



The County of San Diego

Planning Commission Hearing Report

| | | | |
|------------------------------|---|-----------------------|---|
| Date: | October 10, 2014 | Case/File No.: | Agua Dulce Tentative Map; PDS2014-TM-5586 PDS2014-ER-00-18-010A |
| Place: | County Conference Center 5520 Overland Avenue San Diego, CA 92123 | Project: | Tentative Map Condominium Conversion |
| Time: | 9:00 a.m. | Location: | 2041-2047 Sweetwater Road |
| Agenda Item: | #3 | General Plan: | Village Residential (VR 10.9) |
| Appeal Status: | Appealable to the Board of Supervisors | Zoning: | Variable Family Residential (RV) |
| Applicant/ Owner: | ATC Design Group/RD Investment Properties, LLC | Community: | Spring Valley Community Plan Area |
| Environmental: | Reliance on a Negative Declaration | APN: | 578-012-39 |

A. EXECUTIVE SUMMARY

1. Requested Actions

This is a request for the Planning Commission to evaluate the proposed project which is a Tentative Map, determine if the required findings can be made, and if so, take the following actions:

- a. Adopt the environmental findings included in Attachment D, which includes a reliance on a previous Negative Declaration.
- b. Adopt the Resolution of Approval for Tentative Map PDS2014-TM-5586 which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego Regulations (Attachment B).

2. Key Requirements for Requested Actions

- a. Is the proposed project consistent with the vision, goals, and policies of the General Plan?
- b. Does the project comply with the policies set forth under the Spring Valley Community Plan?
- c. Is the proposed project consistent with the County's Zoning Ordinance?
- d. Is the proposed project consistent with the County's Subdivision Ordinance?
- e. Is the project consistent with other applicable County regulations?
- f. Does the project comply with the California Environmental Quality Act (CEQA)?

B. REPORT SUMMARY

The purpose of this staff report is to provide the Planning Commission with the information necessary to consider the proposed Tentative Map (TM), conditions of approval and findings, and environmental findings prepared in accordance with CEQA.

The applicant proposes a TM to convert eight existing multi-family rental units into eight condominium ownership units. No new development is proposed. Based on staff's analysis, it is the Department's position that the required findings can be made, and recommends approval of the TM, with the conditions noted in the attached Resolution of Approval.

C. DEVELOPMENT PROPOSAL

1. Project Description

The site is developed with existing residential apartment buildings pursuant to a Site Plan (STP 00-072), which was constructed in 2002. The TM application would convert these existing units from rentals to ownership units.

The project is currently served by the San Diego County Sanitation District (Spring Valley) for sewer and imported water from the Otay Water District. No extension of sewer or water utilities would be required for the project, and no new construction is proposed. Access is provided by an easement connected to Sweetwater Road.

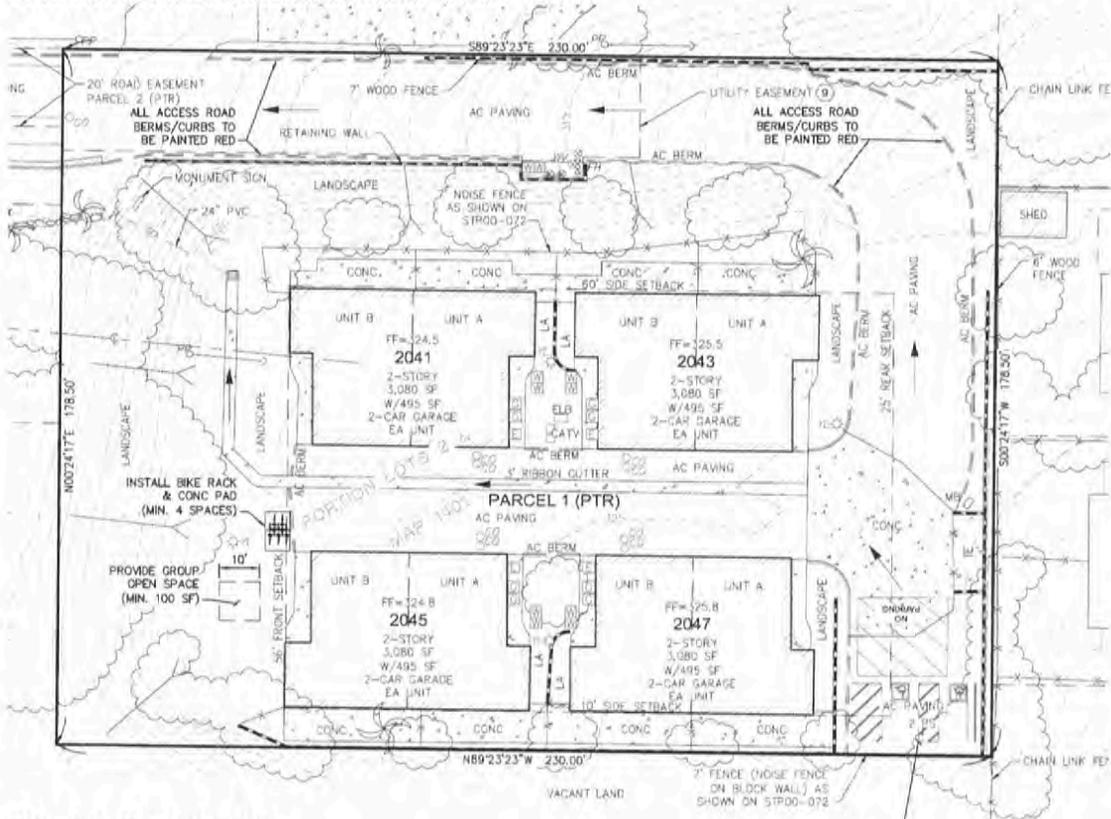


Figure 1: Tentative Map

The Negative Declaration for the project, (STP 00-072/Log No. 00-18-010) was adopted on November 5, 2001. The Site Plan was required to address the listed "B, D1, and D2" designations. The project was approved by the Director of Planning and Land Use on January 4, 2002, for four two-story residential duplexes (eight total dwelling units) each unit measuring approximately 1,540 square feet, with an attached two-car garage, as well as associated guest parking and landscaping. The apartments were built and received final building approval in April, 2003.

2. Subject Property and Surrounding Land Uses

The proposed project site is approximately 0.9 acre and is located in the unincorporated community of Spring Valley, just east of State Route 125 and south of State Route 94. The project site is developed with eight buildings, which are currently utilized as residential rental units. The site is located at 2041-2047 Sweetwater Road in the Spring Valley Community Planning area.



Figure 2: Aerial Photo

Surrounding land uses primarily consist of residential, with State Route 125 and the City of Lemon Grove to the west. Mount Miguel High School is located southwest of the project site.

Table C-1: Surrounding Zoning and Land Uses

| Location | General Plan | Zoning | Adjacent Streets | Description |
|----------|--|------------------------|--|-------------------------|
| North | Village Residential, Public/Semi-Public Facilities, General Commercial | RV, RS, RMH9, C36 | Ildica Street, Tyler Street, Sweetwater Road | Residential, Commercial |
| East | Village Residential, Public/Semi-Public Facilities, Semi Rural Residential, Medium Impact Industrial | RV, RS | Ildica Street, Berkview Lane, Oso Road | Residential, Industrial |
| South | Village Residential, Public/Semi-Public Facilities | RV, RMH7, S94, RS, S80 | Helix Street, Harness Street, Gowin Street | Residential |
| West | Village Residential, Public/Semi-Public Facilities, City of Lemon Grove | S94, RS | Sweetwater Road, SR-125, Blossom Lane, Washington Street | Residential |

D. ANALYSIS AND DISCUSSION

1. Project Analysis

The project has been reviewed to ensure it conforms to all relevant ordinances and guidelines, including the San Diego General Plan, Spring Valley Community Plan and Design Guidelines, Zoning Ordinance, and CEQA Guidelines.

2. Project Issues

Staff evaluated the application to ensure that the existing residential apartment complex was properly landscaped, had the noise attenuation barriers installed, and showed guest parking spaces. The site is currently developed per the original Site Plan (STP 00-072) and no new development or land use changes are proposed as a part of this TM. The TM would allow for the individual sale of units within the existing building. Conditions were added which would require the applicant to designate both sides of the easement “No Parking” per the San Miguel Fire Protection District, and add a bike rack per updated parking guidelines. Therefore, no project issues have been identified, and the project is compatible with the existing natural and built environment.



Figure 3: Photo of Existing Structures

3. General Plan Consistency

The proposed project is consistent with the following relevant General Plan goals, policies, and actions as described in Table D-1.

Table D-1: General Plan Conformance

| General Plan Policy | Explanation of Project Conformance |
|--|---|
| <p>U-2.4 Relationship of Land Uses to Community Character - Ensure that the land uses and densities within any Regional Category or Land Use Designation depicted on the Land Use Map reflect the unique issues, character, and development objectives for a Community Plan area, in addition to the General Plan Guiding Principles.</p> | <p>The existing development approved by a Site Plan (STP 00-072) was reviewed and approved by the Spring Valley Community Planning Group (CPG), which acts as the Design Review Board (DRB) for conformance with the Spring Valley Design Guidelines. The current proposed TM was reviewed and approved by the Spring Valley CPG for conformance with community character. The Village Regional Category is an area where higher intensity land uses are planned and established. Surrounding land uses are predominantly residential as is the proposed TM and would continue to fit in with the community character for the Spring Valley Village classification.</p> |

| General Plan Policy | Explanation of Project Conformance |
|--|---|
| <p>LU-9.3 Village and Community Core Guidelines and Regulations - Support the development and implementation of design guidelines, Village-specific regulations for roads, parking, and noise, and other planning and regulatory mechanisms that recognize the unique operations and character of Villages, Town Centers, and transportation nodes. Ensure that new development be compatible with the overall scale and character of established neighborhoods.</p> | <p>No new development, increased traffic, parking or noise would be generated by the proposed project. The nature of the project would continue to fit in with the community character for the Spring Valley Village classification. The existing development was reviewed and approved by the Spring Valley CPG on July 8, 2014, for conformance with the Spring Valley Design Guidelines and reviewed and approved by the Spring Valley CPG for conformance with community character.</p> |
| <p>LU-9.5 Village Uses - Encourage development of distinct areas within communities offering residents a place to live, work and shop, and neighborhoods that integrate a mix of uses and housing types.</p> | <p>The proposed project would continue to enhance the Spring Valley community, and provide additional opportunities to own a unit in the already established residential area, while being in close proximity to commercial shopping and businesses.</p> |

4. Community Plan Consistency

The proposed project is consistent with the following relevant Spring Valley Community Plan goals, policies, and actions as described in Table D-2.

Table D-2: Community Plan Conformance

| Community Plan Policy | Explanation of Project Conformance |
|---|---|
| <p>Goal LU 1.1 Residential, commercial and industrial development that enhances Spring Valley's community character, are consistent with Zoning and Design Review Criteria, and improve the quality of life of its citizens. The gradual transformation and improvement of existing uses that negatively impact community character. Pro-active enforcement that diminishes existing businesses and development that are inappropriate for a suburb of over 59,324 residents (per U.S. census 2000).</p> | <p>The existing development was reviewed and approved by the Spring Valley CPG for conformance with the Spring Valley Design Guidelines, and the project is compatible with surrounding development. The proposed project would include no changes to the exterior of the building.</p> |

| Community Plan Policy | Explanation of Project Conformance |
|--|--|
| <p>Policy LU 2.4.1 Require all new development and remodeling of multiunit residential uses to:</p> <ul style="list-style-type: none"> • Screen trash containers. • Utilize building colors that are subdued in density and saturation. • Provide signs in conformance with Spring Valley sign requirements. • Be constructed to be as energy efficient as possible, including but not limited to, solar, recycled water, use of native vegetation or xeriscaping. • Provide parking at a minimum of two spaces per unit in addition to handicapped and required visitors' parking. Accommodations on appropriate reductions can be made only for those types of developments noted in General Plan Policy M-10.5, when reductions would not affect desired community character. Parking for Multi-family units shall be covered and/or garaged. • Provide landscaped open space for at least 75% of the front yard. • Provide minimum front yard setbacks of 15 feet from right-of-way. • Provide all parking onsite, within the property of the proposed project. • Provide screening for all parking, which may consist of landscape materials, decorative wood or fencing. • Provide screening from adjacent properties using either wood, masonry or stucco, at least six feet in height. • Conduct appropriate studies for noise. • Provide a multi-use area with open space and play areas for children as well as adults of at least 100 square feet per individual unit. • Use paint colors of a neutral, subdued tone. | <p>The applicant previously met all listed requirements under approved Site Plan (STP 00-072), and no changes are proposed to the units under the TM application. The applicant met with the Spring Valley CPG regarding the condominium conversion, and the Spring Valley CPG again recommended approval. The CPG did ask the applicant to restripe the parking spaces for clarity.</p> |
| <p>Policy CM 9.1.1 Require off-street parking for all vehicles at a rate of two vehicles per unit in addition to visitor and handicapped parking for multifamily residential.</p> | <p>The applicant is currently providing a two-car garage for each unit, as well as guest and handicapped parking spaces which meet current County of San Diego parking requirements.</p> |

5. Zoning Ordinance Consistency

The proposed project complies with all applicable zoning requirements of the Variable Family Residential (VR) zone with the incorporation of conditions of approval. The Planning Commission should consider whether the included conditions of approval ensure compatibility of the proposed project with the surrounding properties and overall community character.

Table D-3: Zoning Ordinance Development Regulations

| CURRENT ZONING REGULATIONS | | CONSISTENT? |
|-----------------------------------|-----------|--------------------|
| Use Regulation: | RV | Yes |
| Animal Regulation: | Q | N/A |
| Density: | N/A | N/A |
| Lot Size: | 6,000 | Yes |
| Building Type: | K | Yes |
| Height: | C | Yes |
| Lot Coverage: | N/A | N/A |
| Setback: | K | Yes |
| Open Space: | I | Yes |
| Special Area Regulations: | B, D1, D2 | Yes |

| Development Standard | Proposed/Provided | Complies? |
|---|--|---|
| Section 2105 of the Zoning Ordinance describes the permitted uses in the Variable Family Residential (RV) Use Regulations. | The project complies with the RV Use Regulations. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Section 4800 of the Zoning Ordinance requires a setback of 50 feet in the front yard, 5 feet in the side yard, and 25 feet in the rear yard. | The existing development meets all setback requirements. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Section 5750 through 5799 of the Zoning Ordinance, known as the Community Design Review Area (B) Regulations, requires conformance with the applicable Community Design Manual and review by the Community Design Review Board. | The project was reviewed during the original Site Plan permit in 2001, and again in 2014 for the condominium conversion. Both times the Spring Valley CPG, who also act as the Spring Valley Design Review Board, recommended approval. The project complies with the current Spring Valley Community Design Guidelines. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

6. Subdivision Ordinance Consistency

The project has been reviewed for compliance with the Subdivision Ordinance, in particular Section 81.105, which requires a condominium compliance inspection prior to approval of a Final Map. The project is consistent with this requirement for subdivisions converting existing residential developments to condominiums. The project includes requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with the Subdivision Map Act and the Subdivision Ordinance.

7. California Environmental Quality Act (CEQA) Compliance

The project has been reviewed in compliance with CEQA. An Addendum dated June 30, 2014, to the previously adopted Negative Declaration (Log No. 00-18-010), was prepared and is on file with Planning & Development Services as Environmental Review Number 00-18-010A. The project, as designed, would not cause any significant effects on the environment which require mitigation measures; the site is currently fully developed and the proposed project does not include additional development.

E. COMMUNITY PLANNING GROUP

On July 8, 2014, the Spring Valley CPG recommended approval with conditions, by a vote of 10-0-0-1-4 (Ayes – 10, Noes – 0, Abstain – 0, Vacant – 1, Absent – 4). The CPG asked that the applicant properly mark the guest parking spaces. See Attachment E for CPG recommendation. This condition has been added to the Resolution of Approval.

F. PUBLIC INPUT

No comments were received as a result of the public notices sent at the time of the TM application submittal, during processing of the permit, or at the Community Planning Group Meeting.

G. RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. Adopt the environmental findings included in Attachment D, which includes a reliance on a previous Negative Declaration.
2. Adopt the Resolution of Approval for TM PDS2014-TM-5586, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego Regulations (Attachment B).

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Mark.Wardlaw@sdcounty.ca.gov

AUTHORIZED REPRESENTATIVE: _____



MARK WARDLAW, DIRECTOR

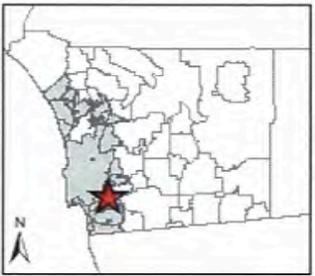
ATTACHMENTS:

- Attachment A – Planning Documentation
- Attachment B – Resolution Approving PDS2014-TM-5586
- Attachment C – Environmental Documentation
- Attachment D – Environmental Findings
- Attachment E – Public Documentation
- Attachment F – Photos
- Attachment G – Ownership Disclosure

Attachment A – Planning Documentation

Agua Dulce Terrace Condominiums Vicinity Map

Spring Valley
Community Plan Area

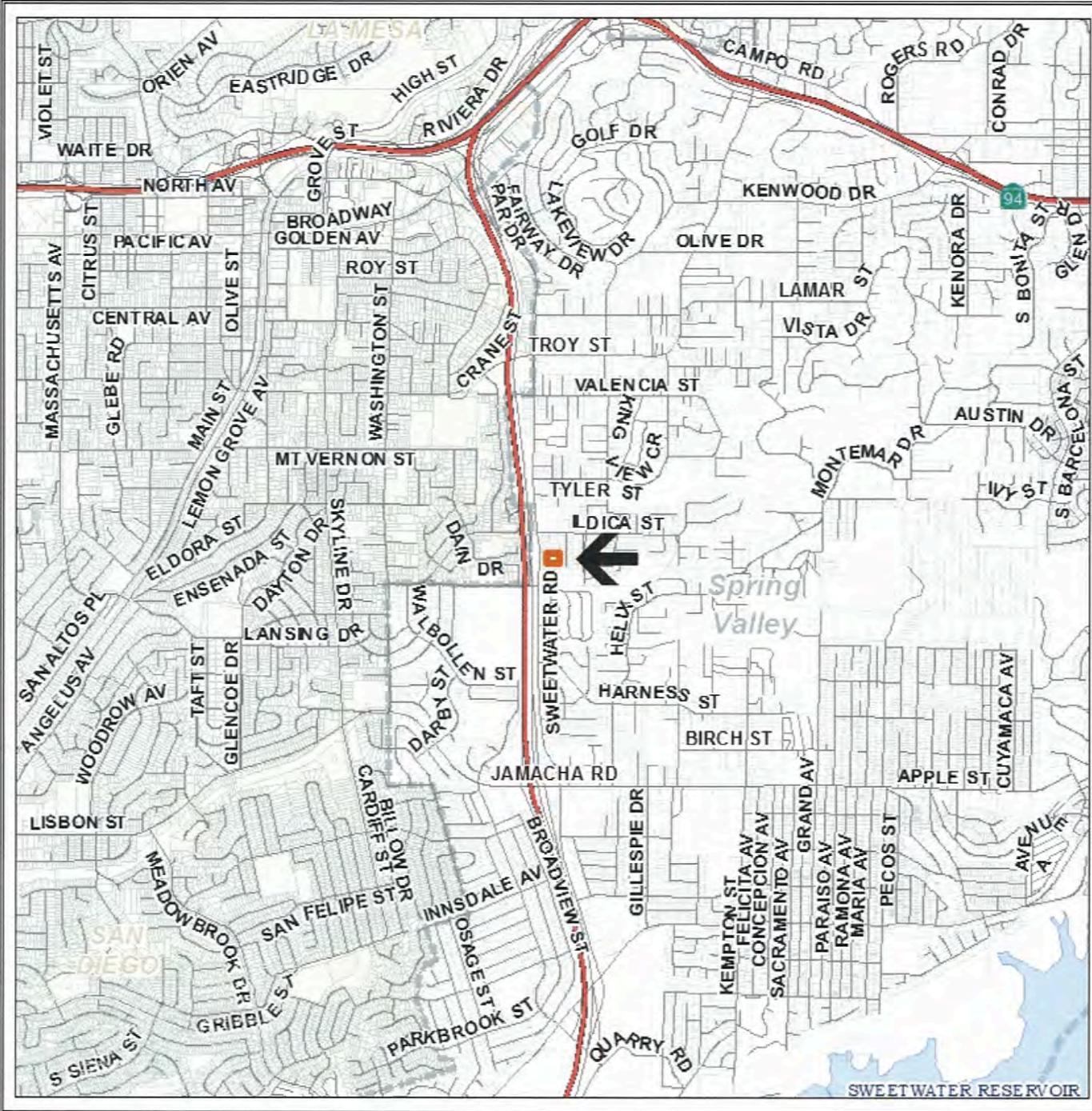


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| | Roads |
| | Site |
| | Parcels |



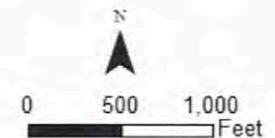
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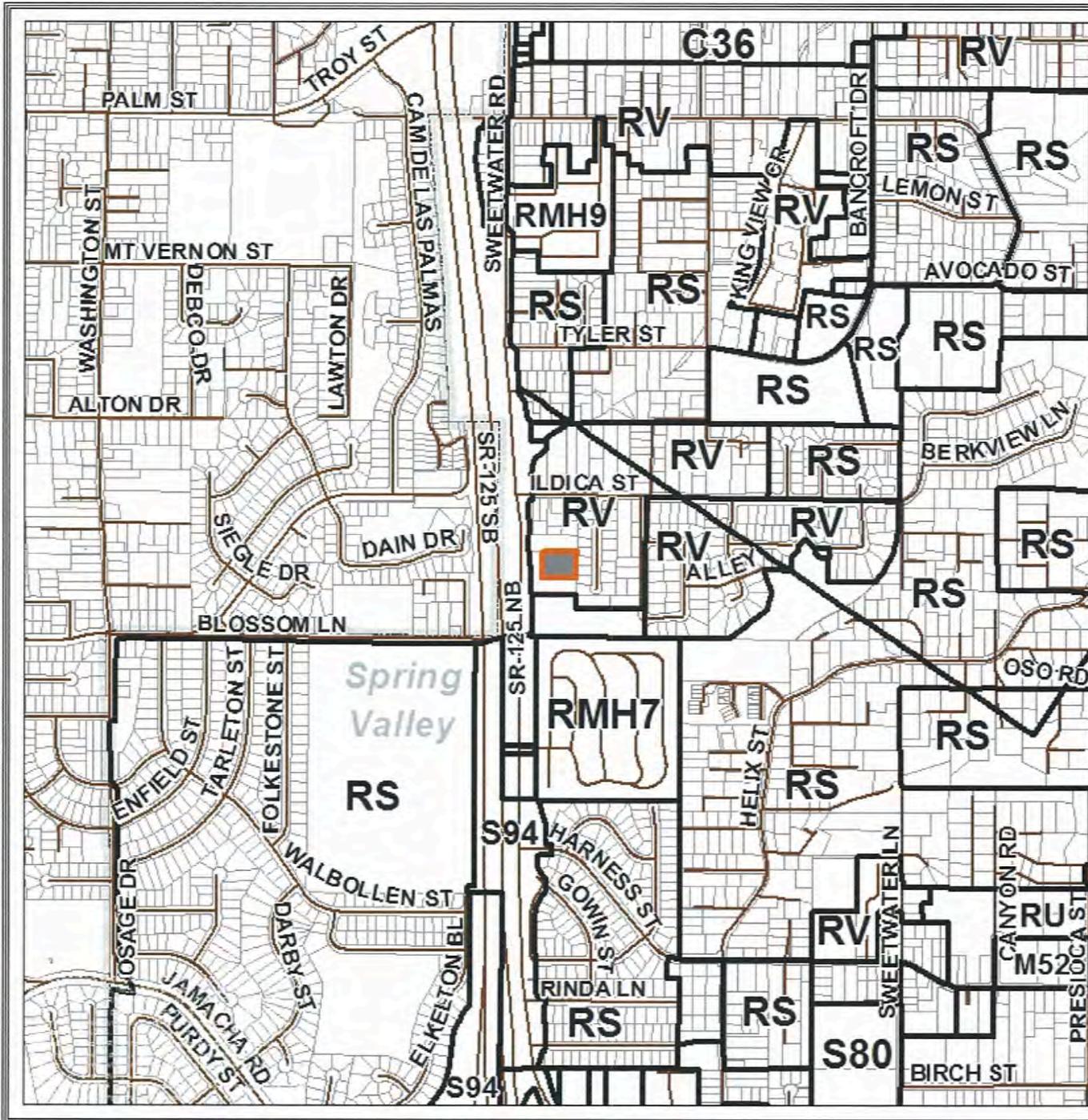
Agua Dulce Terrace Condominiums Zoning Map

Spring Valley
Community Plan Area

- C36 - General Commercial
- M52 - Limited Impact Industrial
- M54 - General Impact Industrial
- RMH7 - Mobilehome Residential
- RMH9 - Mobilehome Residential
- RS - Single Family Residential
- RU - Urban Residential
- RV - Variable Family Residential
- S80 - Open Space
- S94 - Transportation/Utility Corridor



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Agua Dulce Terrace
 Condominiums
 Aerial
 Spring Valley Community Plan Area

Roads
 Site

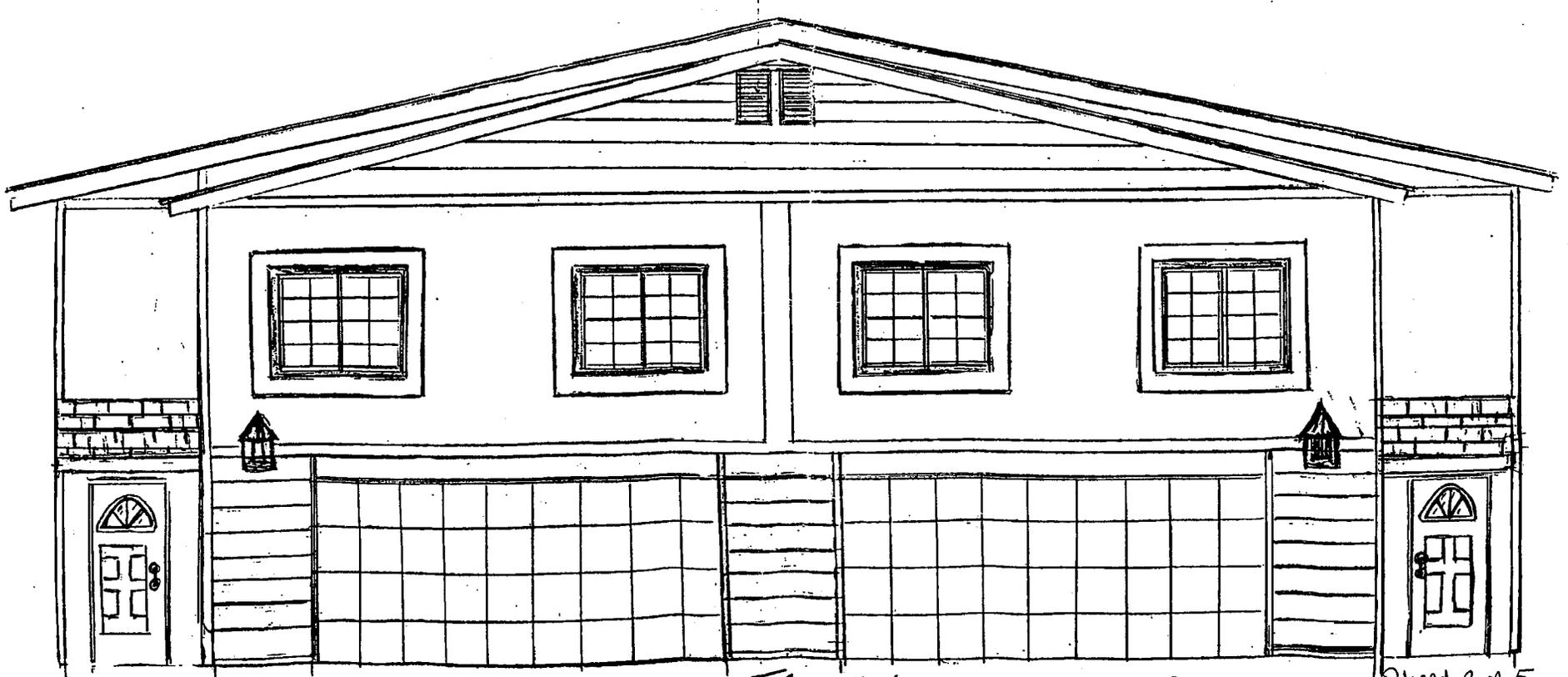
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SDC DPLU RCVD 8-01-01

Application No. **STP00-072**
approved **SITE PLAN**
BY THE SAN DIEGO COUNTY
DIRECTOR OF
THE DEPARTMENT OF PLANNING & LAND USE
ON 1/4/09
GARY L. PRYOR
DIRECTOR
By *Simon Fort*
TITLE

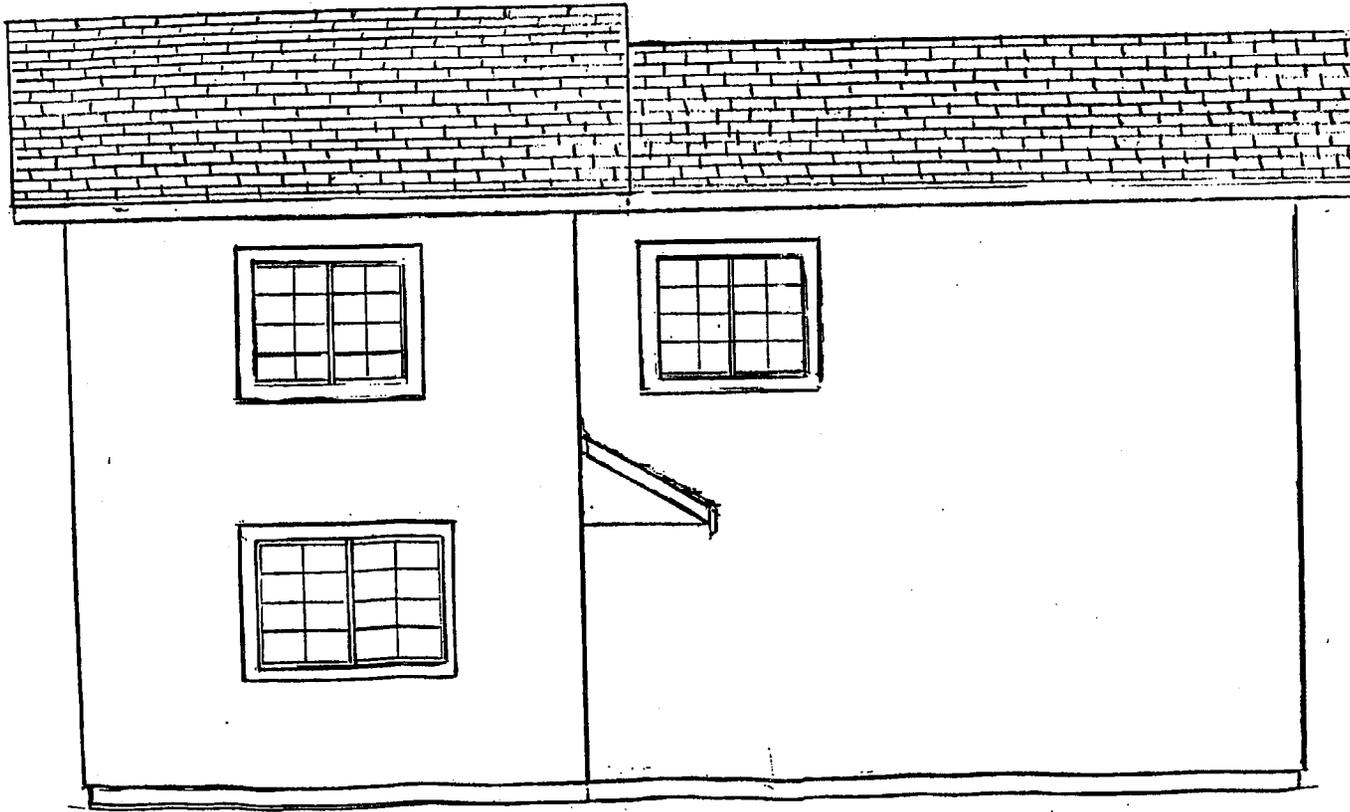


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Sheet 3 of 5

3-17

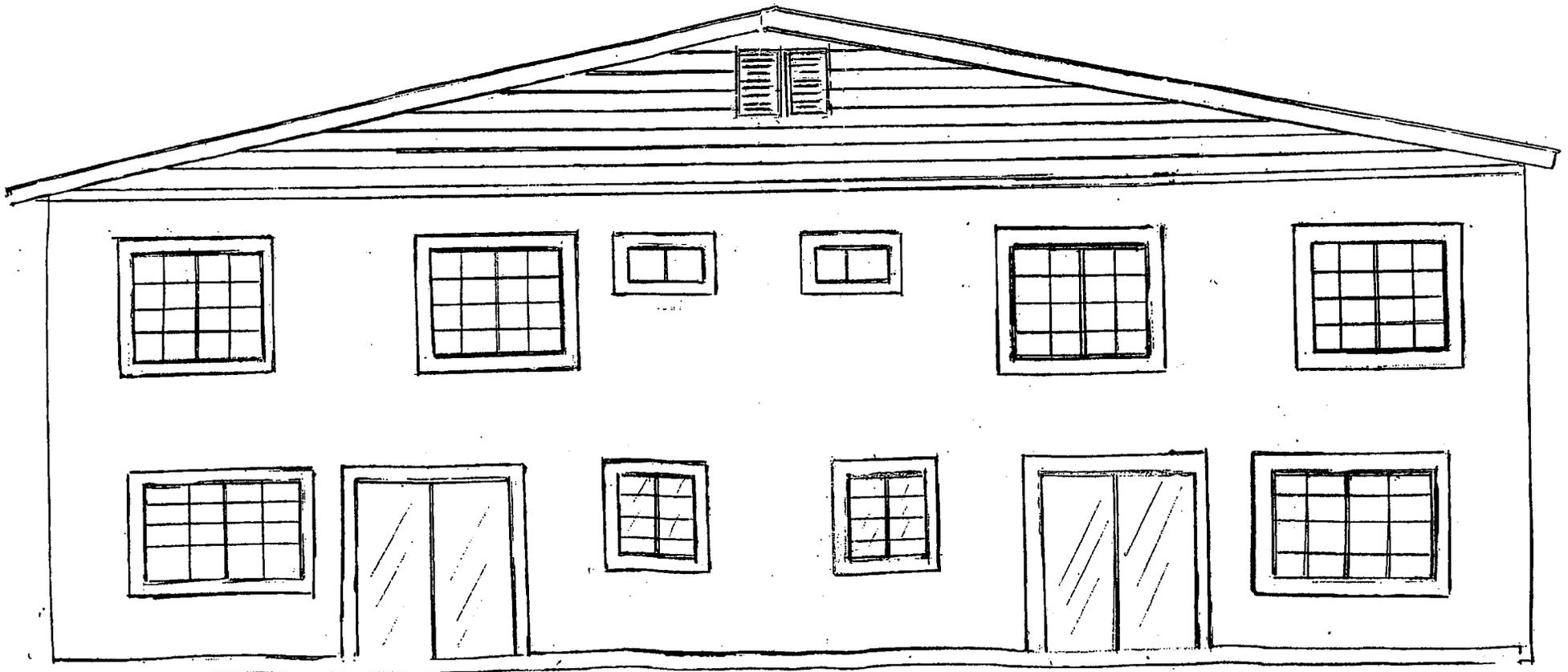
Application No. **STP00-072**
approved **SITE PLAN**
BY THE SAN DIEGO COUNTY
DIRECTOR OF
THE DEPARTMENT OF PLANNING & LAND USE
ON 7/4/02
GARY L. PRYOR
DIRECTOR
By *[Signature]*
TITLE



SIDES

SDC DPLU RCVD 8-01-01

Application No. **STP00-072**
Approved BY THE SAN DIEGO COUNTY
DIRECTOR OF
THE DEPARTMENT OF PLANNING & LAND USE
ON 1/4/02
GARY L. PRYOR
DIRECTOR
By *[Signature]* TITLE



REAR

Sheet 5 of 5

3-19

**Attachment B – Resolution
Approving PDS2014-TM-5586**

October 10, 2014

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
TENTATIVE MAP NO. PDS2014-TM-5586)

WHEREAS, Tentative Map No. PDS2014-TM-5586 proposing the division of property located at 2047 Sweetwater Road, Spring Valley, and generally described as:

That portion of Lots 2 and 11 of Tract 1401, in the County of San Diego, State of California, according to Map thereof No. 1401, filed in the Office of the County Recorder of San Diego County, December 8, 1911, described as follows:

Beginning at the Northeast corner of the South 1 Acre of said Lot 2, being the Northeast corner of land described in Deed to Clayton T. Smith, et ux, recorded May 25, 1957 in Book 6508, Page 396 of Official Records; thence Southerly along the Easterly line of Said Lots 2 and 11, a distance of 178.50 feet; thence Westerly, parallel with the Northerly line of said South 1 Acre of Lot 2, a distance of 230.00 feet; thence Northerly, parallel with the Easterly line of said Lot 2 and 1, a distance of 178.50 feet to the Northerly line of said South 1 Acre of Lot 2; thence Easterly along said Northerly line, a distance of 230.00 feet to the Point of Beginning.

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on August 15, 2014; and

WHEREAS, on October 10, 2014, the Planning Commission of the County of San Diego pursuant to Section 81.306 of the San Diego County Subdivision Ordinance held a duly advertised public hearing on said Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

WHEREAS, the Planning Commission of the County of San Diego has determined that the conditions hereinafter enumerated are necessary to ensure that the subdivision and the improvement thereof will comply with the Subdivision Map Act and conform to all ordinances, plans, rules, standards, and improvement and design requirements of San Diego County.

IT IS RESOLVED, DETERMINED, AND ORDERED, that based on the findings, said Tentative Map is hereby approved subject to the following conditions:

MAP EXPIRATION: The approval of this Tentative Map Expires Thirty-Six (36) Months after the date of the approval of this Resolution at 4:00 P.M. Unless, prior to that date, an application for a Time Extension has been filed as provided by Section 81.313 of the County Subdivision Ordinance.

STANDARD CONDITIONS: The “Standard Conditions (1-29) for Tentative Subdivision Maps” approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk, as Resolution No. 00-199, shall be made conditions of this Tentative Map approval. Only the following exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized. **The following Standard Subdivision Conditions are here by waived:**

- (1) Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification requires use of high pressure sodium (HPS) vapor light source unless within 15 miles radius of Palomar or Mount Laguna observatories (in which case fixtures shall use a low pressure sodium vapor light source) pursuant to direction from the Board of Supervisors [statement of proceedings of 1-29-03].
- (2) Standard Condition 23.3: Said condition states that the subdivider shall submit a letter from the California Department of Forestry and Fire Protection stating that all its conditions have been met. The site is located within the San Miguel Fire Protection District and does not require approval from the California Department of Forestry and Fire Protection.
- (3) Standard Condition 24: Said condition pertains to projects outside the boundaries of a fire protection district. The project site is located within the San Miguel Fire Protection District.
- (4) Standard Condition 27.1: Said condition states that the Final Map/Certificate of Compliance may be filed as units or groups of units. The Final Map/Certificate of Compliance for this Tentative Map includes the entire area shown on the Tentative Map and shall not be filed in units.

APPROVAL OF MAP: THE FOLLOWING SPECIFIC CONDITIONS SHALL BE COMPLIED WITH BEFORE A MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER: (and where specifically, indicated, conditions shall also be complied with prior to the approval and issuance of grading or other permits as specified):

1-29. The “Standard Conditions (1-29) for Tentative Subdivision Maps” approved by the Board of Supervisors on June 16, 2000, with the exception of those “Standard Conditions” waived above.

30. COST RECOVERY

INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5 existing deficit accounts associated with processing this map shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficits associated with processing this map. **DOCUMENTATION:** The applicant shall provide evidence to [*PDS, Zoning Counter*], which shows that all fees and trust account deficits have been paid. No

map can be issued if there are deficit accounts. **TIMING:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall review the evidence to verify compliance with this condition.

31. CONDO CONVERSION NOTICES [PDS, FEE]

INTENT: In order to comply with State Public Noticing requirements for Condominium (Condo) Conversions, the residents shall be given proper notice of the proposed condo conversion. **DESCRIPTION OF REQUIREMENT:** Each of the tenants of the proposed condominium shall be given the following notices:

- a. 180 days written notice of intention to convert before termination of tenancy due to the conversion or proposed conversion,
- b. Notice of an exclusive right to contract for the purchase of their respective units upon the same terms and conditions that such units will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives written notice of his/her intention not to exercise the right; and
- c. A 10 days written notification that an application for a public report will be or has been submitted to the Department of Real Estate and that such report will be available on request.

DOCUMENTATION: The applicant shall submit to the [PDS, PCC] a signed statement that states that the required notices were given, or will be given to each resident at the time indicated above. Provide copies of the notices and the statement to the [PDS, PCC] for review and approval. **TIMING:** Prior to the approval of the map, the applicant shall comply with this condition. **MONITORING:** The [PDS, PCC] shall review the statement and, photos, and any additional evidence for compliance with this condition.

32. CONDO COMPLIANCE INSPECTION [PDS, FEE]

INTENT: In order to ensure that the proposed condominium conversion complies with current building, plumbing, electrical, mechanical, and fire codes pursuant to the County Subdivision Ordinance SEC 81.110.b.2, a compliance inspection shall be completed. **DESCRIPTION OF REQUIREMENT:** A building and site compliance survey shall be performed to determine that the buildings and site comply with the following criteria:

- a. That all structures on the site are in conformance with the provisions of the Building, Plumbing, Electrical, Mechanical and Fire Codes as they were modified and in effect in San Diego County at the time the structures were constructed. In addition; pursuant to County Subdivision Ordinance SEC 81.110.b.2, the project must install and meet the provisions of said Codes that are currently in effect, as it pertains to the following items: Interior fire sprinklers, smoke detectors, and, railings and guardrails.

- b. Provide an individual gas and/or electric metering system for each unit.
- c. Provide trash enclosures to screen trash storage areas. These areas shall be enclosed with a minimum of five-foot high solid masonry wall or solid wooden fence.
- d. Add striping for the two existing guest parking spaces.
- e. Per the San Miguel Consolidated Fire Protection District, paint both sides of the unnamed private road red, and post "No Parking – Fire Lane" on both sides of road, because it measures less than 28 feet in width.

DOCUMENTATION: The applicant shall apply for a compliance survey with the [PDS, BD], and pay all applicable inspection fees. Upon approval of the compliance survey, the applicant shall submit the approved inspections record to the [PDS, PCC] for review and approval. **TIMING:** Prior to the approval of the map, the applicant shall comply with this condition. **MONITORING:** The [PDS, BI] shall perform the compliance inspection to ensure that the project's buildings and site comply with this condition. The [PDS, PCC] shall review the building inspection records and any additional evidence for compliance with this condition.

33. CONDO CONVERSION GENERAL [PDS, FEE]

INTENT: In order to ensure that the proposed condominium conversion complies with the required Zoning for the Parcel as it relates to the residential density of 10.9 units per acre, the following notice shall be placed on the Map.

DESCRIPTION OF REQUIREMENT: A certification regarding condominium conditions shall conform to wording by County Counsel and shall indicate that there will be a maximum of eight residential units. **DOCUMENTATION:** The applicant shall prepare the Map with the above reference statement. **TIMING:** Prior to the approval of the Map, the applicant shall comply with this condition. **MONITORING:** The [PDS, LDR] shall verify that the Map has the required density statement pursuant to this condition.

34. PRIVATE ROAD MAINTENANCE AGREEMENT

INTENT: In order to ensure that the private roads approved with this subdivision are maintained, in accordance with Subdivision Ordinance Section 81.402(c), the applicant shall assume responsibility of the private roads. **DESCRIPTION OF REQUIREMENT:** A maintenance agreement shall be executed that indicates the following:

- a. Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of PDS.

- b. The Director of PDS shall be notified as to the final disposition of title (ownership) to the unnamed **Private Street** serving the subdivision and place a note on the Final Map as to the final title status of said road.
- c. Access to the subdivision shall be provided by private road easement not less than forty feet (40') wide.

DOCUMENTATION: The applicant shall sign the private road maintenance agreement to the satisfaction of the Director of PDS and indicate the ownership on the map as indicated above. **TIMING:** Prior to the approval of the final map for the agreement shall be executed and the ownership shall be indicated on the map. **MONITORING:** The [PDS, LDR] shall review the executed agreement and the map for compliance with this condition.

35. NOISE RESTRICTION EASEMENT: [PDS, BPPR] [PDS, PCC] [MA] [PDS, FEE X 1] Intent: In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Table N-1 & N-2), and the County of San Diego CEQA Noise Guidelines for Determining Significance, a noise restriction easement shall be placed on the entire property to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **Description of requirement:** A Noise Restriction Easement as indicated on the approved Tentative Map shall be granted on the map. The said easement shall include and shall comply with the following:

- a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 65 dB for exterior multi-family. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by the General Plan Noise Element
 - 1. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for SR-125.
- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced above.
- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for

protection of these uses before any future building permits can be approved and issued.

- d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures, into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [PDS, BD] for review and approval before the building permits can be issued. To the satisfaction of the [PDS, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

Documentation: The applicant shall indicate the noise restriction easement on the map as indicated on the tentative map. **Timing:** Prior to the approval of the map, the requirements of this condition shall be completed. **Monitoring:** The [LD, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

IT IS FURTHER RESOLVED, THEREFORE, that the Planning Commission of the County of San Diego hereby makes the following findings as supported by the minutes, maps, exhibits, and documentation of said Tentative Map all of which are herein incorporated by reference:

1. The Tentative Map is consistent with all elements of the San Diego County General Plan and with the Village Residential Land Use Designation of the Spring Valley Community Plan because it subdivides an existing residential use and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
2. The Tentative Map is consistent with The Zoning Ordinance because it proposes a residential use type in the RV – Residential Village Use Regulation;
3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the Spring Valley Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;
4. The site is physically suitable for the residential type of development because the site is developed with an existing apartment complex and no new development is proposed;
5. The site is physically suitable for the proposed density of development because the site is developed with an existing residential apartment development and no new development is proposed.

6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon reliance on the previous findings of a Negative Declaration dated November 5, 2001;
8. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and

The division and development of the property in the manner set forth on the approved Tentative Map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement;

9. The discharge of sewage waste from the subdivision into the San Diego County Sanitation District – Spring Valley Service Area sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
10. The subdivision is a condominium project on a single parcel, the requirement for preparation, filing, and recording of a final map has been waived pursuant to Section 81.516 of the County Subdivision Ordinance because the proposed subdivision complies with the requirements as to the following subject areas: proposed lot area, improvements, and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Ordinance and the Subdivision Map Act. Additionally, the requirement for public dedications or improvements has not been required; therefore, a waiver may be granted.
11. Determinations and findings pursuant to the California Environmental Quality Act, the Resource Protection Ordinance, and the Watershed Protection, Stormwater Management, and Discharge Control Ordinance have been made by the Planning Commission.

WAIVER(S) AND EXCEPTION(S): This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the

County Public and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the:

County Subdivision Ordinance requirements:

Pursuant to Section 81.516 (WAIVER OF TENTATIVE AND FINAL MAP SUBDIVISION MAPS FOR CONDOMINIUM PROJECTS ON A SINGLE PARCEL), the Final Map has been waived and a Certificate of Compliance shall be recorded because the proposed subdivision complies with all requirements as to area, improvement and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act.

MAP PROCESSING REQUIREMENTS: The parcel map shall comply with the following processing requirements pursuant to the Sections 81.801 through 81.814 of the Subdivision Ordinance and the Subdivision Final Map Processing Manual.

- This is a map of a condominium project as defined in Section 1350 of the State of California Civil Code, the maximum number of units is 9.

If the applicant chooses to file a Final map as opposed to a Certificate of Compliance, the following requirements shall apply:

- The Final Map shall show an accurate and detailed vicinity map.
- The Basis of Bearings for the Final Map shall comply with Section 81.507 of the Subdivision Ordinance.
- Prior to the approval of the Final Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Final Map report from a qualified title insurance company.
- The following notes shall appear on the Final Map:
 - All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.
 - At the time of recordation of the Final Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
 - The public and private easement roads serving this project shall be named. The responsible party shall contact the Street Address Section of

Planning & Development Services (858-694-3797) to discuss the road naming requirements for the development. Naming of the roads is necessary for the health and safety of present and future residents.

- Certification by the Department of Environmental Health with respect to water supply and sewage disposal shall be shown on the Final Map.
- This is a map of a condominium project as defined in Section 1350 of the State of California Civil Code, the maximum number of dwelling units is eight. The amount of units shall be indicated on the final map.
- The Zoning regulations require that each parcel shall contain a minimum net area of 6,000 square feet. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative Map is determined by the Department of Public Works to be below the zoning minimum, it becomes the responsibility of the subdivider to meet zoning requirements by lot redesign, or other applicable technique. The subdivider shall comply with the zoning area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.

ORDINANCE COMPLIANCE AND NOTICES: The project is subject to, but not limited to the following County of San Diego, State of California, and US Federal Government, Ordinances, Permits, and Requirements:

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 10096 and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning January 25, 2008. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the

Municipal Permit can be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf.

<http://www.sdcounty.ca.gov/PDS/docs/LID-Handbook.pdf>.

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link above.

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities exceed 200 cubic yards of excavation or eight feet (8') of cut/fill per criteria of Section 87.201 of the County Code.

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact DPW Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate departmental requirements. In addition, before trimming, removing or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.

ENCROACHMENT PERMIT REQUIRED: An Encroachment Permit is required for any and all proposed/existing facilities within the County right-of-way. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works.

EXCAVATION PERMIT REQUIRED: An excavation permit is required for undergrounding and/or relocation of utilities within the County right-of-way.

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance number 77.201 – 77.223. The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [PDS, LD Counter] and provide a copy of the receipt to the [PDS, BD] at time of permit issuance.

NOTICE: Time Extension requests cannot be processed without updated project information including new Department of Environmental Health certification of septic systems. Since Department of Environmental Health review may take several months, applicants anticipating the need for Time Extensions for their projects are advised to submit applications for septic certification to the Department of Environmental Health several months prior to the expiration of their Tentative Maps.

NOTICE: THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOTICE: The project relies on CEQA 15162 - 15164 Findings and the previous Fish and Wildlife Fees paid in the amount of \$1,275 for the review of the Negative Declaration, Receipt number 88586 dated March 14, 2001.

| EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS | | | |
|---|-------------------|--|-------------------|
| Planning & Development Services | <u>PDS</u> | Department of Public Works | <u>DPW</u> |
| Project Planning Division | PPD | Land Development Project Review Teams | LDR |
| Permit Compliance Coordinator | PCC | Project Manager | PM |
| Building Plan Process Review | BPPR | Plan Checker | PC |
| Building Division | BD | Map Checker | MC |
| Building Inspector | BI | Private Development Construction Inspection | PDCI |
| Landscape Architect | LA | Environmental Services Unit Division | ESU |
| Zoning Counter | ZO | | |
| Department of Environmental Health | <u>DEH</u> | Department of Parks and Recreation | <u>DPR</u> |
| Land and Water Quality Division | LWQ | Trails Coordinator Group Program Manager Parks Planner | TC GPM PP |
| Vector Control | VCT | Department of General Service | <u>DGS</u> |
| Local Enforcement Agency | LEA | Real Property Division | RP |
| Hazmat Division | HMD | | |

APPEAL PROCEDURE: Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with Section 81.310 of the Subdivision Ordinance and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the appellant body and/or the Board of Supervisors within TEN CALENDAR DAYS of the date of this Resolution AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. No Final Map shall be approved, no grading permit issues, and no building permits for model homes or other temporary uses as permitted by Section 6116 of the Zoning Ordinance shall be issued pursuant to said Tentative Map until after the expiration of the 10th day following adoption of this Resolution, or if an appeal is taken, until the appeal

board has sustained the determination of this advisory body. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of adoption of this Resolution.

ON MOTION of Commissioner _____, seconded by Commissioner _____, this Resolution is passed and approved by the Planning Commission of the County of San Diego, State of California, at a regular meeting held on this _____ day of _____, in Planning & Development Services Conference Center Hearing Room, 5520 Overland Avenue, San Diego, California, by the following vote:

AYES:

NOES:

ABSENT:

DPL/WP 001-TM (06/29/09)

cc: RD Investment Properties, LLC, 3343 Wentworth Drive, Jamul, CA 91935
ATC Design Group, Attn: Ryan Post, 1282 Pacific Oaks Place, Ste C, Escondido, CA 92029

email cc:
Kenneth Brazell, Land Development Project Manager, Planning & Development Services
David Sibbet, Planning Manager, Planning & Development Services
Spring Valley Community Planning Group

Attachment C – Environmental Documentation



County of San Diego

MARK WARDLAW
DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcounty.ca.gov/pds

DARREN GRETLER
ASSISTANT DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

**AN ADDENDUM TO THE PREVIOUSLY ADOPTED NEGATIVE DECLARATION
FOR AGUA DULCE TERRACE APARTMENTS, STP00-072
FOR PURPOSES OF CONSIDERATION OF
AGUA DULCE TERRACE CONDOMINIUMS, PDS2014-TM-5586**

June 30, 2014

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 or 15163 calling for the preparation of a subsequent or supplemental EIR or subsequent Negative Declaration have occurred.

Discussion:

There are some minor changes and additions, which need to be included in an Addendum to the previously adopted Negative Declaration to accurately cover the new project. The additions are underlined and deletions are struck out. The changes and additions consist of the following:

1. Change the Project Name to Agua Dulce Condominiums
2. To the Project Number add PDS2014-TM-5586
3. To the first paragraph add as indicated: "The Negative Declaration for this project is comprised of this form along with the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated June 30, 2014, which includes the following forms attached."
 - A. An Addendum to the previously adopted Negative Declaration with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated June 30, 2014.
 - B. An Ordinance Compliance Checklist
4. To the Required Mitigation Measures add as indicated: "Refer to the attached Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated June 30, 2014 for the rationale for requiring the following measures."



County of San Diego

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DIRECTOR
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DARREN GRETLER
ASSISTANT DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

June 30, 2014

Environmental Review Update Checklist Form For projects with Previously Approved Environmental Documents

FOR PURPOSES OF CONSIDERATION OF Agua Dulce Terrace Condominiums, PDS2014-TM-5580

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously adopted ND:

A ND for the Agua Dulce Terrace Apartments, PDS-2000-3500-00-072 was adopted by the Director of Planning and Land Use on November 5, 2001. The adopted ND found the project would have potentially significant effects to noise which was clearly mitigated. The potentially significant effects which were clearly mitigated consisted of the following: noise.

2. Lead agency name and address:

County of San Diego, Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123

- a. Contact Marisa Smith, Project Manager
- b. Phone number: (858) 694-2621
- c. E-mail: marisa.smith@sdcounty.ca.gov

3. Project applicant's name and address:

ATC Design Group, attn.: Ryan Post, 1282 Pacific Oaks Place, Ste. C, Escondido, CA 92029

4. Summary of the activities authorized by present permit/entitlement application(s):

The original Site Plan approved the construction of four two-story duplexes (eight total dwelling units), each consisting of approximately 1,540 square foot single-family residence with a two car attached garage along with associated guest parking and landscaping. The multi-family residential building is located on a 0.9 acre parcel adjacent to Sweetwater Road, in the Spring Valley Community Plan Area.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES NO

If yes, describe **ALL** differences.

The project is a request for a one lot Tentative Map to subdivide the existing residential building into a total of 8 condominium units.

6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> NONE | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Hazards & Haz Materials | <input type="checkbox"/> Hydrology & Water Quality |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Land Use & Planning | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Transportation/Traffic | | |

DETERMINATION:

On the basis of this analysis, Planning & Development Services has determined that:

- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or previously certified EIR is adequate upon completion of an ADDENDUM.
- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

June 30, 2014

Signature

Date

Marisa Smith

Project Manager

Printed Name

Title

INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. 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:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
 - c. 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
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

I. AESTHETICS – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES

NO

II. AGRICULTURE AND FORESTRY RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agriculture or forestry resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, conflicts with existing zoning for agricultural use or Williamson Act contract, or conversion of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

YES

NO

III. AIR QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES

NO

IV. BIOLOGICAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

YES

NO

V. CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

YES

NO

VI. GEOLOGY AND SOILS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

YES

NO

VII. GREENHOUSE GAS EMISSIONS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects related to environmental effects associated with greenhouse gas emissions or compliance with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions?

YES

NO

Since the previous ND was adopted, the State CEQA Guidelines were amended (March 2010) to require that the potential environmental effects of greenhouse gas emissions be addressed in CEQA documents.

In 2006, the State passed the Global Warming Solutions Act of 2006, commonly referred to as AB 32, which set the greenhouse gas emissions reduction goal for the State of California into law. The law requires that by 2020, State emissions must be reduced to 1990 levels by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions.

Senate Bill 375 (SB 375), passed in 2008, links transportation and land use planning with global warming. It requires the California Air Resources Board (ARB) to set regional targets for the purpose of reducing greenhouse gas emissions from passenger vehicles. Under this law, if regions develop integrated land use, housing and transportation plans that meet SB 375 targets, new projects in these regions can be relieved of certain review requirements under CEQA. Development of regional targets is underway and SANDAG is in the process of preparing the region's Sustainable Communities Strategy (SCS) which will be a new element of the 2050 Regional Transportation Plan (RTP). The strategy will identify how regional greenhouse gas reduction targets, as established by the ARB, will be achieved through development patterns, transportation infrastructure investments, and/or transportation measures or policies that are determined to be feasible.

To implement State mandates to address climate change in local land use planning, local land use jurisdictions are generally preparing GHG emission inventories and reduction plans and incorporating climate change policies into local General Plans to ensure development is guided by a land use plan that reduces GHG emissions. The County of San Diego's General Plan, adopted in 2011, incorporates various climate change goals and policies. These policies provide direction for individual development projects to reduce GHG emissions and help the County meet its GHG emission reduction targets identified in the Climate Action Plan. The County's Climate Action Plan (CAP), adopted in June of 2012, includes GHG reduction measures that, if fully implemented, would achieve an emissions reduction target that is consistent with the state-mandated reduction target embodied in AB 32. A set of project-specific implementing thresholds are included in the County's Guidelines for Determining Significance and are used to ensure project consistency with the County's CAP, GHG emission reduction target, and the various General Plan goals and policies related to GHG emissions that support CAP goals.

The County has prepared *Guidelines for Determining Significance and Report Format and Content Requirements* for addressing climate change in CEQA documents. A set of project-

specific implementing thresholds are included in the Guidelines that will be used to ensure consistency of new projects with the County's CAP, GHG emission reduction targets and GHG related General Plan goals and policies.

Greenhouse Gas Emissions

| Project | CO ₂ e ¹ MT/year |
|--|--|
| Construction | |
| Operation | |
| CO ₂ = Carbon dioxide; CO ₂ e = Carbon dioxide equivalent MT = Metric tons; 1 ton = 0.907 metric tons ¹ U.S. Environmental Protection Agency, Climate Leaders Greenhouse Gas Inventory Protocol Core Module Guidance. Direct Emissions from Mobile Combustion Sources. EPA430-K- 08-004. May 2008. Methane and nitrous oxide can constitute up to 5% total GHG emissions from mobile sources. This factor is conservatively used for estimating CO ₂ e emissions. | |

As shown above, total GHG emissions associated with the project would be below the Bright Line Threshold of 2,500 metric tons per year. Project GHG impacts would not be cumulatively considerable. Projects with emissions below the Bright Line Threshold are required to implement at least one GHG reduction measure from the CAP. Furthermore, projects that generate less than 2,500 MTCO₂e per year of GHG will also participate in emission reductions because air emissions including GHGs are under the purview of the California Air Resources Board (CARB) (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions¹, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources². As a result, even the emissions that result from projects that produce less than 2,500 MTCO₂e per year of GHG will be subject to emission reductions. Therefore, no new environmental impacts associated with greenhouse gas emissions would occur and no revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects is required.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in

¹ On September 15, 2009, the United States Environmental Protection Agency (EPA) and the Department of Transportation's National Highway Safety Administration (NHTSA) proposed a national program to reduce GHG emissions and improve fuel economy for new cars and trucks sold in the United States. The proposed standards would cut CO₂ emissions by an estimated 950 million metric tons and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program.

² California's Renewable Portfolio Standard (RPS) requires electric corporations to increase procurement from eligible renewable energy resources by at least 1% of their retail sales annually, until they reach 20% by 2010. In 2008, the governor signed Executive Order S-14-08 (EO) to streamline California's renewable energy project approval process and increase the state's Renewable Energy Standard to 33% renewable power by 2020. The Air Resources Board is in the process of developing regulations to implement the 33% standard known as the California Renewable Electricity Standard (RES).

one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES

NO

IX. HYDROLOGY AND WATER QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act ; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES

NO

X. LAND USE AND PLANNING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

YES

NO

XI. MINERAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES

NO

XII. NOISE -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES

NO

XIII. POPULATION AND HOUSING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES

NO

XIV. PUBLIC SERVICES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES

NO

XV. RECREATION -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES

NO

XVI. TRANSPORTATION/TRAFFIC -- Since the previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

YES

NO

Since the previous ND was adopted, the County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. This program includes the adoption of a Transportation Impact Fee (TIF) program to fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. This program is based on a summary of projections method contained in an adopted planning document, as referenced in the State CEQA Guidelines Section 15130 (b)(1)(B), which evaluates regional or area wide conditions contributing to cumulative transportation impacts. Based on SANDAG

regional growth and land use forecasts, the SANDAG Regional Transportation Model was utilized to analyze projected build-out (year 2030) development conditions on the existing Mobility Element roadway network throughout the unincorporated area of the County. Based on the results of the traffic modeling, funding necessary to construct transportation facilities that will mitigate cumulative impacts from new development was identified. Existing roadway deficiencies will be corrected through improvement projects funded by other public funding sources, such as TransNet, gas tax, and grants. Potential cumulative impacts to the region's freeways have been addressed in SANDAG's Regional Transportation Plan (RTP). This plan, which considers freeway buildout over the next 30 years, will use funds from TransNet, state, and federal funding to improve freeways to projected level of service objectives in the RTP.

There is no change in circumstance regarding the scope of the project that would warrant additional traffic analysis. These trips will be distributed on circulation element roadways in the unincorporated county that were analyzed by the TIF program, some of which currently or are projected to operate at inadequate levels of service. In addition, the potential growth represented by this project was included in the growth projections upon which the TIF program is based. Therefore, with the inclusion into and payment of the TIF, which will be required at issuance of building permits, in combination with other components of the program described above, there will be a less than significant impact.

XVII. UTILITIES AND SERVICE SYSTEMS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES

NO

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE: Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

YES

NO

Attachments

- Previous Negative Declaration dated November 5, 2001
- Addendum to the previously adopted Negative Declaration dated June 30, 2014

XVIII. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW UPDATE CHECKLIST FORM

California Department of Fish and Wildlife. Fish and Wildlife Code, Section 1600 *et. seq.*

California Environmental Quality Act, CEQA Guidelines

California Environmental Quality Act. 2001. California Code of Regulations, Title 14, Chapter 3, Section 15382.

California Integrated Waste Management Board, Title 14, Natural Resources, Division 7

California Integrated Waste Management Board, Title 27, Environmental Protection, Division 2, Solid Waste

California Public Resources Code, CPRC, Sections 40000-41956

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements

County of San Diego Open Space Element of the General Plan (Goal COS-17: Solid Waste Management)

County of San Diego Open Space Element of the General Plan

County of San Diego Zoning Ordinance (Agricultural Use Regulation, Sections 2700-2720)

County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

County of San Diego. 1997. Multiple Species Conservation Program, County of San Diego Biological Mitigation Ordinance

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PDS2014-TM-5586

June 30, 2014

County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO) (Ordinance Nos. 9424 and 9426, County Codes §§ 67801 et seq.)

Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resource Protection

Order No. 2001-01, NPDES No. CAS 0108758, California Regional Water Quality Control Board, San Diego Region

Ordinance 8334, An Ordinance to amend the San Diego County Code of Regulatory Ordinances relating to Flood Damage Prevention, Adopted by the Board of Supervisors on 12/7/93

Public Resources Code Sections 4290 and 4291

San Diego County Light Pollution Code (San Diego County Code Section 59.101)

The Importance of Imperviousness from *Watershed Protection Techniques* Vol. 1, No. 3 - Fall 1994 by Tom Schueler Center for Watershed Protection

The Resource Conservation and Recovery Act (RCRA), 1976

Uniform Fire Code, Article 9 and Appendix II-A, Section 16

Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality Control Board, San Diego Region

**MULTIPLE SPECIES CONSERVATION PROGRAM
CONFORMANCE STATEMENT**

**AGUA DULCE TERRACE CONDOMINIUM CONVERSION TENTATIVE MAP;
PDS2014-TM-5586; PDS2014-ER-00-18-010A**

**578-012-39
August 1, 2014**

Summary

The applicant proposes the conversion of eight apartment units into condominiums. Each unit consists of approximately 1,540 square feet for a single-family residence with a two car attached garage along with existing associated guest parking and landscaping. The project site is located within the Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program (MSCP) Subarea Plan. The project is therefore required to conform to the MSCP and the Biological Mitigation Ordinance.

Statement of Fact

There are no sensitive habitats or species within the proposed project area. The site is entirely urban/ developed and does not support native vegetation. As a Tier IV habitat, no on-site preservation is required and impacts to urban/ developed do not require mitigation under the Biological Mitigation Ordinance. No impacts to wildlife corridors or linkages will occur as the project site does not support geological, topographic or habitat features that would function in a corridor capacity. Furthermore, the site is not classified as a Biological Resource Core Area as it is not within the Pre-Approved Mitigation Area, is not within or adjacent to a large block of undisturbed habitat, is not mapped as having high habitat value and does not support sensitive species. Given the current site conditions and the surrounding land uses, development of this project will not hinder the formation of a future preserve system.

Conclusion

After consideration of the above facts, the proposed project is found to be in conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance.



GARY L. PRYOR
DIRECTOR
(858) 694-2962

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017

SAN MARCOS OFFICE
338 VIA VERA CRUZ - SUITE 201
SAN MARCOS, CA 92069-2620
(760) 471-0730

EL CAJON OFFICE
200 EAST MAIN ST. - SIXTH FLOOR
EL CAJON, CA 92020-3912
(619) 441-4030

NEGATIVE DECLARATION

November 5, 2001

FINAL

Project Name: Agua Dulce Apartments

Project Number(s): STP 00-072; ER No. 00-18-010

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Noise
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgement and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

- A. Prior to issuance of any building permit, the following conditions must be met on the final building plans for STP 00-072 submitted August 1, 2001 on file with the Department of Planning and Land Use as Environmental Review Number 00-18-010:

- (1) Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County certified acoustical engineer, demonstrating that the present and anticipated future interior noise levels for the residences will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [45 dB CNEL].
- (2) Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

B. Prior to occupancy, the applicant must:

- (1) Construction of two noise attenuation barriers on the north and south sides of the residential complex enclosing the outdoor patio areas (10 ft by 35 ft) as shown on replacement Site Plan 00-072 submitted to DPLU on March 14, 2001. Each noise attenuation barrier along its outer façade should be at least 7.0 feet high with respect to the patio elevation of each residence. The noise attenuation barrier may be made of overlapping cedar fencing, masonry block, glass, or a combination of these materials with a minimum surface density of 3.5 pounds per square foot and should be of solid design without any cracks or openings facing the traffic noise source.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

Pursuant to the San Diego County's Multiple Species Program (MSCP) and the implementing ordinance, the Biological Mitigation Ordinance (BMO), the applicant has purchased 0.30 acres of non-native grassland habitat mitigation credits from San Vicente Conservation Bank. The off-site mitigation is for impacts to Tier III, non-native grassland habitat resulting from the construction of the proposed project. The Environmental Trust has debited the 0.30 credits from the San Vicente Conservation Bank. The applicant has paid The Environmental

Negative Declaration,
STP 00-072

- 3 -

November 5, 2001

Trust for the purchase of the credits as well as and endowment for the long term maintenance and management.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

_____ (Decision-Making Body)

on _____ (Date/Item #)

J. ERIC GIBSON, Chief
Resource Planning

JEB:kme:br

ND1001\0018010-ND

**REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH
ORDINANCES/POLICIES**

**FOR PURPOSES OF CONSIDERATION OF
AGUA DULCE TERRACE CONDOMINIUM CONVERSION
PDS2014-TM-5568, ER 00-18-010A**

August 8, 2014

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES

NO

NOT APPLICABLE/EXEMPT

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES

NO

NOT APPLICABLE/EXEMPT

The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Multiple Species Conservation Program. The project conforms with the Multiple Species Conservation Program and the Biological Mitigation Ordinance as discussed in the MSCP Findings dated August 1, 2014.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES

NO

NOT APPLICABLE/EXEMPT

The project will obtain its water supply from the Otay Water District, which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

| | | | |
|--|--|--------------------------------|---|
| The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance? | YES <input type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The Steep Slope section (Section 86.604(e))? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |

Wetland and Wetland Buffers: The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe: The project is not located near any floodway/floodplain fringe area as defined in the resource protection ordinance, nor is it located near any watercourse which is plotted on any official County floodway/floodplain map. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes: Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats: No sensitive habitat lands were identified on the site as determined on a site visit conducted by staff on May 19, 2014. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites: Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, Donna Beddow, it has been determined that the project site does not contain any archaeological resources. Furthermore, the

project is a condominium conversion, and no grading or construction would occur. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

NO

NOT APPLICABLE

Yes – The project Storm Water Management Plan has been reviewed and is found to be complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

NO

NOT APPLICABLE

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

The project was previously approved for an 8 unit apartment complex under Site Plan STP-00-072. The TM5586 is required to convert the apartment complex into condominium units. The project would result in no increase in units and the existing outdoor areas would remain the same. All structures on the property are approved with building permits and pursuant to the previously approved site plan. The proposed project conversion would not result in a substantial change to what was previously assessed. The physical project changes are minor and would not trigger the need to prepare a subsequent ND. The project TM demonstrates consistency with County noise standards.

NOTICE OF DETERMINATION

TO: Recorder/County Clerk
 Attn: James Scott
 1600 Pacific Highway, M.S. A33
 San Diego, CA 92101

FROM: County of San Diego
 Planning & Development Services, M.S. O650
 Attn: Project Planning Section Secretary
 5510 Overland Avenue, Suite 110
 San Diego, CA 92123

Office of Planning and Research
 P.O. Box 3044
 Sacramento, CA 95812

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name and Numbers: Agua Dulce Condominiums; PDS2014-TM-5586; PDS2014-ER-00-18-010A

State Clearinghouse No.: 2001102053

Project Location: The project is located at 2047 Sweetwater Road, in the unincorporated area of Spring Valley, in the County of San Diego. (APN 578-012-39)

Project Applicant: R.D. Investment Properties, LLC; 3343 Wentworth Drive, Jamul, CA 91935
 (760) 738-8800

Project Description: The project proposes the conversion of eight apartment units into condominiums. Each unit consists of approximately 1,540 square feet for a single-family residence with a two car attached garage along with associated guest parking and landscaping.

Agency Approving Project: County of San Diego

County Contact Person: Marisa Smith (858) 694-2621

Date Form Completed: June 30, 2014

This is to advise that the County of San Diego Planning Commission has approved the above described project on October 10, 2014, and has made the following determinations:

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.
 A Negative Declaration or Mitigated Negative Declaration was adopted for this project pursuant to the provisions of the CEQA.
 An Addendum to a previously certified Environmental Impact Report, or to a previously adopted Negative Declaration or Mitigated Negative Declaration, was prepared and considered for this project pursuant to the provisions of CEQA.

Project status under Fish and Wildlife Code Section 711.4 (Department of Fish and Wildlife Fees):

Certificate of Fee Exemption (attached)

Proof of Payment of Fees (attached)

Fish and Wildlife Code Section 711.4 compliance for the subject project is covered by a previous payment of fees associated with the environmental review conducted for

The Environmental Impact Report or Negative Declaration with any comments and responses and record of project approval may be examined at the County of San Diego, Planning & Development Services, Project Processing Counter, 5510 Overland Avenue, Suite 110, San Diego, California.

Date received for filing and posting at OPR: _____

Signature: _____ Telephone: (858) 694-2621

Name (Print): Marisa Smith Title: Land Use and Environmental Planner

This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15075 or 15094.

NOTICE OF DETERMINATION

TO: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812

FROM: County of San Diego
Department of Planning and Land Use, M.S. 0650
Attn: Cecilia Caballes
5201 Ruffin Road, Suite B
San Diego, CA 92123

Recorder/County Clerk
Attn: Sonia Pickens
1600 Pacific Highway, M.S. A33
San Diego, CA 92101

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name and Number(s): Agua Dulce Apartments; STP 00-072; ER 00-18-010

State Clearinghouse No.: 2001102053

Project Location: The project is located at 2047 Sweetwater Road, Spring Valley, CA 91977.

Project Applicant: James O'Krey (agent for R.D. Investment), 3201 Armagosa Way, Jamul, CA 91935-3432

Project Description: The project proposes the construction of four two story duplex buildings (eight total dwelling units), each consisting of approximately 1,540 sq. ft. single-family residence with a two car attached garage along with associated guest parking and landscaping. Pursuant to MSCP, the project applicant has purchased 0.30 acres of non-native grassland habitat mitigation credits at the San Vicente Conservation Bank.

Agency Approving Project: County of San Diego

County Contact Person: Kristin M. Eberwein Telephone: (858) 694-3012

Date Form Completed: November 5, 2001

This is to advise that the County of San Diego Director, DPLU (County decision-making body) has approved the above described project on January 4, 2002 (date/item #) and has made the following determinations:

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.
 A Negative Declaration or Mitigated Negative Declaration was prepared for this project pursuant to the provisions of the CEQA.
3. Mitigation measures were were not made a condition of the approval of the project.

The following determinations are only required for projects with Environmental Impact Reports:

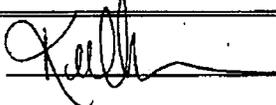
4. A Statement of Overriding Considerations was was not adopted for this project.
5. Findings were were not made pursuant to the provisions of State CEQA Guidelines Section 15091.

Project status under Fish and Game Code Section 711.4 (Department of Fish and Game Fees):

- Certificate of Fee Exemption (attached)
 Proof of Payment of Fees (attached)

The Environmental Impact Report or Negative Declaration with any comments and responses and record of project approval may be examined at the County of San Diego, Department of Planning and Land Use, Project Processing Counter, 5201 Ruffin Road, Suite B, San Diego, California.

Date received for filing and posting at OPR: _____

Signature:  Telephone: (858) 694-3012

Name (Print): Kristin M. Eberwein Title: Environmental Management Trainee

This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than nine months. Reference: CEQA Guidelines Section 15075 or 15094.

RECEIVED
SEP 07 2001

San Diego County
DEPT. OF PLANNING & LAND USE

County of San Diego Auditor & Controller
01 02 023451 03/14/01 02:34PM
T#023451/023451

2609 FISH AND GAME \$1,250.00
REF: STP00-072

2610 FISH/GAME PROCESS FEE \$25.00
REF: STP00-072

Total Due: \$1,275.00
Check: \$1,275.00

Change: \$0.00
Keep receipt for your records

STP CC-072



STATE OF CALIFORNIA-THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT
DFG 753.5a (8-91)

88586

Lead Agency: DPLU Date: 03-14-01

County/State Agency of Filing: County of SD Document No.:

Project Title: R.D. Investment Properties, LLC

Project Applicant Name: STP 00 - 072 Phone Number:

Project Applicant Address:

Project Applicant (check appropriate box): Local Public Agency School District Other Special District
State Agency Private Entity

CHECK APPLICABLE FEES:

- () Environmental Impact Report \$850.00 \$
- () Negative Declaration \$1,250.00 \$ 1,250.00
- () Application Fee Water Diversion (State Water Resources Control Board Only) \$850.00 \$
- () Projects Subject to Certified Regulatory Programs \$850.00 \$
- () County Administrative Fee \$25.00 \$ 25.00
- () Project that is exempt from fees

TOTAL RECEIVED \$ 1,275.00

Signature and title of person receiving payment:

FIRST COPY-PROJECT APPLICANT SECOND COPY-DFG/FASB THIRD COPY-LEAD AGENCY FOURTH COPY-COUNTY/STATE AGENCY OF FILING



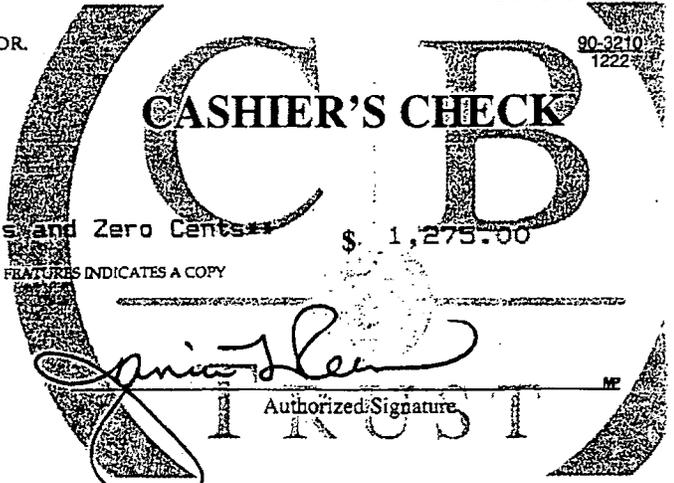
CALIFORNIA BANK
TRUST

LA MESA OFFICE
5500 GROSSMONT CENTER DR.
LA MESA, CA 91942-3082

201 31383

90-3210
1222

DATE March 14, 2001
REMITTER



PAY **One Thousand Two Hundred Seventy Five Dollars and Zero Cents** \$ 1,275.00

THIS DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE, AND CHLOROSTAIN PAPER. ABSENCE OF THESE FEATURES INDICATES A COPY

TO THE ORDER OF ***COUNTY OF SAN DIEGO***
FISH & GAME FEE

Authorized Signature

⑈ 20131383⑈ ⑆ 122232109⑆ 0100074801⑈



State of California - Department of Fish and Wildlife
2014 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (Rev. 09/13)

RECEIPT# 450168

STATE CLEARING HOUSE # *if applicable*

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY: PDS DATE: 8/15/14

COUNTY/STATE AGENCY OF FILING: County of San Diego DOCUMENT NUMBER

PROJECT TITLE: RD Investment Property LLC - PDS2014-TM-5586

PROJECT APPLICANT NAME: RD Investment Property PHONE NUMBER

PROJECT APPLICANT ADDRESS: 3343 Wrentham CITY: San Diego STATE: Ca ZIP CODE: 92135

PROJECT APPLICANT (Check appropriate box):

- Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,029.75 \$
- Mitigated/Negative Declaration (MND)(ND) \$2,181.25 \$
- Application Fee Water Diversion (State Water Resources Control Board only) \$850.00 \$
- Projects Subject to Certified Regulatory Programs (CRP) \$1,030.25 \$
- County Administrative Fee \$50.00 \$
- Project that is exempt from fees
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Other \$

PAYMENT METHOD:

- Cash Credit Check Other

1097

TOTAL RECEIVED \$ 50-

SIGNATURE

[Handwritten Signature]

TITLE

Cashier

WHITE - PROJECT APPLICANT

YELLOW - CDFW/ASB

PINK - LEAD AGENCY

GOLDEN ROD - COUNTY CLERK

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

Aqua Dulce LLC
3755 Avocado Blvd #219
La Mesa, Ca 91941

CALIFORNIA BANK AND TRUST
La Mesa, Ca 91941
90-3210/1222

1097

8/14/2014

PAY TO THE ORDER OF Department of Fish and Wildlife

\$ 50.00

Fifty and 00/100

DOLLARS

Department of Fish and Wildlife

[Handwritten Signature]



Details on Back. Intuit® CheckLock™ Secure Check

Attachment D – Environmental Findings

ENVIRONMENTAL FINDINGS

Agua Dulce Terrace Condominium Conversion
PDS2014-TM-5586

August 27, 2014

- 1) Find that the Planning Commission has reviewed and considered the information contained in the Negative Declaration on file with Planning & Development Services as Environmental Review Number ER-00-18-010 before making its recommendation on the proposed project.
- 2) Find that the Negative Declaration on file with Planning & Development Services as Environmental Review Number ER-00-18-010 was adopted in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Planning Commission has reviewed and considered the information contained therein and the Addendum thereto dated June 30, 2014 on file with PDS as Environmental Review Number ER-00-18-010A prior to approving the project; and

Find that there are no substantial changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously adopted Negative Declaration dated November 5, 2001, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the Negative Declaration was adopted as explained in the Environmental Review Update Checklist dated June 30, 2014.

- 3) Find that the proposed project is consistent with the Resource Protection Ordinance (County Code, section 86.601 et seq.).
- 4) Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, section 67.801 et seq.).
- 5) Find that the project is consistent with the Multiple Species Conservation Plan (MSCP) and the County Subarea Plan and that the project is exempt from the Biological Mitigation Ordinance (County Code, section 86.501 et seq.) as explained in the MSCP Conformance Statement dated August 1, 2014, on file with Planning & Development Services as Environmental Review Number PDS2014-ER-00-18-010A.

Attachment E – Public Documentation



County of San Diego, Planning & Development Services
**COMMUNITY PLANNING OR SPONSOR
GROUP PROJECT RECOMMENDATION**
ZONING DIVISION

Record ID(s): PDS2014-TM-5586

Project Name: Spring Valley- Condo Conversion

Planning/Sponsor Group: Spring Valley

Results of Planning/Sponsor Group Review

Meeting Date: 7/8/14

A. Comments made by the group on the proposed project.

*Required parking spaces are available
just need to be properly marked.*

B. Advisory Vote: The Group **Did** **Did Not** make a formal recommendation, approval or denial on the project at this time.

If a formal recommendation was made, please check the appropriate box below:

- MOTION:**
- Approve without conditions
 - Approve with recommended conditions
 - Deny
 - Continue

VOTE: 12 Yes 0 No 0 Abstain 1/4 Vacant/Absent

C. Recommended conditions of approval:

Reported by: Loree Las Position: member Date: 7/8/14

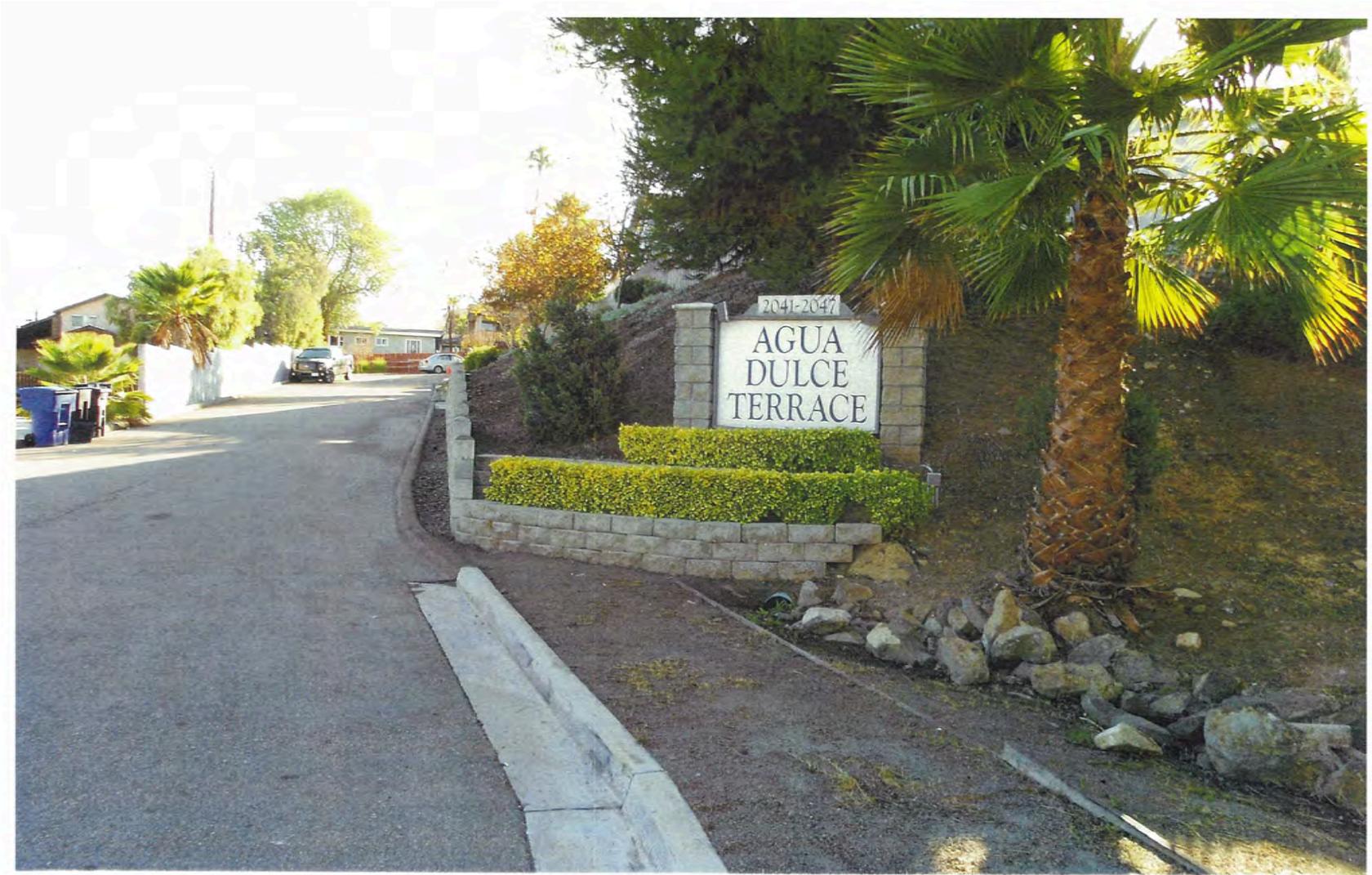
Please email recommendations to BOTH EMAILS;
Project Manager listed in email (in this format): Firstname.Lastname@sdcounty.ca.gov and to
CommunityGroups.LUEG@sdcounty.ca.gov

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 565-5981 • (888) 267-8770

<http://www.sdcounty.ca.gov/pds>



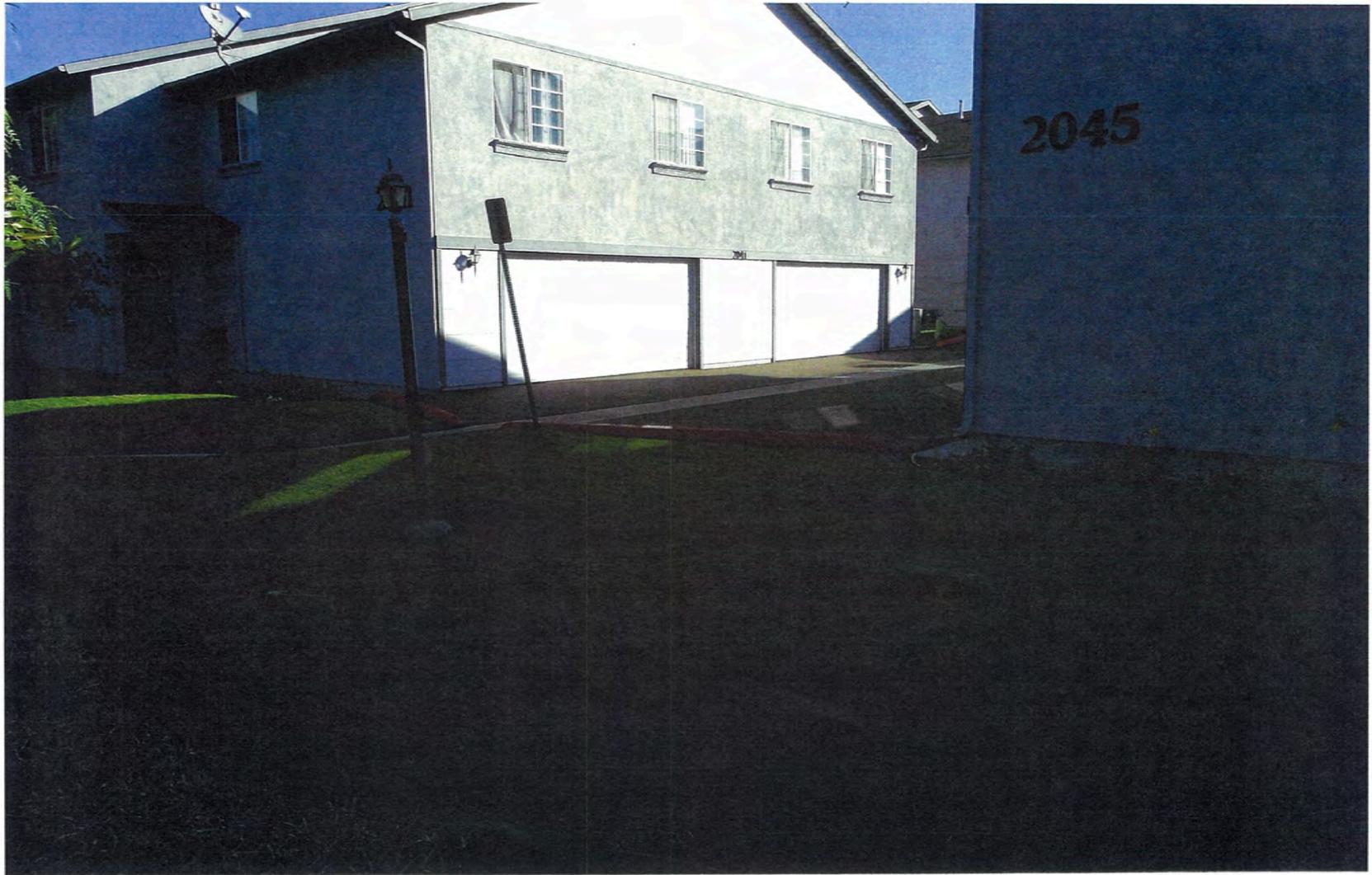
Attachment G – Photos



Entrance (looking east)



East side of property (looking south)



Group Open Space - Looking Northeast



Interior of property - looking east



South of property - Looking North



South of property - Looking North

Attachment F – Ownership Disclosure



County of San Diego, Planning & Development Services
**APPLICANT'S DISCLOSURE OF
OWNERSHIP INTERESTS ON
APPLICATION FOR ZONING PERMITS/
APPROVALS**
ZONING DIVISION

Record ID(s) PDS2014 - TM - 5586

Assessor's Parcel Number(s) 578-012-3900

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The application shall be signed by all owners of the property subject to the application or the authorized agent(s) of the owner(s), pursuant to Section 7017 of the Zoning Ordinance. **NOTE:** Attach additional pages if necessary.

A. List the names of all persons having any *ownership interest* in the property involved.

R D Investment Properties LLC

B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

NOTE: Section 1127 of The Zoning Ordinance defines Person as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

Deborah Wermers
Signature of Applicant
Deborah Wermers
Print Name
11/21/13
Date

--- OFFICIAL USE ONLY ---
SDC PDS RCVD 05-30-14
TM5586