementary planting (see Figure 8).



Artist Concept

Streetscape Design
Figure 7

Slope Condition



Artist Concept

Streetscape Design
Figure 8

Level Condition

2. Project Entries

Entrances to residential projects provide an aesthetic and functional transition between the major circulation road and neighborhood streets in addition to providing project identification along the major circulation road. These nodal intersections should be aesthetically handled with the planting of ornamental flowering trees, shrubs and ground covers. The arrangement and configuration of the plantings in these nodal pockets should provide an opening to contrast the linear configuration of the approaching streetscapes. These nodal intersections should be further enhanced with street furnishings, i.e., lighting, benches, varied paving textures and identification signage (see Figure 9).

3. Signage

Signs in Palos Vista should blend into the community and neighborhood streetscapes and architectural themes. Colors and materials shall be selected to reflect the mediterranean architectural theme of the planned community. Individual monument signs should be integrated into screen walls at landscaped entries.

4. Lighting

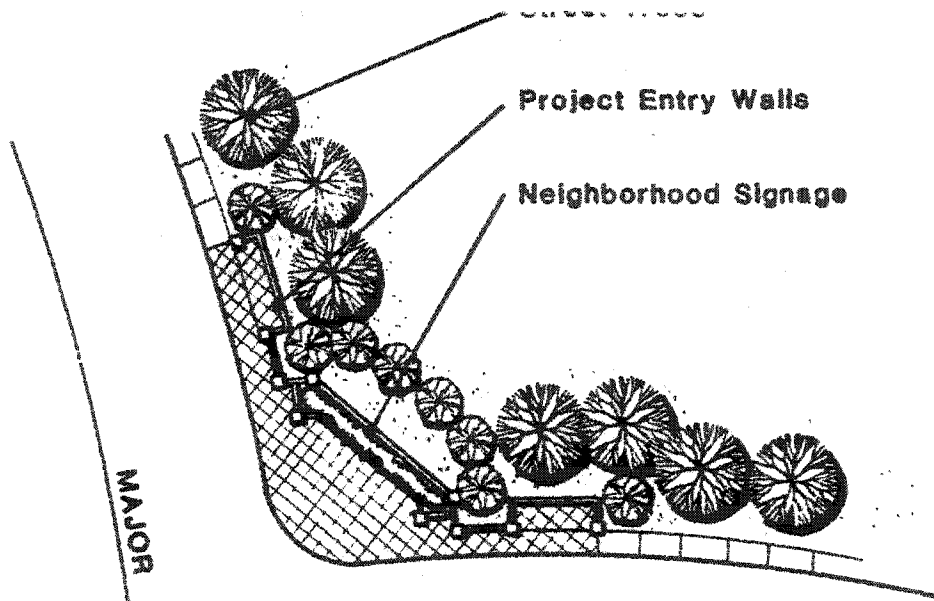
Site lighting for streets, walkways and landscaped areas shall be unobtrusive, shielded to prevent glare, and placed in irregular patterns. Lighting which highlights architectural features of a structure shall be permitted. Such lighting shall be designed so as not to fall on adjacent property and to the extent possible will not be visible to existing residences surrounding the Palos Vista site.

C. Grading:

The major design objective of the Palos Vista grading plan has been to confine the majority of development to the relatively flat central portion of the project. Major canyon slopes and floors have been preserved in their native state. Grading will be limited to that necessary for providing community circulation and creation of suitable development sites. As a result of concentrating the development in the flatter topographical area of Neighborhood One, approximately 67% of the total project will be preserved in its natural condition and become a part of the overall community open space system.

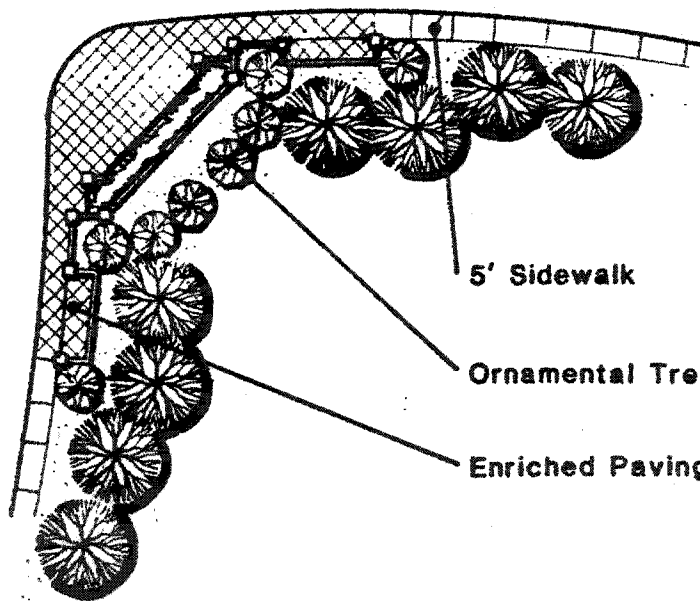
All grading within the Palos Vista project will comply with the City's Grading Ordinance, except as noted by Figure 10. This figure illustrates all of the slopes which required grading exceptions. In the appendix to this text is located a "Slope Descriptions Table" categorizing the origin and nature of each exception. These exceptions include the following:

1. Road Construction - Construction of road to serve developable areas.
2. Gravity Flow Sewer - Necessary to provide gravity sewer within the streets.
3. Emergency Road Access - Necessary for compliance with the City's regulations for emergency fire access.
4. Cul-de-sac radius - Fire department requires a certain cul-de-sac radius to facilitate fire truck turn around.



MAJOR
CIRCULATION
ROAD

NEIGHBORHOOD STREET



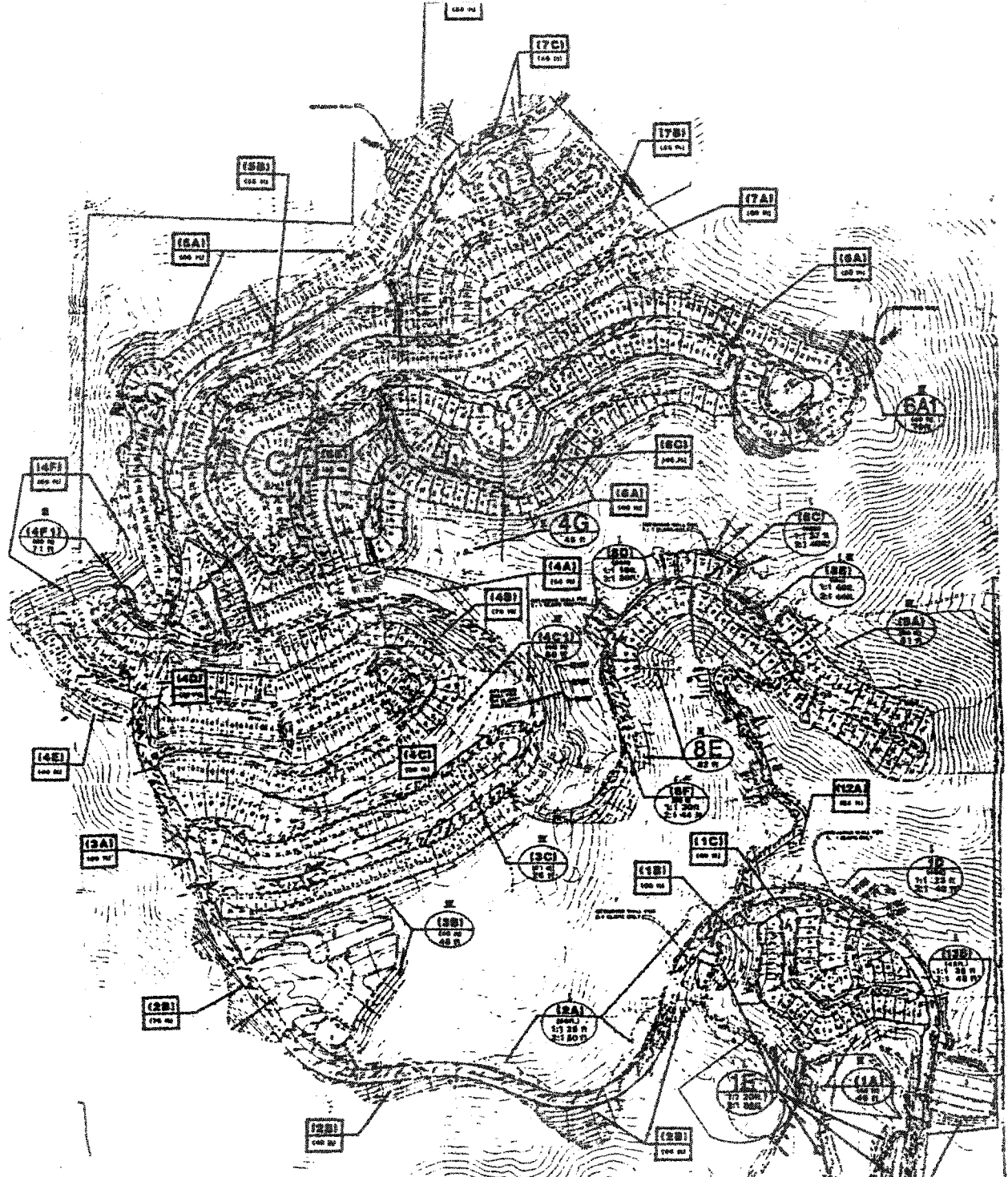
5' Sidewalk
Ornamental Trees
Enriched Paving



Artist Concept

**Neighborhood Entries
Figure 9**

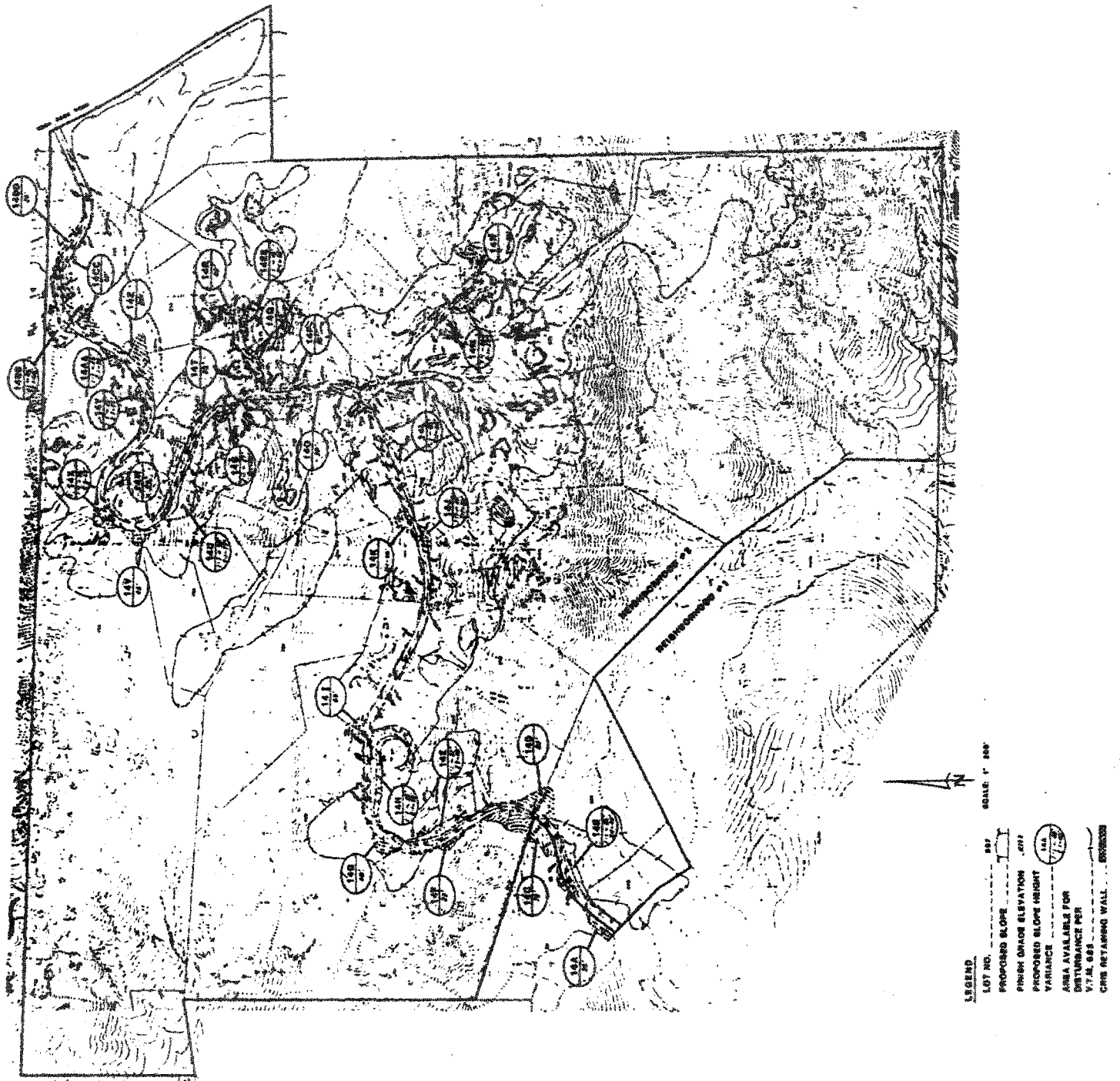
Neighborhood Entry Concept



LEGEND

- LOT NUMBER
- PROPOSED SLOPE
- PROPOSED SLOPE HEIGHT VARIANCE
- SLOPE HEIGHT APPROVED FOR SPECIFIC PLAN 07-0
- SLOPE HEIGHT APPROVED FOR SPECIFIC PLAN 07-0-1
- SLOPE HEIGHT APPROVED FOR SPECIFIC PLAN 07-0-1 WITH RETAINING WALL
- SLOPE HEIGHT APPROVED FOR SPECIFIC PLAN 07-0-1 WITH RETAINING WALL AND SLOPE REDUCTIONS FOR TABLE 6A

**Grading Exemptions Neighborhood One
Figure 10-A**



**Grading Exemptions Neighborhood Three
Figure 10-B**

These manufactured slopes which take exception to the City's grading ordinance are broken into three categories; exterior undisturbed slopes, interior undisturbed slopes and interior manufactured slopes.

In these areas where grading ordinance exceptions are employed, substantially increased development standards for landscaping and grading techniques will be applied.

The following grading standards should be followed on manufactured slopes:

1. All slopes shall be designed with minimum 2:1 as opposed to steeper inclinations. However, cut slopes with maximum 1:1 inclinations may be permitted on a case by case basis for slopes identified as grading exceptions per this Specific Plan. The determination as to the appropriateness of the 1:1 inclination shall be made by the City Engineer and Community Development Director only when the underlying soil material contains rock materials which cannot be landscaped in a manner consistent with City landscape standards.

The determination as to which slopes may be reduced shall be made by the City Engineer and Community Development Director upon specific application describing the rock conditions encountered in the field. Said application shall consist of a revised grading plan depicting the 1:1 inclination, geologic reports and certifications from a soils engineer, a statement from a landscape architect as to the landscape potential of the soils and a revised landscape and irrigation plan consistent with these recommendations.

2. Where practical, slopes should be rounded at tops and smoothed at bottoms to simulate natural contours.
3. Fill slopes should not be constructed on natural slopes steeper than 2:1 unless otherwise recommended in the approved soil engineering and/or engineering geology report.
4. All grading operations should take into consideration the potential for erosion. To the extent feasible, earth moving should be accomplished in phases to avoid clearing of ground far in advance of grading.
5. All slopes should be prepared to readily support landscaping. Special landscaping techniques using plant materials of varying heights should be used to create a modulated slope appearance (see following landscape guidelines).
6. In order to balance the earthwork on individual units, it may be necessary to borrow or dispose dirt from/to a future unit which does not have approved grading plans. The individual units' grading plan should include the offsite borrow/disposal site grading plan and grading permits in advance of development should be permitted. The areas being borrowed from or disposed to should be maintained at an elevation that lends flexibility to future final design. Erosion control measures should be implemented for the borrow/disposal site if exposed during the rainy season.

D. Landscaping:

The Master Landscape Concept Plan has been designed to identify the overall style and design of landscaping proposed for the Palos Vista development. The following guidelines for plant selection, landscape design, and maintenance are conceptual in nature and are subject to refinement and modification during subsequent final map stages. The site specific landscaping plan shall identify particular plantings to be used within that subdivision and shall be consistent with the Master Landscape Concept Plan, See Chapter V - Implementation.

A number of criteria should be used in determining the appropriateness of the plants selected for Palos Vista. Plant materials should be drought resistant, adaptable to the occasional ocean influence of the Palos Vista area, of a low maintenance variety, aesthetically compatible and visually pleasing in form, color and texture.

A list of plant and tree species appropriate for landscaping the Palos Vista project is listed below.

PRIMARY LARGE OPEN AREAS/PRIMARY INTERSECTIONS & ENTRY WAYS CRITERIA

- Unique shape, foliage or flowers
- Provide identifiable nodal spaces
- Install as large plant material - 15 gal. & 24" box
- Large round-headed tree

BOTANICAL NAME LIST

COMMON NAME

ERYTHRINA CAFFRA
FRAXINUS SPECIES
MELIA AZEDARCH
PINUS SPECIES
QUERCUS AGRIFOLIA
SCHINUS MOLLE
SOPHORA JAPONICA
TIPUANA TIPU

CORAL TREE
TEXAS UMBRELLA TREE
COAST LIVE OAK
CALIFORNIA PEPPER
CHINESE SCHOLAR
TIPU TREE

SMALLER OPEN SPACES/SECONDARY INTERSECTIONS/ENTRY WAYS CRITERIA

- Provide more pedestrian scale
- Install as large plant material - 15 gal. & 24" box
- Ornamental characteristics
- Small round-headed tree

BOTANICAL NAME LIST

COMMON NAME

ALBIZIA JULIBRISSIN
CALLISTEMON CITRINUS
CUPANIOPSIS ANACARDIODES
METROSIDEROS EXCELSUS
PRUNUS CER. 'ATROPURPUREA'
PYRUS CALLERYANA

SILK TREE
LEMON BOTTLE BRUSH
CARROTWOOD
NEW ZEALAND CHRISTMAS TREE
PURPLE LEAF PLUM
CALLERY PEAR

STREET TREES/UNIFYING TREES CRITERIA

- Medium in size
- Good visibility at intersections
- Minimal breakage of limbs
- Relative disease free
- Smaller installed plant size - 5 gal. & 15 gal.

BOTANICAL NAME LIST

COMMON NAME

BRACHYCHITON POPULNEUS	BOTTLE TREE
CINNAMOMUM CAMPHORA	CAMPOR TREE
CUPANIOPSIS ANACARDIODES	CARROTWOOD TREE
FICUS MICROCARPA NITIDA	INDIAN LAUREL
JACARANDA MIMOSIFOLIA	JACARANDA
PODOCARPUS GRACILIOR	FERN PINE
QUERUS ILEX	HOLLY OAK
SCHINUS TEREBINTHIFOLIUS	BRAZILIAN PEPPER
SOPHORA JAPONICA	CHINESE SCHOLAR TREE

NEAR BUILDINGS/COMBINATION FOR VISUAL, NOISE, WIND SCREEN CRITERIA

- Near recreation area
- Upright, vertical shape
- Ornamental accent
- Vertical accent tree
- Install at various sizes - 5 gal. & 15 gal.

BOTANICAL NAME LIST

COMMON NAME

ALNUS RHOMBIFOLIA	WHITE ALDER
ARCHONTOPHOENIX CUNNINGHAMIANA	KING PALM
ARECASTRUM ROMANZOFFIANUM	QUEEN PALM
GINKO BILOBA	GINKO
LIQUIDAMBAR STYRACIFLUA	LIQUID AMBER
MELALEUCA STYPHELLIOIDES	
PLATANUS ACERIFOLIUS	LONDON PLANE TREE
TRISTANIA CONFERTA	TRISTANIA

FOUNDATION PLANTING/GROUNDCOVERS CRITERIA

- Soften vertical edge of building
- Control pedestrian pathways
- Provide small scale interest for walls and walkways
- Shrubs, vines, & ground covers
- Install at varying sizes - 1 gal. & 5 gal.

BOTANICAL NAME LIST

COMMON NAME

AGAPANTHUS AFRICANUS	AGAPANTHUS
CLIVIA MINIATA	KAFFIR LILY
ESCALLONIA FRADESII	FRADES ESCALLONIA
FATSIA JAPONICA	JAPANESE ARALIA
HEBE 'COED'	HEBE
HEMEROCALLIS SPECIES	DAYLILY
NANDINA DOMESTICA	HEAVENLY BAMBOO
NERIUM OLEANDER	OLEANDER
PITOSPORUM TOBIRA	MOCK ORANGE
RAPHIOLEPIS INDICA	INDIA HAWTHORN
TECOMARIA CAPENSIS	CAPE HONEYSUCKLE
TERNSTROEMIA GYMNANTHERA	TERNSTREMIA
XYLOSMA CONGESTUM	SHINY XYLOSMA
BOUGAINVILLEA SPECIES	BOUGAINVILLEA
LONICERA HILDERBRANDIANA	GIANT BURMESE HONEYSUCKLE

When completed, Palos Vista will be a community of individual projects each with its own identity interwoven into a unified community. The landscape design will be the visual impression the resident or visitor takes with him as the essence of the Palos Vista community. Following are the elements needed to portray this unified concept.

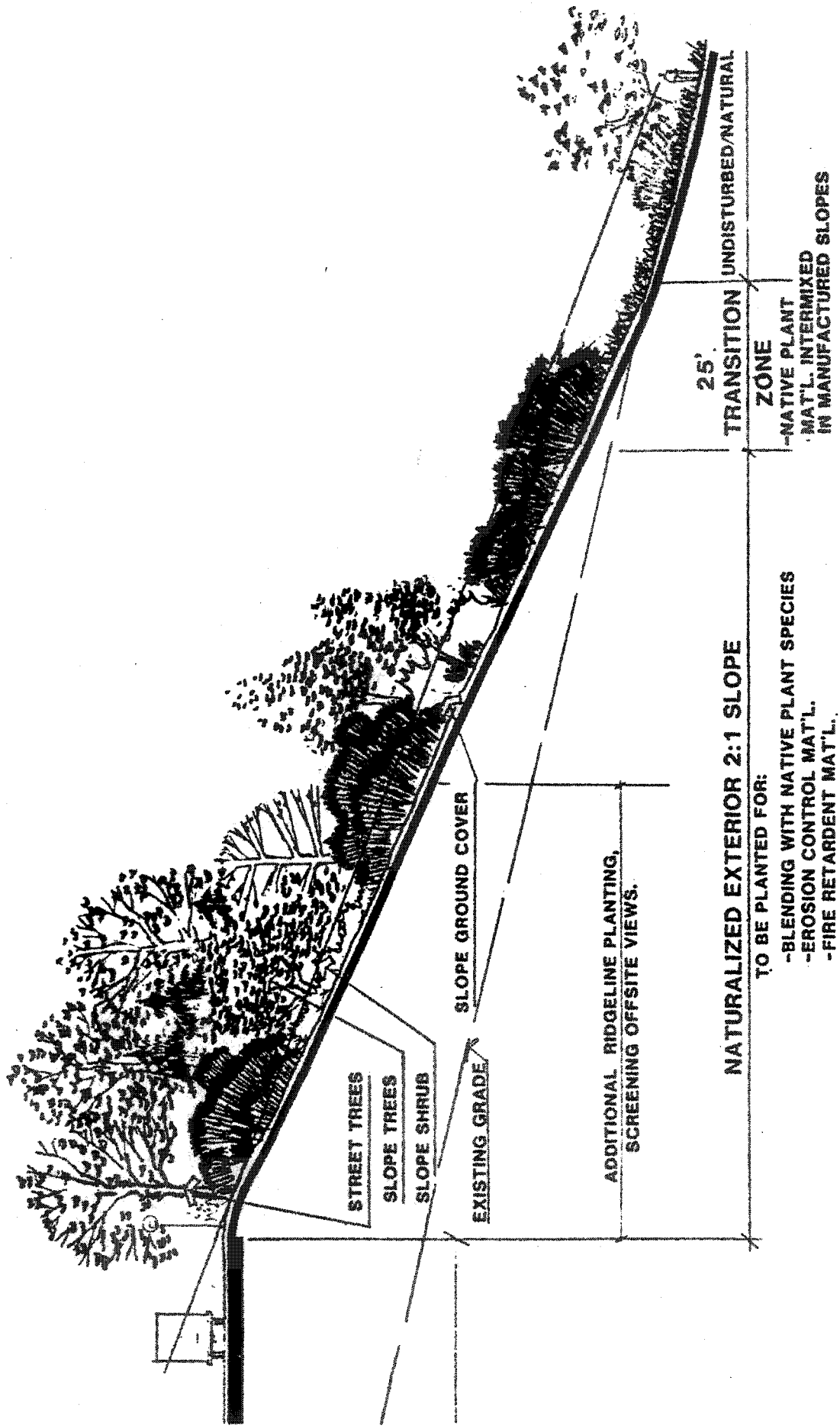
1. Streetscapes: The streetscape design will reflect and reinforce the theme of the neighborhood. All neighborhood streets should be planted with street trees and reflect the function and scale of the street. Generally, one species of tree should be used per street, although clusters of accent or theme trees may be used in addition to the street trees to highlight focal areas, such as intersections. Trees with invasive roots which may crack pavement should be avoided.
2. Project entries: Major entries to individual residential projects should be accentuated. These focal areas should be emphasized with signage, accent trees, walls and landscaping. (See Figure 9)
3. Slope planting: The Master Landscape Concept Plan has been carefully designed to greatly reduce any visual impacts created by the grading. In designing the landscape concept plan for the Palos Vista project, three conditions were identified which relate the manufactured slopes to be created with their visibility within and from outside the project. The types of landscaping proposed to reduce the adverse effects of the grading are oriented around these three conditions (see Figures 11, 12 and 13).

a. Exterior Undisturbed Slopes:

This category of slopes includes all of the slopes around the perimeter of the area to be developed, including any slope which is created for roads which serve the property. Consequently, these slopes would be the most visible from outside the project. At the lower portions of these slopes, a 25 ft. transition zone consisting of imported and native plant species will be accomplished. The major area of the slopes should be planted with relatively dense and varied vegetation to accomplish erosion control and provide a "naturalized" appearance. The upper portions of the slopes should include clusters of taller trees and shrubs to screen views of the internal road and lowest rows of homes within the development yet still provide views from residents within the Palos Vista project over the plantings on the upper portion of the slopes (see Figure 11).

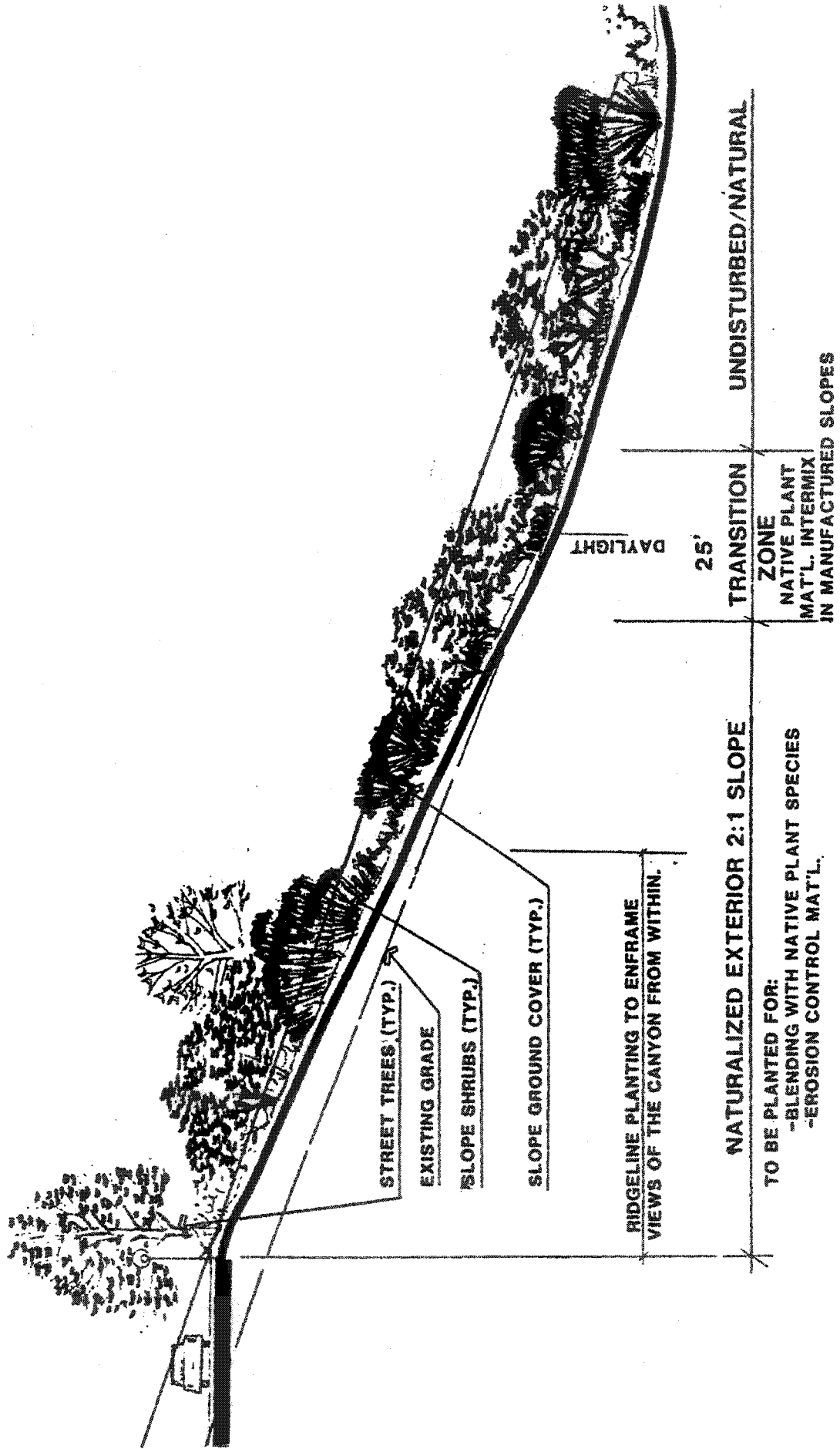
b. Interior Undisturbed Slopes:

This category of slopes includes all of the manufactured slopes that are adjacent to interior natural areas. For the most part, these slopes would not be visible from outside the project. The emphasis, therefore, is to provide erosion control, soil stabilization, fire retardant, and a blending with the native vegetation adjacent to the slopes. Street trees should be planted where appropriate, but the upper portions of these slopes should not include denser taller shrubs (see Figure 12).



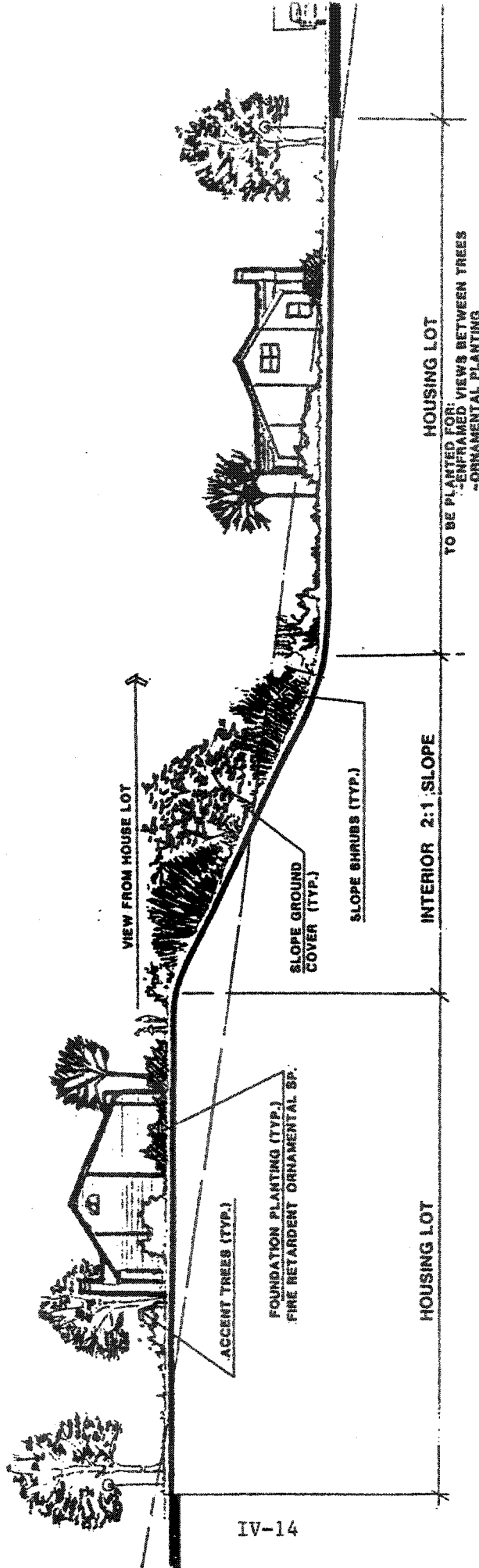
IV-12

SECTION THROUGH INTERIOR SLOPES TO EXTERIOR UNDISTURBED SLOPES
Figure 11



SECTION THROUGH INTERIOR SLOPE THROUGH TO INTERIOR UNDISTURBED SLOPE

Figure 12



SECTION THROUGH INTERIOR MANUFACTURED SLOPE

Figure 13

c. Interior Manufactured Slopes:

Many of the slopes within this category will afford excellent view opportunities for the homeowners within the Palos Vista community. The landscaping should provide relatively dense ground cover, with some variety in height using shrubs and clustering of lower trees. Views from the homes in the project should be filtered or framed by landscaping, but should not be obstructed (see Figure 13).

4. Groundcovers: Groundcovers are used to control erosion and to provide color and texture on the ground. In accent areas, a groundcover which contract slope plantings should be used. These plant materials should be drought resistant and require minimal maintenance.
5. Screening/Buffering: Screening and buffering techniques may be necessary to provide separation between development. This may be accomplished solely by landscaping or in combination with berms, walls and fences.
6. Maintenance and Irrigation: The irrigation system should be an automatic and permanent system installed to cover all landscaped areas. Cleaning and adjustment of the system should be part of the regular maintenance activities.

Slopes within the community will be maintained by both private property owners and community associations. The two major levels of landscape maintenance responsibility and their respective care-areas should be as follows:

- a. Palos Vista Master Homeowners' Association - responsible for maintaining major slopes, community entry, dedicated open space, landscaping along major circulation road, recreational center, and any other areas benefiting the entire residential community.
- b. Community Homeowners' Association - responsible for maintaining landscape of project entries, interior open space, neighborhood streetscapes and transitional slopes between projects (typically up-slope responsibility). Two community homeowners' associations will be established, one for Neighborhood One and one for Neighborhood Three.

E. Architectural Element:

The major goal of the standards listed below is to create an architectural theme providing a framework of compatibility throughout the Palos Vista community. The guidelines set the parameters for the neighborhood image, but allow flexibility and creativity in the building design.

The description of architectural style and elements is not intended to restrict but rather to assist in implementing a strong consistent design direction and level of quality. In an effort to promote a richness of the mediterranean architectural character the following criteria have been established.

1. Style - Architecture of the Palos Vista project is to be Spanish Mediterranean style, expressed by its traditional architectural elements and materials. Plans may be one or two story and typically should include a courtyard or patio. Although the design of dwellings within a neighborhood should possess a similar style, it is necessary to provide visual variety for each unit. This will be accomplished by the following standards i.e. rooflines of buildings, massing, colors and detailing.
2. Roof - Roof material shall be concrete tile in earth-tone colors. Design should avoid steep roof pitch. Flat roofed areas shall be screened by a parapet. Flat roofs shall not exceed more than 20% of a project's roof. Roofs facing down-slope shall be gables.
3. Massing - A variety of massing heights are encouraged. In those areas most visible from offsite, at least 20% of a project's units shall have a major massing break in the rear elevations.
4. Color - Exterior plaster and siding colors should be earthtone or light in color. Pure white and bright colors are to be avoided. Accent colors are restricted to windows, doors, railing and trim.
5. Architectural Detailing - Pergolas, trellises and simple single colored canvas awnings are encouraged. Any awning should cover at least 1/4 of the window area. These features may be built within the rear yard setback.
6. Wall Surfaces - Wall surfaces should be principally exterior plaster with a semi-smooth finish. Any siding shall be limited to a lap siding, which should be painted or stained.
7. Mechanicals - All mechanical equipment and metering should be screened from the street. TV antennas and satellite dishes are not allowed on the roof.

F. Neighborhood Development Standards:

1. Neighborhood One: Single Family Detached, Single Family Zero Lot Line, Duplexes.

As previously indicated, Neighborhood One will consist of approximately 691 dwelling units. Using the R-2 zone as a basis, Neighborhood One should be developed in conformance with the following development standards.

- a. Lot Size: The lots within Neighborhood One will vary in size dependent upon the product type utilized by future development phases. Each lot will have an area of not less than 3,000 sq. ft.

- b. Building Setbacks:

- Front yard - Residential structures should have a front yard of not less than 5 feet in depth. The structures shall be developed in a way to vary setback appearance and not interfere with driveway access.

- Side yard - 5 feet minimum. For zero lot line product, possible 5 foot easement from adjoining unit effectively creates yard on other side.

- Rear yard - 10 feet minimum.

- c. Building Heights: 2 1/2 story maximum, not to exceed 35 feet.

- d. Parking:

- Single Family Detached - Two car garage or carport for each unit.

- Attached Multiple Family Residences:

- One bedroom - 1 1/2 parking spaces per unit.

- Two bedroom - 1 3/4 parking spaces per unit.

- Three Bedroom - 2 parking spaces per unit.

2. Neighborhood Three:

Neighborhood Three, located in the northeast section of the Palos Vista development in the more topographically constrained area, is designated as Agricultural Estate. Approximately 39 Agricultural Estates will be developed in conformance with the following development regulations.

a. Lot size - These lots range in size from a minimum of 1.7 acres to a maximum of 88.0 acres with an average acreage of 12.4. See Specific Plan Exhibit.

b. Building Setbacks:

- Front yard - Each lot of land shall have a front yard of not less than 25 feet in depth.

- Side yard - There shall be a side yard of at least 10 feet on each side of the lot.

- Rear yard - Each lot shall have a rear yard of not less than 20 feet in depth.

c. Building Heights: 2 1/2 story maximum, not to exceed 35 feet.

d. Parking: Each lot shall provide a minimum of two off-street parking spaces.

G. Drainage:

Grading and improvement plans prepared for each Final Map in the Specific Plan Area shall include drainage facilities designed in accordance with the requirements of the City Engineer and shall be capable of accommodating runoff from a 50 year frequency storm. The City Design Standards for drainage facilities shall be followed and required supporting calculations provided.

The first Final Map of Neighborhood One or Two shall require that the developer improve the drainage swale adjacent to Bougher Road and its culvert passing under El Norte Parkway, to the satisfaction of the City Engineer. Other improvement requirements and/or financial contributions towards off-site improvements may be established by the City Engineer as conditions of approval of all Implementing Tentative Maps.

CHAPTER V
IMPLEMENTATION

V. IMPLEMENTATION

The purpose of this chapter is to provide guidelines for the timely implementation of the Palos Vista Specific Plan. In addition, a general phasing program for the residential development and public facilities is outlined.

A. Implementation Techniques:

The implementation of the Palos Vista development will be accomplished through the approval by the City of Escondido of one Tentative Subdivision Map and subsequent Final Maps. These maps will be consistent with the State Subdivision Map Act and the City's Subdivision Ordinance, with appropriate conditions applied accordingly.

1. Tentative Subdivision Map:

Prior to approval of the Tentative Subdivision Map the following information and/or studies must be submitted to the City staff.

- a. Conceptual Landscape Plan. A project-wide landscaping program, consistent with Chapter IV of the Specific Plan, shall be submitted depicting street trees, entry point designs and manufactured slope landscape treatment.
- b. Environmental Constraints Program. Identification of those areas within the Specific Plan which may require site-specific mitigation treatment, as identified through the Final Environmental Impact Report (ER 85-29).
- c. Recreation/Open Space Facilities Program. The location and acreage identification of all Recreation and Open Space facilities. Pedestrian trails may be included if appropriate.

2. Final Maps:

Final Maps will be recorded as merchant builders subdivide the lots of the Tentative Map into development units. Each Final Map shall be consistent with the Specific Plan and Tentative Map, and shall include the following, to be submitted to the City and accepted by the Community Development Director prior to recordation of Final Map:

- a. Development Regulations and Design Guidelines. A program establishing standards for height, setbacks, open space, building intensity, public improvements, building materials and color within the Final map area. These guidelines and regulations shall be consistent with all the appropriate "Project Development Standards" presented in Chapter IV of the Specific Plan.
- b. Documentation of Conformance with Certified Final Environmental Impact Report (ER 85-29). Written documentation, identifying all appropriate mitigation measures from the Final EIR, and the Final Maps compliance with these measures.

- c. Copies of legal documents required by the Community Development Director for conveyance of open space within the Final Map area and for the creation of nonprofit homeowner associations, or assessment districts for such open space ownership and/or maintenance.
- d. Landscape Plan. A detailed landscaping and planting plan for streets, recreational amenities and open space within the Final Map area. This plan is to be consistent with the Conceptual Landscape Plan and Specific Plan.
- e. Tabulation of number of dwelling units by type within the Final Map area.

CHAPTER VI
AMENDMENTS
TO THE SPECIFIC PLAN

VI. Amendments to the Specific Plan:

It is conceivable that over time, various sections of the Specific Plan property may need to be revised, as the market conditions or City needs may dictate. The policies presented in the Specific Plan map and text are intended to be fairly flexible, but any Amendments must be judged by relatively fixed criteria. The following process must be followed when considering Specific Plan Amendments.

A. Preparation of Technical Studies (Applicant):

The applicant must submit studies to the City which specifically analyze the Amendment's effects, compared to the original project, on the following:

1. Preservation of Open Space, natural and improved;
2. Geologic constraints, including soils and slope stability;
3. Conformance with the City's Grading Ordinance;
4. Potential fire or flooding hazards;
5. Traffic impacts;
6. Public Utilities, including sewer and water;
7. Visual impacts, on-site and off-site;
8. Fiscal impacts;
9. Compatibility with land uses within and surrounding the original specific plan boundaries;
10. Environmental Resources, as documented in the Environmental Impact Report, including Biology and Archaeology;
11. Goals and policies of the General Plan, including the "Specific Planning Area" narrative pertaining to the project.

B. Documentation of Need for Amendment (Applicant):

The applicant must indicate, in the Specific Plan Amendment application, the specific nature of changes proposed, along with overall justification for the change.

C. Revised Specific Plan Text and/or Map (Applicant):

The applicant must provide a revised Specific Plan text (or excerpt therefrom) and Map, where relevant, which depicts the Amendment requested.

D. Supplemental Environmental Analysis (Applicant):

Depending on the nature of the Amendment, supplemental environmental analysis may be necessary, according to the California Environmental Quality Act (Section 15162). The applicant must provide an analysis of the Amendment's impacts relative to the original Environmental Impact Report.

E. Staff Analysis (City):

The City staff will critique all of the above written material and provide a staff report for presentation to decision makers. Staff may also request further clarification of the above studies, if necessary.

F. Public Hearings (City):

Both the Planning Commission and the City Council must hold public hearings on the Specific Plan Amendment, in accordance with Section 65453 of the State Government Code.

PALOS.VISTA.SP

APPENDIX "A"

NEIGHBORHOOD ONE
SLOPE DESCRIPTIONS
11-28-88

Slope	Guideline Reference	Existing Natural Slope (%)	Cut/Fill	Approximate Height (ft.)	Justification
1-A	B-5, D-2	Mostly 0-10 and 10-20	Fill	49	Necessary for providing reasonable access from private street C to Bougher Rd. and earthwork balance.
1-B	B-5, D-3	>30	Cut	50	Necessary for road and earthwork balance
1-C	B-5, D-2 D-3	20-30, >30	Fill	50	Necessary for Bougher Road to serve developable areas
1-D	B-5, D-3	>30	Cut 1:1 2:1	23 40 w/ 8' wall	Necessary for Bougher Road to serve developable areas
1-E	B-5, D-2	>30	Fill/Cut 1:1 2:1	20 36	Necessary for access to Water District reservoir and emergency access road
2-A	B-5, D-3	>30	Cut 1:1 2:1	25 50	Necessary for Bougher Road to serve developable areas
2-B	A-1, B-5 D-2, D-3	20-30, >30	Fill	70, 40, 90	Necessary for Bougher Road to serve developable areas
3-A	B-5, D-3	>30	Fill	50	Necessary for Bougher Road
3-B	B-5, D-2	Partly 20-30 (most lots in 10-20, few in 20-30)	Cut and Fill	48	Reduction in total amt. of cut/grading due to refinement of plans.
3-C	B-5, D-2	Mostly 10-20 (most lots in 0-10, 10-20)	Cut and Fill	26	Necessary for providing lots within existing topography.

NEIGHBORHOOD ONE
SLOPE DESCRIPTIONS
11-28-88

Slope Reference	Guideline Reference	Existing Natural Slope (%)	Cut/Fill	Approximate Height (ft.)	Justification
4A	B-5, D-2, D-3	20-30, >30	Fill	55	Necessary for internal collector loop.
4-B	B-5, D-2, D-3	20-30, >30	Fill	70	Necessary for internal collector loop.
4-C	B-5, D-2, D-3	Mostly 10-20 some 20-30, >30	Cut and Fill	60	Provides lots within existing topography along local street
4C-1	B-5, C-2	>30	Fill	68	Creation of 2.5 : 1 slope and refinement to grading plans to minimize grading.
4-D	B-5, D-2	Mostly 0-10	Cut	35	Necessary for Bougher Road
4-E	B-5, D-2, D-5	20-30, >30 (lots on 0-10, 10-20, 20-30, >30)	Fill	40	Necessary to provide gravity sewer within street
4-F	B-2, B-5, D-2, D-3	10-20, 20-30, >30 (mostly 20-30 on lots)	Fill	60	Necessary to provide gravity sewer within street
4F-1	B-2, D-2	>30	Fill	71	Gravity sewer; shown on apprvd. TM at 71'.
4-G	B-5, D-2, D-3	20-30, >30	Fill	45	On-site disposal area to accommodate expansive rock and to eliminate off-site hauling if the site does not balance, as well as to provide a park site, to be dedicated to the homeowners' association in the future.

NEIGHBORHOOD ONE
SLOPE DESCRIPTIONS
11-28-88

Guideline Slope Reference	Existing Natural Slope (%)	Cut/Fills	Approximate Height (ft.)	Justification
5-A A-1, B-1 B-2, B-5, D-2, D-3	Mostly 20-30, some 10-20, some >30 (lots are 0-10, 10-20, 20-30)	Cut and Fill	Up to 60	Provides pads along Bougher road
5-B B-5, D-2	Partly 20-30 (most lots 0-10, 10-20; few 20-30)	Cut and Fill	35	Necessary for Bougher road
6-A B-5, D-2	Mostly 20-30, some 10-20 (most lots 20-30; some 10-20)	Cut and Fill	50	Provides pads along local street
6A-1 D-2, B-5	>30	Fill	70	Provides pads along local street
6-B B-5, D-2	Mostly 20-30, some 10-20 (most lots 0-10, 10-20, some 20-30)	Cut and Fill	50	Necessary for providing lots within existing topography and earthwork balance
6-C B-5, D-2	Mostly 10-20, little 20-30 (Most lots 0-10, 10-20)	Cut and Fill	40	Provides lots along local street
7-A B-5, d-2	20-30 (lots in 10-20)	Fill	60	Provides lots along cul-de-sac
7-B B-5	All 0-10, 10-20	Cut	35	Provides pads along local streets
7-C B-5, D-2	Some 20-30	Cut and Fill	40	Necessary for Bougher Road

NEIGHBORHOOD ONE
SLOPE DESCRIPTIONS
11-28-88

Slope Reference	Guideline Reference	Existing Natural Slope (%)	Cut/Fill	Approximate Height (ft.)	Justification
7-D	A-1, B-1, B-2, B-5, D-2, D-3	20-30, >30 (SW lots 0-10, 10-20; NE lots 20-30)	Fill Up to 60		Necessary for providing lots along Bougher Road
8-A	B-5, D-2	Mostly >30, some 20-30 (lots along cul-de-sac mostly 20-30, some >30, some 0-10, 10-20)	Fill	61	Provides lots along cul-de-sac which serves developable area (0%-10% & 10%-20% slopes)
8-B	B-5, D-2, D-3	10-20, 20-30, >30	Cut 1:1 2:1	48 44	Necessary for Cul-de-sac.
8-C	B-5, D-2, D-3	20-30, >30 (most lots 20-30)	Cut 1:1 2:1	37 40	Provides pads along cul-de-sac
8-D	B-5, D-3	Mostly >30 (lots are 20-30)	Cut 1:1 2:1	16 35	Necessary for cul-de-sac, Provides lots along cul-de-sac
8-E	B-5, D-3	Mostly >30	Fill	82	Necessary for cul-de-sac which serves developable area.
8-F	B-5, D-2, D-3	10-20, 20-30 >30	Cut 1:1 2:1	30 44	Necessary for Access to Cul-de-sac.

NEIGHBORHOOD ONE
SLOPE DESCRIPTIONS
11-28-88

Guideline Slope Reference	Existing Natural Slope (%)	Cut/Fill	Approximate Height (ft.)	Justification
12-A B-5, D-2, D-3	20-30, >30 (road mostly 20-30)	Fill	35	Necessary for emergency access road
13-A B-1, B-5	Mostly 10-20	Fill	25	Adjacent to property line (B-1)
13-B B-4, B-5 D-3	20-30 (mostly 10-20 on lot)	Cut 1:1 2:1	35 45	Necessary for construction of library site pad.

NEIGHBORHOOD THREE
SLOPE DESCRIPTIONS
11-28-88

Slope	Existing Natural Slope (%)	Cut/Fill	Approximate Height (ft.)	Justification
14-A	>30	Fill 2:1	35	Necessary for Secondary Access, water main construction to reservoir, and provision of water service to Wahlford property.
14-B	>30	Cut 2:1 * 1:1	40 28	Same as 14-A
14-C	>30	Fill 2:1	75	Same as 14-A
14-D	>30	Fill 2:1	80	Same as 14-A
14-E	>30	Cut 2:1 * 1:1	40 22	Same as 14-A
14-F	>30	Fill 2:1	25	Same as 14-A
14-G	>30	Fill 2:1	40	Same as 14-A
14-H	>30	Cut 2:1 * 1:1	35 35	Same as 14-A
14-I	>30	Fill 2:1	65	Same as 14-A
14-J	>30	Cut 2:1 * 1:1	26 22	Necessary for secondary access, provision of water service to Wahlford property, and provide access to developable areas of site
14-K	>30	Fill 2:1	45	Same as 14-J
14-L	>30	Cut 2:1 * 1:1	60 45	Same as 14-J

NEIGHBORHOOD THREE
SLOPE DESCRIPTIONS
11-28-88

Slope	Existing Natural Slope (%)	Cut/Fill	Approximate Height (ft.)	Justification
14-M	>30	Cut 2:1 * 1:1	37 34	Same as 14-J
14-N	20-30	Fill 2:1	25	Same as 14-J
14-O	10-20	Fill 2:1	30	Same as 14-J
14-P	10-20	Fill 2:1	30	Same as 14-J
14-Q	20-30	Fill 2:1	25	Same as 14-J
14-R	>30	Fill 2:1	40	Same as 14-J
14-S	10-20	Cut 2:1 * 1:1	30 27	Same as 14-J
14-T	>30	Fill 2:1	55	Same as 14-J
14-U	>30	Cut 2:1 * 1:1	77 39	Same as 14-J
14-V	20-30	Fill 2:1	48	Same as 14-J
14-W	20-30	Fill 2:1	23	Same as 14-J
14-X	>30	Cut 2:1 * 1:1	43 35	Same as 14-J
14-Y	>30	Cut 2:1 * 1:1	25 22	Same as 14-J

NEIGHBORHOOD THREE
SLOPE DESCRIPTIONS
11-28-88

Slope	Existing Natural Slope (%)	Cut/Fill	Approximate Height (ft.)	Justification
14-Z	>30	Fill	80	Same as 14-J
14-AA	>30	Cut 2:1 * 1:1	30 25	Same as 14-J
14-BB	>30	Cut 2:1 * 1:1	68 44	Same as 14-J
14-CC	>30	Fill 2:1	40	Same as 14-J
14-DD	20-30	Fill 2:1	25	Same as 14-J
14-EE	>30	Cut 2:1 * 1:1	23 18	Same as 14-J

* All slopes shall be designed with minimum 2:1 as opposed to steeper inclinations. However, cut slopes with maximum 1:1 inclinations may be permitted on a case by case basis for slopes 14-B, 14-E, 14-H, 14-J, 14-L, 14-M, 14-S, 14-U, 14-X, 14-Y, 14-AA, 14-BB, and 14-EE. The determination as to the appropriateness of the 1:1 inclination shall be made by the City Engineer and Community Development Director only when the underlying soil material contains rock materials which cannot be landscaped in a manner consistent with City landscape standards.

The determination as to which slopes may be reduced shall be made by the City Engineer and Community Development Director upon specific application describing the rock conditions encountered in the field. Said application shall consist of a revised grading plan depicting the 1:1 inclination, geologic reports and certifications from a soils engineer, a statement from a landscape architect as to the landscape potential of the soils and a revised landscaped and irrigation plan consistent with these recommendations.

RESOLUTION NO. 89-92

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A SPECIFIC PLAN FOR THE
PALOS VISTA DEVELOPMENT

Case No. 88-127-DA/GE/SP/Tract
683-R

WHEREAS, the Planning Commission of the City of Escondido has considered a request for approval of Specific Plan No. 88-127-SP north of the intersection of Bougher Road and El Norte Parkway; and

WHEREAS, this City Council has held a duly noticed public hearing to consider this proposed Specific Plan; and

WHEREAS, this City Council is exempt from the provisions of the California Environmental Quality Act; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the Specific Plan modifications to the Specific Plan as necessary to reflect the modifications to the original approvals as proposed by cases 88-127-DA/GE and Tract 683-R;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.

2. That the Specific Plan modifications for the Palos Vista Development Project to which the map modifications conform are set forth on Exhibit "A" are hereby adopted.

PASSED, ADOPTED AND APPROVED by the City Council of the city of Escondido at a regular meeting thereof this 15th day of March, 1989, by the following vote to wit:

AYES : Councilmembers: DE DOMINICIS, HARMON, MURPHY,
THURSTON

NOES : Councilmembers: NONE

ABSENT : Councilmembers: COWAN

APPROVED:


DORIS THURSTON, Mayor
City of Escondido, California

ATTEST:


JEANNE BUNCH, City Clerk of the
City of Escondido, California

AMENDMENT TO
PALOS VISTA SPECIFIC PLAN
(SP 87-01)

January 31, 1989

CHAPTER I: INTRODUCTION:

1. Item I-C - Revise ownership to include Shea Homes as of the amendment date of this Specific Plan.
2. Item I-C - The total number of dwelling units has changed from 782 to 730. The units are distributed among the three Neighborhoods as follows:

Neighborhood 1	691
Neighborhood 2	-0-
Neighborhood 3	39

Section 6.2.3 of the Palos Vista Development Agreement states "In the event that the City shall contend in any action or proceeding that by virtue of the changes shown in the Grading Plan, any rights of Owner under the Existing Vesting Map are changed, modified or affected in any way, then the total number of dwelling units permitted (within Neighborhood 1 and 2 combined) hereunder is 743, the density and intensity of such dwelling units is as set forth in the Existing Vesting Map...".

CHAPTER II: SPECIFIC PLAN CONFORMANCE TO STATE LAW AND CITY GENERAL PLAN

1. Item B-1, C-4, D-5 - The total amount of open space has changed from 680+/- acres to 690+/- acres.
2. Item B-4 - Change the total number of dwelling units from 782 to 730.
3. Item C-3 - Change the total number of dwelling units from 782 to 730, total number of dwelling units which are located in the flat areas from 726 to 691 and terrain fitted dwelling units from 56 to 39.

CHAPTER III: PLAN DESCRIPTION

1. Item A - Delete reference to custom estate lots within the steeper slopes to the southwest.
2. Item B-1 - The total land used for residential purposes (including streets) is 288 acres or 29% of the total 979 acre project.

Palos Vista
Spec. Plan Amend.
January 31, 1989
Page 2.

CHAPTER III: PLAN DESCRIPTION CONTINUED

3. Item B-1a - Change 782 dwelling units to 730, change the developable acres from 111 to 128, change the open space acres from 306 to 289.

The use for Sub-area 12 within Neighborhood One has changed from a real estate sales office to a public facility parcel. Per Section 6.6.2 of the Palos Vista Development Agreement, "Owner agrees to offer the Public Facility Parcel for dedication to the City for a public library or such other purpose requested by the City which Owner reasonably agrees is consistent with Owners's development of the Property. City shall have six months from receipt of such offer of dedication to accept such offer. If the City fails to accept Owner's offer within such six month period, Owner's offer of dedication shall be deemed withdrawn".

4. Item B-1b - Delete the description of Neighborhood Two and insert the following description:

Neighborhood Two, consisting of 63 acres, is located in the southwest panhandle of the project in relatively steep topography. This site is to be dedicated to the City of Escondido for park or open space purposes. Section 6.6.1 of the Palos Vista Development Agreement states "owner agrees to offer the Park Parcel for dedication to the City for park purposes or such other purpose requested by the City which Owner, in Owner's reasonable judgment, finds to be consistent with the Project and in the best interest of the future residents of the Project, provided, however, the (i) public access to the Park Dedication shall be provided through Richland Road only and (ii) the Project shall have pedestrian access to the Park Parcel. City shall have six months from receipt of such offer of dedication to accept such offer. If the City fails to accept Owner's offer within six month period, Owner's offer of dedication shall be deemed withdrawn". In the event the City fails to accept Owner's offer, the 63 acres will become private open space to be maintained by Neighborhood One Community Homeowners' Association.

5. Figure 2: Neighborhood 2 as illustrated on Figure 2 has changed from 17 custom estate lots to a park or open space parcel. Public access to the park shall be provided through Richland Road only and the Palos Vista project shall have pedestrian access to the park parcel.

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Spec. Plan Amend.
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Page 3.

CHAPTER III: PLAN DESCRIPTION CONTINUED...

6. Item B-2a - Neighborhood One: Delete text and insert "Neighborhood One totals approximately 417 acres of which 289 acres are designated as open space. All undisturbed open space within Neighborhood One is contained within four large lots to be permanently reserved as open space and maintained by the Neighborhood One Community Homeowners' Association. The manufactured slopes created by the major circulation road will be maintained by the Palos Vista Master Homeowners' Association. The remaining manufactured slopes will be maintained by the Neighborhood One Community Homeowners' Association. Chapter IV; Landscaping, further explains the maintenance responsibilities of the two homeowners' associations".
7. Item B-2b - Neighborhood Two: Delete text and insert "Neighborhood Two consists of approximately 63 acres and shall be dedicated to the City of Escondido as a park or open space parcel and maintained as such by the City of Escondido. See Chapter III, Item B-1b for further details."
8. Item B-2c - Neighborhood Three: Delete text and insert "Neighborhood Three consists of approximately 497 acres of which 337 acres are designated as agricultural open space to be maintained by the individual property owner. An open space easement will be dedicated to the City of Escondido for a 3.3 acre archeological site. The slopes created by the major circulation road will be maintained by the Palos Vista Master Homeowners' Association".
9. Figure 3: Revision of Neighborhood One graphic to reflect new homeowners' association classifications.
10. Figure 4: Revision of Neighborhood Two graphic to reflect park or open space parcel to be maintained by the City of Escondido.
11. Figure 6: Deletion of the "neighborhood street" and "emergency access road" shown within Neighborhood Two.
12. Item B-3 - Insert "The one acre pad created by grading exemption 4G will serve as a passive recreation area. This one acre site could, at a later date, be improved to include community recreational amenities.

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Page 4.

CHAPTER III: PLAN DESCRIPTION CONTINUED...

13. Item B-4; revision of "Real Estate Sales Office" to "Public Facilities Site". Delete text and insert "Lot A-12 of the Specific Plan Exhibit is a 2.3 acre lot located at the entry of the Palos Vista project which will be dedicated to the City of Escondido for a public facility site. Much attention and detail will be given by the City of Escondido to both architecture and landscaping of this facility to immediately establish the spanish mediterranean and european ambiance of the community. Perimeter buffering to protect adjacent residential properties will be implemented with the final grading plans".
14. Item C-1; delete "Richland Road borders the western boundary providing emergency access only".

CHAPTER IV: DESIGN GUIDELINES AND DEVELOPMENT STANDARDS

1. Item C-1; revise text to read as follows:

All slopes shall be designed with minimum 2:1 as opposed to steeper inclinations. However, cut slopes with maximum 1:1 inclinations may be permitted on a case by case basis for slopes identified as grading exceptions per this Specific Plan. The determination as to the appropriateness of the 1:1 inclination shall be made by the City Engineer and Community Development Director only when the underlying soil material contains rock materials which cannot be landscaped in a manner consistent with City landscape standards.

The determination as to which slopes may be reduced shall be made by the City Engineer and Community Development Director upon specific application describing the rock conditions encountered in the field. Said application shall consist of a revised grading plan depicting the 1:1 inclination, geologic reports and certifications from a soils engineer, a statement from a landscape architect as to the landscape potential of the soils and a revised landscape and irrigation plan consistent with these recommendations.

2. Figure 10 - Revise Grading Exceptions Approved By This Specific Plan to reflect latest grading exemptions granted for Neighborhoods One and Three.

Palos Vista
Spec. Plan Amend.
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Page 5.

CHAPTER IV: DESIGN GUIDELINES AND DEVELOPMENT STANDARDS CONTINUED...

3. Item D-6a; Change "Palos Vista Community Homeowners' Association" to "Palos Vista Master Homeowners' Association".
4. Item D-6b; Change "Project Homeowners' Association" to "Community Homeowners' Association", and add "Two Community Homeowners' Associations will be established, one for Neighborhood One and one for Neighborhood Three".
5. Item E-2; Delete "S-type" tiles; revise text to state "Roof material shall be concrete tile in earth-tone colors". Delete "Roof pitch should be no greater than 5:12", insert "Design should avoid steep roof pitch".
6. Item E-4; Delete "no larger than 2" in width".
7. Item F-1; Revise 827 dwelling units to 691 dwelling units.
8. Item F-2; Delete text since Neighborhood Two is now open space/park site.

EXHIBIT "E"

ENVIRONMENTAL
MITIGATION IMPLEMENTATION
AND MONITORING PROGRAM

<u>TASK</u>	<u>RESPONSIBILITY</u>	<u>TIMING</u>
1. Monitor availability of water and sewer capacity to service site over 15-year term.	San Marcos County Water District	Ongoing; prior to issuance of Building Permits.
2. Monitor level of service of circulation system on El Norte Parkway west of Interstate 15; include project-related traffic in cumulative analysis of future projects.	Engineering Dept. and Planning Dept.	Ongoing; incorporate into future environmental reviews.
3. Initiate Environmental Review of El Norte Parkway improvements to widen to Major Road standards between Bougher Rd. and Interstate 15.	Planning Dept.	Prior to funding Phase 2 improvements described in Development Agreement, Exhibit G.

RESOLUTION NO. 2003-167

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A SPECIFIC PLAN AMENDMENT TO THE PALOS VISTA SPECIFIC PLAN (SPA 1) TO PERMIT A SINGLE-FAMILY RESIDENCE ON A 2.09-ACRE SITE SUBJECT TO R-1 STANDARDS AND TO ADD WIRELESS FACILITIES AS A CONDITIONALLY PERMITTED USE.

Case No. 2003-02-SPA

WHEREAS, on May 27, 2003, the Planning Commission considered an amendment to the Palos Vista Specific Plan at a noticed public hearing and recommended that the City Council approve the proposal to allow wireless facilities as a conditionally permitted use with appropriate development standards and to deny the proposal to allow a single-family residence on the 2.09-acre site currently identified for a public facility; and

WHEREAS, on July 9, 2003, the City Council considered the proposed Specific Plan Amendment; and

WHEREAS, this City Council has considered the staff report, the recommendations of the Planning Commission, and public testimony presented at the Council hearing and incorporates by reference the findings made therein; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve related actions to amend the Palos Vista Specific Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That on the basis of the above review and consideration this City Council makes the following findings of fact:
 - A. The proposal is consistent with the General Plan of the City of Escondido and every element thereof, for the following reasons:
 - (1) Approval of the Specific Plan Amendment would have a de minimis effect on the implementation of the General Plan by allowing one additional single-

family dwelling within SPA 1 subject to R-1 standards, and allowing wireless facilities as a conditionally permitted use subject to appropriate design criteria.

(2) Approval of the Specific Plan Amendment would not be detrimental or introduce uses that would be injurious to surrounding properties.

(3) All requirements of CEQA have been met and a Categorical Exemption was issued for the project on May 16, 2003.

(4) That the City of Escondido hereby amends the Palos Vista Specific Plan as follows:

Section III.B.1.a, second paragraph

Neighborhood One is divided into fifteen sub-areas identified as sub-area A-1 through A-15 on the Specific Plan Exhibit. Sub-areas A-1 through A-7, and A-12 are for individual project development, sub-areas A-8 through A-11 will be preserved as open space, sub area 12 will be designated as a public facility parcel or single-family residence subject to R-1 standards, with sub-areas A-13 through A-15 not included as part of the Specific Plan. Housing types allowed in Neighborhood One are single-family detached residences, zero lot line single-family residences, and duplexes.

Section III.B.2.a :

Neighborhood One – Neighborhood One totals approximately 417 acres of which 289 acres are designated as open space. All undisturbed open space within Neighborhood One is contained within four large lots to be permanently reserved as open space and maintained by the Neighborhood One Community Homeowner's Association, however, wireless facilities are a conditionally permitted use within the Neighborhood One Open Space area subject to approval of a conditional use permit. Wireless facilities shall be limited to 35' in height and follow the development standards set forth in the City's Zoning Ordinance Article 34. The manufactured slopes created by the major circulation road will be maintained by the Palos Vista Master Homeowners' Association. The remaining manufactured slopes will be maintained by the Neighborhood One Community Homeowners' Association. Chapter IV, Landscaping, further explains the maintenance responsibilities of the two homeowners' associations.

ITEM 1: A Specific Plan Amendment to the Palos Vista Specific Plan (SPA 1) to permit a single-family residence on a 2.09-acre site subject to R-1 standards.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 9th day of July, 2003 by the following vote to wit:

AYES : Councilmembers: D'AGOSTA, GALLO, PFEILER

NOES : Councilmembers: WALDRON, NEWMAN

ABSENT : Councilmembers: NONE

ITEM 2: To allow wireless facilities as a conditionally permitted use subject to appropriate design criteria.

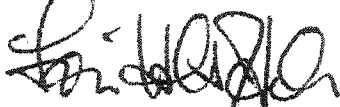
PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 9th day of July, 2003 by the following vote to wit:

AYES : Councilmembers: GALLO, PFEILER, NEWMAN

NOES : Councilmembers: D'AGOSTA, WALDRON

ABSENT : Councilmembers: NONE

APPROVED:



LORI HOLT PFEILER, Mayor of the
City of Escondido, California

ATTEST:



MARSHA WHALEN, City Clerk of the
City of Escondido, California

COPIES TO:
CITY MGR.
CITY ATTY.
ENGINEERING
FINANCE
PLANNING <i>Kathy Heid</i>
OTHER

RESOLUTION NO. 2006-189

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING AN AMEMENDMENT TO THE PALOS VISTA SPECIFIC PLAN TO ALLOW A COMMUNICATION FACILITY FOR CINGULAR WIRELESS

Case No. 2006-20-SPA

WHEREAS, on June 27, 2006, the Planning Commission considered and recommended approval of an Amendment to the Palos Vista Specific Plan to allow a new communication facility for Cingular Wireless consisting of up to six panel antennas mounted on a 35-foot-high, simulated broad-leaf tree along with a 26.5' x 13.5' masonry block equipment enclosure, within an open space area of the Palos Vista Specific Planning Area. The project site generally is located adjacent to the above ground water tanks on Lot G-G-1 of Tract No. 683, southwest of the main entry gate to the Palos Vista/Escondido Highlands planned development along Woodland Heights Glen (APN 187-720-23), more particularly described in Exhibit "C", attached and is incorporated by this reference.

WHEREAS, the City Council has reviewed the request for the Amendment to the Specific Plan, and has reviewed and considered the environmental review/exemption prepared for the project, and has determined the project would not have any significant impacts to the environment; and

WHEREAS, Ordinance No. 78-2 enacted pursuant to Section 65974 of the California Government Code and pertaining to the dedication of land and fees for school facilities has been adopted by the City of Escondido; and

WHEREAS, this City Council has considered the request, the staff report, the recommendations of the Planning Commission, the Design Review Board and the appropriate agencies, and public testimony presented at the Council hearing and incorporates by reference the findings made in the Council report; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Amendment to the Specific Plan for Cingular Wireless, as reflected in the details of request contained in the staff report(s), and on plans and documents on file in the offices of the City Clerk and Planning Division.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the City Council has reviewed and considered the environmental review prepared for the project, the staff reports, and has heard and considered testimony given at the public hearing, and certifies the project would not result in any significant impacts to the environment.
3. That the Factors to be Considered, attached as Exhibit "A" and is incorporated by this reference, were made by said Council.
4. That upon consideration of the Factors, all material in the staff report (a copy of which is on file in the Planning Division), public testimony presented at the hearing, and all other oral and written evidence on this project, this City Council approves the Amendment to the Palos Vista Specific Plan (Case No.

2006-20-SPA) as reflected on plans and documents on file in the offices of the City Clerk and Planning Division, and subject to Conditions of Approval set forth as Exhibit "B", attached and is incorporated by this reference.

5. Notice is hereby given that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development Department and Public Works Department. The project is also subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

6. Notice is further given that the 90-day period during which 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.

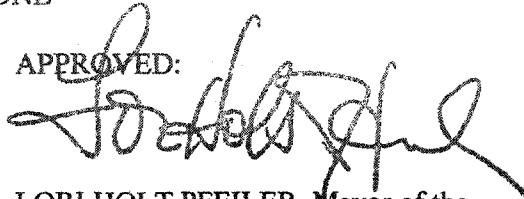
PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 9th day of August, 2006 by the following vote to wit:

AYES : Councilmembers: ABED, GALLO, PFEILER, NEWMAN, WALDRON

NOES : Councilmembers: NONE

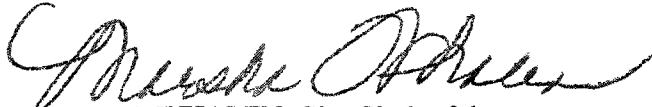
ABSENT : Councilmembers: NONE

APPROVED:



LORI HOLT PFEILER, Mayor of the
City of Escondido, California

ATTEST:



MARSHA WHALEN, City Clerk of the
City of Escondido, California

RESOLUTION NO. 2006-189

EXHIBIT "A"
FACTORS TO BE CONSIDERED
2006-20-SPA

1. General Plan Residential Policy B2.1 (page II-17) states that residential neighborhoods shall be protected from the encroachment of incompatible activities which may have a negative impact on the residential living environment. Granting this Conditional Use Permit to allow a personal wireless communication facility on the subject property would not conflict with this policy and would be based on sound principles of land use since the use is in response to services required by the community and the facility would enhance communication services in the city without posing a health threat to the surrounding area. The proposed panels would be integrated into the surrounding environment with the installation of a simulated broad-leaf tree, which would minimize potential adverse visual impacts in conformance with the Communication Antennas Ordinance. The ground equipment would be located within a new masonry enclosure area, which would eliminate any potential visual and noise impacts to adjacent residents. Landscaping and irrigation would be installed around the facility to provide screening from adjacent views, and help to better integrate the facility into the surrounding environment. The proposed facility would not result in a substantial alteration of the present or planned land use since the project site is developed as a park, with existing small structures and utilities. The proposed antennas and equipment enclosure area would not adversely affect the current operation of the site, or any future uses of the site in conformance with the underlying Specific Plan Open Space land-use category or zoning. The facility also would not result in a potential health hazard to nearby residents since the facility would be within MPE (maximum permissible exposure) limits as indicated in the radio frequency analysis prepared for the project. The proposed facility would be in compliance with the City's Wireless Facility Guidelines, as discussed in the Planning Commission staff report.
2. The proposed personal wireless communication facility would be located within the Specific Plan zone. The proposed facility would not result in a substantial alteration of the present or planned land use since the new facilities are small in scale, and the antennas, support equipment and landscaping would be appropriately integrated into existing facilities, which contains two existing wireless facilities, large above ground water tanks, support buildings, and paved access roads. The proposal would not cause deterioration of bordering land uses since the antennas/facility would be designed to resemble a broad-leaf tree, and the number and size of the panels restricted to reduce the overall bulk of the facility. Therefore, the antennas would be in context with the surrounding built environment and in conformance with the Wireless Guidelines regarding utilization of stealth design and integration into the built environment. The proposed equipment cabinets would be placed within a new enclosure area, which would be landscaped to provide a visual buffer.
3. The visual impacts related to the proposed personal wireless communication facility are not considered significant since the antennas would be mounted onto an existing communication tower and mounted under existing antenna panels. Therefore, the antennas would be in context with the surrounding built environment. The proposed equipment cabinets would be located within a screened enclosure area. The design and location of the proposed facility would be in compliance with the City's Wireless Facility Guidelines, as discussed in the Planning Commission staff report. The City's Design Review Board recommended approval of the project design on May 25, 2006.
4. The proposed personal wireless communication facility would not be hazardous to the health of nearby residents since the radio frequency (RF) analysis prepared for the project concluded the maximum operation levels of radiation for the facility would be within the MPE (Maximum Permissible Exposure) limit established by FCC requirements. The nearest developed residential properties are located approximately 180 feet to the south.
5. The proposed Conditional Use Permit has been considered in relationship to its effect on the community, and the request would be in compliance with the General Plan Policies and the Wireless Facility Guidelines, and would not result in a negative impact to the adjacent neighborhood for the reasons stated above and detailed in the Planning Commission staff report and radio frequency analysis.

EXHIBIT "B"

CONDITIONS OF APPROVAL 2006-20-SPA

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief.
2. Access for use of heavy fire fighting equipment as required by the Fire Chief shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshal.
3. Appropriate all weather access shall be provide to the project site, to the satisfaction of the Fire Department.
4. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
5. All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program
6. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Planning and Building.
7. Prior to obtaining building permits, the applicant shall demonstrate compliance with the requirements of the Citywide Facilities Plan, to the satisfaction of the Planning Division and Engineering Department.
8. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).
9. As proposed, the design, color and materials of the proposed facilities shall be in accordance with the Design Review Board recommendations, staff report, exhibits and the project's Details of Request, including the following to the satisfaction of the Planning Division:
10. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47) and the exhibits included in the staff report(s), to the satisfaction of the Planning Division. Separate sign permits will be required for project signage.
11. Cingular or any subsequent operator/lease holder of the wireless facility, agrees to investigate any complaints related to possible interference with electronic equipment in the surrounding area to determine the cause of the interference. Any interference shall be resolved in a timely manner to the satisfaction of the Director of Community Development. If the facility is determined to be the cause of the electronic interference, Cingular shall solve the problem in a timely manner to the satisfaction of the complainant and the Director of Community Development. In addition, any interference with public safety communications shall be corrected immediately, to the satisfaction of the City of Escondido.
12. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
13. If requested by the City of Escondido, Cingular, or any subsequent operator/lease holder of the facilities shall permit co-location of other wireless providers on its facility (subject to City of Escondido Approval) if it can be demonstrated that there would be no adverse effect on the existing facilities/operations.
14. Cingular shall coordinate with the City of Escondido to select a qualified, independent third party consultant to conduct actual power density measurements of the facility within 90 days after installation and under full operation of the

facility. The results of the study shall be submitted to the Director of Community Development so that the theoretical power density study can be compared to the actual output.

15. Cingular or any subsequent operator/lease holder of the wireless facility shall be responsible for all maintenance of the facility, including the antennas and supporting equipment to ensure the condition of the facility does not appear weathered.
16. All communication facilities on the site shall be promptly removed upon non use of the facilities, to the satisfaction of the Planning Division and Building Department.
17. Any permanent, temporary or stand-by emergency generators must be in conformance with the City's Ordinance and regulations regarding electric generating facilities.
18. All new utilities and utility runs shall be underground.
19. The panel antennas shall be mounted in close proximity to the pole (less than one foot). The panels, mounting brackets, electrical runs and covers shall be painted to match the color of the pole. This requirement shall be noted on the building plans.
20. No additional antennas or expansion of this facility shall be permitted without a modification of the Conditional Use Permit and a public hearing before the Planning Commission. Minor changes within the approved size and design parameters may be permitted by the Planning Director after review by the Design Review Board.
21. A sign conforming to ANSI C95.2 color, symbol and content, and other markings as appropriate, should be placed close to the antennas with appropriate contact information in order to alert maintenance or other workers approaching the antennas to the presence of RF transmissions and to take precautions to avoid exposures in excess of FCC limits. The requirement for the appropriate signage/notice shall be indicated on the building plans.
22. Any proposed security gates shall provide rapid reliable access by means of a key box to provide immediate access for firefighting purposes. Any changes to the chain-link fence, or additions to the fence shall incorporate slats to match the existing slats in the fence. The slats shall be indicated on the building plans.
23. Prior to issuance of building permits, all other Cingular sites shall be in compliance with the conditions of approval of the associated Conditional Use Permit.
24. The Conditional Use Permit shall be null and void if not utilized within twelve months of the effective date of approval.
25. The new ground equipment shall be painted a tan color to match the existing equipment building.
26. Minimum 15 gallon shrubs (native, fire resistant types) and 24 inch box sized trees shall be incorporated into the landscape design along the western, southern and eastern elevations of the equipment enclosure and simulated tree. Trees also shall be located along the northern side of the equipment enclosure to enhance the backdrop. Landscape along the southern elevation shall be planted in two rows or staggered rows to provide appropriate screening and density/depth. The final type and location of the landscaping shall be coordinated with the Planning Division and indicated on the building plans as a separate landscape exhibit/page. A permanent irrigation system shall be provided and indicated on the plan. If a water tank is to be used, it shall be a minimum 500-gallon water tank. The water tank shall be painted to blend in with the surrounding buildings/tower and landscaping provided to screen the tank. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.
27. Additional landscaping and irrigation shall be provided around the Nextel site to provide screening of the equipment enclosure. This includes a combination of trees, vines and shrubs. Additional trees shall be provided along the northern elevation of the equipment enclosure to provide the appropriate backdrop. Fast growing, evergreen type vines should be added along the southern elevation of the equipment enclosure, to the extent possible. Appropriate agreements shall be negotiated with Nextel for any encroachments into their lease area to install the landscaping and necessary irrigation.

28. This item may be referred back to the Planning Commission upon recommendation of the Director of Community Development for review and possible revocation or modification of the Conditional Use Permit upon receipt of nuisance complaints regarding the facility or non-compliance with the Conditions of Approval.
29. Due to the visibility of the site, and to reduce the overall bulk of the facility, any co-location of additional antennas (if feasible) on the simulated tree shall be limited to three antennas per tree (one per sector). Additional branches also may be required to screen any additional antennas.
30. An inspection by the Planning Division will be required prior to operation of the project. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.

Exhibit "C"

Resolution No. 2006-189

Exhibit 'C'

Page 1 of 1

LEGAL DESCRIPTION
2006-20-SPA

All that certain real property situated in the County of San Diego, State of California, described as follows:

Lots GG-1, R-R, S-S and X-X of Escondido Tract No. 683-H, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 12615, filed in the Office of the County Recorder of San Diego County, April 26, 1990.

COPIES TO:
CITY MGR. _____
CITY ATTY. _____
ENGINEERING _____
FINANCE _____
PLANNING <i>Kathy Heid</i>
OTHER _____

RESOLUTION NO. 2006-190

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING AN AMEMENDMENT TO THE PALOS VISTA SPECIFIC PLAN TO ALLOW A COMMUNICATION FACILITY FOR CRICKET COMMUNICATION

Case No. 2006-24-SPA

WHEREAS, on June 27, 2006, the Planning Commission considered and recommended approval of an Amendment to the Palos Vista Specific Plan to allow a new communication facility for Cricket Communication consisting of up to three panel antennas mounted on a 35-foot-high, simulated broad-leaf tree along with a 12' x 20' masonry block equipment enclosure, within an open space area of the Palos Vista Specific Planning Area. The project site generally is located adjacent to the above ground water tanks on Lot G-G-1 of Tract No. 683, southwest of the main entry gate to the Palos Vista/Escondido Highlands planned development along Woodland Heights Glen (APN 187-720-23), more particularly described in Exhibit "C", attached and is incorporated by this reference.

WHEREAS, the City Council has reviewed the request for the Amendment to the Specific Plan, and has reviewed and considered the environmental review/exemption prepared for the project, and has determined the project would not have any significant impacts to the environment; and

WHEREAS, Ordinance No. 78-2 enacted pursuant to Section 65974 of the California Government Code and pertaining to the dedication of land and fees for school facilities has been adopted by the City of Escondido; and

WHEREAS, this City Council has considered the request, the staff report, the recommendations of the Planning Commission, the Design Review Board and the appropriate agencies, and public testimony presented at the Council hearing and incorporates by reference the findings made in the Council report; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Amendment to the Specific Plan for Cricket Communication, as reflected in the details of request contained in the staff report(s), and on plans and documents on file in the offices of the City Clerk and Planning Division.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the City Council has reviewed and considered the environmental review prepared for the project, the staff reports, and has heard and considered testimony given at the public hearing, and certifies the project would not result in any significant impacts to the environment.
3. That the Factors to be Considered, attached as Exhibit "A" and is incorporated by this reference, were made by said Council.
4. That upon consideration of the Factors, all material in the staff report (a copy of which is on file in the Planning Division), public testimony presented at the hearing, and all other oral and written evidence on this project, this City Council

approves the Amendment to the Palos Vista Specific Plan (Case No. 2006-24-SPA) as reflected on plans and documents on file in the offices of the City Clerk and Planning Division, and subject to Conditions of Approval set forth as Exhibit "B" attached and is incorporated by this reference.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66020(d)(1):

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development Department and Public Works Department. The project is also subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

2. NOTICE IS FURTHER GIVEN that the 90-day period during which 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.

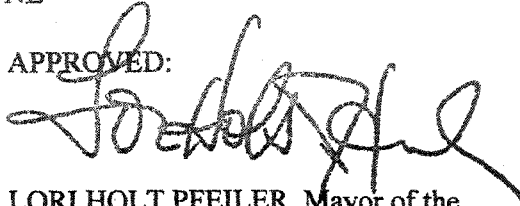
PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 9th day of August, 2006 by the following vote to wit:

AYES : Councilmembers: ABED, GALLO, PFEILER, NEWMAN, WALDRON

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:



LORI HOLT PFEILER, Mayor of the
City of Escondido, California

ATTEST:



MARSHA WHALEN, City Clerk of the
City of Escondido, California

RESOLUTION NO. 2006-190

EXHIBIT "A"
FACTORS TO BE CONSIDERED
2006-24-SPA

1. General Plan Residential Policy B2.1 (page II-17) states that residential neighborhoods shall be protected from the encroachment of incompatible activities which may have a negative impact on the residential living environment. Granting this Conditional Use Permit to allow a personal wireless communication facility on the subject property would not conflict with this policy and would be based on sound principles of land use since the use is in response to services required by the community and the facility would enhance communication services in the city without posing a health threat to the surrounding area. The proposed panels would be integrated into the surrounding environment with the installation of a simulated broad-leaf tree, which would minimize potential adverse visual impacts in conformance with the Communication Antennas Ordinance. The ground equipment would be located within a new masonry enclosure area, which would eliminate any potential visual and noise impacts to adjacent residents. Landscaping and irrigation would be installed around the facility to provide screening from adjacent views, and help to better integrate the facility into the surrounding environment. The proposed facility would not result in a substantial alteration of the present or planned land use since the project site is developed as a park, with existing small structures and utilities. The proposed antennas and equipment enclosure area would not adversely affect the current operation of the site, or any future uses of the site in conformance with the underlying Specific Plan Open Space land-use category or zoning. The facility also would not result in a potential health hazard to nearby residents since the facility would be within MPE (maximum permissible exposure) limits as indicated in the radio frequency analysis prepared for the project. The proposed facility would be in compliance with the City's Wireless Facility Guidelines, as discussed in the Planning Commission staff report.
2. The proposed personal wireless communication facility would be located within the Specific Plan zone. The proposed facility would not result in a substantial alteration of the present or planned land use since the new facilities are small in scale, and the antennas, support equipment and landscaping would be appropriately integrated into existing facilities, which contains two existing wireless facilities, large above ground water tanks, support buildings, and paved access roads. The proposal would not cause deterioration of bordering land uses since the antennas/facility would be designed to resemble a broad-leaf tree, and the number and size of the panels restricted to reduce the overall bulk of the facility. Therefore, the antennas would be in context with the surrounding built environment and in conformance with the Wireless Guidelines regarding utilization of stealth design and integration into the built environment. The proposed equipment cabinets would be placed within a new enclosure area, which would be landscaped to provide a visual buffer.
3. The visual impacts related to the proposed personal wireless communication facility are not considered significant since the antennas would be mounted onto an existing communication tower and mounted under existing antenna panels. Therefore, the antennas would be in context with the surrounding built environment. The proposed equipment cabinets would be located within a screened enclosure area. The design and location of the proposed facility would be in compliance with the City's Wireless Facility Guidelines, as discussed in the Planning Commission staff report. The City's Design Review Board recommended approval of the project design on May 25, 2006.
4. The proposed personal wireless communication facility would not be hazardous to the health of nearby residents since the radio frequency (RF) analysis prepared for the project concluded the maximum operation levels of radiation for the facility would be within the MPE (Maximum Permissible Exposure) limit established by FCC requirements. The nearest developed residential properties are located approximately 180 feet to the south at a significantly lower elevation. The proposed antennas would be located at a height to avoid accidental contact with the public. The proposed equipment would be secured within a locked masonry enclosure.
5. The proposed Conditional Use Permit has been considered in relationship to its effect on the community, and the request would be in compliance with the General Plan Policies and the Wireless Facility Guidelines, and would not result in a negative impact to the adjacent neighborhood for the reasons stated above and detailed in the Planning Commission staff report and radio frequency analysis.

EXHIBIT "B"

CONDITIONS OF APPROVAL 2006-24-SPA

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief.
2. Access for use of heavy fire fighting equipment as required by the Fire Chief shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshal.
3. Appropriate all weather access shall be provide to the project site, to the satisfaction of the Fire Department.
4. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
5. All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program
6. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Planning and Building.
7. Prior to obtaining building permits, the applicant shall demonstrate compliance with the requirements of the Citywide Facilities Plan, to the satisfaction of the Planning Division and Engineering Department.
8. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).
9. As proposed, the design, color and materials of the proposed facilities shall be in accordance with the Design Review Board recommendations, staff report, exhibits and the project's Details of Request, including the following to the satisfaction of the Planning Division:
10. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47) and the exhibits included in the staff report(s), to the satisfaction of the Planning Division. Separate sign permits will be required for project signage.
11. Cricket or any subsequent operator/lease holder of the wireless facility, agrees to investigate any complaints related to possible interference with electronic equipment in the surrounding area to determine the cause of the interference. Any interference shall be resolved in a timely manner to the satisfaction of the Director of Community Development. If the facility is determined to be the cause of the electronic interference, Cricket shall solve the problem in a timely manner to the satisfaction of the complainant and the Director of Community Development. In addition, any interference with public safety communications shall be corrected immediately, to the satisfaction of the City of Escondido.
12. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
13. If requested by the City of Escondido, Cricket, or any subsequent operator/lease holder of the facilities shall permit co-location of other wireless providers on its facility (subject to City of Escondido Approval) if it can be demonstrated that there would be no adverse effect on the existing facilities/operations.
14. Cricket shall coordinate with the City of Escondido to select a qualified, independent third party consultant to conduct actual power density measurements of the facility within 90 days after installation and under full operation of the

facility. The results of the study shall be submitted to the Director of Community Development so that the theoretical power density study can be compared to the actual output.

15. Cricket or any subsequent operator/lease holder of the wireless facility shall be responsible for all maintenance of the facility, including the antennas and supporting equipment to ensure the condition of the facility does not appear weathered.
16. All communication facilities on the site shall be promptly removed upon non use of the facilities, to the satisfaction of the Planning Division and Building Department.
17. Any permanent, temporary or stand-by emergency generators must be in conformance with the City's Ordinance and regulations regarding electric generating facilities.
18. All new utilities and utility runs shall be underground.
19. The panel antennas shall be mounted in close proximity to the pole (less than one foot). The panels, mounting brackets, electrical runs and covers shall be painted to match the color of the pole. This requirement shall be noted on the building plans.
20. No additional antennas or expansion of this facility shall be permitted without a modification of the Conditional Use Permit and a public hearing before the Planning Commission. Minor changes within the approved size and design parameters may be permitted by the Planning Director after review by the Design Review Board.
21. A sign conforming to ANSI C95.2 color, symbol and content, and other markings as appropriate, should be placed close to the antennas with appropriate contact information in order to alert maintenance or other workers approaching the antennas to the presence of RF transmissions and to take precautions to avoid exposures in excess of FCC limits. The requirement for the appropriate signage/notice shall be indicated on the building plans.
22. Any proposed security gates shall provide rapid reliable access by means of a key box to provide immediate access for firefighting purposes. Any changes to the chain-link fence, or additions to the fence shall incorporate slats to match the existing slats in the fence. The slats shall be indicated on the building plans.
23. Prior to issuance of building permits, all other Cricket sites shall be in compliance with the conditions of approval of the associated Conditional Use Permit.
24. The Conditional Use Permit shall be null and void if not utilized within twelve months of the effective date of approval.
25. The new ground equipment shall be painted a tan color to match the existing equipment building.
26. Minimum 15 gallon shrubs and vines (native, fire resistant types) and 24 inch box sized trees shall be incorporated into the landscape design along the western, southern and eastern elevations of the equipment enclosure and simulated tree. Trees also shall be located along the northern side of the equipment enclosure to enhance the backdrop. Landscape along the southern elevation shall be planted in two rows or staggered rows to provide appropriate screening and density/depth. The final type and location of the landscaping shall be coordinated with the Planning Division and indicated on the building plans as a separate landscape exhibit/page. A permanent irrigation system shall be provided and indicated on the plan. If a water tank is to be used, it shall be a minimum 500-gallon water tank. The water tank shall be painted to blend in with the surrounding buildings/tower and landscaping provided to screen the tank. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.
27. Additional landscaping and irrigation shall be provided around the Nextel site to provide screening of the equipment enclosure. This includes a combination of trees, vines and shrubs. Additional trees shall be provided along the northern elevation of the equipment enclosure to provide the appropriate backdrop. Fast growing, evergreen type vines should be added along the southern elevation of the equipment enclosure, to the extent possible. Appropriate agreements shall be negotiated with Nextel for any encroachments into their lease area to install the landscaping and necessary irrigation.

28. This item may be referred back to the Planning Commission upon recommendation of the Director of Community Development for review and possible revocation or modification of the Conditional Use Permit upon receipt of nuisance complaints regarding the facility or non-compliance with the Conditions of Approval.
29. Due to the visibility of the site, and to reduce the overall bulk of the facility, any co-location of additional antennas (if feasible) on the simulated tree shall be limited to three antennas per tree (one per sector). Additional branches also may be required to screen any additional antennas.
30. An inspection by the Planning Division will be required prior to operation of the project. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.

Exhibit "C"

LEGAL DESCRIPTION
2006-24-SPA

All that certain real property situated in the County of San Diego, State of California, described as follows:

Lots GG-1, R-R, S-S and X-X of Escondido Tract No. 683-H, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 12615, filed in the Office of the County Recorder of San Diego County, April 26, 1990.

RESOLUTION NO. 2007-75

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING AN AMENDMENT TO THE
PALOS VISTA SPECIFIC PLAN TO ALLOW A
WIRELESS COMMUNICATION FACILITY FOR
T-MOBILE

Case No.: 2007-07-SPA

WHEREAS, on May 22, 2007, the Planning Commission did consider, and by Resolution No. 5774 recommended approval of a request for an Amendment to the Palos Vista Specific Plan to install a wireless communication facility within an open-space lot. The facility would consist of nine panel antennas mounted onto a 35-foot-high simulated broad-leaf tree. All associated equipment would be located within a new, 375 SF, six-foot-high block equipment enclosure. The project site is generally located on approximately 70 acres on the southwestern side of Woodland Heights Glen, on Lot G-G-1 of Tract 683 (open space), (APN 187-720-23); and

WHEREAS, this City Council has reviewed and considered the Categorical Exemption prepared for this project and has determined that there would be no significant impacts to the environment associated with the project; and

WHEREAS, the City Council has held a duly noticed public hearing to consider the proposal, and desires at this time, and deems it to be in the best public interest, to approve said request; and

WHEREAS, the applicant for 2007-07-SPA now seeks approval of the Specific Plan Amendment ("Amendment") from the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That on the basis of the above review and consideration this City Council makes the following findings of fact:
 - A. That the facility to be constructed pursuant to the Amendment is required by and beneficial to the community.
 - B. That issuance of this Amendment will not result in a deterioration of bordering land uses or create special problems for the area in which it is located.
 - C. That issuance of this Amendment will not adversely affect the community or neighborhood plan, if any for the area in which it is located.
3. That upon consideration of the staff report (a copy of which is on file in the Planning Division), the Planning Commission recommendation, public testimony presented at the hearing, and all other oral and written evidence on this project, the City Council finds that the Amendment is consistent with the General Plan and all applicable Specific Plans of the City of Escondido.

4. That the City Council desires at this time and deems it to be in the best public interest to approve the Amendment, subject to the Conditions of Approval attached as Exhibit "A" and incorporated by this reference.

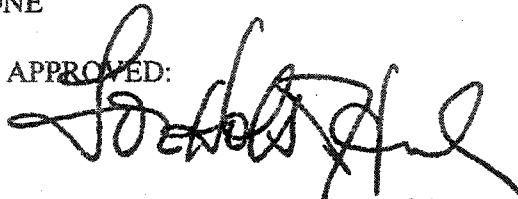
PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 6th day of June, 2007 by the following vote to wit:

AYES : Councilmembers: ABED, DANIELS, GALLO, WALDRON, PFEILER

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:



LORI HOLT PFEILER, Mayor of the
City of Escondido, California

ATTEST:



MARSHA WHALEN, City Clerk of the
City of Escondido, California

RESOLUTION NO. 2007-75

**CONDITIONS OF APPROVAL
2007-07-SPA
EXHIBIT "A"**

General

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City Wide Facilities fees.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code, Planning Division, Engineering Division, Building Division, and Fire Department.
3. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
4. No lighting has been approved as part of the application. All exterior lighting, including lighting associated with the equipment enclosure, shall conform to the requirements of Article 55, Outdoor Lighting (Ordinance No. 86-75).
5. No signage is approved as part of this permit. All proposed signage shall conform to the Escondido Sign Ordinance (Ord. 92-47). Separate sign permits will be required for project signage.
6. All project-generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
7. An inspection by the Planning Division will be required prior to operation of the project. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
8. All communication facilities on the site shall be removed upon non-use of the facilities, to the satisfaction of the Planning Division.
9. This Specific Plan Amendment shall become null and void unless utilized within twelve months of the effective date of this approval.
10. No additional antennas or expansion of this facility shall be permitted without a modification of the Specific Plan Amendment and a public hearing before the Planning Commission and possibly the City Council. T-Mobile Communications shall not oppose co-location of the facility by another wireless carrier (subject to City of Escondido approval) if it can be proven that the additional carrier would not affect the operation and function of T-Mobile Communications antennas adversely. Minor changes within the approved size and design parameters may be permitted by the Director of Community Development after review by the Design Review Board.
11. T-Mobile Communications, or any subsequent operator/leaseholder, hereby agrees to investigate complaints related to possible interference with electronic equipment in the surrounding area, to determine if the cause of the interference is the T-Mobile Communications facility. If the T-Mobile Communications facility is determined to be the cause of the electronic interference, T-Mobile Communications shall solve the problem in a timely manner to the satisfaction of the complainant and the Director of Community Development. Any interference with Fire Department or public safety communications shall be corrected immediately by T-Mobile Communications to the satisfaction of the City of Escondido. A note to this effect shall be on the building plans.
12. T-Mobile Communications shall coordinate with the City of Escondido to select a qualified, independent, third party to conduct actual power density measurements of the facility within ninety (90) days of installation and full operation. The results of the study shall be submitted to the Director of Community Development so that the theoretical power density study can be compared to the actual output.

13. T-Mobile Communications, or a future leaseholder, shall be responsible for all maintenance of the facility, including the antennas, "tree", equipment cabinets, equipment enclosure, required landscaping and irrigation to ensure that the condition of the facility does not appear weathered.
14. This item may be referred back to the Planning Commission upon recommendation of the Director of Community Development for review and possible revocation or modification of the Specific Plan Amendment upon receipt of nuisance complaints regarding the facility or non-compliance with the Conditions of Approval.
15. The uses, colors, materials and design of the project shall conform to the exhibits and references in the staff report, the Design Review Board recommendations, and the Details of Request, to the satisfaction of the Planning Division.
16. All details of the proposed "tree" shall be clearly shown on the building plans, to the satisfaction of the Planning Division. The pole shall be tapered and clad with a realistic looking bark covering. The tree shall contain a minimum of 62 branches starting no higher than ten feet above grade. The placement/length of the branches shall provide a natural tree silhouette and all of the antennas shall be within the length of the branches, extending no farther from the pole than shown on the staff report references/plans. The antennas shall be painted a "chaparral" shade of green to match the leaves and branches of the tree, and each antenna shall have a "sock" cover with attached branches and leaves.
17. All equipment shall be enclosed within the proposed block wall enclosure. The block shall be painted dull olive green, to the satisfaction of the Planning Division. The enclosure shall have a chain-link roof for security purposes.
18. Any permanent, temporary, or standby emergency generators shall be in conformance with the City's Zoning Code requirements for electric generating facilities (Section 33-1122).
19. All new utilities and cable runs shall be located underground.
20. A sign conforming to ANSI C95.2 color, symbol and content, and other markings as appropriate, should be placed close to the antennas with appropriate contact information in order to alert maintenance or other workers approaching the antennas to the presence of RF transmissions and to take precautions to avoid exposures in excess of FCC limits. The requirement for the appropriate signage/notice shall be indicated on the building plans.
21. Prior to building permit issuance, the site plan submitted as part of the building plans shall include a delineation of native habitat, with a note indicating that none of the natural habitat would be disturbed.
22. Prior to issuance of a building permit, an address shall be assigned to the facility for public safety purposes.
23. Approval of this Specific Plan Amendment does not supercede any previous approval, Specific Plan Amendment or Conditional Use Permit for the site. All previous conditions for those cases shall remain in effect.
24. A minimum 15-gallon shrubs (native, fire-resistant types), minimum 36"-box oak trees, and minimum 5-gallon vines shall be incorporated into the landscape design along all four sides of the equipment enclosure as shown on the plans submitted to the Design Review Board and Planning Commission. The final type and location shall be to the satisfaction of the Planning Division and shall be submitted as a separate landscape exhibit. A permanent irrigation system shall be provided and indicated on the plan. If a water tank is to be used, it shall be a minimum 500-gallon tank and shall be located within the equipment enclosure. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.

Fire Department Conditions

1. Access for use of heavy fire-fighting equipment, as required by the Fire Marshal, shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials and no foundation inspections until adequate fire suppression requirements are in place to the satisfaction of the Fire Marshal

The following information shall be shown or indicated as "Fire Notes" on the plans, to the satisfaction of the Fire Department:

2. All-weather paved access to the site, able to support the weight of a fire engine (50K lbs.), shall be provided and shall be shown on the plans, to the satisfaction of the Fire Department.
3. There shall be a 13'6" vertical clearance on all access areas, to the satisfaction of the Fire Department. A note indicating compliance shall be shown on the site/building plans.
4. The driveway leading to the wireless facility shall be a minimum of 16'-wide. Any dead-end access over 150 feet in length requires a Fire Department turn-around.
5. The percent grade of the access road shall be shown on the plans. Access roads exceeding 20% are not permitted and roads exceeding 15% may require fire sprinklers to be incorporated into the facility, to the satisfaction of the Fire Department.
6. Walking access used to connect vehicular access with the facility shall be unobstructed by landscaping, a minimum of five-feet wide, and accessible for firefighting and rescue purposes.

RESOLUTION NO. 2010-79

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING AN AMEMENDMENT TO THE
PALOS VISTA SPECIFIC PLAN TO ALLOW A
WIRELESS COMMUNICATION FACILITY
FOR CLEARWIRE COMMUNICATION

Case No. PHG 09-0032

WHEREAS, on April 27, 2010, the Planning Commission considered and recommended approval of an Amendment to the Palos Vista Specific Plan to allow Clearwire Communication to co-locate up to five additional wireless antennas onto an existing Nextel Wireless Communication Facility. The existing Nextel facility consists of eight, twelve-foot-high supports poles, which were approved to accommodate one panel antennas on each of the poles. There currently are six Nextel antennas mounted onto the eight poles. Clearwire proposes to install two new panel-type antennas onto two of the existing poles and mount two, 26-inch-diameter directional antennas under the new panel antennas. An additional directional antenna would be mounted onto the existing equipment enclosure. The facility would consist of five new Clearwire antennas and six Nextel antennas. The Clearwire support equipment would be located within the existing Nextel equipment enclosure. The project site generally is located on Open-Space Lot G-G-1 of Tract No. 683, southwest of the main entry gate to the Palos Vista/Escondido Highlands planned development along Woodland Parkway (APN 187-720-23), more particularly described in Exhibit "C", attached to this resolution and incorporated by this reference; and

WHEREAS, the City Council has reviewed the request for the Amendment to the

Specific Plan, and has reviewed and considered the environmental review (Categorical Exemption) prepared for the project, and has determined the project would not have any significant impacts to the environment; and

WHEREAS, Ordinance No. 78-2 enacted pursuant to Section 65974 of the California Government Code and pertaining to the dedication of land and fees for school facilities has been adopted by the City of Escondido; and

WHEREAS, this City Council has considered the request, the staff report, the recommendations of the Planning Commission, the Design Review Board and the appropriate agencies, and public testimony presented at the Council hearing and incorporates by reference the findings made in the Council report; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Amendment to the Specific Plan for Clearwire Communication, as reflected in the details of request contained in the staff report(s), and on plans and documents on file in the offices of the City Clerk and Planning Division;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the City Council has reviewed and considered the environmental review prepared for the project, the staff reports, and has heard and considered

testimony given at the public hearing, and certifies the project would not result in any significant impacts to the environment.

3. That the Findings of Fact, attached as Exhibit "A" and incorporated by this reference, were made by said Council.

4. That upon consideration of the Findings, all material in the staff report (a copy of which is on file in the Planning Division), public testimony presented at the hearing, and all other oral and written evidence on this project, this City Council approves the Amendment to the Palos Vista Specific Plan (Case No. PHG 09-0032) as reflected on plans and documents on file in the offices of the City Clerk and Planning Division, and subject to Conditions of Approval set forth as Exhibit "B" attached to this resolution and incorporated by this reference.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66020(d)(1):

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development Department and Public Works Department. The project is also subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

2. NOTICE IS FURTHER GIVEN that the 90-day period during which 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.

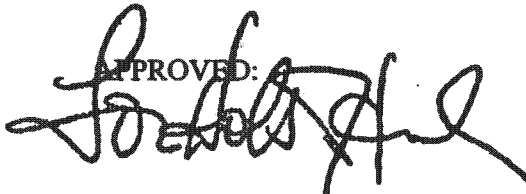
PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 19th day of May, 2010 by the following vote to wit:

AYES : Councilmembers: **ABED, DANIELS, DIAZ, WALDRON, AND PFEILER**

NOES : Councilmembers: **NONE**

ABSENT : Councilmembers: **NONE**

APPROVED:



**LORI HOLT PFEILER, Mayor of the
City of Escondido, California**

ATTEST:



**MARSHA WHALEN, City Clerk of the
City of Escondido, California**

RESOLUTION NO. 2010-79

EXHIBIT "A"
FINDINGS OF FACT/FACTORS TO BE CONSIDERED
PHG 09-0032

Specific Plan Amendment

1. General Plan Residential Policy B2.1 (page II-17) states that residential neighborhoods shall be protected from the encroachment of incompatible activities which may have a negative impact on the residential living environment. Granting this Amendment to the Palos Vista Specific Plan to allow a personal wireless communication facility on the subject property would not conflict with this policy and would be based on sound principles of land use since the use is in response to services required by the community and the facility would enhance communication services in the city without posing a health threat to the surrounding area. The proposed panels would be co-located onto an existing wireless facility, which would minimize potential adverse visual impacts in conformance with the Communication Antennas Ordinance. The ground equipment would be located within an existing equipment enclosure and screened from public views. Landscaping and irrigation currently exist along the southern elevation of the facility to provide screening from adjacent views, and help to better integrate the facility into the surrounding environment. The proposed antennas and equipment enclosure area would not adversely affect the current operation of the site, or any future uses of the site in conformance with the underlying Specific Plan Open Space land-use category or zoning. The facility also would not result in a potential health hazard to nearby residents since the facility would be within MPE (maximum permissible exposure) limits as indicated in the radio frequency analysis prepared for the project. The proposed facility would be in compliance with the City's Wireless Facility Guidelines, as discussed in the Planning Commission staff report dated April 27, 2010.
2. The proposed personal wireless communication facility would be located within the Specific Plan zone. The proposed facility would not result in a substantial alteration of the present or planned land use since the new antennas are small in scale, and the antennas and support equipment would be integrated into an existing wireless communication facility. The project site currently is developed with large above ground water tanks, support buildings, paved access road and several other wireless communication facilities. The proposal would not cause deterioration of bordering land uses since the antennas/facility are designed to integrate into the existing wireless facility, and the number and size of the panels limited to reduce the overall bulk of the facility. Therefore, the antennas would be in context with the surrounding built environment and in conformance with the Wireless Guidelines regarding integration into the built environment.
3. The visual impacts related to the proposed personal wireless communication facility are not considered significant since the antennas would be mounted onto an existing communication facility, and the not exceed the height or the existing antennas. The overall size of the equipment and any other disturbed areas would remain the same. Landscaping and irrigation currently exist along the southern elevation of the facility to provide screening from adjacent views, and help to better integrate the facility into the surrounding environment. Therefore, the antennas would be in context with the surrounding built environment. The proposed equipment cabinet(s) would be located within a screened enclosure area. The design and location of the proposed facility would be in compliance with the City's Wireless Facility Guidelines, as discussed in the Planning Commission staff report dated April 27, 2010.
4. The proposed personal wireless communication facility would not be hazardous to the health of nearby residents since the radio frequency (RF) analysis prepared for the project concluded the maximum operation levels of radiation for the facility would be within the MPE (Maximum Permissible Exposure) limit established by FCC requirements. The proposed equipment would be secured within a locked enclosure area.
5. The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) in conformance with Section 15301, "Existing Facilities" and a Notice of Exemption was prepared for the proposed project. The request does not have the potential for causing a significant effect on the environment due to the relatively small size of the facility and the proposed development would be located within a previously disturbed area that supports and existing wireless communication facility. The subject lease area does not contain any sensitive vegetation, nor would the project encroach into native vegetation areas, nor would the project impact any cultural or archaeological sites.
6. The proposed Amendment to the Palos Vista Specific Plan has been considered in relationship to its effect on the community, and the request would be in compliance with the General Plan Policies and the Wireless Facility Guidelines, and would not result in a negative impact to the adjacent neighborhood for the reasons stated above and detailed in the Planning Commission staff report and radio frequency analysis.

EXHIBIT "B"

CONDITIONS OF APPROVAL PHG 09-0032

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief.
2. Access for use of heavy fire fighting equipment as required by the Fire Chief shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshal.
3. Appropriate access shall be provide to the project site, to the satisfaction of the Fire Department.
4. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
5. All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
6. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Planning and Building.
7. Prior to obtaining building permits, the applicant shall demonstrate compliance with the requirements of the Citywide Facilities Plan, to the satisfaction of the Planning Division and Engineering Department.
8. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).
9. As proposed, the design, color and materials of the proposed facilities shall be in accordance with the staff report, exhibits and the project's Details of Request, including the following to the satisfaction of the Planning Division:
 - a. Any visible support poles, brackets, cable runs and other support equipment and screening materials shall be painted to match/blend with the existing colors of the facility (typically flat olive drab). This shall be clearly noted on the building plans.
 - b. All new utility runs shall be placed underground, to the satisfaction of the Planning Division and the Engineering Department, unless as specifically approved by this permit.
 - c. The existing equipment enclosure (block walls) shall be repainted in flat, dark olive green tones or all one solid dark olive green color to blend in with the surrounding vegetation. The final color shall be approved by the Planning Division and included on the final building plans.
10. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47) and the exhibits included in the staff report(s), to the satisfaction of the Planning Division. Appropriate signs providing notice, caution or warning, and other necessary markings, shall be placed at the main site access point(s) and other locations, as may be required, in order to alert maintenance or other workers approaching the antennas to the presence of RF transmissions and to take precautions to avoid exposures in excess of FCC limits. The requirement for the appropriate signage/notice shall be indicated on the building plans.
11. Sprint-Nextel/Clearwire or any subsequent operator/lease holder of the wireless facility agrees to investigate any complaints related to possible interference with electronic equipment in the surrounding area to determine the cause of the interference. Any interference shall be resolved in a timely manner to the satisfaction of the Director of Community Development. If the facility is determined to be the cause of the electronic interference, Clearwire shall

solve the problem in a timely manner to the satisfaction of the complainant and the Director of Community Development. In addition, any interference with public safety communications shall be corrected immediately, to the satisfaction of the City of Escondido.

12. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
13. If requested by the City of Escondido, Sprint-Nextel/Clearwire, or any subsequent operator/lease holder of the facilities shall permit co-location of other wireless providers on its facility (subject to City of Escondido Approval) if it can be demonstrated that there would be no adverse effect on the existing facilities/operations.
14. Sprint-Nextel/Clearwire shall select an independent third party consultant to conduct actual power density measurements of the facility within 90 days after installation and under full operation of the facility. The results of the study shall be submitted to the Director of Community Development so that the theoretical power density study can be compared to the actual output to ensure compliance with FCC requirements.
16. Sprint-Nextel/Clearwire Wireless or any subsequent operator/lease holder of the wireless facility shall be responsible for all on-going maintenance of the facility, including the antennas and supporting equipment to ensure the condition of the facility does not appear weathered. Any required landscaping shall be permanently maintained in a flourishing manner. Any required irrigation shall be maintained in fully operational condition.
17. All communication facilities on the site shall be promptly removed upon non use of the facilities, to the satisfaction of the Planning Division and Building Department.
18. Any permanent, temporary or stand-by emergency generators must be in conformance with the City's Ordinance and regulations regarding electric generating facilities.
19. All new utilities and utility runs shall be underground.
20. No additional antennas or expansion of this facility shall be permitted without a modification of the Palos Vista Specific Plan and a public hearing before the Planning Commission. Minor changes within the approved size and design parameters may be permitted by the Director of Community Development.
21. Any proposed private security gates shall provide rapid reliable access by means of a key box to provide immediate access for firefighting purposes, as may be required by the Fire Department.
22. The Specific Plan Amendment shall be null and void if not utilized within twelve months of the effective date of approval, as determined by the Planning Division.
23. This Amendment to the Specific Plan only is for the co-location of Sprint-Nextel/Clearwire equipment on the existing facility located on the site. The number of antennas approved by this Specific Plan Amendment shall be used solely for Sprint-Nextel/Clearwire and not transferred or subleased to any other carriers unless approved by the City. No other additional carriers shall be allowed to be placed on the existing wireless communication facility, unless a separate Specific Plan Amendment is approved by the City.
24. This item may be referred back to the Planning Commission upon recommendation of the Director of Community Development for review and possible revocation or modification of the Amendment to the Specific Plan upon receipt of nuisance complaints regarding the facility or non-compliance with the Conditions of Approval.
25. A copy of these Conditions of Approval shall be submitted with the submittal of the building plans indicating compliance with all of the Conditions and Details of Request and exhibits contained in the Planning Commission staff report.
26. Prior to final of the building permit and operation of the facility, any graffiti on the existing Sprint/Nextel facility, fencing and any support equipment shall be removed or painted over to match the existing structures. Any previously required landscaping of either the Sprint/Nextel facility or other carriers associated with this Spring/Nextel facility shall be repaired and any missing vegetation replaced. This shall be noted on the building plans.
27. An inspection by the Planning Division will be required prior to operation of the project. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.

28. The City of Escondido hereby notifies the applicant that the County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). The applicant shall remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable) a check payable to the "San Diego County Clerk" in the amount of \$50.00. In accordance with California Environmental Quality Act (CEQA) section 15062, the filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.

EXHIBIT "C"

Legal Description
PHG 09-0032

Lot G-G-1 of Escondido Tract 683-H, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 12615, filed in the Office of the County Recorder of San Diego County, California, on April 26, 1990.

Open Space Lot
APN 187-720-23

RESOLUTION NO. 2012-08

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING AN AMENDMENT TO THE
PALOS VISTA SPECIFIC PLAN TO ALLOW A
WIRELESS COMMUNICATION FACILITY
FOR AT&T

Case No. PHG 11-0010

WHEREAS, on December 13, 2011, the Planning Commission considered and recommended approval of an Amendment to the Palos Vista Specific Plan (Resolution No. 5949) to remove an existing AT&T wireless communication facility and replace the older simulated tree with a new simulated tree to accommodate additional panel antennas. The new structure would consist of a 35-foot-high simulated tree (up to 40 feet to top of branches) that is designed to accommodate up to twelve, approximately eight-foot-high panel antennas and associated radio equipment. Any additional electrical support equipment would be located within the existing masonry block equipment enclosure. The project site is located on approximately 67 acres of open-space land (Lot G-G-1 of Tract 683, towards the southwestern area of Woodland Heights Glen (APN 187-720-23), more particularly described in Exhibit "C," attached and incorporated by this reference; and

WHEREAS, this City Council has reviewed the request for the Amendment to the Specific Plan, and has reviewed and considered the environmental review (Notice of Exemption in compliance with CEQA Section 15303, Class 3, New Construction or Conversion of Small Structures) prepared for the project, and has determined the project would not have any significant impacts to the environment; and

WHEREAS, Ordinance No. 78-2 enacted pursuant to Section 65974 of the California Government Code and pertaining to the dedication of land and fees for school facilities has been adopted by the City of Escondido; and

WHEREAS, this City Council has considered the request, the staff report, the recommendations of the Planning Commission, the Design Review Board and appropriate agencies, and public testimony presented at the Council hearing and incorporates by reference the findings/factors made in the Council report; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Amendment to the Specific Plan for AT&T, as reflected in the details of request contained in the staff report(s), and on plans and documents on file in the office of the City Clerk and Planning Division.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the City Council has reviewed and considered the environmental review prepared for the project, the staff reports, and has heard and considered testimony given at the public hearing, and certifies the project would not result in any significant impacts to the environment.
3. That the Factors to be Considered, attached as Exhibit "A," incorporated by this reference, were made by said Council.
4. That upon consideration of the Factors, all material in the staff report (a copy of which is on file in the Planning Division), public testimony presented at the

hearing, and all other oral and written evidence on this project, this City Council approves the Amendment to the Palos Vista Specific Plan (Case No. PHG 11-0010) as reflected on plans and documents on file in the office of the City Clerk and Planning Division, and subject to Conditions of Approval set forth as Exhibit "B," attached and incorporated by this reference.

5. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development and Public Works Departments. The project also is subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

6. NOTICE IS FURTHER GIVEN that the 90-day period during which 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.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 25th day of January, 2012 by the following vote to wit:

AYES : Councilmembers: DIAZ, GALLO, MORASCO, WALDRON, ABED

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED: 5/0

A handwritten signature in black ink that reads "Sam Abed". The signature is written in a cursive, flowing style.

SAM ABED, Mayor of the
City of Escondido, California

ATTEST:

A handwritten signature in black ink that reads "Diane Halverson". The signature is written in a cursive, flowing style.

DIANE HALVERSON, City Clerk of the
City of Escondido, California

RESOLUTION NO. 2012-08

EXHIBIT "A"
FACTORS TO BE CONSIDERED
PHG 11-0010

Specific Plan Amendment

1. General Plan Residential Policy B2.1 (page II-17) states that residential neighborhoods shall be protected from the encroachment of incompatible activities which may have a negative impact on the residential living environment. Granting this Amendment to the Palos Vista Specific Plan to allow a personal wireless communication facility on the subject property would not conflict with this policy and would be based on sound principles of land use since the use is in response to services required by the community and the facility would enhance communication services in the city without posing a health threat to the surrounding area. The proposed simulated tree would replace an older existing simulated tree, and the panels would be appropriately integrated into the design of the tree. Any additional ground equipment would be located within an existing equipment enclosure. The proposed antennas and equipment enclosure area would not adversely affect the current operation of the site, or any future uses of the site in conformance with the underlying Specific Plan Open Space land-use category or zoning. The facility also would not result in a potential health hazard to nearby residents since the facility would be within MPE (maximum permissible exposure) limits as indicated in the radio frequency analysis prepared for the project. The proposed facility would be in compliance with the City's Wireless Facility Guidelines, as discussed in the Planning Commission staff report dated December 13, 2011.
2. The proposed personal wireless communication facility would be located within the Specific Plan zone. The proposed facility would not result in a substantial alteration of the present or planned land use since the site is zoned open space and there are several other wireless communication facilities located on the site. The project site and adjacent property currently is developed with two large above ground water tanks, support buildings, paved access road and several other wireless communication facilities. The proposal would not cause deterioration of bordering land uses or result in any adverse visual impacts since the antennas/facility are designed to integrate into the built environment with the use of a simulated tree. The proposed antenna panels would be screened within the branches of the trees and covered in appropriate faux leaf materials. There also are other mature trees located on the site to provide the appropriate context. The height of the tree would be consistent with the height limits within the SPA. Only minor ground disturbance is required to provide the appropriate foundation for the new facility. The existing equipment enclosure is painted to blend in with the adjacent hillside vegetation and colors.
3. The proposed personal wireless communication facility would not be hazardous to the health of nearby residents since the radio frequency (RF) analysis prepared for the project concluded the maximum operation levels of radiation for the facility would be within the MPE (Maximum Permissible Exposure) limit established by FCC requirements. The proposed equipment would be secured within a locked enclosure area.
4. The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) in conformance with Section 15303, "New Small Facilities or Structures" A Notice of Exemption was prepared for the proposed project. The request does not have the potential for causing a significant effect on the environment due to the relatively small size of the facility and it would be located within a previously disturbed area. The site contains several other wireless communication facilities and a Vallecitos above-ground water tank is adjacent to the west. The subject lease area does not contain any sensitive vegetation, nor would the project encroach into native vegetation areas, nor would the project impact any cultural or archaeological sites.
5. The proposed Amendment to the Palos Vista Specific Plan has been considered in relationship to its effect on the community, and the request would be in compliance with the General Plan Policies and the Wireless Facility Guidelines, and would not result in a negative impact to the adjacent neighborhood for the reasons stated above and detailed in the Planning Commission staff report and radio frequency analysis.

EXHIBIT "B"

CONDITIONS OF APPROVAL PHG 11-0010

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief.
2. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
3. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Planning and Building.
4. The facility shall be subject to all relevant conditions of previous city approvals for this wireless facility, unless specifically amended by this use permit.
5. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).
6. As proposed, the design, color and materials of the proposed facilities shall be in accordance with the staff report, exhibits and the project's Details of Request, including the following to the satisfaction of the Planning Division and include the following, which shall be clearly indicated on the building plans:
 - a. All details of the proposed tree shall be clearly shown on the building plans, including the number and length of the branches. An appropriate number of branches shall be incorporated into the design to provide for a full looking tree, with sufficient density to adequately screen the panels, to the satisfaction of the Planning Division.
 - b. The central pole shall be clad with a realistic looking bark covering to match the type of simulated tree selected.
 - c. All panel antennas shall be clad with the appropriate "sock" with a dense amount of materials. The actual detail or spec. shall be indicated on the plans.
 - d. The number and placement of branches shall provide a natural tree silhouette and the branches shall extend an appropriate distance past the antennas to provide appropriate screening. This shall be indicated on the plans.
7. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47) and the exhibits included in the staff report(s), to the satisfaction of the Planning Division. Appropriate signs providing notice, caution or warning, and other necessary markings, shall be placed at the main site access point(s) and other locations, as may be required, in order to alert maintenance or other workers approaching the antennas to the presence of RF transmissions and to take precautions to avoid exposures in excess of FCC limits. The requirement for the appropriate signage/notice shall be indicated on the building plans.
8. AT&T or any subsequent operator/lease holder of the wireless facility agrees to investigate any complaints related to possible interference with electronic equipment in the surrounding area to determine the cause of the interference. Any interference shall be resolved in a timely manner to the satisfaction of the Director of Community Development. If the facility is determined to be the cause of the electronic interference, AT&T shall solve the problem in a timely manner to the satisfaction of the complainant and the Director of Community Development. In addition, any interference with public safety communications shall be corrected immediately, to the satisfaction of the City of Escondido.
9. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).

10. If requested by the City of Escondido, AT&T, or any subsequent operator/lease holder of the facilities shall permit co-location of other wireless providers on its facility (subject to City of Escondido Approval) if it can be demonstrated that there would be no adverse effect on the existing facilities/operations.
11. AT&T shall select an independent third party consultant to conduct actual power density measurements of the facility within 90 days after installation and under full operation of the facility. The results of the study shall be submitted to the Director of Community Development so that the theoretical power density study can be compared to the actual output to ensure compliance with FCC requirements.
12. AT&T or any subsequent operator/lease holder of the wireless facility shall be responsible for all on-going maintenance of the facility, including the antennas and supporting equipment to ensure the condition of the facility does not appear weathered. Any required landscaping shall be permanently maintained in a flourishing manner. Any required irrigation shall be maintained in fully operational condition.
13. All communication facilities on the site shall be promptly removed upon non use of the facilities, to the satisfaction of the Planning Division and Building Department.
14. Any permanent, temporary or stand-by emergency generators must be in conformance with the City's Ordinance and regulations regarding electric generating facilities.
15. All new utilities and utility runs shall be underground.
16. No additional antennas or expansion of this facility shall be permitted without an Amendment to the Specific Plan and a public hearing before the Planning Commission. Minor changes within the approved size and design parameters may be permitted by the Director of Community Development.
17. Any proposed private security gates shall provide rapid reliable access by means of a key box to provide immediate access for firefighting purposes.
18. The Specific Plan Amendment shall be null and void if not utilized within twelve months of the effective date of approval, as determined by the Planning Division.
19. This Specific Plan Amendment only is for AT&T equipment to be located on the site. The number of antennas approved by this Specific Plan Amendment shall be used solely for AT&T and not transferred or subleased to any other carriers unless approved by the City.
20. This item may be referred back to the City Council upon recommendation of the Director of Community Development for review and possible revocation or modification of the Amendment to the Specific Plan upon receipt of nuisance complaints regarding the facility or non-compliance with the Conditions of Approval.
21. A copy of these Conditions of Approval shall be submitted with the submittal of the building plans indicating compliance with all of the Conditions and Details of Request and exhibits contained in the Planning Commission staff report.
22. Prior to final of the building permit and operation of the facility, any graffiti on the facility shall be removed or painted over to match the existing structures. Any required landscaping of the original approval shall be replaced if missing or dead. Irrigation shall be repaired as necessary.
23. The building plans shall include a site plan that delineates the areas adjacent to the facility that contain native habitat, with a note indicating that none of the natural habitat is to be disturbed. The plans also shall include the installation of an appropriate sign on the site (and location and of the sign) that indicates this restriction during all construction activities.

24. The City of Escondido hereby notifies the applicant that the County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). The applicant shall remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable) a check payable to the "San Diego County Clerk" in the amount of \$50.00. In accordance with California Environmental Quality Act (CEQA) section 15062, the filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.

EXHIBIT "C"

LEGAL DESCRIPTION
PHG 11-0010

Lot G-G-1 of Escondido Tract No. 683-H, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 12615, filed in the Office of the County Recorder of San Diego County, April 26, 1990.

APN 187-720-23