

Preserve Calavera Concerns and Requested Condition of Approval Revisions

Concern 1. Existing transit amenities along Smart and Sustainable Corridors are poor or lacking altogether.

The Oceanside Boulevard corridor lacks basic transit amenities (e.g. sidewalks, bus stop benches and shelters) at multiple locations. Staff will reach out to NCTD to coordinate potential improvements along all Smart and Sustainable Corridors as an implementation action of the Smart and Sustainable Corridors Plan.

Concern 2. Cyclist safety improvements should be made for Garrison Street.

Staff is looking into the possibility of adding shared lane markings (i.e. “sharrows”) to Garrison Street in consultation with the City Traffic Engineer.

Concern 3. Pedestrian improvements should be made for the intersection of Oceanside Boulevard and El Camino Real.

The project would be required to pay \$110,000 towards safety and mobility improvements to mitigate traffic impacts. How the funds would be spent would be determined in the Capital Improvement Program and budgeting process.

Concern 4. The project should promote transportation demand management (TDM) principles.

The applicant has volunteered to provide informational pamphlets to all new homebuyers and conduct an annual survey on the matter. Survey participants would receive a one-month transit pass free of charge. Survey results would be sent to the City and Preserve Calavera annually.

Concern 5. Specific conditions of approval should be reinforced.

Minor revisions were made to the proposed conditions of approval (shown below) clarifying that the park area at the project entrance shall be open to the public in perpetuity, that the HOA CC&Rs must include long-term habitat management, and that the biologist who prepares the habitat restoration plan must provide recommendations for long-term habitat management. A condition of approval was also included for the agreed-upon TDM plan above.

Revised Conditions of Approval

COA 105. Habitat mitigation areas shall be preserved and maintained in perpetuity through the recordation of a conservation easement and a long-term habitat management and monitoring plan. Proof of recordation of the conservation easement shall be provided to the Planning Division prior to grading permit issuance. The biologist who prepares the CSS restoration plan shall prepare recommendations for long term management and monitoring of the CSS once it meets the restoration criteria. Those recommendations will then be incorporated into the CC&R's. The long-term habitat management plan, and CC&R language, shall be submitted to the satisfaction of the City Planner prior to grading permit issuance.

COA 117. An association shall be formed and Covenants, Conditions and Restrictions (CC&Rs) shall provide for the maintenance of all common open space and commonly owned fences and walls. The maintenance shall include normal care and irrigation of landscaping; repair and replacement of plant material and irrigation systems as necessary; and general clean-up of the landscaped and open area, parking lots and walkways. The CC&Rs shall be subject to review and approval of the City Attorney prior to the approval of the Final Map. The CC&Rs are required to be recorded prior to, or concurrently with, the Final Map. Any amendments to the CC&Rs in which the association relinquishes responsibility for the maintenance of any common open space shall not be permitted without the specific approval of the City of Oceanside. Such a clause shall be a part of the CC&Rs. The CC&Rs shall also contain provisions for the following:

- a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
- b) Provision that garages shall be kept available and useable for the parking of tenant's automobiles at all times.
- c) Provisions regulating individual patio covers, prohibiting room additions or other appurtenances.
- d) Provisions for the maintenance of all common open space including provisions establishing mechanisms to ensure adequate and continued monetary funding for such maintenance by the homeowners' association.
- e) Provisions that restrict any private use of open space areas. Restrictions shall include, but are not limited to, removing retaining walls, installing structures such as trellises, decks, retaining walls and other hardscape and any individual landscape improvements.
- f) Provisions prohibiting the homeowners' association from relinquishing its obligation to maintain the common open space areas without prior consent of the City of Oceanside.
- g) An acknowledgement that the City of Oceanside does not have a view preservation ordinance and that views may be subject to change with maturing off-site landscape and the potential for future off-site building.
- h) An acknowledgement that the park located at the project entrance is a public amenity that shall be available for public use subject to reasonable rules and regulations established by the association. The park is not designed to accommodate organized sporting events or gatherings,

and thus the general public shall not be entitled to use the park for such purposes, unless expressly authorized by the HOA.

i) Provisions addressing long-term management and maintenance of onsite Coastal Sage Scrub habitat.

J) Provisions to address edge effects of development on CSS habitat including restricting access, restricting pet access, no light spillover onto protected habitat, and information on responsible pet management.

COA 118. The proposed park located at the project entrance shall be open for use by the general public. The Homeowner's Association shall be responsible for maintenance of the park, including landscape maintenance, irrigation, and trash removal. The proposed park located at the project entrance shall be open for use by the general public in perpetuity.

New COA. The Project will include a Voluntary Residential TDM Plan and an Annual Transportation Survey as part of the Homeowner Welcome Package.

a. The Voluntary Residential TDM Plan provided in the Homeowner Welcome Package may include the following: North County Transit District (NCTD) website: <https://gonctd.com/contact-us/>; NCTD Customer Service #: (760) 966-6500; Bus & Train Fare information, including NCTD website links; Bicycle and E-Bike transit information; A list of nearby transit options; A link to Sustainable Transportation Services - <https://www.sandag.org/projects-and-programs/regional-initiatives/sustainable-transportation-services>

b. An Annual Transportation Survey will be provided in the Homeowner Welcome Package. Residents who participate in the voluntary survey will receive a one-time, one-month regional pass with NCTD. Upon establishment of the HOA, the HOA will determine the means to manage the annual survey distribution and collection for the first three years. Completed surveys will be sent to the City of Oceanside and Preserve Calavera for their records.