



## County of San Diego

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Hearing Date: May 12, 2017

TO: Planning Commission

FROM: Mark Wardlaw, Director  
Planning & Development Services

SUBJECT: Notice of Preliminary Decision of the Director of PDS and Final Notice of Action of the Planning Commission Approving A Time Extension for Sunset View Estates TM 5522

### **TENTATIVE MAP TIME EXTENSION INFORMATIONAL ITEM**

#### **Report of the Director of Planning & Development Services (PDS) Preliminary Decision:**

##### **PURPOSE**

The purpose of this informational report is to provide the Planning Commission notice of a decision of the Director to extend the period of time (Time Extension) for the Sunset View Estates Tentative Map (TM 5522) to allow completion of the Final Map. The Time Extension includes a new condition to change one residential lot into a detention basin lot. No other changes or revisions are proposed.

The Director's decision will become final and effective unless the Planning Commission takes action to schedule the Time Extension for the Planning Commission's consideration at a noticed hearing. If the Planning Commission schedules the matter for a public hearing, the Planning Commission will be the decision-making authority for the Time Extension.

Provided the Director's decision will become final, the expiration date of TM 5522 will be extended to September 11, 2022.

In accordance with the County of San Diego Subdivision Ordinance Section 81.317(c), the April 28, 2017 Notice of the Director's Preliminary Decision to Approve Tentative Map (TM) Time Extension PDS2016-TM-5522TE (Attachment B), has been issued and filed with the Planning Commission as an Administrative Item.

##### **BACKGROUND**

TM 5522 was approved by the Planning Commission on September 11, 2009 for three years with an expiration date of September 11, 2012. Assembly Bill 208 automatically extended the TM 5522 expiration date to September 11, 2014. Assembly Bill 116 automatically extended the TM 5522 expiration date to September 11, 2016. The Planning Commission approved the TM

to subdivide 5.73 gross acres into 18 residential lots and one non-buildable open space located within the 2800 block of Eltinge Drive (both sides), immediately west of Bay Meadows Drive in the Alpine Community Plan Area.

The applicant filed an application to extend TM 5522 on June 13, 2016. On June 13, 2016, as required by the County of San Diego Subdivision Ordinance, properties within 300 feet of the exterior boundaries of the project site were notified that an application for a TM Time Extension for TM 5522 was to be filed.

The preliminary decision will provide a new condition to change one residential lot into a non-buildable detention basin lot, reducing the buildable lot total to 17 residential lots. The preliminary decision does not propose any other design revisions. Pending action on the preliminary decision, the resulting final decision will extend the TM 5522 expiration date to September 11, 2022.

Please note that conditions were added to the originally approved Resolution (Conditions A, B and C of the Final Notice of Action of the Planning Commission Approving a Time Extension of Tentative Map 5522). However, this is not due to a change in design, rather it is required in order for the project to comply with Watershed Protection and Stormwater Management regulations of the County of San Diego and State of California.

### **COMMUNITY PLANNING/SPONSOR GROUP AND PUBLIC INPUT**

On June 23, 2016, the Alpine Community Planning Group (CPG) held a meeting to review and discuss the TM 5522 Time Extension. The Alpine CPG recommended approval the project by a vote of 12-0-0-3 (Ayes – 12, Noes – 0, Abstain – 0, Absent – 3). No comments were received as a result of the public notification on June 13, 2017.

### **ATTACHMENTS:**

Attachment A – Planning Documentation and Original Resolution

Attachment B – Notice of Preliminary Decision of the Director of PDS and Final Notice of Action of the Planning Commission Approving A Time Extension for TM 5364

Attachment C – Environmental Documentation

## **Attachment A – Planning Documentation**

[illegible]

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[illegible]

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RESOLUTION OF SAN DIEGO COUNTY)  
CONDITIONALLY APPROVING                    )  
TENTATIVE MAP NO. TM5522RPL<sup>2</sup>            )

WHEREAS, Tentative Map No. 5522RPL<sup>2</sup> proposing the division of property located in the 2800 block of Eltinge Drive, immediately west of Bay Meadows Drive, in the Alpine community, within unincorporated San Diego County, and generally described as:

All that portion of the Southwest Quarter of the Southeast Quarter of Section 27, Township 15 South, Range 2 East, S.B.M., in the County of San Diego, State of California according to the US Government Survey approved September 11, 1879, described as follows:

Beginning at the Northwest corner of said Southwest Quarter of said Southeast Quarter; thence Easterly along the Northerly line of said West Quarter, a distance of 500.0 feet; thence Southerly parallel with the Westerly line of said Southwest Quarter a distance of 500 feet; thence Westerly parallel with the Northerly line of said Southwest Quarter a distance of 500 feet to the Westerly line of said Southwest Quarter; thence Northerly along said Westerly line 500 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 January 30, 2009; and

WHEREAS, on September 11, 2009, the Planning Commission of the County of San Diego pursuant to Section 81.307 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, 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 (6) Residential Land Use Designation of the Alpine Community Plan because it proposes a residential use type at a density of less than 7.3 dwelling units per gross acre 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 with a minimum net lot size of more than 6,000 sq. ft. in the RS-7 (Single-Family Residential) 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 Alpine Community 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 project fully mitigates impacts to sensitive resources, the project has been designed to reduce necessary grading, and the project proposes adequate pad sizes and meets all setback requirements without the need for variances;
5. The site is physically suitable for the proposed density of development because the site is of sufficient area and configuration to accommodate the proposed density, while complying with all County standards and regulations for a development of this type, and while not creating significant impacts to neighboring properties;
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 the findings of a Mitigated Negative Declaration dated June 18, 2009;
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 Alpine Sanitation District 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. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and;
11. It is hereby found that the use or development permitted by the application is consistent with the provisions of the Resource Protection Ordinance.
12. It is hereby found that the project proposed by the application has prepared plans and documentation demonstrating compliance with the provisions of the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance.
13. The "Multiple Species Conservation Planning Conformance Findings" dated March 18, 2009 on file with DPLU as Environmental Review Number 06-15-051 is hereby adopted.
14. It is hereby found that the Planning Commission has reviewed and considered the information contained in the Mitigated Negative Declaration dated June 18, 2009, on file with the Department of Planning and Land Use as Environmental Review Number 06-15-051, prior to approving the project.

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

- A. The approval of this Tentative Map expires 36 months from the date of this resolution, unless prior to that date an application for a Time Extension has been filed and is subsequently approved as provided by Section 81.308 of the County Subdivision Ordinance

The approval of this Tentative Map shall become effective 30 days after the adoption of this Resolution, provided that on that effective date Zone Reclassification R06-018 has also become effective. This approval expires 36 months from said effective date, unless prior to that date an application for a Time Extension has been filed and is subsequently approved as provided by Section 81.308 of the County Subdivision Ordinance.



**PLEASE NOTE: Condition compliance, preparation of grading and improvement plans and final mapping may take a year or more to complete. Applicants are advised to begin this process at least one year prior to expiration of this Tentative Map.**

- B. The "Standard Conditions 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 those exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized.
- C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to issuance of grading or other permits as specified):

#### PLANS AND SPECIFICATIONS

##### (Street Improvements and Access)

- 1. Standard Conditions 1 through 10 and 12.
- 2. Specific Conditions [DPW]:
  - a. Improve or agree to improve and provide security for Eltinge Drive in accordance with Public Road Standards for a Residential Collector, to a graded width of sixty-feet (60') with forty-feet (40') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and sidewalk (northerly side), and a minimum of 5 feet disintegrated granite (DG) pathway contiguous to the curb on southerly side. Face of curb shall be at twenty feet (20') from centerline. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-feet (20') from centerline to the property boundaries northerly and easterly. All distressed sections shall be replaced. Provide all necessary traffic striping for one through lane and a shoulder, berm and taper transitions, and retaining walls as required matching the existing improvements (both easterly and westerly). Construct the intersections with the proposed private easement roads, Sunset View Circle (west and east). All of the foregoing shall be to the satisfaction of the Director of Public Works and the Director of Parks and Recreation.

- b. Improve or agree to improve and provide security for the private easement roads, Sunset View Circle, (west and east) to a graded width of forty feet (40') and to an improved width of thirty two feet (32') with asphalt concrete pavement over approved base with asphalt concrete dike as necessary. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply to the satisfaction of the Director of Public Works and Alpine Fire Protection District. [FIRE]
- c. Sunset View Circle, (west and east) shall terminate with a cul-de-sacs graded to a radius of forty-two feet (42') and surfaced to a radius of thirty-eight feet (38') with asphalt concrete pavement over approved base with asphalt concrete dike with face of dike at thirty-eight feet (38') from the radius point to the satisfaction of the Director of Public Works and Alpine Fire Protection District. [FIRE]
- d. The subdivider shall construct to the satisfaction of the Director of Public Works, a public street lighting system that complies with the following to the satisfaction of the director of public works: [DPW - Development Review Section]
  - 1) All fixtures shall use a 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.
  - 2) Deposit with the County of San Diego, through the Department of Public Works, a cash deposit sufficient to:
    - (a) Energize, maintain and operate the street lighting system until tax revenues begin accruing from the subdivision for those purposes.
    - (b) Pay the cost to process lighting district administration of this project. After recording of the Final Map, the subdivision shall be transferred without notice or hearing, to Zone A of the lighting district to operate and maintain the system.
- e. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.

- f. A Registered Civil Engineer, Registered Traffic Engineer, or Licensed Land Surveyor shall provide a certified signed statement that, "physically, there is a minimum unobstructed sight distance in both directions along Eltinge Drive from both private roads (Sunset View Circle, west and east) and driveway on Lot 18, for the prevailing operating traffic speed on Eltinge Drive per the Design Standards of Section 6.1.E of the County of San Diego Public Road Standards (approved July 14, 1999)", to the satisfaction of the Director of Public Works. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that, "said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- g. Where height of downsloping bank for a 2:1 slope is greater than twelve feet (12'); or where height of downsloping bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed, as deemed necessary by the County Engineer per CALTRANS standards to the satisfaction of the Director of Public Works.
- h. Road widths less than thirty-six foot (36') improved width may require posting and red striping to the satisfaction of the Alpine Fire Protection District. If so, this information shall be shown on the Final Map as "Non Title Information." [FIRE]

(Drainage and Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions [DPW]:
  - a. The private storm drain systems, including bioswales, perforated drain pipes, rock rip-raps energy dissipators and check dams, shall be maintained by a maintenance mechanism such as a homeowners association or other private entity to the satisfaction of the Director of Public Works.

(Grading Plans)

- 5. Standard Conditions 19(a-e).
- 6. Specific Conditions [DPW]:
  - a. 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. 9926) and all other applicable ordinances and standards. This includes requirements for **Low Impact Development (LID)**, 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.

- b. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works, in accordance with the County of San Diego Grading Ordinance. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

7. Specific Trail and Pathway Conditions: [DPR]

- a. Improve or agree to improve, to the satisfaction of the Directors of Public Works and/or Parks and Recreation, a pathway to a width of ten (10) feet within the outer edge of the south side of the road right of way of Eltinge Drive, as indicated on the Tentative Map 5522RPL<sup>2</sup> dated January 30, 2009 on file with the Department of Planning and Land Use. The pathway shall be constructed pursuant to the Community Trails Master Plan Design and Construction Guidelines.

Provide evidence, to the satisfaction of the Director of Public Works (DPW) that the following "Specific Items" have been placed on the grading, and/or improvement plans.

- 1) Pathway location shown, pursuant to the above map.

- 2) Notes: Aboveground utilities/obstructions are not permitted within the 10-foot wide pathway. The pathway surface shall consist of four-inches of compacted decomposed granite.

8. Specific Biological Conditions: [DPLU]

- a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

(Biological)

- 1) Restrict all brushing, clearing and/or grading such that none will be allowed on-site during the migratory bird breeding season. This is defined as occurring between February 15 and August 31. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no nesting or breeding birds are present in the vicinity of the brushing, clearing or grading. **[DPLU, FEE]**

9. Specific Cultural Conditions: [DPLU]

- a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

(Cultural)

- 1) The County approved Project Archaeologist, the Native American Monitor, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program.
- 2) The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements.
- 3) During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated,

and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist.

- 4) In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the DPLU Staff Archaeologist. The Project Archaeologist, in consultation with the Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods.
- 5) If any human bones are discovered, the Project Archaeologist shall contact the County Coroner. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Project Archaeologist in order to determine proper treatment and disposition of the remains.
- 6) The Project Archaeologist shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction. **[DPLU, FEE]**
- 7) Prior to rough grading inspection sign-off for each phase, the Project Archaeologist shall provide evidence that the field grading monitoring activities have been completed. Evidence shall be in the form of a letter to the Director of the Department of Planning and Land Use. **[DPLU, FEE]**

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- 8) Prior to Final Grading Release for each phase, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall include the following: **[DPLU, FEE X2]**
  - (a) Department of Parks and Recreation Primary and Archaeological Site forms.
  - (b) Evidence that all cultural resources collected during the grading monitoring program have been submitted to a San Diego curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that archaeological materials have been received and that all fees have been paid.
  - (c) If no cultural resources are discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Archaeologist..

## FAIR HOUSING

10. Standard Condition 20.

## SANITATION

11. Standard Condition 21.
12. Specific Conditions [DPW Wastewater]:
  - a. Prior to issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works that:
    - 1) Applicant must submit, concurrently with the sewer improvement plans, a sewer capacity study that analyzes the existing sewer flows plus project sewer flows that will impact the immediate downstream sewer facilities from proposed point of connection to Alpine Blvd.

Offsite sewer segments determined to be under-sized per County sewer design standards shall be replaced with pipe segments designed for ultimate flow.

The sewer study shall at a minimum address the following:

- (a) Projected sewer flows from the proposed project plus existing flows.
  - (b) Project impacts on downstream capacity of the existing sewer facilities based on County's Facility Plan Study for Alpine and Lakeside Sanitation Districts (2002). Relevant excerpts from the report can be made available upon request.
  - (c) Required offsite sewer facility improvements to mitigate impacts of the project on the existing downstream sewer facilities.
- 2) Facility Plan Study for Alpine Sanitation District indicates that pipe reach P-20 along Alpine Trunk 1 currently exceeds the 50% design criteria for Peak Dry Weather Flow (PDWF). Pipe reach P-20 and several other pipe reaches in the District are scheduled for replacement in approximately six to seven years as part of the District's Capital Improvement Project (CIP) program. To meet the operational requirements for Ultimate flow conditions, the 8-inch diameter pipe reach P-20 must be replaced with 12-inch diameter pipe. If the proposed project's improvements are constructed prior to the scheduled CIP work, then replacement of the 8-inch diameter pipe reach P-20 to a 12-inch diameter pipe shall be installed as part of the project.

A "Fair Share" reimbursement agreement between the District and the developer will be negotiated to reimburse the developer for construction of downstream Capital Improvement Project (CIP) improvements if the developer constructs the CIP to accommodate the proposed project. Amount reimbursed shall be for that portion of the CIP that is planned by the District only. It shall not include any additional sewer main and other improvements that are implemented by the developer to accommodate the proposed project.
- 3) Plans and specifications for the installation of sewer system serving each lot must be approved by Alpine Sanitation District. The



developer shall dedicate all necessary easements along with that portion of the sewer system which is to be public sewer.

- 4) A commitment to serve each parcel must be purchased from the Alpine Sanitation District. In addition to the capacity commitment fees, the developer shall pay all the appropriate fees at time of issuance of the Wastewater Discharge Permit.
- 5) The developer shall install the sewer system and dedicate the sewer system which is to be public sewer as shown on the approved plans and specifications.
- 6) The developer may be required to grade an access road to maintain any public sewers constructed within easements and may be required to dedicate additional access easements to maintain the public sewers.

#### FIRE PROTECTION AND WATER SUPPLY

13. Standard Condition 23.1 and 23.2.

#### PLANNING AND ZONING ADMINISTRATION

14. Specific Conditions:

- a. Obtain a Zone Reclassification (R 06-018) to the RS-7 use regulation by the Board of Supervisors. [DPLU – Regulatory Planning Division]

The County Department of Public Works shall notify the Clerk of the Board of Supervisors and the Director of Planning and Land Use to delete the provisional classification affixed to the zoning encompassed by this subdivision.

#### DEVELOPMENT IMPACT FEES

15. Specific Conditions [DPW]:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
- b. Participate in the cost of a traffic signal installation at the intersection of Alpine Boulevard at Victoria Drive. The amount of the developer's portion of the entire cost of the signal shall be \$2025. The Planning Commission hereby determines that:

- 1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
  - 2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Alpine Boulevard and Victoria Drive.
  - 3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;
  - 4) This residential subdivision will contribute additional traffic to the intersection of Alpine Boulevard and Victoria Drive.
  - 5) The fee of \$2025 is based on an estimate of the percentage of traffic this project will contribute to this these intersection.
- c. Participate in the cost of a traffic signal installation at the intersection of Alpine Boulevard at South Grade Road and Victoria Drive. The amount of the developer's portion of the entire cost of the signal shall be \$380. The Planning Commission hereby determines that:
- 1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
  - 2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Alpine Boulevard at South Grade Road and Victoria Drive.
  - 3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;
  - 4) This residential subdivision will contribute additional traffic to the intersection of Alpine Boulevard at South Grade Road and Victoria Drive.
  - 5) The fee of \$380 is based on an estimate of the percentage of traffic this project will contribute to this these intersection.
- d. Participate in the cost of a traffic signal installation at the intersection of Tavern Road at Arnold Way. The amount of the developer's portion of the entire cost of the signal shall be \$127. The Planning Commission hereby determines that:

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- 1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
- 2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Tavern Road at Arnold Way.
- 3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;
- 4) This residential subdivision will contribute additional traffic to the intersection of Tavern Road at Arnold Way.
- 5) The fee of \$127 is based on an estimate of the percentage of traffic this project will contribute to this these intersection.

**FINAL MAP RECORDATION**

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

**16. Specific Conditions [DPW]:**

- a. With the Final Map, dedicate onsite and cause to be granted offsite Eltinge Drive along the project frontages in accordance with Public Road Standards for a Residential Collector to a right-of-way width of sixty feet (60') together with right to construct and maintain slopes and drainage facilities, including a twenty-foot (20') radius property line corner rounding at the street intersection to the satisfaction of the Director of Public Works.
- b. Because private roads are approved as a condition of this subdivision, the following shall apply:
  - 1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
  - 2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to Sunset View Circle (west and east), and place a note on the Final Map as to the final title status of said-roads.

- 3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- c. If the private roads are separate lots, they shall have lot numbers consecutive with the other lot numbers. A road lot will have a different lot number.
- d. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to 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.
- e. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. **To be in compliance with the Public Resources Code, all Subdivision Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.**
- f. If conducted prior to January 1, 2000, a survey for any Subdivision Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.506(j)).

If conducted after December 31, 1999, a survey for any Subdivision Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid-to-Ground distances shall be shown on the map.

For purposes of this section, the date of survey for the field observed connections shall be the date of survey as indicated in the surveyor's/engineer's certificate as shown on the final map.

(Miscellaneous)

17. Standard Conditions 25, 26, 27, 28 and 29.
18. Specific General Plan/Zoning Conditions:
  - a. No lot shall contain a net area of less than 6,000 sq. ft. [DPLU - Regulatory Planning Division]
19. Specific Biological Conditions [DPLU]:
  - a. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, Grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on TM 5522RPL<sup>2</sup> dated **1/30/09** on file with the Department of Planning and Land Use as Environmental Review Number 06-14-051. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent native habitat and prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are: **[DPLU, FEE]**
    - 1) Decking, fences, and similar facilities.
    - 2) Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
  - b. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land Use that 1.97 acres of Tier III habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located within the approved MSCP. Evidence of purchase shall include the following information to be provided by the mitigation bank: **[DPLU, FEE X2]**
    - 1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

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- 2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
- 3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
- 4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

**-OR-**

Provide for the conservation and habitat management of a minimum of 1.97 acres of southern mixed chaparral habitat located within the MSCP in an area designated as PAMA or meeting the definition of a BRCA. A Resource Management Plan (RMP) for the southern mixed chaparral habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- c. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, provide evidence to the satisfaction of the Director of Planning and Land Use that the following "Agency Permits" have been obtained and all mitigation required to obtain these permits has been completed:
  - 1) Provide the Director of Planning and Land Use with a copy of a Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands or provide evidence satisfactory to the Director of Planning and Land Use that such permit is not required before the approval of the final map. If grading is not proposed in the near future, the Section 401/404 permits shall be obtained prior to the issuance of any grading permit. **[DPLU, FEE]**
  - 2) Provide the Director of Planning and Land Use with a copy of a Streambed Alteration Agreement issued by the California

Department of Fish and Game for all project related disturbances of any streambed or provide evidence satisfactory to the Director of Planning and Land Use that such an agreement is not required before the approval of the final map. If grading is not proposed in the near future, the Streambed Alteration Agreement shall be obtained prior to the issuance of any grading permit. **[DPLU, FEE]**

20. Specific Cultural Conditions: **[DPLU]**

- a. Prior to recordation of the final map(s) and prior to approval of any grading or improvement plans or issuance of any grading or construction permits, the subdivider shall implement the following conditions relating to the grading monitoring program to mitigate potential impacts to undiscovered buried archaeological resources on the Project site. The following conditions shall be implemented to the satisfaction of the Director of the Department of Planning and Land Use: **[DPLU, FEE X2]**
  - 1) Provide evidence that a County approved archaeologist ("Project Archaeologist") has been contracted to implement a grading monitoring and potential data recovery program that complies with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, to the satisfaction of the Director of Planning and Land Use. Also, provide evidence that a Native American Monitor has been contracted to monitor grading, or evidence that no Native American Monitor was available, in which case the Project Archaeologist shall perform that function.
  - 2) The Contract shall include a cost estimate of the required monitoring; this estimate shall be submitted to the Director of Public Works and included in the Bond Cost Estimate for the required Grading.
- b. Prior to recordation of the final map(s) and prior to approval of any grading or improvement plans or issuance of any grading or construction permits, the applicant shall provide evidence to the satisfaction of the Director of Planning and Land Use that all archaeological materials recovered by Laguna Mountain Environmental during the work reported in: *"Cultural Resource Survey and Testing of the Sunset View Estates TM Project"* dated October 2008, have been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate

curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid. **[DPLU, FEE]**

21. Specific Trail and Pathway Conditions: [DPR]

- a. On the final map, designate and show as non-title information, a 10-foot wide pathway along the outer edge of the road right of way on the north and south sides of Eltinge Drive as shown on the Tentative Map #5522RPL<sup>2</sup> dated January 30, 2009 on file with the Department of Planning and Land Use.

**WAIVER AND EXCEPTIONS**

Said 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:

a. Standard Conditions for Tentative Maps:

- (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]. The project is more than 15 miles from both observatories. Therefore, this condition does not apply.
- (2) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (3) Standard Condition 22: Said condition pertains to projects served by septic systems. This subdivision will use public sewer.
- (4) Standard Condition 23.3: Said condition pertains to project which are provided fire services from the California Department of Forestry. This subdivision would be served by the Alpine Fire Protection District.



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- (5) Standard Condition 24: Said condition pertains to projects outside the boundaries of a fire protection agency. This subdivision is within the Alpine Fire Protection District.
- (6) Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

b. County Subdivision Ordinance

- (1) Section 81.402 (a) (1) requires public road right-of-way width on-site not less than 52 feet. This waiver will permit a private road easement of 40 feet for Sunset View Circle (west and east). Both roads ultimately serve not more than 100 ADT and terminate on the property with no feasibility of current or future connection to another public road.

NOTE: A modification request for the reduction in easement requirements on-site for public road right-of-way width of fifty-two feet (52') to private road easement forty-feet (40') in width for Sunset View Circle is supported by the Director of DPW, dated July 5, 2007.

c. County Public Road and Private Road Standards:

- (1) Section 6.1.C requires a non-Circulation Element roads entering into a non-Circulation Element Road shall have their centerline separated by at least 200 feet. This waiver will permit private easement road, Sunset View Circle (east) and proposed driveway on Lot 18, along Eltinge Drive to have the centerlines separation of less than 200'. The steepness of the lot (15% gradient), and large difference in elevation between the pad and the road, does not allow other driveway locations along the lot frontage.

NOTE: A modification request for redaction of centerline separations between the driveway on Lot 18 and centerline of Sunset View Circle along Eltinge Drive is supported by DPW, dated March 6, 2009.

The following shall be the Mitigation Monitoring or Reporting Program for TM 5522RPL<sup>2</sup>, Sunset View Estates.

Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Reporting or Monitoring Program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in

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order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The Mitigation Monitoring Program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

**A. Subsequent Project Permits**

Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:

C.8, C.9, C.19 and C.20.

**NOTICE** - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on September 11, 2009.

**NOTICE:** Low Impact Development (LID) requirements apply to all priority projects as of March 25, 2008. These requirements can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

<http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc>

The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. You can access the Handbook at the following DPLU web address:

<http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf>

**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 must be implemented beginning March 25, 2008. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

<http://www.sdcountry.ca.gov/cob/ordinances/ord9926.doc>

All priority projects must minimize directly connected impervious areas and promote biofiltration. Section 67.812 includes the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements: Disconnect impervious surfaces, Design impervious surfaces to drain into properly designed pervious areas, Use pervious surfaces wherever appropriate, Implement site design BMPs. The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

**NOTICE** - This project has been found to conform to the San Diego County Multiple Species Conservation Program Subarea Plan, Biological Mitigation Ordinance and Implementing Agreement. Upon fulfillment of the requirements for permanent mitigation and management of preserved areas as outlined in Section 17.1 (A) of the County's Implementing Agreement for the Multiple Species Conservation Program (MSCP) Plan, Third Party Beneficiary Status can be attained for the project. Third party beneficiary status allows the property owner to perform "incidental take" under the State and Federal Endangered Species Acts, of species covered by the MSCP Plan while undertaking land development activities in conformance with an approval granted by the County in compliance with the County's Implementing Agreement."

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 will be required to pay the Department of Planning and Land Use Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to DPLU, including Mitigation Monitoring requests. The amount of the fee will be determined by the current Fee Ordinance requirement at the time of the first submittal and is based on the number of biological and cultural DPLU conditions that need to be satisfied (nine total). The fee amount will only be paid one time for those conditions that are indicated with the [DPLU, FEE] designator. The fee will not apply to subsequent project approvals that require a separate submittal fee such as, Revegetation and Landscape Plans, Resource (Habitat) Management Plans, Habitat Loss Permits, Administrative Permits, Site Plans, and any other discretionary permit applications.

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September 11, 2009

ON MOTION of Commissioner Riess, seconded by Commissioner Day, 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 11th day of September 2009, in the Department of Planning and Land Use Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California, by the following vote:

AYES: Day; Norby; Pallinger; Riess

NOES: None

ABSENT: Beck; Brooks; Woods

[NOTE: Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with Section 81.307 of the Subdivision Ordinance to the appellant body and/or the Board of Supervisors. 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.]

DPL/WP 001-TM (06/13/08)

**Attachment B – Notice of Preliminary Decision of the  
Director of PDS and Final Notice of Action of the  
Planning Commission Approving A Time Extension  
for TM 5522RPL2**



## County of San Diego

MARK WARDLAW  
DIRECTOR

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
[www.sdcountry.ca.gov/pds](http://www.sdcountry.ca.gov/pds)  
PHONE (858) 694-2962 FAX (858) 694-2555

April 28, 2017

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2016-TM-5522RPL2TE

### NOTICE OF PRELIMINARY DECISION OF THE DIRECTOR OF PLANNING & DEVELOPMENT SERVICES

On the above date, the Director of Planning & Development Services (PDS) adopted this preliminary decision approving Time Extension PDS2016-TM-5522RPL2TE. A copy of this Notice of Preliminary Decision will be filed with the Planning Commission as an informational agenda item on May 12, 2017. In the event the Planning Commission takes no action to initiate a public hearing on the preliminary decision, the preliminary decision shall become a final decision of the Planning Commission that is effective immediately.

I, Mark Wardlaw, Director of PDS, San Diego County, State of California, hereby certify that this is a copy of the official document authorizing an amendment to the referenced Tentative Map.

PLANNING & DEVELOPMENT SERVICES  
MARK WARDLAW, DIRECTOR

By:

A handwritten signature in black ink, appearing to read "Lisa Gordon", written over a horizontal line.

LISA GORDON, DEPUTY DIRECTOR  
PLANNING & DEVELOPMENT SERVICES

April 28, 2017

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2016-TM-5522RPL2TE

FINAL NOTICE OF ACTION OF  
THE PLANNING COMMISSION APPROVING  
A TIME EXTENSION FOR TENTATIVE MAP 5522 RPL2

PLEASE NOTE: THIS LETTER EXTENDS THAT DATE UPON WHICH THE TENTATIVE MAP WILL EXPIRE AND MAKES CERTAIN OTHER CHANGES AS LISTED BELOW. ALL OTHER RESOLUTION LANGUAGE AND CONDITIONS REMAIN AS ORIGINALLY ADOPTED. [Strikeout indicates deletion, underline indicates addition.]

1. The Tentative Map is consistent with all elements of the San Diego County General Plan and with the ~~(6) Residential Land Use RS7~~ VR-15 (Village Residential) Land Use Designation of the San Diego General Plan and with the Alpine Community Plan because it proposes a residential use type at a density of less than seven dwelling units per gross acre;
2. The Tentative Map is consistent with the Zoning Ordinance because it proposes a residential use type with minimum gross lot size of 6,300 square feet within the RS, (Village Residential) Use Regulation; and
3. The approval of this Tentative Map expires on September 11, 2022 at 4:00 p.m.
4. **STRMWTR#1 - STORMWATER REGULATIONS COMPLIANCE**  
**INTENT:** In order to comply with all applicable stormwater regulations 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. 10410 and all other applicable ordinances and standards.  
**DESCRIPTION OF REQUIREMENT:** The applicant may modify if necessary, Lot 13, portrayed as a residential lot on the approved Tentative Map, to a detention basin lot to comply with all applicable stormwater regulations, if compliance with all applicable stormwater regulations has not been addressed in a different form. The lot size and dimensions of Lot 13 shall remain the same. **DOCUMENTATION:** The applicant shall provide to the [PDS, LDR] documentation that the use of Lot 13 as a residential lot complies with all applicable stormwater regulations to the satisfaction of the Director of PDS or the applicant shall specify on the Final Map that the residential Lot 13 has been modified to a detention basin. **TIMING:** Prior to the recordation of the Final Map. **MONITORING:** The [PDS, LDR] shall verify that residential Lot 13 has been modified to a detention basin on the Final Map or verify through alternate documentation, to the satisfaction of the Director of PDS, that the Final Map shall comply with all applicable stormwater regulations with the use of Lot 13 as a residential lot.

**ORDINANCE COMPLIANCE AND NOTICES:** The project is subject to, but not limited to the following County of San Diego, State of California, and Federal, 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 (SDRWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 10410 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 project's approved Stormwater Quality Management Plan (SWQMP), all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involves areas one 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:** The SDRWQCB issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Stormwater Permit were implemented beginning in May 2013. Project design shall be in compliance with the new Municipal Stormwater Permit regulations. The LID Best Management Practices (BMP) Requirements of the Municipal Stormwater Permit can be found at the following link:

[http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED\\_PROTECTION PROGRAM/susmppdf/lid\\_handbook\\_2014sm.pdf](http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/susmppdf/lid_handbook_2014sm.pdf).

The County has provided an 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 below:

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

**STORMWATER COMPLIANCE NOTICE:** Updated studies, including Hydromodification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410 (N.S.), dated February 26, 2016 and BMP Design Manual. These requirements are subject to the MS4 Permit issued by the RWQCB, Order No. R9-2013-0001 and any subsequent order. Additional studies and other action may be needed to comply with future MS4 Permits.

**DRAINAGE:** The project shall be in compliance with the County of San Diego Flood Damage Prevention Ordinance No. 10091, adopted December 8, 2010.

**GRADING PERMIT:** A grading permit is required prior to commencement of grading per criteria of Section 87.201 of the County Code.



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**CONSTRUCTION PERMIT:** A Construction Permit is required for any and all work within the County road rights-of-way. Contact 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 rights-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.

**ENCROACHMENT PERMIT:** An Encroachment Permit from CALTRANS is required for any and all work and for any and all proposed/existing facilities within the State right-of-way. Documentation of approval from CALTRANS shall be provided to the satisfaction of the Director of Public Works and the Director of Planning & Development Services (PDS).

**TRANSPORTATION IMPACT FEE:** The project is subject to The County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance number 77.201 – 77.223. The TIF is required for the entire project, and it can be paid at building permit issuance for each phase of the project. The TIF is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the Department of Public Works, Land Development Counter and provide a copy of the receipt to the PDS, Building Division Technician] at time of permit issuance.

**NOTICE:** The subject property may contain habitat which may be used for nesting by migratory birds. Any grading, brushing or clearing conducted during the migratory bird breeding season, February 1 – August 31, has a potential to impact nesting or breeding birds in violation of the Migratory Bird Treaty Act. The applicant may submit evidence that nesting or breeding migratory birds will not be affected by the grading, brushing or clearing to these agencies: California Department of Fish and Wildlife, 3883 Ruffin Rd., San Diego, CA 92123, (858) 467- 4201, <http://www.dfg.ca.gov/>; and United States Fish and Wildlife Service, 2177 Salk Avenue, Suite 250, Carlsbad, California 92008, (760) 431- 9440, <http://www.fws.gov/>

cc:

Dawn August, Lionhead Properties Inc., 1411 Rock Terrace, Alpine, CA 91901  
Anthony Kahn, Omega Engineering Consultants, 3440 Viewridge Ave., Suite B, Sand Diego, CA 92123

email cc:

Mark Slovick, Planning Manager, PDS  
Kenneth Brazell, Project Manager, Land Development, PDS

## **Attachment C – Environmental Documentation**



## County of San Diego

MARK WARDLAW  
DIRECTOR

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### AN ADDENDUM TO THE PREVIOUSLY ADOPTED NEGATIVE DECLARATION FOR PURPOSES OF CONSIDERATION OF PDS2016-TM-5522RPL2TE

April 21, 2017

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.

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. To the Project Numbers add PDS2016-TM-5522RPL2TE; PDS2016-ER-06-14-051A
2. To the first paragraph add as indicated: The Mitigated 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 April 21, 2017 which includes the following forms attached.
  - A. An Addendum to the previously adopted Mitigated Negative Declaration with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated April 21, 2017.
  - B. An Ordinance Compliance Checklist



## **County of San Diego**

**MARK WARDLAW**  
DIRECTOR

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PHONE (858) 694-2962 FAX (858) 694-2555

**April 21, 2017**

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

#### **FOR PURPOSES OF CONSIDERATION OF SUNSET VIEW ESTATE (TM) TIME EXTENSION: PDS2016-TM-5522RPL2TE**

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 Mitigated Negative Declaration (MND) 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 MND:**

A MND for Sunset View Estates, Tentative Map No. 5522RPL2 was considered and adopted by the Planning Commission on September 11, 2009. The adopted MND found the project would not have any potentially significant effects.

**2. Lead agency name and address:**

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

- a. Contact Gregory Mattson, AICP, Project Manager
- b. Phone number: (858) 692-2249
- c. E-mail: [Gregory.Mattson@sdcounty.ca.gov](mailto:Gregory.Mattson@sdcounty.ca.gov)

**3. Project applicant's & engineer's name and address:**

- o Dawn August, Lionhead Properties, LLC, 1411 Rock Terrace, Alpine, CA 91901
- o Anthony Kahn, Omega Engineering Consultants, 3440 Viewridge Ave., Suite B, San Diego, CA 92123

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

The proposed project is a six year TM Time Extension to the previously approved TM 5522RPL2; approved on September 11, 2009.

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

YES

☐

NO

☒

6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS MND 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.

☒ NONE

☐ Aesthetics

☐ Biological Resources

☐ Greenhouse Gas Emissions

☐ Land Use & Planning

☐ Population & Housing

☐ Transportation/Traffic

☐ Agriculture and Forest Resources

☐ Cultural Resources

☐ Hazards & Haz Materials

☐ Mineral Resources

☐ Public Services

☐ Utilities & Service Systems

☐ Air Quality

☐ Geology & Soils

☐ Hydrology & Water Quality

☐ Noise

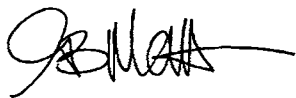
☐ Recreation

☐ Mandatory Findings of Significance

**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 MND 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 MND 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 an 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.




---

 Signature

---

 April 21, 2017

Date

---

 Gregory Mattson, AICP

Printed Name

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 Project Manager

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.

**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 MND 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

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NO

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**II. AGRICULTURE AND FORESTRY RESOURCES** -- Since the previous MND 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

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NO

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**III. AIR QUALITY** -- Since the previous MND 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

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NO

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**IV. BIOLOGICAL RESOURCES** -- Since the previous MND 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

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NO

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**V. CULTURAL RESOURCES** -- Since the previous MND 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

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NO

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**VI. GEOLOGY AND SOILS** -- Since the previous MND 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

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NO

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**VII. GREENHOUSE GAS EMISSIONS** -- Since the previous MND 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

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NO

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The California Air Pollution Control Officers Association (CAPCOA) CEQA Climate Change White Paper (CAPCOA White Paper) dated January 2008 recommends using a 900 metric tons (MT) screening level to determine GHG impacts. As stated in the CAPCOA White Paper, 900 MT of GHG emissions are generally produced by a 50-unit single family residential or 70-unit multifamily development. Since the project proposes eight single family residential lots, the project's GHG

emissions would be below the CAPCOA-recommended 900MT screening level and impacts would be less than significant. The proposed Time Extension would not result in significant impacts related to GHG emissions. Further, there are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one of more effects relating to GHG emissions.

**VIII. HAZARDS AND HAZARDOUS MATERIALS** -- Since the previous MND 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 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

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NO

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Decision: Since adoption, there have been changes in the circumstances under which the project was undertaken related to Hazards. The project site is located within the declared Urban-Wildland Interface (UWI) area and after consultation with the Alpine Fire Protection District staff, adequate design measures will be implemented as part of the project permitting. Such as building construction shall be constructed to meet the California Building Code 2016 Edition Chapter 7a standards as amended by the County of San Diego and adopted by the 2017-01 Ordinance of the Alpine Fire Protection District. The revised FPP has been approved by the Alpine Fire Protection District. Therefore, although there are changes in circumstances, these changes will not result in new significant environmental effects related to hazards.

**IX. HYDROLOGY AND WATER QUALITY** -- Since the previous MND 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?

Discussion: In May 2013, the California Regional Water Quality Control Board (RWQCB) for the San Diego Region reissued a Municipal Separate Storm Sewer System Permit, commonly known as MS4 Permit (Order No. R9-2013-0001; "Permit") to the County and other local jurisdictions in the San Diego area. Among other changes, the Permit lowers the minimum threshold necessary to trigger classification as a Priority Development Project (PDP) and sets forth stricter onsite requirements for stormwater pollutant control and hydromodification management for each of these projects.

The project engineer has provided the County with a revised SWQMP and MS4 studies, spreadsheets, design applications and hydromodification methodology for review. County staff has determined that the proposed stormwater management applications, use of a detention basin, filtering measures and other erosion control methods are in compliance with the current MS4 regulations.

YES

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NO

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**X. LAND USE AND PLANNING** -- Since the previous MND 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

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NO

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**XI. MINERAL RESOURCES** -- Since the previous MND 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

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NO

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**XII. NOISE** -- Since the previous MND 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  
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NO  
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**XIII. POPULATION AND HOUSING** -- Since the previous MND 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  
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NO  
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**XIV. PUBLIC SERVICES** -- Since the previous MND 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  
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NO  
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**XV. RECREATION** -- Since the previous MND 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  
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NO  
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**XVI. TRANSPORTATION/TRAFFIC** -- Since the previous MND 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

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NO

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**XVII. TRIBAL CULTURAL RESOURCES** -- Since the previous MND 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 tribal cultural resources including: causing a change in the significance of a tribal cultural resource as defined in Public Resource Code §21074?

YES

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NO

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**XVIII. UTILITIES AND SERVICE SYSTEMS** -- Since the previous MND 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

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NO

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**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:** Since the previous MND 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

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NO

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Attachments:

- Previous environmental documentation
- Addendum to the previously adopted MND

**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 Scenic Highway Conservation/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

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

Sunset View Est. TM Time Extension - 13 -  
PDS2016-TM-5522RPL2TE

April 21, 2017

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



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

**FOR PURPOSES OF CONSIDERATION OF**  
SUNSET VIEW ESTATES Subdivision (17 lots), TM 5522RPL2TE  
ER# 06-14-051

April 21, 2017

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

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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Discussion: The proposed project and any off-site improvements are located within the boundaries of the Metro-Lakeside-Jamul segment of the Multiple Species Conservation Program (MSCP) South County Subarea. 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 MSCP and Biological Mitigation Ordinance?

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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Discussion: The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Metro-Lakeside-Jamul segment of the MSCP South County Subarea. The project conforms to the MSCP South County Subarea and the Biological Mitigation Ordinance (BMO) as discussed in the MSCP Findings dated March 18, 2009 under Environmental Review Number 06-15-05.

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

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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Discussion: The project will obtain its water supply from the Padre Dam Municipal 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"/>
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The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
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The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
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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"/>
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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"/>
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**Discussion:*****Wetland and Wetland Buffers:***

Yes ---- The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance (RPO). 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:***

Yes ---- The project is not located near any floodway or floodplain fringe area as defined in the RPO, nor is it near a watercourse plotted on any official County floodway or floodplain map.

***Steep Slopes:***

Yes ---- There are two very small areas internal to the site, which meets the steep slopes designation (over 25%). However, these two areas are less than 10% of the site and therefore, would be found that the proposed project complies with Sections 86.604(e) of the RPO.

***Sensitive Habitats:***

Yes ---- No sensitive habitat lands were identified on the site. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

***Significant Prehistoric and Historic Sites:***

Yes ---- The property was previously surveyed and it has been determined there is one (or more) archaeological/historical site(s). Testing and other investigation determined the archaeological/historical site does not meet the definition of significant site. It does not need to be preserved under 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

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NO

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NOT APPLICABLE

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Discussion: The project Storm Water Management Plan and Hydromodification Management Study and have been reviewed and are 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

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NO

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NOT APPLICABLE

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Discussion: 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.

Transportation (traffic, railroad, and aircraft) noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)-60 decibels (dB) limit because review of the project indicates that the project is not in close proximity to a railroad and/or airport. Additionally, the County of San Diego GIS noise model does not indicate that the project would be subject to potential excessive noise levels from circulation element roads either now or at General Plan buildout.

Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance.