



# NOTICE OF PREPARATION

## City of Oceanside, California

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**Date:** February 14, 2020

**To:** California Office of Planning and Research  
Responsible and Trustee Agencies  
County Clerk  
Other Interested Parties

**Subject:** Notice of Preparation of a Supplemental Environmental Impact Report

**Project:** Ocean KAMP (T19-00004, D19-00016, CUP19-00021)

**Lead Agency:** City of Oceanside

**Applicant:** Zephyr Oceanside LLC

Pursuant to Section 15082(a) of the California Environmental Quality Act (CEQA), the City of Oceanside, as a Lead Agency, is distributing a Notice of Preparation (NOP) to solicit comments on the scope of a Supplemental Environmental Impact Report (SEIR). The SEIR will address the Ocean KAMP Project based on environmental changes from the previously approved Pavilion at Oceanside project, located on the same site.

The City is seeking public and agency input on the scope and content of the environmental information to be contained in the SEIR, which will address changes or updates to the previously prepared environmental analyses based on (1) the change in project type and (2) changed regulatory conditions. This NOP presents information on the project location, project history and background, current project description, intended uses of the previously certified EIR, choice of CEQA document, and a summary of the SEIR contents currently proposed. Information regarding timing and location of a scoping meeting for this project is also provided.

Pursuant to CEQA Guidelines Section 15163, an SEIR will be prepared to evaluate whether new significant effects would result from implementation of the Ocean KAMP project, compared to the environmental impacts disclosed in the previously certified EIR for the Pavilion at Oceanside project.

Pursuant to Section 15103 of the CEQA Guidelines, your response to this NOP must be received by our agency no later than thirty (30) days from the posting date. Should you have any questions regarding the project or NOP, please call Sergio Madera, Principal Planner, at (760) 435-3539. Please transmit your written comments on this project via post, email, or fax to:

City of Oceanside  
Development Services Department – Planning Division  
Attn.: Sergio Madera, Principal Planner  
300 North Coast Highway  
Oceanside, California 92054  
Phone: (760) 435-3539  
Fax: (760) 754-2958  
Email: [smadera@oceansideca.org](mailto:smadera@oceansideca.org)

**Location:** The Ocean KAMP Project site encompasses approximately 92 acres located at 3480 Mission Avenue, Oceanside, CA 92054, in San Diego County. The project is located north of Mission Avenue and State Route 76 (SR 76), immediately east of Foussat Road and west of Fireside Street (see Figure 1, *Regional Location*, and Figure 2, *Project Vicinity*). The project site includes 15 parcels, comprised of Assessors' Parcel Numbers (APNs) 160-270-31, -79, and -82; 160-280-14, -48, -49, -50, -51, -53, -54, and -55; 160-290-58, -60, -63; and 160-270-77 (a parcel located at the northeastern corner of Foussat Road and SR 76 that is currently owned by the City). Surrounding land uses include the San Luis Rey River located north and west of the property, the Oceanside Municipal Airport to the west, Oceanside Fire Department Station No. 7 to the south (between SR 76 and Mission Avenue), the City of

Oceanside's Mission Basin Groundwater Purification Facility located to the northeast, and a combination of single-family residential and commercial development and open space located to the east and south. A San Diego Gas & Electric (SDG&E) transmission line easement traverses the center of site in a north-south direction. The site has previously been used as a drive-in movie theater and swap meet.

The project site is zoned as Community Commercial (CC) with a Community Commercial (CC) General Plan Land Use Designation. The southwestern-most portion of the site is located within the Avigation Easement Area of the Oceanside Municipal Airport. Portions of the site are within designated Safety Zones 1, 2, 3, 4, and 6 of the Oceanside Municipal Airport Land Use Compatibility Plan (OMALUCP), with the entire site within Review Area 1.

### **Project History and Background:**

The Final EIR for the Pavilion at Oceanside project was certified by the City of Oceanside on November 19, 2008 (State Clearinghouse No. 2006111033). The EIR is available for review at:

[https://www.ci.oceanside.ca.us/gov/dev/planning/project/ocean\\_kamp\\_mixed\\_use\\_development.asp](https://www.ci.oceanside.ca.us/gov/dev/planning/project/ocean_kamp_mixed_use_development.asp)

Hard copies of the Final EIR and appendices for the Pavilion at Oceanside project are available at the following locations:

City Hall  
300 N. Coast Hwy.  
Oceanside, California 92054

Mission Branch Library  
3861-B Mission Avenue  
Oceanside, California 92058

That project addressed construction and operation of a 950,000-square foot (SF) shopping center located within an approximately 92-acre site previously used for a drive-in theatre. At the time of EIR preparation, the site was used for weekend swap meets and other periodic events. The Pavilion at Oceanside project proposed shopping, dining, and entertainment elements. The project application included a Tentative Parcel Map, Development Plan, five Conditional Use Permits (movie theater, health club, and three drive-through uses), and an Underground Waiver request for the existing high-voltage electrical transmission lines located on the site. The Tentative Parcel Map proposed to divide the site into 10 parcels for leasing purposes, where each commercial parcel would include building, hardscape/landscape, and parking areas. Approximately 459,000 cubic yards (CY) of imported fill material was identified as being required to ensure proper drainage and installation of underground utilities to serve the proposed development. The Reduced Project/Draft Subarea Plan Alternative addressed in the EIR was approved for implementation.

Environmental analyses presented in the certified EIR addressed ground disturbing activities during grading and base site preparation of approximately 88.3 acres, as well as environmental effects associated with construction or operation. Topical areas for which no impacts, or less than significant impacts, were identified included Agricultural Resources, Mineral Resources, Recreation, and Population/Housing. The Pavilion at Oceanside project was found not to have significant growth-inducing effects as it would be consistent with the General Plan and zoning designations of the property, and would be population-serving rather than population-generating.

Significant and mitigable impacts were identified for the following environmental issues:

- **Biological Resources:** jurisdictional impacts to 0.12 acre of southern willow scrub, 0.39 of disturbed southern willow scrub, and 0.22 acre of disturbed wetland; loss of approximately 40 acres of non-native grassland; and potential indirect impacts to sensitive species within the San Luis Rey River associated with fugitive dust, invasive plants, habitat fragmentation, noise, and night-lighting
- **Cultural and Paleontological Resources:** potential to impact buried cultural resources and fossil-bearing portions of the Eocene Santiago Formation

- **Geology and Soils:** potential issues associated with ground settlement associated with liquefaction and dynamic compaction
- **Hazards and Hazardous Materials:** release of isolated concentrations of the pesticide dieldrin and toxaphene (associated with prior on-site agriculture starting in 1928 until approximately 2000) during grading, and potential removal of on-site soils contaminated by leakage from an off-site underground storage tank if such soils are identified on site during grading, potential asbestos and lead associated with on-site structures, and overflight safety compliance
- **Noise:** potential for construction noise to adversely impact least Bell's vireo breeding between March 1 and September 1
- **Transportation/Traffic:** direct impacts on the segments of Mission Avenue between Foussat Road and El Camino Real, El Camino Real between Los Arbolitos Boulevard and Mission Avenue, North Douglas Drive between Pala Road and El Camino Real (two segments); and at the intersections of Pala Road/North Douglas Drive and SR 76/ Rancho del Oro Drive

Mitigation measures and/or measures incorporated into project design through conditions of approval were identified to reduce each of these potential impacts to less than significant levels.

Two topical areas were identified as having significant and unmitigable impacts under CEQA. Project effects for which significant impacts were identified that would not be reduced to less than significant levels through implementation of required mitigation measures included:

- **Transportation/Traffic:** Roadway segment of North Douglas Drive between North River Road and Pala Road (constrained by the bridge over the San Luis Rey River, with right-of-way limitations identified in the City Circulation Element); and El Camino Real between Mesa Drive and Oceanside Boulevard (short-term impact during construction related to construction haul trucks)
- **Global Climate Change:** An incremental contribution to global climate change was assessed as "extremely small" (a contribution to statewide carbon dioxide of approximately 0.0000577 percent) but was considered significant and unmitigable due to a lack of identified standards or criteria.

Although mitigation measures were identified that would reduce impacts to El Camino Real and climate change, they were not identified as feasibly reaching less than significant levels.

**Project Description:** The project site is currently zoned as Community Commercial with a Community Commercial General Plan Land Use Designation. Mixed-use development is allowed under the current Community Commercial zoning, subject to approval of a Mixed-Use Development Plan and Conditional Use Permit. The project proposes approximately 36 acres of commercial uses within the central/southwestern portion of the site and approximately 36 acres of residential uses within the northern and eastern portions of the site. The remaining 20 acres of the site are proposed to be preserved as open space, including a 4-acre stepping-stone wildlife corridor located along the eastern property boundary.

The proposed Mixed-Use Development Plan would be an integrated plan, where uses would be sited to share parking, traffic circulation and an alternative transportation system, recreational and open space areas, and utilities and infrastructure. The proposed project site would be developed in two integrated areas – a resort community and a residential area. Commercial uses within the resort community component are proposed to include a 300-room resort hotel, a conference facility, a surf lagoon beach club, and 11 commercial buildings consisting of approximately 130,000 SF of office, retail, restaurants, and fitness uses, totaling approximately 472,850 SF. Approximately 1,055 parking spaces are proposed to accommodate the commercial uses. The residential uses are proposed to include approximately 700 dwelling units within nine residential lots.

The project would be designed consistent with the Zoning Ordinance and consistent with the General Plan Housing Element and Land Use Element. The project proposes a reduced density of commercial uses compared to the 950,000 SF of commercial uses proposed under the approved the Pavilion at Oceanside project. The proposed commercial uses would be designed to be consistent with the development regulations of the Community Commercial zoning, including standards related to building coverage, landscaping, parking, and setbacks. The mixed-use development would also include residential uses located adjacent to the existing residential areas to the east and north of the project site. Establishment of appropriate setbacks and consistency with the development standards presented in the Mixed-Use Development Plan prepared for the project would ensure that the proposed residential uses would be compatible with existing surrounding development and City standards.

**Use of the Previously Certified EIR:** Portions of the previously approved project related to the site footprint are underway. The site is currently being graded in compliance with the prior approval and pursuant to required conditions of the previously approved project (the 88.3-acre Reduced Project/Draft Subarea Plan Alternative). Applicable mitigation measures have been/are being completed pursuant to the Mitigation Monitoring and Reporting Program prepared for that project.

The Ocean KAMP Project SEIR is intended to serve as a supplement to the previously adopted 2008 Final EIR where the currently proposed project would result in environmental effects that are potentially greater than effects disclosed in that document. Modifications particularly relate to potential changes in proposed land uses associated with the new project (mixed-use development versus the primarily retail uses previously analyzed) and/or where changes in regulations or City plans may require new analysis. Impacts and conditions presented in the previous EIR will serve as the primary base of comparison for the analysis. All proposed uses would occur within the graded impact footprint identified in the previously adopted EIR. The SEIR will incorporate applicable mitigation measures for proposed future actions that were identified in the previously certified EIR. Overall, straight “footprint” impacts related to vegetation removal, potential for on-site hazardous substances, etc. have already been addressed and will not need new review. Also, because the currently proposed project would generate fewer vehicular trips than the previous project, it is anticipated that previously assessed impacts for transportation/traffic and air quality would be lessened. Elements of the prior analysis that are unchanged will not be re-analyzed in the SEIR, but a summary discussion of those areas for which impacts remain the same or would be lessened will be provided for the reader’s use.

**Choice of a Supplemental versus Subsequent EIR:** Per CEQA Guidelines Section 15162, a Subsequent EIR must be prepared when the Lead Agency determines one or more of the following, based on substantial evidence in the light of the whole record:

- Substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following: (1) The project will have one or more significant effects not discussed in the previous EIR or negative declaration; (2) Significant effects previously examined will be substantially more severe than shown in the previous EIR; (3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (4) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Per CEQA Guidelines Section 15163, a Supplemental EIR can be prepared if any of the conditions listed above would require preparation of a Subsequent EIR, and only minor additions or changes would be necessary to make the

previous EIR adequately apply to the project in the changed situation. A Supplemental EIR does not require the previous EIR to be “recirculated” and focuses on inclusion of the information necessary to make the previous EIR adequate for the project as revised.

In this instance, conditions associated with ground disturbance are expected to be highly similar/identical to those assessed for the Pavilion at Oceanside project, and in other instances (e.g., traffic and air quality) impacts are expected to be lessened. Confirmation of areas in which the prior assessment was wholly adequate will be documented in the SEIR. Because impacts are expected to be generally the same or reduced, and new areas of discussion are expected to be few in number, a Supplemental EIR has been chosen as the CEQA document. The City reserves the right to produce a Subsequent EIR as appropriate based on responses to this NOP and findings of updated technical analyses.

**Potential Environmental Effects and Anticipated Contents of the SEIR:** It is anticipated that most of the environmental effects of the proposed project would be similar to or less than those identified in the Pavilion at Oceanside EIR. Implementation of residential uses, however, was not anticipated in the certified EIR. The following issues (at a minimum) will be addressed in the SEIR relative to Ocean KAMP components differing from the Pavilion at Oceanside.

- **Project Description:** This section will provide detail as to the proposed project, presenting narrative and graphics supporting discussion of project elements, necessary and relevant permits, other responsible or trustee agencies, results of tribal consultation, etc.
- **Aesthetics:** This section will compare the Ocean Kamp Project to the Pavilion at Oceanside relative to visual effects and community character.
- **Hazards & Hazardous Materials:** This section will address safety hazards due to proximity to the airport.
- **Land Use and Planning:** This section will confirm consistency with existing adopted plans, policies, and zoning.
- **Transportation/Traffic:** A vehicle miles travelled (VMT) analysis will be completed in accordance with new CEQA Guidelines to take effect on July 1, 2020. Updates to traffic patterns/minimization of impacts will be addressed as appropriate.
- **Utilities:** Results of the Water Supply Assessment will be presented.
- **Public Services:** The Ocean KAMP Project proposes residential uses, which will require review of public facility availability such as schools, libraries, and park and recreation facilities.

The SEIR will clearly identify potential new significant impacts of the proposed project, if any, and recommend possible mitigation measures to eliminate or substantially reduce identified significant impacts, as appropriate and feasible. The SEIR will also consider whether changed conditions require updated analysis of cumulative impacts per CEQA Guidelines Section 15130, and/or an analysis of project alternatives per Section 15126.6 if new significant impacts are identified that were not addressed through alternatives during review of the Pavilion at Oceanside project. Responses received to this NOP may modify or add to the preliminary assessment of potential issues addressed in the SEIR.

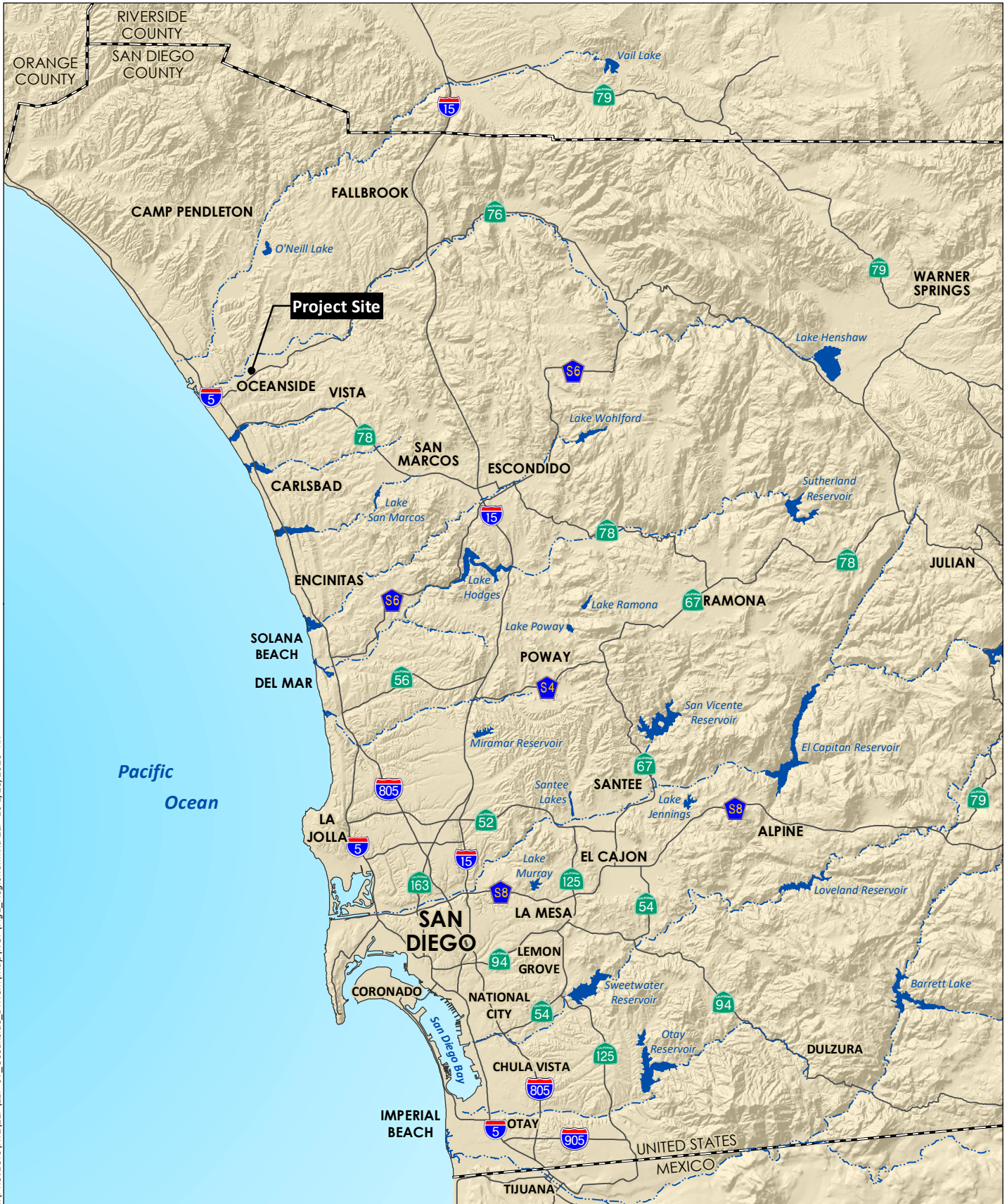
### **PUBLIC SCOPING MEETING**

The City of Oceanside will hold a public scoping meeting to obtain information regarding the content and scope of the Draft SEIR consistent with Section 21083.9 of the Public Resources Code. This scoping meeting will take place on Tuesday, February 25, 2020, from 6:00 to 8:00 pm at the Oceanside Public Library Community Room located at 330 North Coast Highway, Oceanside, CA. Free public parking is available in the adjacent City parking structure with access from Civic Center Drive and Ditmar Street. The scoping meeting format will consist of a brief project presentation, followed by an open house forum with city staff and applicant representatives. All public agencies, organizations, and interested parties are encouraged to attend and participate in this meeting.

**Signature:**  **Date:** February 14, 2020  
Sergio Madera, Principal Planner

**Attachments:**

- Figure 1, Regional Location
- Figure 2, Project Vicinity
- Figure 3, Mixed Use Development Plan



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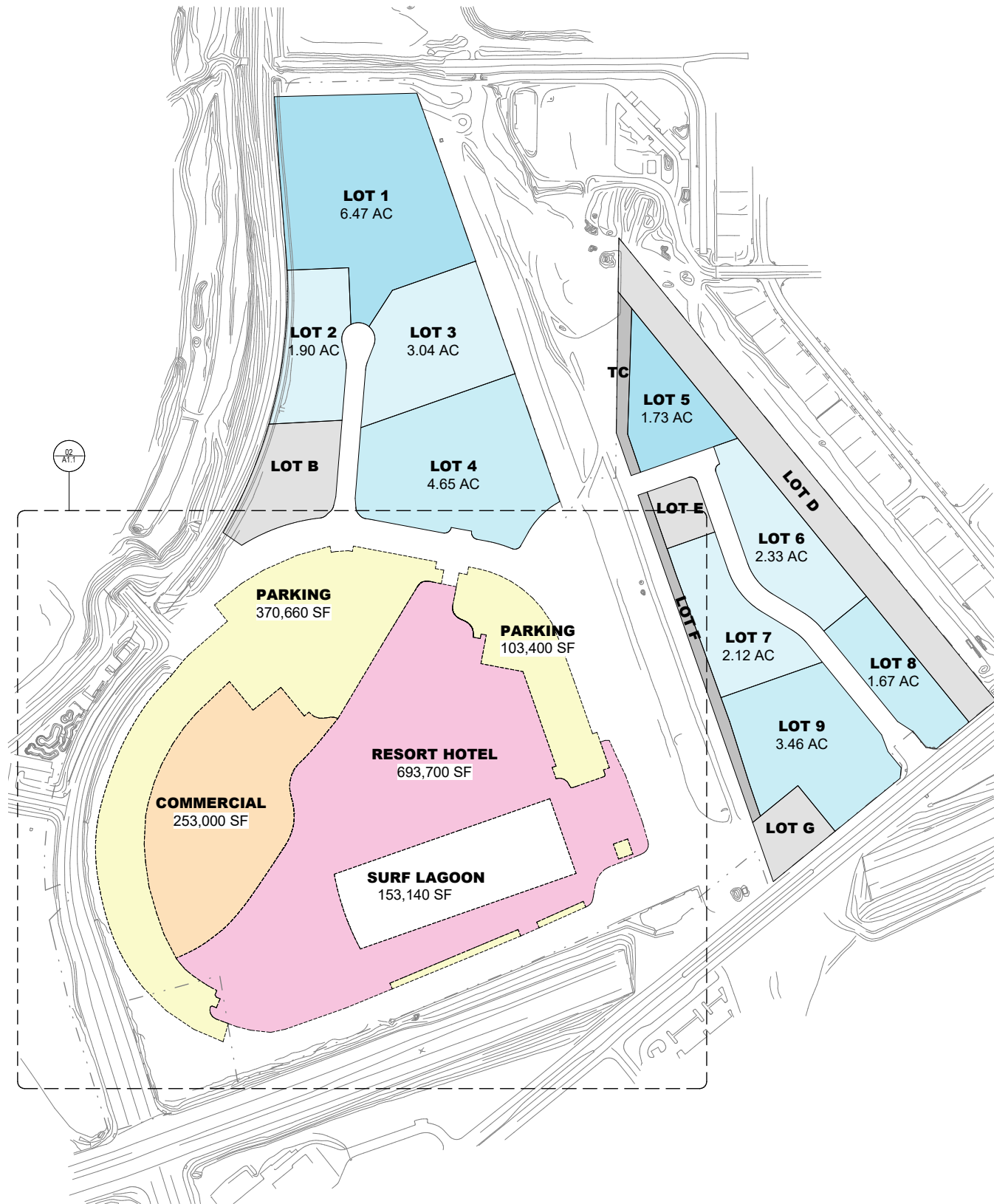
Source: Base Map Layers (SanGIS, 2016)



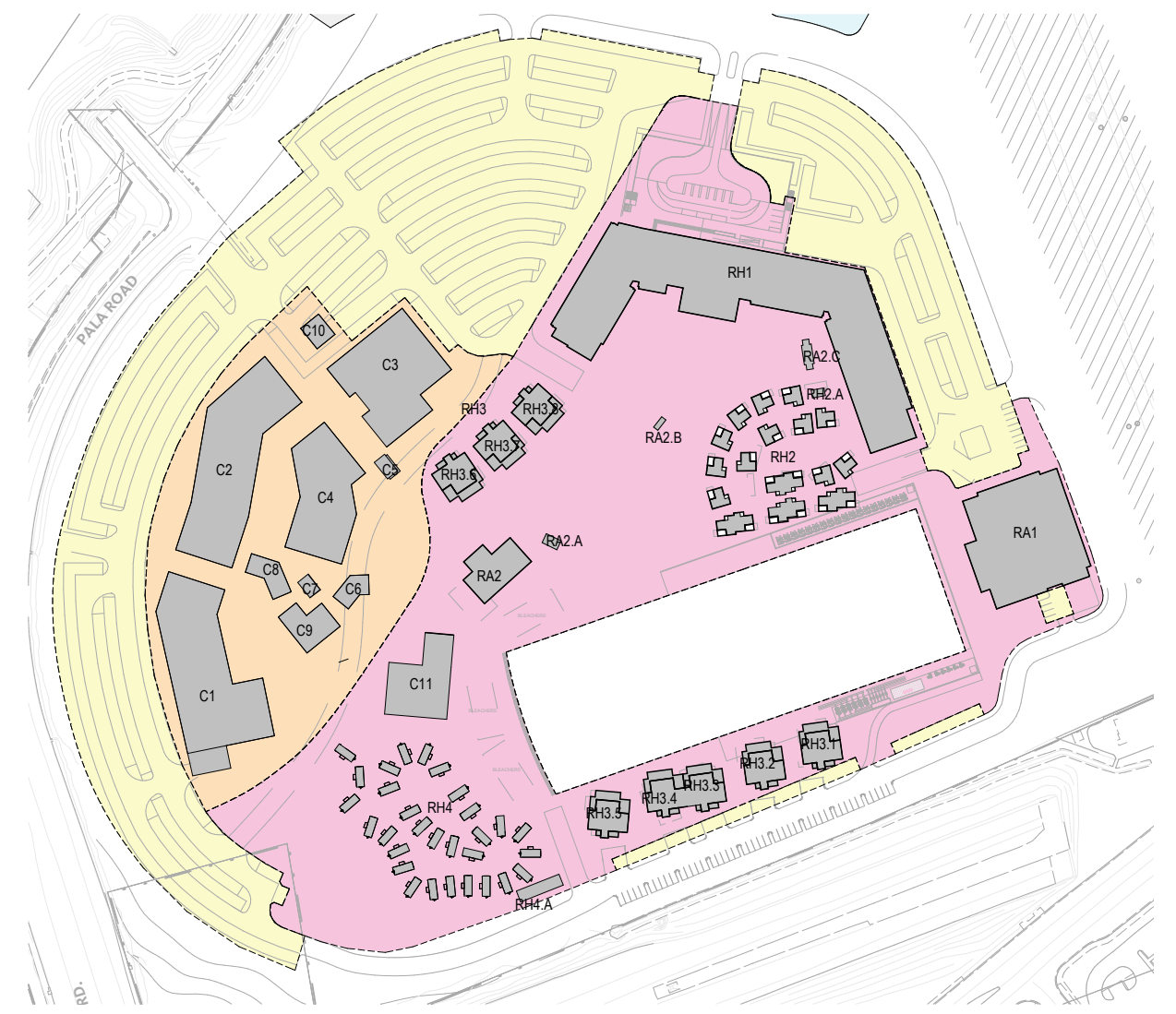
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Source: Aerial (SanGIS 2017)



01 OVERALL SITE PLAN - MIXED USE DEVELOPMENT PLAN



02 SITE PLAN - COMMERCIAL USE

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Source: Gensler 2019