



*The County of San Diego*

# Planning Commission Hearing Report

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<b>Date:</b>	June 21, 2019	<b>Case/File No.:</b>	Phap Vuong Monastery Major Use Permit PDS2014-MUP-14-010 PDS2014-ER01-08-051A
<b>Place:</b>	Board of Supervisors North Chamber, Room 310 1600 Pacific Highway San Diego, CA 92101	<b>Project:</b>	Major Use Permit for a Religious Assembly
<b>Time:</b>	9:00 a.m.	<b>Location:</b>	715 Vista Avenue, Escondido
<b>Agenda Item:</b>	#3	<b>General Plan:</b>	Semi-Rural (SR-1)
<b>Appeal Status:</b>	Appealable to the Board of Supervisors	<b>Zoning:</b>	Single-Family Residential (RS)
<b>Applicant/Owner:</b>	Vui Tran	<b>Community:</b>	North County Metropolitan Subregional Plan Area
<b>Environmental:</b>	Subsequent Mitigated Negative Declaration	<b>APNs:</b>	227-010-57

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## A. EXECUTIVE SUMMARY

### 1. Introduction

The purpose of this staff report is to provide the Planning Commission with the information necessary to consider the proposed Major Use Permit (PDS2014-MUP-14-010) and environmental findings prepared in accordance with the California Environmental Quality Act (CEQA).

The request is for a Major Use Permit to allow the construction and use of a monastery with associated parking and landscaping in the North County Metropolitan Subregional Plan area that includes construction of a two-story, 8,272 square-foot monastery building. The existing residence located on the northeastern portion of the property will be retained for residential use.

The sections contained in this report describe in detail the following: development proposal, analysis and discussion, public input, and the Planning & Development Services (PDS) recommendation.

The Planning Commission is asked to consider the project and either approve the project as submitted, approve the project with modifications, or deny the project. PDS conducted a detailed analysis of the project for consistency with the General Plan, Zoning Ordinance, and other applicable regulations, policies, and ordinances. Based on this analysis, PDS has found the project to be consistent with the General Plan, Zoning Ordinance, and other applicable regulations, policies, and ordinances with the inclusion of conditions in the Major Use Permit (MUP) Decision. PDS recommends adoption of the Subsequent Mitigated Negative Declaration and approval of the MUP with the conditions explained in the report and incorporated in the attached Decision (Attachment B).

## **2. Requested Actions**

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

- a. Adopt the Environmental Findings included in Attachment D, which include the adoption of a Subsequent Mitigated Negative Declaration.
- b. Grant MUP PDS2014-MUP-14-010, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment B).

## **3. Key Requirements for Requested Actions**

- a. Is the proposed project consistent with the vision, goals, and policies of the General Plan?
- b. Does the project comply with the policies set forth under the North County Metropolitan Subregional Plan?
- c. Is the proposed project consistent with the County's Zoning Ordinance?
- d. Is the project consistent with other applicable County regulations?
- e. Does the project comply with CEQA?

## **B. BACKGROUND**

On May 27, 2004, the Planning Commission approved a Major Use Permit (MUP) to allow the on-going use of a monastery with a worship area in the existing building on the 1.8-acre western portion of the 8.9 acre property. The MUP did not include any additional site improvements. A Negative Declaration (ND) was adopted on May 27, 2004 that analyzed the use of the existing structure as a monastery and found the project would not have any significant impacts. The MUP required road improvements and other conditions to be completed within six months. However, the conditions of that MUP were not fulfilled and the 2004 MUP expired on November 23, 2004. The monastery continued operations without permits and code compliance complaints were made in 2006 and 2010. The property owner is requesting the approval of this MUP with a new monastery building to bring the use into conformance with the County's zoning regulations and policies. A Subsequent Mitigated Negative Declaration (MND) for the currently



proposed project was prepared and underwent public review from February 7, 2019 to March 25, 2019. The Subsequent MND found that the project will not have any significant impacts.

## **C. DEVELOPMENT PROPOSAL**

### **1. Project Description**

The applicant requests an MUP to construct, operate and maintain a monastery with associated parking and landscaping. The proposed 8,272-square foot monastery is a two-story structure (33 feet in height), with a maximum occupancy of 300 people. The new structure will operate as a monastery and meditation hall with meditation rooms, kitchen, social room and guest room on the first floor. The second floor includes four bedrooms and a sitting area for resident monks. The project includes a new parking lot with 76 parking spaces and landscaping around the building and parking lot. The proposed project is shown in Figure 1. Please refer to Attachment A – Planning Documentation, to view the complete Plot Plan.

The proposed monastery will be open on weekdays (Monday – Friday) from 6:00 PM to 9:00 PM and Sundays from 9:00 AM to 3:00 PM. There is no set service time. Visitors arrive at any time during open hours to meditate and pray. Sunday attendance is approximately 100 visitors throughout the day. Every third Sunday, instead of the regular activity, a retreat will occur that will be attended by approximately 20 monks. Three special events are scheduled to occur annually. A three-day Lunar New Year event will draw an anticipated attendance of approximately 100 visitors. Two other one-day events are expected to draw fewer than 100 visitors. The MUP will limit special events to a maximum of four per year, limit the number of visitors to the monastery building's capacity of 300, and require activities to occur inside.

### **2. Subject Property and Surrounding Land Uses**

The project site is located at the southwest corner of Vista Avenue and North Ash Street (Figure 1) in the North County Metropolitan Subregional Plan Area (Figure 2). The site slopes upward from the roads on the north and east sides and then slopes down to the west and south. The proposed MUP will cover the eastern 7.1 acres of the property. The western portion of the property, approximately 1.8 acres, is shown as 'Not A Part' (NAP) of the MUP (Figure 1). The existing single family residence on the western portion will remain for residential use by the property owner (Figure 3).

Land uses abutting the site consist primarily of single family residences with lot sizes ranging from one-quarter acre to ten acres. Several of the larger properties are undeveloped. There is a school (Rincon Elementary) 600 feet to the northeast and a citrus orchard to the southeast across North Ash Street (Figure 4).

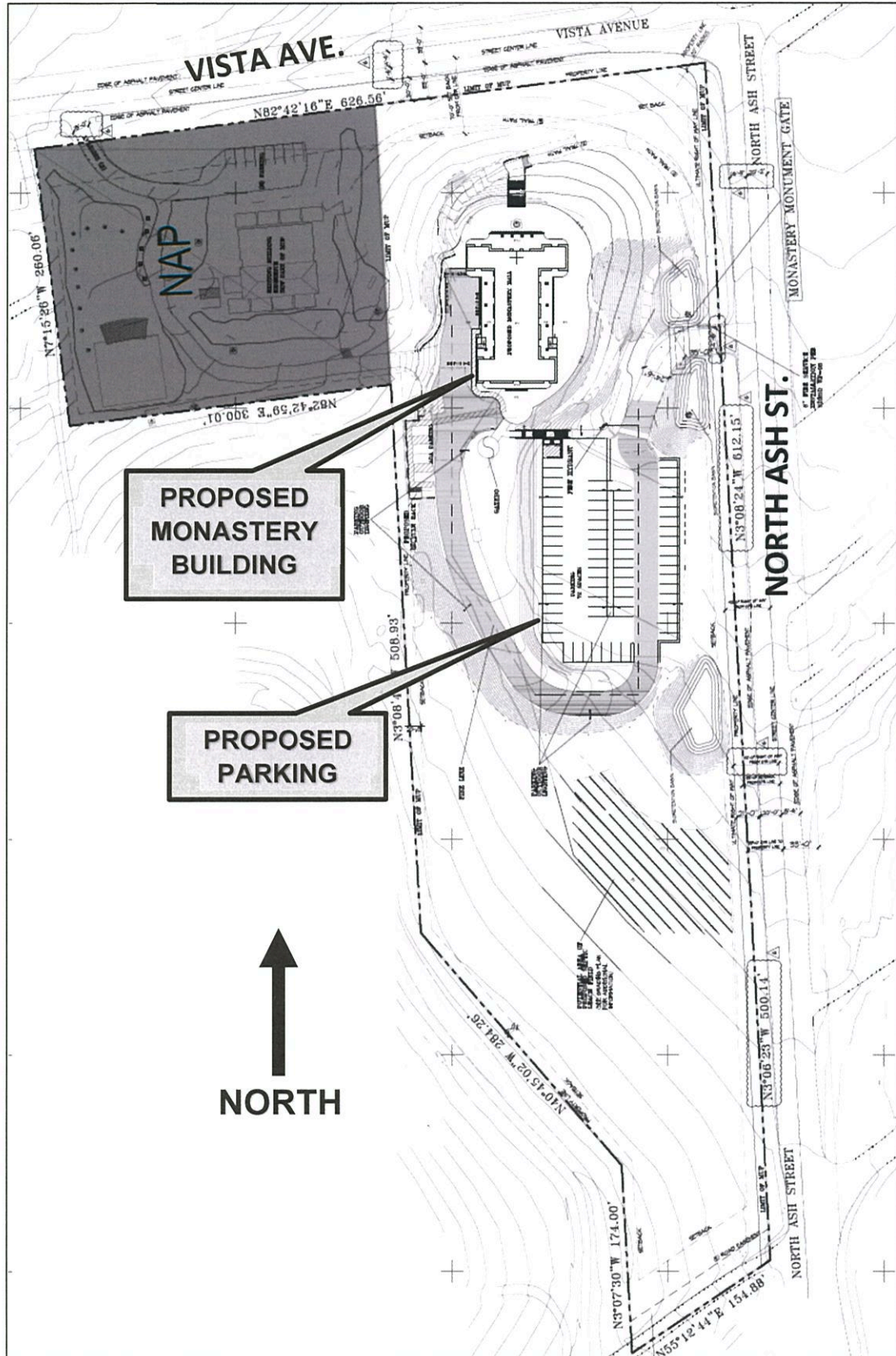


Figure 1: Plot Plan



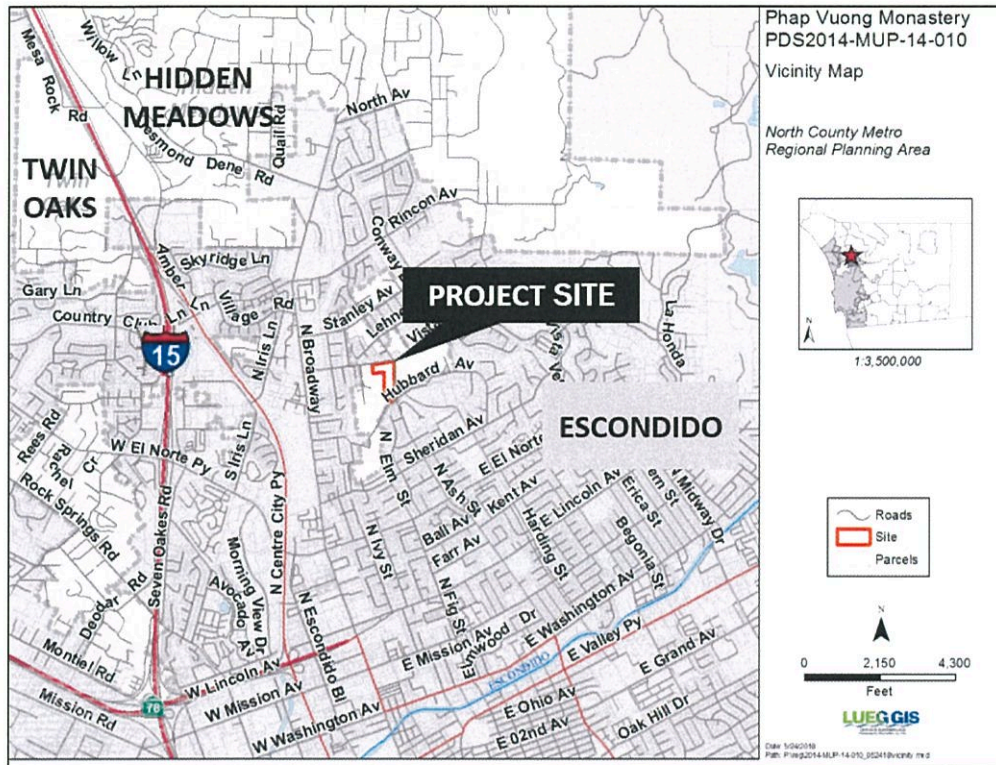


Figure 2: Vicinity Map



Figure 3: Aerial Photo



Table B-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
North	Semi-Rural Residential (SR-1)	Single Family Residential (RS)	Vista Ave., North Ash St.	Single Family Residential, Horse Riding School, Middle School, City of Escondido
East	Semi-Rural Residential (SR-1)	Single Family Residential (RS)	North Ash St., Vista Ave.	Single Family Residential, Undeveloped, Agriculture, City of Escondido
South	Semi-Rural Residential (SR-1)	Single Family Residential (RS)	Hubbard Ave.	Single Family Residential, Undeveloped, City of Escondido Water Tank Site
West	Semi-Rural Residential (SR-1)	Single Family Residential (RS)	Vista Ave., Bella Hills Lane	Single Family Residential, Undeveloped, City of Escondido

#### D. ANALYSIS AND DISCUSSION

The project has been reviewed for conformance with all relevant ordinances and guidelines, including the San Diego County General Plan, the North County Metropolitan Subregional Plan, the County Zoning Ordinance, and CEQA Guidelines. A discussion of the project's consistency with applicable codes, policies, and ordinances, as well as a description of the public's concerns, is described on the following pages.

##### 1. Project Analysis

###### Major Use Permit Findings

In accordance with Section 7358 of the Zoning Ordinance, findings must be made relating to scale, bulk, and coverage, effects upon neighborhood character, availability of services, and suitability of the site for the type of proposed use. Staff has analyzed the proposed monastery in relation to each of these findings.

The location, size, design, and operating characteristics of the proposed development will be compatible with adjacent uses, residences, buildings, and structures. While the proposed monastery is larger in scale than adjacent residential structures, the project will be compatible with the community because there are other religious assembly and civic uses nearby. Additionally, design features include use of landscaping for screening, the use of earth tone colors, and building setbacks. The proposed Monastery will be setback 170 feet from Vista Avenue, 170 feet from North Ash Street, and 75 feet from the west property line. The nearest residence is approximately 300 feet to the south west of the proposed monastery.



Civic, Fraternal or Religious Assembly uses (such as churches, mosques, synagogues, temples, or fraternal or veterans organizations) are allowed with a Major Use Permit in the Single-Family Residential zone (RS). Schools, churches, and other institutional uses are located in the neighborhood nearby. A school campus (Rincon Elementary School) is located 600 feet to the northeast, a school and church campus (United Reform Church, Calvin Christian High School and Elementary School) are located 1,700 feet to the west, a church (Unified Reform Church) is located 2,000 feet to the west, and another church and school exist 2,400 feet to the southeast (Figure 4).

The footprint and lot coverage of the proposed monastery building are smaller than the other Religious Assembly uses in the neighborhood. The monastery footprint is approximately 6,560 square feet, with a lot coverage of approximately two percent. Three churches in the area have approximate footprints of 20,000 square feet (United Reform Church, 10% coverage of site), 16,760 square feet (First Congregational Church, 8% coverage of site), and 27,240 square feet (Resurrection Church, 6% coverage of site). Lot coverages on surrounding residential lots, range from 8% to 22%.

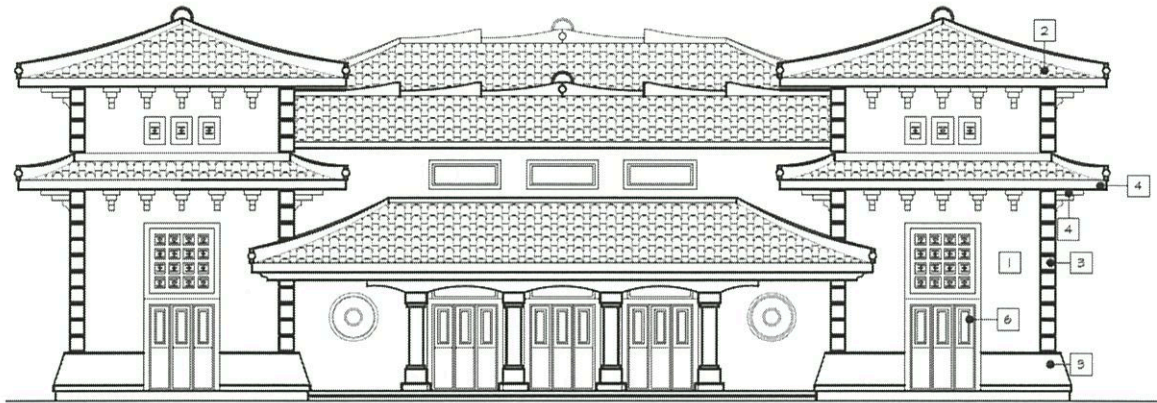


Figure 4: Surrounding Land Uses

The existing building on the western portion of the property, in the area shown as Not A Part, will remain for residential purposes only. The proposed project includes the construction of an 8,272-square foot monastery and a larger parking lot to accommodate more people than the existing building. Monastery uses and the three or four annual special events that will be held on site can be accommodated with the proposed new facilities without creating significant impacts to traffic, noise and community character.



The property is currently served with imported water by the City of Escondido. A Service Availability Form was submitted stating that water will be available for the proposed project. A new onsite septic system is proposed to serve the new monastery building. The preliminary design for the new septic system was reviewed by the County Department of Environmental Health and the final design must be approved prior to the grading permit. As further detailed in the Form of Decision included in Attachment B, each of these findings have been made.



*Figure 5: Monastery Building, North Elevation*

#### Noise

The project was reviewed for compliance with the County Noise Ordinance. The Noise Study prepared for the project analyzed both construction and operational noise and concluded that the project will not generate noise that would create significant impacts on other properties. A condition of the MUP will require that the ongoing monastery operations and activities shall comply with the County Noise Ordinance. The monastery held an event in the past that generated concerns from neighboring residents, primarily regarding traffic and noise. A gong was located outside for one event and its use generated noise concerns. The proposed project has been designed with a gong on the main floor inside the new monastery, completely enclosed within the building.

As recommended in the Noise Study the project will be conditioned to have dual pane windows as part of the project design to meet the County Noise Element standards. Therefore, the project demonstrates compliance with the County Noise Ordinance and conformance to the General Plan Noise Element.

#### Traffic and Surrounding Roadways

There will be four resident monks living on-site in the proposed new monastery building who adhere to a daily regimen of studying, meditation, communal meals, and facility maintenance. (Another monk will continue to reside in the existing residence in the Not A Part area of the property.) They will make few trips outside the facility, typically one per week. As described above, the proposed monastery will be open on weekday evenings and on Sundays in the morning and early afternoon. There is no set service time. Meditation and prayer periods will be attended by visitors over the



course of several hours. Because weekday evenings will generate few trips that will occur outside the peak hours for adjacent street traffic, the traffic report for the project did not include them in the analysis. The traffic analysis estimated 100 visitors for Sunday meditation and prayer periods, generating a total of 104 vehicle trips on Sundays. Special events are scheduled three times per year and are expected to have an estimated 100 attendees. Therefore, these events are estimated to generate a similar number of trips as a Sunday service. The project will have 76 parking spaces, which complies with the zoning requirement. The MUP will limit the number of visitors to the maximum capacity of the monastery, which is 300 people.



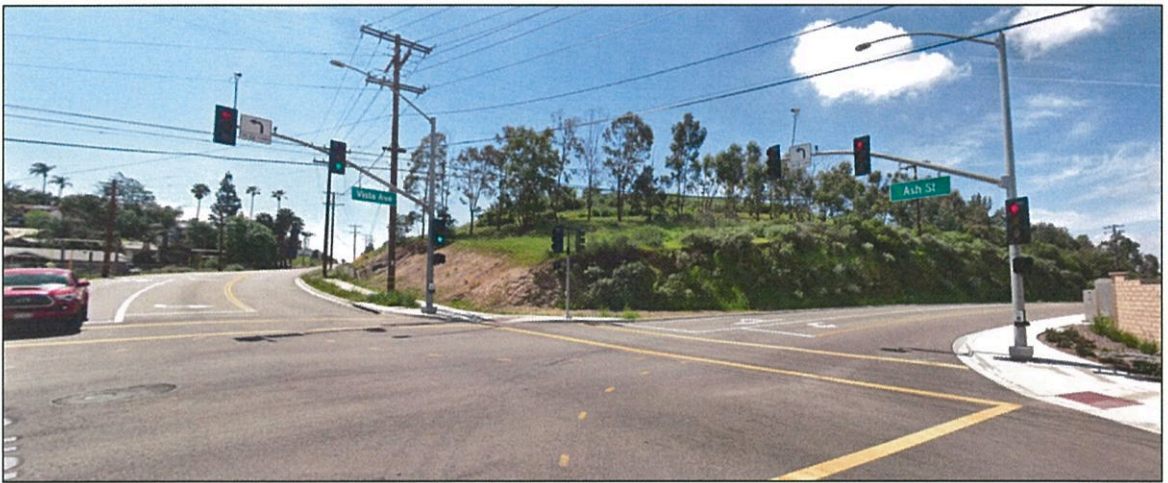
Figure 6: Vista Ave. and North Ash Street Near Site

Currently, there are 3,290 Sunday trips on North Ash Street north of Vista Avenue and 5,090 trips south of Vista Avenue. There are 2,380 Sunday trips on Vista Avenue between North Ash Street and North Broadway to the west (Figure 6). The Level of Service (LOS) is A on all these road segments. With the monastery project completed and operational, LOS will be B on Sundays on Vista Avenue and the other road segments will remain at LOS A. The traffic analysis identified that weekday AM and mid-day peak hour operations at the Vista Avenue/North Ash Street intersection currently are LOS E but the monastery project will not affect the intersection LOS during these peak periods.





*Figure 7: Vista Ave. on North Side of Site, Looking East*



*Figure 8: Intersection of North Ash St. and Vista Ave., Looking Southwest*

Vista Avenue along the north side of the project site has undergone improvements implemented with development projects to the north in the City of Escondido (City). This segment of Vista Avenue was recently annexed by the City and is maintained by the City. North Ash Street, a Mobility Element road along the east side of the site, has also been improved as a result of development projects in the City, though it remains in the unincorporated County. The improvement plans for both road segments were the result of cooperative efforts by the City and County and were completed in 2019. The monastery project will be required to dedicate right-of-way for North Ash Street but will not be required to make any road improvements because all improvements were completed by the development projects in Escondido.

## **2. General Plan Consistency**

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



Table C-1: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
<p><b>Policy LU - 4.3 - Relationship of Plans in Adjoining Jurisdictions.</b> Consider the plans and projects of overlapping or neighboring agencies in the planning of unincorporated lands, and invite comments and coordination when appropriate.</p>	<p>The project applicant and County staff worked closely with the City of Escondido in reviewing potential effects on roads, water service, and fire protection service for the project. The project complies with this policy.</p>
<p><b>Policy LU-6.5 - Sustainable Stormwater Management.</b> Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development techniques as well as a combination of site design, source control, and stormwater best management practices, where applicable and consistent with the County's LID Handbook.</p>	<p>A Storm Water Quality Management Plan (SWQMP) was prepared for the project in accordance with the 2013 MS4 permit and BMP Design Manual. Proposed structural BMPs including biofiltration basins have been incorporated into the project to address potential Water Quality and Hydromodification impacts of the project. Additionally, the project's CEQA Drainage Study complies with the San Diego County Hydraulic Design Manual and was prepared in conformance with the San Diego County Hydrology Manual. The project complies with this policy.</p>
<p><b>Policy LU-6.9 - Development Conformance with Topography.</b> Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominant physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent practicable.</p>	<p>The project includes a Preliminary Grading Plan that complies with County requirements. The project's SWQMP addresses potential Water Quality and Hydromodification impacts of the project. Additionally, the project's CEQA Drainage Study was prepared in conformance with the San Diego County Hydrology Manual. The project complies with this policy.</p>
<p><b>Policy LU-12.1 - Concurrency of Infrastructure and Services with Development.</b> Require the provision of infrastructure, facilities, and services needed by new development prior to that development, either directly or through fees. Where appropriate, the construction of infrastructure and facilities may be phased to coincide with project phasing.</p>	<p>The project will receive imported water service from the City of Escondido, which is already available for the site with no facilities expansion needed. A Service Availability Form for water service has been received from the City of Escondido.</p> <p>The landscaping plan will comply with the County's Water Efficient Landscape Design Manual and the Water Conservation in Landscaping Ordinance, which reduce water demand through efficient irrigation measures.</p> <p>The project includes a new onsite septic system, which has undergone preliminary review and will require approval of the final design from the Department of Environmental Health.</p>

General Plan Policy	Explanation of Project Conformance
<p><b>Policy LU-13.1 - Adequacy of Water Supply.</b> Coordinate water infrastructure planning with land use planning to maintain an acceptable availability of a high quality sustainable water supply. Ensure that new development includes both indoor and outdoor water conservation measures to reduce demand.</p> <p><b>Policy LU-13.2 - Commitment of Water Supply.</b> Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.</p> <p><b>Policy LU-14.2 Wastewater - Disposal.</b> Require that development provide for the adequate disposal of wastewater concurrent with the development and that the infrastructure is designed and sized appropriately to meet reasonably expected demands.</p>	<p>Vista Avenue and North Ash Street were recently improved, both as conditions of development within the City of Escondido.</p> <p>A Service Availability Form for fire protection service has been received from the City of Escondido Fire Department. The nearest fire station is less than five minutes away.</p> <p>The project complies with Policies LU-12.1, LU-13.1, LU-13.2, AND LU-14.2.</p>
<p><b>LU-12.2 - Maintenance of Adequate Services.</b> Require development to mitigate significant impacts to existing service levels of public facilities or services for existing residents and businesses. Provide improvements for Mobility Element roads in accordance with the Mobility Element Network Appendix matrices, which may result in ultimate build-out conditions that achieve an improved LOS but do not achieve a LOS of D or better.</p>	<p>A Service Availability Form for water service has been received from the City of Escondido. Vista Avenue and North Ash Street were recently improved, both as conditions of development within the City of Escondido. The project will not result in significant traffic impacts and does not require any further improvements. The project complies with this policy.</p>
<p><b>Policy LU-18.1 - Compatibility of Civic Uses with Community Character.</b> Locate and design Civic uses and services to assure compatibility with the character of the community and adjoining uses, which pose limited adverse effects. Such uses may include libraries, meeting centers, and small swap meets, farmers markets, or other community gatherings</p>	<p>Religious assembly and other civic uses are allowed with a Major Use Permit in the Single Family Residential zone. A land use analysis was submitted and reviewed. The analysis demonstrates that there are numerous existing civic uses such as schools and religious assembly in the surrounding neighborhood. With the conditions in the Major Use Permit, the project complies with this policy.</p>

General Plan Policy	Explanation of Project Conformance
<b>Policy M-2.2 - Access to Mobility Element Designated Roads.</b> Minimize direct access points to Mobility Element roads from driveways and other non-through roads to maintain the capacity and improve traffic operations	The project will minimize direct access with only one access proposed on North Ash Street. The County approved a Design Exception request to use stopping sight distance from the Vista Avenue intersection, concluding that the request will not adversely affect traffic safety or traffic flow. The project complies with this policy.

### 3. Subregional Plan Consistency

The proposed project is consistent with the following relevant North County Metropolitan Subregional Plan goals, policies, and actions as described in Table C-2.

*Table C-2: Subregional Plan Conformance*

Subregional Plan Policy	Explanation of Project Conformance
<b>GOAL 1.</b> Accommodate Urban Development in Appropriate Areas. Because the North County Metropolitan Subregion A. is developing rapidly; and B. contains large areas of developable land with many basic urban services available or located nearby.	The project abuts the boundary with the City of Escondido, where new residential development is underway across Vista Avenue from the project site. The project will be served with imported water and fire service from the City of Escondido.
<b>LAND USE POLICY 1.</b> Increase City-County Planning Cooperation. Because A. cities of the Subregion are closely related to the surrounding area in terms of public services, travel patterns, and community identity; and B. the cities and County are generally agreed on the spheres of influence boundaries, which were adopted by the Local Agency Formation Commission (LAFCO).  The County will cooperate in the planning and regulating of growth in the unincorporated territory within each city's sphere of influence. Future County decisions on proposed projects in the sphere areas will take each city's planning objectives into consideration.	The City of Escondido reviewed the project regarding utility service and road planning. City policy precludes providing sewer service to the site. The project will receive imported water from the City. In addition, though North Ash Street is a County road, it is being improved as conditions of development projects within the City. The City and County both reviewed and approved plans for the road improvements.

### 4. Zoning Ordinance Consistency

The proposed project complies with all applicable zoning requirements of the Single Family Residential (RS) zone with the incorporation of conditions of approval.

Table C-3: Zoning Ordinance Development Regulations

CURRENT ZONING REGULATIONS		CONSISTENT?
Use Regulation:	RS	Yes, upon approval of MUP
Animal Regulation:	Q	Yes
Density:	-	N/A
Lot Size:	1 acre	Yes
Building Type:	C	Yes, upon approval of MUP
Height:	G	Yes
Lot Coverage:	-	N/A
Setback:	H	Yes
Open Space:	-	N/A
Special Area Regulations:	-	N/A

Development Standard	Proposed/Provided	Complies?
Section 2105.a. of the Zoning Ordinance allows a Religious Assembly use within the RS zone with a Major Use Permit	A monastery is a Religious Assembly use, which will comply with the RS Use Regulations upon approval of a MUP.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4600 of the Zoning Ordinance requires the project to comply with the G height requirement of 35 feet.	The project's building will be 34 feet tall, which complies with the height requirement of 35 feet.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4300 of the Zoning Ordinance requires the project to comply with the C building type requirements.	The project meets the building type requirements upon approval of the MUP.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4800 of the Zoning Ordinance requires the project to comply with the H setback requirements and a special setback of 70 feet from Vista Avenue per Section 4816.	The project meets all setback requirements, including the 70-foot setback from Vista Avenue required by Section 4816.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

## 5. Applicable County Regulations

Table C-4: Applicable Regulations

County Regulation Policy	Explanation of Project Conformance
a. Resource Protection Ordinance (RPO)	The site contains no wetlands, floodplain, flood fringe, or steep slopes. The project will mitigate for impacts to biological resources, including Diegan Coastal Sage Scrub and non-native grasslands. The site does not contain archaeological or historical sites. Therefore the project is consistent with the RPO.
b. County Consolidated Fire Code	The project will comply with the County Consolidated Fire Code and has been reviewed by the City of Escondido Fire Department (Rincon Del Diablo Fire Protection District).
c. Noise Ordinance	The project's Noise Study has been reviewed and the project complies with the Noise Ordinance. A condition of approval will ensure compliance with the Noise Element.
d. Watershed Protection Ordinance (WPO)	The project's Storm Water Quality Management Plan and Hydromodification Management Study have been reviewed and were found to be complete and in compliance with the WPO.

## 6. California Environmental Quality Act (CEQA) Compliance

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) because a Subsequent Mitigated Negative Declaration (MND) under CEQA was prepared and was available during public review from February 7, 2019 to March 25, 2019, on file under ER01-08-051A. The project, as designed, will not cause any significant impacts to the environment. Mitigation measures are included for impacts on biological resources, which include avoidance of the breeding season during construction and purchasing mitigation credits or providing conservation habitat for 1.8 acres of Diegan Coast Sage Scrub and 0.4 acres of non-native grasslands. Details of these mitigation measures can be found in the MUP Decision (Attachment B).

### E. COMMUNITY PLANNING GROUP

The project site is located in an area of the North County Metropolitan Subregional Plan Area that is not represented by a community planning or sponsor group. As a courtesy, the public review notice and project information were sent to both the Twin Oaks and Hidden Meadows Community Sponsor Groups but neither group submitted comments.

### F. PUBLIC INPUT

The project was noticed to surrounding property owners upon application submittal. Surrounding property owners, agencies, and organizations were also noticed of the public review period for the Subsequent

Mitigated Negative Declaration (MND) that occurred from February 7, 2019 to March 25, 2019. Emails and letters were received from the U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife, San Luis Rey Band of Mission Indians, Viejas Tribal Government, and other members of the public. Seven comments were received during the public review period.

The U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife submitted a joint letter supporting the County's method of analyzing and addressing potential impacts on biological resources.

Additionally, the San Luis Rey Band of Mission Indians requested a pre-excavation agreement. The Viejas Tribal Government requested notification of any discovery of cultural resources on the site. Conditions for the project have been revised to include the pre-excavation agreement requested by the San Luis Rey Band of Mission Indians. Conditions also were revised to include notification to the Viejas Tribal Government of any cultural resources found on the site.

A resident raised concerns about developing the property and also recalled an event at the existing buildings that created impacts on the neighborhood. Staff also received one phone call inquiring about the project and noting the same event in the past described in the resident's letter. The event involved a temporary visit of a touring Buddha sculpture. Visitors came to the site to view the sculpture. The existing parking and building on the site were not designed to accommodate the visitors and the celebration. The proposed monastery project with its larger building and parking lot will be able to accommodate the ongoing operations and the three planned special events. The MUP is conditioned to limit the number of special events to a maximum of four per year and the capacity to 300 visitors, with all events occurring inside the building.

All comments received were reviewed and responses were prepared. The comments and responses can be found in Public Documentation (Attachment E).

Since the public review period, 27 letters of support for the project were received, addressed to staff and the Planning Commission. These letters also are included in Attachment E.

#### **G. RECOMMENDATIONS**

Staff recommends that the Planning Commission take the following actions:

1. Adopt the Environmental Findings included in Attachment D, which include the adoption of a Subsequent Mitigated Negative Declaration.
2. Grant MUP PDS2014-MUP-14-010, make the findings, and impose the requirements and conditions as set forth in the Decision (Attachment B).

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**Report Prepared By:**

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AUTHORIZED REPRESENTATIVE: \_\_\_\_\_



MARK WARDLAW, DIRECTOR

**ATTACHMENTS:**

Attachment A – Planning Documentation

Attachment B – Form of Decision Approving PDS2014-MUP-14-010

Attachment C – Environmental Documentation

Attachment D – Environmental Findings

Attachment E – Public Documentation

Attachment F – Service Availability Forms

Attachment G – Ownership Disclosure

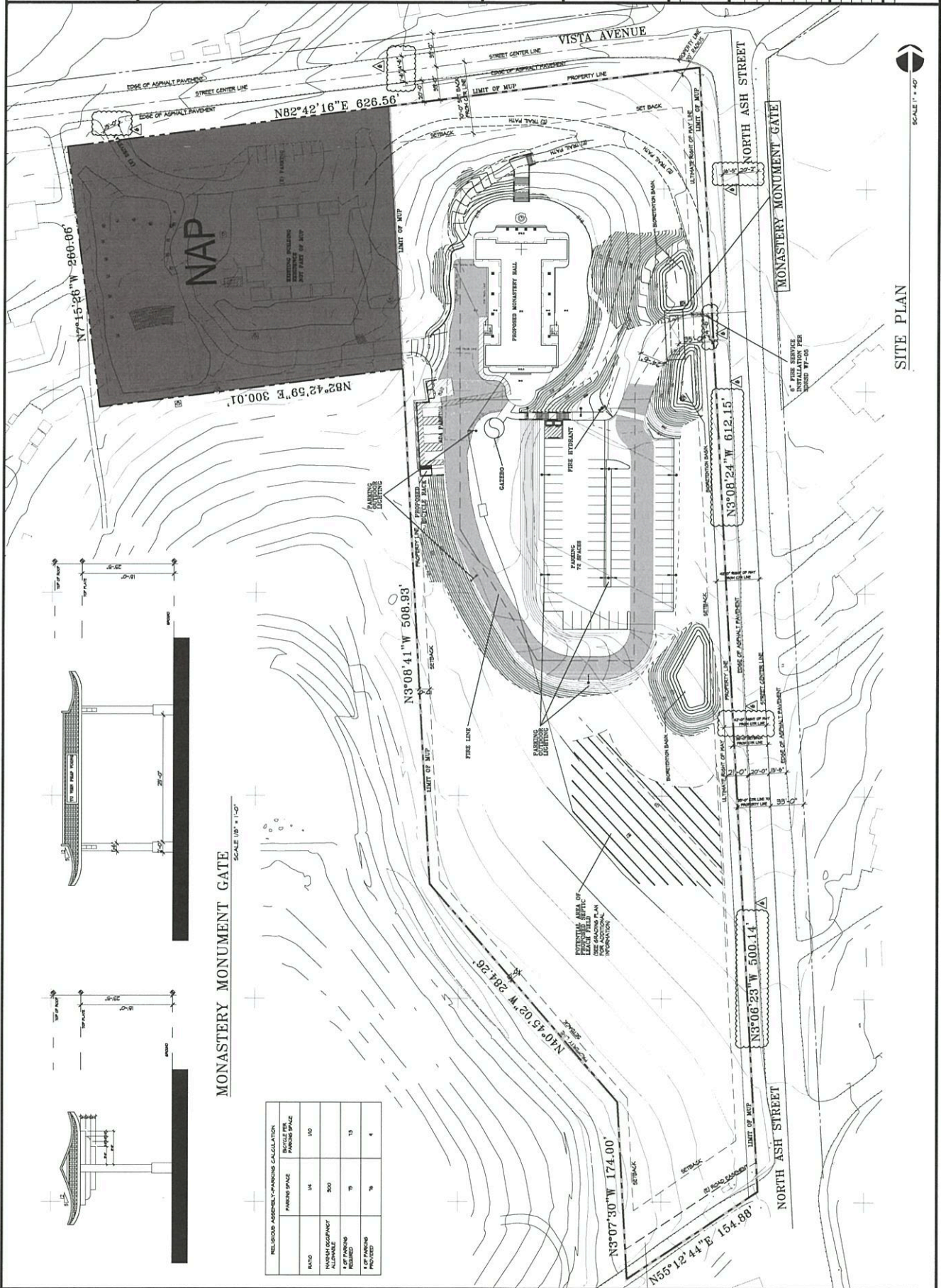
## **Attachment A – Planning Documentation**



715 VISTA AVE, ESCONDIDO, CA 92026

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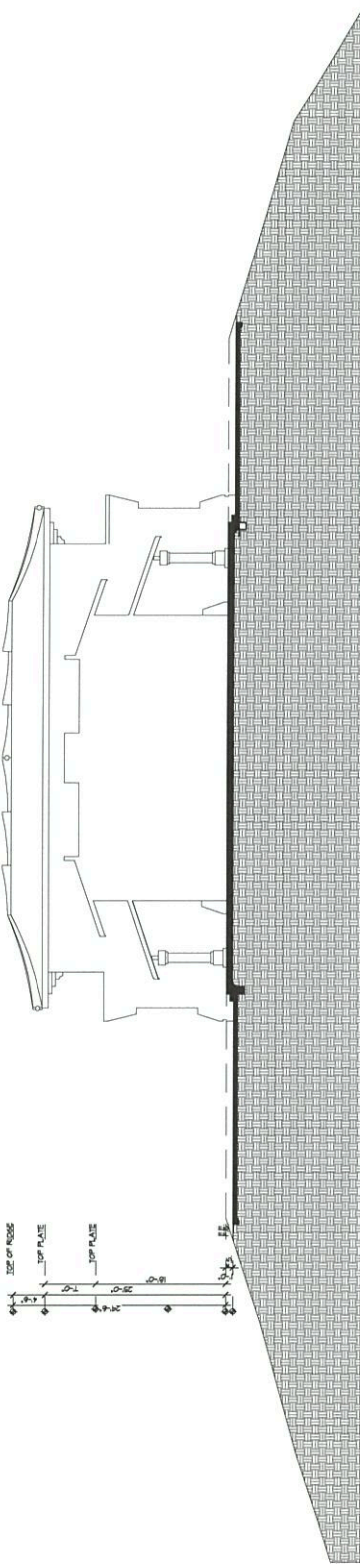
PHAP VUONG MONASTERY  
715 VISTA AVENUE  
ESCONDIDO, CA 92026

MUP PROJECT #  
PDS2014  
MUP-14-010

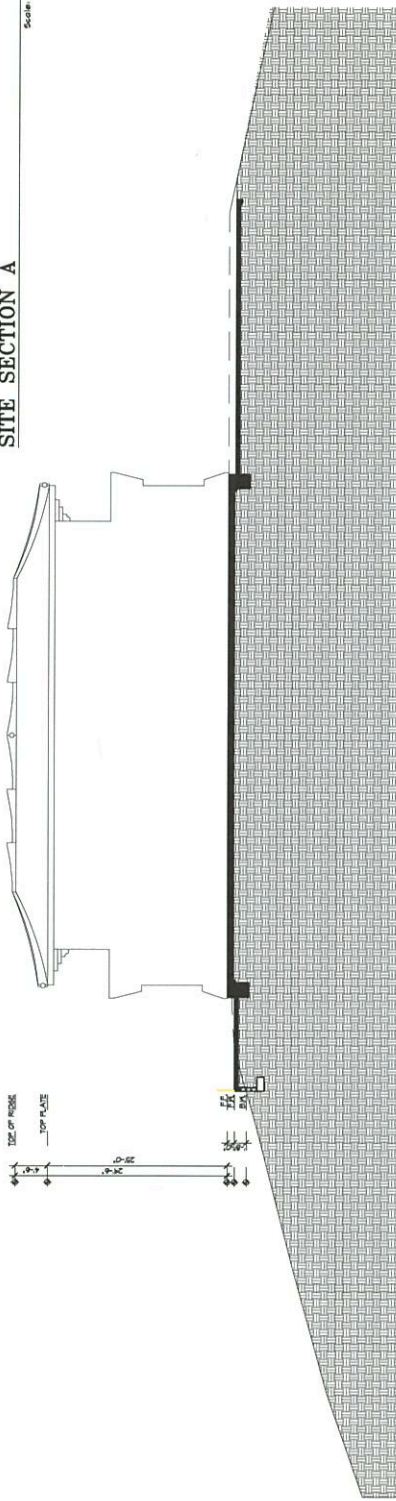
SITE SECTION

No.	Revisions	Date
1	1st MAP REVIEW	12-01-13
2	2nd MAP REVIEW	1-12-14
3	3rd MAP REVIEW	1-14-14
4	4th MAP REVIEW	6-12-14
5	5th MAP REVIEW	6-12-14
6	6th MAP REVIEW	6-12-14
7	7th MAP REVIEW	6-12-14
8	8th MAP REVIEW	6-12-14
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16	16th MAP REVIEW	6-12-14
17	17th MAP REVIEW	6-12-14
18	18th MAP REVIEW	6-12-14
19	19th MAP REVIEW	6-12-14
20	20th MAP REVIEW	6-12-14
21	21st MAP REVIEW	6-12-14
22	22nd MAP REVIEW	6-12-14
23	23rd MAP REVIEW	6-12-14
24	24th MAP REVIEW	6-12-14
25	25th MAP REVIEW	6-12-14
26	26th MAP REVIEW	6-12-14
27	27th MAP REVIEW	6-12-14
28	28th MAP REVIEW	6-12-14
29	29th MAP REVIEW	6-12-14
30	30th MAP REVIEW	6-12-14
31	31st MAP REVIEW	6-12-14
32	32nd MAP REVIEW	6-12-14
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100	100th MAP REVIEW	6-12-14

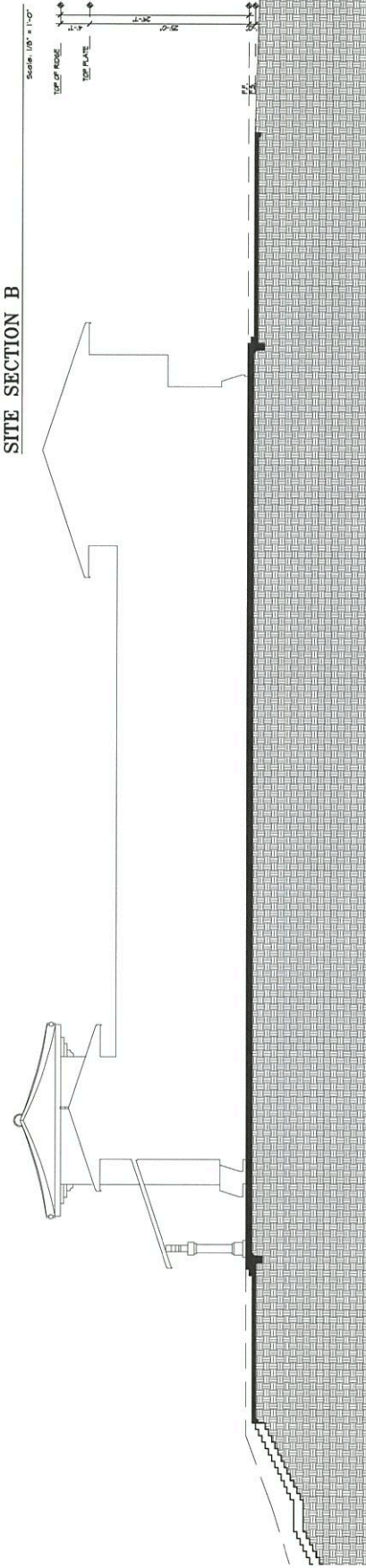
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SITE SECTION A



SITE SECTION B



SITE SECTION C

MUP PROJECT #  
PDS2014  
MUP-14-010

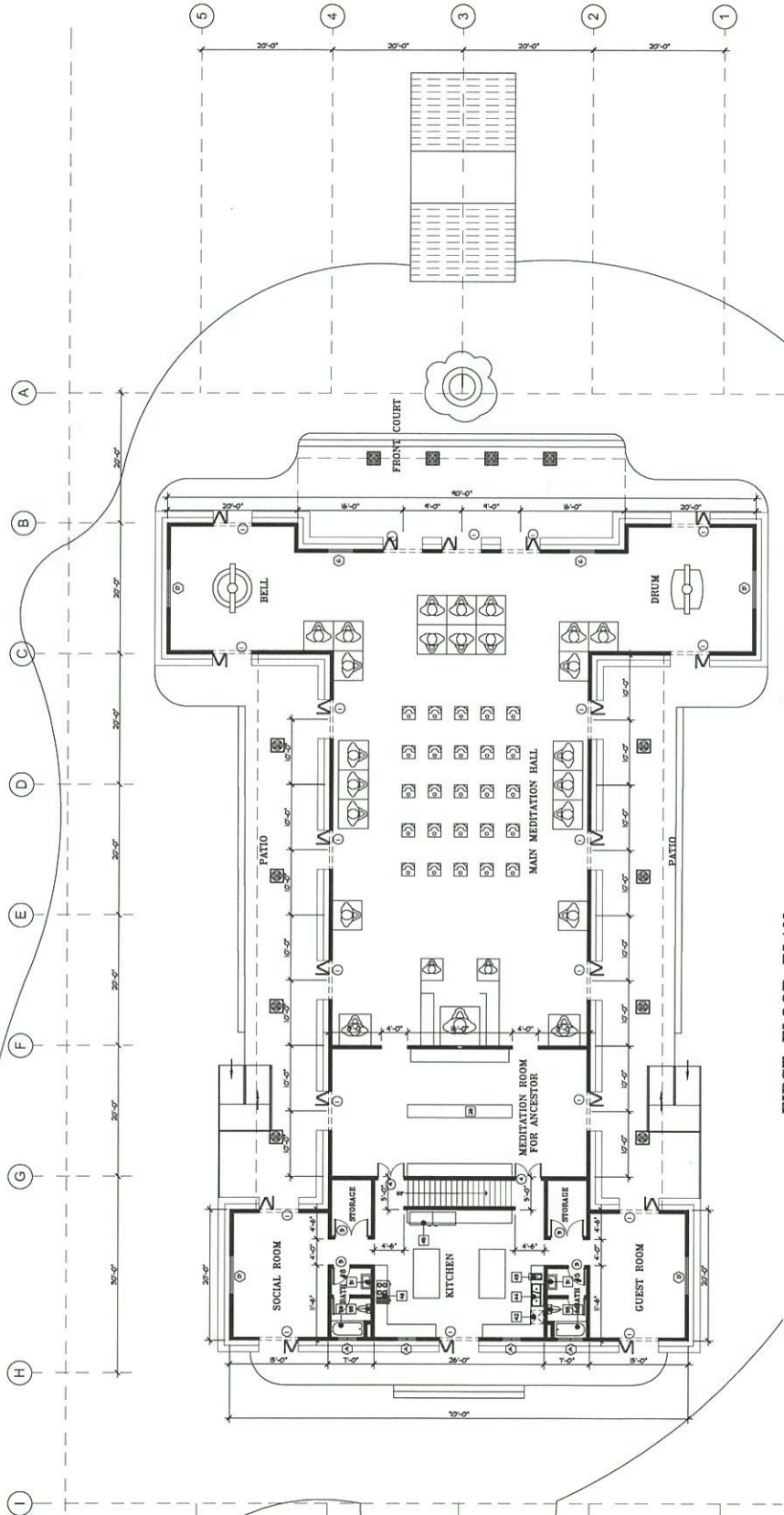
FIRST FLOOR PLAN

No.	Revisions	Date
1	M.P. REVIEW	12-01-13
2	2ND M.P. REVIEW	1-12-16
3	3RD M.P. REVIEW	1-18-16
4	FIRE LANE REVIEW	6-13-16
5		
6		

Drawn	PH
Checked	JL
Date Print	6-30-16
Scale	" =
Project No.	-
Sheet No.	-

A-1



# FIRST FLOOR PLAN

**DATE**

## GENERAL NOTES:

- [illegible]

**FLOOR PLAN KEY NOTES:**

INTERIOR AREA

20	1-HOUR RATED CONSTRUCTION (2) LAYERS OF 5/8" TYPE "X" 619. BD. FOR GARAGE/STORAGE UNDER STAIR/ ON ALL WALLS, CEILING, POSTS, AND BEAMS ADJACENT TO OR SUPPORTING THE DWELLING
----	---

21	IN WATER HEATER
22	IN PUMP AND DRYER LOCATION
23	IN STAIRWAY
24	IN GUARD RAILS
25	IN 30" x 30" ROOF ACCESS
26	BOOKSHELF
27	HALL-CL. CLOSET SINGLE POLE W/ SINGLE SHELF
28	CLOSET W/ HINGED DOOR SINGLE POLE W/ SINGLE SHELF

**FLOOR PLAN KEY NOTES:**

INTERIOR AREA

20	1-HOUR RATED CONSTRUCTION (2) LAYERS OF 5/8" TYPE "X" 619, BD. FOR GARAGE/STORAGE UNDER STAIR/ ON ALL WALLS, CEILING, POSTS, AND BEAMS ADJACENT TO OR SUPPORTING THE DWELLING
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28	CLOSET W/ HINGED DOOR SINGLE POLE W/ SINGLE SHELF

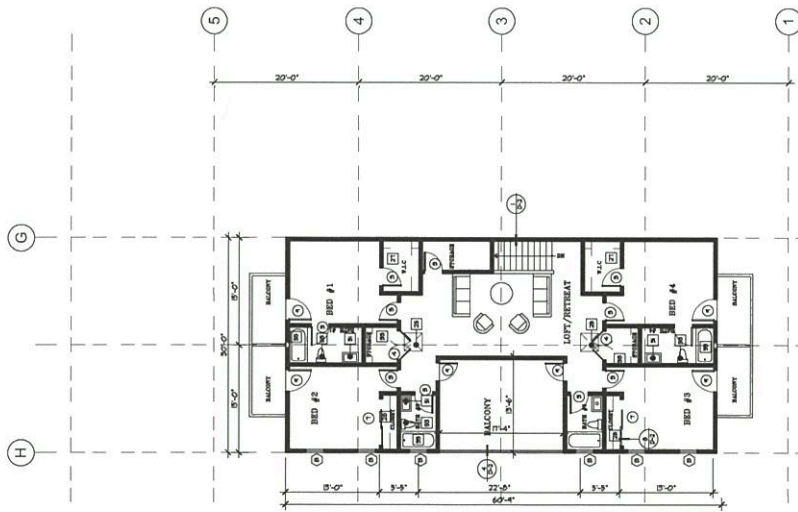
WINDOW SCHEDULE				
	SIZE	TYPE	PAINT	REMARK
A	2'-0" x 4'-0"	SLIDING	WHITE	WIND.
B	2'-0" x 4'-0"	SLIDING	WHITE	WIND.
C	3'-0" x 3'-0"	CIRCLE FIXED	WHITE	
D	8'-0" x 4'-0"	SLIDING	WHITE	WIND.

DOOR SCHEDULE				
	SIZE	TYPE	PAINT	REMARK
1	2'-0" x 4'-0"	SOLID	WHITE	EXTENDER
2	2'-0" x 4'-0"	SOLID	WHITE	PREPARED LUTES
3	2'-4" x 4'-0"	SOLID	WHITE	INTERIOR
4	2'-0" x 4'-0"	SOLID	WHITE	INTERIOR
5	2'-0" x 4'-0"	SOLID	WHITE	INTERIOR
6	2'-0" x 4'-0"	SOLID	WHITE	INTERIOR
7	2'-0" x 4'-0"	SOLID	WHITE	STAIRCASE
8	2'-0" x 4'-0"	SOLID	WHITE	STAIRCASE
9	2'-0" x 4'-0"	SOLID	WHITE	CLOSET
10	2'-0" x 4'-0"	SOLID	WHITE	EXTENDER

1	INTRODUCE STAINE NOTE.
2	1. HANGMAN T-SPINE, H7, H8 FOR PRIVATE STAININGS
3	2. THE LAMINATED GRID ON REEL IN A LIGHT OF STAINING MAY NOT
4	3. EXCEED THE SPACED BY MORE THAN 10 CM.
5	NO SMALL ORIGINATIONS OR HALL OR POINT OF RECONSTRUCTION
6	7. THE PROPERTY LINE
7	8. FINE CONCRETE SHALL BE INSTALLED AT TOP 21
8	9. CONCRETE SPALLS OF FINE PALLS AND PARTITION
9	10. WALLS AND CEILING AT TOP MAX. INTERVALS BOTH
10	11. INTERSECTIONS BETWEEN CONCRETE VERTICAL
11	12. CONCRETE SPALLS BETWEEN CONCRETE VERTICAL
12	13. CONCRETE SPALLS BETWEEN STAINE STAININGS AT TOP
13	14. CONCRETE SPALLS BETWEEN STAINE STAININGS AT TOP
14	15. CONCRETE SPALLS BETWEEN STAINE STAININGS AT TOP
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104	105. CONCRETE SPALLS BETWEEN STAINE STAININGS AT TOP
105	106. CONCRETE SPALLS BETWEEN STAINE STAININGS AT TOP
106	107. CONCRETE SPALLS BETWEEN STAINE STAININGS AT





## SECOND FLOOR PLAN

Grade 100 = 100%

**GENERAL NOTES:**

- [illegible]

WINDOW SCHEDULE					
SIZE	TYPE	PAINT	MATERIAL	REMARK	
① 3'-0" x 3'-0"	SLIDING	PRTE	WNTL		
② 2'-0" x 4'-0"	SLIDING	PRTE	WNTL		
③ 2'-0" x 4'-0"	SLIDING	PRTE	WNTL		
④ 2'-0" x 4'-0"	SLIDING	PRTE	WNTL		
⑤ 6'-0" x 8'-0"	SLIDING	PRTE	WNTL		

DOOR SCHEDULE					
SIZE	TYPE	PAINT	MATERIAL	REMARK	
① 3'-0" x 7'-0"	SLIDING	PRTE	WOOD	EXTENSION	
② 3'-0" x 8'-0"	SLIDING	PRTE	WOOD	EXTENSION	
③ 2'-0" x 8'-0"	SLIDING	PRTE	WOOD	EXTENSION	
④ 2'-0" x 8'-0"	SLIDING	PRTE	WOOD	EXTENSION	
⑤ 2'-0" x 8'-0"	SLIDING	PRTE	WOOD	EXTENSION	
⑥ 2'-0" x 8'-0"	SLIDING	PRTE	WOOD	EXTENSION	
⑦ 2'-0" x 8'-0"	SLIDING	PRTE	WOOD	EXTENSION	
⑧ 2'-0" x 8'-0"	SLIDING	PRTE	WOOD	EXTENSION	
⑨ 2'-0" x 8'-0"	SLIDING	PRTE	WOOD	EXTENSION	
⑩ 2'-0" x 8'-0"	SLIDING	PRTE	WOOD	EXTENSION	

**FLOOR PLAN KEY NOTES:**

INTERIOR AREA

30	1-HOUR RATED CONSTRUCTION (2) LAYERS OF 5/8" TYPE "X" 61°F. BD. FOR GARAGE/STORAGE UNDER STAIR/ ON ALL WALLS, CEILING, POSTS, AND BEAMS ADJACENT TO OR SUPPORTING THE CHIMNEY
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- |    |  |
|----|--|
| 21 | IN WATER HEATER                                      |
| 22 | IN WASH AND DRYER LOCATION                           |
| 23 | IN STAIRWAY  |
| 24 | IN GUARD RAILS                                       |
| 25 | IN 30" X 30" ROOF ACCESS                             |
| 26 | BOOKSHELF  |
| 27 | HALLWAY CLOSET<br>SINGLE POLE W/ SINGLE SHELF        |
| 28 | CLOSET W/ MIRROR DOOR<br>SINGLE POLE W/ SINGLE SHELF |

KITCHEN AREA		BATHROOM AREA	
34	MEDIA/CD PLAY	50	FULL-HEIGHT HENKIN
35	COAT ROOM	36	24" DEEP x 30" HIGH BASE CABINET W/ SINK
36	LINEN CLOSET	37	24" DEEP x 30" HIGH BASE CABINET W/ SINK
37	STORAGE ROOM UNDER STAIRS	38	5 SIZED CROMBIE TILES AROUND SHOWER
38	STORAGE	39	24" DEEP x 30" HIGH BASE CABINET W/ SINK
39		40	24" DEEP x 30" HIGH BASE CABINET W/ SINK
40		41	24" DEEP x 30" HIGH BASE CABINET W/ SINK
41		42	24" DEEP x 30" HIGH BASE CABINET W/ SINK
42		43	24" DEEP x 30" HIGH BASE CABINET W/ SINK
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98		99	24" DEEP x 30" HIGH BASE CABINET W/ SINK
99		100	24" DEEP x 30" HIGH BASE CABINET W/ SINK



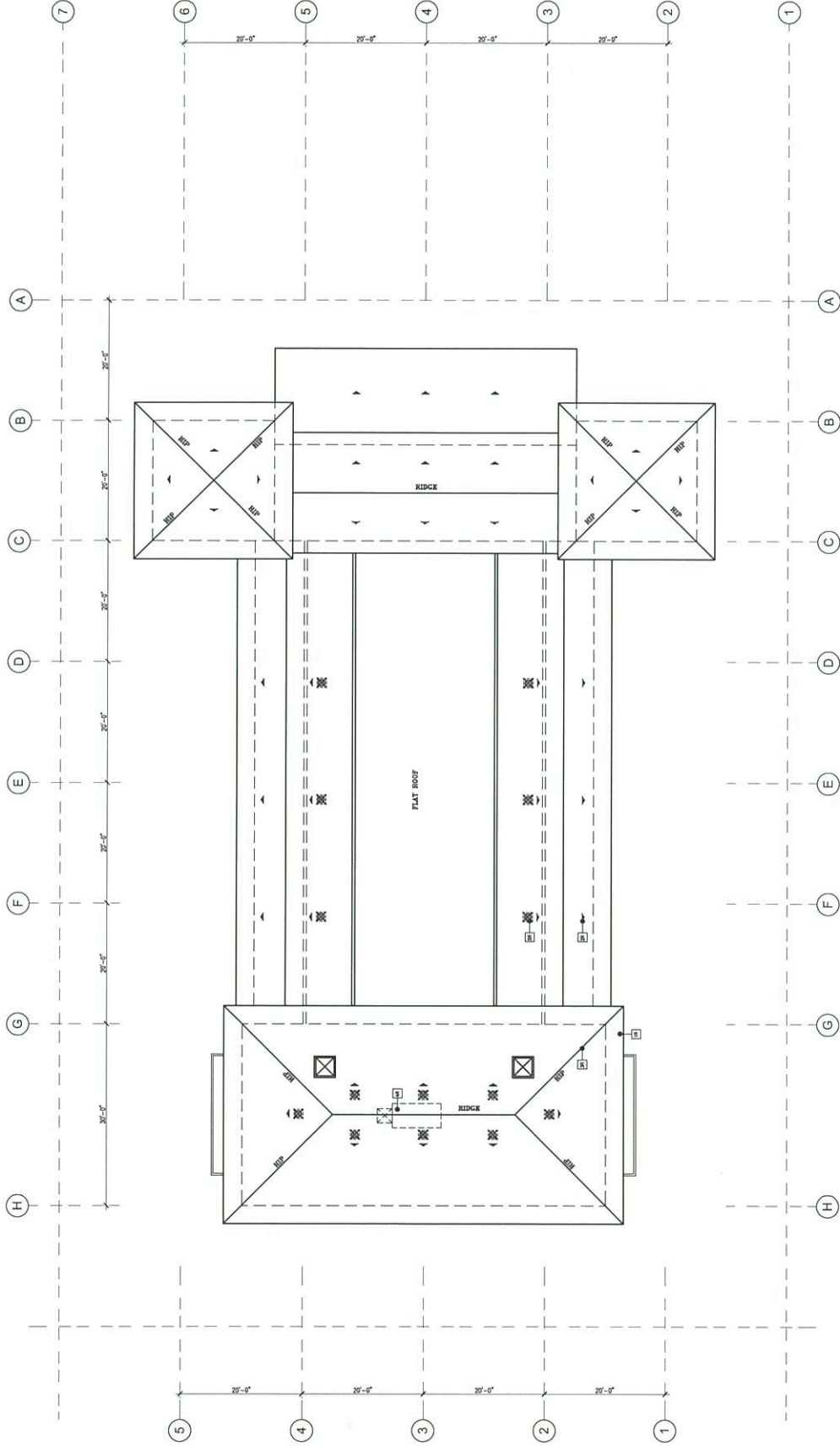
PHAP VUONG MONASTERY  
715 VISTA AVENUE  
ESCONDIDO, CA 92026

MUP PROJECT #  
PMS2014  
MUP-14-010

Sheet Title  
FIRST FLOOR PLAN

No.	Revisions	Date
1	MUP REVIEW	12-01-11
2	MUP REVIEW	1-12-11
3	MUP REVIEW	1-19-11
4	MUP REVIEW	6-13-11
5	MUP REVIEW	8-22-11
6	MUP REVIEW	10-8-11
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98	MUP REVIEW	10-8-11
99	MUP REVIEW	10-8-11
100	MUP REVIEW	10-8-11

A-3



- ROOF NOTE**
- 1. RAIL ROOFING (R33)
  - 2. EXTERIOR TERRAZZA MARBLE BROWN BLEND
  - 3. STYLE: M300
  - 4. ROOF: 1/2" ROOF PITCH
  - 5. PROOF MINIMUM 24 GA GALV METAL FLASHING
  - 6. AT ALL VENTS, VALLEYS, GUTTERS, AND ROOF TO WALL CONDITIONS
  - 7. AIR FLORED UNIT LOCATED RIDGE ATTIC SPACE
  - 8. DOWNER VENT 14" HALF-ROUND

Scale: 1/8" = 1'-0"

FIRST UTILITY PLAN  
PLANNING



PHAP VUONG MONASTERY  
715 VISTA AVENUE  
ESCONDIDO, CA 92026

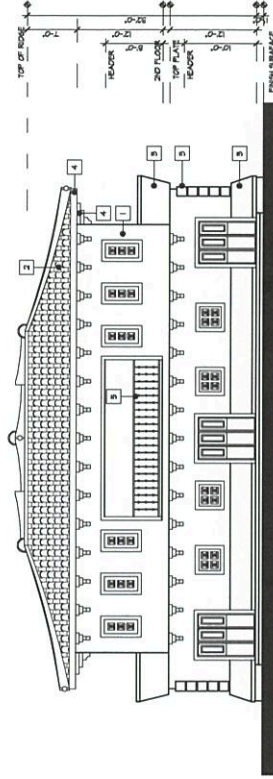
MUP PROJECT #  
PDS2014  
MUP-14-010

Sheet Title

NORTH & SOUTH  
ELEVATIONS

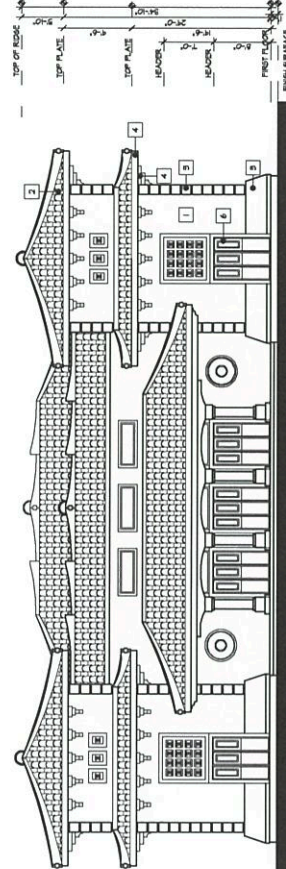
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2	2nd MAP REVIEW	1-12-14
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4	4th MAP REVIEW	4-23-14
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A-4.0



SOUTH ELEVATION

Scale: 1/8" = 1'-0"



NORTH ELEVATION

Scale: 1/8" = 1'-0"



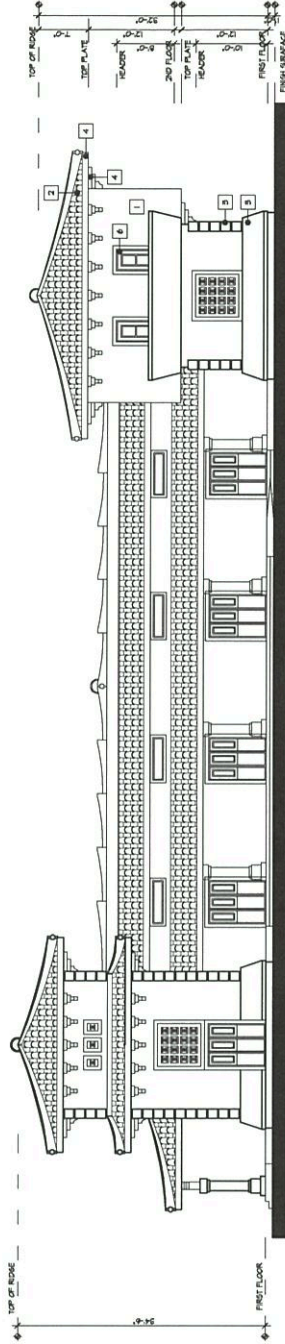
PHAP VUONG MONASTERY  
715 VISTA AVENUE  
ESCONDIDO, CA 92026

MUP PROJECT #  
PDS2014  
MUP-14-010

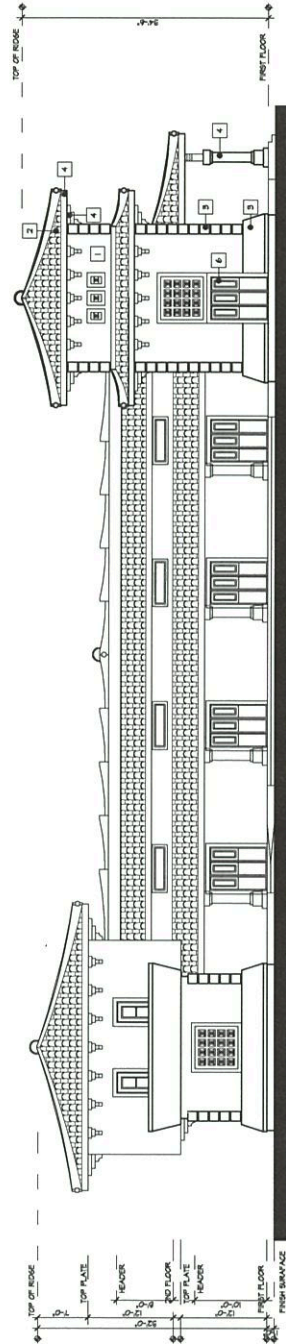
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EAST & WEST  
ELEVATIONS

No.	Revisions	Date
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3	2ND MAP REVIEW	1-16-08
4	FIRE LANE REVIEW	6-12-08
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WEST ELEVATION



EAST ELEVATION





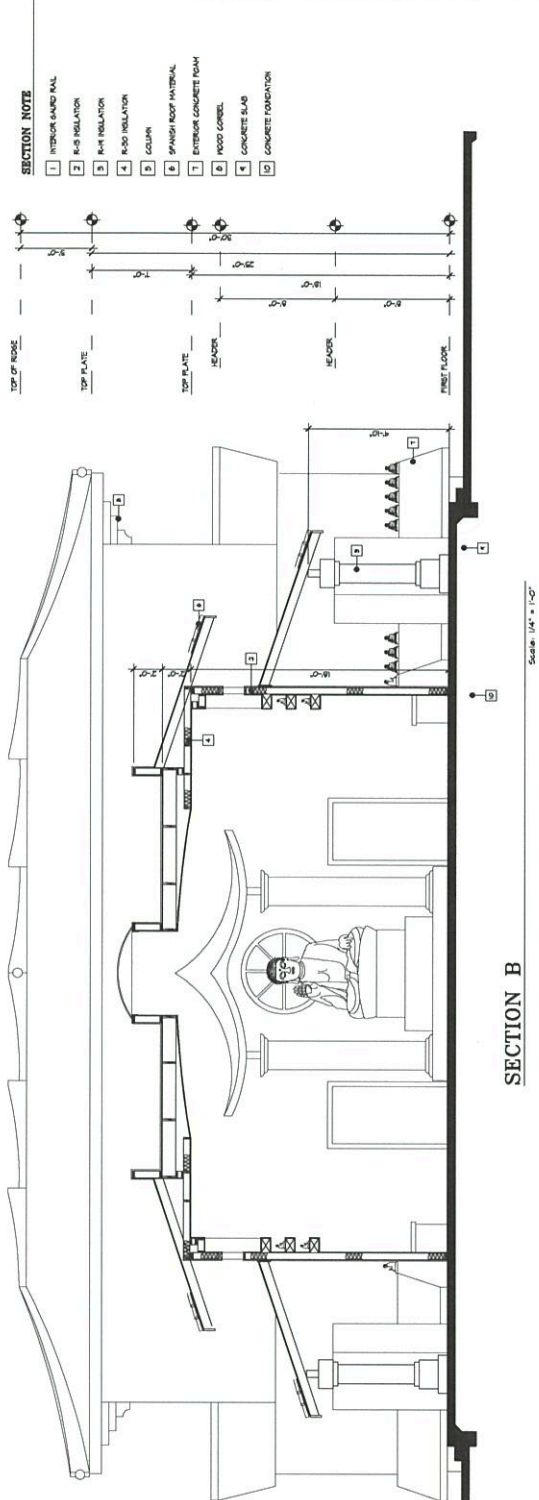
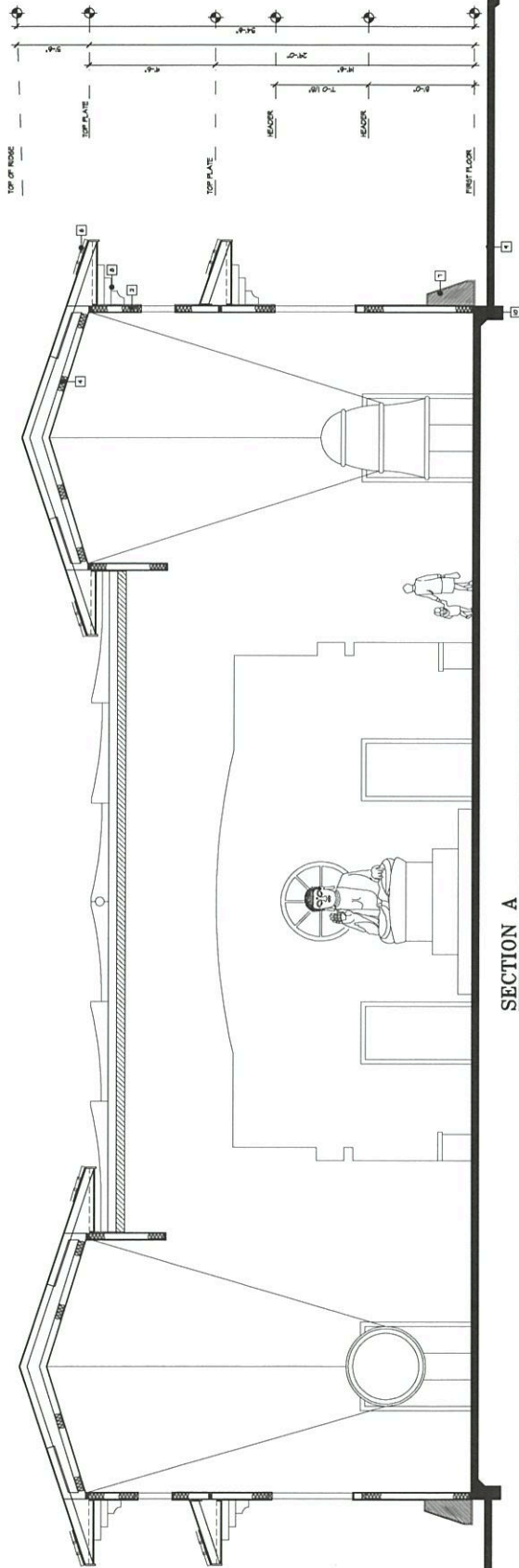
PHAP VUONG MONASTERY  
715 VISTA AVENUE  
ESCONDIDO, CA 92026

MUP PROJECT #  
PDS2014  
MUP-14-010

SECTION A-B

No.	Revisions	Date
1	MAP REVIEW	12-01-13
2	2ND MAP REVIEW	1-12-14
3	2ND MAP REVIEW	1-14-14
4	FINE LINE REVIEW	8-12-14
5	FINE LINE REVIEW	8-12-14
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99	FINE LINE REVIEW	8-12-14
100	FINE LINE REVIEW	8-12-14

A-5



- SECTION NOTE
1. INTERIOR SAND FILL
  2. R-15 INSULATION
  3. R-15 INSULATION
  4. R-15 INSULATION
  5. R-15 INSULATION
  6. SPANISH ROOF MATERIAL
  7. EXTERIOR CONCRETE FOUNDATION
  8. WOOD CORREL
  9. CONCRETE SLAB
  10. CONCRETE FOUNDATION



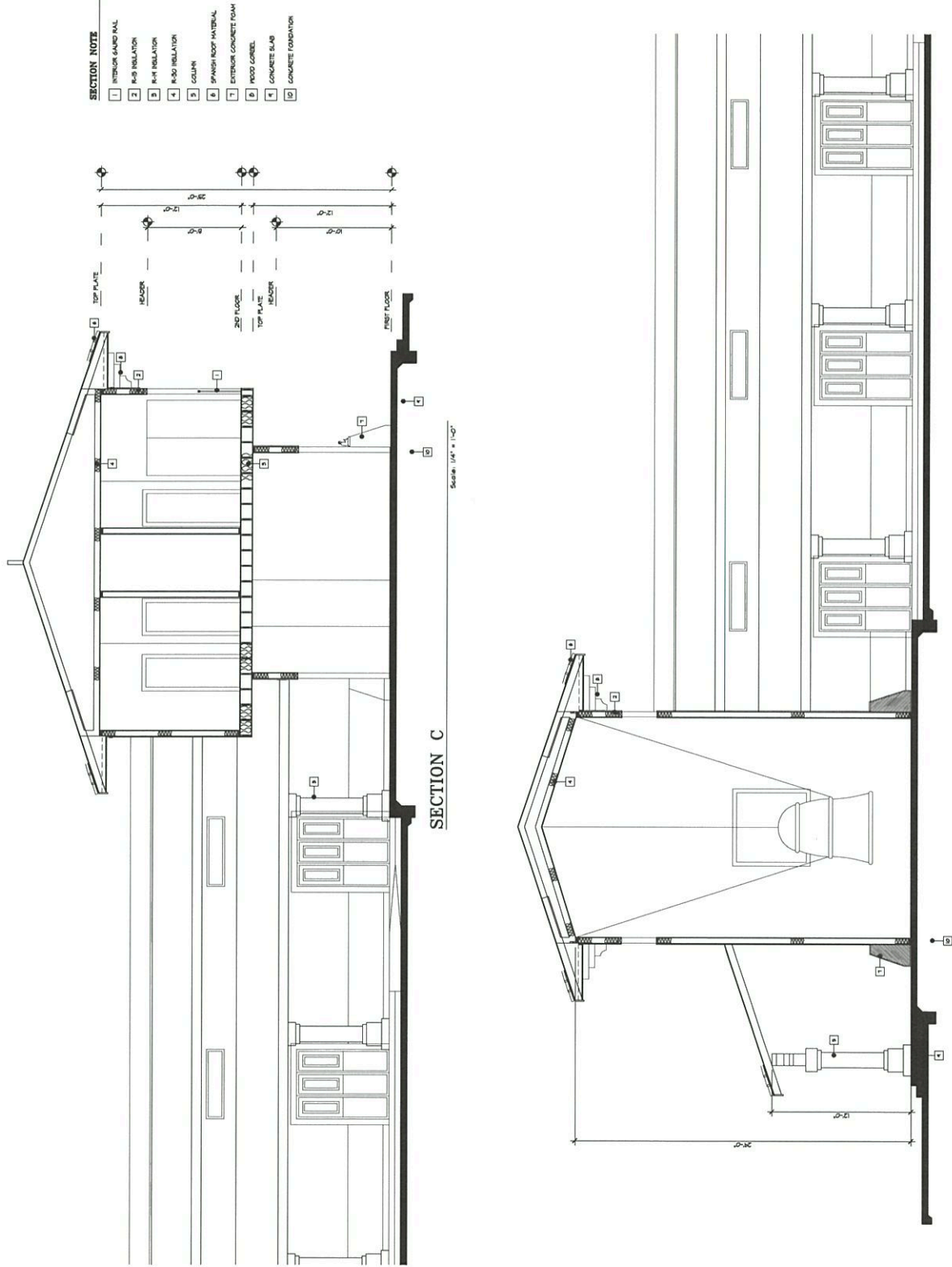
PHAP VUONG MONASTERY  
715 VISTA AVENUE  
ESCONDIDO, CA 92026

MUP PROJECT #  
PDS2014  
MUP-14-010

SECTION C

No.	Revisions	Date
1	MAP REVIEW	12-07-13
2	2ND MAP REVIEW	1-12-14
3	2ND MAP REVIEW	1-18-14
4	FIRE LANE REVIEW	8-23-14
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SECTION NOTE

- 1 INTERIOR SAND FILL
- 2 INSULATION
- 3 INSULATION
- 4 INSULATION
- 5 INSULATION
- 6 SPANISH ROOF MATERIAL
- 7 EXTERIOR CONCRETE FLOOR
- 8 ROOF CORREL
- 9 CONCRETE SLAB
- 10 CONCRETE FOUNDATION

SECTION C

Scale: 1/4" = 1'-0"



PHAP VUONG MONASTERY  
715 VISTA AVENUE  
ESCONDIDO, CA 92026

MUP PROJECT #  
PDS2014  
MUP-14-010

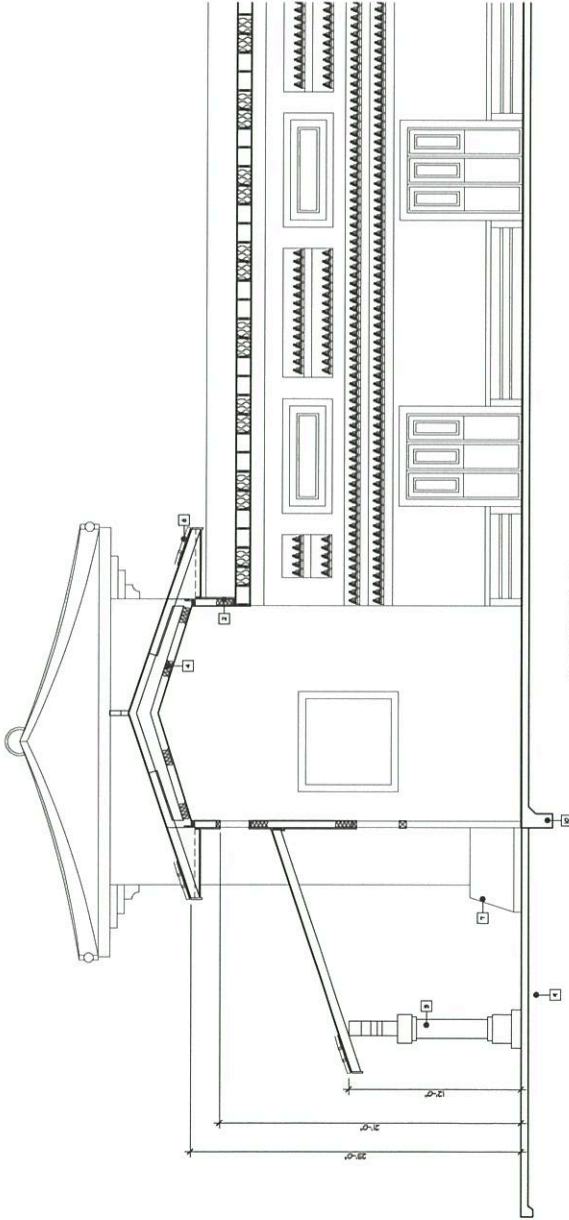
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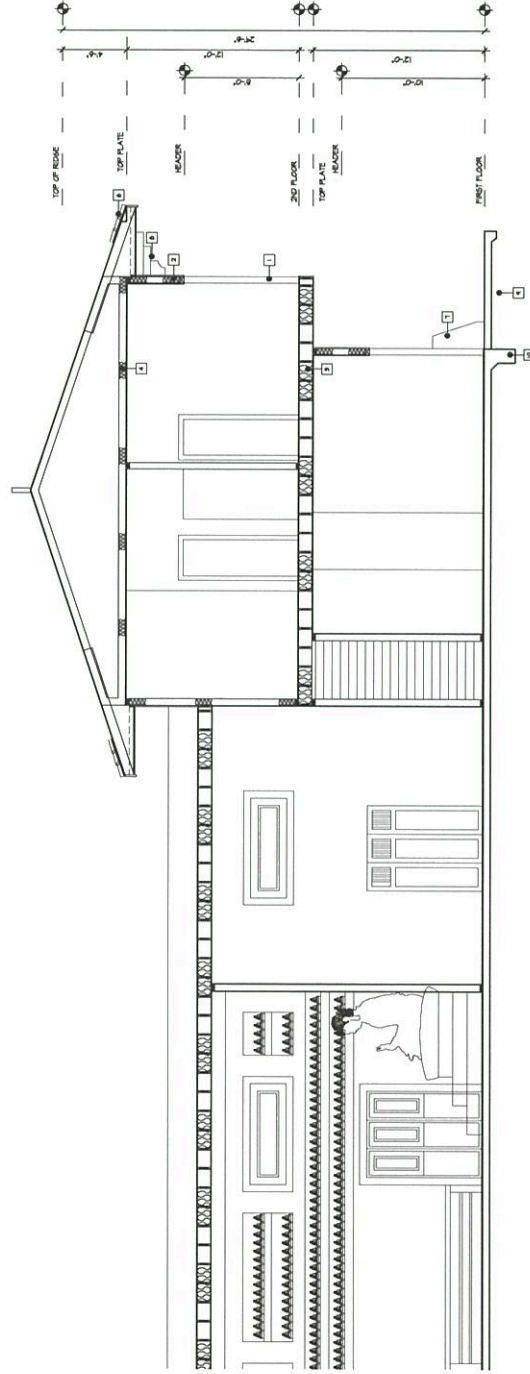
SECTION NOTE

- 1 INTERIOR SAND NAIL
- 2 R-10 INSULATION
- 3 R-4 INSULATION
- 4 R-30 INSULATION
- 5 COLUMN
- 6 SPANISH ROOF MATERIAL
- 7 EXTERIOR CONCRETE POIN
- 8 R-10 INSULATION
- 9 R-4 INSULATION
- 10 R-30 INSULATION
- 11 CONCRETE SLAB
- 12 CONCRETE FOUNDATION



SECTION D

Scale: 1/4" = 1'-0"





SHEET 1 OF 4  
COUNTY OF SAN DIEGO  
TRAN MONASTERY PROPERTY  
MAJOR USE PERMIT  
PD82014-MUP-14-010

GENERAL NOTES

1. TOTAL AREA: 1.00 ACRES
2. EXISTING TOPOGRAPHY PREPARED BY: TERRACON, INC.
3. LANDSCAPE COORDINATES: 1770882.14, 408666.14
4. ZONE: A-3 (SINGLE-FAMILY RESIDENTIAL)
5. EXISTING PLANT AND USE DESIGNATION: A-3
6. EXISTING TYPE: A-3
7. EXISTING PLAN: A-3
8. PROPOSED LAND USE: MONASTERY
9. PROPOSED DATE AREA: 2014

LEGAL DESCRIPTION

THE PROPERTY DESCRIBED IN THIS MAP IS THE PROPERTY OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AND IS BEING OFFERED FOR SALE BY THE COUNTY OF SAN DIEGO, CALIFORNIA, AS A PUBLIC UTILITY, IN ACCORDANCE WITH THE PROVISIONS OF THE PUBLIC UTILITY ACT, CHAPTER 10, DIVISION 1, TITLE 1, OF THE CALIFORNIA GOVERNMENT CODE, AND THE PUBLIC UTILITY ACT, CHAPTER 10, DIVISION 1, TITLE 1, OF THE CALIFORNIA GOVERNMENT CODE, AND THE PUBLIC UTILITY ACT, CHAPTER 10, DIVISION 1, TITLE 1, OF THE CALIFORNIA GOVERNMENT CODE.

PUBLIC UTILITIES / DISTRICTS

WATER: CITY OF SAN DIEGO  
SEWER: CITY OF SAN DIEGO  
GAS: CITY OF SAN DIEGO  
ELECTRIC: CALIFORNIA PACIFIC POWER & LIGHTING  
TELEPHONE: CALIFORNIA PACIFIC POWER & LIGHTING  
CABLE TV: CALIFORNIA PACIFIC POWER & LIGHTING  
FIRE: CALIFORNIA PACIFIC POWER & LIGHTING  
POLICE: CALIFORNIA PACIFIC POWER & LIGHTING  
SCHOOL: CALIFORNIA PACIFIC POWER & LIGHTING

ASSESSOR'S PARCEL NO.

207-004-00-00

EXISTING ZONE

A-3

PROPOSED ZONE

A-3

EARTHWORK QUANTITIES

1.000 CY (100%)  
2.000 CY (200%)  
3.000 CY (300%)

OWNER

TRAN MONASTERY  
718 VISTA AVENUE  
ESCONDIDO, CALIFORNIA 92025  
619-291-0000  
619-291-0000

PREPARED BY

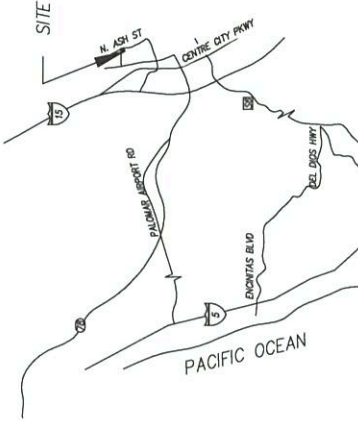
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ESCONDIDO, CALIFORNIA 92025  
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619-291-0000

TRAN MONASTERY  
PROPERTY  
PRELIMINARY  
GRADING PLAN

PROJECT ADDRESS: 718 VISTA AVENUE  
ESCONDIDO, CALIFORNIA 92025  
PROJECT NAME: TRAN MONASTERY  
PROPERTY  
SHEET TITLE: MAJOR USE PERMIT  
ORIGINAL DATE: 11/11/14

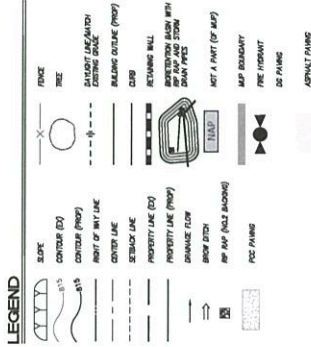
SHEET 1 OF 4  
TITLE SHEET  
COUNTY OF SAN DIEGO  
PD82014-MUP-14-010

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ESCONDIDO, CALIFORNIA 92025  
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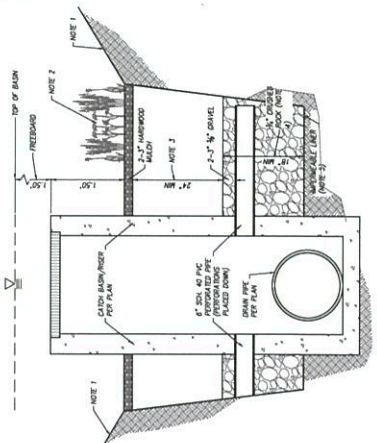
VICINITY MAP

NOT TO SCALE



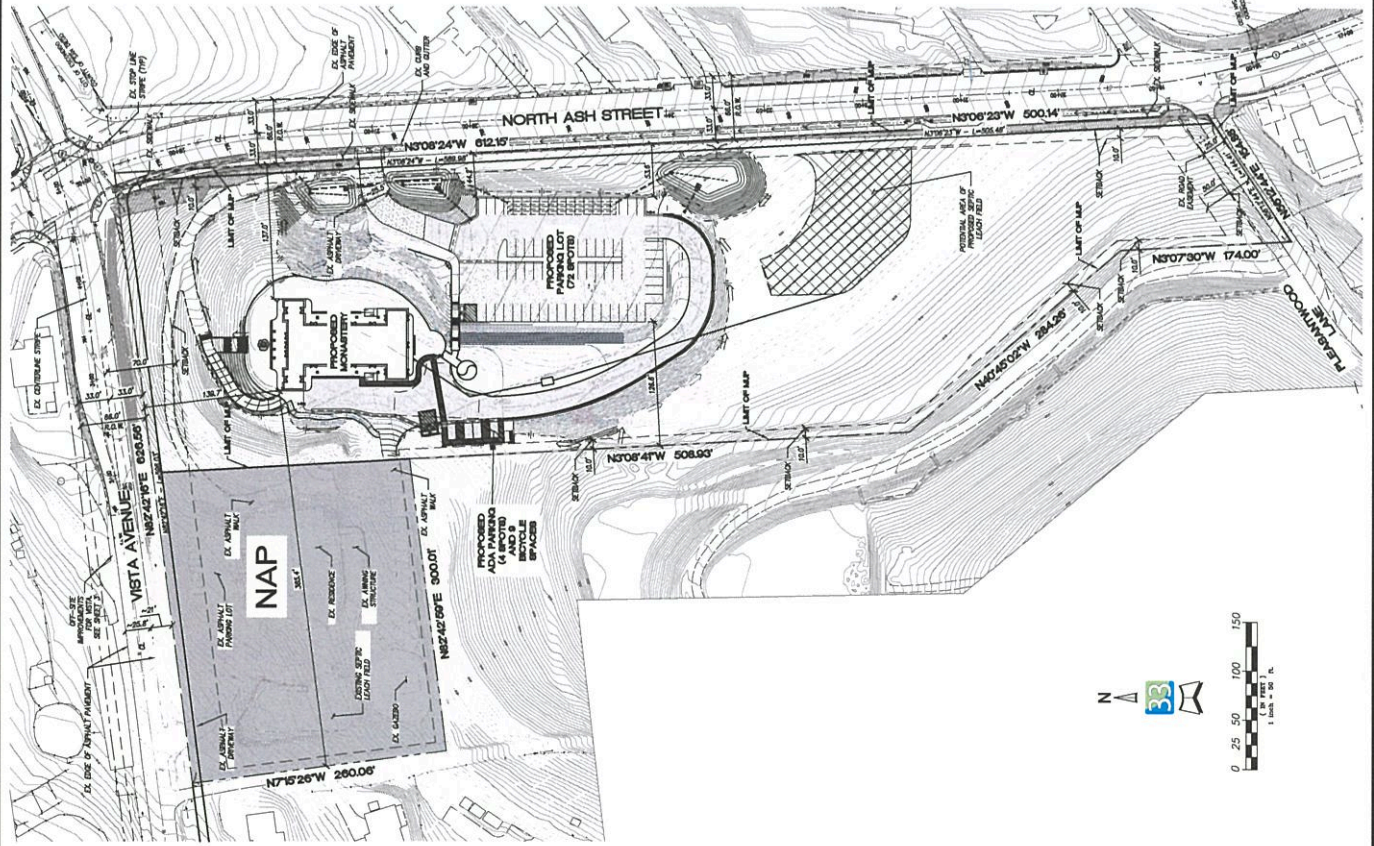
PRELIMINARY GRADING PLAN NOTES

1. THE GRADING PLAN IS BASED ON THE EXISTING TOPOGRAPHY AND THE PROPOSED GRADING PLAN. THE GRADING PLAN IS BASED ON THE EXISTING TOPOGRAPHY AND THE PROPOSED GRADING PLAN.
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7. THE GRADING PLAN IS BASED ON THE EXISTING TOPOGRAPHY AND THE PROPOSED GRADING PLAN. THE GRADING PLAN IS BASED ON THE EXISTING TOPOGRAPHY AND THE PROPOSED GRADING PLAN.



BOREHOLE DETAIL

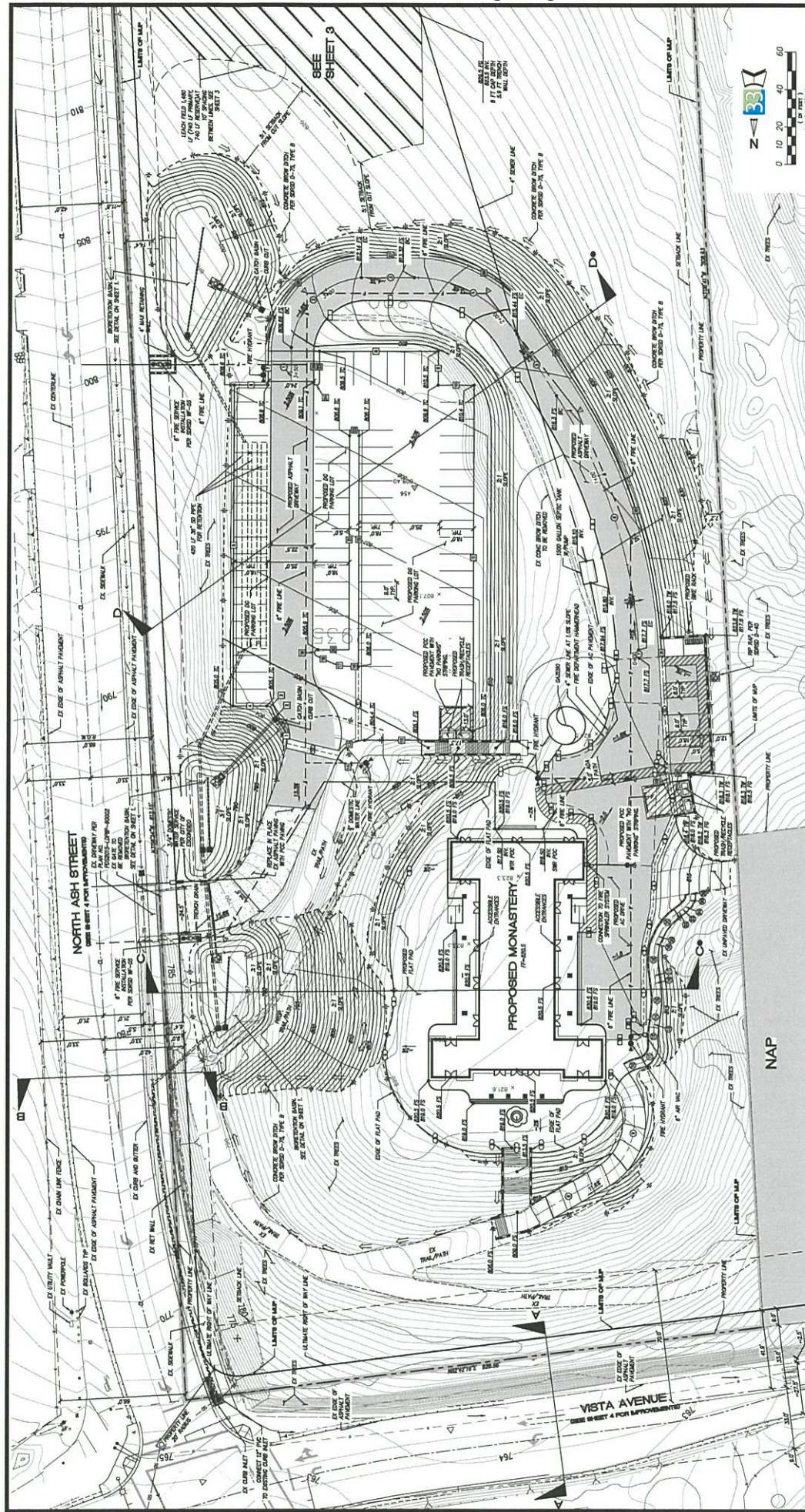
NOT TO SCALE



latitude 33







# TRAN MONASTERY PROPERTY PRELIMINARY GRADING PLAN

PROJECT ADDRESS:  
715 VISTA AVENUE  
ESCONDIDO, CALIFORNIA 92029

PROJECT NAME:  
TRAN MONASTERY  
PROPERTY

SHEET TITLE:  
MAJOR USE PERMIT

ORIGINAL DATE:  
2 OF 4

COUNTY OF SAN DIEGO  
PDS2014-MUP-14-010

SECTION CUTTER DATA

NO.	DATE	BY	REVISION
1	10/10/14	W. J. B.	1
2	10/10/14	W. J. B.	2
3	10/10/14	W. J. B.	3
4	10/10/14	W. J. B.	4
5	10/10/14	W. J. B.	5
6	10/10/14	W. J. B.	6
7	10/10/14	W. J. B.	7
8	10/10/14	W. J. B.	8
9	10/10/14	W. J. B.	9
10	10/10/14	W. J. B.	10

SECTION CUTTER DATA

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10	10/10/14	W. J. B.	10

NOTE:  
FOR SECTION G-O AND SECTION D-O SEE SHEET 8

latitude  
33  
NORTH

SECTION A-A (VISTA AVE)  
EXISTING IMPROVEMENTS

SECTION B-B (N. ASH ST)  
EXISTING IMPROVEMENTS

SECTION C-C (N. ASH ST)  
EXISTING IMPROVEMENTS

SECTION D-D (N. ASH ST)  
EXISTING IMPROVEMENTS

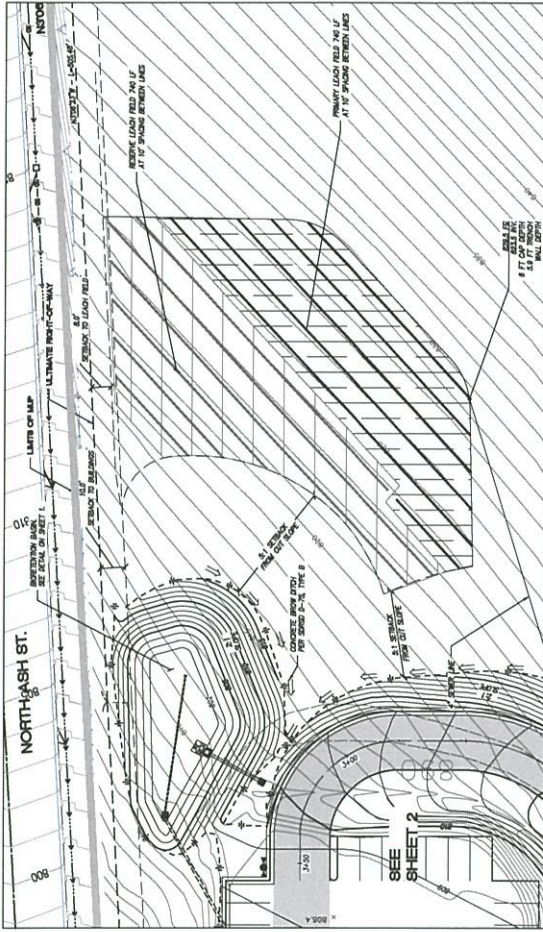
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EXISTING IMPROVEMENTS

SECTION F-F (N. ASH ST)  
EXISTING IMPROVEMENTS

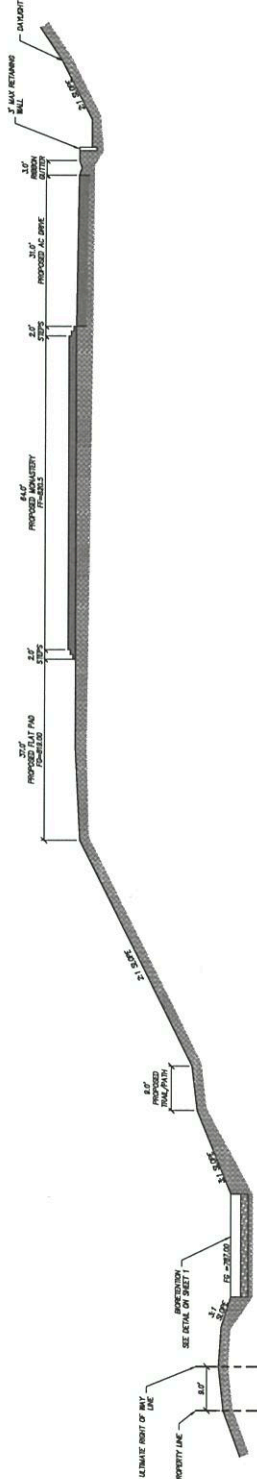
SECTION G-G (N. ASH ST)  
EXISTING IMPROVEMENTS

SECTION H-H (N. ASH ST)  
EXISTING IMPROVEMENTS

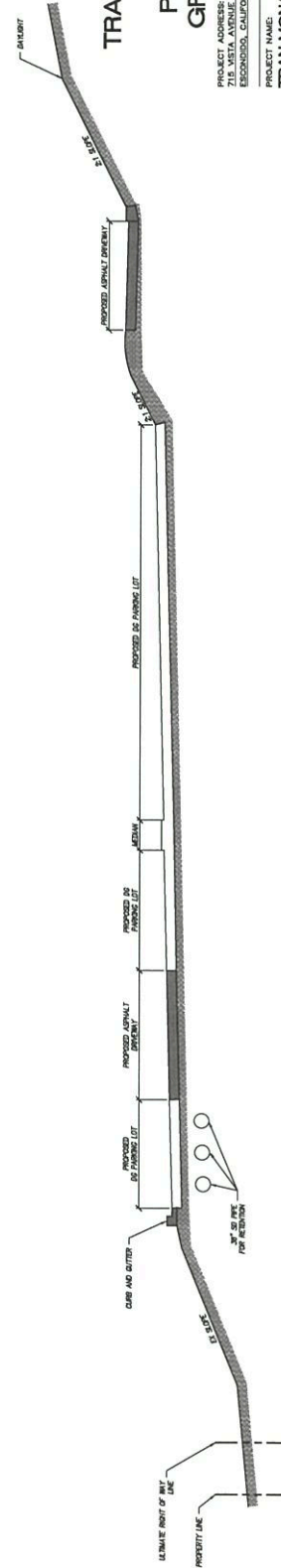




**LEACH FIELD**  
1"=40'



**SECTION C-C**  
PROPOSED IMPROVEMENTS  
1"=40'



**SECTION D-D**  
PROPOSED IMPROVEMENTS  
1"=40'

**TRAN MONASTERY  
PROPERTY  
PRELIMINARY  
GRADING PLAN**

PROJECT ADDRESS:	718 VISTA AVENUE	REVISION 9:		SHEET TITLE:	MAJOR USE PERMIT	ORIGINAL DATE:	
CITY:	ESCONDIDO, CALIFORNIA 92028	REVISION 8:		PROJECT NAME:	TRAN MONASTERY		
PROJECT NAME:	TRAN MONASTERY	REVISION 7:		PROPERTY:	TRAN MONASTERY		
PROPERTY:	TRAN MONASTERY	REVISION 6:					
		REVISION 5:					
		REVISION 4:					
		REVISION 3:					
		REVISION 2:					
		REVISION 1:					



PROJECT LOCATION: THE MATA MONASTERY  
ESCONDIDO, CALIFORNIA, 92028

PROJECT NAME:  
TRAN MONASTERY  
PROPERTY

REVISION 9: \_\_\_\_\_  
REVISION 8: \_\_\_\_\_  
REVISION 7: \_\_\_\_\_  
REVISION 6: \_\_\_\_\_  
REVISION 5: \_\_\_\_\_  
REVISION 4: \_\_\_\_\_  
REVISION 3: \_\_\_\_\_  
REVISION 2: \_\_\_\_\_  
REVISION 1: \_\_\_\_\_

SHEET TITLE: MAJOR USE PERMIT  
FIRE ACCESS EXHIBIT  
COUNTY OF SAN DIEGO  
PDS2014-MUP-14-010

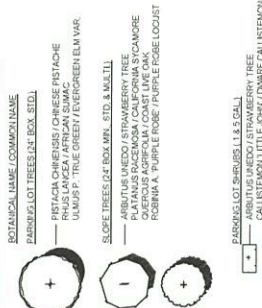
ORIGINAL DATE: \_\_\_\_\_  
SHEET 4 OF 4

**latitude**  
PLANNING & ENGINEERING  
8000 Wilshire Blvd., 27th Floor, Los Angeles, CA 90047  
Tel. 310.271.3000



**SHEET 3 OF 3**  
**COUNTY OF SAN DIEGO**  
**TRAN MONASTERY PROPERTY**  
**MAJOR USE PERMIT**  
**PD82014-MUP-14-010**

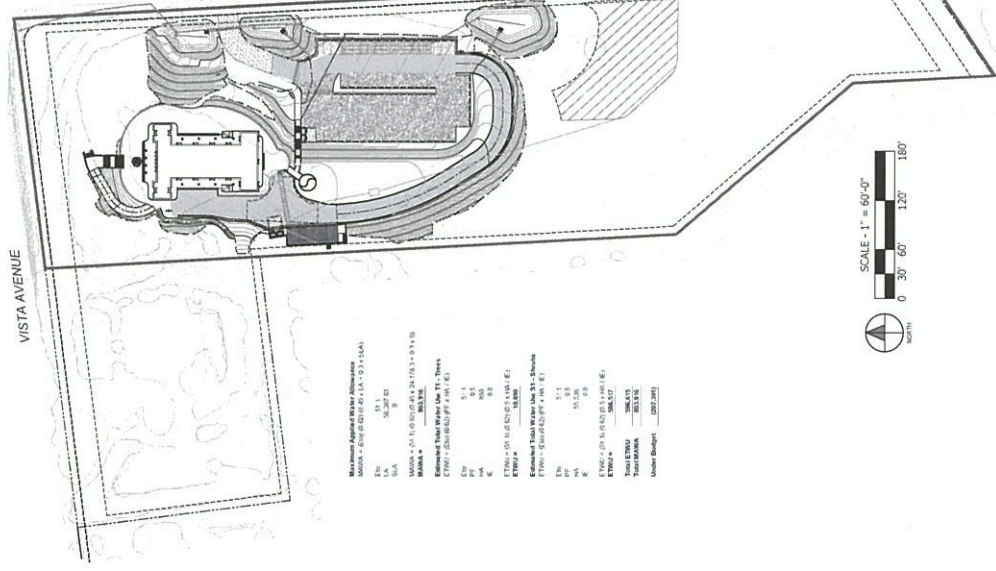
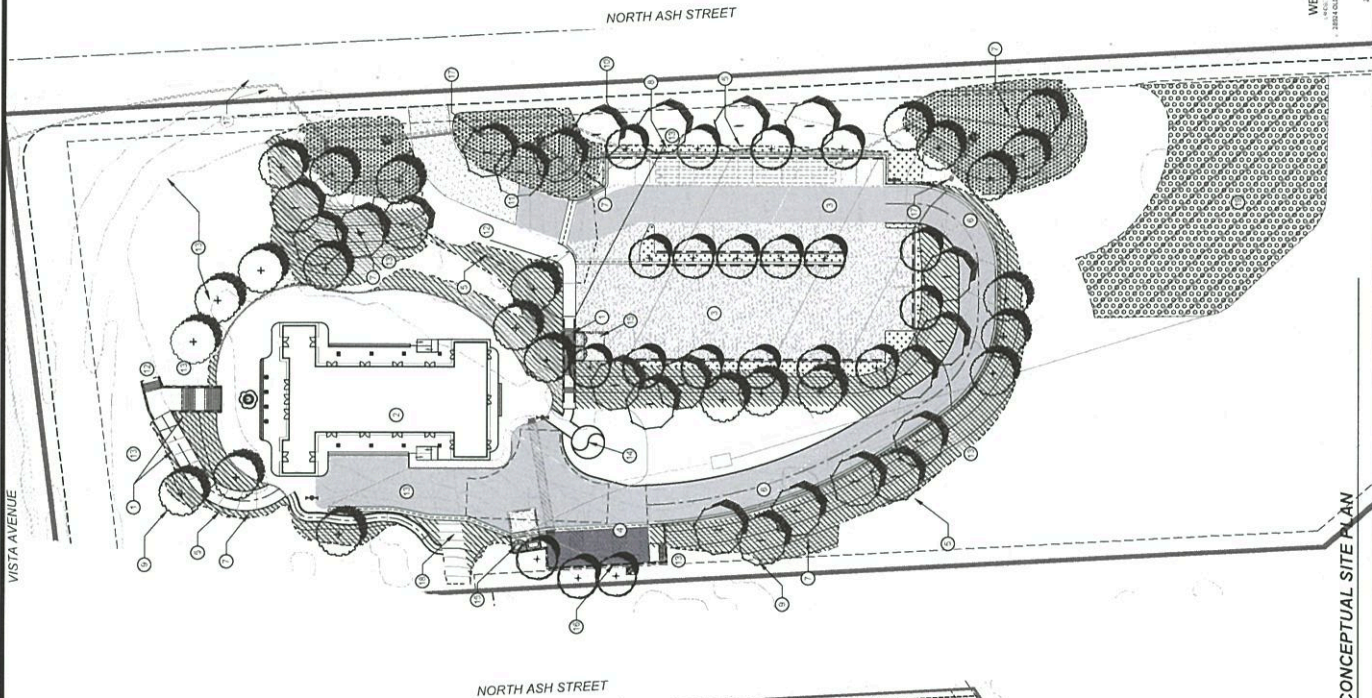
**PROPOSED PLANT PALETTE**



**SITE FEATURES KEY**

1. STAIRWAY AND GRADED PATH PER CIVIL PLANS - TYP.
2. BUILDING PER ARCHITECTURE PLANS - TYP.
3. PROPOSED DO PARKING LOT WITH TRUCKS PER CIVIL PLANS - TYP.
4. ACCESSIBLE PARKING STALLS PER CIVIL PLANS - TYP.
5. LIMIT OF GRADING PER CIVIL PLANS - TYP.
6. PROPOSED DRIVEWAY PER CIVIL PLANS - TYP.
7. SLOPE LANDSCAPE AREA - TYP. 5%.
8. PARKING LOT LANDSCAPE AREA - TYP. 5%.
9. SLOPE TREES - TYP. 5%.
10. EXISTING LOT TREES - TYP. 5%.
11. EXISTING DRIVEWAY TO REMAIN PER CIVIL PLANS - TYP.
12. EXISTING DRIVEWAY TO REMAIN PER CIVIL PLANS - TYP.
13. NATIVE LANDSCAPE TO REMAIN ON UNIMPAVED AREAS OF THE SITE.
14. PROPOSED GRADING STRUCTURE PER ARCHITECTURE PLANS - TYP.
15. RECEPTACLES & CONCRETE PAD PER CIVIL IMPROVEMENT PLANS.
16. PROPOSED RETAINING WALL PER CIVIL PLANS - TYP. 5%.
17. SLOPE DRAIN PER CIVIL PLANS - TYP.
18. CONNECTION TO EXISTING PORTION OF SITE - TYP.
19. LEACH FIELD PER CIVIL PLANS - TYP.

- PROJECT NOTES**
1. ALL LANDSCAPING SHALL BE IRRIGATED WITH A FULLY AUTOMATIC IRRIGATION SYSTEM THAT IS RUN BY AN ET-BASED CONTROLLER. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO MAINTAIN THE PLANTS WITH THE CURRENT WATER DRAINAGE AND WATER AUTHORITY GUIDELINES.
  2. PROPERTY OWNER WILL BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPE AREAS WITHIN THE PROPERTY AS WELL AS WITHIN THE ADJACENT AREAS OF WAY ALONG NORTH ASH STREET AND VISTA AVENUE.
  3. ALL PLANTINGS SHALL BE DONE BY A QUALIFIED CONTRACTOR THAT DOES NOT SHOWN PROPOSED GRADING/RETAINING WALL PROVISIONS. MAINTAIN 7% OF ORGANIC MULCH FOR WATER CONSERVATION PURPOSES.



**OVERALL SITE PLAN**



*WDC*

**WELAND DESIGN GROUP, INC.**  
1000 G ST. SUITE 100 - SAN DIEGO, CA 92101  
TEL: 619.594.1234 FAX: 619.594.1235  
WWW.WELANDGROUP.COM  
LANDSCAPE ARCHITECT  
SINCE 1988

**latitude 33**  
PLANNING & ENGINEERING  
1000 G ST. SUITE 100 - SAN DIEGO, CA 92101  
TEL: 619.594.1234 FAX: 619.594.1235  
WWW.LATITUDE33.COM

**TRAN MONASTERY PROPERTY**

PROJECT ADDRESS	715 VISTA AVENUE
CITY	ESCONDIDO, CALIFORNIA 92026
PROJECT NAME	TRAN MONASTERY PROPERTY
SHEET TITLE	MAJOR USE PERMIT
DATE	08-30-2020
DESIGNED BY	WELAND DESIGN GROUP, INC.
CHECKED BY	WELAND DESIGN GROUP, INC.
APPROVED BY	WELAND DESIGN GROUP, INC.
REVISION	0
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REVISION	100







**Attachment B – Decision  
Approving PDS2014-MUP-14-010**



MARK WARDLAW  
Director

**County of San Diego**  
**PLANNING & DEVELOPMENT SERVICES**

5510 OVERLAND AVENUE, SUITE 110, SAN DIEGO, CALIFORNIA 92123  
INFORMATION (858) 694-2960  
TOLL FREE (800) 411-0017  
www.sdcounty.ca.gov/pds

**COMMISSIONERS**

Michael Seiler (Chairman)  
Douglas Barnhart (Vice Chairman)  
Bryan Woods  
Michael Edwards  
Michael Beck  
David Pallinger  
Leon Brooks

June 21, 2019

**PERMITEE:** Phap Vuong Monastery  
**MAJOR USE PERMIT:** PDS2014-MUP-14-010  
**E.R. NUMBER:** ER01-08-051A  
**PROPERTY:** 715 VISTA AVENUE  
**APN(S):** 227-010-57

**DECISION OF THE PLANNING COMMISSION**

This Major Use Permit for Religious Assembly consists of 17 sheet(s) including plot plan, floor plans, elevations, and landscaping plans dated January 25, 2019. This permit authorizes Religious Assembly, including the construction, operation, and use of a new 8,270 square foot monastery structure as well as associated parking and landscaping, pursuant to Sections 1348, 2105.a., and 7350 of the Zoning Ordinance. The monastery will operate on weekdays (Monday-Friday) from 6:00 p.m. to 9:00 p.m.; Sundays from 9:00 a.m. to 3:00 p.m.; and special events including Lunar New Year, Buddha's Birthday, and Parental Day, from 9:00 a.m. to 7:00 p.m. but these hours of operation do not limit the daily activities of resident monks. The monastery will host up to four special events per year with a maximum capacity of 300 people. All events and operations are to occur indoors.

The granting of this use permit also approves the Preliminary Grading and Improvement Plan dated January 25, 2019 consisting of 4 sheets. In accordance with the [Section 87.207 of the County Grading Ordinance](#), Environmental Mitigation Measures or other conditions of approval required and identified on the plan(s), shall be completed or implemented on the final engineering plan before any final improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to [County of San Diego Grading Ordinance \(Sec 87.701 et. al.\)](#)

**MAJOR USE PERMIT EXPIRATION:** This Major Use Permit shall expire on June 21, 2022 at 4:00 p.m. (or such longer period as may be approved pursuant to Section 7376 of The Zoning Ordinance of the County of San Diego prior to said expiration date) unless construction or use in reliance on this Major Use Permit has commenced prior to said expiration date.

**SPECIFIC CONDITIONS:** Compliance with the following Specific Conditions (Mitigation Measures when applicable) shall be established before the property can be used in reliance upon this Major Use Permit. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

**WAIVERS AND EXCEPTIONS:**

**Said Major Use Permit (MUP) is hereby approved pursuant to the provisions of the County of San Diego (County) Zoning 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 following:**

County Public Road Standards Section 6.1.E:

- (1) County Department of Public Works (DPW) reviewed and supported the Applicant's request that the required minimum intersectional corner sight distance for the intersection of the proposed private driveway along North Ash Street (2.1D Community Collector) be allowed to use the American Association of State Highway and Transportation Officials (AASHTO) Stopping Sight Distance. The required minimum stopping sight distance is three hundred feet (300') for North Ash Street approaching the proposed private driveway. (See approved letter dated 10/26/2018).

**PRE-CONSTRUCTION MEETING:** *(Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

**1. BIO#1– BREEDING SEASON AVOIDANCE (AVIAN SPECIES) [PDS, FEE X2]**

**INTENT:** In order to avoid direct impacts to sensitive avian species (e.g. California gnatcatchers (CAGN), raptors, and migratory birds), which are sensitive biological resources pursuant to RPO, CEQA, and Migratory Bird Treaty Act (MBTA), avian breeding avoidance measures shall be implemented and a Resource Avoidance Area (RAA) implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing, and/or grading during the avian breeding season (February 1 to September 15) except as allowed by this condition. All grading permits, improvement plans, and the final map shall state the same. If vegetation must be removed during the avian breeding season, a qualified biologist must conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys will be conducted no more than three (3) days prior to scheduled removals. If active nests are identified, the biologist will establish a RAA of 300 feet (500 feet for raptors) around the vegetation containing the active nest(s). The vegetation containing the active nest will not be removed, and no brushing, clearing, and/or grading will occur within the established RAA until a qualified biologist has determined that the nest is no longer active (i.e., the juveniles are surviving independent from the nest). If clearing is not conducted within three days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (the "Wildlife Agencies"), provided that no sensitive avian species are present in the vicinity of the brushing, clearing or grading.



**DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition; although, NO brushing, clearing, or grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.”

## 2. **BIO#2–CALIFORNIA GNATCATCHER BREEDING AVOIDANCE [PDS, FEE X2]**

**INTENT:** In order to avoid impacts to California gnatcatchers (CAGN), which is a sensitive biological resource pursuant to RPO, CEQA and MBTA, avian breeding avoidance measures shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** To mitigate for potential impacts to the California gnatcatcher during construction, the following measures shall be required: No clearing, grubbing, grading, or other construction activities shall occur within 500 feet of Diegan coastal sage scrub habitat between March 1 and August 15 (CAGN breeding season) until the following requirements have been met:

- a. A qualified biologist (possessing a valid ESA Section 10(a)(1)(A) Recovery Permit) shall survey appropriate habitat (Diegan coastal sage scrub) areas within 500 feet of the project footprint and would be subject to construction noise levels exceeding 60 dB hourly average for the presence of the CAGN. If no appropriate habitat is present then the surveys will not be required. If appropriate habitat is present, gnatcatcher surveys shall be conducted pursuant to USFWS protocol survey guidelines within the breeding season prior to commencement of any construction. If gnatcatchers are present the following conditions must be met:
  - 1) Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the prior to the commencement of construction activities. Prior to commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under supervision of a qualified biologist; or
  - 2) At least two weeks prior to commencement of construction activities and under direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB hourly average at the edge of habitat occupied by the CAGN. Concurrent with

commencement of construction activities and construction of necessary noise attenuation facilities, noise monitoring\* shall be conducted at the edge of occupied habitat area to ensure that noise levels do not exceed 60 dB hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

\* Construction noise shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity to verify that noise levels at the edge of occupied habitat are maintained below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. If not, other measures shall be implemented in consultation with the biologist, as necessary, to reduce noise levels within occupied habitat to below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. Such measures may include but are not limited to limitations on the placement of construction equipment and the simultaneous use of equipment.

- b. If CAGN are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the County and Wildlife Agencies, and no mitigation would be required. NO brushing, clearing and/or grading shall occur until concurrence is received from the County and the Wildlife Agencies.

**DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition; although, NO clearing or grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter."

**ANY PERMIT:** *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

### 3. GEN#1–COST RECOVERY

**INTENT:** In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, Zoning Counter, which shows that all fees and trust account deficits have been paid. No permit can be issued if there are deficit trust accounts. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and trust account deficits shall be paid. **MONITORING:**

The PDS Zoning Counter shall verify that all fees and trust account deficits have been paid.

**4. GEN#2–RECORDATION OF DECISION**

**INTENT:** In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an 'all purpose acknowledgement' and return the original recordation form to PDS. **DOCUMENTATION:** Signed and notarized original recordation form. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.

**5. GEN#3–FILING OF NOTICE OF DETERMINATION (NOD):**

**INTENT:** In order to comply with CEQA and State law, the permit NOD shall be filed at the County Recorder's Office. **DESCRIPTION OF REQUIREMENT:** The applicant shall take the original NOD and required fees to the San Diego County Recorder's Office and file the document within five (5) days of permit approval and return a copy of the filed document to PDS. **DOCUMENTATION:** The filed NOD form. **TIMING:** Within the first five (5) days of the appeal period, the applicant/owner shall take the original NOD form and required filing fees to the San Diego County Recorder's Office and file the document. Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit, applicant shall provide documentation that the NOD was filed at the San Diego County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall verify that the NOD was filed and that a copy of the document is on file at PDS.

**6. ROADS#1–ROAD DEDICATION**

**INTENT:** In order to promote orderly development and to comply with the [County of San Diego Board Policy I-18](#), the [County Public Road Standards](#), and the [Community Trails Master Plan](#), road right-of-way shall be dedicated to the County. **DESCRIPTION OF REQUIREMENT:**

- a. Grant by separate document to the County of San Diego an easement for road purposes that provides a one-half right-of-way width of forty-two feet (42') from centerline of **North Ash Street (SA-540)** in accordance with Public Road Standards for a Community Collector Road (2.1D); with twenty foot (20') radius corner rounding at Vista Avenue intersection, plus slope rights and drainage easements along the frontage of the project to the satisfaction of the Director of Planning and Development Services (PDS).
- b. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the Director of PDS.



**DOCUMENTATION:** The applicant shall prepare the legal descriptions of the easements, and submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the easement documents to the [PDS, LDR] for review. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit the easements shall be executed and recorded. **MONITORING:** The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [PDS, LDR] for review and approval. The [PDS, LDR] shall review that the easements to assure compliance with this condition.

#### 7. **ROADS#2–RELINQUISH ACCESS**

**INTENT:** In order to promote orderly development and to comply with the [Mobility Element of the General Plan](#) access shall be relinquished. **DESCRIPTION OF REQUIREMENT:** Relinquish access rights in and to **North Ash Street** with the exception of the driveway as shown on the approved plot plan. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required. Only the one approved driveway is permitted along **North Ash Street** as indicated on the approved plot Plan. **DOCUMENTATION:** The applicant shall prepare the legal descriptions of the easement(s), submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit the access shall be relinquished. **MONITORING:** The [DGS, RP] shall prepare the relinquishment documents and forward a copy of the documents to [PDS, LDR] for preapproval. [DGS, RP] shall forward copies of the recorded documents to [PDS, LDR]. The [PDS, LDR] shall review the documents for compliance with this condition.

#### 8. **BIO#3–OFFSITE MITIGATION [PDS, FEE X2]**

**INTENT:** In order to mitigate for impacts to sensitive vegetation/habitat communities and species, which are sensitive biological resources pursuant to [Resource Protection Ordinance \(RPO\) and the California Environmental Quality Act \(CEQA\)](#), offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 1.8 acres of Diegan coastal sage scrub and 0.4 acres of non-native grassland (total 2.2 acres), located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft Multiple Species Conservation Program (MSCP) North County Plan area and, to the maximum extent feasible, within the Northern Valley ecoregion as indicated below.

a. **Option 1:** If purchasing [Mitigation Credit](#) the mitigation bank shall be approved by the California Department of Fish & Wildlife and the U.S. Fish and Wildlife Service. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

- 1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.



- 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.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft North County Multiple Species Conservation Program (MSCP) and, to the maximum extent feasible, within the Northern Valley ecoregion as indicated below:
- 1) Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS], the California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service.
  - 2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
  - 3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
  - 4) The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
  - 5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the offsite mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation



is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is strongly recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING]. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the mitigation shall occur. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

#### 9. **LNDSKP#1–LANDSCAPE DOCUMENTATION PACKAGE**

**INTENT:** In order to provide adequate Landscaping that provides screening, a landscape plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Plans shall be prepared pursuant to the [COSD Water Efficient Landscape Design Manual](#) and the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), and the COSD Grading Ordinance. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit approving the variety, location, and spacing of all trees proposed to be planted within said right(s) -of-way. A copy of this permit and a letter stating that all landscaping within the said right(s) -of-way shall be maintained by the landowner(s) shall be submitted to PDS.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light



- standard details shall be included in the plans (if applicable) and shall be in compliance with the [County's Light Pollution Code](#).
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
  - h. Parking areas shall be landscaped and designed pursuant to the [Off-street Parking Design Manual](#) and the County Zoning Ordinance Section 6793.b
  - i. Additionally, the following items shall be addressed as part of the Landscape Documentation Package: Provide groupings of two or more rows of 5 and 15 gallon screening shrubs parallel to the parking lot adjacent to North Ash Street.

**DOCUMENTATION:** The applicant shall prepare the Landscape Plans using the [Landscape Documentation Package Checklist](#) (PDS Form #404), and pay all applicable review fees. **TIMING:** Prior to approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, the Landscape Documentation Package shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Documentation Package for compliance with this condition.

#### 10. **CULT#1 (M-CR-1) - ARCHAEOLOGICAL MONITORING**

**INTENT:** In order to mitigate for potential impacts to undiscovered buried archaeological resources and human remains, an Archaeological Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA). **DESCRIPTION OF REQUIREMENT:** A County Approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist, Luiseño and Kumeyaay Native American monitor shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide evidence that both a Luiseño and Kumeyaay Native American has been contracted to perform Native American Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds or bonded separately.



**DOCUMENTATION:** The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** [PDS, PPD] shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

#### 11. **CULT#2 (M-CR-2) - CULTURAL RESOURCES TREATMENT AGREEMENT AND PRESERVATION PLAN**

**INTENT:** In order to mitigate for potential impacts to buried resources, enter into a Cultural Resources Treatment Agreement and Preservation Plan with the culturally-affiliated Native American tribe(s) that will be providing Native American monitoring services. **DESCRIPTION OF REQUIREMENT:** A single Cultural Resources Treatment Agreement and Preservation Plan shall be developed between the applicant or their representative, the County of San Diego, and the culturally-affiliated Native American tribe(s) that is providing Native American monitoring services. The Cultural Resources Treatment Agreement and Preservation Plan shall be reviewed and agreed to by the County prior to final signature and authorization. The Cultural Resources Treatment Agreement and Preservation Plan shall include but is not limited to the following:

- a. Parties entering into the agreement and contact information.
- b. Responsibilities of the Property Owner or their representative, Principal Investigator, archaeological monitors, Kumeyaay and Luiseno Native American monitors, and consulting tribes.
- c. Requirements of the Archaeological Monitoring Program including unanticipated discoveries. The requirements shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and onsite storage of cultural materials.
- d. Treatment of identified Native American cultural materials.
- e. Treatment of Native American human remains and associated grave goods.
- f. Confidentiality of cultural information including location and data.
- g. Negotiation of disagreements should they arise during the implementation of the Agreement and Preservation Plan.
- h. Regulations that apply to cultural resources that have been identified or may be identified during project construction.



**DOCUMENTATION:** A copy of the implemented agreement shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to the approval of any plan and issuance of any permit. **MONITORING:** The [PDS, PPD] shall review the implemented agreement for compliance this condition.

## 12. DEH#1–SEPTIC REPAIR

**INTENT:** In order to ensure that the on-site subsurface sewage treatment systems (Septic System) are adequate and comply with the [County Regulatory Code Section 68.311](#), the septic system serving the existing buildings on the west portion of the lot shall be repaired. **DESCRIPTION OF REQUIREMENT:** The paving shall be removed from over the leach field of the septic system serving the existing buildings located on the western portion of the lot. Alternatively, a design for a new leach field to serve those buildings shall be submitted for approval by the [DEH, LWQ]. **DOCUMENTATION:** The applicant shall remove the pavement over the leach field or apply for and receive approval for a septic repair to the system referenced above. The applicant shall contract with a licensed septic contractor or equivalent to complete the leach field design and installation to the satisfaction of the [DEH, LWQ]. Upon completion of the pavement removal or septic system repairs, the applicant shall contact [DEH, LWQ] to schedule a field verification inspection and pay all applicable inspection fees. **TIMING:** Prior to the approval of any plan, issuance of any permit (Excluding Septic Repair Permit) and prior to occupancy or use of the new monastery in reliance of this permit, the applicant shall have the pavement removed over the existing leach field or submit a design for a replacement leach field for approval by DEH. **MONITORING:** Upon request of the applicant, [DEH, LWQ] shall perform a field inspection to verify that the pavement has been removed or the septic system leach field has been properly installed pursuant to this condition.

**GRADING PERMIT:** (Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits).

## 13. ROADS#3–TRAFFIC CONTROL PLAN

**INTENT:** In order to mitigate below levels of significance for temporary traffic impacts, a traffic control plan shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Have Registered Civil Engineer or licensed Traffic Control Contractor prepare a Traffic Control Plan (TCP) to the satisfaction of the Director of DPW. **DOCUMENTATION:** The applicant shall have the TCP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Traffic]. **TIMING:** Prior to the approval of any grading and or improvement plans, and issuance of any Grading, Construction, or Excavation Permits, and prior to use of the premises in reliance of this permit, a TCP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the TCP for compliance with this condition.

## 14. ROADS#4–HAUL ROUTE PLAN

**INTENT:** In order to ensure roads are not damaged by heavily loaded trucks on the route identified during the construction phase. A Haul Route Plan (HRP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** A HRP shall be prepared that addresses the following, but is not limited to: haul routes, truck types and



capacity, number of trips per day, estimated quantity of import & export, destination, duration of the haul, and hours of operation.

- a. The implementation of the HRP shall be a condition of any grading, construction, or excavation permit issued by the County. The applicant is responsible for the road maintenance (sweeping as necessary) and repair of any damage caused by them to the on-site and off-site County maintained roads that serve the property either during construction or subsequent operations.
- b. The applicant will repair those portions of the roads that are damaged by the heavy loaded trucks. An agreement shall be executed, to require (1) a cash deposit for emergency traffic safety repairs; (2) long-term security for road maintenance and repair of any damage caused by the project to the County maintained roads that serve the project during construction phase on the route identified; and (3) All the roads identified on the haul route plan shall be returned to the existing condition or better.
- c. Prior to the import/export, all affected property owners in the residential neighborhood shall be notified; no equipment or material storage on public roads will be allowed, and sweeping to be performed at the end of each week or more depending on hauling frequency.

**DOCUMENTATION:** The applicant shall have the HRP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Road Maintenance]. The applicant shall also execute a secured agreement for any potential damages caused by heavy trucks on road mentioned above. The agreement and securities shall be approved to the satisfaction of the [DPW, Road Maintenance]. **TIMING:** Prior to the approval of any grading and/or improvement plans, and issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit, a HRP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the HRP for compliance with this condition.

#### 15. **STRMWTR#1–STORMWATER MAINTENANCE DOCUMENTATION**

In order to promote orderly development and to comply with the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), the maintenance agreements shall be completed. **DESCRIPTION OF REQUIREMENT:**

- a. Process a Maintenance Notification Agreement to assure maintenance of the Category 1 Structural BMPs to the satisfaction of the Director of DPW and/or PDS. The Maintenance Notification Agreement shall be signed, notarized and recorded by the applicant.

**DOCUMENTATION:** The applicant shall process the agreement forms with [PDS, LDR] and pay any deposit and applicable review fees. **TIMING:** Prior to approval of any grading or improvement plan or construction permit, prior to use of the property in reliance of this permit; execution of the recorded agreements and securities shall be completed. **MONITORING:** The [PDS, LDR] shall review the agreements/mechanisms for consistency with the condition and County Standards.



**16. STRMWTR#2-EROSION CONTROL**

**INTENT:** In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [State Construction General Permit, Order No. 2009-00090-DWQ](#), or subsequent order and the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to [PDS, LDR] authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County 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 PDS and/or DPW by the date agreed.

**DOCUMENTATION:** The applicant shall process an Erosion Control Plan and provide the letter of agreement and any additional security and/or cash deposit to the [PDS, LDR]. **TIMING:** Prior to approval of any grading or improvement plan or construction permit, and prior to use of the property in reliance of this permit, the Erosion Control Plan shall be approved and the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the Erosion Control Plan adequately satisfies the requirements of the conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforce the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

**17. UTILITIES#1-PAVEMENT CUT POLICY**

**INTENT:** In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surfacing, and to comply with [County Policy RO-7](#) adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that



they are aware of the County of San Diego Pavement Cut Policy and submit it to the [PDS LDR] for review. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, and prior to use of the property in reliance of this permit, the letters must be submitted for approval. **MONITORING:** [PDS, LDR] shall review the signed letters to determine compliance with the condition.

#### 18. DEH#2–SEPTIC SYSTEM

**INTENT:** In order to ensure that the on-site subsurface sewage treatment systems (Septic System) are adequate and comply with the [County Regulatory Code Section 68.311](#), the design for the new septic system for serving the new monastery shall comply with applicable requirements. **DESCRIPTION OF REQUIREMENT:** A design for a new septic system to serve the new monastery building shall be submitted for approval by the [DEH, LWQ]. **DOCUMENTATION:** The applicant shall contract with a licensed septic contractor or equivalent to complete the design for the new septic system serving the new monastery. The septic system design, including the leach field, shall be submitted and receive approval from [DEH, LWQ]. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the septic system design shall be submitted and receive approval from [DEH, LWQ]. **MONITORING:** The PDS Zoning Counter shall verify that the [DEH, LWQ] approved the septic system design and that a copy of the DEH approval is on file at PDS.

**BUILDING PERMIT:** *(Prior to approval of any building plan and the issuance of any building permit).*

#### 19. ROADS#5–CENTERLINE REVIEW

**INTENT:** In order to promote orderly development and to comply with the [Centerline Ordinance 9974 \(Amended by Ord. 10224\)](#), [County Code Section 51.301 et seq.](#), frontage improvements may be required. **DESCRIPTION OF REQUIREMENT:** This project is subject to the Centerline Ordinance (unless otherwise noted per [Sec. 51.305](#)). *The applicant must initiate the centerline review process with the Building Official in the Department of Planning and Development Services (PDS) as early as possible in order to coordinate requirements and processing time, and to determine if review is required by PDS Land Development.* Requirements may include, but are not limited to granting of right-of-way, irrevocable offers of dedication, relinquishment of access rights, traffic striping, installation of curb, gutter, & sidewalk, alley improvements, road widening, trails/pathways, street lights, drainage facilities, no-parking restrictions, and undergrounding of utility distribution facilities along the project frontages, and off-site road improvements. **TIMING:** Prior to approval of any building permits, the centerline review shall be completed. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the centerline conditions and County Standards.

#### 20. NOISE#1–NOISE REQUIREMENT [PDS, FEE X1]

**INTENT:** In order to reduce the exposure to noise levels in excess of standards established by the [County of San Diego General Plan Noise Element \(Table N-1 & N-2\)](#), and to ensure the noise exposure of interior noise sensitive land uses below levels of significance as evaluated in the [County Noise Guidelines for Determining Significance](#), the following design measures shall be implemented on the building plans and



incorporated into the site design. **DESCRIPTION OF REQUIREMENT:** The following design elements and noise attenuation measures shall be implemented and indicated on the building plans and made conditions of its issuance: Windows associated with the living quarters shall be improved to a dual pane design (or similar) with a sound transmission class (STC) minimum rating of 26. **DOCUMENTATION:** The applicant shall place the design elements, or notes on the building plans and submit the plans to [PDS, BPPR] for review and approval. **TIMING:** Prior to issuance of any building permit, the design elements and noise attenuation measures shall be incorporated into the building plans. **MONITORING:** The [PDS, BPPR] shall verify that the specific note(s), and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

**OCCUPANCY:** *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

## 21. ROADS#6–SIGHT DISTANCE

**INTENT:** In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.E of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is \_\_\_\_\_ feet of unobstructed stopping sight distance in the both directions along **North Ash Street** from the proposed driveway, in accordance with the methodology described in American Association of State Highway and Transportation Officials (AASHTO) Stopping Sight Distance. These sight distances exceed the required Stopping Sight Distance requirements of \_\_\_\_\_ as described by AASHTO based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."
- b. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

**DOCUMENTATION:** The applicant shall complete the certifications and submit them to the [PDS, LDR] for review. **TIMING:** Prior to occupancy of the first structure built in association with this permit, and prior to final grading release, or use of the premises in reliance of this permit, and annually after that until the project is completely built, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

## 22. ROADS#7–ANNEX TO LIGHTING DISTRICT

**INTENT:** In order to promote orderly development and to comply with the Street Lighting Requirements of the [County of San Diego Board Policy I-18, 51.301 et al.](#), and [The County of San Diego Public Road Standards](#), the property shall transfer into the lighting district. **DESCRIPTION OF REQUIREMENT:** Allow the transfer of the property



subject of this permit into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer. **DOCUMENTATION:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [PDS, LDR]. The applicant shall provide the receipt to [PDS, PCC]. **TIMING:** Prior to occupancy of the first structure built in association with this permit, final grading release, or use in the premises in reliance of this permit, the fee shall be paid. **MONITORING:** The [PDS, LDR] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant.

### 23. ROADS#8—INSTALL STREETLIGHTS

**INTENT:** In order to promote orderly development and to comply with the Street Lighting Requirements of the [County of San Diego Board Policy I-18, 51.301 et al.](#), and [The County of San Diego Public Road Standards](#), street lights shall be installed and energized. **DESCRIPTION OF REQUIREMENT:** Install or arrange to install streetlights to County standards and the satisfaction of the Director of PDS, and deposit with PDS, a cash deposit sufficient to energize and operate the street lights until the property has been transferred into Zone A. **DOCUMENTATION:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [PDS, LDR], and arrange for the installation and energizing of the streetlights. **TIMING:** Prior to occupancy of the first structure built in association with this permit, final grading release, or use in the premises in reliance of this permit, the streetlights shall be installed and all fees paid. **MONITORING:** The [PDS, LDR] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant. The [PDS, LDR] shall ensure that the streetlights have been installed and all fees have been paid.

### 24. LNDSCP#2—CERTIFICATION OF INSTALLATION

**INTENT:** In order to provide adequate Landscaping that provides screening, and to comply with the [COSD Water Efficient Landscape Design Manual](#), the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), and the COSD Grading ordinance, all landscaping shall be installed. **DESCRIPTION OF REQUIREMENT:** All of the landscaping shall be installed pursuant to the approved Landscape Documentation Package. This does not supersede any erosion control plantings that may be applied pursuant to [Section 87.417 and 87.418 of the County Grading Ordinance](#). These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the [PDS, LA, PCC] [DPR, TC, PP]. **DOCUMENTATION:** The applicant shall submit to the [PDS LA, PCC], a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed. **MONITORING:** The [PDS, LA] shall verify the landscape installation upon notification of occupancy or use of the property, and notify the [PDS, PCC] [DPR, TC, PP] of compliance with the approved Landscape Documentation Package



**25. CULT#3 (M-CR-3) - CULTURAL RESOURCES MONITORING REPORT**

**INTENT:** In order to ensure that the Archaeological Monitoring occurred during the earth-disturbing activities, a final report shall be prepared.

**DESCRIPTION OF REQUIREMENT:** A final Archaeological Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

- a. DPR Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials collected during the survey, testing, and archaeological monitoring program have been curated and/or repatriated as follows:

- 1) All prehistoric cultural materials shall be curated at a San Diego curation facility or a culturally affiliated Tribal 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 or culturally affiliated Tribal 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 the prehistoric archaeological materials have been received and that all fees have been paid.

or

Evidence that all prehistoric materials collected during the archaeological monitoring program have been returned to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

- 2) Historic materials shall be curated at a San Diego curation facility as described above and shall not be curated at a Tribal curation facility or repatriated. 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 the historic materials have been received and that all fees have been paid.
- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the grading monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

**DOCUMENTATION:** The applicant's archaeologist shall prepare the final report and submit it to the [PDS, PPD] for approval. Once approved, a final copy of the report shall



be submitted to the South Coastal Information Center (SCIC), the San Luis Rey Band of Mission Indians, the Viejas Tribal Government, and any culturally-affiliated Tribe who requests a copy. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** The [PDS, PPD] shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

#### 26. GEN#4–INSPECTION FEE

**Intent:** In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the inspection fee at the [PDS, ZC] to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt showing that the inspection fee has been paid along with updated contact information [PDS, PCC]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, ZC] shall process an invoice and collect the fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

#### 27. PLN#1–SITE PLAN IMPLEMENTATION

**INTENT:** In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved Major Use Permit PDS2014-MUP-14-010, plot plan, preliminary grading plan, building elevations, and conceptual landscape plan. This includes, but is not limited to: improving all parking areas trails, parks and driveways, installing all required design features, structures with the approved colors, trash enclosures are properly screened, required and approved signage is installed and located properly, and all temporary construction facilities have been removed from the site. **DOCUMENTATION:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **MONITORING:** The [PDS, BI] and [DPR TC, PP] shall inspect the site for compliance with the approved Building Plans.

#### 28. STRMWTR#3–VERIFICATION OF STRUCTURAL BMPs

**INTENT:** In order to promote orderly development and to comply with the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), verification of Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Complete a Structural BMP Verification Form as shown in Attachment 4 of the PDP SWQMP. **DOCUMENTATION:** The applicant shall process the Structural BMP Verification Forms with [DPW, PDCI] or [PDS, BLDG]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; execution of the Structural BMP Verification Form shall be completed. **MONITORING:** The [PDS, LDR] and [DPW, WPP] shall review the Structural BMP Verification Forms for consistency with the condition and County Standards.



**ONGOING:** *(Upon establishment of use The following conditions shall apply during the term of this permit).*

**29. ROADS#9–SIGHT DISTANCE**

**INTENT:** In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the AASHTO Stopping Sight Distance an unobstructed sight distance shall be maintained for the life of this permit. **DESCRIPTION OF REQUIREMENT:** There shall be a minimum unobstructed sight distance in both directions along **North Ash Street** from the project driveway opening for the life of this permit. **DOCUMENTATION:** A minimum unobstructed sight shall be maintained. The sight distance of adjacent driveways and street openings shall not be adversely affected by this project at any time. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

**30. NOISE#2–ON-GOING SOUND LEVEL COMPLIANCE: [PDS, CODES] [OG]**

**INTENT:** In order to comply with the applicable sections of Title 3, Division 6, Chapter 4 (County of San Diego Noise Ordinance), the site shall comply with the requirements of this condition. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the following requirements: Major Use Permit monastery associated operations and activities shall comply with the one-hour average sound level limit property line requirement pursuant to the County Noise Ordinance, Section 36.404. **DOCUMENTATION:** The property owner(s) and applicant shall conform to the ongoing requirements of this condition. Failure to conform to this condition may result in disturbing, excessive or offensive noise interfering with a person's right to enjoy life and property and is detrimental to the public health and safety pursuant to the applicable sections of Chapter 4. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, CODES] is responsible for enforcement of this permit.

**31. PLN#2–SITE CONFORMANCE**

**INTENT:** In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan and plot plan. This includes, but is not limited to maintaining the following: all parking, trails, parks and driveways areas, watering all landscaping at all times, maintaining all necessary aesthetics design features, all lighting, and walls/fencing. Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.



**32. PLN#3—SITE CONFORMANCE: MAJOR USE PERMIT USE**

**INTENT:** In order to comply with Zoning Ordinance Sections 7703, use of the site shall be in compliance with the Major Use Permit. **DESCRIPTION OF REQUIREMENT:** Religious Assembly use approved by this Major Use Permit shall be limited to the area approved for such use. Any Religious Assembly use on property that is not within the approved area shall cease within 30 days of occupancy of the new monastery approved by this Major Use Permit. Failure to conform to the approved plot plan(s) is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved Major Use Permit. If the permittee or property owner chooses to change the area permitted for Religious Assembly use, they must obtain approval from the County for a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

**GRADING PLAN NOTES**

**In addition to the conditions set forth above, the following grading and/or improvement plan notes shall be placed on the grading plan and made conditions of the issuance of said permits:**

***PRE-CONSTRUCTION MEETING:*** (Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

**(BIOLOGY)****33. BIO#GR-1— BREEDING SEASON AVOIDANCE (AVIAN SPECIES) [PDS, FEE X2]**

**INTENT:** In order to avoid direct impacts to sensitive avian species (e.g. California gnatcatchers (CAGN), raptors, and migratory birds), which are sensitive biological resources pursuant to RPO, CEQA, and Migratory Bird Treaty Act (MBTA), avian breeding avoidance measures shall be implemented and a Resource Avoidance Area (RAA) implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing, and/or grading during the avian breeding season (February 1 to September 15) except as allowed by this condition. All grading permits, improvement plans, and the final map shall state the same. If vegetation must be removed during the avian breeding season, a qualified biologist must conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys will be conducted no more than three (3) days prior to scheduled removals. If active nests are identified, the biologist will establish a RAA of 300 feet (500 feet for raptors) around the vegetation containing the active nest(s). The vegetation containing the active nest will not be removed, and no brushing, clearing, and/or grading will occur within the established RAA until a qualified biologist has determined that the nest is no longer active (i.e., the juveniles are surviving independent from the nest). If clearing is not conducted within three days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (the "Wildlife Agencies"), provided that no sensitive avian species are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this



condition; alternatively, the applicant may submit a written request for waiver of this condition; although, NO brushing, clearing, or grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.”

**34. BIO#GR-2–CALIFORNIA GNATCATCHER BREEDING AVOIDANCE [PDS, FEE X2]**

**INTENT:** In order to avoid impacts to California gnatcatchers (CAGN), which is a sensitive biological resource pursuant to RPO, CEQA and MBTA, avian breeding avoidance measures shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** To mitigate for potential impacts to the California gnatcatcher during construction, the following measures shall be required: No clearing, grubbing, grading, or other construction activities shall occur within 500 feet of Diegan coastal sage scrub habitat between March 1 and August 15 (CAGN breeding season) until the following requirements have been met:

- a. A qualified biologist (possessing a valid ESA Section 10(a)(1)(A) Recovery Permit) shall survey appropriate habitat (Diegan coastal sage scrub) areas within 500 feet of the project footprint and would be subject to construction noise levels exceeding 60 dB hourly average for the presence of the CAGN. If no appropriate habitat is present then the surveys will not be required. If appropriate habitat is present, gnatcatcher surveys shall be conducted pursuant to USFWS protocol survey guidelines within the breeding season prior to commencement of any construction. If gnatcatchers are present the following conditions must be met:
  - 1) Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the prior to the commencement of construction activities. Prior to commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under supervision of a qualified biologist; or
  - 2) At least two weeks prior to commencement of construction activities and under direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB hourly average at the edge of habitat occupied by the CAGN. Concurrent with commencement of construction activities and construction of necessary



noise attenuation facilities, noise monitoring\* shall be conducted at the edge of occupied habitat area to ensure that noise levels do not exceed 60 dB hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

\* Construction noise shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity to verify that noise levels at the edge of occupied habitat are maintained below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. If not, other measures shall be implemented in consultation with the biologist, as necessary, to reduce noise levels within occupied habitat to below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. Such measures may include but are not limited to limitations on the placement of construction equipment and the simultaneous use of equipment.

- b. If CAGN are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the County and Wildlife Agencies, and no mitigation would be required. NO brushing, clearing and/or grading shall occur until concurrence is received from the County and the Wildlife Agencies.

**DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition; although, NO clearing or grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.”

## (CULTURAL RESOURCES)

### Archaeological Monitoring

#### 35. CULT#GR-1 (M-CR-1) - ARCHAEOLOGICAL MONITORING – PRECONSTRUCTION MEETING

**INTENT:** In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented.

**DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and Luiseño and Kumeyaay Native American Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist, Luiseño, and Kumeyaay Native American Monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The



Project Archaeologist and Luiseño, and Kumeyaay Native American Monitors shall also evaluate fill soils to determine that they are clean of cultural resources. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist, Luiseño, and Kumeyaay Native American Monitors attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall confirm the attendance of the approved Project Archaeologist.

**ANY PERMIT:** (Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).

## (BIOLOGY)

### 36. BIO#GR-3—OFFSITE MITIGATION [PDS, FEE X2]

**INTENT:** In order to mitigate for impacts to sensitive vegetation/habitat communities and species, which are sensitive biological resources pursuant to [Resource Protection Ordinance \(RPO\)](#) and the [California Environmental Quality Act \(CEQA\)](#), offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 1.8 acres of Diegan coastal sage scrub and 0.4 acres of non-native grassland (total 2.2 acres), located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft Multiple Species Conservation Program (MSCP) North County Plan area and, to the maximum extent feasible, within the Northern Valley ecoregion as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife and the U.S. Fish and Wildlife Service. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
  - 1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - 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.



- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft North County Multiple Species Conservation Program (MSCP) and, to the maximum extent feasible, within the Northern Valley ecoregion as indicated below:
- 1) Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS], the California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service.
  - 2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
  - 3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
  - 4) The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
  - 5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the offsite mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is strongly recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING].

**TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the mitigation shall occur. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an

application for an RMP, and [PDS, PPD] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

**DURING CONSTRUCTION:** *(The following actions shall occur throughout the duration of the grading construction).*

**(CULTURAL RESOURCES)**

**37. CULT#GR-2 (M-CR-2) - ARCHAEOLOGICAL MONITORING – DURING CONSTRUCTION**

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented.

**DESCRIPTION OF REQUIREMENT:** The Project Archaeologist, Luiseño, and Kumeyaay Native American Monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

- a. **Monitoring.** During the original cutting of previously undisturbed deposits, the Project Archaeologist, Luiseño, and Kumeyaay Native American Monitors 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 Luiseño and Kumeyaay Native American Monitors Native American Monitor. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseño and Kumeyaay Native American Monitors.
- b. **Inadvertent Discoveries.** In the event that previously unidentified potentially significant cultural resources are discovered:
  - 1) The Project Archaeologist or the Luiseño or Kumeyaay Native American Monitors 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.
  - 2) At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist.
  - 3) The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Luiseño and Kumeyaay Native American Monitors, shall determine the significance of the discovered resources.
  - 4) Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation.



- 5) Isolates and clearly non-significant deposits shall be minimally documented in the field. Should the isolates and/or non-significant deposits not be collected by the Project Archaeologist, then the Luiseño and Kumeyaay Native American monitors may collect the cultural material for transfer to a Tribal Curation facility or repatriation program.
- 6) If cultural resources are determined to be significant, a Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Luiseño and Kumeyaay Native American Monitors. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

c. **Human Remains.** If any human remains are discovered:

- 1) The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
- 2) Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Native American monitor.
- 3) If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
- 4) The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
- 5) The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or conveyance, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
- 6) Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

- d. **Fill Soils.** The Project Archaeologist and Luiseño and Kumeyaay Native American monitors shall evaluate fill soils to determine that they are clean of cultural resources.

**DOCUMENTATION:** The applicant shall implement the Archaeological Monitoring Program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PPD] if the Project Archeologist or applicant fails to comply with this condition.

**ROUGH GRADING:** *(Prior to rough grading approval and issuance of any building permit).*

### (CULTURAL RESOURCES)

#### 38. CULT#GR-3 (M-CR-3) - ARCHAEOLOGICAL MONITORING – ROUGH GRADING

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

- a. **No Archaeological Resources Encountered.** If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the Native American Monitor must be included in the Negative Monitoring Report.
- b. **Archaeological Resources Encountered.** If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation and/or repatriation phase of the monitoring.

**DOCUMENTATION:** The applicant shall submit the Archaeological Monitoring Report to [PDS, PPD] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center, the San Luis Rey Band of Mission Indians, the Viejas Tribal Government, and any culturally-affiliated Tribe who requests a copy. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** [PDS, PPD] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.



**FINAL GRADING RELEASE:** *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

**(CULTURAL RESOURCES)**

**39. CULT#GR-4 (M-CR-4) - ARCHAEOLOGICAL MONITORING – FINAL GRADING**

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF**

**REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials have been curated and/or repatriated as follows:
  - 1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal 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 or culturally affiliated Native American Tribal 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 the prehistoric archaeological materials have been received and that all fees have been paid.

or

Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity and shall be accompanied by payment of the fees necessary, if required. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

- 2) Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. 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 the historic materials have been received and that all fees have been paid.

- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

**DOCUMENTATION:** The applicant's archaeologist shall prepare the final report and submit it to [PDS, PPD] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC), the San Luis Rey Band of Mission Indians, the Viejas Tribal Government, and any culturally-affiliated Tribe who requests a copy. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** [PDS, PPD] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

.....

**MITIGATION MONITORING OR REPORTING PROGRAM (MMRP):** Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Monitoring or Reporting Program for any project approved with the adoption of a Mitigated Negative Declaration or with the certification of an Environmental Impact Report, for which changes in the project are required in order to avoid significant impacts. Section 21081.6(a)(1) states, in part:

*The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.*

Section 21081(b) further states:

*A public agency shall provide {that} the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.*

As indicated above, a Mitigation Monitoring or Reporting Program is required to assure that a project is implemented in compliance with all required mitigation measures. The Mitigation Monitoring or Reporting Program (MMRP) for this project is incorporated into the mitigation measures adopted as project conditions of approval. Each mitigation measure adopted as a condition of approval (COA) includes the following five components.

**Intent:** An explanation of why the mitigation measure (MM) was imposed on the project.

**Description:** A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.



**Documentation:** A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.

**Timing:** The specific project milestone (point in progress) when the specific required actions are required to implemented.

**Monitoring:** This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

The following conditions of approval required to mitigate or avoid significant impacts on the environment are listed below and constitute the MMRP for this project:

Condition(s): 1, 2, 8, 10, 11, 25, 33, 34, 35, 36, 37, 38, 39

.....

### MAJOR USE PERMIT FINDINGS

Pursuant to Section 7358 (see Section 7359 for additional findings required for a “Specific Hazardous Waste Facility Project” and for in lieu findings for Large Wind Turbine permits) of The Zoning Ordinance, the following findings in support of the granting of the Major Use Permit are made:

(a) *The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to*

1. *Harmony in scale, bulk, coverage, and density*

#### Scale and Bulk

The proposed project is a Major Use Permit for a Religious Assembly including construction of a new structure as well as associated parking and landscaping. The site is in an “island” in unincorporated County of San Diego surrounded by the City of Escondido and existing residential development. Land directly north of the site currently is being developed. The visual character of the area is urban and semi-rural development.

Civic, Fraternal or Religious Assembly uses (such as churches, mosques, synagogues, temples, or fraternal or veterans organizations) are allowed with a Major Use Permit in the area. A middle school campus exists 600 feet to the northeast of the site. A school and church campus exists 1,700 feet to the west. Another church exists 2,000 feet to the west. Another church and school exist 2,400 feet to the southeast. Schools, churches, and other institutional uses are common in urban and semi-rural residential neighborhoods. Such uses often include buildings that are larger than nearby residential structures. The Height Regulations for the site, and all surrounding properties subject to County zoning, allows a maximum height of 35 feet and the proposed building height is 34 feet. Required setbacks are 70 from Vista Avenue centerline, 35 from North Ash Street centerline, and 10 feet from the internal side property line on the west.

The proposed building is setback 170 feet from Vista Avenue, 170 feet from North Ash Street, and 75 feet from the west property line. The nearest home will be 225 feet to the north of the monastery, across Vista Avenue. Three churches in the area are 130 feet, 75 feet, and 140 feet from the nearest neighboring homes. The proposed monastery building footprint is approximately 6,560 square feet, approximately 2% of the MUP site area. Three churches in the area have approximate footprints of 20,000 square feet (10% of its site), 16,760 square feet (8% of its site), and 27,240 square feet (6% of its site). On residential lots abutting the project site, houses cover from 8% to 22% of the lots. The Building Type Regulations allow for detached nonresidential buildings. The proposed project complies with the Height, Setback, and Building Type Regulations for the site and includes extensive landscaping that will provide screening. For these reasons, the project is compatible with adjacent uses and buildings.

### Coverage

The subject parcel is 8.9 acres in size. The western 1.8 acres is not included in the MUP. The MUP will include approximately 7.1 acres of the eastern part of the parcel. The project grading will disturb 2.7 acres, approximately 38% of the MUP area.

The proposed monastery building footprint is approximately 6,560 square feet, approximately 2% of the MUP site area. Three churches in the area have approximate footprints of 20,000 square feet (10% of its site), 16,760 square feet (8% of its site), and 27,240 square feet (6% of its site). The project area covered by parking and driveways is approximately 46,000 square feet, or 15% of the MUP area. The building and parking combined will cover approximately 17% of the MUP area of the site. On the sites of three churches in the area, the church building and parking cover approximately 70%, 37%, and 64% of their sites.

Residential parcels surrounding the site range from one quarter of an acre to 9.6 acres. Coverage of the lots by houses varies considerably. On residential lots abutting the project site, houses cover from 8% to 22% of the lots. The proposed monastery building footprint will cover approximately 2% of the MUP site area.

The lot coverage percentage by the monastery structure as well as by the structure and parking will be less than those coverage percentages typical to religious assembly uses in the area. The monastery building coverage percentage will be less than the what the houses cover on residential lots surrounding the project. For these reasons, the project is compatible with adjacent uses.

### Density

The project is a Religious Assembly use and is not subject to density regulations.

2. *The availability of public facilities, services, and utilities*



An onsite septic system will serve the project, so there will be no impact on a public wastewater system. Based on the service availability forms received for the project, the proposed project will not result in the need for significantly altered services or facilities. Service availability forms have been provided which indicate existing services are available to the project from the following agencies/districts: Rincon del Diablo Fire Protection District (City of Escondido Fire Department); City of Escondido (water service); Escondido Union High School District; and Escondido Union School District (elementary and junior high schools). There will be no children living at the monastery. The project does not involve the construction of new or physically altered governmental facilities such as fire protection facilities, sheriff facilities, schools, or parks in order to maintain acceptable service ratios, response times of less than five minutes, or other performance service ratios or objectives for any public services. For these reasons, the project is compatible with adjacent uses.

3. *The harmful effect, if any, upon desirable neighborhood character:*

Civic, Fraternal or Religious Assembly uses (such as churches, mosques, synagogues, temples, or fraternal or veterans organizations) are allowed with a Major Use Permit in the area. Other civic, institutional uses such as schools, churches, and municipal facilities are found in the neighborhood. A school campus exists 600 feet to the northeast. A school and church campus exists 1,700 feet to the west. Another church exists 2,000 feet to the west. Another church and school exist 2,400 feet to the southeast. Schools, churches, and other institutional uses are common in residential and semi-rural neighborhoods. Three churches in the area are 130 feet, 75 feet, and 140 feet from the nearest neighboring homes. The proposed monastery will be 225 feet from the nearest home, which will be across Vista Avenue to the north. The nearest home to the east will be 265 feet away, to the south will be 700 feet, and to the west will be 420 feet. The residential properties to the west are at a lower elevation than the project site by 30 feet or more and existing trees act as visual barriers along the property line so the project will not block views from those homes. The project site is not visible from properties to the south because of an existing hill that will remain. The project building will be visible from the east and north, but the project site is 40 feet higher in elevation than homes in those directions, so any views toward the project site are already limited. The Building Type Regulations allow for detached nonresidential buildings. The Height Regulations for the site, and all surrounding properties subject to County zoning, allows a maximum height of 35 feet and the proposed building height is 34 feet. A Subsequent Mitigated Negative Declaration was prepared and found no significant environmental impacts from the project. The project is separated from homes in the area, will not block any views. The monastery building will use earth tone colors that blend into the surroundings. The proposed project complies with the Height, Setback, and Building Type Regulations for the site and includes extensive landscaping that will provide screening. The project will not have a harmful effect on the neighborhood character.

4. *The generation of traffic and the capacity and physical character of surrounding streets:*

Vista Avenue and North Ash Street along the project site are undergoing improvements as part of development projects to the north in the City of Escondido. Those improvement projects are expected to be completed before the monastery project is constructed.

There will be four or five onsite resident monks who adhere to a daily regimen of studying, meditation, communal meals, and facility maintenance. Onsite residents will make very few trips outside the facility, typically one per week. Meditation and prayer periods on Sundays will be attended by others on the site over the course of several hours. There is no set "service" time. The project will have 76 parking spaces. The traffic analysis for the project estimated 50 visitors for such meditation and prayer periods, generating a total of 104 vehicle trips on Sundays. Special events occur three Sundays per year with an estimated 100 attendees or less who typically would participate in car pooling, so these events are estimated to generate a similar number of trips as a typical Sunday.

Currently, there are 3,290 trips on North Ash Street north of Vista Avenue and 5,090 trips south of Vista Avenue along the project boundary. There are 2,380 trips on Vista Avenue between North Ash Street and North Broadway to the west. Level of Service is A in all these segments. With the monastery project completed and operational, Level of Service will be B on Sundays on Vista Avenue along the project boundary. The other segments will remain at Level of Service A. The project will not alter the capacity or physical character of surrounding streets.

5. *The suitability of the site for the type and intensity of use or development, which is proposed:*

Grading has occurred on the site over past years and the site has been used for staging of construction vehicles for road improvement projects. Grading for the building site of the proposed monastery and the parking lot will not significantly alter the existing topography. The entire property is approximately 8.9 acres but the MUP will include only the eastern 7.1 acres. The project grading will disturb 2.7 acres. The project footprint allows for adequate buffers from neighboring properties and roads. Mitigation for biological impacts is included in the project in the form of off-site mitigation and avoidance of breeding season for migratory birds. Road improvements along the property borders will be completed as part of other development projects. The site will be served with water from the City of Escondido and there is ample area on the site for the proposed onsite septic system. For these reasons, the site is suitable for the project.

6. *Any other relevant impact of the proposed use:*

No other impacts were determined.



- (b) *The impacts, as described in Findings (a) above, and the location of the proposed use will be consistent with the San Diego County General Plan:*

#### General Plan

The General Plan Regional Category for the site is Semi-Rural. The Land Use Designation is Semi-Rural Residential (SR-1), which limits any residential development to one dwelling per one, two, or four acres, depending on the topography of the site. This is a residential density limitation that does not apply to a civic use such as Religious Assembly. However, the Single-Family Residential (RS) Use Regulation (zoning) of the site is compatible with the General Plan's SR-1 Land Use Designation, and the project is consistent with zoning requirements in the RS Use Regulation.

The General Plan's Land Use Goal LU-4 supports coordination with plan and activities of other agencies related to issues such as land use, transportation, and public safety, among others. Policy LU-4.3 supports consideration of plans and projects of "overlapping or neighboring agencies in the planning of unincorporated lands", and invites coordination. When the City of Escondido approved development along North Ash Street north of Vista Avenue, it required those developers to mitigate traffic impacts by improving Vista Avenue and North Ash Street where these streets abut the proposed monastery project. The County has coordinated with the City regarding those road improvements prior to and during the review of the monastery project. Vista Avenue was improved to City of Escondido standards at this location and is now a City street. North Ash Street is being improved in accordance to plans cooperatively agreed to by the City and the County.

#### North County Metro Subregional Plan

As stated in General Plan Policy LU-2.2, Community Plans are part of the General Plan, so the project is subject to the policies of the North County Metro Subregional Plan. In this plan, Land Use Policy 1 requires City-County planning cooperation and Policy 4 encourages use of city road standards for roads that are to be annexed. As stated above, Vista Avenue was improved to City of Escondido standards and was annexed by the City. North Ash Street is being improved in accordance to plans cooperatively agreed to by the City and the County.

Land Use Policy 4 notes that a city is more likely to annex territory in its sphere if roads are developed consistent with the city's standards. Policy 18 states that the Subregional Plan adopts the Land Use Designations contained in the General Plan.

For the reasons explained above, the project is consistent with the North County Metro Subregional Plan and the General Plan.

- (c) *That the requirements of the California Environmental Quality Act have been complied with:*

A Negative Declaration (ND) for the Phap Vuong Monastery, P 01-022, Log. No. 01-08-051 was adopted by the Planning and Environmental Review Board on May 27, 2004. That ND document analyzed an application to approve an MUP for a monastery on the

western portion of the property. The adopted ND found the project would not have any potentially significant effects. However, that MUP approval expired because conditions were not completed before the expiration date.

With the current proposal, changes are proposed in the project and there are changes in the circumstances under which the project will be undertaken that required revisions to the previous ND due to the involvement of new environmental effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a Subsequent Mitigated Negative Declaration (MND) was prepared (ER01-08-051A). 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.

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

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

**NOTICE:** This subject property contains Coastal sage scrub plant community. Such plant community is habitat for the coastal California gnatcatcher. The Federal government recently listed the gnatcatcher as a threatened species under the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.). THE LISTING MAY RESULT IN AN APPLICANT'S INABILITY TO PROCEED WITH HIS/HER PROJECT WITHOUT A PERMIT FROM THE FEDERAL GOVERNMENT IF THE SPECIES OR ITS HABITAT ARE PRESENT ON THE PROJECT SITE. It is advisable to contact the United States Fish and Wildlife Service to determine the applicability of the prohibitions under the Act to each applicant's property.

**NOISE ORDINANCE COMPLIANCE:** In order to comply with the [County Noise Ordinance 36.401](#) et seq. and the Noise Standards pursuant to the General Plan Noise Element (Table N-1 & N-2), the property and all of its uses shall comply with the approved plot plans, specific permit conditions and approved building plans associated with this permit. No noise generating equipment and project related noise sources shall produce noise levels in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

**LIGHTING ORDINANCE COMPLIANCE:** In order to comply with the [County Lighting Ordinance 59.101](#) et seq. and Zoning Ordinance Sections 6322, 6324, and 6326, the onsite



lighting shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to the [County Lighting Ordinance 59.101](#) et seq. and Zoning Ordinance Sections 6322, and 6324. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to lighting. No additional lighting is permitted. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

**NOTICE:** The project will be required to pay Planning & Development Services Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to PDS, 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 PDS conditions that need to be satisfied. The fee amount will only be paid one time for those conditions that are indicated with the **[PDS, 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.

**COMPLIANCE INSPECTION:** In order to comply with Zoning Ordinance Section 7362.e the County shall inspect the Use Permit property for compliance with the terms of this Use Permit. The County Permit Compliance Officer will perform a site inspection and review the on-going conditions associated with this permit. The inspection shall be scheduled no later than the six months subsequent to establishing the intended use of the permit. If the County determines the applicant is not complying with the Major Use Permit terms and conditions the applicant shall allow the County to conduct follow up inspections more frequently than once every twelve months until the County determines the applicant is in compliance. The Property Owner/Permittee shall allow the County to inspect the property for which the Major Use Permit has been granted, at least once every twelve months, to determine if the Property Owner/Permittee is complying with all terms and conditions of the Use Permit. This requirement shall apply during the term of this permit.

**STORMWATER ORDINANCE COMPLIANCE:** In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 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 approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects 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 San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning in May 2013 and amended in November 2015. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link:

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

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link <http://www.sdcountry.ca.gov/dplu/docs/LID-Handbook.pdf>

**STORMWATER COMPLIANCE NOTICE:** Updated studies, including Hydro- modification 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 periodic adjustment as changes are made to the National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements imposed by the San Diego Regional Water Quality Control Board (Regional Board) on discharges from municipal separate storm sewer systems (MS4). The new MS4 Permit was adopted by the Regional Board on May 8, 2013 and amended on November 18, 2015. The County has begun the process of amending ordinances and taking other action to implement the new MS4 Permit. Additional studies and other action may be needed to comply with the new and 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](#).

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

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

**TRANSPORTATION IMPACT FEE:** The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance number 77.201 – 77.219. The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or



it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [DPW, Land Development Counter] and provide a copy of the receipt to the [DPLU, Building Division Technician] at time of permit issuance.

**NOTICE:** To comply with State law, the applicant/owner must file the Notice of Determination (NOD) signed by the lead agency and remit required fees to the County Clerk's Office within five (5) working days of the date of project approval. Payment or sufficient proof of prior payment to the County Clerk is required at the time of filing. The filing of a NOD or NOE reduces the period of time the CEQA document can be challenged to **35 days**. However, if the NOD/NOE is not filed, this period is extended to **180 days**. The CDFW adjusts fees annually based on inflation. You must pay the amount effective January 1 of the year of the project decision.

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

**NOTICE:** The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on June 21, 2019.

**APPEAL PROCEDURE:** Within ten calendar days after the date of this Decision of the Planning Commission, the decision may be appealed to the Board of Supervisors in

accordance with [Section 7366 of the County Zoning Ordinance](#). An appeal shall be filed with the Director of Planning & Development Services or by mail with the Secretary of the Planning Commission within TEN CALENDAR DAYS of the date of this notice AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. Filing of an appeal will stay the decision of the Director until a hearing on your application is held and action is taken by the Planning Commission. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of approval of this Decision.

COUNTY OF SAN DIEGO PLANNING COMMISSION  
MARK WARDLAW, SECRETARY

BY:

DARIN NEUFELD, Chief  
Project Planning Division  
Planning & Development Services

cc: Vui Tran, Phap Vuong Monastery, 715 Vista Avenue, Escondido, CA 92026  
Melissa Krause, Latitude 33 Planning & Engineering, 9968 Hibert Street, 2<sup>nd</sup> Floor, San Diego, CA 92131

email cc:

Ken Brazell, Team Leader, Land Development/Engineering, PDS  
David Sibbet, Planning Manager, PDS  
Poonam Boparai, [poonam.boparai@sdcounty.ca.gov](mailto:poonam.boparai@sdcounty.ca.gov)  
Melissa Krause, Latitude 33 Planning & Engineering, [melissa.krause@latitude33.com](mailto:melissa.krause@latitude33.com)  
Chris Mendiara, Linscott, Law & Greenspan Engineers, [Mendiara@llgengineers.com](mailto:Mendiara@llgengineers.com)  
Jeremy Loudon, Ldn Consulting, Inc., [jlouden@ldnconsulting.net](mailto:jlouden@ldnconsulting.net)  
Greg Mason, Alden Environmental, Inc., [gmason@aldenenv.com](mailto:gmason@aldenenv.com)  
Greg Butsko, Butsko Utility Design, Inc., [gbutsko@butskoutility.com](mailto:gbutsko@butskoutility.com)



**Attachment C –  
Environmental Documentation**



# County of San Diego

MARK WARDLAW  
DIRECTOR

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

KATHLEEN A. FLANNERY  
ASSISTANT DIRECTOR

## SUBSEQUENT MITIGATED NEGATIVE DECLARATION

**January 16, 2018** **June 21, 2019**

**PROJECT NAME: PHAP VUONG MONASTERY MAJOR USE PERMIT**

**RECORD ID: PDS2014-MUP-14-010**

**ENVIRONMENTAL LOG NO.: ER01-08-051A**

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

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

- a. Environmental Review Update Checklist Form and referenced extended studies for Phap Vuong Monastery Major Use Permit
  - b. Ordinance Compliance Checklist for Phap Vuong Monastery Major Use Permit
  - c. Negative Declaration, for Phap Vuong Monastery Major Use Permit, dated October 9, 2003 with approval date May 27, 2004.
1. California Environmental Quality Act Subsequent Mitigated Negative Declaration Findings:

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

2. Required Mitigation Measures:

Refer to the attached Environmental Review Update Checklist Form For Projects with Previously Approved Environmental Documents for the rationale for requiring the following measures:



## A. TRANSPORTATION

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

## B. BIOLOGY

***PRE-CONSTRUCTION MEETING:*** *(Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

### **BIO#1– BREEDING SEASON AVOIDANCE (AVIAN SPECIES) [PDS, FEE X2]**

**INTENT:** In order to avoid direct impacts to sensitive avian species (eg. California gnatcatchers (CAGN), raptors, and migratory birds), which are sensitive biological resources pursuant to RPO, CEQA, and Migratory Bird Treaty Act (MBTA), avian breeding avoidance measures shall be implemented and a Resource Avoidance Area (RAA) implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing, and/or grading during the avian breeding season (February 1 to September 15) except as allowed by this condition. All grading permits, improvement plans, and the final map shall state the same. If vegetation must be removed during the avian breeding season, a qualified biologist must conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys will be conducted no more than three (3) days prior to scheduled removals. If active nests are identified, the biologist will establish a RAA of 300 feet (500 feet for raptors) around the vegetation containing the active nest(s). The vegetation containing the active nest will not be removed, and no brushing, clearing, and/or grading will occur within the established RAA until a qualified biologist has determined that the nest is no longer active (i.e., the juveniles are surviving independent from the nest). If clearing is not conducted within three days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (the "Wildlife Agencies"), provided that no sensitive avian species are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition; although, NO brushing, clearing, or grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter."



## **BIO#2-CALIFORNIA GNATCATCHER BREEDING AVOIDANCE [PDS, FEE X2]**

**INTENT:** In order to avoid impacts to California gnatcatchers (CAGN), which is a sensitive biological resource pursuant to RPO, CEQA and MBTA, avian breeding avoidance measures shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** To mitigate for potential impacts to the California gnatcatcher during construction, the following measures shall be required: No clearing, grubbing, grading, or other construction activities shall occur within 500 feet of Diegan coastal sage scrub habitat between March 1 and August 15 (CAGN breeding season) until the following requirements have been met:

- a. A qualified biologist (possessing a valid ESA Section 10(a)(1)(A) Recovery Permit) shall survey appropriate habitat (Diegan coastal sage scrub) areas within 500 feet of the project footprint and would be subject to construction noise levels exceeding 60 dB hourly average for the presence of the CAGN. If no appropriate habitat is present then the surveys will not be required. If appropriate habitat is present, gnatcatcher surveys shall be conducted pursuant to USFWS protocol survey guidelines within the breeding season prior to commencement of any construction. If gnatcatchers are present the following conditions must be met:
  1. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the prior to the commencement of construction activities. Prior to commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under supervision of a qualified biologist; or
  2. At least two weeks prior to commencement of construction activities and under direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB hourly average at the edge of habitat occupied by the CAGN. Concurrent with commencement of construction activities and construction of necessary noise attenuation facilities, noise monitoring\* shall be conducted at the edge of occupied habitat area to ensure that noise levels do not exceed 60 dB hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).



\* Construction noise shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity to verify that noise levels at the edge of occupied habitat are maintained below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. If not, other measures shall be implemented in consultation with the biologist, as necessary, to reduce noise levels within occupied habitat to below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. Such measures may include but are not limited to limitations on the placement of construction equipment and the simultaneous use of equipment.

- b. If CAGN are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the County and Wildlife Agencies, and no mitigation would be required. NO brushing, clearing and/or grading shall occur until concurrence is received from the County and the Wildlife Agencies.

**DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition; although, NO clearing or grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.”

**ANY PERMIT:** *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

### **BIO#3–OFFSITE MITIGATION [PDS, FEE X2]**

**INTENT:** In order to mitigate for impacts to sensitive vegetation/habitat communities and species, which are sensitive biological resources pursuant to [Resource Protection Ordinance \(RPO\)](#) and the [California Environmental Quality Act \(CEQA\)](#), offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 1.8 acres of Diegan coastal sage scrub and 0.4 acres of non-native grassland (total 2.2 acres), located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft Multiple Species Conservation Program (MSCP) North County Plan area and, to the maximum extent feasible, within the Northern Valley ecoregion as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife and the U.S. Fish and Wildlife Service.



The following evidence of purchase shall include the following information to be provided by the mitigation bank:

1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  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.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft North County Multiple Species Conservation Program (MSCP) and, to the maximum extent feasible, within the Northern Valley ecoregion as indicated below:
1. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS], the California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service.
  2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
  3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
  4. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
  5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of



resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the offsite mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is strongly recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING].

**TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the mitigation shall occur. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

### **GRADING PLAN NOTES**

**In addition to the conditions set forth above, the following grading and/or improvement plan notes shall be placed on the grading plan and made conditions of the issuance of said permits:**

***PRE-CONSTRUCTION MEETING:*** (Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

### **BIO#GR-1– BREEDING SEASON AVOIDANCE (AVIAN SPECIES) [PDS, FEE X2]**

**INTENT:** In order to avoid direct impacts to sensitive avian species (eg. California gnatcatchers (CAGN), raptors, and migratory birds), which are sensitive biological resources pursuant to RPO, CEQA, and Migratory Bird Treaty Act (MBTA), avian breeding avoidance measures shall be implemented and a Resource Avoidance Area (RAA) implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing, and/or grading during the avian breeding season (February 1 to September 15) except as allowed by this condition. All grading permits, improvement plans, and the final map shall state the same. If vegetation must be removed during the avian breeding season, a qualified biologist must conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys will be conducted no more than three (3) days prior to scheduled removals. If active nests are identified, the biologist will establish a RAA of 300 feet (500 feet for raptors) around the vegetation



containing the active nest(s). The vegetation containing the active nest will not be removed, and no brushing, clearing, and/or grading will occur within the established RAA until a qualified biologist has determined that the nest is no longer active (i.e., the juveniles are surviving independent from the nest). If clearing is not conducted within three days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (the "Wildlife Agencies"), provided that no sensitive avian species are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition; although, NO brushing, clearing, or grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter."

#### **BIO#GR-2-CALIFORNIA GNATCATCHER BREEDING AVOIDANCE [PDS, FEE X2]**

**INTENT:** In order to avoid impacts to California gnatcatchers (CAGN), which is a sensitive biological resource pursuant to RPO, CEQA and MBTA, avian breeding avoidance measures shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** To mitigate for potential impacts to the California gnatcatcher during construction, the following measures shall be required: No clearing, grubbing, grading, or other construction activities shall occur within 500 feet of Diegan coastal sage scrub habitat between March 1 and August 15 (CAGN breeding season) until the following requirements have been met:

- a. A qualified biologist (possessing a valid ESA Section 10(a)(1)(A) Recovery Permit) shall survey appropriate habitat (Diegan coastal sage scrub) areas within 500 feet of the project footprint and would be subject to construction noise levels exceeding 60 dB hourly average for the presence of the CAGN. If no appropriate habitat is present then the surveys will not be required. If appropriate habitat is present, gnatcatcher surveys shall be conducted pursuant to USFWS protocol survey guidelines within the breeding season prior to commencement of any construction. If gnatcatchers are present the following conditions must be met:
  1. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring



noise level experience with listed animal species) and approved by the prior to the commencement of construction activities. Prior to commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under supervision of a qualified biologist; or

2. At least two weeks prior to commencement of construction activities and under direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB hourly average at the edge of habitat occupied by the CAGN. Concurrent with commencement of construction activities and construction of necessary noise attenuation facilities, noise monitoring\* shall be conducted at the edge of occupied habitat area to ensure that noise levels do not exceed 60 dB hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

\* Construction noise shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity to verify that noise levels at the edge of occupied habitat are maintained below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. If not, other measures shall be implemented in consultation with the biologist, as necessary, to reduce noise levels within occupied habitat to below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. Such measures may include but are not limited to limitations on the placement of construction equipment and the simultaneous use of equipment.

- b. If CAGN are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the County and Wildlife Agencies, and no mitigation would be required. NO brushing, clearing and/or grading shall occur until concurrence is received from the County and the Wildlife Agencies.

**DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition; although, NO clearing or grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC/] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.”



**ANY PERMIT:** *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

**BIO#GR-3—OFFSITE MITIGATION [PDS, FEE X2]**

**INTENT:** In order to mitigate for impacts to sensitive vegetation/habitat communities and species, which are sensitive biological resources pursuant to [Resource Protection Ordinance \(RPO\)](#) and the [California Environmental Quality Act \(CEQA\)](#), offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 1.8 acres of Diegan coastal sage scrub and 0.4 acres of non-native grassland (total 2.2 acres), located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft Multiple Species Conservation Program (MSCP) North County Plan area and, to the maximum extent feasible, within the Northern Valley ecoregion as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife and the U.S. Fish and Wildlife Service. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
  1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  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.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft North County Multiple Species Conservation Program (MSCP) and, to the maximum extent feasible, within the Northern Valley ecoregion as indicated below:
  1. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS], the California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service.



2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
4. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the offsite mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is strongly recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING]. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the mitigation shall occur. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.



### C. CULTURAL

**ANY PERMIT:** *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

#### **CULT#1 (M-CR-1) - ARCHAEOLOGICAL MONITORING**

**INTENT:** In order to mitigate for potential impacts to undiscovered buried archaeological resources and human remains, an Archaeological Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA). **DESCRIPTION OF REQUIREMENT:** A County Approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist, Luiseño and Kumeyaay Native American monitor shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide evidence that both a Luiseño and Kumeyaay Native American has been contracted to perform Native American Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds or bonded separately.

**DOCUMENTATION:** The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate.

**TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** [PDS, PPD] shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.



## **CULT#2 (M-CR-2) - CULTURAL RESOURCES TREATMENT AGREEMENT AND PRESERVATION PLAN**

**INTENT:** In order to mitigate for potential impacts to buried resources, enter into a Cultural Resources Treatment Agreement and Preservation Plan with the culturally-affiliated Native American tribe(s) that will be providing Native American monitoring services. **DESCRIPTION OF REQUIREMENT:** A single Cultural Resources Treatment Agreement and Preservation Plan shall be developed between the applicant or their representative, the County of San Diego, and the culturally-affiliated Native American tribe(s) that is providing Native American monitoring services. The Cultural Resources Treatment Agreement and Preservation Plan shall be reviewed and agreed to by the County prior to final signature and authorization. The Cultural Resources Treatment Agreement and Preservation Plan shall include but is not limited to the following:

- a. Parties entering into the agreement and contact information.
- b. Responsibilities of the Property Owner or their representative, Principal Investigator, archaeological monitors, Kumeyaay and Luiseno Native American monitors, and consulting tribes.
- c. Requirements of the Archaeological Monitoring Program including unanticipated discoveries. The requirements shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and onsite storage of cultural materials.
- d. Treatment of identified Native American cultural materials.
- e. Treatment of Native American human remains and associated grave goods.
- f. Confidentiality of cultural information including location and data.
- g. Negotiation of disagreements should they arise during the implementation of the Agreement and Preservation Plan.
- h. Regulations that apply to cultural resources that have been identified or may be identified during project construction.

**DOCUMENTATION:** A copy of the implemented agreement shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to the approval of any plan and issuance of any permit. **MONITORING:** The [PDS, PPD] shall review the implemented agreement for compliance this condition.



**OCCUPANCY:** *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

**CULT#23 (M-CR-23) - CULTURAL RESOURCES MONITORING REPORT**

**INTENT:** In order to ensure that the Archaeological Monitoring occurred during the earth-disturbing activities, a final report shall be prepared. **DESCRIPTION OF**

**REQUIREMENT:** A final Archaeological Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

- a. DPR Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials collected during the survey, testing, and archaeological monitoring program have been curated and/or repatriated as follows:
  1. All prehistoric cultural materials shall be curated at a San Diego curation facility or a culturally affiliated Tribal 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 or culturally affiliated Tribal 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 the prehistoric archaeological materials have been received and that all fees have been paid.

or

Evidence that all prehistoric materials collected during the archaeological monitoring program have been returned to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

2. Historic materials shall be curated at a San Diego curation facility as described above and shall not be curated at a Tribal curation facility or repatriated. 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 the historic materials have been received and that all fees have been paid.



Subsequent Mitigated  
Negative Declaration  
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- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the grading monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

**DOCUMENTATION:** The applicant's archaeologist shall prepare the final report and submit it to the [PDS, PPD] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC), the San Luis Rey Band of Mission Indians, the Viejas Tribal Government, and any culturally-affiliated Tribe who requests a copy. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** The [PDS, PPD] shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

#### **GRADING PLAN NOTES**

**In addition to the conditions set forth above, the following grading and/or improvement plan notes shall be placed on the grading plan and made conditions of the issuance of said permits:**

***PRE-CONSTRUCTION MEETING:*** (Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

#### **Archaeological Monitoring**

#### **CULT#GR-1 (M-CR-1) - ARCHAEOLOGICAL MONITORING – PRECONSTRUCTION MEETING**

**INTENT:** In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and Luiseño and Kumeyaay Native American Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist, Luiseño, and Kumeyaay Native American Monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The Project Archaeologist and Luiseño, and Kumeyaay Native American Monitors shall also evaluate fill soils to determine that they are clean of cultural resources. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist, Luiseño, and Kumeyaay Native American Monitors attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be



completed. **MONITORING:** The [DPW, PDCI] shall confirm the attendance of the approved Project Archaeologist.

**DURING CONSTRUCTION:** *(The following actions shall occur throughout the duration of the grading construction).*

#### **CULT#GR-2 (M-CR-2) - ARCHAEOLOGICAL MONITORING – DURING CONSTRUCTION**

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist, Luiseño, and Kumeyaay Native American Monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

- a. **Monitoring.** During the original cutting of previously undisturbed deposits, the Project Archaeologist, Luiseño, and Kumeyaay Native American Monitors 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 Luiseño and Kumeyaay Native American Monitors. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseño and Kumeyaay Native American Monitors.
- b. **Inadvertent Discoveries.** In the event that previously unidentified potentially significant cultural resources are discovered:
  1. The Project Archaeologist or the Luiseño or Kumeyaay Native American Monitors 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.
  2. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist.
  3. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Luiseño and Kumeyaay Native American Monitors, shall determine the significance of the discovered resources.
  4. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation.



5. Isolates and clearly non-significant deposits shall be minimally documented in the field. Should the isolates and/or non-significant deposits not be collected by the Project Archaeologist, then the Luiseño and Kumeyaay Native American monitors may collect the cultural material for transfer to a Tribal Curation facility or repatriation program.
  6. If cultural resources are determined to be significant, a Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Luiseño and Kumeyaay Native American Monitors. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).
- c. **Human Remains.** If any human remains are discovered:
1. The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
  2. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Native American monitor.
  3. If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
  4. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
  5. The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or conveyance, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.



6. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- d. **Fill Soils.** The Project Archaeologist and Luiseño and Kumeyaay Native American monitors shall evaluate fill soils to determine that they are clean of cultural resources.
- e. ~~**Disagreements.** The County Archaeologist shall make a determination for any disagreements between the Project Archaeologist and the Luiseño and Kumeyaay Native American monitors related to archaeological monitoring.~~

**DOCUMENTATION:** The applicant shall implement the Archaeological Monitoring Program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PPD] if the Project Archeologist or applicant fails to comply with this condition.

**ROUGH GRADING:** *(Prior to rough grading approval and issuance of any building permit).*

#### **CULT#GR-3 (M-CR-3) - ARCHAEOLOGICAL MONITORING – ROUGH GRADING**

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

- a. **No Archaeological Resources Encountered.** If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the Native American Monitor must be included in the Negative Monitoring Report.
- b. **Archaeological Resources Encountered.** If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation and/or repatriation phase of the monitoring.



**DOCUMENTATION:** The applicant shall submit the Archaeological Monitoring Report to [PDS, PPD] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center, the San Luis Rey Band of Mission Indians, the Viejas Tribal Government, and any culturally-affiliated Tribe who requests a copy. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** [PDS, PPD] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

**FINAL GRADING RELEASE:** *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

#### **CULT#GR-4 (M-CR-4) - ARCHAEOLOGICAL MONITORING – FINAL GRADING**

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF**

**REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials have been curated and/or repatriated as follows:
  1. Evidence that all prehistoric materials collected during the archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal 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 or culturally affiliated Native American Tribal 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 the prehistoric archaeological materials have been received and that all fees have been paid.

or



Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity and shall be accompanied by payment of the fees necessary, if required. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

2. Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. 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 the historic materials have been received and that all fees have been paid.
- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

**DOCUMENTATION:** The applicant's archaeologist shall prepare the final report and submit it to [PDS, PPD] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC), the San Luis Rey Band of Mission Indians, the Viejas Tribal Government, and any culturally-affiliated Tribe who requests a copy. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** [PDS, PPD] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

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

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

- Landscaping
- Stormwater management
- Windows with dual pane design (or similar) with a sound transmission class (STC) minimum rating of 26



Subsequent Mitigated  
Negative Declaration  
PDS2014-MUP-14-010, ER01-08-051A

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June 21, 2019~~January 16, 2019~~

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

County of San Diego Planning Commission

on \_\_\_\_\_  
date

\_\_\_\_\_  
David Sibbet, Planning Manager  
Project Planning Division



# County of San Diego

**MARK WARDLAW**  
DIRECTOR

PLANNING & DEVELOPMENT SERVICES  
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**KATHLEEN A. FLANNERY**  
ASSISTANT DIRECTOR

January 16, 2019

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

### **FOR PURPOSES OF CONSIDERATION OF PDS2014-MUP-14-010, ER01-08-051A PHAP VUONG MONASTERY MAJOR USE PERMIT**

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

**1. Background on the previously adopted ND.**

A Negative Declaration was previously adopted by the County Planning and Environmental Review on May 27, 2004 for a Major Use Permit (MUP) for the Phap Vuong Monastery (P 01-022, Log. No. 01-08-051). That project, approved on May 27, 2004, was for the use of existing buildings as a monastery on the 1.8-acre western portion of the 8.9 acre property. However, that project was not implemented as approved and the MUP expired. The adopted ND found the project would not have any 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 Jeff Smyser, Project Manager
- b. Phone number: (858) 495-5438
- c. E-mail: [jeffrey.smyser@sdcounty.ca.gov](mailto:jeffrey.smyser@sdcounty.ca.gov)



Phap Vuong Monastery  
PDS2014-MUP-14-010, ER01-08-051A

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January 16, 2019

3. Project applicant's name and address:

Phap Vuong Monastery, 715 Vista Avenue, Escondido, CA 92026

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

The currently proposed project is an MUP to allow a Religious Assembly use with a new monastery building. The proposed new monastery is a two-story structure (33 feet high) of 8,272 square feet with a maximum allowable occupancy of 300. The new structure would operate as a monastery, meditation hall, and residence. The new structure will include: a large meditation room, small meditation room, kitchen, social room and guest room on the first floor, and four bedrooms and a sitting area on the second floor. The proposed monastery would be open daily and also will host special events. A bell and a drum/gong used for special ceremonies will be completely within the building. The project includes a new parking lot with a total of 76 parking spaces. Nine parking area lighting poles would be installed, with single LED fixtures on seven of the poles and double LED fixtures on the other two poles.

The project site is located at 715 Vista Avenue in the North County Metropolitan Subregional Plan area within unincorporated San Diego County. The subject property is approximately 8.9 acres in size but the MUP will include only the eastern 7.1 acres. The project would disturb 2.7 acres within the project site. The western portion of the property with the existing buildings, approximately 1.8 acres, is Not A Part (NAP) of the proposed MUP. Access to the proposed monastery would be provided by a new driveway connecting to North Ash Street. The project would be served by a new on-site septic system and imported water from the City of Escondido. The project site will be served by the following agencies: City of Escondido (water), City of Escondido Fire Department/Rincon Del Diablo Fire Protection District, High Escondido Union, General Elementary Escondido Union.

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

YES

☒

NO

☐

If yes, describe ALL differences.

The previous MUP project, approved in 2004, was an expansion of two existing structures of an existing Buddhist Sanctuary within the western 1.8-acre portion of the property. The currently proposed MUP project is a new monastery building located on 7.1 acres within the eastern portion of the property. The western portion is Not a Part of the current proposal.

The previous project included improvements to existing structures, one used as a residence for the priest and the other used as the Buddhist Sanctuary for up to 25 members. In addition, the previous project included three religious statues/structures on the 1.8-acre project site. The current project proposes a new 8,272 square foot two-story structure with a maximum

occupancy of 300 within the eastern 7.1-acre site. The new structure would operate as a monastery, meditation hall, and residence.

The previous project included a 20-foot wide paved A.C. driveway to provide access to Vista Avenue and expansion of an existing 10-space parking lot to provide a total of 36 parking spaces. Three low-pressure sodium lights would be installed and a six-foot high block wall was included at the western boundary of the parking lot at the western lot line. The current project proposes a new driveway to access North Ash Street rather than Vista Avenue, and a new parking lot with a total of 76 parking spaces. Lighting in the proposed new parking lot would total nine poles; single LED fixtures would be installed on seven of the poles and double LED fixtures on the other two poles.

6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND.** 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 EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or previously certified EIR is adequate without modification.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☒ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT MND 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

January 16, 2019

Date

Jeff Smyser, AICP

Printed Name

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 but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

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

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



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

### ENVIRONMENTAL REVIEW UPDATE CHECKLIST

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

YES  
☒

NO  
☐

The 2004 ND found that less than significant impacts to scenic resources or aesthetics would result from the project as proposed at that time.

The currently proposed project differs from the 2004 project in that it includes a new two story 8,272 square foot monastery structure on a different location on the property. The new building will be 33 feet in height and, as demonstrated by photosimulations prepared by Latitude 33 Planning & Engineering, July 1, 2016, will be visible to residents in the area as well as to drivers on Vista Avenue and North Ash Street approaching the site. The current project also differs in that it includes a larger parking lot in a different location with 9 light poles, rather than only 3 light poles. However, the project site is not in a scenic vista and would not impact a scenic resource. It will not be visible from a scenic highway and therefore will have no impact on scenic resources within a state scenic highway. The site is in an "island" of unincorporated county land surrounded by the City of Escondido and existing residential development. Land directly north of the site currently is being developed. The dominant visual character of the area is urban development. The project will not degrade the existing visual character or quality of the area. The site is not within a Dark Skies zone so it will have no impact on scientific observatories within the County. A photometric plan was reviewed for the project and meets County standards. Landscaping of the site will provide screening of the building and parking lot. Project lighting will comply with the San Diego County Light Pollution Code and other applicable lighting requirements. Therefore, the currently proposed project will have less than significant impacts on aesthetic resources.

**II. AGRICULTURE AND FORESTRY RESOURCES** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agriculture or forestry resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, conflicts with existing

zoning for agricultural use or Williamson Act contract, or conversion of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

YES  
☐

NO  
☒

The 2004 ND found that no significant environmental impacts to agricultural resources would result from project as proposed at that time.

The currently proposed project differs from the 2004 project in that it is located on the 7.1-acre eastern portion of the property, rather than the 1.8 western portion. County staff conducted a LARA model evaluation of the currently proposed project to determine if the project site is considered a significant agricultural resource. Due to the fact that the model result contains one factor rated as low importance (soil), the site is not an important agricultural resource. The site is zoned Single-Family Residential (RS), which is not an agricultural zone. The site is not within an Agricultural Preserve or subject to a Williamson Act contract. The site does not contain forest land, timberland, or a Timberland Production Zone. Therefore, the project will have no impact on agriculture or forestry resources.

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

YES  
☐

NO  
☒

The 2004 ND concluded less than significant impacts related to violation of air quality standards, impacts to sensitive receptors, and exposure to objectionable odors.

The currently proposed project differs from the project analyzed in the 2004 ND in 2004 in that the project is proposing constructing a new 8,272-square foot structure, including a small meditation room, large meditation room, a kitchen, bedrooms, social room with accommodations for up to four on-site residents at any one time. The maximum occupancy would be 300, as compared to the prior project which anticipated 25 members. Air quality emissions were quantified by County of San Diego staff specialists based on data provided by the applicant.



Project construction was assumed to take approximately 6 months to complete. The table below summarizes the expected construction schedule and number of pieces of equipment.

**Table 1 Expected Construction Schedule and Construction Equipment**

Equipment Type	Proposed Start Date	Proposed Completion Date	Quantity
<b>Site Preparation</b>	7/1/2019	7/5/2019	
Rubber Tired Dozers			1
Tractors/Loaders/Backhoes			1
<b>Grading</b>	7/8/2019	7/26/2019	
Excavators			1
Graders			1
Rubber Tired Dozers			1
Tractors/Loaders/Backhoes			3
<b>Paving</b>	7/29/2019	8/2/2019	
Pavers			2
Paving Equipment			2
Rollers			2
<b>Building Construction</b>	8/5/2019	12/31/2019	
Cranes			1
Forklifts			3
Generator Set			1
Tractors/Loaders/Backhoes			3
Welders			1
<b>Architectural Coating</b>	12/23/2019	12/31/2019	
Air Compressor			1
Source: Ldn Consulting, Inc. 2018. <i>Global Climate Change Analysis: Tran Monastery Major Use Permit.</i>			

Earthwork consists of 2.7 acres of grading, 13,000 cubic yards (c.y.) of cut, 500 c.y. of fill, and 12,500 c.y. of soil export. Short-term construction emissions would result from fuel combustion and exhaust from construction equipment and vehicle traffic (i.e., worker commute), and grading and site work. Grading activities associated with construction of the project would be subject to County of San Diego Grading Ordinance, which requires the implementation of dust control measures and San Diego County Air Pollution Control District (SDAPCD) Rule 55. SDAPCD Rule 55 requires the implementation of dust control measures such as application of water to graded/exposed surfaces and during loading/unloading activities, wheel-washing or other means to minimize track out dust on vehicles entering/leaving the project site, stabilization of dirt piles, and hydroseeding of graded areas to minimize dust emissions from exposed surfaces. The project would be required to water the site three times daily and replace ground cover in disturbed areas when they become inactive.

As described in the Air Quality Analysis prepared on January 11, 2019, by Ricky Williams, County Air Quality Specialist, short-term construction-related emissions of criteria air pollutants and precursors were calculated using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2 computer program.<sup>1</sup> Modeling was based on project-specific information (e.g., building type and size), where available, and default values in CalEEMod that are based on the

<sup>1</sup> California Air Pollution Control Officers Association. 2016. *California Emissions Estimator Model Version 2016.3.2*. Available: <http://caleemod.com/>. Accessed January 11, 2019.

project's location, land use type, and type of construction. Consistent with SDAPCD Rule 67.0.1, nonresidential interior paint would not exceed flat coating limits (i.e., 50 grams per liter [g/L] VOC), exterior paint would not exceed non-flat coating limits (i.e., 100 g/L VOC), and a small portion of exterior trim paint and other minor paint finishes would not exceed non-flat high-gloss coating limits (i.e., 150 g/L VOC). It was conservatively assumed in CalEEMod that all nonresidential interior and exterior architectural coating would be 150 g/L VOC.

Table 2 presents the maximum daily criteria air pollutant and precursor emissions resulting from the construction of the project.

**Table 2 Maximum Daily Estimated Construction Criteria Air Pollutant and Precursor Emissions (pounds per day)<sup>1</sup>**

Year	VOC	NOx	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
2017	21	64	28	<1	6	3
<b>Maximum Daily Emissions</b>	<b>21</b>	<b>64</b>	<b>28</b>	<b>&lt;1</b>	<b>6</b>	<b>3</b>
Screening-Level Threshold	75	250	550	250	100	55
Exceeds Screening-Level Threshold?	No	No	No	No	No	No
Notes: CO = carbon monoxide; NOx = nitrogen oxides; PM10 = respirable particulate matter; PM2.5 = fine particulate matter; SO2 = sulfur dioxide; VOC = volatile organic compounds <sup>1</sup> The maximum daily emissions are obtained from the summer scenario. Source: Modeling conducted by the County of San Diego in 2019.						

Operational emissions from all sources were estimated at full buildout of the project, which would occur as early as 2020. CalEEMod Version 2016.3.2 was used to estimate long-term operational emissions of criteria air pollutants and precursors from area sources (i.e., consumer products, architectural coatings, and landscape maintenance equipment use), energy consumption (i.e., electricity and natural gas consumption), and mobile sources. CalEEMod default values incorporate the current 2016 Title 24 standards that would apply to the project. Long-term building maintenance requires reapplication of architectural coatings; therefore, it was conservatively assumed in CalEEMod that all nonresidential interior and exterior architectural coating would be 150 g/L VOC. Mobile source emissions were estimated with default trip lengths included in CalEEMod. Trip generation rates from the project's traffic study were used to estimate Sunday trip rates and adjusted for weekday and Saturday trip rates based on the ratio of CalEEMod default trip rates for these rates compared to the default Sunday rate. Based on the project-specific traffic study, the project would generate up to 108 daily trips on Sundays.<sup>2</sup>

Table 3 presents the maximum daily and annual criteria air pollutant and precursor emissions resulting from the operation of the project.

<sup>2</sup> Linscott, Law & Greenspan, Engineers. 2014 (July). *Tran Monastery – Traffic Letter Report*.



**Table 3 Maximum Daily and Annual Estimated Operational Criteria Air Pollutant and Precursor Emissions**

Category	VOC	NOx	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>pounds per day<sup>1</sup></b>						
Area	<1	<1	<1	0	<1	<1
Energy	<1	<1	<1	<1	<1	<1
Mobile	<1	<1	2	<1	<1	<1
<b>Total</b>	<b>&lt;1</b>	<b>&lt;1</b>	<b>2</b>	<b>&lt;1</b>	<b>&lt;1</b>	<b>&lt;1</b>
Screening-Level Threshold	75	250	550	250	100	55
Exceed Screening-Level Threshold?	No	No	No	No	No	No
<b>tons per year</b>						
Area	<1	<1	<1	0	0	0
Energy	<1	<1	<1	<1	<1	<1
Mobile	<1	<1	<1	<1	<1	<1
<b>Total</b>	<b>&lt;1</b>	<b>&lt;1</b>	<b>&lt;1</b>	<b>&lt;1</b>	<b>&lt;1</b>	<b>&lt;1</b>
Screening-Level Threshold	13.7	40	100	40	15	10
Exceed Screening-Level Threshold?	No	No	No	No	No	No
Notes: CO = carbon monoxide; NOX = nitrogen oxides; PM10 = respirable particulate matter; PM2.5 = fine particulate matter; SO2 = sulfur dioxide; VOC = volatile organic compounds. Columns may not add up due to rounding. <sup>1</sup> The maximum daily emissions are obtained from the winter scenario.  Source: Modeling conducted by the County of San Diego in 2019.						

As shown in Tables 2 and 3, project construction and operational criteria air pollutant and precursor emissions would not exceed the County's screening level thresholds for any criteria air pollutants or precursors. Therefore, the proposed project would have less than significant impacts to air quality.

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

Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

YES  
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NO  
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The ND adopted in 2004 analyzed a project located within the western portion of the property. The prior ND found that no significant environmental impacts to biological resources would result from the project. The adopted ND identified through several County staff investigations that Diegan coastal sage scrub (DCSS) habitat occurred in the northeastern portion of the site in a small isolated patch and that existing removal/disturbance of historical of DCSS had been an action associated with the single-family residence constructed on the project site. The construction of a single-family residence was issued as a ministerial action. Construction of the single family residence, which required a minor grading permit, was exempt from the Habitat Loss Permit Ordinance. The prior project was found to not result in any potentially significant adverse effects, including noise from construction or the project, to an endangered, threatened, or rare plant or animal species or their habitats. Therefore, no mitigation for environmental impacts to biological resources was required.

A Biological Technical Report, dated August 15, 2017, was completed by Alden Environmental Inc. for the currently proposed project. The report analyzed the impacts of the proposed development within the eastern portion of the property.

Sensitive Natural Communities: The Biological Technical Report found that approximately 4.7 acres of the 7.3 acres proposed to be impacted contains previously developed, disturbed, and/or ornamental landscaping and orchards, with the remaining 2.6 acres containing Diegan coastal sage scrub (1.8 acres) and non-native grassland (0.8 acres) based on 2004 conditions. Developed and disturbed habitats are not considered sensitive and therefore do not require mitigation. The proposed project would result in the removal of a remnant patch of 1.2 acres of DCSS (1:1 ratio) located in the northeastern corner of the project site. The proposed project would also result in impacts to a total of 0.8 acres of non-native grassland (0.5:1 ratio), which is divided into several small patches located throughout the northeastern region and southernmost corner of the parcel. Additionally, the project would mitigate for the loss of 0.6 acres of coastal sage scrub that was cleared without permits. Impacts to sensitive vegetation communities/habitats would be considered significant. Mitigation measure BIO-1 would reduce these impacts to sensitive vegetation and habitat communities to less than significant. This mitigation measure would require habitat conveyance and preservation of 1.8 acres of DCSS and 0.4 acres of non-native grassland through the purchase of habitat credits in an approved mitigation bank and/or preservation of suitable habitat off-site.

Sensitive Species: Several sensitive plant and wildlife species have been listed as federally endangered or threatened since the previous ND was adopted. Based on a Biological Technical Report (Alden Environmental, Inc., August 15, 2017), no sensitive species were found on site during biological surveys and no newly listed endangered or threatened species have a high potential to occur on the project site. The potential presence of sensitive plant and animal species was assessed through literature review and field visits, which included vegetation mapping and general biology assessment, focused surveys for Stephens' kangaroo rat, and spring/summer rare plant surveys.



No sensitive plant species were identified as occurring on or adjacent to the site in the CNDDDB database. Additionally, no sensitive plant species were observed during field visits. Based on the results of the database search and the disturbed/developed nature of the site, no sensitive plant species are anticipated to occur on the site.

No sensitive animal species were observed or detected within the study area during biological surveys. Although the on-site DCSS is small, isolated, and has been previously disturbed, there is some potential for the coastal California gnatcatcher (CAGN) to occur on site. Therefore the project could result in potentially significant impacts to CAGN. Additionally, the site contains potentially suitable nesting (eucalyptus trees) and foraging habitat (non-native grassland) for raptor species such as the red-tailed hawk (*Buteo jamaicensis*). Impacts to raptor nesting and foraging habitat could be potentially significant. Potential impacts to CAGN, nesting raptors, and foraging habitat would be reduced to less than significant through mitigation measures BIO-1 through BIO-3. These measures include off-site habitat conveyance and preservation of DCSS habitat and non-native grassland (BIO-1) and breeding season avoidance measures to protect nesting birds (BIO-2 and BIO-3).

Local and Regional Plans and Regulations: The parcel is located within the boundaries of the draft Multiple Species Conservation Program (MSCP) North County Plan area. The proposed project site is not within the draft Pre-Approved Mitigation Area (PAMA). The project is subject to the Habitat Loss Permit (HLP) Ordinance and as such, the project will confer with the U.S. Fish and Wildlife (USFWS) and California Department of Fish and Wildlife (CDFW) to obtain an HLP for impacts to DCSS habitat. The project is in compliance with local, state, and federal plans and regulations. Through obtaining an HLP and through mitigation measures BIO-1 through BIO-3, impacts would be less than significant.

Jurisdictional Waters: The federal Clean Water Act, regulated under the Section 401/404 permit, and the California Fish and Game Code, regulated through the Section 1602 Streambed Alteration Agreement, provide a framework for regulating impacts to water resources. The project is also subject to wetland protections under the County's Resource Protection Ordinance (RPO). There are no wetlands, drainages or other water features on site. As a result, the project would not result in impacts to jurisdictional waters of the County, U.S. Army Corps of Engineers, CDFW, and Regional Water Quality Control Board (RWQCB).

Wildlife Movement: The project site contains previously disturbed, isolated patches of DCSS and non-native grassland, which are sensitive vegetation communities. The area surrounding these sensitive habitats is dominated by residential development, disturbed lands, and agriculture. Existing roads border the north and east boundaries of the parcel. Pockets of residential development exist adjacent to the property within an area that has extensive agriculture. The proposed project site is not within or adjacent to local or regional wildlife corridors. As such, project development would not result in impacts to identified wildlife corridors.

The following are summaries of mitigation measures that will be conditions of the project that would reduce the potential project impacts to biological resources discussed above to less than significant:

BIO-1: The applicant shall a) purchase habitat credit, or b) provide for the conservation of habitat of 1.8 acres of Diegan coastal sage scrub and 0.4 acres of non-native grassland (total 2.2 acres), located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft Multiple Species Conservation Program (MSCP) North County Plan area and, to the maximum extent feasible, within the Northern Valley ecoregion. If the applicant provides the habitat, a Resource Management Plan shall be prepared and an open space easement shall be dedicated to protect the land in perpetuity. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land.

BIO-2: There shall be no brushing, clearing, and/or grading during the avian breeding season (February 1 to September 15) except as allowed by this condition. All grading permits, improvement plans, and the final map shall state the same. If vegetation must be removed during the avian breeding season, a qualified biologist must conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys will be conducted no more than three (3) days prior to scheduled removals. If active nests are identified, the biologist will establish a RAA of 300 feet (500 feet for raptors) around the vegetation containing the active nest(s). The vegetation containing the active nest will not be removed, and no brushing, clearing, and/or grading will occur within the established RAA until a qualified biologist has determined that the nest is no longer active (i.e., the juveniles are surviving independent from the nest). If clearing is not conducted within three days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds.

BIO-3: To mitigate for potential impacts to the California gnatcatcher during construction, the following measures shall be required: No clearing, grubbing, grading, or other construction activities shall occur within 500 feet of Diegan coastal sage scrub habitat between March 1 and August 15 (CAGN breeding season) until a qualified biologist (possessing a valid ESA Section 10(a)(1)(A) Recovery Permit) shall survey appropriate habitat (Diegan coastal sage scrub) areas within 500 feet of the project footprint and would be subject to construction noise levels exceeding 60 dB hourly average for the presence of the CAGN. If no appropriate habitat is present then the surveys will not be required. If appropriate habitat is present, gnatcatcher surveys shall be conducted pursuant to USFWS protocol survey guidelines within the breeding season prior to commencement of any construction. If gnatcatchers are present the following conditions must be met:

1. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB hourly average at the edge of occupied habitat must be completed by a qualified acoustician Prior to commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under supervision of a qualified biologist;

or



2. At least two weeks prior to commencement of construction activities and under direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB hourly average at the edge of habitat occupied by the CAGN. Concurrent with commencement of construction activities and construction of necessary noise attenuation facilities, noise monitoring shall be conducted at the edge of occupied habitat area to ensure that noise levels do not exceed 60 dB hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

If CAGN are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the County and Wildlife Agencies, and no mitigation would be required. NO brushing, clearing and/or grading shall occur until concurrence is received from the County and the Wildlife Agencies.

Therefore, through implementation of mitigation measures BIO-1 through BIO-3, the proposed project would not result in new significant environmental impacts to biological resources.

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

YES

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NO

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The 2004 ND identified that impacts to Cultural and Paleontological resources would be less than significant.

The current project proposes a new monastery and parking lot within the eastern portion of the property, which would disturb an additional 2.7 acres. A pedestrian cultural survey was completed by County Staff in 2017 and did not identify any cultural resources on the project site. The results of the survey are available in a cultural resources technical report titled "Cultural Resources Survey Report for Phap Vuong Monastery PDS2014-MUP-14-010 APN# 227-010-57 Negative Findings" that has been submitted to the South Coastal Information Center (Nearn 2018). It was determined that while no cultural resources were visible on the project site's ground surface, the cultural sensitivity of the surrounding area and low visibility indicate that undiscovered cultural resources may be present subsurface. The project is required to comply with the County's Grading and Clearing Ordinance for the inadvertent discovery of cultural resources. In order to ensure compliance

with the Grading ordinance, an archaeological and Native American monitoring program will be required. Therefore, impacts to cultural resources would remain less than significant.

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

YES

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NO

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The 2004 ND found that less than significant impacts for Geology and Soils would result from the project as proposed at that time.

The currently proposed project proposes site disturbance and development within the eastern portion of the property and would result in a larger area of disturbance as compared to the prior project.

Consistent with the prior ND, the project is not prone to liquefaction, no landslides have been identified at the site, and the project is not located in a hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 2018, Fault Rupture Hazards Zones in California.

Additionally, the project must comply with current stormwater requirements and will not result in unprotected erodible soils; will not significantly alter existing drainage patterns; is not located in a floodplain, wetland, or significant drainage feature; and will not develop steep slopes.

The project must also comply with the County's Grading Ordinance requirements, which requires either (1) the removal of expansive soils; or (2) installation of an appropriate foundation approved by a licensed civil engineer, if expansive soils are encountered during construction. As such, this project would not create substantial risks to life or property.

Therefore, impacts for geology and soils would remain less than significant.



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

YES  
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NO  
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The 2004 ND did not include a greenhouse gas (GHG) emissions analysis as it was not required by CEQA at that time. However, global climate change could have been known with the exercise of reasonable diligence at the time the previous ND was adopted. In the U.S. Supreme Court Case of *Massachusetts v. E.P.A.* (2007) 549 U.S. 497, 507, the Court explained that global climate change began garnering governmental attention long before 2004. The opinion states: "In the late 1970's, the Federal Government began devoting serious attention to the possibility that carbon dioxide emissions associated with human activity could provoke climate change. In 1978, Congress enacted the National Climate Program Act, 92 Stat. 601, which required the President to establish a program to 'assist the Nation and the world to understand and respond to natural and man-induced climate processes and their implications.'" Therefore, global climate change is not new information of substantial importance. However, an overview of relevant regulations and a brief discussion of the project's compliance with applicable regulations is provided below.

In 2006, the State of California passed the Global Warming Solutions Act of 2006, commonly referred to as Assembly Bill (AB) 32, which set a GHG emissions reduction goal for the State into law. The law requires that by 2020, State emissions must be reduced to 1990 levels by reducing GHG emissions from significant sources via regulation, market mechanisms, and other actions. Enacted in 2016, SB 32 codified a 2030 emissions reduction target that requires CARB to ensure that statewide GHG emissions are reduced to 40% below 1990 levels by 2030. Senate Bill (SB) 375, passed in 2008, links transportation and land use planning with global warming. It requires the California Air Resources Board (CARB) to set regional targets for the purpose of reducing GHG emissions from passenger vehicles. Under this law, if regions develop integrated land use, housing, and transportation plans that meet SB 375 targets, new projects in these regions can be relieved of certain review requirements under CEQA. The San Diego Association of Governments (SANDAG) has prepared the region's Sustainable Communities Strategy (SCS) and the 2050 Regional Transportation Plan (RTP) which are elements of the *San Diego Forward: The Regional Plan*. The strategy identifies how regional GHG reduction targets, as established by the CARB, will be achieved through development patterns, transportation infrastructure investments, and/or transportation measures or policies that are determined to be feasible.

To implement State mandates to address climate change in local land use planning, local land use jurisdictions are generally preparing GHG emission inventories and reduction plans, or Climate Action Plans (CAP).

The County adopted a Climate Action Plan (CAP) in February 2018. The CAP was prepared as a qualified plan for reduction of GHG emissions and provides streamlining provisions for projects that can demonstrate consistency with the CAP.

The CAP established the following threshold of significance for GHG emissions:

*A proposed project would have a less than significant cumulatively considerable contribution to climate change impacts if it is found to be consistent with the County's Climate Action Plan; and, would normally have a cumulatively considerable contribution to climate change impacts if it is found to be inconsistent with the County's Climate Action Plan.*

The CAP includes a CAP Consistency Review Checklist to implement GHG reduction measures from the CAP that apply to new development projects. The Checklist follows a two-step process to determine if projects are consistent with the CAP and whether they may have a significant cumulative impact under the County's adopted GHG thresholds of significance. The Checklist first assesses a project's consistency with the growth projections and land use assumptions that formed the basis of CAP emissions projections. If a project is consistent with the projections and land use assumptions in the CAP, its associated growth in terms of GHG emissions would have been accounted for in the CAP's projections and project implementation of the CAP reduction measures will contribute towards reducing the County's emissions and meeting the County's reduction targets.

The CAP Consistency Review Checklist was completed for the project and is available as one of the technical documents completed for this Subsequent MND. The proposed project is consistent with the existing General Plan regional category, land use designations, and zoning designations. The project would comply with applicable measures in Step 2 of the Checklist. These measures will be included as conditions of approval for the project. The project is a religious use that would not have high daily vehicle trips and use would be concentrated on Sundays primarily. The project would not accommodate a high number of employees. Therefore, the Checklist measures that relate to vehicle miles traveled (VMT) would not be applicable because the intent of those CAP measures is to reduce VMT and emissions from land uses that generate daily VMT consistently, contributing to a steady level of annual VMT. Residential-related measures from the CAP checklist also do not apply because the residence is accessory to the proposed use and standalone single-family units are typically not subject to discretionary review.

As a supplement to CAP consistency review, the following analysis is also provided. The annual 900 metric ton carbon dioxide equivalent (MTCO<sub>2e</sub>) screening level, which is referenced in the California Air Pollution Control Officers Association (CAPCOA) CEQA and Climate Change white paper dated January 2008 and can be found at <http://www.capcoa.org/wp-content/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf>, is used as a conservative criterion for determining if further analysis and potential mitigation with regard to GHG emissions would be required.

The proposed project's GHG emissions associated with construction including emissions from construction equipment, truck traffic, and worker trips were quantified using the California Emissions Estimator Model (CalEEMod) Version 2016.3.1<sup>3</sup> using the same assumptions as outlined in the air quality analysis. Grading and construction of the project would produce 160

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<sup>3</sup> California Air Pollution Control Officers Association. 2016. *California Emissions Estimator Model (CalEEMod) Version 2016.3.1*. Available at: <http://www.caleemod.com/>.



MTCO<sub>2</sub>e over the construction life of the project for an average of 5 MTCO<sub>2</sub>e. Given the fact that the total emissions would ultimately contribute to 2020 cumulative levels, it is acceptable to average the total construction emissions over a project's lifecycle. Guidance from the South Coast Air Quality Management District (SCAQMD) supports using a 30-year project life to analyze a project's GHG emissions under CEQA. A summary of the construction emissions is shown in Table 4 below.

**Table 4 Annual Construction Greenhouse Gas Emissions Summary (MT)**

Year	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
2017	159	<1	0	160
Amortized 30-year (MT CO <sub>2</sub> e per year)				5
Notes: CH <sub>4</sub> =methane; CO <sub>2</sub> =carbon dioxide; CO <sub>2</sub> e=carbon dioxide-equivalent; MT=metric tons; N <sub>2</sub> O=nitrous oxide Values may not sum due to rounding.				
Source: Ldn Consulting, Inc. 2018. <i>Global Climate Change Analysis: Tran Monastery Major Use Permit.</i>				

Once construction is completed, the project would generate GHG emissions from daily operations which would include sources such as area, energy, mobile, solid waste, and water uses, which were calculated within CalEEMod. According to the project-specific Traffic Study, the project would generate 108 worst-case daily trips on Sundays<sup>4</sup>. There would be three special events annually; however, these events would generate fewer trips than Sunday trips, so no modification was made to the trip generation for these events. The analysis and CalEEMod output files are found in Attachment A of the Global Climate Change Analysis prepared by Ldn Consulting. Combined amortized construction emissions and operational emissions would generate 170 MTCO<sub>2</sub>e per year.

**Table 5 2020 Operational Greenhouse Gas Emissions Summary (MT per Year)**

Category	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
Area	<1	0	0	<1
Electricity	29	<1	0	29
Natural Gas	8	0	0	8
Mobile	97	<1	0	97
Waste	10	<1	0	25
Water	4	<1	0	5
<b>Sub Total</b>				<b>164</b>
<b>Amortized 30-year Construction</b>				<b>5</b>
<b>Total Operations</b>				<b>170</b>
Notes: CH <sub>4</sub> =methane; CO <sub>2</sub> =carbon dioxide; CO <sub>2</sub> e=carbon dioxide-equivalent; MT=metric tons; N <sub>2</sub> O=nitrous oxide Values may not sum due to rounding.				
Source: Ldn Consulting, Inc. 2018. <i>Global Climate Change Analysis: Tran Monastery Major Use Permit.</i>				

As shown above, total GHG emissions associated with project construction and operation would be below the 900 MT CO<sub>2</sub>e per year screening level.

<sup>4</sup> LLG Engineers. 2014. *Tran Monastery – Traffic Letter Report*. County of San Diego.

Overall, GHG emissions were an issue that could have been reasonably known at the time the 2004 ND was adopted. In addition, the proposed project complies with the applicable provisions of the CAP checklist and is also below the 900 MT CO<sub>2</sub>e per year screening level. The proposed project does not include any changes that cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects associated with greenhouse gas emissions. In fact, the proposed project would result in less GHG emissions as compared to the project that was previously evaluated in the EIR. There are no changes to the project or changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in new or increased effects to global climate change.

**VIII. HAZARDS AND HAZARDOUS MATERIALS** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in 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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The 2004 ND found that less than significant environmental impacts to exposure of people or structures to hazards would result from project as proposed at that time.

The currently proposed project differs from the 2004 project in that it includes a new structure and parking lot within a different location on the property.

The project does not propose the storage, use, transport, emission, or disposal of Hazardous Substances, nor are Hazardous Substances proposed or currently in use in the immediate vicinity. The project does not propose to demolish any existing structures onsite and therefore would not create a hazard related to the release of hazardous materials from demolition activities. Based on a site visit and a regulatory database search for the 2004 ND and the use of the site since then, the project site has not been subject to a release of hazardous substances.



The project is not located within an Airport Land Use Compatibility Plan (ALUCP), an Airport Influence Area, or a Federal Aviation Administration Height Notification Surface. The project does not propose construction of any structure equal to or greater than 150 feet in height that would constitute a safety hazard to aircraft and/or operations from an airport or heliport.

The project will not interfere with any emergency response plans.

The project does not involve or support uses that pose a vector risk and based on a site visit conducted by Jeff Smyser on October 21, 2016, there are no such uses on adjacent properties. The project will not increase current or future resident's exposure to vectors.

The proposed project is adjacent to wildlands that have the potential to support wildland fires. However, the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because the project will comply with the regulations relating to emergency access, water supply, and defensible space specified in the Consolidated Fire Code for the 16 Fire Protection Districts in San Diego County. Implementation of these fire safety standards will occur during the building permit process. Also, a Fire Service Availability Form dated February 10, 2014, and conditions dated December 17, 2017, have been received from the Rincon Del Diablo Fire Protection District, a.k.a. City of Escondido Fire Department. The conditions from the Rincon Del Diablo Fire Protection District include: compliance with all applicable current codes. The Fire Service Availability Letter indicates the expected emergency travel time to the project site to be less than five minutes, which is consistent with the most restrictive standard. Therefore, based on the review of the project by County staff, through compliance with the Consolidated Fire Code and through compliance with the Rincon Del Diablo Fire Protection District's conditions, the project is not anticipated to expose people or structures to a significant risk of loss, injury or death involving hazardous wildland fires. Moreover, the project will not contribute to a cumulatively considerable impact, because all past, present and future projects in the surrounding area are required to comply with the Consolidated Fire Code.

Therefore, the project will have less than significant impacts regarding hazards and hazardous materials.

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

Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES  
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NO  
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The 2004 ND found that less than significant environmental impacts to hydrology and water quality resources would result from the project as proposed at that time.

The currently proposed project differs from the prior project in that it is located within a different portion of the property and would disturb a larger area (new structure and parking lot). The currently proposed project would comply with the County of San Diego Best Management Practices (BMP) Design Manual, 2016 and 2013 Municipal Separate Storm Sewer System (MS4) permit. A Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP) has been prepared for the project in accordance with the 2013 MS4 permit and BMP Design Manual. Proposed structural BMPs including biofiltration basins have been incorporated into the project to address potential Water Quality and Hydromodification impacts of the proposed project. Additionally the CEQA Drainage Study has been updated to comply with the San Diego County Hydraulic Design Manual, 2014 and was prepared in conformance with the San Diego County Hydrology Manual, 2003. The proposed conjunctive use water quality, hydromodification management and detention basin will mitigate increased runoff from the 100-year storm event to pre-project levels. Therefore, the currently proposed project will have less than significant impacts on hydrology and water quality.

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

YES  
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NO  
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The 2004 ND found that less than significant impacts regarding land use and planning would result from the project as proposed at that time.

The currently proposed project differs from the 2004 project in that it includes a new, larger monastery structure on a different location within the property. The current project required review for consistency with the General Plan, Community Plan, and Zoning Ordinance.

The General Plan Regional Category for the site is Semi-Rural. The Land Use Designation is Semi-Rural Residential (SR-1), which limits any residential development to one dwelling per one, two, or four acres, depending on the topography of the site. This is a residential density limitation that does not apply to a civic use such as Religious Assembly.



The project is also subject to the policies of the North County Metro Subregional Plan. In this plan, Land Use Policy 1 requires City-County planning cooperation and Policy 4 encourages use of city road standards for roads to be annexed. Vista Avenue was improved to City of Escondido standards and was annexed by the City. North Ash Street is being improved to City Standards by agreement with the County. Policy 18 states that the Subregional Plan adopts the Land Use Designations contained in the General Plan. The project is consistent with the North County Metro Subregional Plan.

The Use Regulation (zoning) of the site is Single-Family Residential (RS). This zone allows a "Civic, Fraternal or Religious Assembly" use upon issuance of an MUP pursuant to Section 2105 of the Zoning Ordinance. The minimum lot size is one acre. The Building Type designator is C, which allows one or more detached nonresidential buildings on a lot. The Building Height designator is G, which allows a building height of 35 feet and two stories. The Setback designator is H, which requires: special front setback of 70 feet from centerline on Vista Avenue per Section 4816; external side setback (from North Ash Street) of 35 feet from centerline; internal setback of 10 feet; and rear setback of 25 feet. The proposed monastery complies with these requirements and with the issuance of a Major Use permit the project will comply with zoning requirements.

The project does not include the construction of new infrastructure such as roads, water facilities, or sewer facilities that would divide the community. Vista Avenue and North Ash Street exist. The City of Escondido approved development along North Ash Street north of Vista Avenue that was required to improve Vista Avenue and North Ash Street where these streets abut the proposed monastery project. The County has coordinated with the City regarding those road improvements during the review of the proposed project. (Vista Avenue at this location is now a City street.) The monastery will be served with water from an existing City of Escondido water main. An new onsite septic system is proposed to collect and treat wastewater.

Therefore, the currently proposed project will have a less than significant impact on land use and planning

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

YES  
☐

NO  
☒

The 2004 ND found that less than significant impacts on mineral resources would result from the project as proposed at that time.

The currently proposed project differs from the 2004 project in that it includes a new, larger monastery structure on a different location on the property. The project site has been classified by

the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997) as an area of "Potential Mineral Resource Significance" (MRZ-3). However, the project site is surrounded by densely developed land uses including residential schools, which are incompatible to future extraction of mineral resources on the project site. A future mining operation at the project site would likely create a significant impact to neighboring properties for issues such as noise, air quality, traffic, and possibly other impacts. Therefore, implementation of the project will not result in the loss of availability of a known mineral resource that would be of value since the mineral resource has already been lost due to incompatible land uses.

Therefore, the currently proposed project will have less than significant impact on mineral resources.

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

YES  
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NO  
☒

The 2004 ND found that less than significant impacts on noise would result from the project as proposed at that time.

The currently proposed project differs from the 2004 project in that it includes a new, larger monastery structure on a different location on the property. The current project required review for consistency with County noise standards and the General Plan Noise Element. A Preliminary Noise Study was prepared for the proposed project by LDN Consulting, dated January 13, 2016, received on July 1, 2016.

The proposed project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable standards for the following reasons:

**General Plan – Noise Element**

The County of San Diego General Plan, Noise Element, addresses noise sensitive areas and requires an acoustical study to be prepared for any use that may expose noise sensitive areas to noise in excess of a Community Noise Equivalent Level (CNEL) of 65 decibels (dBA) for



churches, with an interior of 50 dBA requirement for rooms occupied part of the day. The living quarters would be subject to an interior 45 dBA.

Typical wall assembly construction would provide a 15 to 20 decibel noise reduction from traffic noise. Additional measures such as placement of windows, window and door upgrades, building material option upgrades could help further reduce noise. As recommended in the Noise Study and part of the project design, the building would utilize an improved dual pane window design to meet the County Noise Element standards. The project will be conditioned to require windows to be improved to a dual pane design with a sound transmission class (STC) minimum rating of 26. Therefore, the project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, Noise Element.

#### Noise Ordinance – Section 36.404

Non-transportation noise generated by the project is not expected to exceed the standards of the County of San Diego Noise Ordinance (Section 36.404) at or beyond the project's property line. The project and surrounding uses are zoned RS and are subject to the most restrictive one-hour average nighttime sound level limit of 45 dBA and daytime of 50 dBA. Based on the project design and layout, County staff does not anticipate noise from the proposed church facility to exceed County noise standards. There are no proposed choir groups or children's activities area. Retail is also not proposed. Additionally, the project would be conditioned to ensure any substantial noise generating equipment and/or activities to comply with County noise standards.

The monastery will include a bell and drum/gong in the large meditation room on the main floor. Unlike a church that would have a bell tower with bells designed to be heard at some distance, the monastery's bell and gong will be completely enclosed within the building. They are not designed be heard outside the building and so it is expected that they will be in compliance with County noise standards. As stated above, the project will be conditioned to ensure any substantial noise generating equipment and/or activities will comply with County noise standards.

#### Noise Ordinance – Section 36.409

The project will not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36.409). Construction operations will occur only during permitted hours of operation pursuant to Section 36.409. Also, it is not anticipated that the project will operate construction equipment in excess of an average sound level of 75 dBA between the hours of 7 AM and 7 PM.

Finally, the project's conformance to the County of San Diego General Plan (Noise Element) and County of San Diego Noise Ordinance (Section 36.404 and 36.409) ensures the project will not create cumulatively considerable noise impacts, because the project will not exceed the local noise standards for noise sensitive areas; and the project will not exceed the applicable noise level limits at the property line or construction noise limits, derived from State regulation to address human health and quality of life concerns. Therefore, the project will not contribute to a cumulatively considerable exposure of persons or generation of noise levels in excess of standards established in the local general plan, noise ordinance, and applicable standards of other agencies.

Groundborne Vibration or Groundborne Noise Levels

The project proposes a religious assembly facility where low ambient vibration is essential for interior operation and/or sleeping conditions. However, the facilities are typically setback more than 50 feet from any County Mobility Element (ME) roadway using rubber-tired vehicles with projected groundborne noise or vibration contours of 38 VdB or less; any property line for parcels zoned industrial or extractive use; or any permitted extractive uses. A setback of over 50 feet from the roadway centerline for heavy-duty truck activities would insure that these proposed uses or operations do not have any chance of being impacted significantly by groundborne vibration or groundborne noise levels (Harris, Miller, Miller and Hanson Inc., *Transit Noise and Vibration Impact Assessment* 1995, Rudy Hendriks, *Transportation Related Earthborne Vibrations* 2002). This setback insures that this project site will not be affected by any future projects that may support sources of groundborne vibration or groundborne noise related to the adjacent roadways. Also, the project does not propose any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels and impact vibration sensitive uses in the surrounding area. Therefore, the project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels on a project or cumulative level.

Ambient Noise Levels

The project involves the following permanent noise sources that may increase the ambient noise level: vehicle traffic and monastery related operations. As discussed above, the project would not expose existing or planned noise sensitive areas in the vicinity to a substantial permanent increase in noise levels that exceed the allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control. Also, the project is not expected to expose existing or planned noise sensitive areas to direct noise impacts over existing ambient noise levels.

The project does not involve any uses that may create substantial temporary or periodic increases in ambient noise levels in the project vicinity including but not limited to extractive industry; outdoor commercial or industrial uses that involve crushing, cutting, drilling, grinding, or blasting of raw materials; truck depots, transfer stations or delivery areas; or outdoor sound systems. Also, general construction noise is not expected to exceed the construction noise limits of the County of San Diego Noise Ordinance (Section 36.409), which are derived from State regulations to address human health and quality of life concerns. Construction operations will occur only during permitted hours of operation pursuant to Section 36.409. Also, it is not anticipated that the project will operate construction equipment in excess of 75 dB for more than an 8 hours during a 24-hour period. Therefore, the project would not result in a substantial temporary or periodic increase in existing ambient noise levels in the project vicinity.

The project will not result in cumulative noise impacts because a list of past, present and future projects within in the vicinity were evaluated. It was determined that the project in combination with a list of past, present and future project would not expose existing or planned noise sensitive areas to cumulative noise over existing ambient noise levels.

Airport Noise



The proposed project is not located within a Comprehensive Land Use Plan (CLUP) for airports or within 2 miles of a public airport or public use airport. The proposed project is not located within a one-mile vicinity of a private airstrip. Therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels.

Therefore, the currently proposed project will have less than significant noise impacts.

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

YES  
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NO  
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The 2004 ND found that less than significant impacts on population and housing would result from the project as proposed at that time.

The currently proposed project differs from the 2004 project in that it includes a new, larger monastery structure on a different location on the property. The project is consistent with the General Plan and the North County Metro Subregional Plan and will not include extensions of utilities or roads into unserved areas. Therefore, it will not induce population growth either directly or indirectly. The project will not displace any people or existing housing and so it will not displace any affordable housing or necessitate construction of replacement housing. Therefore, the currently proposed project will have less than significant impacts on population and housing.

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

YES  
☐

NO  
☒

The 2004 ND found that less than significant impacts on public services would result from the project as proposed at that time.

The currently proposed project differs from the 2004 project in that it includes a new, larger monastery structure on a different location on the property. A new onsite septic system will serve the project, so there will be no impact on a public wastewater system. Based on the service

availability forms received for the project, the proposed project will not result in the need for significantly altered services or facilities. Service availability forms have been provided which indicate existing services are available to the project from the following agencies/districts: Rincon del Diablo Fire Protection District (City of Escondido Fire Department); City of Escondido (water service); Escondido Union High School District; and Escondido Union School District (elementary and junior high schools). There will be no children living at the monastery.

The project does not involve the construction of new or physically altered governmental facilities including but not limited to fire protection facilities, sheriff facilities, schools, or parks in order to maintain acceptable service ratios, response times or other performance service ratios or objectives for any public services. Therefore, the currently proposed project will have less than significant impacts on public services or facilities.

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

YES  
☐

NO  
☒

The 2004 ND did not include a separate section on recreation. The public services section included "schools, parks, or other public services or facilities" and found that less than significant impacts on public services would result from the project as proposed at that time.

The currently proposed project differs from the 2004 project in that it includes a new, larger monastery structure on a different location on the property. The project does not propose any residential use that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity. The project does not include recreational facilities or require the construction or expansion of recreational facilities, so there is no construction or expansion of recreational facilities that would have an adverse physical effect on the environment. Therefore, the currently proposed project will have less than significant impacts on recreation.

**XVI. TRANSPORTATION/TRAFFIC** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to 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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The 2004 ND found that less than significant impacts on transportation would result from the project as proposed at that time.

Since the 2004 ND was adopted, the County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. This program includes the adoption of a Transportation Impact Fee (TIF) program to fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. This program is based on a summary of projections method contained in an adopted planning document, as referenced in the State CEQA Guidelines Section 15130 (b)(1)(B), which evaluates regional or area wide conditions contributing to cumulative transportation impacts. Based on SANDAG regional growth and land use forecasts, the SANDAG Regional Transportation Model was utilized to analyze projected build-out (year 2030) development conditions on the existing Mobility Element roadway network throughout the unincorporated area of the County. Based on the results of the traffic modeling, funding necessary to construct transportation facilities that will mitigate cumulative impacts from new development was identified. Existing roadway deficiencies will be corrected through improvement projects funded by other public funding sources, such as TransNet, gas tax, and grants. Potential cumulative impacts to the region's freeways have been addressed in SANDAG's Regional Transportation Plan (RTP). This plan, which considers freeway buildout over the next 30 years, will use funds from TransNet, state, and federal funding to improve freeways to projected level of service objectives in the RTP.

The proposed project differs from the prior project in that the access to the monastery would be provided off of North Ash Street rather than Vista Avenue, and a new larger parking lot would be developed. The proposed project would also result in an increased number of vehicle trips as compared to the prior project.

A Traffic Letter Report for the proposed project was prepared by Linscott Law & Greenspan, dated July 3, 2014, and resubmitted July 11, 2017. County staff have reviewed this letter report. The proposed project would generate 108 ADT on Sundays, the highest trip generation day. There is no change in circumstance regarding the scope of the project that would warrant additional traffic analysis. These trips will be distributed on circulation element roadways in the unincorporated County that were analyzed by the TIF program, some of which currently or are projected to operate at inadequate levels of service. In addition, the potential growth represented by this project was included in the growth projections upon which the TIF program is based.

Staff reviewed the sight distance for the proposed driveway on North Ash Street. The sight distance available for southbound traffic on North Ash Street approaching the intersection with the proposed driveway opening complies with the AASHTO stopping sight distance criteria, based upon the sight distances cited in the sight distance certification provided by Latitude 33 Planning & Engineering, dated October 3, 2018.

Therefore, with the inclusion into and payment of the TIF, which will be required at issuance of building permits, in combination with other components of the program described above, the proposed project will result in a less than significant impact on transportation and traffic .

**XVII. TRIBAL CULTURAL RESOURCES** -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to tribal cultural resources including: causing a change in the significance of a tribal cultural resource as defined in Public Resource Code §21074?

YES  
☐

NO  
☒

Since the 2004 ND was adopted, there has been a change in circumstances. Assembly Bill 52 (AB-52) became effective on July 1, 2015. AB-52 requires that tribal cultural resources (TCR) be evaluated under CEQA.

The currently proposed project was evaluated for tribal cultural resources as follows. A Sacred Lands File Search was requested from the Native American Heritage Commission (NAHC). The NAHC did not identify any resources on file with the commission, but recommended that traditionally and culturally affiliated tribes who may have information related to the project site be contacted. Pursuant to AB-52, Native American consultation was conducted with the following tribes: the San Luis Rey Band of Mission Indians, Viejas Band of Kumeyaay Indians, Pala Band of Mission Indians, Rincon Band of Luiseño Indians, Lipay Nation of Santa Ysabel, and the Campo Kumeyaay Nation. No resources were identified during the consultation process. Due to the extensive cultural history of the project site and surrounding area, monitoring of ground disturbing activities by an archaeologist and a Native American monitor was requested and is included in the project's conditions of approval to ensure compliance with the Grading Ordinance regarding inadvertent discoveries of Native American cultural resources.

Based on the cultural resources evaluation and tribal outreach, it has been determined that tribal cultural resources are not present within the project site. Therefore, with the implementation of the proposed project, there will be no impacts to significant tribal cultural resources.

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



be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES  
☒

NO  
☐

The 2004 ND found that less than significant impacts on utilities would result from the project as proposed at that time.

The currently proposed project differs from the 2004 project in that it includes a new, larger monastery building on a different location on the property and includes a new onsite septic system for the new monastery. A Service Availability form was received from and the new project will receive imported water service from the City of Escondido. The project will have a new onsite septic system for wastewater treatment. As explained in the Hydrology and Water Quality section above, the proposed water quality, hydromodification management and detention basin will maintain runoff from the 100-year storm event to pre-project levels. Therefore, the currently proposed project will have less than significant effects on utilities and service systems.

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

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

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

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

YES  
☐

NO  
☒

The 2004 ND found that less than significant impacts on Mandatory Findings of Significance would result from the project as proposed at that time.

The currently proposed project differs from the 2004 project in that it includes a new, larger monastery structure on a different location on the property. However, as described in this

Environmental Checklist and the technical reports that analyzed the project, with the mitigation measures described in this Environmental Checklist, the currently proposed project will not result in significant impacts and will not have impacts that are cumulatively considerable.

The following projects were examined for potential cumulative impacts:

<b>SE corner of Vista Ave. and North Ash St. intersection</b>	
PDS2006-4700-15017	Major Grading Permit
<b>Abutting property on west of project site</b>	
PDS2003-2700-14472	Major Grading Permit
PDS2004-3200-20761	Tentative Parcel Map approved 2007 but no final Parcel Map, property not subdivided
PDS2008-2240-20761	Minor Subdivision Improvement Plan
<b>North of site approx. 1,000 feet, on Stanley Ave.</b>	
PDS2017-CC-17-0050	Certificate of Compliance, small remainder piece, withdrawn
<b>North of site, across Vista Ave.</b>	
Map 16153	Residential Subdivision, City of Escondido
<b>On proposed monastery site</b>	
PDS2001-3300-01-022	Major Use Permit, expired
PDS2004-2700-14782	Major Grading Permit
PDS2005-4700-14782	Major Grading Permit
PDS2012-3992-12-001	Major Pre-Application for monastery MUP

#### Attachments

- Negative Declaration prepared for Phap Vuong Monastery (P 01-022): October 9, 2003, Adopted May 27, 2004

#### **XX. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW UPDATE CHECKLIST FORM**

Alden Environmental, Biological Technical Report for the Tran Monastery Project, August 15, 2017

Butsko Utility Design, Inc., Tran Monastery Photometric Study, May 12, 2017.

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

California Environmental Quality Act, CEQA Guidelines



Phap Vuong Monastery  
PDS2014-MUP-14-010, ER01-08-051A

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January 16, 2019

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, Air Quality Analysis, Tran Monastery, PDS2014-MUP-14-010, January 11, 2019

County of San Diego, Climate Action Plan Consistency Review Checklist, Phap Vuong Monastery, PDS2014-MUP-14-010, May 17, 2018

County of San Diego, Cultural Resources Survey Report for Phap Vuong Monastery, PDS2014-MUP-14-010, May 4, 2018

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

County of San Diego 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 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

Latitude 33 Planning & Engineering, Land Use Reconnaissance, Tran Monastery, July 16, 2015.

Latitude 33 Planning & Engineering, Photosimulations, Tran Monastery, July 1, 2016.

Latitude 33 Planning & Engineering, Priority Development Project (PDP) Storm Water Management Development Plan (SWQMP), Phap Vuong Monastery, October 27, 2016, signed June 8, 2018

Latitude 33 Planning & Engineering, Preliminary Drainage Study for Phap Vuong Monastery, March, 2018

Phap Vuong Monastery  
PDS2014-MUP-14-010, ER01-08-051A

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January 16, 2019

Latitude 33 Planning & Engineering, Request for Design Exception to a Road Standard for Sight Distance, Tran Monastery, October 3, 2018.

Ldn Consulting, Inc., Global Climate Change Analysis: Tran Monastery Major Use Permit, January 15, 2018.

Ldn Consulting, Inc., Preliminary Noise Study, Tran Monastery Major Use Permit, January 13, 2016

Linscott, Law & Greenspan, Tran Monastery Traffic Letter Report, July 3, 2014.

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 Center for Watershed Protection

The Resource Conservation and Recovery Act (RCRA), 1976

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

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





GARY L. PRYOR  
DIRECTOR

# County of San Diego

## DEPARTMENT OF PLANNING AND LAND USE

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### NEGATIVE DECLARATION

**FINAL**

October 9, 2003

Project Name: Phap Vuong Monastery Major Use Permit

Project Number: P 01-022, Log No. 01-08-051

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

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for Stormwater, Hydrology, Traffic/Transportation

1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Negative Declaration and the comments received during the public review period, and; on the basis of the whole record before the decision-making body (including this Negative Declaration) that there is no substantial evidence that the project will have a significant effect on the environment.

2. Required Mitigation Measures:

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

None.

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

SDC PDS RCVD 01-25-19  
MUP14-010

Negative Declaration,  
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October 9, 2003

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

DPW Requirements:

Our recommendations are as follows:

A. Prior to obtaining any other permit, the applicant shall:

- 1) Grant to the County of San Diego, an easement for Vista Avenue, in accordance with Public Road Standards for a Residential Collector Road that provides a one-half right-of-way width of thirty feet (30') from the centerline on the project side along the frontage of the property plus slope and drainage rights. The grant of right-of-way shall be free of any burdens or encumbrances which would interfere with the purpose for which the grant is required at the time of approval of the Major Use Permit. The above shall be to the satisfaction of Director of Public Works.
- 2) Grant to the County of San Diego, an easement for road purposes that provides a one-half right-of-way width of forty-two feet (42') from ultimate centerline, plus slope rights and drainage easements along Ash Street (SA 540), designated as a Collector Road on the Circulation Element of the General Plan. The easement is to be accepted for public use. The official centerline for Ash Street (SA 540) is on file at the Department of Public Works Survey Records Section, 5201 Ruffin Road, Suite D, San Diego, CA 92123.

Any offer of dedication or grant of right-of-way shall be free of any burdens or encumbrances which would interfere with the purposes for which the dedication or offer of dedication is required.

- 3) 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. Department of Public Works policy prohibits trench cuts for underground utilities in all new, reconstructed, or resurfaced paved County-maintained

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roads for a period of three years following project surface application. Therefore, you will need to notify all adjacent property owners who may be affected by this policy and are considering development of applicable properties.

B. Prior to obtaining any building permit pursuant to this Major Use Permit, the applicant shall:

- 1) Improve or agree to improve and provide security for the project side of Vista Avenue, along the project frontage, in accordance with interim Public Road Standards, to a minimum graded width of sixteen feet (16') from centerline and to an improved width of thirteen feet (13') from centerline, with asphalt concrete pavement over approved base, with, disintegrated granite (DG) at grade walkway, asphalt concrete taper to original pavement, to the satisfaction of the Director of Public Works. The DG walkway shall be a minimum three feet (3') in width and wider where possible to meet existing toe of slope to the satisfaction of the Director of Public Works.

Secured agreements require posting security in accordance with Section completed within 24 months from the date approving the Major Use Permit or prior to use or occupancy of the facility, whichever is earlier.

- 2) Execute a lien agreement to improve project side of Vista Avenue, along the project frontage, in accordance with Public Road Standards for a Residential Collector Road, to a graded width of thirty feet (30') from centerline and to an improved width of twenty feet (20') from centerline, with asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter, and sidewalk, asphalt concrete taper to original pavement and streetlights, with face of curb at twenty feet (20') from centerline, to the satisfaction of the Director of Public Works.
- 3) Execute a lien agreement to improve Ash Street (SA 540), in accordance with Public Road Standards for a Collector Road, to a one-half graded width of forty-two feet (42') with Portland cement concrete curb, gutter and sidewalk; asphalt concrete pavement over approved base, ornamental street lights, asphalt concrete dike taper to existing pavement. Face of curb will be thirty-two feet (32') from the centerline. This lien agreement against the property is granted to the County of San Diego as security in lieu of the



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immediate installation of the full standard street improvements. It shall declare that present and future owners of this property construct the street improvements in the future.

- 4) Obtain a recorded waiver and release from each property owner impacted by significant changes in downstream flow characteristics resulting from grading, private roads, or other improvements.
- 5) Obtain a grading permit prior to commencement of grading where quantities exceed 200 cubic yards of excavation or five feet (5') of cut/fill per criteria of Section 87.201 of the County Zoning and Land Use Regulations.
- 6) Obtain a Construction Permit and/or Encroachment Permit for any and all work within the County road right-of-way. Contact DPW Construction / Road right-of-way Permits Services Section, (858) 694-3275, to coordinate departmental requirements.
- 7) Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the Escondido Fire Department and the Director of Public Works.
- 8) Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 5 acres 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.

C. Prior to any occupancy or use of the premises pursuant to this Major Use Permit, he applicant shall:

- 1) Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that there physically is three hundred seventy feet (370') of unobstructed sight distance,

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along Vista Avenue from the access driveway opening in both directions, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999), or to the satisfaction of the Director of Public Works.

- 2) Comply with street lighting requirements as follows:
  - a. Allow transfer of the property subject to Major Use Permit into Zone A of the San Diego County Street Lighting District without notice or hearing and pay the cost to process such transfer.
  - b. Install or arrange to install street lights to County standards and the satisfaction of the Director of Public Works, and deposit with the County of San Diego, through the Department of Public Works, a cash deposit sufficient to energize and operate the street lights until the property has been transferred into Zone A.
- 3) Furnish the Director of Planning and Land Use, along with his request for final inspection, a letter from the Director of Public Works, stating conditions A-1 through C-2 have been completed to the department's satisfaction.

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

Planning and Environmental Review Board

on May 27, 2004



JOSEPH FARACE, Planning Manager  
Department of Planning and Land Use

GARY L. PRYOR  
DIRECTOR  
(858) 694-2962



# County of San Diego

## DEPARTMENT OF PLANNING AND LAND USE

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

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

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

October 9, 2003

### INITIAL STUDY FORM

1. Project Number(s)/Environmental Log Number/Title:

P01-022; Log No. 01-08-051; Phap Vuong Monastery Major Use Permit

2. Description of Project:

The project is a Major Use Permit for the expansion of an existing Buddhist Sanctuary for up to 25 members. Two existing structures exist on site. One is used as a residence for the priest and the other is used as the Buddhist Sanctuary. One new attached structure is proposed which consists of a restroom to be attached to the existing priest's residence. Currently, a paved parking area for approximately 10 vehicles exists on site. An expanded, paved parking area is proposed that consists of 36 parking spaces including two handicap spaces and associated landscaping. A 20-foot wide paved A.C. driveway is proposed to join the future Vista Avenue. Concrete steps, a concrete pathway, and concrete paving are proposed leading from the parking lot to surround the existing structures. A six-foot high block wall is proposed at the western boundary of the parking lot at the western lot line. Three low-pressure sodium lights to be mounted on poles are proposed to illuminate the parking lot. Three religious statues/structures are proposed to be placed on the project site. The project site will be served by the following agencies: City of Escondido-Rincon Del Diablo Water District, Escondido-Rincon Del Diablo Fire Protection District, High Escondido Union, General Elementary Escondido Union.

3. Project Sponsor's Name and Address:

Dr. Le Tan Huynh  
712 El Camino Real  
Tustin, CA 92780

4. Project Location:



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The project is located at 715 Vista Avenue on the southwest corner of Vista Avenue and Ash Street in the North County Community Planning Area within an unincorporated area of San Diego County, APN 227-010-57.

Thomas Brothers Coordinates: Page 1109, Grid 5/H

5. Surrounding Land Uses and Environmental Setting:

The project site currently has an existing single-family home and a Buddhist sanctuary, which is used for religious assembly purposes. The 8.9-acre parcel is mostly vacant land with non-native grassland and some remnant tree crops from past use of the land for agricultural purposes. The topography consists of moderate slopes sloping to the north and west on the project site. A small area of Coastal sage scrub exists atop a hill located at the northeast portion of the parcel. The project is bounded to the west by a residential parcel with an existing single-family home. To the north of the project site, the project is bounded by Vista Avenue and across the street are large residential parcels with some small-scale agricultural uses. Ash Street is located at the eastern boundary of the project the site and across Ash Street is vacant land and residential homes. The southern boundary of the project site reaches the boundary of the City of Escondido.

6. General Plan Designation

Community Plan:	North County Metro Community Plan
Land Use Designation:	1 - Residential
Density:	1 du/1, 2, or 4 gr. acres

7. Zoning

Use Regulation:	RS – Single Family Residential Use Regulation
Density:	1 du/1 acre
Special Area Regulation:	None

8. Environmental resources either significantly affected or significantly affected but avoidable as detailed on the following attached "Environmental Analysis Form".

None

9. Lead Agency Name and Address:

County of San Diego, Department of Planning and Land Use  
5201 Ruffin Road, Suite B MS O650  
San Diego, California 92123-1666

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10. Lead Agency Contact and Phone Number:

Emery McCaffery, Project Environmental Analyst (858) 694-3704

11. Anticipated discretionary actions and the public agencies whose discretionary approval is necessary to implement the proposed:

Permit Type/Action

Agency

Major Use Permit  
Grading Permit

County of San Diego  
County of San Diego

12. State agencies (not included in #11) that have jurisdiction by law over natural resources affected by the project:

California Department of Fish and Game.

13. Participants in the preparation of this Initial Study:

Consultants

Richard W. Hartley, Project Engineer

County Staff

David Sibbet, Project Manager, DPLU  
Emery McCaffery, Environmental Analyst, DPLU  
Brett Solomon, original Environmental Analyst, DPLU  
Lee Shick, DPW Project Manager, DPW  
Greg Carlton, DPW Resource Staff, DPW

14. Initial Study Determination:

On the basis of this Initial Study, the Department of Planning and Land Use believes that there is no evidence in the record that the proposed project may have a potentially significant effect on the environment. A NEGATIVE DECLARATION will be prepared.

  
EMERY MCCAFFERY, Environmental Analyst  
County of San Diego, Department of Planning and Land Use  
Regulatory Planning

Date: October 9, 2003

## ENVIRONMENTAL ANALYSIS FORM

FINAL

DATE: October 9, 2003

PROJECT NAME: Phap Vuong Monastery

PROJECT NUMBER(S): P01-022; Log No. 01-08-051

## EXPLANATION OF ANSWERS:

The following questions are answered either "Potentially Significant Impact", "Potentially Significant Unless Mitigation Incorporated", "Less Than Significant Impact", or "Not Applicable" and are defined as follows.

**"Potentially Significant Impact."** County staff is of the opinion there is substantial evidence that the project has a potentially significant environmental effect and the effect is not clearly avoidable with mitigation measures or feasible project changes. "Potentially Significant Impact" means that County staff recommends the preparation of an Environmental Impact Report (EIR) for the project.

**"Potentially Significant Unless Mitigation Incorporated."** County staff is of the opinion there is substantial evidence that the project may have a potentially significant adverse effect on the resource. However, the incorporation of mitigation measures or project changes agreed to by the applicant has clearly reduced the effect to a less than significant level.

**"Less Than Significant Impact."** County staff is of the opinion that the project may have an effect on the resource, but there is no substantial evidence that the effect is potentially significant and/or adverse.

**"Not Applicable."** County staff is of the opinion that, as a result of the nature of the project or the existing environment, there is no potential for the proposed project to have an effect on the resource.

## I. LAND USE AND PLANNING

1. Would the proposal potentially be in conflict with any element of the General Plan including community plans, land use designation, or zoning?

**Less Than Significant Impact.**

The proposed project is a Buddhist Sanctuary for up to 25 members. The Regional Land Use Element is CUDA, Current Urban Development Area and the General Plan designates this site as (1), Residential. A sanctuary



is classified as Religious Assembly pursuant to Section 1370 of the Zoning Ordinance and requires approval of a Major Use Permit. The property is zoned RS1, Residential Use Regulation, which allows Religious Assembly with the issuance of a Major Use Permit pursuant to Section 2105a of the Zoning Ordinance; therefore, the proposed project is consistent with zoning.

2. Would the proposal potentially be in conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

**Less Than Significant Impact.**

In the review of the project, no conflicts with environmental plans or policies adopted by other agencies have been identified. These agencies include, but are not limited to: the California Regional Water Quality Control Board, the San Diego Air Pollution Control District, California Department of Fish and Game, the Federal Department of Fish and Wildlife Service, the State Department of Health Services, and the County Department of Environmental Health.

3. Does the proposal have the potential to be incompatible with existing or planned land uses or the character of the community?

**Less Than Significant Impact.**

The existing land uses and character in the vicinity of the proposed project are residential, agricultural and civic uses. Residences and small farms surround the project site. Rincon Middle School is also located within a ½ mile east of the property. The existing surrounding uses are a mixture of residential, agricultural and civic uses and therefore, the proposed school will be a compatible use. The sanctuary will not require a substantial alteration of the existing landform, will not require new utilities, and the main access to the site is via a public road, Vista Avenue. Therefore, the proposed project will not have a harmful effect on neighborhood character or planned land use because the existing development will not be materially altered.

4. Would the proposal have the potential to significantly disrupt or divide the physical arrangement of an established community?

**Less Than Significant Impact.**

The proposed project will not significantly disrupt or divide the established community because the physical arrangement of established development is one of rural and civic uses and character. The proposed project will not require the introduction of new utilities to the area.

## II. AGRICULTURE RESOURCES

1. Would the proposal convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or have a potentially adverse effect on prime agricultural soils as identified on the soils map for the Conservation Element of the San Diego County General Plan?

### **Less Than Significant Impact.**

The 8.9-acre project site contains Unique Farmland. However, the majority of the project site that has a Unique Farmland designation is not proposed for development. A small portion of Unique Farmland will be developed with a parking lot, however, the area this encompasses is a relatively small area of land, less than one acre, and the impact area is already dominated by urban developed use including a religious assembly and a single family home. Therefore, this project would not result in a significant conversion of farmland resources to non-agricultural use.

2. Would the proposal conflict with existing zoning for agricultural use, or a Williamson Act Contract?

### **Less Than Significant Impact.**

The project site does not contain agriculture. In addition, the project and surrounding area are not zoned for agricultural use, nor is the land under a Williamson Act Contract. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract.

3. Would the proposal involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to a non-agricultural use?

### **Less Than Significant Impact.**

The project site has supported agriculture in the past, however, it is no longer maintained. The area which supported agriculture (tree crops) in

the past is not planned for development, therefore, the project will not convert farmland to a non-agricultural use.

### III. POPULATION AND HOUSING

1. Would the proposal potentially induce substantial growth either directly or indirectly?

**Less Than Significant Impact.**

The project does not involve substantial extensions of utilities such as water, sewer or new roads systems into previously unserved areas and is consistent with the County General Plan. The project will not induce substantial growth not consistent with County planning goals.

2. Would the proposal displace a potentially significant amount of existing housing, especially affordable housing?

**Less Than Significant Impact.**

The proposed project will not displace any existing housing since the site has one house and it will remain. No other housing is proposed.

### IV. GEOLOGIC ISSUES

1. Would the proposal have the potential to significantly increase the exposure of people to hazards related to fault rupture (Alquist-Priolo Zone), seismic ground shaking, seismic ground failure (liquefaction), rockfall, or landslides?

**Less Than Significant Impact.**

The project is not located in a hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1994, Fault-Rupture Hazards Zones in California. Also, a site visit conducted by Jennifer Campos on November 14, 2001, did not identify any features that would indicate landslides or the potential for liquefaction.

2. Would the proposal result in potentially significant increased erosion or loss of topsoil?

**Less Than Significant Impact.**



According to the Soil Survey of San Diego County, the soils on-site are identified as FvD Fallbrook Vista Sandy Loams, 9-15% slopes; LpD2 Las Posas fine sandy loam, 9-15% slopes; LpE2 Las Posas fine sandy loams, 15-30% slopes, eroded; RaC2 Ramona sandy loam, 5-9% slopes, eroded. The project will not result in unprotected erodible soils; will not alter existing drainage patterns; is not located in a floodplain, wetland, or significant drainage feature; and will not develop steep slopes. The project is required to comply with the Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING) of Division 7, EXCAVATION AND GRADING, of the San Diego County Zoning and Land Use Regulations. Due to these factors, it has been found that the project will not result in significantly increased erosion potential.

3. Would the proposal result in potentially significant unstable soil conditions (expansive soils) from excavation, grading, or fill?

**Less Than Significant Impact.**

A review of the Soil Survey, San Diego Area CA by the U.S. Department of Agriculture has identified the following on-site soils having a HIGH shrink-swell behavior: LpD2 Las Posas fine sandy loam, 9-15% slopes and LpE2 Las Posas fine sandy loams, 15-30% slopes, eroded. All other mapped soils on the site have a low to moderate shrink-swell behavior and are identified as stable with no adverse potential for development activity. However, potential impacts as a result of development in the areas with LpD2 Las Posas fine sandy loam, 9-15% slopes and LpE2 Las Posas fine sandy loams, 15-30% slopes, eroded will be avoided by compliance with the following measures and/or conditions in the Grading Ordinance Requirements Sections 87.403 and 87.410 specified at the time of the grading permit issuance. A soils report with compaction test is required for all fill that is over 12 inches in depth. DPL Form #73, Certification of Fill Compaction Report, completed by a registered engineer is to be submitted after the grading has been done.

4. Would the proposal result in a potentially significant adverse effect to unique geologic features?

**Less Than Significant Impact.**

On a site visit completed by Jennifer Campos on November 14, 2001, no significant geological features were identified on-site. No known unique geologic features were identified on the property or in the immediate vicinity on the Natural Resources Inventory of San Diego County listed in

the Conservation Element of the San Diego County General Plan. Since no unique geologic features are present on the site, no adverse impacts will result from the proposed project.

5. Would the proposal result in potentially significant loss of availability of a significant mineral resource that would be of future value to the region?

**Less Than Significant Impact.**

The project will not result in a loss of availability of a known significant mineral resource that would be of value to the region. The project is not located in a significant mineral resource area, as identified on maps prepared by the Department of Conservation, Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1996). Also, on a site visit conducted by Jennifer Campos on November 14, 2001, no past or present mining activities were identified on the project.

**V. WATER RESOURCES**

1. Would the proposal violate any waste discharge requirements?

**Less Than Significant Impact.**

The project does not propose waste discharges that require waste discharge requirement permits, NPDES permits, or water quality certification from the San Diego Regional Water Quality Control Board (SDRWQCB).

2. Is the project tributary to an already impaired water body as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?

**Less Than Significant Impact.**

The project lies in the Escondido hydrologic subarea, within the Carlsbad (904.62) hydrologic unit - that is impaired for Coliform bacteria, nutrients, and sediment. The project proposes the following activities that could contribute the following pollutants: sediments, nutrients from fertilizers, trash and debris in drain inlets, oxygen-demanding substances, oils and grease, bacteria and viruses, pesticides from landscaping and home use. However, the following site design measures and/or source control BMPs and/or treatment control BMPs as indicated in the Stormwater

Management Plan dated February 26, 2003 and prepared by Hartley-Imgrund, Inc., Civil Engineering and Land Surveying will be employed as required by the WPO. Potential pollutants will be reduced in any runoff to the maximum extent practicable so as not to increase the level of these pollutants in receiving waters:

CONSTRUCTION BMPs- Silt Fence, Street Sweeping and Vacuuming, Gravel Bag Berm, Storm Drain Inlet Protection, Stockpile Management, Solid Wasted Management, Stabilized Construction Entrance/Exit, Dewatering Operations, Vehicle and Equipment Maintenance, Erosion Control Mats and Spray-on Applications, Material Delivery and Storage, Spill Prevention and Control, Concrete Waste Management, Water Conservation Practices, Paving and Grinding Operations, Permanent Revegetation of All Disturbed uncovered areas

Construction BMPs will be selected, constructed, and maintained so as to comply with all applicable ordinances and guidance documents.

POST CONSTRUCTION BMPs

Source Control BMPs- Stormwater Runoff Pollution Fact Sheet, Stormwater Runoff Pollution Prevention Tips, Stormwater Pollution Prevention Yard Work (Landscaping, Gardening, Pest Control), Stormwater Pollution Prevention Pet Waste, Effective Irrigation Systems & Landscape Design

Treatment Control BMPs- Biofilters, biofiltration strips (vegetative buffer strips), filtration through grass, sedimentation, absorption to soil particles, infiltration through the soil, swales and strips, vegetated areas

3. Would the proposal result in a potentially significant increase in the demand on the local imported water system?

**Less Than Significant Impact.**

The project will obtain its water supply from the City of Escondido- Rincon Del Diablo Water District, which obtains water from imported sources. The District currently serves all surrounding residences. Furthermore, a Service Availability Letter from the City of Escondido- Rincon Del Diablo Water District dated October 24, 2001, has been provided indicating



adequate water resources and infrastructure to provide requested water resources.

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

**Yes.**

The project as designed will meet the performance standards of the ordinance for flow control and erosion, and surface and ground water quality. See questions 1, 2 and 5 through 9 of this section for more detailed rationale. Furthermore, a Stormwater Management Plan prepared by Hartley-Imgrund, Inc., Civil Engineering and Land Surveying, dated February 26, 2003 has been prepared for the project in accordance with the requirements of the WPO. The document is substantially complete and complies with the Watershed Protection Ordinance (WPO) requirements for a Stormwater Management Plan (SWMP). This report has been reviewed and approved by the Department of Public Works and Department of Planning and Land Use.

5. Would the proposed project substantially alter the existing drainage of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?

**Less Than Significant Impact.**

The proposed project will not significantly alter the existing drainage of a stream or river, because it does not significantly increase runoff or propose to impair, impede or accelerate flow in any watercourse. The drainage course running through or adjacent to the property does not have a watershed of 1 or more square miles. Staff has reviewed the preliminary hydrology study dated September 5, 2002 (revised February 17, 2003) and has determined that it is adequate at this time.

6. Would the proposed project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

**Less Than Significant Impact.**

The proposed project will not significantly alter the existing drainage of a stream or river, because it does not significantly increase runoff or propose to impair, impede or accelerate flow in any watercourse. The drainage course running through or adjacent to the property does not have a watershed of 1 or more square miles. Staff has reviewed the preliminary hydrology study dated September 5, 2002 (revised February 17, 2003) and has determined that it is adequate at this time.

7. Would the proposed project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

**Less Than Significant Impact.**

The proposed project will not significantly impact any existing or planned stormwater drainage systems because it does not proposed to significantly increase runoff. The existing drainage systems downstream of the project are adequate to carry the runoff from the project. Staff has reviewed the preliminary hydrology study dated September 5, 2002 (revised February 17, 2003) and has determined that it is adequate at this time.

8. Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?

**Less Than Significant Impact.**

Water quality objectives have been designated for waters of the San Diego Region by the Regional Water Quality Control Board as outlined in chapter 3 of the Water Quality Control Plan (Plan). The water quality objectives are necessary to protect the existing and potential beneficial uses of each hydrologic unit as described in chapter 2 of the Plan.

The project lies in the Escondido hydrologic subarea, within the Carlsbad hydrologic unit that has the following existing and potential beneficial uses for inland surface waters, coastal waters, reservoirs and lakes, and ground water: municipal and domestic supply (MUN); agricultural supply (AGR); industrial service supply (IND); contact water recreation (REC-1); non-contact water recreation (REC-2); warm freshwater habitat (WARM); cold freshwater habitat (COLD); wildlife habitat (WILD).

The project proposes the following potential sources of polluted runoff: sediments, nutrients from fertilizers, trash and debris in drain inlets,

oxygen-demanding substances, oils and grease, bacteria and viruses, pesticides from landscaping and home use. However, the following site design measures and/or source control BMPs and/or treatment control BMPs as indicated in the Stormwater Management Plan dated February 26, 2003 and prepared by Hartley-Imgrund, Inc. Civil Engineering and Land Surveying will be employed as required by the WPO. Potential pollutants will be reduced in any runoff to the maximum extent practicable so as not to increase the level of these pollutants in receiving waters:

CONSTRUCTION BMPs- Silt Fence, Street Sweeping and Vacuuming, Gravel Bag Berm, Storm Drain Inlet Protection, Stockpile Management, Solid Wasted Management, Stabilized Construction Entrance/Exit, Dewatering Operations, Vehicle and Equipment Maintenance, Erosion Control Mats and Spray-on Applications, Material Delivery and Storage, Spill Prevention and Control, Concrete Waste Management, Water Conservation Practices, Paving and Grinding Operations, Permanent Revegetation of All Disturbed uncovered areas.

Construction BMPs will be selected, constructed, and maintained so as to comply with all applicable ordinances and guidance documents.

#### POST CONSTRUCTION BMPs

Source Control BMPs- Stormwater Runoff Pollution Fact Sheet, Stormwater Runoff Pollution Prevention Tips, Stormwater Pollution Prevention Yard Work (Landscaping, Gardening, Pest Control), Stormwater Pollution Prevention Pet Waste, Effective Irrigation Systems & Landscape Design.

Treatment Control BMPs- Biofilters, biofiltration strips (vegetative buffer strips), filtration through grass, sedimentation, absorption to soil particles, infiltration through the soil, swales and strips, vegetated areas.

9. Would the proposal provide substantial additional sources of polluted runoff?

#### **Less Than Significant Impact.**

The project proposes the following potential sources of polluted runoff: sediments, nutrients from fertilizers, trash and debris in drain inlets,



oxygen-demanding substances, oils and grease, bacteria and viruses, pesticides from landscaping and home use. However, the following site design measures and/or source control BMPs and/or treatment control BMPs as indicated in the Stormwater Management Plan dated February 26, 2003 and prepared by Hartley-Imgrund, Inc. Civil Engineering and Land Surveying will be employed as required by the WPO. Potential pollutants will be reduced in any runoff to the maximum extent practicable so as not to increase the level of these pollutants in receiving waters:

CONSTRUCTION BMPs- Silt Fence, Street Sweeping and Vacuuming, Gravel Bag Berm, Storm Drain Inlet Protection, Stockpile Management, Solid Wasted Management, Stabilized Construction Entrance/Exit, Dewatering Operations, Vehicle and Equipment Maintenance, Erosion Control Mats and Spray-on Applications, Material Delivery and Storage, Spill Prevention and Control, Concrete Waste Management, Water Conservation Practices, Paving and Grinding Operations, Permanent Revegetation of All Disturbed uncovered areas.

Construction BMPs will be selected, constructed, and maintained so as to comply with all applicable ordinances and guidance documents.

POST CONSTRUCTION BMPs

Source Control BMPs- Stormwater Runoff Pollution Fact Sheet, Stormwater Runoff Pollution Prevention Tips, Stormwater Pollution Prevention Yard Work (Landscaping, Gardening, Pest Control), Stormwater Pollution Prevention Pet Waste, Effective Irrigation Systems & Landscape Design.

Treatment Control BMPs- Biofilters, biofiltration strips (vegetative buffer strips), filtration through grass, sedimentation, absorption to soil particles, infiltration through the soil, swales and strips, vegetated areas.

10. If the proposal is groundwater dependent, plans to utilize groundwater for non-potable purposes, or will obtain water from a groundwater dependent water district, does the project have a potentially significant adverse effect on groundwater quantity?

**Not Applicable.**

The project will obtain its water supply from the City of Escondido- Rincon Del Diablo Water District, which obtains water from imported sources. The District currently serves all surrounding residences. Furthermore, a Service Availability Letter from the City of Escondido- Rincon Del Diablo Water District dated October 24, 2001, has been provided indicating adequate water resources and infrastructure to provide requested water resources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

11. Would the project 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?

**Less Than Significant Impact.**

The project will obtain its water supply from the City of Escondido-Rincon Del Diablo 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.

12. Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

**Yes.**

The project will obtain its water supply from the City of Escondido-Rincon Del Diablo 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.

## **VI. AIR QUALITY**

1. Would the proposal have the potential to significantly contribute to the violation of any air quality standard or significantly contribute to an existing or projected air quality violation?

**Less Than Significant Impact**

No significant source of either stationary or indirect air pollutants has been identified from the project. The primary source of air pollutants would be generated from vehicle trips associated with the proposed project. The vehicle trips generated from the project will result in 90 Average Daily Trips (ADTs). According to the Bay Area Air Quality Management District

CEQA Guidelines for Assessing the Air Quality Impacts of Projects and Plans, projects that generate less than 2,000 ADT are below the threshold of significance for reactive organic gases (ROG). Therefore, the vehicle trip emissions associated with the proposed project are not expected to significantly contribute to an existing or projected air quality violation. No other potential sources of air pollutants have been identified from the project. Additionally, the project is not expected to emit any toxic air contaminant or particulate matter based on project description and information submitted.

2. Would the proposal have the potential to significantly increase the exposure of people to any excessive levels of air pollutants?

**Less Than Significant Impact.**

Based on a site visit conducted on November 14, 2001 by Jennifer Campos, the project is not located near any identified source of noxious emissions and will not expose people to excessive levels of air pollutants.

3. Would the proposal potentially result in the emission of objectionable odors at a significant intensity over a significant area?

**Less Than Significant Impact.**

No potential sources of objectionable odors have been identified within the proposed project. Thus, the project is not expected to generate any significant levels of objectionable odors.

**VII. TRANSPORTATION/CIRCULATION**

1. Would the proposal result in a potential degradation of the level of service of affected roadways in relation to the existing traffic volumes and road capacity?

**Less Than Significant Impact.**

The project will have an insignificant traffic impact on the existing traffic volumes on the roadways in the area as referenced in the Focused Traffic Study prepared by Federhart & Associates, dated September 6, 2002.

The proposed project would not result in a degradation of the L.O.S. of affected roadways. Vista Avenue is a Collector Road in the City of Escondido Circulation Element with a current L.O.S. B (3600 ADT)



{threshold of 4100 ADT for L.O.S. B, based upon existing 2-lane road}. The traffic volume from the project (90 ADT) would not result in any impacts, degradation, or threshold increase on Vista Avenue.

Ash Street (CE #SA 540) is a Collector Road on the San Diego County Circulation Element of the General Plan with a current L.O.S. D (7600 ADT) {threshold of 10,900 ADT for L.O.S. D, based upon existing 2-lane road}. The traffic volume from the project (90 ADT) would not result in any impacts, degradation, or threshold increase on Ash Street.

2. Would the proposal result in potentially significant impacts to traffic safety (e.g., limited sight distance, curve radii, right-of-way)?

**Less Than Significant Impact.**

The project will not have any significant impacts on traffic safety. There is 582 feet of existing unobstructed sight distance from the proposed driveway location along Vista Avenue to the east and over 600 feet of existing unobstructed sight distance along Vista Avenue to the west.

The project will be certified, by the private engineer, that it has adequate sight distance prior to final occupancy and that all driveways are built to County Standards. The applicant will be required to acquire adequate right-of-way for the designated specifications of Ash Street (CE #SA 540) and Vista Avenue, and design and construct all public and private roads per the County Public and Private Road Standards.

3. Would the proposal potentially result in insufficient parking capacity on-site or off-site?

**Less Than Significant Impact.**

The project proposes 36 parking spaces in a rectangular configuration, which is enough parking to accommodate all anticipated visitors and all the employees at any one time. The project description does include the amount of visitors anticipated. Section 6766 of the Zoning Ordinance requires 1 parking space for every 4 persons based on the total occupancy of the largest assembly room.

4. Would the proposal result in a potentially significant hazard or barrier for pedestrians or bicyclists?

**Less Than Significant Impact.**

The project does not propose any hazards or barriers for pedestrians or bicyclists, nor will it affect existing conditions any County road in the area for pedestrians or bicyclists. Any required improvements will be constructed to maintain or improve existing conditions as they relate to pedestrians and bicyclists.

#### VIII. BIOLOGICAL RESOURCES

1. Would the proposal result in potentially significant adverse effects, including noise from construction or the project, to an endangered, threatened, or rare plant or animal species or their habitats?

##### **Less Than Significant Impact.**

The project site historically supported coastal sage scrub habitat in small isolated patches of habitat on a small hill at the northeastern portion of the project site. This was evident on aerial photos of the project parcel from 1995 and 1997. Several investigations from County biological staff, as well as the project engineer, identified that the habitat had been removed as an action associated with the single-family residence constructed on the project site in 1998-1999. The construction of a single-family residence was issued as a ministerial action, and was exempt from Habitat Loss Permit Ordinance. The Ordinance exempts minor grading, if applicable, for single-family residences. Since it was a building permit, the project was not subject to the Ordinance. While removal of habitat did not have a "take" permit, there was no unauthorized removal of coastal sage scrub habitat. The proposed monastery will not remove any additional remnants of coastal sage scrub habitat supported on the project site. The project will utilize the existing residential structure and any disturbances of coastal sage habitat would occur within the 100 feet of fuel modification that is an existing condition of the structure.

Improvements will occur to the driveway, which will be expanded in the northwest corner of the site. These improvement areas are completely disturbed and do not support native habitat lands. Refer to the vegetation map completed by staff biologist, Brett Solomon, entitled, "Phap Vuong Buddhist Sanctuary 2000 Imagery." The habitat near the structure was cleared under the single-family residence development and occurred several years ago. Therefore, the project will not have potentially significant adverse effects, including noise from construction or the project, to an endangered, threatened, or rare plant or animal species or their habitats. Furthermore, no impacts to coastal sage scrub will result from this proposed project.

2. Does the project comply with the Sensitive Habitat Lands section (Article IV, Item 6) of the Resource Protection Ordinance?

**Yes.**

Remnants of coastal sage scrub habitat occur in the northeastern corner of the project site. These areas will not be impacted by the proposed Major Use Permit for the monastery. Any remnants of coastal sage scrub habitat remaining on the project site are either completely avoided or are within the 100 feet of fire clearing for the existing structure. The project will not impact any native habitat lands through the construction of the parking lot or implementation of the use permit. Therefore, it has been found that the proposed project complies with Article IV, Item 6 of the Resource Protection Ordinance.

3. Would the proposal result in potentially significant adverse effects to wetland habitats or wetland buffers? Is the project in conformance with wetland and wetland buffer regulations within the Resource Protection Ordinance?

**Less Than Significant Impact.**

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

4. Does the proposed project have the potential to discharge material into and/or divert or obstruct the natural flow or substantially change the bed, channel or bank of any river, stream, lake, wetland or water of the U.S. in which the California Department of Fish and Game and/or Army Corps of Engineers maintain jurisdiction over?

**Less Than Significant Impact.**

The proposed project site does not contain any wetlands, rivers, streams, lakes or waters of the U.S that could potentially be impacted, diverted or obstructed by the proposed development. Therefore, no impacts will occur to wetlands, rivers, streams, lakes or water of the U.S in which the California Department of Fish and Game and/or Army Corps of Engineers maintain jurisdiction over.



5. Would the proposal result in potentially significant adverse effects to wildlife dispersal corridors?

**Less Than Significant Impact.**

No linear features (drainages, ridges, valley or linear-shaped patches of native vegetation) that connect areas of native vegetation or natural open space were identified on the site within the site visit conducted by Jennifer Campos on November 14, 2001. Therefore, the site is not expected to be used as a wildlife dispersal corridor and will not impact the dispersal of wildlife.

6. Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

**Not Applicable.**

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

7. Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

**Less Than Significant Impact.**

The project site historically supported coastal sage scrub habitat in small isolated patches of habitat on a small hill at the northeastern portion of the project site. This was evident on aerial photos of the project parcel from 1995 and 1997. Several investigations from County biological staff, as well as the project engineer identified that the habitat had been removed as an action associated with the single-family residence constructed on the project site in 1998-1999. The construction of a single-family residence was issued as a ministerial action, and was exempt from Habitat Loss Permit Ordinance. The Ordinance exempts minor grading, if applicable, for single-family residences. Since it was a building permit, the project was not subject to the Ordinance. While removal of habitat did not have a "take" permit, there was no unauthorized removal of coastal sage scrub habitat. The proposed monastery will not remove any additional remnants of coastal sage scrub habitat supported on the project

site. The project will utilize the existing residential structure and any disturbances of coastal sage habitat would occur within the 100 feet of fuel modification that is an existing condition of the structure. Improvements will occur to the driveway, which will be expanded in the northwest corner of the site. These improvement areas are completely disturbed and do not support native habitat lands. Refer to the vegetation map completed by staff biologist, Brett Solomon, entitled, "Phap Vuong Buddhist Sanctuary 2000 Imagery." The habitat near the structure was cleared under the single-family residence development and occurred several years ago. Therefore, proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings since no new impacts will occur to coastal sage scrub habitat. Furthermore, no impacts to coastal sage scrub will result from this proposed project.

#### IX. HAZARDS

1. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**Not Applicable.**

The project is not located on a site listed in the State of California Hazardous Waste and Substances sites list compiled pursuant to Government Code Section 65962.5. In addition, an internal review of existing data and a field visit to the project site did not indicate the presence of any historic burnsites, landfills, or uses that may have contributed to potential site contamination. Therefore, no significant hazard to the public or the environment is expected to occur due to project implementation.

2. Would the proposal have the potential to significantly interfere with the County of San Diego Operational Area Emergency Plan or the County of San Diego Operational Site Specific Dam Failure Evacuation Data Plans?

**Not Applicable.**

The project lies outside any mapped dam inundation area for major dams/reservoirs within San Diego County, as identified on inundation maps prepared by the dam owners.

3. Would the proposal have the potential to significantly increase the fire hazard in areas with flammable vegetation?

**Less Than Significant Impact.**

The project will not significantly increase the fire hazard because it will comply with the regulations relating to emergency access, water supply, and defensible space specified in the Uniform Fire Code, Article 9 and Appendix II-A, Section 16, as adopted and amended by the local fire protection district. Implementation of these fire safety standards will occur during the Tentative Map, Tentative Parcel Map, or building permit process. Also, a Fire Service Availability Letter, dated October 24, 2001, has been received from the Escondido-Rincon Del Diablo Fire Protection District.

4. a. Would the proposal expose people or property to flooding?

**Less Than Significant Impact.**

The proposed project will not significantly increase the amount of runoff. The project will have no adverse effect on drainage patterns or the rate or amount of runoff and does not propose to impair, impede or accelerate flow in any watercourse. Staff has reviewed the preliminary hydrology study dated September 5, 2002 (revised February 17, 2003) and has determined that it is adequate at this time.

- b. Does the project comply with the Floodways and Floodplain Fringe section (Article IV, Section 3) of the Resource Protection Ordinance?

**Not Applicable.**

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

5. Will the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

**Not Applicable.**



The project will not create a significant hazard to the public or the environment because it has neither a commercial nor industrial use and does not propose the storage, use, transport, disposal, or handling of Hazardous Substances.

6. Will the project create 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?

**Not Applicable.**

The project will not create a significant hazard to the public or the environment because it has neither a commercial nor industrial use and does not propose the storage, use, transport, disposal, or handling of Hazardous Substances.

7. Is the project within one-quarter mile of an existing or proposed school that will emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste in a quantity equal to or greater than that specified in subdivision (a) of Section 25536 of the Health and safety Code? Or, does the project involve the proposal of a school that is within one-quarter mile of a facility that exhibits the above characteristics?

**Not Applicable.**

Although the project is located within one-quarter mile of two existing schools (Calvin Christian High School to the west & Rincon Middle School to the east), the project is not intended for commercial or industrial use and does not propose the handling, storage, or transport of hazardous materials.

8. For a project 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 would the project result in a safety hazard for people residing or working in the project area?

**Not Applicable.**

The proposed project is not located within any airport's Comprehensive Land Use Plan, nor is it located within two miles of a public airport or public use airport that has not adopted a Comprehensive Land Use Plan.

Therefore the project will not result in a safety hazard for people residing or working in the project area.

9. For project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

**Not Applicable.**

The proposed project is not located within the vicinity (1 mile) of a private airstrip. Therefore the project will not result in a safety hazard for people residing or working in the project area.

#### **X. NOISE**

1. Would the project result in 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?

**Less Than Significant Impact.**

The proposal would not expose people to 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, aircraft) noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)=60 decibels (dB) limit.

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.

2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

**Less Than Significant Impact.**

The project would not generate potentially significant adverse groundborne vibration or 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, County of San Diego Zoning Ordinance, and other applicable local, State, and Federal noise control regulations. As a

component of the Major Use Permit, the project will be precluded for utilizing noise devices that would exceed acceptable limits within the Noise Element or Noise Ordinance. This includes the preclusion of gongs or bell towers outdoors. Therefore, the project will not have any noise sources that will potentially generate a significant adverse noise levels.

Excluding ground vibration from motor vehicles, trains, aircraft, or temporary construction, groundborne noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)=60 decibels (dB) limit.

3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

**Less Than Significant Impact.**

The project would not expose existing or planned noise sensitive areas to a substantial permanent increase in noise levels that 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 based on a staff review by John Bennett.

Project implementation is not expected to expose existing noise sensitive areas to noise 10 decibels CNEL over existing ambient noise levels.

4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

**Less Than Significant Impact.**

The project would not generate a substantial temporary or periodic increase in noise levels that exceed the allowable limits of the County of San Diego Noise Ordinance, the County of San Diego Noise Element of the General Plan, and other applicable local, State, and Federal noise control regulations based on a staff review by John Bennett.

For general construction, the temporary increase over existing ambient levels is not expected to exceed the construction noise limits of the County Noise Ordinance. The hours of construction are also restricted by the County Noise Ordinance (Section 36.410).



For project-related traffic, the temporary or periodic increase in noise levels going to and from the project site is not expected to exceed the 60 decibel CNEL limit of the County of San Diego Noise Element of the General Plan.

5. For a project 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, would the project expose people residing or working in the project area to excessive noise levels?

**Less Than Significant Impact.**

Project implementation is not expected to expose people living and working in the project area to excessive noise levels, because the County Geographic Mapping Application shows that the project lies outside of the 60-decibel CNEL noise contour of the airport and its proposed allowed use does not generate any potentially significant noise levels based on a staff review by John Bennett.

6. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**Less Than Significant Impact.**

Project implementation is not expected to expose people living and working at the project site to excessive noise levels, because the County Geographic Mapping Application shows that the project lies outside of the 60-decibel CNEL noise contour of the airport and its proposed use would not generate any excessive noise levels based on a staff review by John Bennett.

**XI. PUBLIC SERVICES**

Would the proposal create potentially significant adverse effects on, or result in the need for new or significantly altered services or facilities? This could include a significantly increased maintenance burden on fire or police protection, schools, parks, or other public services or facilities. Also, will the project result in inadequate emergency access?

**Less Than Significant Impact.**

The proposed project will not result in the need for significantly altered services or facilities are available or adequate to serve the project. Health Department

approval is required for the entire septic system prior to a public hearing on this project. Availability Letters have been received from the City of Escondido Fire Protection District and the Rincon Del Diablo Water District that state that services are currently available to the project site. Vista Avenue and Ash Street are both paved, public roads. The only access to the site is via Vista Avenue and emergency access is adequate.

## **XII. UTILITIES AND SERVICES**

Would the proposal result in a need for potentially significant new distribution systems or supplies, or substantial alterations to the following utilities:

Power or natural gas;  
Communication systems;  
Water treatment or distribution facilities;  
Sewer or septic tanks;  
Storm water drainage;  
Solid waste disposal;  
Water supplies?

### **Less Than Significant Impact.**

The proposed project will not result in the need for new distribution systems or substantial alterations to existing systems because the existing utility systems listed above are available to serve the proposed project.

## **XIII. AESTHETICS**

1. Would the proposal result in a demonstrable, potentially significant, adverse effect on a scenic vista or scenic highway?

### **Less Than Significant Impact.**

The proposed project is not visible from a designated scenic vista, overlook or viewpoint according to the Scenic Highway Element of the General Plan; therefore, a demonstrable potentially significant adverse effect is not foreseen.

2. Would the proposal result in a demonstrable, potentially significant, adverse visual effect that results from landform modification, development on steep slopes, excessive grading (cut/fill slopes), or any other negative aesthetic effect?

**Less Than Significant Impact.**

After a recent site visit it appears that the grading has been completed. The proposed project will not require significant alteration of the existing landform for the proposed project. Only minor grading and recompaction of the parking area are proposed. Therefore, the resultant development will have no visual impact from landform modification or grading. The resultant development will not have a visual impact from landform modification or grading.

3. Does the project comply with the Steep Slope section (Article IV, Section 5) of the Resource Protection Ordinance?

**Yes.**

The average slope for the property is less than 25%. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). The project is in conformance with the RPO.

4. Would the project produce excessive light, glare, or dark sky impacts?

**Less Than Significant Impact.**

The project design has not proposed any structures or materials that would create a public nuisance or hazard. The project conforms to the San Diego County Light Pollution Code (San Diego County Code Section 59.101). Any future lighting would be regulated by the Code. The proposed project will not generate excessive glare or have excessive reflective surfaces.

**XIV. CULTURAL AND PALEONTOLOGICAL RESOURCES**

1. Would the proposal grade or disturb geologic formations that may contain potentially significant paleontological resources?

**Less Than Significant Impact.**

A review of the paleontological maps provided by the San Diego Museum of Natural History indicates that the project is not located on geological formations that contain significant paleontological resources. The



geological formations that underlie the project have a low probability of containing paleontological resources.

2. Does the project comply with the Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the Resource Protection Ordinance?

**Yes.**

The County of San Diego staff has visited the project site, inspected the property, analyzed records, and determined there are no archaeological/historical sites. Furthermore, prior grading of the property has eliminated any potential for buried archaeological features.

3. Would the proposal grade, disturb, or threaten a potentially significant archaeological, historical, or cultural artifact, object, structure, or site which:
- a. Contains information needed to answer important scientific research questions;
  - b. Has particular quality or uniqueness (such as being the oldest of its type or the best available example of its type);
  - c. Is directly associated with a scientifically recognized important prehistoric or historic event or person;
  - d. Is listed in, or determined to be eligible to be listed in, the California Register of Historical Resources, National Register of Historic Places, or a National Historic Landmark; or
  - e. Is a marked or ethnohistorically documented religious or sacred shrine, landmark, human burial, rock art display, geoglyph, or other important cultural site?

**Less Than Significant Impact.**

The project will not impact significant archaeological resources since prior grading of the property has eliminated any potential for buried archaeological features.

**XV. OTHER IMPACTS NOT DETAILED ABOVE**

None.

**XVI. MANDATORY FINDINGS OF SIGNIFICANCE**

1. Does the project have the potential to 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?

**Less Than Significant Impact.**

As discussed in Section VII, Biological Resources, Questions 1., 2., 3., and 4., and Section XIII, Cultural and Paleontological Resources, Questions 1., 2., and 3., the project will not degrade the quality of the environment and will not substantially reduce the habitat of a fish or wildlife species. The project will not cause a fish or wildlife population to drop below self-sustaining levels and will not threaten to eliminate a plant or animal community. Also, the project would not reduce the number or restrict the range of a rare or endangered plant or animal and will not eliminate important examples of the major periods of California history or prehistory.

2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

**Less Than Significant Impact.**

In the completion of this Initial Study, it has been determined that no significant unmitigated environmental impacts will result from the project. Thus, all long-term environmental goals have been addressed.

3. 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.)

**Less Than Significant Impact.**

The incremental impacts of the project have not been found to be cumulatively considerable after an evaluation of all potential impacts.

After careful review, there is no substantial evidence that any of the incremental impacts of the project are potentially significant. The impacts of the project have therefore not been found to be cumulatively considerable. The potential combined environmental impacts of the project itself have also been considered in reaching a conclusion that the total cumulative effect of such impacts is insignificant.

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

**Less Than Significant Impact.**

In the completion of this Initial Study, it has been determined that the project will not cause substantial adverse effects on human beings, either directly or indirectly. This conclusion is based on the analysis completed in Sections: I, Land Use and Planning; II, Population and Housing; III, Geologic Issues; IV, Water Resources; V, Air Quality; VI, Transportation/Circulation; VIII, Hazards; IX, Noise; X, Public Services; XI, Utilities and Services; and XII, Aesthetics. In totality, these analyses have determined that the project will not cause substantial adverse effects on human beings.

**XVII. EARLIER ANALYSIS**

Earlier CEQA analyses are used where one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration.

1. Earlier analyses used: Not Applicable.
2. Impacts adequately addressed in earlier CEQA documents. The following effects from the above checklist that are within the scope of, and were analyzed in, an earlier CEQA document: Not Applicable.
3. Mitigation measures: Not Applicable

**XVIII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST**

Federhart & Associates, Traffic and Parking Studies, "Focused Traffic Report for MUP01022, Log No. 01-08-051"

Hartley-Imgrund, Inc., Civil Engineering And Land Surveying, "Stormwater Management Plan (Revised 2/26/03) for Phap Vuong Monastery



Major Use Permit 01-022."

Hartley-Imgrund, Inc., Civil Engineering And Land Surveying, "Hydrology Report,"  
(9/5/02 & Revised 2/17/03) for Phap Vuong Monastery.

Air in San Diego County, 1996 Annual Report, Air Pollution Control District, San  
Diego County

Bay Area Air Quality Management District - Assessing the Air Quality Impacts of  
Projects and Plans, April 1996

California Environmental Quality Act, CEQA Guidelines 1997

California State Clean Air Act of 1988

County of San Diego General Plan

County of San Diego Code Zoning and Land Use Regulation Division  
Sections 88.101, 88.102, and 88.103

County of San Diego Code Zoning and Land Use Regulation, Division 7,  
Excavation and Grading

County of San Diego Groundwater Ordinance (Chapter 7, Sections 67.701  
through 67.750)

County of San Diego Noise Element of the General Plan (especially Policy 4b,  
Pages VIII-18 and VIII-19)

County of San Diego Noise Ordinance (Chapter 4, Sections 36.401 through  
36.437)

County of San Diego Zoning Ordinance (Performance Standards, Sections 6300  
through 6314, Section 6330-6340)

Dam Safety Act, California Emergency Services Act; Chapter 7 of Division 1 of  
Title 2 of the Government Code

General Construction Storm Water Permit, State Water Resources Control  
Board

General Dewatering Permit, San Diego Regional Water Quality Control Board

Environmental Analysis Form

- 30-

P01-022; Log No. 01-08-051

General Impact Industrial Use Regulations (M54), San Diego Regional Water Quality Control Board

Groundwater Quality Objectives, San Diego Regional Water Quality Control Board's Basin Plan

Health and Safety Code (Chapters 6.5 through 6.95), California Codes of Regulations Title 19, 22, and 23, and San Diego County Ordinance (Chapters 8, 9, and 10)

Resource Protection Ordinance of San Diego County, Articles I-VI inclusive, October 10, 1993

San Diego County Soil Survey, San Diego Area, United States Department of Agriculture, December 1973

Special Publication 42, Fault Rupture Hazard Zones in California, Alquist-Priolo Special Studies Zones Act, Title 14, Revised 1994

U.S. Federal Clean Air Act of 1990

Update of Mineral Land Classification: Aggregate Materials in the Western San Diego County Production-Consumption Region, 1996, Department of Conservation, Divisions of Mines and Geology

ND10-03\0108051-ISF;tf

## NOTICE OF DETERMINATION

05-27-04A11101 FILE

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

☒ Recorder/County Clerk  
Attn: Karen Hernandez  
1600 Pacific Highway, M.S. A33  
San Diego, CA 92101

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

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

Project Name and Number: Phap Vuong Monastery Major Use Permit, P 01-022, Log No. 01-08-051  
State Clearinghouse No.: 2003101053  
Project Location: The project is located at 715 Vista Avenue on the southwest corner of Vista Avenue and Ash Street in the North County Community Planning Area within an unincorporated area of San Diego County, APN 227-010-57.

Project Applicant: Le Tan Huynh, 712 El Camino Real, Tustin, CA 92780 (714) 838-1441

Project Description: The request is a Major Use Permit to allow the ongoing use of a monastery in the back part of this residence. A typical Sunday service will include approximately 20 people and there will be a maximum of 4 special event annually allowed, which will each include a maximum of 200 people. The 8.9-acre property is developed with a 3,584 square foot residence/ monastery and a 14-space parking lot. A 50-space overflow parking lot will be located off of Ash Avenue for special event parking. The property is zoned RS1 Residential Use Regulation, which allows Religious Assembly with the approval of a Major Use Permit pursuant to Section 2105a of The Zoning Ordinance. The property is designated within the General Plan as (1). The project site will be served by the following agencies: City of Escondido Water District, Escondido-Rincon Del Diablo Fire Protection District, High Escondido Union, General Elementary Escondido Union.

Agency Approving Project: County of San Diego  
County Contact Person: Emery McCaffery Telephone: (858) 694-3704  
Date Form Completed: October 9, 2003

This is to advise that the County of San Diego Planning and Environmental Review Board has approved the above described project on May 27, 2004 and has made the following determinations:

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

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

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

Project status under Fish and Game Code Section 711.4 (Department of Fish and Game Fees):  
☐ Certificate of Fee Exemption (attached)  
☒ Proof of Payment of Fees (attached)

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

Date received for filing and posting at OPR:

Signature: Emery McCaffery Telephone: (858) 694-3704  
Name: Emery McCaffery Title: Environmental Planner

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



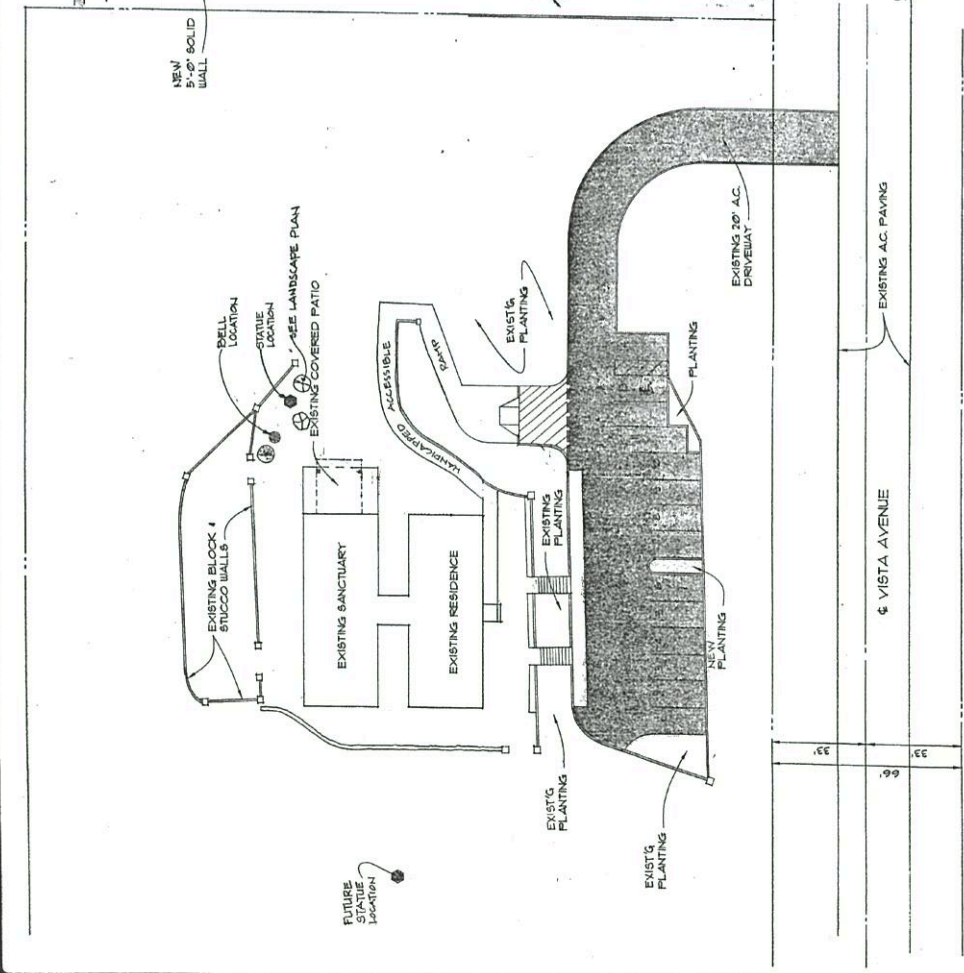
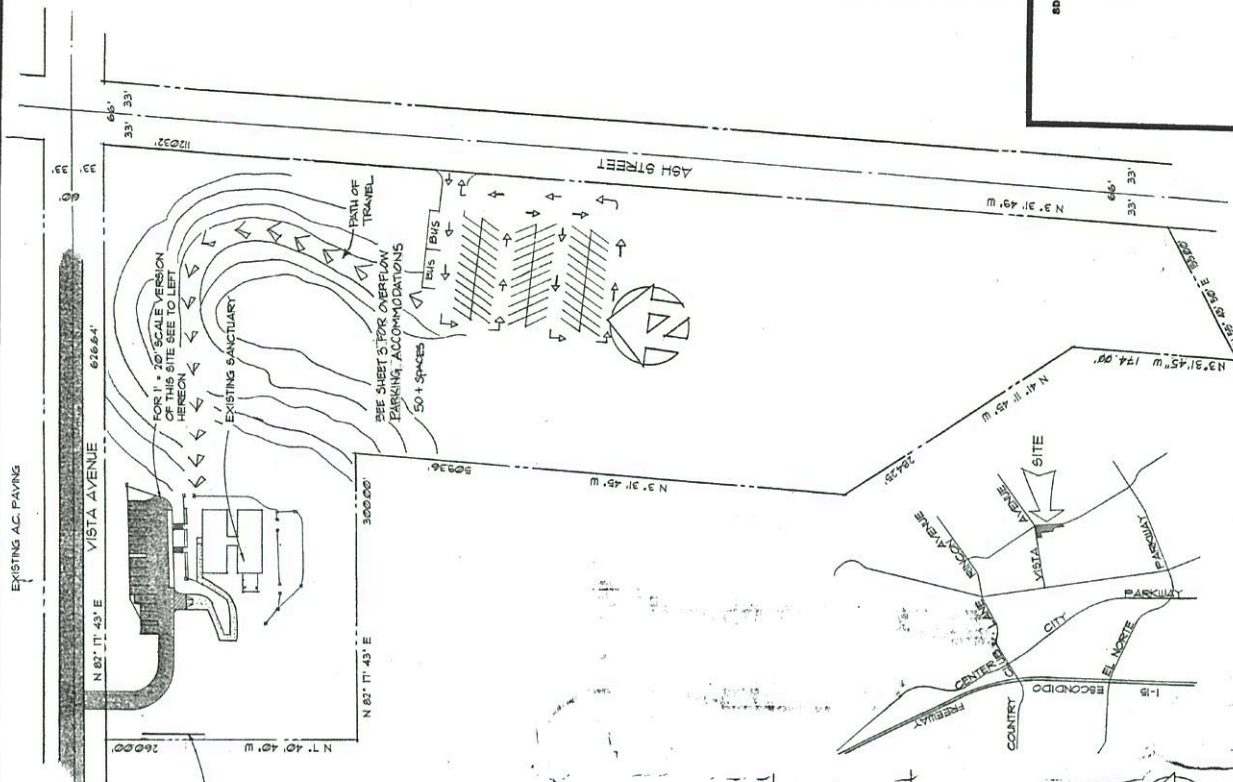
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					1

SBC DPLU RCD 03-25-04  
replacement  
P01-022



PLOT PLAN  
SCALE 1"=20'

VICINITY MAP  
1"=1/2 MILE



SITE PLAN  
SCALE 1"=20'

BUILDING & LOT SIZES:

LOT: 8.9 ACRES OR 391684 SQ. FT.  
BUILDING COVERED PATIO: 275 SQ. FT.  
EXISTING COVERED PATIO: 275 SQ. FT.

PERCENTAGE OF LOT COVERAGE:

BY BUILDINGS: 0.92%  
BY PARKING LOT: 1.8%

PARKING:

SPACES (8X18) REQUIRED: 239 SQ. FT. ASSEMBLY AREA  
WITHOUT FIXED SEATS: 44% : 42,514 SQ. FT. : 14.  
OR 14 SPACES REQUIRED & 14 SPACES PROVIDED  
INCLUDING 1 HANDICAPPED SPACE.

PROJECT:

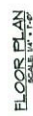
TO REGULATE PARKING CIRCULATION  
AND BEAUTIFY THE SURROUNDINGS  
OF THE NEW RAMP FOR THE ACCESSIBILITY

OWNER & JOB ADDRESS:

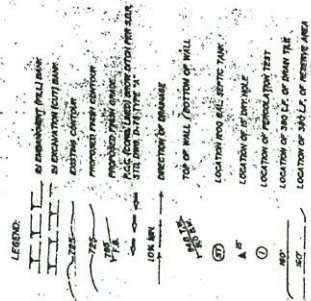
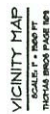
DR. LE WYNN  
115 VISTA AVENUE  
RECORDING, CA 92016  
760-335-0003

LEGAL DESCRIPTION:

PERCEL 4 OF PARCEL MAP 5719 IN THE COUNTY OF SAN  
DIEGO STATE OF CALIFORNIA APN: 217-000-51







NOTE:  
TOPO SHOWN HEREON WAS TAKEN FROM  
COUNTY TOPO SHEET 358-743

OWNER:

LE TAN HUNG, DPA  
112 EL CAMINO REAL  
TUSTIN, CA. 92780  
714-838-1441

ENGINEER;

RICHARD HARTLEY  
135 W. MISSION AVENUE - 200  
ESCONDIDO, CA. 92025  
60-146-1001

PROJECT ADDRESS &amp; APN

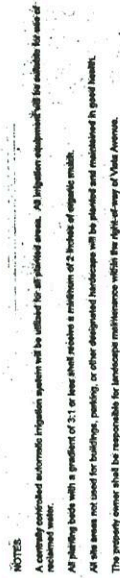
115 VISTA AVENUE  
ESCONDIDO, CA. 92025  
APN: 221-010-51

**NOTE:**

THIS PLAN IS PROVIDED TO ALLOW FOR FULL AND ADEQUATE DISCRETIONARY REVIEW OF A PROPOSED DEVELOPMENT PROJECT. THE PROPERTY OWNER ACKNOWLEDGES THAT ACCEPTANCE OR APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN APPROVAL OR PERSONAL GRADING SHOWN HEREIN, AND AGREES TO OBTAIN VALID GRADING PERMITS BEFORE COMMENCING SUCH ACTIVITY.







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

### FOR PURPOSES OF CONSIDERATION OF Phap Vuong Monastery Major Use Permit PDS2014-MUP-14-010, ER01-08-051A

December 11, 2018

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

YES  
☒

NO  
☐

NOT APPLICABLE/EXEMPT  
☐

**Discussion:**

The proposed project would cause impacts to 1.2 acres of Diegan coastal sage scrub. As such, the applicants would obtain a Habitat Loss Permit prior to receiving a clearing or grading permit. In addition, forensic analysis determined that 0.6 acres of coastal sage scrub was cleared on the site without a permit. Impacts to 1.8 acres of Diegan coastal sage scrub would be considered significant. These impacts would be mitigated through habitat conveyance and preservation of off-site mitigation at a 1:1 ratio. Through habitat conveyance and preservation, impacts to Diegan coastal sage scrub habitat would be less than significant.

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

YES  
☐

NO  
☐

NOT APPLICABLE/EXEMPT  
☒

**Discussion:**

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

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

YES  
☐

NO  
☐

NOT APPLICABLE/EXEMPT  
☒

SDC PDS RCVD 01-25-19  
MUP14-010

## Discussion:

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

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

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

## Discussion:

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

**Floodways and Floodplain Fringe:** The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map.

Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

**Steep Slopes:** Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the



property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

**Sensitive Habitats:** Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. The site contains scarce, isolated patches of Diegan coastal sage scrub and non-native grassland habitat. The majority of the proposed project site and surrounding area is developed, under agricultural use, and/or disturbed. Due to habitat fragmentation, the disturbed nature of the existing habitat, and the absence of sensitive plant and wildlife observations and detections during biological surveys, it has been determined that the site does not support a viable population of sensitive species, is not critical to the proper functioning of a balanced natural ecosystem, and does not serve as a functioning wildlife corridor. Therefore, no sensitive habitat lands were identified on the site. It has been found that the proposed project complies with Section 86.604(f) of the RPO.

**Significant Prehistoric and Historic Sites:** The property has been surveyed by a County of San Diego staff archaeologist, and it has been determined that the property does not contain any archaeological and/or historical sites. As such, the project complies with Section 86.604(g) of the RPO.

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

YES  
☒

NO  
☐

NOT APPLICABLE  
☐

Discussion:

The project Storm Water Management Plan and Hydromodification Management Study has/have been reviewed and is/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  
☒

NO  
☐

NOT APPLICABLE  
☐

Discussion:

The project is a Major Use Permit for a new monastery on an existing residential zoned property. The project and surrounding uses are zoned RS and is subject to the most restrictive one-hour average nighttime sound level limit of 45 dBA and daytime of 50 dBA. Based on the project design and layout, staff does not anticipate noise from the

proposed church facility to exceed County noise standards. There are no proposed choir groups or children's activities area. Retail is also not proposed. Additionally, the project would be conditioned to ensure any substantial noise generating equipment and/or activities to comply with County noise standards.

The project is also subject to the Noise Element that requires an interior noise requirement of 45 dBA and 50 dBA. The interior living quarters would be subject to 45 dBA and all others used part of day would be subject to 50 dBA. Typical wall assembly construction would provide a 15 to 20 decibel noise reduction from traffic noise. Additional measures such as placement of windows, window and door upgrades, building material option upgrades could help further reduce noise. As recommended in the Noise Study and part of the project design, the building would utilize an improved dual pane window design to meet the County Noise Element standards. The project will be conditioned to require windows to be improved to a dual pane design with a sound transmission class (STC) minimum rating of 26. Therefore, the project demonstrates compliance with the County Noise Ordinance and conformance to the Noise Element.



Permit Number: \_\_\_\_\_

COUNTY OF SAN DIEGO  
 LAND USE AND ENVIRONMENT GROUP  
 Department of Planning & Development Services

Phap Vuong Monastery PDS2014-MUP-14-010

May 17, 2018

## Appendix A: Final Climate Action Plan

### Consistency Review Checklist

#### Introduction

The County of San Diego (County) Climate Action Plan (CAP), adopted by the Board of Supervisors on February 14, 2018, outlines actions that the County will undertake to meet its greenhouse gas (GHG) emissions reduction targets. Implementation of the CAP will require that new development projects incorporate more sustainable design standards and implement applicable reduction measures consistent with the CAP. To help plan and design projects consistent with the CAP, and to assist County staff in implementing the CAP and determining the consistency of proposed projects with the CAP during development review, the County has prepared a CAP Consistency Review Checklist (Checklist). This Checklist, in conjunction with the CAP, provides a streamlined review process for proposed discretionary projects that require environmental review pursuant to the California Environmental Quality Act (CEQA). Please refer to the County's Guidelines for Determining Significance for Climate Change (Guidelines) for more information on GHG emissions, climate change impact requirements, thresholds of significance, and compliance with CEQA Guidelines Section 15183.5.

The purpose of this Checklist is to implement GHG reduction measures from the CAP that apply to new development projects. The CAP presents the County's comprehensive strategy to reduce GHG emissions to meet its reduction targets. These reductions will be achieved through a combination of County initiatives and reduction actions for both existing and new development. Reduction actions that apply to existing and new development will be implemented through a combination of mandatory requirements and incentives. This Checklist specifically applies to proposed discretionary projects that require environmental review pursuant to CEQA. Therefore, the Checklist represents one implementation tool in the County's overall strategy to implement the CAP. Implementation of measures that do not apply to new development projects will occur through the implementation mechanisms identified in Chapter 5 of the CAP. Implementation of applicable reduction measures in new development projects will help the County achieve incremental reductions towards its targets, with additional reductions occurring through County initiatives and measures related to existing development that are implemented outside of the Checklist process.

The Checklist follows a two-step process to determine if projects are consistent with the CAP and whether they may have a significant cumulative impact under the County's adopted GHG thresholds of significance. The Checklist first assesses a project's consistency with the growth projections and land use assumptions that formed the basis of CAP emissions projections. If a project is consistent with the projections and land use assumptions in the CAP, its associated growth in terms of GHG emissions would have been accounted for in the CAP's projections and project implementation of the CAP reduction measures will contribute towards reducing the County's emissions and meeting the County's reduction targets. Projects that include a land use plan and/or zoning designation amendment that would result in an equivalent or less GHG-intensive project



when compared to existing designation, would also be within the projections assumed in the CAP. Projects responding in the affirmative to Step 1 questions can move forward to Step 2 of the Checklist. If a land use and/or zoning designation amendment results in a more GHG-intensive project, the project is required to demonstrate consistency with applicable CAP measures and offset the increase in emissions as described in the Guidelines. Step 2 of the Checklist contains the CAP GHG reduction measures that projects are required to implement to ensure compliance with the CAP. Implementation of these measures would ensure that new development is consistent with relevant CAP strategies and measures and will contribute towards achieving the identified GHG reduction targets. Projects that are consistent with the CAP, as determined using this Checklist, may rely on the CAP for the cumulative impacts analysis of GHG emissions under CEQA.

A project's incremental contribution to cumulative GHG emissions may be determined to not be cumulatively considerable if it is determined to be consistent with the CAP. As specified in the CEQA Guidelines, the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the project's incremental effects are "cumulatively considerable" (CCR, Title 14, Division 6, Chapter 3, Section 15064[h][4]). Projects requiring discretionary review that cannot demonstrate consistency with the CAP using this Checklist may have a cumulatively considerable contribution to a significant cumulative impact and would be required to prepare a separate, more detailed project-level GHG analysis as part of the CEQA document prepared for the project.

## Checklist Applicability

This Checklist only applies to development projects that require discretionary review and are subject to environmental review (i.e., not statutorily or categorically exempt projects) pursuant to CEQA. Projects that are limited to ministerial review and approval (e.g., only building permits) would not be subject to the Checklist. The CAP contains other measures that, when implemented, would apply broadly to all ministerial and discretionary projects. These measures are included for discretionary projects in this Checklist, but could also apply more broadly once the County takes action to codify specific requirements or standards.

## Checklist Procedures

General procedures for Checklist compliance and review are described below. Specific guidance is also provided under each of the questions under Steps 1 and 2 of the Checklist in subsequent pages.

1. The County's Department of Planning & Development Services (PDS) reviews development applications and makes determinations regarding environmental review requirements under CEQA. Procedures for CEQA can be found on the County's [Process Guidance & Regulations/Statutes Homepage](#). The Director of PDS will determine whether environmental review is required, and if so, whether completion of the CAP Checklist is required for a proposed project or whether a separate project-level GHG analysis is required.
2. The specific applicable requirements outlined in the Checklist shall be required as a condition of project approval.
3. The project must provide substantial evidence that demonstrates how the proposed project will implement each applicable Checklist requirement described herein to the satisfaction of the Director of PDS.
4. If a question in the Checklist is deemed not applicable (N/A) to a project, substantial evidence shall be provided to the satisfaction of the Director of PDS demonstrating why the Checklist item is not applicable. Feasibility of reduction measures for new projects was assessed in development of the

CAP and measures determined to be feasible were incorporated into the Checklist. Therefore, it is expected that projects would have the ability to comply with all applicable Checklist measures.

5. Development projects requiring discretionary review that cannot demonstrate consistency with the CAP using this Checklist shall prepare a separate, project-level GHG analysis as part of the CEQA document prepared for the project and may be required to prepare an Environmental Impact Report (EIR). Guidance for project-specific GHG Technical Reports is outlined in the Report Format and Content Requirements for Climate Change document, provided under separate cover. The Report Format and Content Requirements document provides guidance on the outline and content of GHG analyses for discretionary projects processed by PDS that cannot show compliance with the CAP Checklist.

## Checklist Updates

The Guidelines and Checklist may be administratively updated by the County from time to time to comply with amendments to State laws or court directives, or to remove measures that may become mandatory through future updates to State or local codes. Administrative revisions to the Guidelines and Checklist will be limited to changes that do not trigger a subsequent EIR or a supplement to the SEIR for the CAP pursuant to CEQA Guidelines Section 15162. Administrative revisions, as described above, will not require approval by the Board of Supervisors (Board). All other changes to the Guidelines and Checklist require Board approval.

Comprehensive updates to the Guidelines and Checklist will be coordinated with each CAP update (i.e., every five years beginning in 2025) and would require Board approval. Future updates of the CAP, Guidelines, and Checklist shall comply with CEQA.



## Application Information

## Contact Information

Project No. and Name: Phap Vuong Monastery Major Use Permit, PDS2014-MUP-14-010

Property Address and APN: 715 Vista Avenue, Escondido, CA 92026, APN 227-010-57

Applicant Name and Co.: Vui Tran, Phap Vuong Monastery

Contact Phone: 619-283-7655 Contact Email: thichnguyensleu\_thgl@yahoo.com

Was a consultant retained to complete this checklist? ☐ Yes ☒ No  
If Yes, complete the following:

Consultant Name: \_\_\_\_\_ Contact Phone: \_\_\_\_\_

Company Name: \_\_\_\_\_ Contact Email: \_\_\_\_\_

## Project Information

1. What is the size of the project site (acres [gross and net])? 8.9 acre property, 7.1 acres project area
2. Identify all applicable proposed land uses (indicate square footage [gross and net]):
  - ☐ Residential (indicate # of single-family dwelling units): \_\_\_\_\_
  - ☐ Residential (indicate # of multi-family dwelling units): \_\_\_\_\_
  - ☐ Commercial (indicate total square footage [gross and net]): \_\_\_\_\_
  - ☐ Industrial (indicate total square footage [gross and net]): \_\_\_\_\_
  - ☐ Agricultural (indicate total acreage [gross and net]): \_\_\_\_\_
  - ☒ Other (describe): Religious assembly
3. Provide a description of the project proposed. This description should match the project description used for the CEQA document. The description may be attached to the Checklist if there are space constraints.

See project description on next page.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**PROJECT DESCRIPTION**

The currently proposed project is a Major Use Permit (MUP) to allow a religious assembly use with a new monastery building. The proposed new monastery is a two-story structure of 8,272 square feet with a maximum allowable occupancy of 300. The property is 8.9 acres but the new monastery would be constructed on the 7.1-acre, eastern portion of the site rather than the 1.8-acre western portion where the existing buildings and parking are. The new structure would operate as a monastery, meditation hall, and residence. The project includes 76 parking spaces. A new driveway would access North Ash Street rather than Vista Avenue. The new structure will be 33 feet high with a total area of 8,272 square feet, including: a large meditation room, small meditation room, kitchen, social room and guest room on the first floor, and four bedrooms and a sitting area on the second floor. The proposed monastery will be open daily and also will host special events. A bell and a drum/gong used for special ceremonies will be completely within the building. Nine parking area lighting poles with LED fixtures will be installed.

## CAP Consistency Checklist Questions

### Step 1: Land Use Consistency

For projects that are subject to CAP consistency review, the first step in determining consistency is to assess the project's consistency with the growth projections used in the development of the CAP. This section allows the County to determine a project's consistency with the land use assumptions used in the CAP.

Step 1: Land Use Consistency		
Checklist Item (Check the appropriate box and provide explanation and supporting documentation for your answer)	Yes	No
<p>1. Is the proposed project consistent with the existing General Plan regional category, land use designations, and zoning designations?</p> <p style="margin-top: 10px;">If <b>"Yes,"</b> provide substantiation below and then proceed to Step 2 (CAP Measures Consistency) of the Checklist.</p> <p style="margin-top: 10px;">If <b>"No,"</b> proceed to question 2 below.</p>	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>
<p>Project Detail: Please substantiate how the project satisfies question 1.</p> <p>General Plan Regional Category: Semi-Rural. General Plan Land Use Designation: Semi-Rural Residential (SR-1). Zoning (Use Regulation): Single Family Residential (RS). This Use Regulation is consistent with the Land Use Designation. A religious assembly use is allowed in the RS Use Regulation (zone) with a Major Use Permit. The proposed project is a Major Use Permit for a religious assembly use. The project does not include an amendment to a land use element or zoning designation, therefore, Question 2 below does not apply.</p>		
<p>2. Does the project include a land use element and/or zoning designation amendment that would result in an equivalent or less GHG-intensive project when compared to the existing designations?</p> <p style="margin-top: 10px;">If <b>"Yes,"</b> the project must provide estimated project GHG emissions under both existing and proposed designation(s) for comparison to substantiate the response and proceed to Step 2 (CAP Measures Consistency) of the Checklist.</p> <p style="margin-top: 10px;">If <b>"No,"</b> (i.e., the project proposes an increase in density or intensity above that which is allowed under existing General Plan designations and consequently would not result in an equivalent or less GHG-intensive project when compared to the existing designations), the project must prepare a separate, more detailed project-level GHG analysis. As outlined in the County's Guidelines for Determining Significance for Climate Change and Report Format and Content Requirements for Climate Change, this analysis must demonstrate how the project would offset the increase in GHG emissions over the existing designations or baseline conditions. The project must also incorporate each of the CAP measures identified in Step 2 to mitigate cumulative GHG emissions impacts. Proceed and complete a separate project-specific GHG analysis and Step 2 of the Checklist. Refer to Section 4 of the County's Guidelines for procedures on analyzing General Plan Amendments.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Project Detail: Please substantiate how the project satisfies question 2.</p> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div>		

## Step 2: CAP Measures Consistency

The second step of the CAP consistency review is to review and evaluate a project's consistency with the applicable measures of the CAP. Each checklist item is associated with a specific GHG reduction measure(s) in the County CAP.

Step 2: CAP Measures Consistency				
Checklist Item (Check the appropriate box and provide an explanation for your answer)	CAP Measure	Yes	No	N/A
<b>Step 2A: Project Operations</b> (All projects with an operational component must fill out this portion of the Checklist)				
<b>Reducing Vehicle Miles Traveled</b>				
<p>1a. Reducing Vehicle Miles Traveled</p> <p><u>Non-Residential:</u> For non-residential projects with anticipated tenant-occupants of 25 or more, will the project achieve a 15% reduction in emissions from commute vehicle miles traveled (VMT), and commit to monitoring and reporting results to demonstrate on-going compliance? VMT reduction may be achieved through a combination of Transportation Demand Management (TDM) and parking strategies, as long as the 15% reduction can be substantiated.</p> <p>VMT reduction actions though TDM may include, but are not limited to:</p> <p><input type="checkbox"/> Telecommuting  <input type="checkbox"/> Car Sharing  <input type="checkbox"/> Shuttle Service  <input type="checkbox"/> Carpools  <input type="checkbox"/> Vanpools  <input type="checkbox"/> Bicycle Parking Facilities  <input type="checkbox"/> Transit Subsidies</p> <p>Shared and reduced parking strategies may include, but are not limited to:<sup>1</sup></p> <p><input type="checkbox"/> Shared parking facilities  <input type="checkbox"/> Carpool/vanpool-only parking spaces  <input type="checkbox"/> Shuttle facilities  <input type="checkbox"/> Electric Vehicle-only parking spaces</p> <p>The project may incorporate the measures listed above, and propose additional trip reduction measures, as long as a 15% reduction in emissions from commute VMT can be demonstrated through substantial evidence.</p> <p>Check "N/A" if the project is a residential project or if the project would not accommodate more than 25 tenant-occupants.</p>	T-2.2 and T-2.4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>1b. Project Detail:</p> <p>Please substantiate how the project satisfies question 1a.</p> <p>The project would not accommodate more than 25 tenant-occupants.</p> <hr/> <hr/> <hr/> <hr/>				

<sup>1</sup> Reduction actions and strategies under 1a may be used to achieve a 10% reduction in emissions from commute VMT under 2a



Step 2: CAP Measures Consistency				
Checklist Item (Check the appropriate box and provide an explanation for your answer)	CAP Measure	Yes	No	N/A
<b>Shared and Reduced Parking</b>				
<p>2a. Shared and Reduced Parking</p> <p><u>Non-Residential</u>: For non-residential projects with anticipated tenant-occupants of 24 or less, will the project implement shared and reduced parking strategies that achieves a 10% reduction in emissions from commute VMT?</p> <p>Shared and reduced parking strategies may include, but are not limited to:</p> <p><input type="checkbox"/> Shared parking facilities</p> <p><input type="checkbox"/> Carpool/vanpool-only parking spaces</p> <p><input type="checkbox"/> Shuttle facilities</p> <p><input type="checkbox"/> Electric Vehicle-only parking spaces</p> <p>Check "N/A" if the project is a residential project or if the project would accommodate 25 or more tenant-occupants.</p>	T-2.4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2b. Project Detail:</p> <p>Please substantiate how the project satisfies question 2a.</p> <p>The project includes a monastery with maximum occupancy of 300 persons. The County Zoning Ordinance requires 0.25 parking spaces per person based on total occupancy, which equals 75 spaces. The project plan includes 76 parking spaces, including four ADA spaces consistent with County requirements.</p> <p>There is no opportunity for shared parking because the site is surrounded by family residential development.</p> <p>The project will have a minimum of 7 bicycle parking spaces, as required by the Zoning Ordinance.</p> <p>See Subsequent MND for additional information on non-applicability of this measure.</p>				
<b>Water Heating Systems</b>				
<p>3a. Electric or Alternately-Fueled Water Heating Systems</p> <p><u>Residential</u>: For projects that include residential construction, will the project, as a condition of approval, install the following types of electric or alternately-fueled water heating system(s)? Please check which types of system(s) will be installed:</p> <p><input type="checkbox"/> Solar thermal water heater</p> <p><input type="checkbox"/> Tankless electric water heater</p> <p><input type="checkbox"/> Storage electric water heaters</p> <p><input type="checkbox"/> Electric heat pump water heater</p> <p><input type="checkbox"/> Tankless gas water heater</p> <p><input type="checkbox"/> Other</p> <p>Check "N/A" if the project does not contain any residential buildings.</p>	E-1.2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3b. Project Detail:</p> <p>Please substantiate how the project satisfies question 3a.</p> <p>The project does not contain any residential buildings.</p>				

## Step 2: CAP Measures Consistency

Checklist Item (Check the appropriate box and provide an explanation for your answer)	CAP Measure	Yes	No	N/A
--	-------------	-----	----	-----

## Water-Efficient Appliances and Plumbing Fixtures

## 4a. Water Efficient Appliances and Plumbing Fixtures

Residential: For new residential projects, will the project comply with all of the following water efficiency and conservation BMPs<sup>2</sup>?

- ☐ Kitchen Faucets: The maximum flow rate of kitchen faucets shall not exceed 1.5 gallons per minute at 60 psi. Kitchen faucets may temporarily increase the flow above the maximum rate, but not to exceed 2.2 gallons per minute at 60 psi, and must default to a maximum flow rate of 1.5 gallons per minute at 60 psi<sup>3</sup>.
- ☐ Energy Efficient Appliances: Install at least one qualified ENERGY STAR dishwasher or clothes washer per unit.

W-1.1

☐☐☒

Check "N/A" if the project is a non-residential project.

## 4b. Project Detail:

Please substantiate how the project satisfies question 4a.

The project is a non-residential project.

## Rain Barrel Installations

## 5a. Rain Barrel Installations

Residential: For new residential projects, will the project make use of incentives to install one rain barrel per every 500 square feet of available roof area?

W-2.1

☐☐☒

Check "N/A" if the project is a non-residential project; if State, regional or local incentives/rebates to purchase rain barrels are not available; or if funding for programs/rebates has been exhausted.

## 5b. Project Detail:

Please substantiate how the project satisfies question 5a.

The project is a non-residential project.

<sup>2</sup> CALGreen Tier 1 residential voluntary measure A4.303 of the [California Green Building Standards Code](#).

<sup>3</sup> Where complying faucets are unavailable, aerators or other means may be used to achieve reduction.



## Step 2: CAP Measures Consistency

Checklist Item (Check the appropriate box and provide an explanation for your answer)	CAP Measure	Yes	No	N/A
--	-------------	-----	----	-----

## Reduce Outdoor Water Use

## 6a. Reduce Outdoor Water Use

Residential: Will the project submit a Landscape Document Package that is compliant with the County's Water Conservation in Landscaping Ordinance<sup>4</sup> and demonstrates a 40% reduction in current Maximum Applied Water Allowance (MAWA) for outdoor use?

Non-Residential: Will the project submit a Landscape Document Package that is compliant with the County's Water Conservation in Landscaping Ordinance and demonstrates a 40% reduction in current MAWA for outdoor use?

Check "N/A" if the project does not propose any landscaping, or if the aggregate landscaped area is between 500 – 2,499 square feet and elects to comply with the Prescriptive Compliance Option within the Water Conservation in Landscaping Ordinance.

W-1.2

☒☐☐

## 6b. Project Detail:

Please substantiate how the project satisfies question 6a.

A Conceptual Landscape Plan was approved based on review of the County's Water Conservation in Landscaping Ordinance and Water Efficient Landscape Design Manual. The project will be conditioned to provide a Landscape Documentation Package that achieves the specified reductions of 40% reduction in current MAWA for outdoor use.

Agricultural and Farming Operations<sup>5</sup>

## 7a. Agricultural and Farming Equipment

Will the project use the San Diego County Air Pollution Control District's (SDAPCD's) farm equipment incentive program to convert gas- and diesel-powered farm equipment to electric equipment?

Check "N/A" if the project does not contain any agricultural or farming operations; if the SDAPCD incentive program is no longer available; or if funding for the incentive program has been exhausted.

A-1.1

☐☐☒

## 7b. Project Detail:

Please substantiate how the project satisfies question 7a.

The project does not contain any agricultural or farming operations.

<sup>4</sup> <http://www.sandiegocounty.gov/content/dam/sdc/cob/ordinances/ord10427.pdf>.

<sup>5</sup> Existing agricultural operations would not be subject to questions 7 and 8 of the Checklist, unless a proposed expansion is subject to discretionary review and requires environmental review pursuant to CEQA.



## Step 2: CAP Measures Consistency

Checklist Item (Check the appropriate box and provide an explanation for your answer)	CAP Measure	Yes	No	N/A
<p>8a. Electric Irrigation Pumps</p> <p>Will the project use SDAPCD's farm equipment incentive program to convert diesel- or gas-powered irrigation pumps to electric irrigation pumps?</p> <p>Check "N/A" if the project does not contain any agricultural or farming operations; if the SDAPCD incentive program is no longer available; or if funding for the incentive program has been exhausted.</p>	A-1.2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8b. Project Detail:  
Please substantiate how the project satisfies question 8a.

The project does not contain any agricultural or farming operations.

## Tree Planting

<p>9a. Tree Planting</p> <p><u>Residential</u>: For residential projects, will the project plant, at a minimum, two trees per every new residential dwelling unit proposed?</p> <p>Check "N/A" if the project is a non-residential project.</p>	A-2.1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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9b. Project Detail:  
Please substantiate how the project satisfies question 9a.

The project is a non-residential project.

# NOTICE OF DETERMINATION

3 - 188

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

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

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

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

Project Name and Number(s): Phap Vuong (Tran) Monastery Major Use Permit PDS2014-MUP-14-010

State Clearinghouse No.:

Project Location: Southwest Corner, North Ash St. and Vista Ave., Unincorporated San Diego County

Project Applicant: Phap Vuong Monastery  
Address: 715 Vista Ave., Escondido, CA 92026 Telephone Number: 619-283-7655

Project Description: Major Use Permit for Religious Assembly for a new 8,272 sf monastery building with associated parking and landscaping

Agency Approving Project: County of San Diego

County Contact Person: Jeff Smyser, AICP

Date Form Completed: June 21, 2019

This is to advise that the County of San Diego Planning Commission has approved the above described project on June 21, 2019, Item # \_\_\_ and has made the following determinations:

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.  
☒ A Negative Declaration or Mitigated Negative Declaration was adopted for this project pursuant to the provisions of the CEQA.  
☐ An Addendum to a previously certified Environmental Impact Report, or to a previously adopted Negative Declaration or Mitigated Negative Declaration, was prepared and considered for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. A Mitigation reporting or monitoring plan ☒ was ☐ was not adopted for this project.

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

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

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

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

**Fish and Wildlife Code Section 711.4 compliance for the subject project is covered by a previous payment of fees associated with the environmental review conducted for Phap Vuong Monastery Major Use Permit, P 01-022, Log No. 01-08-051, paid June 2, 2003**

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

Date received for filing and posting at OPR: \_\_\_\_\_

Signature: \_\_\_\_\_ Telephone: (858) 495-5438

Name (Print): Jeff Smyser, AICP Title: Project Manager

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



3 - 189

1 - 106

County of San Diego Auditor & Controller  
02 08 057691 06/02/03 01:46PM  
T#057691/057691

2609 FISH AND GAME \$1,250.00  
REF: LOG01-08-051

2610 FISH/GAME PROCESS FEE \$25.00  
REF: LOG01-08-051

Total Due: \$1,275.00  
Check: \$1,250.00  
Cash: \$25.00

Change: \$0.00  
Keep receipt for your records

BACK OF THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK PRINTED IN A SPECIAL WHITE INK. HOLD THE DOCUMENT AT A SMALL ANGLE TO SEE THIS SECURITY FEATURE.

**Washington Mutual Bank FA**

**OFFICIAL CHECK**

WATCH THE AMOUNT IN WORDS WITH THE AMOUNT IN NUMBERS

WASHINGTON MUTUAL **1,250.00**  
ONE TWO FIVE ZERO DOLLARS AND 00 CENTS

\*\*\*\*Jun 2, 2003 ONE THOUSAND TWO HUNDRED FIFTY DOLLARS AND 00 CENTS\*\*\*\*

PAY TO THE ORDER OF COUNTY OF SAN DIEGO  
P01-022

DRAWER: Washington Mutual Bank, FA  
*William A. Longbrake*  
AUTHORIZED SIGNATURE  
REMITTER:  
KIM PHUONG PHAM

Issued By Integrated Payment Systems Inc., Englewood, Colorado Wells Fargo Bank Ltd, N.A., Los Angeles, CA

RIABLE TONE BACKGROUND: AREA OF THIS DOCUMENT CHANGES COLOR GRADUALLY AND SMOOTHLY FROM DARKER TONES AT BOTH TOP AND BOTTOM TO THE LIGHTEST TONE IN THE MIDDLE



STATE OF CALIFORNIA - THE RESOURCES AGENCY  
DEPARTMENT OF FISH AND GAME  
ENVIRONMENTAL FILING FEE CASH RECEIPT  
DFG 753.5a (6-01)

217237

Lead Agency: DPLU Date: 6/02/03  
County / State Agency of Filing: County of San Diego Document No.:  
Project Title: P01-022 LOG 01-08-051  
Project Applicant Name: Le Tan Huynh or Tran Vui Phone Number: 858 268-5768  
Project Applicant Address: 715 Vista Ave Escondido CA 92026  
Project Applicant (check appropriate box): Local Public Agency ☐ School District ☐ Other Special District ☐  
State Agency ☐ Private Entity ☒

## CHECK APPLICABLE FEES:

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

TOTAL RECEIVED \$ 1,275.00

Signature and title of person receiving payment:

WHITE-PROJECT APPLICANT

YELLOW-DFG/FASB

PINK-LEAD AGENCY

GOLDENROD-STATE AGENCY OF FILING



## NOTICE OF DETERMINATION

012465

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

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

☒ Recorder/County Clerk  
Attn: Karen Hernandez  
1600 Pacific Highway, M.S. A33  
San Diego, CA 92101

FILED  
Gregory J. Smith, Recorder/County Clerk

JUN 04 2004

BY  DEPUTY

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

Project Name and Number: Phap Vuong Monastery Major Use Permit, P 01-022, Log No. 01-08-051  
State Clearinghouse No.: 2003101053  
Project Location: The project is located at 715 Vista Avenue on the southwest corner of Vista Avenue and Ash Street in the North County Community Planning Area within an unincorporated area of San Diego County, APN 227-010-57.

Project Applicant: Le Tan Huynh, 712 El Camino Real, Tustin, CA 92780 (714) 838-1441

Project Description: The request is a Major Use Permit to allow the ongoing use of a monastery in the back part of this residence. A typical Sunday service will include approximately 20 people and there will be a maximum of 4 special event annually allowed, which will each include a maximum of 200 people. The 8.9-acre property is developed with a 3,584 square foot residence/ monastery and a 14-space parking lot. A 50-space overflow parking lot will be located off of Ash Avenue for special event parking. The property is zoned RS1 Residential Use Regulation, which allows Religious Assembly with the approval of a Major Use Permit pursuant to Section 2105a of The Zoning Ordinance. The property is designated within the General Plan as (1). The project site will be served by the following agencies: City of Escondido Water District, Escondido-Rincon Del Diablo Fire Protection District, High Escondido Union, General Elementary Escondido Union.

Agency Approving Project: County of San Diego  
County Contact Person: Emery McCaffery Telephone: (858) 694-3704  
Date Form Completed: October 9, 2003

This is to advise that the County of San Diego Planning and Environmental Review Board has approved the above described project on May 27, 2004 and has made the following determinations:

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

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

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

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

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

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

Date received for filing and posting at OPR: \_\_\_\_\_

Signature:  Telephone: (858) 694-3704  
Name: Emery McCaffery Title: Environmental Planner

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

CASE CLOSURE  
6/21/04

FILED IN THE OFFICE OF THE COUNTY CLERK  
San Diego County on JUN 0 4 2004  
Posted JUN 0 4 2004 Removed JUL 0 4 2004  
Returned to agency on JUL 0 4 2004  
Deputy AS



# County of San Diego

**MARK WARDLAW**  
DIRECTOR

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
[www.sdcounty.ca.gov/pds](http://www.sdcounty.ca.gov/pds)

**KATHLEEN A. FLANNERY**  
ASSISTANT DIRECTOR

**PLEASE NOTE THAT A FORMAL APPLICATION FOR A HABITAT LOSS PERMIT HAS NOT BEEN FILED AT THIS TIME. THE FOLLOWING IS A DRAFT FORM OF DECISION FOR A HABITAT LOSS PERMIT SHOWING THE FORMAT AND POSSIBLE CONDITIONS FOR A FUTURE HABITAT LOSS PERMIT. BECAUSE A FORMAL APPLICATION HAS NOT BEEN FILED, CERTAIN DATES, FINDINGS AND OTHER INFORMATION IS ABSENT FROM THE DRAFT FORM OF DECISION, THIS INFORMATION WILL BE INCLUDED IN THE FINAL FORM OF DECISION.**

DATE: To be determined

Tran (Phap Vuong) Monastery  
715 Vista Ave  
Escondido, CA 92026

## **DRAFT Habitat Loss Permit**

APPLICATION NUMBER: HLP **xx-xxx**  
ASSOCIATED PERMIT(S): PDS2014-MUP-14-010  
NAME OF APPLICANT: TRAN (PHAP VUONG) MONASTERY  
DESCRIPTION/LOCATION OF LOSS:

The proposed project is located at the intersection of Vista Avenue and North Ash Street within a portion of the unincorporated County that is surrounded by the City of Escondido. The project location is shown in the Biological Technical Report dated August 15, 2017 and Exhibit A.

A Negative Declaration for P 01-022, Log No. 01-08-051 was adopted by the Planning and Environmental Review Board on May 27, 2004. The ND dated October 9, 2003, covering 2.8 acres in the western portion of the site, found that no significant environmental impacts would result from the previously approved MUP project because proposed impacts would occur within previously disturbed/developed areas. The ND identified, through several County staff investigations, that the habitat had been removed as an action associated with the single-family residence constructed on the project site in 1998-1999. The construction of a single-family residence was issued as a ministerial action and was exempt from Habitat Loss Permit Ordinance. No mitigation for impacts to biological resources was required.

Biological resources on and adjacent to the project site were evaluated in the Biological Technical Report, prepared by Alden Environmental, Inc., dated August 15, 2017. The 7.3-acre project site within the

**SDC PDS RCVD 01-25-19  
MUP14-010**



proposed MUP boundary is predominantly developed, disturbed, and agricultural. A 1.2-acre area of Diegan coastal sage scrub currently exists in the northeastern corner of the site and several remnant patches of non-native grassland totaling 0.6 acres exist scattered throughout the parcel (See Habitat Loss Exhibit C). Forensic analysis indicates that in 2004, the parcel contained an additional 0.6 acres of Diegan coastal sage scrub and 0.6 acres of non-native grassland that was removed without a permit (See Table 1 and Habitat Loss Exhibit B).

The proposed project would result in the removal of 1.2 acres of Diegan coastal sage scrub for construction of a monastery building, expanded parking, pathways, and associated on- and off-site facilities as shown on the attached Habitat Loss Exhibit C. An additional non-permitted 0.6 acres of Diegan coastal sage scrub was previously cleared that would be mitigated through off-site habitat preservation as part of this project. (See Table 1 and Habitat Loss Exhibit B). The project proposes to mitigate for impacts to 1.8 acres of Diegan coastal sage scrub through off-site habitat conveyance and preservation at a ratio of 1:1. Additionally, impacts to 0.8 acres of non-native grassland would be mitigated at a 0.5:1 mitigation ratio (See Table 1). Implementation of habitat conveyance and preservation would reduce impacts to a level below significance for sensitive habitats. The proposed project is in conformance with all standards and guidelines outlined in the NCCP Process Guidelines.

Table 1. Existing Vegetation Communities, Impacts, and Mitigation

Habitat Type	Existing Vegetation – 2004	Existing Vegetation – 2015	Impacted Acreage*	Mitigation Ratio	Required Mitigation
Diegan Coastal Sage Scrub – disturbed (32520)	1.8 acre	1.2 acre	1.8 acres	1:1	1.8 acres
Non-native grassland (42210)	1.2 acres	0.6 acres	0.8 acres	0.5:1	0.4 acres
Developed/Ornamental (12000)	2.4 acres	4.2 acres	1.7 acres	N/A	-
Disturbed Habitat (11300)	1.9 acres	4.1 acres	0.2 acres	N/A	-
Orchard (18100)	2.8 acres	-	2.8 acres	N/A	-
TOTAL	10.1 acres	10.1 acre	7.3 acres	--	2.2 acres

\*Based on 2004 vegetation mapping. Impacted acreage includes the entire MUP area as well as the off-site road improvements.

No sensitive plants or sensitive wildlife species were identified or detected on-site. Although the on-site Diegan coastal sage scrub is small, isolated, and shows signs of previous disturbance, there is a low potential for the coastal California gnatcatcher to occur on site. Potential impacts to California gnatcatcher would be mitigated through habitat conveyance and preservation and breeding season avoidance.

#### DECISION:

The Director of Planning & Development Services has approved your application for a HABITAT LOSS PERMIT. This Habitat Loss Permit approval does not become final until both the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) concur with the Director's approval, by the either of the following:

1. Concurrence implied by allowing a 30-day period, initiated by their receipt of this decision, to lapse without presenting written notification to the County that the decision is inconsistent with the Southern California Coastal Sage Scrub (CSS) Natural Community Conservation Planning (NCCP) Process Guidelines (CDFW, November 1993) or any approved subregional mitigation guidelines; or



2. Granting concurrence through written notification to the County prior to the conclusion of the 30-day period, initiated by their receipt of this decision, that the project is consistent with the Southern California CSS NCCP Process Guidelines or any approved subregional mitigation guidelines.

A concurrence letter was sent to the USFWS and CDFW on DATE. Written comments were/were not received on DATE. Pending the issuance of an associated Grading Permit, Clearing Permit or Improvement Plan from the County of San Diego, this Habitat Loss Permit acknowledges the loss of the above-described coastal sage scrub habitat that was previously cleared, graded or removed without a valid permit (see Biological Technical Report, Figures 3 and 4: Habitat Loss Exhibits). However, no take authorization for incidental take of sensitive species, including the California gnatcatcher, shall be conveyed by the County of San Diego for previous clearing, grading, or removal of coastal sage scrub habitat that was accomplished without a valid permit or authorization.

Pending the issuance of an associated Grading Permit, Clearing Permit or Improvement Plan from the County of San Diego, this Habitat Loss Permit allows for the additional loss of coastal sage scrub as described above and shown on the attached Biological Technical Report, Figures 3 and 4: Habitat Loss Exhibit for a period of one calendar year commencing the day concurrence is given by both the USFWS and CDFW. If the loss of habitat, as authorized by this Habitat Loss Permit, has not occurred within this one-year period, this Habitat Loss Permit and the authorization for the loss of coastal sage scrub habitat that was not previously cleared, graded or removed expires.

**This Habitat Loss Permit cannot be relied upon for the clearing, grading or removal of any vegetation until a valid Grading Permit, Clearing Permit or Improvement Plan has been issued from the County of San Diego authorizing such vegetation removal. Furthermore, use and reliance upon this Habitat Loss Permit cannot occur until all of the requirements as specified within the "Conditions of Approval" section of this permit have been satisfied.**

#### CONDITIONS OF APPROVAL:

**The following conditions are being placed on PDS2014-MUP-14-010. For the final Habitat Loss Permit, the list of conditions will be modified to require satisfaction of all conditions prior to use and reliance on the HLP.**

- A. Prior to use and reliance on this Habitat Loss Permit, the following conditions shall be met:
  1. Obtain approval from the County of San Diego of a Grading Permit, Clearing Permit, or Improvement Plan that authorizes the clearing and/or grading of the area addressed by this Habitat Loss Permit.
  2. **OFFSITE MITIGATION [PDS, FEE X2]**  
**INTENT:** In order to mitigate for impacts to sensitive vegetation/habitat communities and species, which are sensitive biological resources pursuant to [Resource Protection Ordinance \(RPO\)](#) and the [California Environmental Quality Act \(CEQA\)](#), offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 1.8 acres of Diegan coastal sage scrub and 0.4 acres of non-native grassland (total 2.2 acres), located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft Multiple Species Conservation Program (MSCP) North County Plan area and, to the maximum extent feasible, within the Northern Valley ecoregion as indicated below.
    - a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife and the U.S. Fish and Wildlife Service. The following evidence of purchase shall include the following information to be provided by the mitigation bank:



1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  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.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area (PAMA) of the draft North County Multiple Species Conservation Program (MSCP) and, to the maximum extent feasible, within the Northern Valley ecoregion as indicated below:
1. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS], the California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service.
  2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
  3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
  4. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
  5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the offsite mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is strongly recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING]. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the mitigation shall occur. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.



B. Prior to use and reliance on this permit the following conditions shall be placed on the face of all future grading permits or improvement plans:

1. **BREEDING SEASON AVOIDANCE (AVIAN SPECIES) [PDS, FEE X2]**

**INTENT:** In order to avoid direct impacts to sensitive avian species (e.g. California gnatcatchers (CAGN), raptors, and migratory birds), which are sensitive biological resources pursuant to RPO, CEQA, and Migratory Bird Treaty Act (MBTA), avian breeding avoidance measures shall be implemented and a Resource Avoidance Area (RAA) implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing, and/or grading during the avian breeding season (February 1 to September 15) except as allowed by this condition. All grading permits, improvement plans, and the final map shall state the same. If vegetation must be removed during the avian breeding season, a qualified biologist must conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys will be conducted no more than three (3) days prior to scheduled removals. If active nests are identified, the biologist will establish a RAA of 300 feet (500 feet for raptors) around the vegetation containing the active nest(s). The vegetation containing the active nest will not be removed, and no brushing, clearing, and/or grading will occur within the established RAA until a qualified biologist has determined that the nest is no longer active (i.e., the juveniles are surviving independent from the nest). If clearing is not conducted within three days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (the "Wildlife Agencies"), provided that no sensitive avian species are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition; although, NO brushing, clearing, or grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC/] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter."

2. **CALIFORNIA GNATCATCHER AVOIDANCE [PDS, FEE X2]**

**INTENT:** In order to avoid impacts to California gnatcatchers (CAGN), which is a sensitive biological resource pursuant to RPO, CEQA and MBTA, avian breeding avoidance measures shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** To mitigate for potential impacts to the California gnatcatcher during construction, the following measures shall be required: No clearing, grubbing, grading, or other construction activities shall occur within 500 feet of Diegan coastal sage scrub habitat between March 1 and August 15 (CAGN breeding season) until the following requirements have been met:

- a. A qualified biologist (possessing a valid ESA Section 10(a)(1)(A) Recovery Permit) shall survey appropriate habitat (Diegan coastal sage scrub) areas within 500 feet of the project footprint and would be subject to construction noise levels exceeding 60 dB hourly average for the presence of the CAGN. If no appropriate habitat is present then the surveys will not be required. If appropriate habitat is present, gnatcatcher surveys shall be conducted pursuant to USFWS protocol survey guidelines within the breeding season prior to commencement of any construction. If gnatcatchers are present the following conditions must be met:



1. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the prior to the commencement of construction activities. Prior to commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under supervision of a qualified biologist; or
  2. At least two weeks prior to commencement of construction activities and under direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB hourly average at the edge of habitat occupied by the CAGN. Concurrent with commencement of construction activities and construction of necessary noise attenuation facilities, noise monitoring\* shall be conducted at the edge of occupied habitat area to ensure that noise levels do not exceed 60 dB hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).  
 \* Construction noise shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity to verify that noise levels at the edge of occupied habitat are maintained below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. If not, other measures shall be implemented in consultation with the biologist, as necessary, to reduce noise levels within occupied habitat to below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. Such measures may include but are not limited to limitations on the placement of construction equipment and the simultaneous use of equipment.
- b. If CAGN are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the County and Wildlife Agencies, and no mitigation would be required. NO brushing, clearing and/or grading shall occur until concurrence is received from the County and the Wildlife Agencies.
- DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition; although, NO clearing or grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter."

#### ENVIRONMENTAL FINDINGS:

##### A. CEQA Findings

TO BE PROVIDED - This project complies with the California Environmental Quality Act (CEQA) and state and County CEQA guidelines. A Negative Declaration for 2.8 acres in the western portion of the site was approved on May 27, 2004 and is on file with the Planning & Development Services as Environmental Review No. P 01-022, Log No. 01-08-051.



## B. FINDINGS MADE IN SUPPORT OF THE ISSUANCE OF THE HABITAT LOSS PERMIT:

The following findings are made based upon all of the documents contained in the record for this project, and pursuant to Section 86.104 of County of San Diego Ordinance No. 8365 (N.S.) and Section 4.2.g of the CSS NCCP Process Guidelines (CDFW, November 1993):

Finding 1.a: The habitat loss does not exceed the five percent guideline.

The proposed project would impact a total of 1.2 acres of coastal sage scrub, plus 0.6 acres of non-permitted clearing of coastal sage scrub for a total of 1.8 acres and zero pairs of California gnatcatcher (*Polioptila californica*). Approved coastal sage scrub losses as of the date of January 22, 2019 and including this approval, for the entire unincorporated County, outside the boundaries of the Multiple Species Conservation Program (MSCP), are presented in the following table:

Unincorporated Area Coastal Sage Scrub Cumulative Losses	
Total loss allowed under five percent guideline:	2953.30 acres
Cumulative loss of Coastal sage scrub to date:	1,297.10 acres
Net loss due to this project:	1.80 acres
Total cumulative loss:	1,298.90 acres
Remaining loss under five percent guideline:	1,654.40 acres

Finding 1.b: The habitat loss will not preclude connectivity between areas of high habitat values.

The existing coastal sage scrub habitat on site is fragmented and has been previously disturbed. The habitat is considered to be of intermediate quality as defined by the NCCP Conservation Guidelines. Roads border the project site to the north and east, creating a barrier to wildlife movement. The habitat evaluation map (see Exhibit D) identifies the project site as predominantly agricultural and surrounded by developed and agricultural lands. An area of moderate and high value habitat exists in the northeastern portion of the property, which extends to the north and northeast in an isolated patch surrounded by land that has been developed or cultivated. Aerial imagery indicates that there is development and agricultural uses within these areas identified as having moderate and high habitat value. The removal of coastal sage scrub on site will not preclude connectivity between areas of high habitat values because the coastal sage scrub on site is isolated from other areas of coastal sage scrub and is not situated between areas of high and very high quality habitat.

Finding 1.c: The habitat loss will not preclude or prevent the preparation of the subregional NCCP.

The habitat loss will not preclude or prevent the preparation of the subregional NCCP because the impact area is not designated as Preapproved Mitigation Area (PAMA) and the existing coastal sage scrub exists as an isolated patch of habitat surrounded by land uses that include development, agriculture, and/or other existing disturbance. Further, the project is not within or adjacent to any local or regional wildlife corridors. No sensitive plant or animal species were observed or detected on site during biological field assessments. Habitat loss will be mitigated off-site through purchase of 1.8 acres of coastal sage scrub and 0.4 acres of non-native grassland in an approved mitigation bank within the draft MSCP North County Plan area.

Finding 1.d: The habitat loss has been minimized and mitigated to the maximum extent practicable in accordance with Section 4.3 of the NCCP Process Guidelines.



The proposed development footprint would be situated in the northeast portion of the property, bordered on the west side by existing development and on the north and east sides by existing roads. An existing parking area is located onsite to the south of the proposed project. Habitat loss would be mitigated off-site through purchase of 1.8 acres of coastal sage scrub and 0.4 acres of non-native grassland in an approved mitigation bank within the draft MSCP North County Plan area.

Finding 2      The habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild.

The habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild because no listed species were observed or detected onsite during biological field assessments. Habitat loss will be mitigated off-site through purchase of 1.8 acres of coastal sage scrub (including 0.6 acres for non-permitted clearing) and 0.4 acres of non-native grassland in an approved mitigation bank within the draft MSCP North County Plan area. The site has a low potential to support the California gnatcatcher due to the small patch size and disturbed nature of habitat on site. In addition, the off-site preservation of 1.8 acres of coastal sage scrub and 0.4 acres of non-native grassland provides mitigation for impacts to sensitive vegetation/habitat communities and potential raptor foraging habitat. Breeding season avoidance measures would be implemented to mitigate for potential impacts to nesting birds.

Finding 3:      The habitat loss is incidental to otherwise lawful activities.

The project requires Grading Plans for a Major Use Permit. The issuance of a Habitat Loss Permit by the County of San Diego, with the concurrence of the Department of Fish and Wildlife and U.S. Fish and Wildlife Service and approval by the County of San Diego of a Grading Permit, Clearing Permit, or Improvement Plan is required prior to the clearing of any coastal sage scrub supported on the project site. No state or federal permits are identified as being required at this time.

Approval by the County of San Diego of a Grading Permit, Clearing Permit, or Improvement Plan with appropriate mitigation for impacts to sensitive habitats is required to permit the loss of coastal sage scrub habitat that was previously cleared, graded or removed without a valid permit and to allow for conformance with Sections 86.102 and 86.104 of the San Diego County Code. Issuance of, and concurrence with Department of Fish and Wildlife and U.S. Fish and Wildlife Service, a Habitat Loss Permit is also required to authorize further clearing of any coastal sage scrub supported on the project site. Construction and/or further land use modification will not commence until all appropriate permits have been issued. As such, the anticipated loss will be incidental to "otherwise lawful activities".

#### NCCP FLOWCHART

1. Is natural vegetation present? **Yes.**
2. Is Coastal sage scrub present? **Yes.**
3. Is Coastal sage scrub the most dense in the subregion? **No.**
4. Is the land close to high value district. **Yes.**
5. Is the land located in a corridor between higher value districts. **No.**
6. Does the land support high density of target species? **No.**

Based on the NCCP Logic Flow Chart, the quality of habitat supported on the Tran Monastery project is defined as being "Intermediate Value."



MITIGATION MONITORING AND REPORTING PROGRAM:

The following shall be the Mitigation Monitoring or Reporting Program for this Habitat Loss Permit:

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 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.

- 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:

Conditions A.1 and A.2

- Enforcement

Compliance with the following conditions is assured because complaints of non-compliance may be provided by the public to the County which may then investigate the status of compliance and pursue enforcement:

Conditions B.1 and B.2

- Ongoing Mitigation

Compliance with the following conditions is assured because County staff will monitor the on-going requirements and, if necessary, pursue the remedies specified in the project permit, the security agreement, or the mitigation monitoring agreement:

N/A

**NOTICE:** The issuance of this permit by the County of San Diego does not authorize the applicant for said permit to violate any federal, state, or county laws, ordinances, regulations, or policies, including but not limited to, the federal Endangered Species Act and any amendments thereto.

**NOTIFICATION TO APPLICANT:** Because your project has an effect on native biological resources, State law requires the payment of a \$2,216.25 fee to the California Department of Fish and Wildlife for their review of the Mitigated Negative Declaration (Fish and Wildlife Code §711.4) and a \$50 administrative fee to the County (\$2,266.25 total). If you made this payment at the time of public review of the environmental document pursuant to Administrative Code Section 362, Article XX, effective August 27, 1992, you have met this obligation. If the fee has not been paid, to comply with State law, the applicant should remit to the County Planning & Development Services, within two (2) working days of the effective date of this approval (the "effective date" being the end of the appeal period, if applicable). The payment must be by certified check or cashier's check payable to the "County of San Diego" and can be submitted to the cashier at the PDS office or directly to the County Clerk. The fees



(excluding the administrative fee) may be waived for projects that are found by the Planning & Development Services and the California Department of Fish and Wildlife to have a no effect impact on fish and wildlife resources. Failure to remit the required fee in full within the time specified above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation Code. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Wildlife Code, provide that no project shall be operative, vested, or final until the required filing fee is paid.

**JUDICIAL REVIEW TIME LIMITATIONS:** The time within which judicial review of this decision must be sought is governed by Code of Civil Procedure Section 1094.6, which has been made applicable in the County of San Diego by San Diego County Code Section 11.120. Any petition or other paper seeking judicial review must be filed in the appropriate court not later than the 90th day following the date on which this decision becomes final; however, if within 10 days after the decision becomes final a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30th day following the date on which the record is either personally delivered or mailed to the party, or the party's attorney of record. A written request for the preparation of the record of the proceedings shall be filed with the Director, Planning & Development Services, 5510 Overland Avenue, Suite 110, San Diego, California 92123.

The foregoing decision was approved by the Director of Planning & Development Services on **date of decision**. A copy of this decision, and the documentation supporting the decision, is on file in the Planning & Development Services office at 5510 Overland Avenue, Suite 110, San Diego, California.

PLANNING & DEVELOPMENT SERVICES  
MARK WARDLAW, DIRECTOR

BY:

MARK SLOVIC, Group Planning Manager  
Project Planning Division

Attachments

- A. Habitat Loss Exhibit A: 2004 Vegetation Mapping
- Habitat Loss Exhibit B: Current Vegetation Mapping
- Exhibit C: USGS Map
- Exhibit D: Habitat Evaluation Map
- B. Biological Technical Report, Alden Environmental, Inc., August 15, 2017

cc: **To be provided at issuance of Habitat Loss Permit**

email cc:

Jeffrey Smyser, Project Manager, Project Planning, Planning & Development Services  
Ken Brazell, Team Leader, Land Development, Planning & Development Services  
Zoubir Ouadah, Department of Public Works  
David Sibbet, Planning Manager, Project Planning, Planning & Development Services  
Anna Prowant, HLP Coordinator, Project Planning, Planning & Development Services

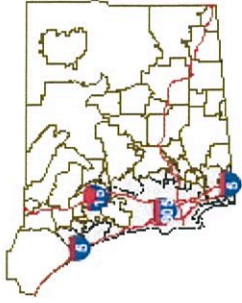


## Attachment A

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# Exhibit A: USGS Map

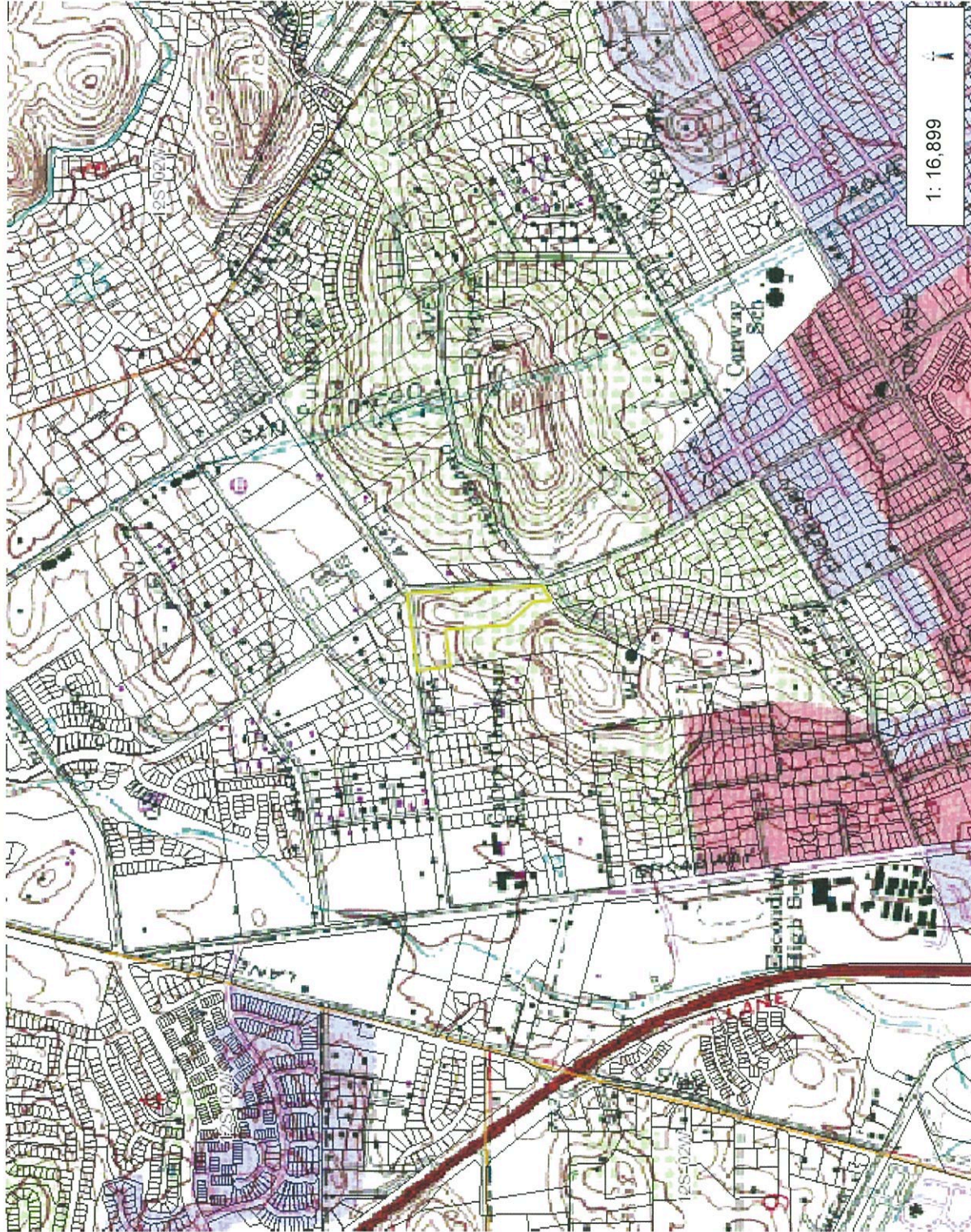


## Legend

- Parcels
- Public Land Survey
- County Boundary

## Notes

Tran (Phap Vuong) Monastery  
PDS-2014-MUP-14-010  
Parcel 227-010-57-00



1: 16,899

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

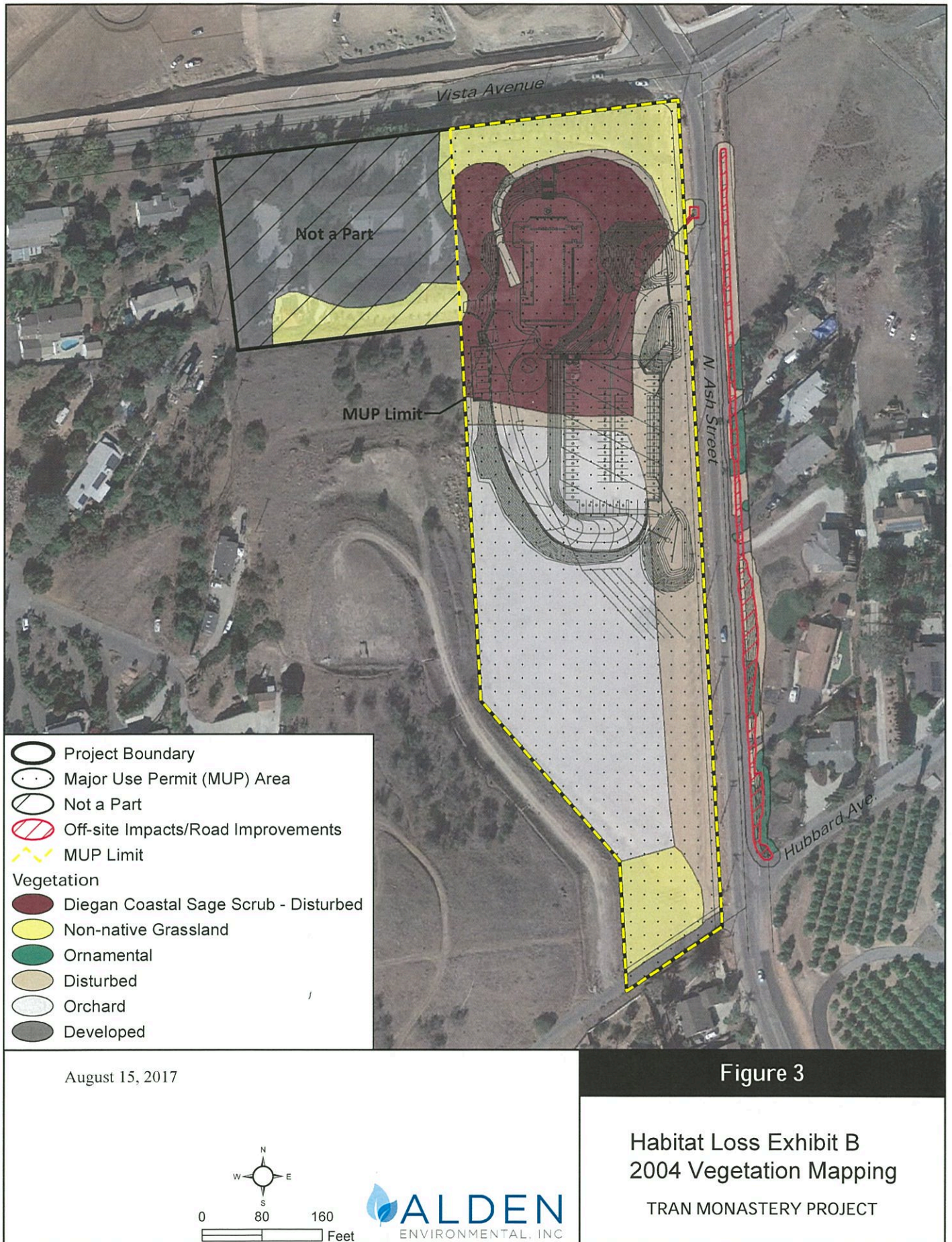
0.5 Miles

0.27

0

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
Planning and Development Services





August 15, 2017

Figure 3

Habitat Loss Exhibit B  
2004 Vegetation Mapping

TRAN MONASTERY PROJECT



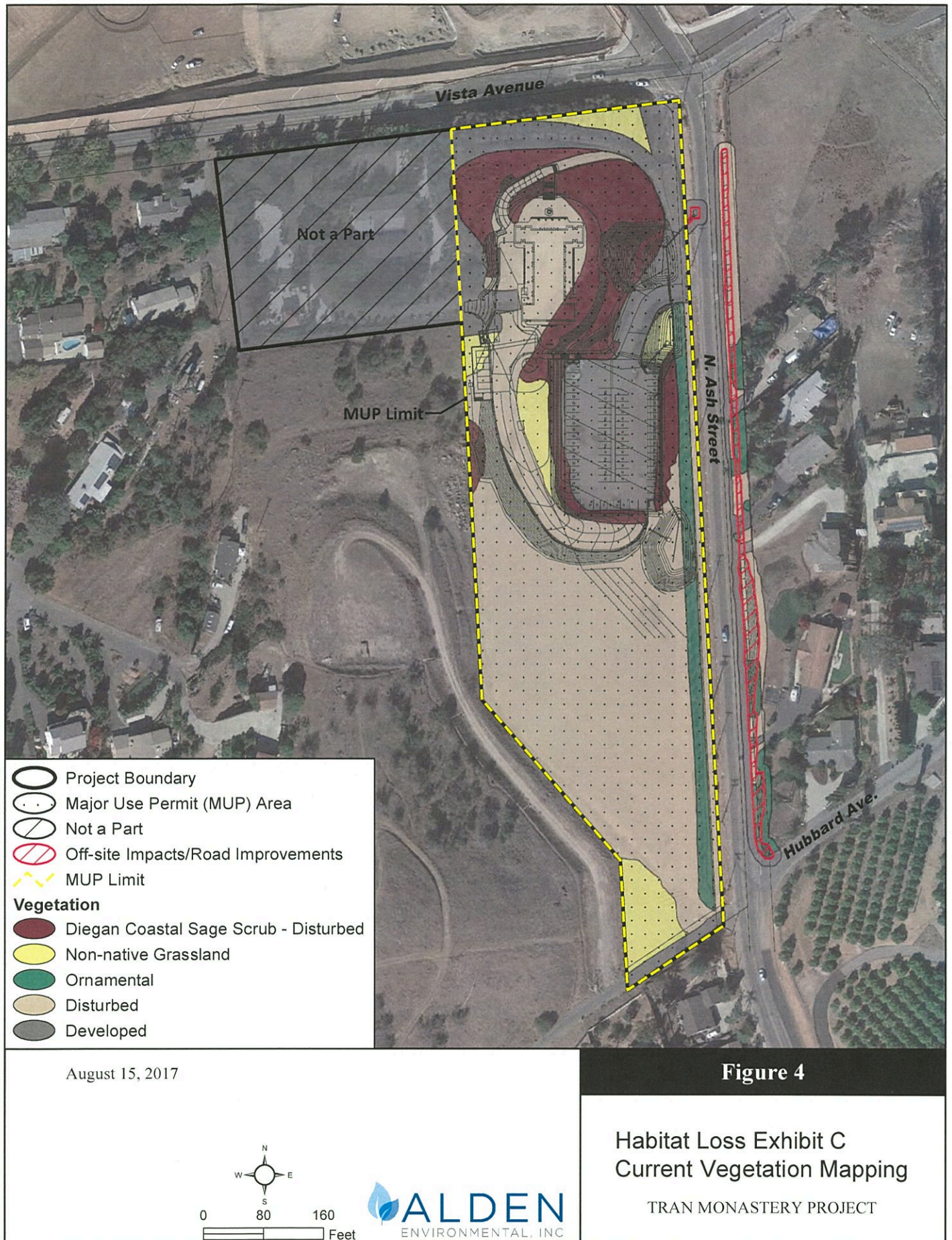


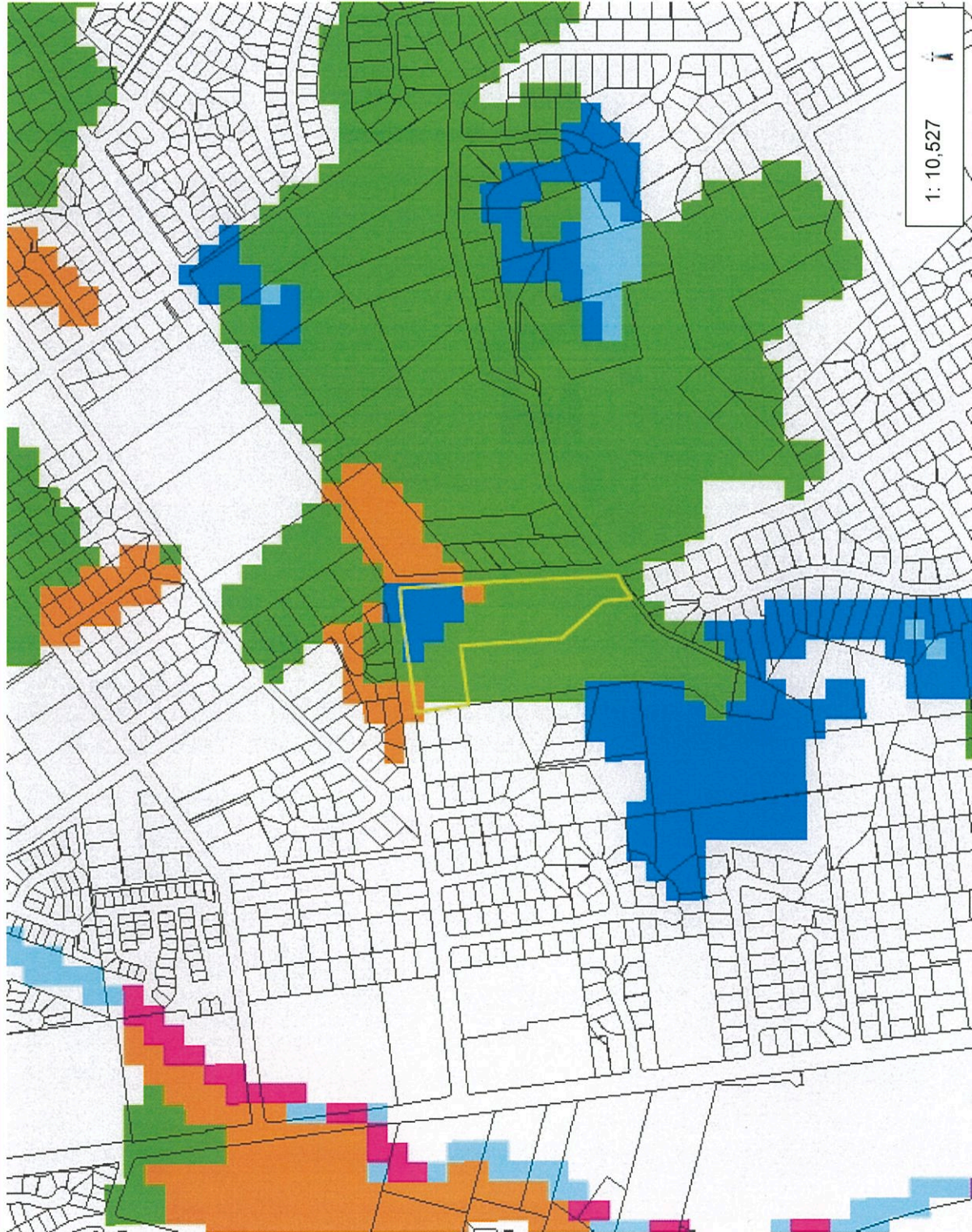
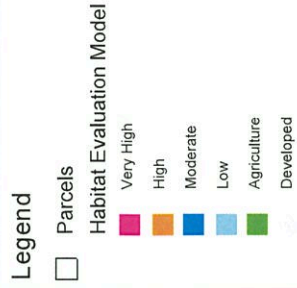
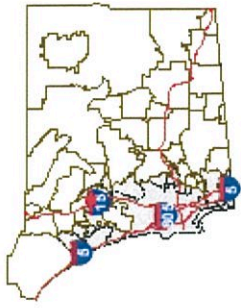
Figure 4

### Habitat Loss Exhibit C Current Vegetation Mapping

TRAN MONASTERY PROJECT



# Exhibit D: Habitat Evaluation Map



1: 10,527



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes

Habitat Evaluation Map  
Tran Monastery  
PDS2014-MUP-14-010

## Attachment B

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## **Attachment D – Environmental Findings**

**PHAP VUONG MONASTERY  
MAJOR USE PERMIT  
PDS2014-MUP-14-010  
ENVIRONMENTAL LOG: ER01-08-051A**

**ENVIRONMENTAL FINDINGS**

**June 21, 2019**

1. Find that the Planning Commission has reviewed and considered the information contained in the Subsequent Mitigated Negative Declaration on file with Planning & Development Services as Environmental Review Number ER01-08-051A before making its recommendation on the proposed project.
2. Find on the basis of the whole record that there is no substantial evidence that the proposed project will have a significant effect on the environment. Consider the Subsequent Mitigated Negative Declaration on file with Planning & Development Services as Environmental Review Number ER01-08-051A together with the comments received during public review and adopt it, finding that it reflects the independent judgment and analysis of the Planning Commission.
3. Adopt the Mitigation and Monitoring Program as incorporated into the project conditions of approval pursuant to CEQA Guidelines section 15074(d).
4. Find that the proposed project is consistent with the Resource Protection Ordinance (County Code, section 86.601 et seq.).
5. Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, section 67.801 et seq.).

## **Attachment E – Public Documentation**



## **RESPONSES TO PUBLIC COMMENTS RECEIVED DURING PUBLIC REVIEW FEBRUARY 7, 2019 – MARCH 25, 2019**

### **Response to comments received from the Endangered Habitats League**

- A-1 The County appreciates the review and comment from the Endangered Habitats League in the e-mail dated February 11, 2019. The Endangered Habitats League has no comments on the project. No changes were made to CEQA documentation as a result of this comment.

### **Response to comments received from Leslee Tipping of Brook Forest Conservation/Mitigation Bank**

- B-1 The County appreciates the review and comments from Leslee Tipping of Brook Forest Conservation/Mitigation Bank in the e-mail dated February 11, 2019. The comment states that the mitigation bank is available to offer credits for the project and includes information on the mitigation bank. Biological mitigation credits will be required for the project. The project applicant will decide where to obtain the credits. The project applicant has been made aware of the commenter's information. No changes were made to CEQA documentation as a result of this comment.

### **Response to comments received from Marcia McGaugh-Teas**

- C-1 The County appreciates the review and comments from Ms. McGaugh-Teas in the letter dated February 14, 2019 and received February 20, 2019. The commenter states that in 1979 the site was designated "agricultural" and nothing could be built on the hill. The commenter also states that a church is not appropriate for this site. This comment led County staff to conduct research into the previous land use and zoning for the project site.

Zoning was applied to the site on January 28, 1964. A Zoning Ordinance amendment on July 28, 1964 added churches and other uses as special uses allowed with a special use permit in any zoning district.

In 1979, the Use Regulations (zoning) on the site was Single-Family Residential (R1), which allowed Religious Assembly uses with a Major Use Permit. The current zoning on the site is Single-Family Residential (RS), which allows Religious Assembly uses with a Major Use Permit. Both the past and current zoning allow specified agricultural uses.

The current General Plan Land Use Designation on the site is Semi-Rural Residential (SR-1). The previous Land Use Designation was Residential-1. Both the previous and current designations include a maximum of one dwelling unit per acre and also minor agricultural uses.

The uses allowed by the General Plan and the Zoning Ordinance have not changed on the site since 1979. Zoning previous to 1979 allowed Religious Assembly Uses with a special use permit and the current zoning also allows them with a Major Use Permit. No changes were made to CEQA documentation as a result of this comment.

- C-2 The County appreciates the review and comments from Ms. McGaugh-Teas in the letter dated February 14, 2019 and received February 20, 2019. A previous Major Use Permit application was approved on May 27, 2004. The County has no petition in its records. However, that MUP expired November 23, 2004 when conditions of approval were not completed.

The current project is a new application. Issues raised by the neighborhood in the past have been addressed with the proposed project. See response to comment C-3 below. No changes were made to CEQA documentation as a result of this comment.

- C-3 The County appreciates the review and comments from Ms. McGaugh-Teas in the letter dated February 14, 2019 and received February 20, 2019. The event referred to in the comment was a unique event. Large numbers of visitors came to celebrate the arrival of the Buddha sculpture. That was not a typical or recurring event.

Religious assembly uses commonly have special events that include music, gatherings, and higher than normal numbers of participants and vehicles. As described in the Subsequent Mitigated Negative Declaration, the project's Sunday meditation times are expected to draw approximately 100 visitors. Three special events during the year will draw a similar number of visitors. The new monastery building can accommodate these activities and a new parking lot will accommodate visitors' vehicles. The gong is located inside the building. Issues raised by the neighborhood in the past have been addressed with the proposed project design: activities can be accommodated inside the new building, the new parking lot can accommodate the vehicles, and the gong will be inside the new building.. No changes were made to CEQA documentation as a result of this comment.

- C-4 The County appreciates the review and comments from Ms. McGaugh-Teas in the letter dated February 14, 2019 and received February 20, 2019. The project site is in an area of urban development with single family residential homes abutting

the site. Religious Assembly buildings are inherently different from residential buildings and especially from single family homes. Many Religious Assembly uses have tall buildings, spires, bell towers, domes, or other architectural elements that are not similar to residential structures. The proposed monastery complies with the building type, setbacks, and maximum height allowed by zoning on the site. (The building height will be 33 feet, the maximum allowed is 35 feet.) The project does not conflict with any guidelines or requirements. No changes were made to CEQA documentation as a result of this comment.

**Response to comments received from the San Luis Rey Band of Mission Indians**

- D-1 The County appreciates the review and comments from the San Luis Rey Band of Mission Indians in the letter received March 7, 2019. The comment is introductory and does not raise issues with the environmental document. No changes to the CEQA documentation were required as a result of this comment.
- D-2 The County appreciates the review and comments from the San Luis Rey Band of Mission Indians in the letter received March 7, 2019. The County appreciates the acknowledgement of the County's commitment to preservation and protection of cultural resources. The comment is introductory and does not raise issues with the environmental document. No changes to the CEQA documentation were required as a result of this comment.
- D-3 The County appreciates the review and comments from the San Luis Rey Band of Mission Indians in the letter received March 7, 2019. The commenter requests that a pre-excavation agreement be made a mitigation measure of the project. The cultural study was negative for resources and an Archaeological Monitoring program is required. The Archaeological Monitoring conditions identify all steps that are to be implemented should cultural resources or human remains be identified. The requested Pre-excavation Agreement would be an agreement between the Native American tribe that will provide the Native American monitoring for the project and the project applicant. The requested agreement does identify the responsibilities of all parties, requirements of the Archaeological Monitoring Program, treatment of Native American human remains and associated grave goods, and the confidentiality of cultural information. The project is subject to AB-52 consultation. As such, the request for a pre-excavation agreement will be included in the MND and project conditions. The Archaeological Monitoring condition has been revised to require that a copy of the final report be provided to the San Luis Rey tribe upon completion. Changes were made to CEQA documentation as a result of this comment.
- D-4 The County appreciates the review and comments from the San Luis Rey Band of Mission Indians in the letter received March 7, 2019. The County appreciates the



desire to continue cooperating on implementing CEQA on this and other projects. The comment is conclusionary in nature and is not at variance with the environmental document. No changes were made to CEQA documentation as a result of this comment.

#### **Response to comments received from the Viejas Tribal Government**

- E-1 The County appreciates the review and comments from the Viejas Tribal Government in the letter dated March 7, 2019 and received March 21, 2019. The commenter states that the Viejas Band has cultural ties to the project site. AB-52 consultation was conducted with Viejas during the processing of the project. It is acknowledged that Viejas has cultural ties to the project site. The comment does not raise issues with the environmental document. As such, no changes were made to the CEQA documentation as a result of this comment.
- E-2 The County appreciates the review and comments from the Viejas Tribal Government in the letter dated March 7, 2019 and received March 21, 2019. The commenter requests that a cultural monitor be on site during ground disturbing activities. In addition, they request that Viejas be contacted should there be inadvertent discoveries. The project is conditioned with an Archaeological Monitoring Program that requires the presence of a Native American monitor during ground disturbing activities. The Archaeological Monitoring program has been revised to include the requirement that Viejas be contacted should there be inadvertent discoveries. Changes were made to CEQA documentation as a result of this comment.

#### **Response to comments received from the U. S. Fish and Wildlife Service and California Department of Fish and Wildlife**

- F-1 The County appreciates the review and comments from the U. S. Fish and Wildlife Service and California Department of Fish and Wildlife in the letter dated March 25, 2019. The comment is introductory and does not raise issues with the environmental document. No changes were made to CEQA documentation as a result of this comment.
- F-2 The County appreciates the review and comments from the U. S. Fish and Wildlife Service and California Department of Fish and Wildlife in the letter dated March 25, 2019. The comment summarizes the agencies' responsibilities and their agreement with the County regarding development of the North County MSCP. The County recognizes the agencies' responsibilities and the MSCP agreement. No changes were made to CEQA documentation as a result of this comment.

- F-2 The County appreciates the review and comments from the U. S. Fish and Wildlife Service and California Department of Fish and Wildlife in the letter dated March 25, 2019. The comment summarizes the proposed project, its impacts on biological resources, and the proposed mitigation. No changes were made to CEQA documentation as a result of this comment.
- F-3 The County appreciates the review and comments from the U. S. Fish and Wildlife Service and California Department of Fish and Wildlife in the letter dated March 25, 2019. The County appreciates the agencies' support for the use of the HLP process and the proposed mitigation. No changes were made to CEQA documentation as a result of this comment.

**Response to comments received from the caller Darrin on behalf of Wanda Cavanaugh**

- G-1 The County appreciates the review and comments from the caller on February 19, 2019. As noted in the phone call notes, there will be four monks living in the monastery. No changes were made to CEQA documentation as a result of this comment.
- G-2 The County appreciates the review and comments from the caller on February 19, 2019. As noted in the phone call notes, no zoning amendment is proposed. The existing zoning allows Religious Assembly uses with a Major Use Permit. No changes were made to CEQA documentation as a result of this comment.
- G-3 The County appreciates the review and comments from the caller on February 19, 2019. As noted in the phone call notes, the site was not designed to accommodate the number of visitors who attended the past event. The current proposal has a new, larger building and a new, larger parking lot. The main floor of the proposed building is 6,274 square feet. The parking lot will have 76 spaces. A Traffic Letter Report analyzed traffic generation from the proposed project and concluded there would not be significant traffic impacts. No changes were made to CEQA documentation as a result of this comment.
- G-4 The County appreciates the review and comments from the caller on February 19, 2019. As noted in the phone call notes, the gong will be inside the monastery building. No changes were made to CEQA documentation as a result of this comment.

Public Review Comments  
Phap Vuong (Tran) Monastery  
PDS2014-MUP-14-010  
ER 01-08-051A

April 19, 2019

**Smyser, Jeffrey**

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**From:** Dan Silver <dsilverla@me.com>  
**Sent:** Monday, February 11, 2019 8:41 AM  
**To:** Smyser, Jeffrey  
**Subject:** PHAP VUONG MONASTERY; PDS2014-MUP-14-010, HLP XX-XXX, LOG NO. ER01-08-051A

Dear Mr Smyser

A-1

Endangered Habitats League has reviewed this project from North County MSCP, HLP, and biological perspectives. We have no comments.

Sincerely  
Dan

Dan Silver, Executive Director  
Endangered Habitats League  
8424 Santa Monica Blvd., Suite A 592  
Los Angeles, CA 90069-4267

213-804-2750  
dsilverla@me.com  
www.ehleague.org



**Smyser, Jeffrey**

**From:** Leslee Tipping <leslee@michaelcrews.com>  
**Sent:** Monday, February 11, 2019 2:10 PM  
**To:** Smyser, Jeffrey  
**Cc:** Michael Crews  
**Subject:** Phap Vuong Monastery - Brook Forest Conservation/Mitigation Bank

Jeff Smyser, Project Manager, County of San Diego  
 Vui Tran, Phap Vuong Monastery, 715 Vista Avenue, Escondido, CA 92026

**Environmental Review Update Checklist Form For Projects with Previously Approved Environmental Documents**

Dated: January 16, 2019

FOR PURPOSES OF CONSIDERATION OF

PDS2014-MUP-14-010, ER01-08-051A

PHAP VUONG MONASTERY MAJOR USE PERMIT

<https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/MUP-14-010/Environmental-Review-Update-Checklist-Form.pdf>

**BIO-1:** The applicant shall a) purchase habitat credit, or b) provide for the conservation of habitat of 1.8 acres of Diegan coastal sage scrub and 0.4 acres of non-native grassland (total 2.2 acres), located in unincorporated San Diego County within an area designated as Pre-Approved Mitigation Area...

**Brook Forest Conservation/Mitigation Bank** is approved by the California Department of Fish & Wildlife and is a licensed Mitigation Bank in Valley Center, CA. We are available to offer mitigation credits for the **Phap Vuong Monastery project in Escondido, CA**. We have read the Environmental Review Update Checklist dated January 16, 2019 and understand the mitigation needs for this project. We are interested in providing a competitive bid for the required mitigation credits.

Please call **Michael Crews** for more information: 760-535-6165

Thank you for your time.

The **Brook Forest Conservation/Mitigation Bank** includes approximately 224 acres of conserved land located in Valley Center, California within San Diego's North County MSCP. The Bank consists of a large, contiguous block of biologically-rich land supporting a diversity of habitats and native species, including 237 species of plants and 104 species of animals. The site supports an exceptionally rich avifauna, with 67 species of birds residing on the Bank property. The Bank has been preserved in perpetuity for the long-term benefit of these sensitive habitats and species.

Available mitigation/conservation credits:

- Wetland Waters of both the US & the State (*Re-establishment, Rehabilitation*)
- Wetland Waters of the State (*Re-establishment and Enhancement*)
- Non-native Grassland
- Mafic Southern Mixed Chaparral
- Disturbed Mafic Mixed Chaparral
- Open Engelmann Oak Woodland
- Southern Coast Live Oak Riparian Forest
- Coastal Sage Scrub
- Native Grassland
- Engelmann Oak Trees (Covered Species)

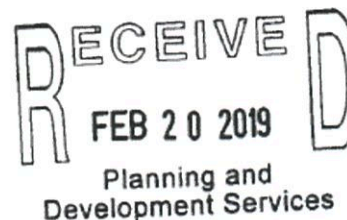
Leslee Tipping for Michael Crews  
760-749-1919 ex. 102  
[leslee@michaelcrews.com](mailto:leslee@michaelcrews.com)

Brook Forest Conservation/Mitigation Bank  
[www.brookforestmitigationbank.com](http://www.brookforestmitigationbank.com)

Michael Crews: 760-535-6165  
[michaelc@michaelcrews.com](mailto:michaelc@michaelcrews.com)

Marsha B. McGaugh-Teas  
 930 Hubbard Avenue  
 Escondido, California 92027

February 14, 2019



County of San Diego  
 Planning & Development Services  
 5510 Overland Avenue, Suite 310  
 San Diego, Ca 92123

RE: PDS2014-MUP-14-010 – Phap Vuong Monastery – 715 Vista Avenue, Escondido, Ca

Gentlemen,

C-1

I am in receipt of your Notice of Intent with regard to the above project. I am sympathetic to the landowner and the rights of citizens to build on their properties, but I am against any further building on the land in question. I purchased my home and property on Hubbard Avenue in 1979 wherein I was told that nothing could be built on the hill to the west in that it was designated “agricultural.” Obviously that was either incorrect or there have been zoning changes. I just don’t think any church organization is appropriate for this site.

C-2

Some years ago, a lady that lives on North Ash (across from the land in question) went around the neighborhood with a petition against this monastery. We all signed the petition, but I have no idea if she turned those in or what became of the petitions.

C-3

While I am not specifically against Buddhists, they do have practices that are not in keeping with a residential area. Several years ago they brought the Jade Buddha Statue to their site. This brought thousands upon thousands of visitors to see this statue – they came in busses. It was a circus for several weeks. Also, they brought out their drums and gongs and played them for hours on end. If the monastery will incorporate these practices, it will be another noise nuisance. <https://www.sandiegouniontribune.com/sdut-escondido-record-size-jade-buddha-arrives-in-2010feb03-story.html>

C-4

Their architecture is also not in keeping with the area. For these reasons, I wish to submit these negative comments. Thank you.

Sincerely,

  
 Marsha B. McGaugh-Teas



## **SAN LUIS REY BAND OF MISSION INDIANS**

*1889 Sunset Drive • Vista, California 92081*

*760-724-8505 • FAX 760-724-2172*

*www.slrmissionindians.org*

March 15, 2017



Jeff Smyser  
Project Manager  
Department of Planning & Development Services  
County of San Diego  
5510 Overland, Ste. 310  
San Diego, CA 92123

Planning and  
Development Services  
VIA ELECTRONIC MAIL  
Jeffrey.Smyser@sdcounty.ca.gov

**RE: COMMENTS ON THE SUBSEQUENT MITIGATED NEGATIVE  
DECLARATION FOR THE PHAP VUONG MONASTERY (PDS2014-  
MUP-14-010 AND ER01-08-051A)**

Dear Mr. Smyser:

D-1

We, the San Luis Rey Band of Mission Indians ("Tribe"), have received and reviewed the County of San Diego's ("County's") Subsequent Mitigated Negative Declaration ("MND") and all of its supporting documentation as it pertains specifically to the protection and preservation of Luiseño tribal cultural resources that may be located within the parameters of the Phap Vuong Monastery's ("Project's") property boundaries. After our review of the MND, the Tribe is satisfied and concurs with the proposed Cultural Resource Mitigation Measures contained within the Subsequent MND.

D-2

While the Tribe acknowledges the County's commitment to the preservation and protection of our Luiseño tribal cultural resources, and although the majority of the Tribe's concerns are addressed within the MND to SLR's satisfaction, the Tribe believes that an additional mitigation measure should be incorporated into the MND thereby providing an additional layer of protection for our sacred Luiseño tribal cultural resources and further lessening any additional negative impact the Project may bring upon our tribal cultural resources.

D-3

The Tribe strongly recommends that the County require the Subsequent MND Applicant to enter into a Pre-Excavation Agreement, otherwise known as a Tribal Cultural Resources Treatment and Monitoring Agreement, with the Tribe, or other Luiseno tribe, prior to any commencement of ground disturbing activities and/or the issuance of any County permits. This agreement will contain provisions to address the proper treatment of any cultural resources or Native American human remains inadvertently uncovered during the course of the Project. The agreement will outline the roles and powers of the Native American monitors and the archaeologist, if applicable. Such an agreement is necessary, in addition to the proposed mitigation measures to guarantee the proper treatment of cultural resources or Native American human remains displaced during a project development. The Tribe requests that the Pre-

D-3  
cont.

Excavation Agreement be an additional mitigation measure, or in the alternative, a prerequisite to any County permits being issued for the Project associated with this MND. In addition, the Tribe respectfully requests that any and all reports submitted by the Project Archaeologist to the County, as required by the Cultural Mitigation Measures in Section C, be made available to the Tribe.

D-4

The San Luis Rey Band of Mission Indians appreciates this opportunity to provide the County of San Diego with our comments and recommendations on the Phap Vuong Monastery Project. As always, we look forward to working with the County to guarantee that the requirements of CEQA are rigorously applied to this Project and all projects. We thank you for your continuing assistance in protecting our invaluable Luiseño cultural resources.

Sincerely,



Merri Lopez-Keifer  
Chief Legal Counsel

cc: Donna Beddow, County of San Diego, County Archaeologist (via email)



P.O. Box 908  
Alpine, CA 91903  
#1 Viejas Grade Road  
Alpine, CA 91901

Phone: 6194453810  
Fax: 6194455337  
viejas.com

March 7, 2019

Jeff Smyser  
County of San Diego Planning & Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

**RE: PDS2014-MUUP-14-010 Phap Vuong Monastery**

Dear Mr. Smyser,

E-1

The Viejas Band of Kumeyaay Indians ("Viejas") has reviewed the proposed project and at this time we have determined that the project site has cultural significance or ties to Viejas.

E-2

Viejas Band request that a Kumeyaay Cultural Monitor be on site for ground disturbing activities to inform us of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains.

Please call me at 619-659-2312 or Ernest Pingleton at 619-659-2314 or email, [rtaran@viejas-nsn.gov](mailto:rtaran@viejas-nsn.gov) or [epingleton@viejas-nsn.gov](mailto:epingleton@viejas-nsn.gov), for scheduling. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to be "RT", written over a horizontal line.

Ray Teran, Resource Management  
VIEJAS BAND OF KUMEYAAY INDIANS

RECEIVED  
MAR 21 2019  
Planning and  
Development Services





U.S. FISH AND WILDLIFE SERVICE  
 Carlsbad Fish and Wildlife Office  
 2177 Salk Avenue, Suite 250  
 Carlsbad, California 92008



CALIFORNIA DEPARTMENT OF  
 FISH AND WILDLIFE  
 South Coast Region  
 3883 Ruffin Road  
 San Diego, California 92123

In Reply Refer To:  
 FWS/CDFW-19B0102-19CPA0128

March 25, 2019  
*Sent electronically*

Mr. Jeffrey Smyser  
 County of San Diego  
 Planning and Development Services  
 5510 Overland Avenue, Ste. 310  
 San Diego, California 92123

Subject: Draft Habitat Loss Permit for the Phap Vuong Monastery, San Diego County, California

Dear Mr. Smyser:

F-1

The U.S. Fish and Wildlife Service (Service) and the Department of Fish and Wildlife (Department), collectively referred to as the Wildlife Agencies, have reviewed the proposed Phap Vuong Monastery project (Project) draft Habitat Loss Permit (HLP) submitted on February 7, 2019. The project was previously referred to as the Tran Monastery project in records and meetings. The comments provided in this letter are based on information provided in the draft HLP and associated documents, including the Biological Technical Report (BTR) prepared by Alden Environmental Inc., dated August 15, 2017; meetings and discussions with County staff; our knowledge of sensitive and declining vegetation communities in the County; and our participation in regional conservation planning efforts including the County's draft North County Multiple Species Conservation Plan (MSCP).

F-2

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCP) developed under section 10(a)(1) of the Act. The Department is a Trustee Agency and a responsible Agency pursuant to the California Environmental Quality Act (CEQA), Sections 15386 and 15381, respectively. The Department is responsible for the conservation, protection, and management of the State's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the Natural Community Conservation Planning (NCCP) program. The County has signed a Planning Agreement with the Wildlife Agencies for the development of the North County MSCP, an NCCP/HCP that is currently in development for unincorporated lands in north San Diego County.

F-3

The project site totals 10.1 acres at the intersection of Vista Avenue and North Ash Street within unincorporated land surrounded by the City of Escondido (APN 227-010-57). The project site is located outside of any Pre-Approved Mitigation Area (PAMA) identified in the draft North County



Mr. Jeffrey Smyser (FWS/CDFW-19B0102-19CPA0128)

2

MSCP. The project involves construction of a monastery building with associated facilities and parking areas along with off-site roadway improvements on North Ash Street.

F-3  
cont.

According to the draft HLP, the proposed project would impact 1.8 acres of disturbed coastal sage scrub (CSS), including 0.6 acre of unpermitted CSS impacts that have already occurred, 0.8 acre of non-native grassland (NNG), and 4.7 acres of disturbed or developed habitat. The applicant proposes to mitigate impacts to CSS and NNG at a 1:1 and 0.5:1 ratio, respectively, for a total of 2.2 acres of mitigation. No special-status plant or animal species were observed or found to have a high potential to occur on site, thus no impact is expected. The applicant will fulfill the offsite habitat mitigation with mitigation credit at an existing mitigation bank or through preservation and management of habitat within the draft PAMA as described in the draft HLP.

F-4

Because the project site supports only low quality CSS that is not within PAMA for the draft North County MSCP or in an important core area or dispersal corridor for sensitive wildlife, the Wildlife Agencies support the use of the HLP process and the proposed mitigation ratios to address potential impacts from the proposed project.

Thank you for the opportunity to comment on the subject draft HLP. If you have any questions, please contact Carol Williams of the Department at [Carol.Williams@wildlife.ca.gov](mailto:Carol.Williams@wildlife.ca.gov) or 858-637-5511, or Eric Porter of the Service at [Eric\\_Porter@fws.gov](mailto:Eric_Porter@fws.gov) or 760-431-9440 ext. 285.

Sincerely,

JONATHAN  
SNYDER

Digitally signed by  
JONATHAN SNYDER  
Date: 2019.03.25  
15:40:53 -07'00'

for Karen A. Goebel  
Assistant Field Supervisor  
U.S. Fish and Wildlife Service



Gail K. Sevens  
Environmental Program Manager  
California Department of Fish and Wildlife

Log of phone call to County Staff Jeff Smyser on February 19, 2019

From a caller named Darrin, on behalf of his relative Wanda Cavanaugh living at 1756 Ash Street

G-1

Darrin: The previous project did not include residences. How many people will live there?

Staff: Four monks.

G-2

Darrin: Will there be a rezoning?

Staff: No rezone is proposed. The existing zoning allows religious assembly uses with a Major Use Permit.

G-3

Darrin: In the past, there was a major event that created impacts on the area. Will this happen again?

Staff: The potential traffic generation was studied and the conclusion is that there will not be traffic impacts. The site at the time was not designed to be able to accommodate many people and that caused problems. The larger building, the larger, paved parking lot, and the stormwater management all have been designed to current standards.

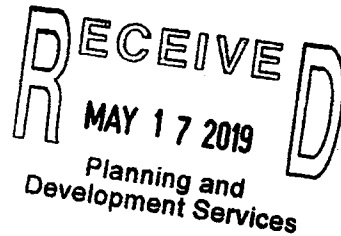
G-4

Darrin: There was a gong outside during the event. Will there be a gong outside?

Staff: The gong will be inside the new building, not outside. Nor will it be up in a tower like a church belfry.



Date: 5 / 11 / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026


Dear Mr. Smyser and Members of the Planning Commission,

I am writing to express my full support of the proposed Phap Vuong Monastery project.

I am familiar with the project and I believe that it will be an asset to our community and that is also a spiritual home for us.

The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

Best Regards,

Signature:  \_\_\_\_\_

Full name: Jennifer Cao

Address: 11877 Spruce Run Dr #C, San Diego, CA 92131

---

Date: 5 / 5 / 2019



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County of San Diego  
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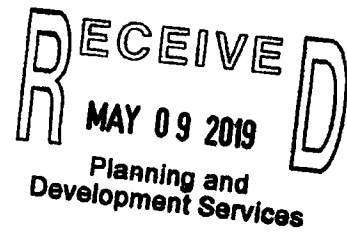
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Best Regards,

Signature:   
Full name: ÔNG MỸ NGUYỆT / CAO THIÊN HÙNG  
Address: 757 BALL Ave, Escondido, CA 92026

Date:        /        / 2019

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Best Regards,

Signature: 

Full name: Mathew Hai Hong Huynh

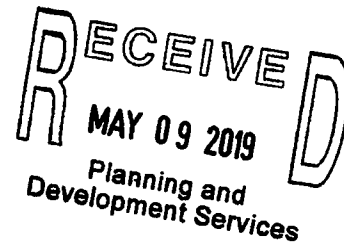
Address: 1453 Borden Rd

Escondido, CA 92026



Date: 05 / 05 / 2019

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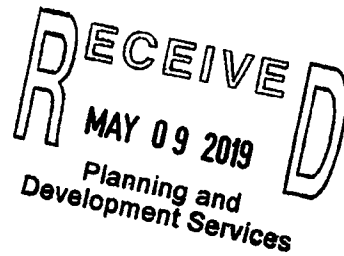
Signature: 

Full name: ANH HOANG PHAM-PETER

Address: 1982 CRAIGMORE AVE

ESCONDIDO, CA 92027

Date: 05 / 07 / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

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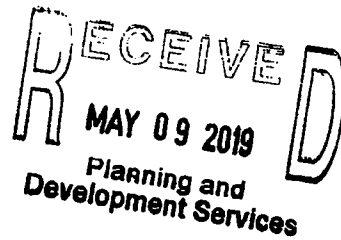
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Best Regards,

Signature: Yen K. Bradley  
Full name: YEN K. BRADLEY  
Address: 2752 EASTVIEW TER.  
ESCONDIDO, CA 92025

Date: 05/06/2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

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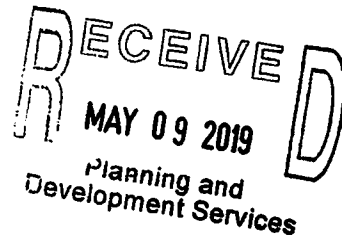
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Best Regards,

Signature: Huong Ngoc Pham  
Full name: Huong ngoc Pham  
Address: 862 OLEANDER PL  
ESCONDIDO CA 92027



Date: 5 / 6 / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

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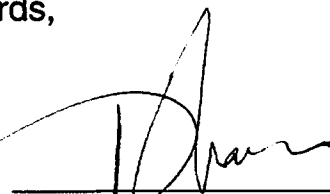
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Best Regards,

Signature:

Full name:

Address:

  
Phan Lu  
16028 Paragon Mesa Rd.  
Poway CA 92064

Date:        /        / 2019



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County of San Diego  
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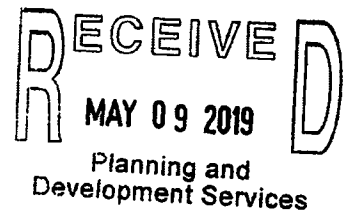
Best Regards,

Signature:  \_\_\_\_\_

Full name: GIANG DO

Address: 954 BAYLOR DR. SAN MARCOS, CA

92078



Date:        /        / 2019

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County of San Diego  
Planning & Development Services  
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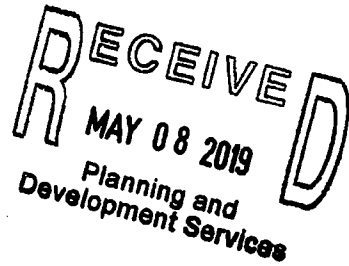
The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

Best Regards,

Signature:   
Full name: PHUONG NGUYEN  
Address: 1919 Rock Springs Rd  
San Marcos CA 92079



Date: 05/06/2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

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Best Regards,

Signature: Antony Chau

Full name: Antony Chau

Address: 1521 YORK

ESCONDIDO CA 92027

Date: 5 / 5 / 2019



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County of San Diego  
Planning & Development Services  
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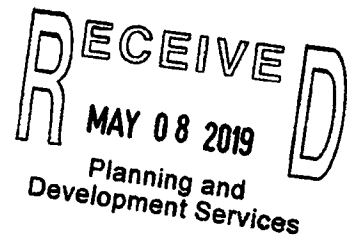
Best Regards,

Signature: dungle

Full name: DUNG T LE

Address: 1327 VISTA VERDE way  
ESCONDIDO CA 92027

Date: 05 / 04 / 2019



To: Mr. Jeffrey Smyser  
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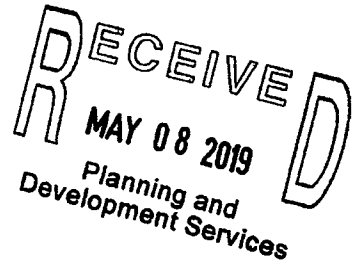
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Best Regards,

Signature: Kim L. L.  
Full name: KIM L.  
Address: 1736 E VALLEY PKWY  
ESCONDIDO, CA 92027



Date: 5 / 5 / 2019



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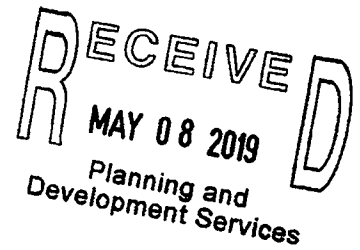
Signature: \_\_\_\_\_

Full name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Date: 05 / 04 / 2019



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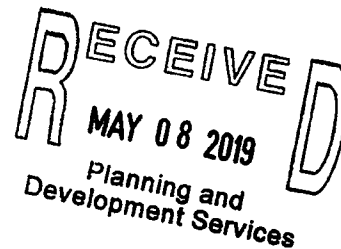
Signature:                     Nhan                    

Full name:           NGUYEN MY HAN          

Address:           1925 E Grand Ave ESCONDIDO 92027          

\_\_\_\_\_

Date: 05 / 07 / 2019



To: Mr. Jeffrey Smyser  
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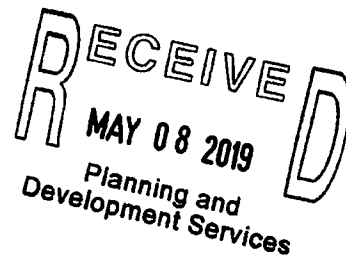
The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

Best Regards,

Signature: Cuong N. Ngo  
Full name: CUONG N. NGO  
Address: 2752 EASTVIEW TERR.  
ESCONDIDO, CA 92025



Date: May 107/2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

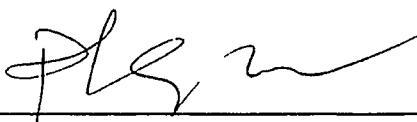
Dear Mr. Smyser and Members of the Planning Commission,

I am writing to express my full support of the proposed Phap Vuong Monastery project.

I am familiar with the project and I believe that it will be an asset to our community and that is also a spiritual home for us.

The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

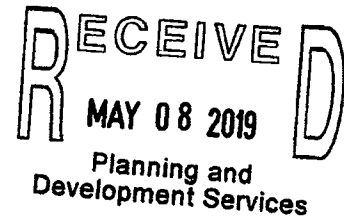
Best Regards,

Signature: 

Full name: PHUONG NGUYEN

Address: 2431 LAKE FOREST ST  
ESCONDIDO, CA 92026

Date: 05 / 06 / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

Dear Mr. Smyser and Members of the Planning Commission,

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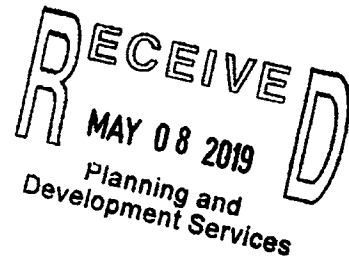
Best Regards,

Signature: 

Full name: LE THI PHAM

Address: 2431 LAKE FOREST ST  
ESCONDIDO CA 92026

Date: 05/04/2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

Dear Mr. Smyser and Members of the Planning Commission,

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The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

Best Regards,

Signature: 

Full name: HANH NGO

Address: 318 LION VALLEY RD  
ESCONDIDO CA. 92027.



Date: 05 / 05 / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

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Best Regards,

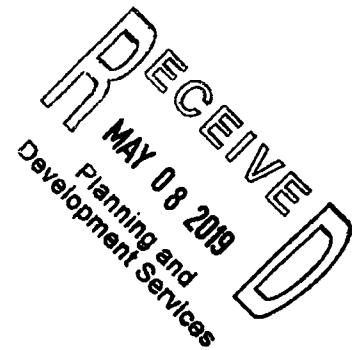
Signature: \_\_\_\_\_

Full name: MICHAEL DINK

Address: 2702 HARRIET ST

OCEANSIDE, CA 92056

Date: 05 / 04 / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

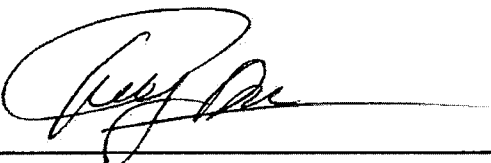
Dear Mr. Smyser and Members of the Planning Commission,

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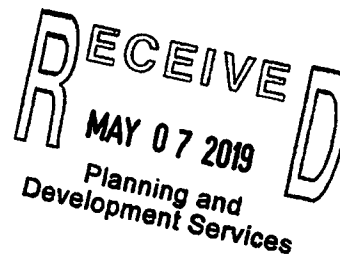
Best Regards,

Signature: 

Full name: Tony Dean Bry

Address: 440 peartree pl. Escondido CA, 92026

Date: 5/4/2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026


Dear Mr. Smyser and Members of the Planning Commission,

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Best Regards,

Signature: 

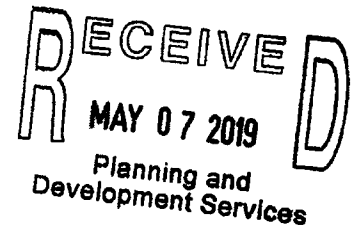
Full name: PHAP TO LU

Address: 1836 NICAS CT

SAN MARGOS CA 92069



Date:        /        / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

Dear Mr. Smyser and Members of the Planning Commission,

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The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

Best Regards,

Signature: Kim Nystrom

Full name: KIM NYSTROM

Address: 30207 AU BON CLIMAT CT

BONSKILL, CT 06003.

Date:        /        / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

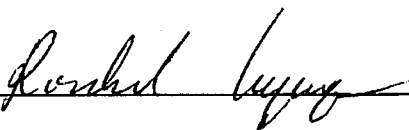
Dear Mr. Smyser and Members of the Planning Commission,

I am writing to express my full support of the proposed Phap Vuong Monastery project.

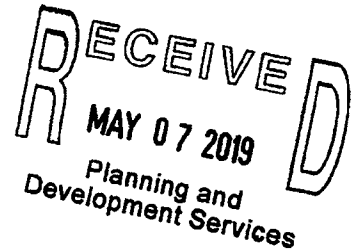
I am familiar with the project and I believe that it will be an asset to our community and that is also a spiritual home for us.

The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

Best Regards,

Signature:   
Full name: RICHARD NGUYEN  
Address: 28520 N. TWIN OAKS VALLEY RD  
VISTA, CA 92084

Date:        /        / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

Dear Mr. Smyser and Members of the Planning Commission,

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The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

Best Regards,

Signature: Maria H Nguyen

Full name: MARIA H. NGUYEN

Address: 802 Calle TALENTIA

ESCONDIDO, CA 92025



Date:        /        / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

Dear Mr. Smyser and Members of the Planning Commission,

I am writing to express my full support of the proposed Phap Vuong Monastery project.

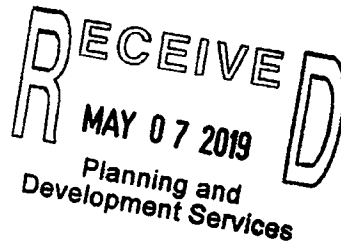
I am familiar with the project and I believe that it will be an asset to our community and that is also a spiritual home for us.

The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

Best Regards,

Signature: Victoria NGUYEN Kieu  
Full name: VICTORIA NGUYEN  
Address: 802 Calle JALANITA  
ESCONDIDO, CA 92025

Date: 05 / 03 / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

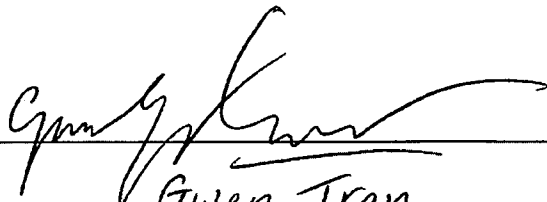
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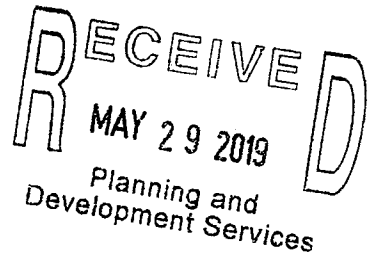
Best Regards,

Signature: 

Full name: Gwen Tran

Address: 715 N Broadway Apt #117  
Escondido CA 92025

Date: 5 / 20 / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

Dear Mr. Smyser and Members of the Planning Commission,

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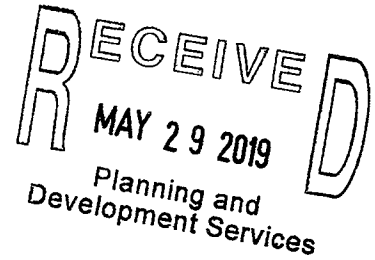
The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

Best Regards,

Signature: Minh Dang  
Full name: Minh Dang  
Address: 198 N Upas St  
Escondido, CA 92025



Date: 5 / 21 / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

Dear Mr. Smyser and Members of the Planning Commission,

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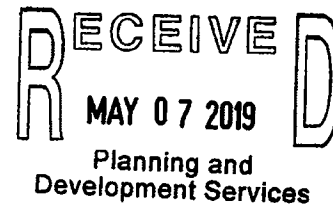
Best Regards,

Signature: Mai Dang

Full name: Maiday

Address: 806 F Washington Ave  
Escondido, CA 92025

Date:        /        / 2019



To: Mr. Jeffrey Smyser  
County of San Diego  
Planning & Development Services  
5510 Overland Ave, San Diego, CA 92123

RE: Phap Vuong Monastery  
715 Vista Ave., Escondido, CA 92026

Dear Mr. Smyser and Members of the Planning Commission,

I am writing to express my full support of the proposed Phap Vuong Monastery project.

I am familiar with the project and I believe that it will be an asset to our community and that is also a spiritual home for us.

The scale and aesthetics are appropriate given the developments location and I commend all parties involved for their work on this project.

Best Regards,

Signature: Cay Ngo

Full name: NGO THI CAY

Address: 28520 N. TWIN OAK VALLEY Rd  
Vista, CA 92084

## **Attachment F – Service Availability Forms**





County of San Diego, Planning & Development Services  
**PROJECT FACILITY AVAILABILITY - FIRE**  
**ZONING DIVISION**

Please type or use pen

Vul Tran (619) 283-7655  
 Owner's Name Phone  
 1775 Dancer Pl.  
 Owner's Mailing Address Street  
 Escondido CA 92026  
 City State Zip

ORG \_\_\_\_\_  
 ACCT \_\_\_\_\_  
 ACT \_\_\_\_\_  
 TASK \_\_\_\_\_  
 DATE \_\_\_\_\_

AMT \$ \_\_\_\_\_

DISTRICT CASHIER'S USE ONLY

**F**

**SECTION 1. PROJECT DESCRIPTION**

**TO BE COMPLETED BY APPLICANT**

- A. ☐ Major Subdivision (TM) ☐ Specific Plan or Specific Plan Amendment  
☐ Minor Subdivision (TPM) ☐ Certificate of Compliance:  
☐ Boundary Adjustment  
☐ Rezone (Reclassification) from \_\_\_\_\_ to \_\_\_\_\_ zone.  
☒ Major Use Permit (MUP), purpose: Monastery  
☐ Time Extension...Case No. \_\_\_\_\_  
☐ Expired Map...Case No. \_\_\_\_\_  
☐ Other \_\_\_\_\_

Assessor's Parcel Number(s)  
 (Add extra if necessary)

227-010-57

- B. ☐ Residential . . . . . Total number of dwelling units \_\_\_\_\_  
☐ Commercial . . . . . Gross floor area \_\_\_\_\_  
☐ Industrial . . . . . Gross floor area \_\_\_\_\_  
☒ Other . . . . . Gross floor area 11,962 sf

C. Total Project acreage 8.9 Total lots 1 Smallest proposed lot 8.9 ac

Thomas Gulde. Page 1109 Grid H-5, J-5

715 Vista Ave. Escondido

Project address Street

North County Metro - Hidden Meadows 92026

Community Planning Area/Subregion

Zip

OWNER/APPLICANT AGREES TO COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT.

Applicant's Signature: [Signature] Date: 2/7/14

Address: 5355 Mira Sorrento Pl. San Diego, CA 92121

Phone: (858) 875-1701

(On completion of above, present to the district that provides fire protection to complete Section 2 and 3 below.)

**SECTION 2: FACILITY AVAILABILITY**

**TO BE COMPLETED BY DISTRICT**

District Name: RINCON DEL DIABLO FIRE PROTECTION DISTRICT (ESCONDIDO FIRE DEPT)

Indicate the location and distance of the primary fire station that will serve the proposed project:

1225 N ASH ST ESCONDIDO CA 92027

1.1 miles

- A. ☒ Project is in the District and eligible for service.  
☐ Project is not in the District but is within its Sphere of Influence boundary, owner must apply for annexation.  
☐ Project is not in the District and not within its Sphere of Influence boundary.  
☐ Project is not located entirely within the District and a potential boundary issue exists with the \_\_\_\_\_ District.  
 B. ☒ Based on the capacity and capability of the District's existing and planned facilities, fire protection facilities are currently adequate or will be adequate to serve the proposed project. The expected emergency travel time to the proposed project is 2.5 min minutes.  
☐ Fire protection facilities are not expected to be adequate to serve the proposed development within the next five years.  
 C. ☐ District conditions are attached. Number of sheets attached: \_\_\_\_\_  
☒ District will submit conditions at a later date.

**SECTION 3. FUELBREAK REQUIREMENTS**

Note: The fuelbreak requirements prescribed by the fire district for the proposed project do not authorize any clearing prior to project approval by Planning & Development Services.

- ☐ Within the proposed project \_\_\_\_\_ feet of clearing will be required around all structures.  
☒ The proposed project is located in a hazardous wildland fire area, and additional fuelbreak requirements may apply. Environmental mitigation requirements should be coordinated with the fire district to ensure that these requirements will not pose fire hazards.

This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.

Authorized Signature: [Signature]

Division Chief Herb Griffin  
 Print Name and Title

760-839-5400  
 Phone

2-10-14  
 Date

On completion of Section 2 and 3 by the District, applicant is to submit this form with application to:  
 Planning & Development Services - Zoning Counter, 5510 Overland Ave, Suite 110, San Diego, CA 92123





County of San Diego, Planning & Development Services  
**PROJECT FACILITY AVAILABILITY - WATER**  
**ZONING DIVISION**

Please type or use pen

Vui Tran Owner's Name	(619) 283-7655 Phone	ORG _____	<b>W</b>
1775 Dancer Pl. Owner's Mailing Address	Street	ACCT _____	
Escondido CA 92026 City	State Zip	ACT _____	
		TASK _____	
		DATE _____ AMT \$ _____	

DISTRICT CASHIER'S USE ONLY

**SECTION 1. PROJECT DESCRIPTION****TO BE COMPLETED BY APPLICANT**

- A. ☐ Major Subdivision (TM) ☐ Specific Plan or Specific Plan Amendment  
☐ Minor Subdivision (TPM) ☐ Certificate of Compliance: \_\_\_\_\_  
☐ Boundary Adjustment  
☒ Rezone (Reclassification) from \_\_\_\_\_ to \_\_\_\_\_ zone.  
☒ Major Use Permit (MUP), purpose: Monastery  
☐ Time Extension... Case No. \_\_\_\_\_  
☐ Expired Map... Case No. \_\_\_\_\_  
☐ Other \_\_\_\_\_

Assessor's Parcel Number(s)  
 (Add extra if necessary)

227-010-57	

- B. ☐ Residential . . . . . Total number of dwelling units \_\_\_\_\_  
☐ Commercial . . . . . Gross floor area \_\_\_\_\_  
☐ Industrial . . . . . Gross floor area \_\_\_\_\_  
☒ Other . . . . . Gross floor area 11,962 sf

- C. ☐ Total Project acreage 8.9 Total number of lots 1

- D. Is the project proposing the use of groundwater? ☐ Yes ☒ No  
 Is the project proposing the use of reclaimed water? ☐ Yes ☒ No

Thomas Guide Page 1109 Grid H-5, J-5

715 Vista Ave.

Project address \_\_\_\_\_ Street \_\_\_\_\_

North County Metro - Hidden Meadows 92026

Community Planning Area/Subregion \_\_\_\_\_ Zip \_\_\_\_\_

Owner/Applicant agrees to pay all necessary construction costs, dedicate all district required easements to extend service to the project and  
 COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT.

Applicant's Signature: [Signature]

Date: 2/7/14

Address: 5355 Mira Sorrento Pl. San Diego, CA

Phone: (858) 875-1701

(On completion of above, present to the district that provides water protection to complete Section 2 below.)

**SECTION 2: FACILITY AVAILABILITY****TO BE COMPLETED BY DISTRICT**

District Name: City of Escondido Service area Clearwell Zone

- A. ☒ Project is in the district.  
☐ Project is not in the district but is within its Sphere of Influence boundary, owner must apply for annexation.  
☐ Project is not in the district and is not within its Sphere of Influence boundary.  
☐ The project is not located entirely within the district and a potential boundary issue exists with the \_\_\_\_\_ District.
- B. ☒ Facilities to serve the project ☒ ARE ☐ ARE NOT reasonably expected to be available within the next 5 years based on the capital facility plans of the district. Explain in space below or on attached 1 sheet (Number of sheets)  
☐ Project will not be served for the following reason(s): \_\_\_\_\_

- C. ☒ District conditions are attached. Number of sheets attached: 1  
☐ District has specific water reclamation conditions which are attached. Number of sheets attached: \_\_\_\_\_  
☐ District will submit conditions at a later date.

- D. ☒ How far will the pipeline(s) have to be extended to serve the project? See attached

This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.

Authorized Signature: [Signature] Print Name NELSON NUNEZA

Print Title Associate Engineer Phone 760-839-4284 Date 3/25/14

NOTE: THIS DOCUMENT IS NOT A COMMITMENT OF SERVICE OR FACILITIES BY THE DISTRICT  
 On completion of Section 2 and 3 by the District, applicant is to submit this form with application to:  
 Planning & Development Services - Zoning Counter, 5510 Overland Ave, Suite 110, San Diego, CA 92123



PDS-399W (Rev. 09/21/2012)

**SDC PDS RCVD 07-01-16**  
**MUP14-010**

## **Attachment G – Ownership Disclosure**





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

Record ID(s) PDS2014-MUP-14-010

Assessor's Parcel Number(s) 227-010-57

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

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

<u>Vui Tran</u> <u>Le Tan Hyunh</u>  	   
--	--------------

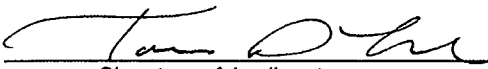
B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

--------------	--------------

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

--------------	--------------

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

  
 Signature of Applicant  
  
TARA LAKE  
 Print Name  
  
2/18/14  
 Date

--- OFFICIAL USE ONLY ---

**SDC PDS RCVD 02-19-14**  
**MUP14-010**

