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DIRECTOR

## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

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### MITIGATED NEGATIVE DECLARATION

December 18, 2008

Project Name: Church of the Good Shepherd Major Use Permit Modification

Project Number(s): P56-020W<sup>1</sup>/Log No. 02-18-006

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

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 Traffic, Drainage and Stormwater
1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment 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. Transportation

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

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.

A. Prior to obtaining any building or other permit pursuant to this Major Use Permit Modification, and prior to commencement of construction or use of the property in reliance on this Major Use Permit Modification, the applicant shall:

1. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plan. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:
  - a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.

- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.
- d. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- e. The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.
- f. Additionally, the following items shall be addressed as part of the Landscape Plans:
  - (1) Show on the Landscape Plans:
    - i. Plant perimeter landscaping in conjunction with Phase I construction along the north, south, east, and west property lines.
    - ii. Plant interior landscaping in conjunction with Phase I construction adjacent to the proposed sanctuary and in the proposed parking lot areas.
    - iii. Plant interior landscaping in conjunction with Phase II construction adjacent to existing sanctuary/future fellowship building.

- iv. Plant interior landscaping in conjunction with Phase III construction adjacent to proposed school building.
2. Provide evidence to the Department of Planning and Land Use that a certified arborist has been contracted to implement an oak tree monitoring program during grading of the on-site drainage. Evidence shall be in the form of a contract and letter report. The oak tree monitoring program shall be to the satisfaction of the Director of Planning and Land Use (DPLU). A letter from the Project Arborist to the Director of Planning and Land Use shall include, but not be limited to the following requirements:
  - a. The certified arborist shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.
  - b. An adequate number of monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading and construction activities within the area of potential effect.
  - c. During the initial cutting, the arborist shall be on site full time to perform periodic inspections of the excavations in the areas of potential effect. The frequency of inspections will depend on the location and rate of excavation.<sup>1</sup>
  - d. Include an 11x17 copy of the grading plan or similar graphic, outlining the sensitive areas that will require monitoring.
  - e. Provide photographic evidence and analysis of the existing conditions of the oak trees within the area of potential effect near the on-site drainage channel improvements.
3. Provide evidence to the Department of Planning and Land Use that a certified arborist has been contracted to implement an annual oak tree monitoring program for the preserved on-site Silk Oak Trees for a period of three years to the satisfaction of the Director of Planning and Land Use (DPLU). Evidence shall be in the form of a contract and letter report. The annual period will begin after the grading activities for the on-site drainage improvements is complete. The annual report shall include, but not be limited to the following:

- a. Photographic evidence and analysis of the condition of the oak trees within the area of potential effect from the activities of the on-site drainage channel grading improvements.
  - b. Identification of any oak trees within the area of potential effect that need to be replaced or need remedial measures, as a result of possible damage from the onsite drainage grading improvements.
  - c. Copies of a field visitation log for the site, which shows monitoring days and times.
4. The following notes shall be placed on the Grading Plan:
- a. The certified arborist shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.
  - b. During the initial cutting, the arborist shall be on site full time to perform periodic inspections of the excavations in the areas of potential effect. The frequency of inspections will depend on the location and rate of excavation.
- B. Prior to obtaining any building permit pursuant to this Major Use Permit Modification, the applicant shall:
1. Provide a grading plan (L-Grading Plan) and obtain a grading permit. The project shall have a flood-free building site (100-year flood) to the satisfaction of the Director of Public Works.
  2. Provide evidence that the project access from Bonita Road to Old Orchard Lane/Grevilla Way is an all-weather, 100 year flood-free access to the satisfaction of the Bonita Sunnyside Fire Protection District and the Director of Public Works.
  3. Provide evidence to the satisfaction of the Director of Public Works that a stop sign has been installed at the northerly ingress/egress adjacent to the Hill Road.
  4. Provide evidence to the satisfaction of the Bonita-Sunnyside Fire Protection District and the Director of Public Works that access to Grevilla Way at the southerly ingress/egress will be limited to emergency access only through the installation of a gate, chain or other suitable deterrent.

- C. Prior to any occupancy or use of the premises pursuant to this Major Use Permit Modification, the applicant shall:
1. Provide a certification by a Registered Civil Engineer, Registered Traffic Engineer, or Licensed Land Surveyor that the intersectional sight distance along Bonita Road looking in both directions from the project entrance is five-hundred and fifty feet (550'), to the satisfaction of the Director of Public Works.
  2. Sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
  3. Transfer the property subject to Major Use Permit into Zone A of the County of San Diego Street Lighting District without notice of hearing, and pay the cost to process such transfer.
  4. Provide evidence from the Spring Valley Sanitation District that the sewer connections have been installed and sewer service is available to the satisfaction of the Director of Public Works.
  5. Obtain a construction permit from the Department of Public Works for work in the County right-of-way -contact 858-694-2055.
  6. Furnish the Director of Planning and Land Use, along with their request for final inspection, a letter from the Director of Public Works, stating Conditions B-1 through C-4 have been completed to that Department's satisfaction.
  7. Submit to the Director of Planning and Land Use for each phase of the project, a statement from the project California licensed landscape architect that all landscaping for each phase of the project has been installed as shown on the approved landscape planting and irrigation plans.
  8. Provide to the satisfaction of the Director of Planning and Land Use, a final monitoring report which documents the results of all phases of the Oak Tree Grading Monitoring Program. The report shall include, but not be limited to the following information:

- a. Photographic evidence and analysis of the condition of the oak trees within the area of potential effect from the activities of the on-site drainage channel grading improvements.
  - b. Identification of any oak trees within the area of potential effect that need to be replaced or need remedial measures, as a result of possible damage from the onsite drainage grading improvements.
  - c. Copies of a field visitation log for the site, which shows monitoring days and times.
  - d. Provide a complete itemized cost estimate for the annual monitoring program, annual report preparation, and tree installation (as needed) for the project. Include a three percent (compounding) annual inflation factor per year (for three years).
  - e. The applicant shall enter into a Secured Agreement with the County of San Diego Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the required annual oak tree monitoring program and a 10 percent (of the bond amount) cash deposit of a minimum of \$3,000 and not to exceed \$30,000.
9. Stripe Willow Street in accordance with Exhibit 2 of the Plot Plan dated December 5, 2008 that is located south of Bonita Road to the satisfaction of the Director of Public Works and the City of Chula Vista.
- D. The following conditions shall apply during the term of the Major Use Permit Modification:
1. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to Section 6324 of The Zoning Ordinance.
  2. No loudspeaker or sound amplification system shall be used to produce sounds in violation of the County Noise Ordinance (except for an electric bell or chime system which may be sounded between 9:00 a.m. and sunset one day per week and on religious holidays for churches only).

3. The parking areas and driveways shall be well maintained.
4. All landscaping shall be adequately watered and well maintained at all times.
5. Implement condition A.3, by submitting to the Department of Planning and Land Use, the annual report that analyzes the preserved Silk Oak Trees on site.
6. The applicant shall schedule an appointment for the County Permit Compliance Coordinator to perform an annual inspection to evaluate the oak trees (*Q. agrifolia*) within the area of potential effect to determine if any impacts have occurred as a result of this Major Use Permit modification. Any trees identified as impacted shall be replaced with the same species and monitored for an additional three years. The size of the replacement trees shall be as close to the existing trees as possible to the satisfaction of the Director of Planning and Land Use (DPLU).
7. For the duration of this project, comply with all applicable stormwater regulations at all times. 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 (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one (1) acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
8. The water supply for all uses and activities conducted within the premises shall be imported to the site by the Sweetwater Authority Water District. Use of any other water source (including groundwater) is prohibited. Modification of this use permit to delete or modify this requirement so as to permit the use of groundwater shall be reviewed by the County Groundwater Geologist.

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

County of San Diego Board of Supervisors

on \_\_\_\_\_

DONNA BEDDOW, AICP, Planning Manager  
Regulatory Planning Division

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