



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 505-6445 General • (858) 694-2705 Codes • (858) 565-5920 Building Services
www.SDCPDS.org

KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

October 25, 2019

TO: Planning Commission

FROM: Mark Wardlaw, Director
Planning & Development Services

SUBJECT: Notice of Preliminary Decision of the Director of Planning & Development Services and Final Notice of Action of the Planning Commission Approving a One-Year Time Extension for Sunset Ridge Tentative Map 5269R (District: 5)

TENTATIVE MAP TIME EXTENSION INFORMATIONAL ITEM G-1

PURPOSE

The purpose of this informational report is to provide the Planning Commission notice of a decision of the Director of Planning & Development Services (Director) to extend the period of time (Time Extension) for the Sunset Ridge Tentative Map (TM 5269R) for one year to allow completion of the Final Map. The Time Extension does not propose, nor does the applicant request, any changes or revisions to TM 5269R, or to the conditions in the Resolution of Approval. If approved, this would be the final time extension allowed.

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

BACKGROUND

On October 13, 2010, the Planning Commission approved TM 5269R to subdivide 2.5 acres into 14 residential lots, including one density bonus lot, with a private road. The project site is located southeast of the intersection of Mycorte Drive and Springs Road in the North County Metropolitan Subregional Plan Area. On October 13, 2010, the Planning Commission approved a Revised Tentative Map for three years, with an expiration date of October 13, 2013. Assembly Bill 208 automatically extended the map two years to October 13, 2015. Assembly Bill 116 automatically extended the map two years to October 13, 2017. Pursuant to Section 81.314 of the Subdivision Ordinance, a subdivider may file an application to the Director to stay the expiration date of a tentative map if a lawsuit has been brought involving the approval of the tentative map. A lawsuit was filed on August 12, 2008, petitioning that the County improperly calculated the density bonus counts, setback incentives and mitigation fees. The lawsuit concluded on February 3, 2010, finding that the County properly calculated the density bonus,

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incentives and mitigation fees. Planning & Development Services approved a Legal Stay with a 17-month and 22-day time extension, resulting in the current expiration date of April 4, 2019.

On March 27, 2019, as required by the County of San Diego Subdivision Ordinance, properties within 300 feet of the exterior boundaries of the project site were notified that the application for a Time Extension for TM 5269R was filed. Staff received several phone calls as a result of the public notices sent, which included general questions from neighbors regarding the project and concerns associated with density and drainage. The project is located within a portion of the North County Metropolitan Subregional Plan Area where there is no formal Community Planning or Sponsor Group. The original Tentative Map and Tentative Map Time Extension has been reviewed for conformance with the policies and goals outlined within the North County Metropolitan Subregional Plan Area.

The applicant filed a request on March 27, 2019 for a one-year Tentative Map Time Extension to allow more time to satisfy conditions of approval and obtain the Final Map for the property. The new expiration date of the Tentative Map will be October 25, 2020. As part of the Time Extension and during the processing of Final Engineering, the project was required to update the Stormwater Management Plans to address MS4 requirements that were adopted in February of 2016. Updates included minor alterations to pad elevations and stormwater runoff. In addition, the applicant has been in the process of securing a buyer for the project and they have had difficulty obtaining the necessary funding to develop the site. Staff considered these circumstances in their analysis of the Time Extension and supports the request for a one-year extension.

The Director reviewed the application for a Time Extension with consideration to conformance with all Federal, State, and County regulations, including the County General Plan, North County Metropolitan Subregional Plan, Zoning Ordinance, and the California Environmental Quality Act (CEQA). No significant changes were found to density, zoning, or CEQA requirements. The Time Extension would not introduce new impacts or a change in circumstances that would warrant additional CEQA analysis that was not previously reviewed during the processing of the original project. The project is required to comply with all updated requirements such as municipal separate storm sewer system (MS4) stormwater regulations. In addition, the Director reviewed the conditions of approval and justification from the applicant, which include permit streamlining goals such as the reduction of processing time and cost. There are no changes to circumstances associated with the project that would preclude approval of the Time Extension and no changes to the project conditions are warranted.

In accordance with the County of San Diego Subdivision Ordinance Section 81.317(c), the October 15, 2019 Notice of Preliminary Decision of the Director of Planning & Development Services to Approve Tentative Map Time Extension PDS2019-TM-5269RTE (Attachment B) has been issued and filed with the Planning Commission as an Administrative Item.

ATTACHMENTS:

Attachment A – Planning Documentation

Attachment B – Notice of Preliminary Decision of the Director of Planning & Development Services and Final Notice of Action of the Planning Commission Approving a Time Extension for Tentative Map 5269R

Attachment C – Environmental Documentation

Attachment D – Ownership Disclosure

Attachment A – Planning Documentation

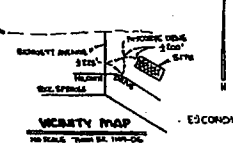
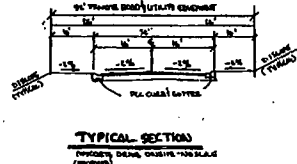
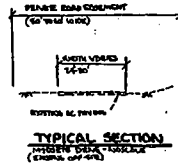
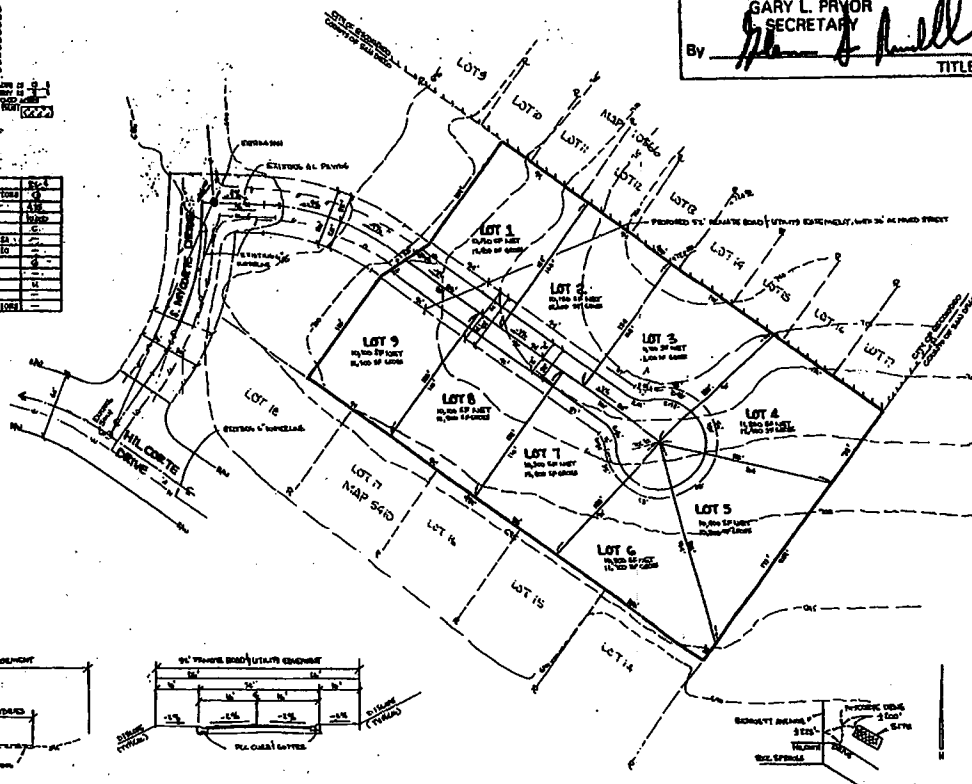
COUNTY OF SAN DIEGO TRACT NO. TM 5269

LOG NO. 01-08-049

RECEIVED BY THE SAN DIEGO COUNTY PLANNING COMMISSION
ON 5/4/07
GARY L. PRIOR
SECRETARY
By *[Signature]* TITLE



LOT	AREA (SQ. FT.)	AREA (AC.)
LOT 1	1,111.11	0.0255
LOT 2	1,111.11	0.0255
LOT 3	1,111.11	0.0255
LOT 4	1,111.11	0.0255
LOT 5	1,111.11	0.0255
LOT 6	1,111.11	0.0255
LOT 7	1,111.11	0.0255
LOT 8	1,111.11	0.0255
LOT 9	1,111.11	0.0255
LOT 10	1,111.11	0.0255
LOT 11	1,111.11	0.0255
LOT 12	1,111.11	0.0255
LOT 13	1,111.11	0.0255
LOT 14	1,111.11	0.0255
LOT 15	1,111.11	0.0255
LOT 16	1,111.11	0.0255
LOT 17	1,111.11	0.0255
LOT 18	1,111.11	0.0255
LOT 19	1,111.11	0.0255
LOT 20	1,111.11	0.0255



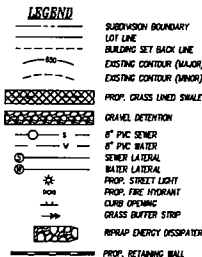
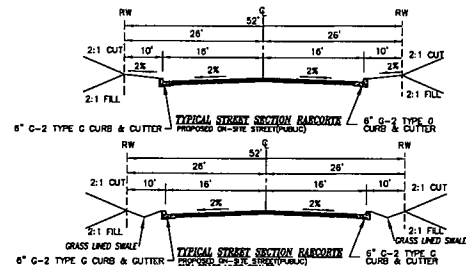
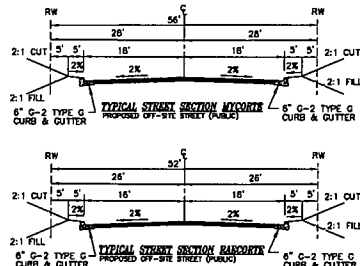
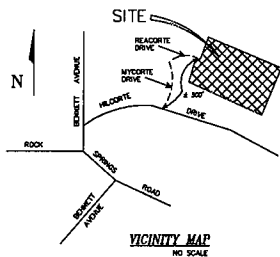
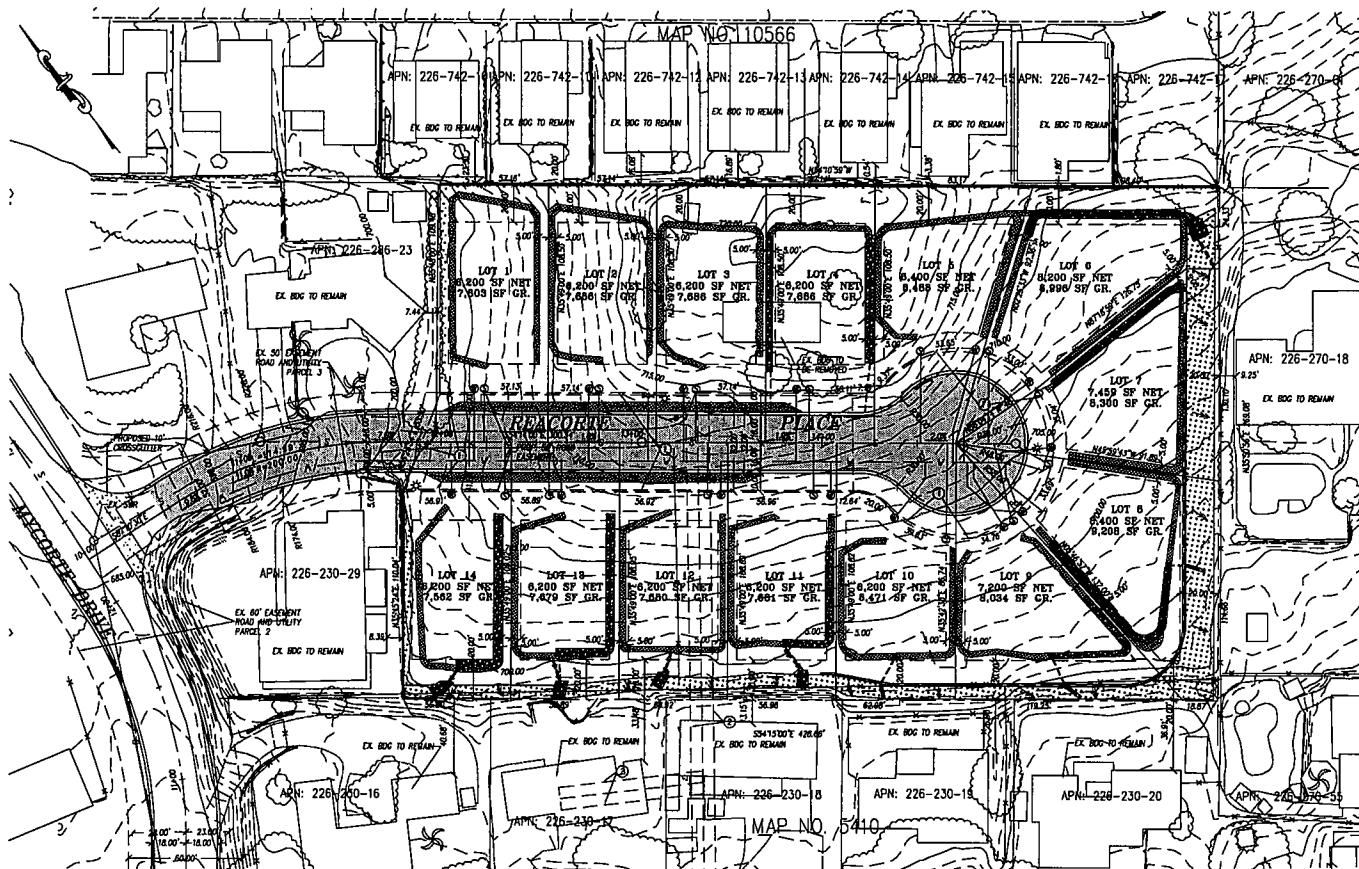
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San Diego County
DEPT. OF PLANNING & LAND USE

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COUNTY OF SAN DIEGO TENTATIVE TRACT 5269-1 (REVISED)



LEGAL DESCRIPTION

LOTS 2 AND 3 IN BLOCK 15 OF RANCHO LOS VALLEJITOS DE SAN MARCOS OF MAP NO. 808 IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

ASSESSOR'S PARCEL NUMBER

APN 226-230-18

PROJECT ADDRESS

THIS PROJECT DOES NOT CURRENTLY HAVE AN ADDRESS.

ZONING

GENERAL PLAN REGIONAL CATEGORY : CIDA
GENERAL PLAN LAND USE DESIGNATION : R
COMMUNITY PLAN : NORTH COUNTY METRO
EXISTING ZONING : RESIDENTIAL
PROPOSED ZONING : RESIDENTIAL

USE REGULATIONS	RS4
ANIMAL REGULATIONS	Q
DENSITY	4.35
LOT SIZE	10,000
BUILDING TYPE	C
MAXIMUM FLOOR AREA	-
FLOOR AREA RATION	-
HIGHT	G
LOT COVERAGE	-
SETBACK	H
OPEN SPACE	-
SPECIAL AREA REGULATION	-

VERY LOW INCOME BONUS INCENTIVE (SETBACKS)

3' SIDE YARD
20' REAR YARD
41' FRONT YARD

SERVICE DISTRICTS:

SEWER: VALLEJITOS WATER DISTRICT
WATER: VALLEJITOS WATER DISTRICT
FIRE: SAN MARCOS FIRE DISTRICT
SCHOOL: GENERAL ELEMENTARY ESCONDIDO UNION SCHOOL DISTRICT
ESCONDIDO UNION HIGH SCHOOL DISTRICT
UTILITIES: SAN DIEGO GAS AND ELECTRIC COMPANY
STREET LIGHTING: DEVELOPER WILL COMPLY WITH COUNTY STANDARDS

NOTES:

SUBDIVISION AREA: 2.59 AC
GROSS AREA: 2.59 AC
NET AREA: 2.15 AC
TOTAL NO. OF LOT PROPOSED: 14
NO. OF VERY LOW INCOME LOTS PROPOSED: 1
MINIMUM LOT SIZE BEING CREATED: 6,700 SF

DENSITY CALCULATION (VERY LOW INCOME BONUS)

2.15 NET AC X 4.35 DENSITY = 9.35 = 100 (ROUNDED UP)
100 X 1.25 = 125 = 14.0 LOTS (ROUNDED UP)

TAX RATE AREA

ASSESSOR'S TAX RATE AREA: 74042, BOOK 226, PAGE 26, AND PARCEL 18

SPECIAL ASSESSMENT ACT PROCEEDINGS STATEMENT:

A REQUEST TO THE BOARD OF SUPERVISORS FOR PERMISSION TO INSTITUTE PROCEEDINGS UNDER THE SPECIAL ASSESSMENT ACT FOR CONSTRUCTION OF ANY SUBDIVISION IMPROVEMENTS-45 / (G) NOT BEING MADE AT THIS TIME.

SOLAR ACCESS STATEMENT:

ALL LOTS WITHIN THIS SUBDIVISION HAVE A MINIMUM OF 100 SQUARE FEET OF SOLAR ACCESS FOR EACH FUTURE DWELLING UNIT.

TOPOGRAPHY:

EXISTING TOPOGRAPHY SHOWN HEREON WAS OBTAINED FROM AN AERIAL SURVEY BY:

INLAND AERIAL SURVEYS INC.

7115 ARBOLITE AVE. SUITE A

RIVERSIDE, CA 92503

(909) 687-1233 FAX (909) 687-4120

DATE FLORED: 03-30-03

EASEMENT NOTES

1. PIPE LINE OR PIPELINES, VALLEJITOS WATER DISTRICT, RECORDED OCTOBER 26, 2004

2. DOCUMENT NO. 2004-10200118 G.R.

3. SOGAE PUBLIC UTILITIES, RECORDED JUNE 18, 1998 IN BOOK 6148, PAGE 175 O.R. TO BE VACATED

OWNER / SUBDIVIDER

RACORTIE OIL LLC

1650 CAMINO DEL MAR

DEL MAR, CALIFORNIA 92014

(760) 271-2600

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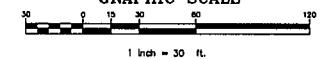
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GRAPHIC SCALE



1 inch = 30 ft.

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CONSTRUCTION TESTING & ENGINEERING, INC.

PLANNING - CIVIL ENGINEERING - LAND SURVEYING - GEOTECHNICAL

1441 MONTIEL ROAD, SUITE 115 ESCONDIDO CA, 92026 PH: (760) 746-1655

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RESOLUTION OF SAN DIEGO COUNTY)
BOARD OF SUPERVISORS
APPROVING CONDITIONS FOR)
TENTATIVE MAP NO. 5269R)

~~May 14, 2008~~
October 13, 2010

TENTATIVE MAP SUBDIVISION 3182 5269 (TM5269R)

REVISED MAP

NOTICE OF ACTION OF
THE BOARD OF SUPERVISORS APPROVING TENTATIVE MAP 3182 5269
(TM5269R)

On the above date, the Board of Supervisors adopted this decision approving a Revised Map for Tentative Map 3182 5269 (TM5269R).

PLEASE NOTE THAT THE ONLY CHANGES (AMENDMENTS) HEREBY AUTHORIZED ARE AS FOLLOWS AND THAT ALL OTHER CONDITIONS REMAIN AS ORIGINALLY ADOPTED. [Strikeout indicates deletion, underline indicates addition.]

WHEREAS, Revised Tentative Map No. 5269R proposing the division of property located at the terminus of Raecorte Place near the intersection of Mycorte Drive and Hilcorte Drive in the North County Metropolitan Subregional Plan area and generally described as:

That portion of Lots 2 and 3 in Block 15 of RANCHO LOS VALLECITOS DE SAN MARCOS, in the County of San Diego, State of California, according to Map thereof no. 806, and more particularly described on the attached Exhibit "A" which by reference hereto is incorporated herein.

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on September 9, 2007; and

WHEREAS, the Revised Tentative Map 5269R submitted September 9, 2007 proposes to develop 14 residential lots under the provisions of the California density bonus law that allows bonus lots in exchange for an agreement to provide affordable housing; and

WHEREAS, the proposed 14 lots consist of nine lots originally approved by the County Planning and Environmental Review Board on March 4, 2004, four allowed density bonus lots pursuant to the California density bonus law calculations at Government Code (GC) Section 65915(g), and one additional bonus lot as a proposed

incentive. A second incentive consisting of a reduction in front, rear and side yard setbacks was also requested; and

WHEREAS, on August 10, 2007, August 24, 2007 and September 21, 2007, and October 5, 2007 the Planning Commission of the County of San Diego pursuant to Section 81.307 of the San Diego County Subdivision ordinance held a duly advertised public hearing on said Revised Tentative Map and received for consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearings. On August 24, 2007, the Planning Commission did not approve the revised map and the project was continued for additional information. On September 21, 2007, the Planning Commission took tentative action to approve the Revised Tentative Map for 13 lots without the requested incentives.

WHEREAS, on October 5, 2007, the Planning Commission voted on a motion following staff's recommendation to approve a 13-lot revised Tentative Map and Density Bonus Project. The motion failed resulting in the project being denied.

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

WHEREAS, a condition will be required (see Condition C.14. a) for submission of revised documentation to reconcile the Revised Tentative Map submitted September 9, 2007 proposing 14 lots with reduced setbacks with the approval by the Board of Supervisors for a revised Tentative Map for ~~13~~ 14 lots with ~~no incentives~~. setback reductions allowed by the settlement are as follows: 5 feet (5 feet versus the standard 10 feet) for each of the two side yards and EITHER a front yard setback reduction of 9 feet (41 feet versus the standard 50 feet) OR a rear yard set back reduction of 5 feet (20 feet versus the standard 25 feet).

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

1. The Revised Tentative Map with 13 lots is consistent with all elements of the San Diego County General Plan and with the (6) Residential Land Use Designation of the North County Metropolitan Subregional Plan because it proposes a residential dwelling use type at a density of 5.02 dwelling units per acre and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code. However, the Settlement Agreement between the County and the Applicant shall allow 14 lots for the

Raecorte Project and shall allow setback reductions of 5 feet (5 feet versus 10 feet) for the two side yards; in addition each lot shall receive EITHER a front yard setback reduction of 9 feet (41 versus 50 feet) OR a rear yard set back reduction of 5 feet (20 versus 25 feet).

2. The Revised Tentative Map with 13 lots is consistent with the California density bonus law, which provides a formula at GC Section 65915(g) for determining allowed density increases and in the Raecorte project, the formula allows 4 additional lots for a total of 13. The RS4 Use Regulation requires a 10,000 square foot minimum lot size; with the Density Bonus, the lot sizes will average 8700 square feet. However, the Settlement Agreement between the County and the Applicant shall allow 14 lots for the Raecorte Project and shall allow setback reductions of 5 feet (5 feet versus 10 feet) for the two side yards; in addition each lot shall receive EITHER a front yard setback reduction of 9 feet (41 versus 50 feet) OR a rear yard set back reduction of 5 feet (20 versus 25 feet).
3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the North County Metropolitan Subregional Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;
4. The site is physically suitable for the residential type of development because a single-family residence, now demolished, existed on the site at the time of the Tentative Map application;
5. The site is physically suitable for the proposed density of development because adequate public facilities are available to serve the lots;
6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of an Addendum to the Negative Declaration dated September 25, 2007;
8. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and

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

9. The discharge of sewage waste from the subdivision into the Vallecitos sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and

CEQA Findings

1. It is hereby found that that the Board of Supervisors has reviewed and considered the information contained in the Addendum to Negative Declaration dated September 25, 2007, on file with DPLU as Environmental Review Number 01-08-049A prior to approving the project.
2. The "Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document" dated September 25, 2007 on file with DPLU as Environmental Review Number 01-08-049A including California Environmental Quality Act Guidelines Sections 15162, 15163, and 15164 Findings for Determining the Appropriate Environmental Documentation to be completed when there is a previously adopted Negative Declaration (ND); is hereby adopted.

Resource Protection Ordinance Findings:

It is hereby found that the use or development permitted by the application is consistent with the provisions of the Resource Protection Ordinance.

Stormwater Management Plan:

It is hereby found that the project proposed by the application has prepared plans and documentation demonstrating compliance with the provisions of the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance.

IT IS FURTHER RESOLVED, DETERMINED AND ORDERED that based on these findings said revised Tentative Map for ~~43~~ 14 lots is hereby approved subject to the following conditions:

- A. The approval of this revised Tentative Map for ~~43~~ 14 lots expires on ~~May 14, 2011, October 13, 2013~~ at 4:00 p.m., unless prior to that date an application for a Time Extension has been filed and subsequently approved as provided by Section 81.308 of the County Subdivision Ordinance.

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

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

- B. The "Standard Conditions for Tentative Subdivision Maps" approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk as Resolution No. 00-199, shall be made conditions of this Revised Tentative Map for 13 lots approval. Only those exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized.
- C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to issuance of grading or other permits as specified):

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. Standard Conditions 1 through 10 and 12.
2. Specific Conditions:
 - a. Prior to approval of the Final Map, improve or agree to improve and provide security for **Mycorte Drive**, offsite, from the publicly maintained portion of Mycorte Drive to Raecorte Place to a graded

width of fifty-one feet (51') with thirty-six feet (36') of asphalt concrete pavement over approved base with Portland cement concrete curb and gutter with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of thirty-six feet (36'). All distressed sections shall be replaced to the satisfaction of the Director of Public Works.

- b. Prior to approval of the Final Map, improve or agree to improve and provide security for **Raecorte Place**, offsite, from Mycorte Drive to the westerly subdivision boundary, to a graded width of forty-two feet (42') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb and gutter with face of curb at sixteen feet (16') from centerline to the satisfaction of the Director of Public Works. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of thirty-two feet (32'). All distressed sections shall be replaced to the satisfaction of the Director of Public Works.
- c. Prior to approval of the Final Map, improve or agree to improve and provide security for **Raecorte Place**, onsite, from the westerly subdivision boundary to the proposed cul-de-sac, in accordance with Public Road Standards for a Residential Cul-de-sac, to a graded width of fifty-two feet (52') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb and gutter with face of curb at sixteen feet (16') from centerline to the satisfaction of the Director of Public Works.
- d. The Raecorte Place shall terminate with a **cul-de-sac** graded to a radius of forty-eight feet (48') and improved to a radius of thirty-eight feet (38') with asphaltic concrete pavement over approved base and Portland cement concrete curb and gutter, with face of curb at thirty-eight feet (38') from the radius point to the satisfaction of the San Marcos Fire Department and the Director of Public Works.
- e. Asphaltic concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphaltic concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to

the satisfaction of the Director of Public Works.

- f. Safe and adequate sight distance shall be provided at all intersections to the satisfaction of the Director of Public Works.

(Drainage/Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:
 - a. Final grading and drainage design shall implement the mitigation measures contained in the approved Stormwater Management Plan (SWMP) dated March 2, 2007 prepared by Construction Testing & Engineering, Inc.

(Grading Plans)

- 5. Standard Conditions 19 (a-d).
- 6. Specific Conditions
 - a. 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 of (1) acre or greater require that the property owner keep additional and updated information on-site concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
 - b. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to

unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. If said deposit collected for grading is less than \$5,000.00, the developer will supplement the deposit to equal \$5,000.00. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

FAIR HOUSING

7. Standard Condition 20.

SANITATION

8. Standard Condition 21.

9. Specific Conditions:

- a. Prior to approval of the Final Map, the applicant shall present evidence to the Department of Planning and Land Use that arrangements have been made to the satisfaction of the Department of Environmental Health for the pumping by a licensed septic tank pumper contractor and backfill with earthen material in compliance with the Uniform Plumbing Code of the septic tank which served the demolished residence.

WATER SUPPLY AND FIRE PROTECTION

10. Standard Condition 23.1 and 23.2.

DEVELOPMENT IMPACT FEES

11. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
- b. Deposit with the County Department of Public Works \$220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the

developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

- c. Participate in the cost of a traffic signal installation at the intersection of Rock Springs Road and Nordahl Road. The amount of the developer's portion of the entire cost of the signal shall be \$750.00. The Planning and Board of Supervisors hereby determines that:
- (1) The fees is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
 - (2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Rock Springs Road and Nordahl Road;
 - (3) The traffic signal will help mitigate the additional traffic impact on this intersection caused by the residential subdivision;
 - (4) This residential subdivision will contribute additional traffic to the intersection of Rock Springs Road and Nordahl Road; and,
 - (5) The fee of \$750.00 is based on an estimate of the percentage of traffic this project will contribute to this intersection.

FINAL MAP RECORDATION

(Streets and Dedication)

12. Specific Conditions:

- a. With the Final Map, cause to be granted, offsite, **Mycorte Drive**, from the publicly maintained portion of Mycorte Drive to Raecorte Place, in accordance with Public Road Standards for a Residential Road to a right-of-way width of fifty-six feet (56') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.

- b. With the Final Map, cause to be granted, offsite, Raecorte Place, from Mycorte Drive to the westerly subdivision boundary, in accordance with Public Road Standards for a Residential Cul-de-sac to a right-of-way width of fifty-two feet (52') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- c. With the Final Map, dedicate, onsite, **Raecorte Place**, from the westerly subdivision boundary to the cul-de-sac, in accordance with Public Road Standards for a Residential Cul-de-sac to a right-of-way width of fifty-two feet (52') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- d. With the Final Map, dedicate the right-of-way required for a complete forty-eight-foot (48') radius **cul-de-sac** at the terminus of Raecorte Place per County of San Diego Standards DS-6 for a fifty-two foot (52') right-of-way street, plus the right to construct and maintain slopes and drainage improvements as required beyond the limits of the cul-de-sac.
- e. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- f. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. **To be in compliance with the Public Resources Code, all Parcel Map surveys performed after January 1, 2000, must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.**
- g. Prior to January 1, 2000, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control Book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e.; Grid

bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground to Grid distances shall be shown on the map, all to the satisfaction of the County of San Diego, Director of Public Works (Refer to San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

After December 31, 1999, a survey for any Parcel Map that is to be based on state plane coordinates shall show 2 measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego Horizontal Control book. These tie lines to the existing control system shall be shown in relation to the California Coordinate System (i.e.; Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid to Ground distances shall be shown on the map.

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

(Miscellaneous)

13. Standard Conditions 25, 26, 27, 28, and 29.
14. DENSITY BONUS CONDITIONS: Prior to Final Map Approval:
 - a. Provide evidence that revised plans for the 43 14-lot subdivision TM 5269R, to include the revised Tentative Map, Preliminary Grading plans, and all associated documentation, has been submitted and approved to the satisfaction of the Director of Planning and Land Use. The revised plans shall show setback reductions of 5 feet (5 feet versus 10 feet) for the two side yards and each lot shall show EITHER a front yard setback reduction of 9 feet (41 versus 50 feet) OR a rear yard set back reduction of 5 feet (20 versus 25 feet).
 - b. Prior to recordation of the revised map, cause to be placed on the final map a note that this map is a result of a density bonus project that requires that one lot be reserved for very low income housing subject to the conditions of a contract with the Department of Housing and Community Development. The very low income lot

shall be identified on the recorded map with a reference to Density Bonus Project DPB 06-001.

- c. Show evidence to the Director of Planning and Land Use from the Director of Public Works that the Conditions A1 through A5 in the Density Bonus Project DBP 06-001 have been complied with.

Prior to Approval of Grading or Improvement plans and prior to recordation of the final map, the applicant shall:

15. Provide evidence that grading and/or other excavation will be monitored for fossils. The person responsible for fossil monitoring need not be a Qualified Paleontologist or a Qualified Paleontological Resources Monitor, and may be an employee(s) of the grading contractor, and in some cases, may be the equipment operator(s). Evidence shall be a letter from the Grading Contractor to the Director of Planning and Land Use stating the names of those individuals that will be responsible for monitoring for fossils.
16. Provide evidence to the Director of Public Works (DPW) that the following notes have been placed on the Grading Plan:
 - a. If a fossil or group of fossils (e.g. a shell bed) of greater than twelve inches in any dimension (including circumference) is encountered beneath the soil layers (meaning that it is not archaeological) during grading or other excavation:
 - (1) All earthmoving operations in the area where the fossil was found shall be suspended immediately;
 - (2) The County's Permit Compliance Coordinator shall be notified;
 - (3) The applicant shall contract with a Qualified Paleontologist to evaluate the significance of the fossil. A Qualified Paleontologist is a person with a Ph.D. or Master's Degree in Paleontology or a related field, and who has knowledge of San Diego County paleontology and documented experience in professional paleontological procedures and techniques.
 - b. Verification of the contract shall be presented in a letter from the Qualified Paleontologist to the Director of Planning and Land Use stating that he/she has been contracted to determine if the found fossil is significant or potentially significant, and if it is, to:

- (1) Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
 - (2) In the field, record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting;
 - (3) Grading and excavation can resume either when the Qualified Paleontologist determines that the find is not significant or after the fossil has been removed and the associated data collected.
17. Prior to Rough Grading Inspection Sign-off provide evidence that monitoring for fossils has been completed. Evidence shall be in the form of a letter from the Grading Contractor to the Director of Planning and Land Use. *[DPLU, Fee]*.
18. Prior to Final Grading Release:
 - a. If **no** paleontological resources were discovered, submit a "No Fossils Found" letter from the grading contractor to the Director of Planning and Land Use stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources. *[DPLU Fee]*
 - b. If paleontological resources were discovered and salvaged, the following tasks shall be completed by or under the supervision of a Qualified Paleontologist:
 - (1) Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 - (2) Curate, catalog and identify all fossil remains to the lowest tax on possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into an collection database;

- (3) Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, preferably:
- San Diego Natural History Museum, *Physical Address*: 1788 El Prado, San Diego, CA 92101; *Mailing Address*: P.O. Box 121390, San Diego, CA 92112-1390, (619) 232-3821
 - Natural History Museum of Los Angeles County, 900 Exposition Boulevard, Los Angeles, CA 90007, (213) 763-DINO
 - San Bernardino Museum of Natural History, 2024 Orange Tree Lane, Redlands, California 92374, (909) 307-2669
 - University of California Museum of Paleontology, Berkeley, 1101 Valley Life Sciences Building, Berkeley, CA 94720-4780, (510) 642-1821
 - Anza-Borrego Desert State Park, 200 Palm Canyon Drive, Borrego Springs, CA 92004, (760) 767-5311
- (4) Prepare a final Paleontological Resources Mitigation Program Report summarizing the field and laboratory methods used, the stratigraphic units inspected, the types of fossils recovered, and the significance of the curated collection.
- (5) Submit a detailed report prepared by the Qualified Paleontologist in the format provided in County's Guidelines for Determining Significance for Paleontological Resources and documenting curation of the collected fossils and identifying which accredited institution has agreed to accept the curated fossils;
- (6) Submitting TWO hard copies of the final Paleontological Resources Mitigation Report to the Director of DPLU for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a CD. Submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.
[DPLU Fee]

- (7) Submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of DPLU verifying that the curated fossils from the project site have been received by the institution. [DPLU Fee]

WAIVER AND EXCEPTIONS

Said subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required Ordinances of San Diego County except for a waiver or modification of the:

19. Standard Conditions for Tentative Maps:

- a. Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- b. Standard Condition 19e: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- c. Standard Condition 22: Said condition pertains to private subsurface sewage disposal systems. This subdivision will be on public sewer and served by the Vallecitos Water District.
- d. Standard Condition 23.3: Said condition pertains to the California Department of Forestry and Fire Protection. This subdivision will be served by the San Marcos Fire Department.
- e. Standard Condition 24: Said condition pertains to subdivisions outside of the boundaries of a fire protection agency. This subdivision is within the boundaries of the San Marcos Fire Department.
- f. Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

20. County Subdivision Ordinance requirements:

- a. Section 4.2: Said section requires a graded width of fifty-two feet (52') for a Residential Cul-de-sac and a graded width of fifty-six feet (56') for a Residential Road. This waiver will permit a reduction in the graded width for Raecorte Place, from Mycorte Drive to the westerly subdivision boundary, to forty-two feet (42'), a five-foot reduction on the both sides, and for Mycorte Drive, from the publicly maintained portion of Mycorte Drive to Raecorte Place, to fifty-one feet (51'), a five-foot reduction on the east side, in accordance with the approved exception request dated June 7, 2007.

The following shall be the Mitigation Monitoring or Reporting Program for Revised Tentative Map 5269.

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.

A. Subsequent Project Permits

Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:
C14 a, b and c., and C. 15 through C.18.

NOTICE - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on May 14, 2008-October 13, 2010.

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

TM 5269R

- 17 -

May 14, 2008, October 13, 2010

INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOTICE – The project relies on CEQA 15162 - 15164 Findings and the previously issued finding of “de minimis” effects on fish and wildlife. The “de minimis” finding is dated March 4, 2004.

NOTICE: The project will be required to pay the Department of Planning and Land Use Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to DPLU, including Mitigation Monitoring requests. The amount of the fee will be determined by the current Fee Ordinance requirement at the time of the first submittal and is based on the number of two (2) DPLU conditions that need to be satisfied. The fee amount will only be paid one time for those conditions that are indicated with the [DPLU, FEE] designator. The fee will not apply to subsequent project approvals that require a separate submittal fee such as, Revegetation and Landscape Plans, Resource (Habitat) Management Plans, Habitat Loss Permits, Administrative Permits, Site Plans, and any other discretionary permit applications.

BOARD10\13\10\TM5269R-RES

**Attachment B – Notice of Preliminary Decision of the
Director of Planning & Development Services and
Final Notice of Action of the Planning Commission
Approving a Time Extension for Tentative Map 5269R**



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 694-2962 • Fax (858) 694-2555
www.sdcountry.ca.gov/pds

KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

October 15, 2019

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2019-TM-5269RTE

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

On the above date, the Director of Planning & Development Services (PDS) adopted this preliminary decision approving Time Extension PDS2019-TM-5269RTE. A copy of this Notice of Preliminary Decision will be filed with the Planning Commission as an informational agenda item on October 25, 2019. In the event the Planning Commission takes no action to initiate a public hearing on the preliminary decision, the preliminary decision shall become a final decision of the Planning Commission that is effective immediately.

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

PLANNING & DEVELOPMENT SERVICES
MARK WARDLAW, DIRECTOR

By:

MARK SLOVICK, DEPUTY DIRECTOR
PLANNING & DEVELOPMENT SERVICES

October 25, 2019

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2019-TM-5269RTE

FINAL NOTICE OF ACTION OF
THE PLANNING COMMISSION APPROVING
A TIME EXTENSION FOR TENTATIVE MAP 5269R

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

1. The approval of this Tentative Map expires on ~~April 4, 2019~~ October 25, 2020 at 4:00 p.m.

The conditions within the Resolution of San Diego County, Conditionally Approving Tentative Map No. 5594 dated September 18, 2015 are still applicable.

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

The conditions within the Resolution of San Diego County, Conditionally Approving Tentative Map No. 5269R dated October 13, 2010 are still applicable.

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

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 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 Quality Management Plan (SWQMP), all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. 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/susmppdf/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 below

<http://www.sdcounty.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 the MS4 Permit issued by the Regional Water Quality Control Board, Order No. R9-2013-0001 and any subsequent order. Additional studies and other action may be needed to comply with future MS4 Permits.

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

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities of excavation or fill results in the movement of material exceeding 200 cubic yards or eight feet (8') in vertical height of cut/fill pursuant to Section 87.201 of the County Code.

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

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

Attachment C – Environmental Documentation



County of San Diego

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DIRECTOR

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KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

AN ADDENDUM TO THE PREVIOUSLY APPROVED NEGATIVE DECLARATION FOR PURPOSES OF CONSIDERATION OF SKY TERRACE, TM-5269RTE, LOG ER-01-08-049C

October 25, 2019

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

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

1. To the Project Name add: SKY TERRACE TENTATIVE MAP TIME EXTENSION
2. To the Project Number(s) add PDS2019-TM-5269RTE
3. To the first paragraph add as indicated: The Negative Declaration for this project is comprised of this form along with the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated August 31, 2010, revised October 25, 2019, which includes the following forms attached.
4.
 - A. An Addendum to the previously certified Environmental Impact Report with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated August 31, 2010.
 - B. An Ordinance Compliance Checklist.
 - C. A Priority Development Project Stormwater Quality Management Plan (SWQMP) prepared by San Dieguito Engineering, dated March 22, 2019.



County of San Diego

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DIRECTOR

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KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

October 25, 2019

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

FOR PURPOSES OF CONSIDERATION OF SKY TERRACE TENTATIVE MAP TIME EXTENSION PDS2019-TM-5269RTE

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

1. Background on the previously adopted ND:

A ND for TM 5269, Vande Vegte Residential Subdivision was adopted by the Planning and Environmental Review Board (PERB) on March 4, 2004. The project was to subdivide 2.59 gross acres into 9 residential lots with a minimum lot size of 10,500 gross square feet. The project was subject to the (6) Residential land Use Designation (7.3 dwelling units per gross acre) and the RS4 (Single-Family Residential, 4.3 dwelling units per net acre) Land Use Regulation. Lots would be accessed via Mycorte Drive an existing private road. The adopted ND found the project would not have any potentially significant effects. TM 5269 was set to expire on March 4, 2007 unless recorded. An application for a Time Extension (TM 5269 TE) was submitted March 2, 2007 and subsequently approved by the Planning Commission on May 4, 2007.

2. Lead agency name and address:

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

- a. Contact Angelica Truong, Project Manager
- b. Phone number: (858) 495-5421

c. E-mail: angelica.truong@sdcounty.ca.gov

3. Project applicant's name and address:

Bernard Reeder
750 Banyan Court
San Marcos, CA 92069

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

No changes are proposed by the project; only a time extension is requested to allow sufficient time to satisfy conditions and record the final map.

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.

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

☒ NONE

☐ Aesthetics

☐ Agriculture and Forest Resources

☐ Air Quality

☐ Biological Resources

☐ Cultural Resources

☐ Geology & Soils

☐ Greenhouse Gas Emissions

☐ Hazards & Haz Materials

☐ Hydrology & Water Quality

☐ Land Use & Planning

☐ Mineral Resources

☐ Noise

☐ Population & Housing

☐ Public Services

☐ Recreation

☐ Transportation/Traffic

☐ Utilities & Service Systems

☐ 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 **CHOOSE EITHER A) or B): A)** without modification. **B)** upon completion of an ADDENDUM.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

October 25, 2019

Signature

Date

Angelica Truong

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Aesthetics that were not previously analyzed in the TM 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Aesthetics.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Agriculture and Forestry Resources that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Agriculture and Forestry Resources.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Air Quality that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Air Quality.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Biological Resources that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Biological Resources.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Cultural Resources that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Cultural Resources.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Geology and Soils that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Geology and Soils.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Greenhouse Gas Emissions that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Greenhouse Gas Emissions.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Hazards and Hazardous Materials that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Hazards and Hazardous Materials.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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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Since certification of the Negative Declaration for Raecorte Tentative Map in 2010, there has been a change in circumstances regarding municipal stormwater regulations. The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES) on discharges from municipal separate storm water sewer systems (MS4). The new MS4 Permit was adopted by the Regional Board on May 8, 2013 and amended on November 18, 2015. In order to comply with all applicable stormwater regulations, the activities proposed under this project 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. A Stormwater Quality Management Plan (SWQMP) must be approved by the County for the currently proposed project. A Priority Development Project (PDP) SWQMP for Tentative Map was submitted to the County and it was determined no revisions to project.

The proposed Time Extension would not result in any new significant environmental effects to Hydrology and Water Quality that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Hydrology and Water Quality.

All conditions of approval Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Land Use and Planning that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Land Use and Planning.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Mineral Resources that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Mineral Resources.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Noise that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Noise.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Population and Housing that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Population and Housing.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Public Services that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Public Services.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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
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NO
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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Recreation that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Recreation.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Transportation/Traffic that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Transportation/Traffic.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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
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NO
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Since the previous environmental document was certified, 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 (TCRs) be evaluated under CEQA. However, AB-52 consultation does not apply in this case because the environmental document is not a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report. In addition, a Sacred Lands File Search was completed by the Native American Heritage Commission with negative results.

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
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NO
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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Utilities and Service Systems that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Utilities and Service Systems.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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NO

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As described in this Addendum, there are no changes in the approved TM 5269R for the proposed Time Extension, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any of the mandatory findings of significance. There are no proposed changes on Biological and Cultural Resources, as discussed in Section IV, Biological Resources, and Section V Cultural Resources.

The proposed Time Extension would not result in any new significant environmental effects that were not previously analyzed in the Tentative Map Mitigated Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

Attachments

- Previous environmental documentation
- Addendum to the previously adopted Negative Declaration or certified EIR

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

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

California Environmental Quality Act, CEQA Guidelines

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

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

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

California Public Resources Code, CPRC, Sections 40000-41956

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

County of San Diego Public Facility Conservation/Open Space Element of the General Plan
(Section 6-Solid Waste, XII-6-1Goal COS-17: Solid Waste Management)

County of San Diego Scenic Highway Conservation/Open Space Element of the General Plan

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

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

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

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

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

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

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

Public Resources Code Sections 4290 and 4291

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

Sky Terrace
PDS2019-TM-5269RTE

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October 25, 2019

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

The Resource Conservation and Recovery Act (RCRA), 1976

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

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

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF SKY TERRACE, TM 5269RTE

October 25, 2019

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

YES
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NO
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NOT APPLICABLE/EXEMPT
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While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

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

YES
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NO
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NOT APPLICABLE/EXEMPT
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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
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NO
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NOT APPLICABLE/EXEMPT
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The project will obtain its water supply from the Vallecitos Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

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

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

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 plotted on any official County floodway or floodplain map.

Steep Slopes:

Approximately 98 percent of the 2.59-acre site has slopes under 15 percent gradient. 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. The project is in conformance with the RPO.

Sensitive Habitats:

No sensitive habitat lands were identified on the site as determined by a Biological Resources and Wetland Survey Letter Report dated April 9, 2007 prepared by Everett and Associates. Therefore, it has been found that the proposed project complies with Article IV, Item 6 of the Resource Protection Ordinance. No sensitive habitat lands were identified.

Significant Prehistoric and Historic Sites:

The County of San Diego staff archaeologist/historian has reviewed project site photographs, analyzed records and reports, and determined there are no archaeological/historical sites.

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

YES

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NO

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NOT APPLICABLE

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Since the previous ND was adopted, there have been changes in the circumstances under which the project was undertaken related to hydrology and water quality. The County of San Diego has approved and implemented the Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO). In order to demonstrate compliance with the WPO, the project submitted a Stormwater Management Plan (SWMP) prepared by Patrick Harris, dated September 20, 2002, which identifies potential construction and post-construction pollutants that may result from the project and also identifies BMPs to address the pollutants. As such the project is not anticipated to result in any substantial increase in polluted runoff or any significant adverse effects to water quality. The SWMP received for the project has been approved by DPW and it has been found that the project will reduce adverse effects to water quality to the maximum extent practicable and as such complies with the requirements of the WPO. Therefore, although there are changes in circumstances, these changes will not result in new significant environmental effects related to hydrology and water quality.

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

YES

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NO

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NOT APPLICABLE

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

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

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

Attachment D – 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): PD 2019-TM-5269TE
 Assessor's Parcel Number(s): 226-280-19

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.

Ruecarte Development LLC.

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

Construct Inc. - Bernard Reeder

- 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]
 Signature of Applicant

BERNARD REEDER
 Print Name

3/19/2019
 Date

----- OFFICIAL USE ONLY -----
SDC PDS RCVD 3-27-19
TM5269RTE

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

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



Attachment A – Planning Documentation

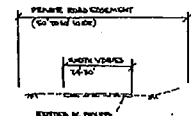
COUNTY OF SAN DIEGO TRACT NO. TM 5269

LOG NO. 01-08-049

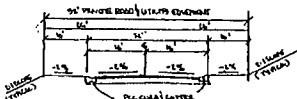
PREPARED BY: SOLA TE
 APPROVED BY THE SAN DIEGO
 COUNTY PLANNING COMMISSION
 ON 5/4/07
 BY GARY L. PRYOR
 SECRETARY
 TITLE _____

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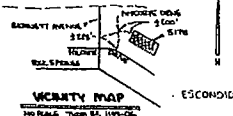
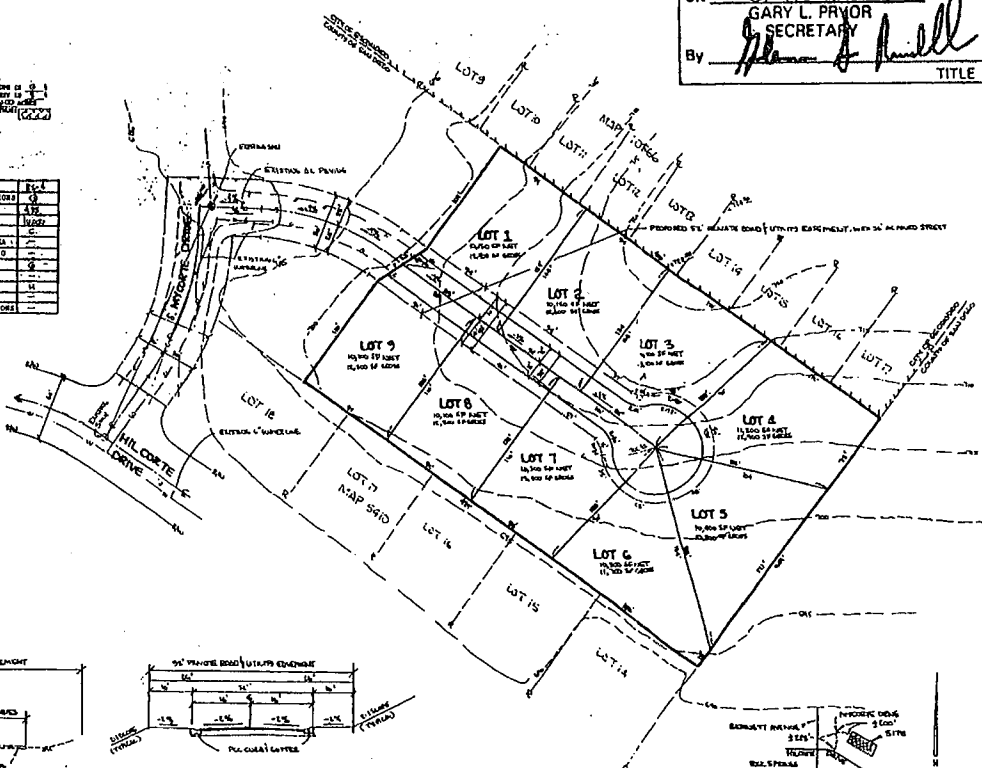
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TYPICAL SECTION
SHOULDER AND TRAVEL LANE



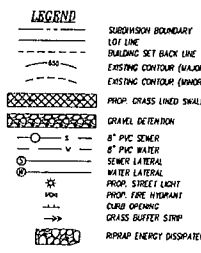
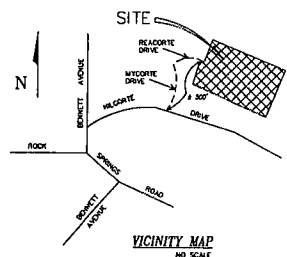
TYPICAL SECTION
SHOULDER AND TRAVEL LANE



VICINITY MAP

11. COMPLETE THE APPLICANT'S PROPOSAL (SEE 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G1-52



CET CONSTRUCTION TESTING & ENGINEERING, INC.
PLANNING • CIVIL ENGINEERING • LAND SURVEYING • GEOTECHNICAL
1441 MONTIEL ROAD, SUITE 115 ESCONDIDO CA, 92026. PH: (760) 746-4555

RESOLUTION OF SAN DIEGO COUNTY)
BOARD OF SUPERVISORS
APPROVING CONDITIONS FOR)
TENTATIVE MAP NO. 5269R)

~~May 14, 2008~~
October 13, 2010

TENTATIVE MAP SUBDIVISION 3182 5269 (TM5269R)

REVISED MAP

NOTICE OF ACTION OF
THE BOARD OF SUPERVISORS APPROVING TENTATIVE MAP 3182 5269
(TM5269R)

On the above date, the Board of Supervisors adopted this decision approving a Revised Map for Tentative Map 3182 5269 (TM5269R).

PLEASE NOTE THAT THE ONLY CHANGES (AMENDMENTS) HEREBY AUTHORIZED ARE AS FOLLOWS AND THAT ALL OTHER CONDITIONS REMAIN AS ORIGINALLY ADOPTED. [Strikeout indicates deletion, underline indicates addition.]

WHEREAS, Revised Tentative Map No. 5269R proposing the division of property located at the terminus of Raecorte Place near the intersection of Mycorte Drive and Hilcorte Drive in the North County Metropolitan Subregional Plan area and generally described as:

That portion of Lots 2 and 3 in Block 15 of RANCHO LOS VALLECITOS DE SAN MARCOS, in the County of San Diego, State of California, according to Map thereof no. 806, and more particularly described on the attached Exhibit "A" which by reference hereto is incorporated herein.

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on September 9, 2007; and

WHEREAS, the Revised Tentative Map 5269R submitted September 9, 2007 proposes to develop 14 residential lots under the provisions of the California density bonus law that allows bonus lots in exchange for an agreement to provide affordable housing; and

WHEREAS, the proposed 14 lots consist of nine lots originally approved by the County Planning and Environmental Review Board on March 4, 2004, four allowed density bonus lots pursuant to the California density bonus law calculations at Government Code (GC) Section 65915(g), and one additional bonus lot as a proposed

TM 5269R

- 2 -

May 14, 2008, October 13, 2010

incentive. A second incentive consisting of a reduction in front, rear and side yard setbacks was also requested; and

WHEREAS, on August 10, 2007, August 24, 2007 and September 21, 2007, and October 5, 2007 the Planning Commission of the County of San Diego pursuant to Section 81.307 of the San Diego County Subdivision ordinance held a duly advertised public hearing on said Revised Tentative Map and received for consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearings. On August 24, 2007, the Planning Commission did not approve the revised map and the project was continued for additional information. On September 21, 2007, the Planning Commission took tentative action to approve the Revised Tentative Map for 13 lots without the requested incentives.

WHEREAS, on October 5, 2007, the Planning Commission voted on a motion following staff's recommendation to approve a 13-lot revised Tentative Map and Density Bonus Project. The motion failed resulting in the project being denied.

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

WHEREAS, a condition will be required (see Condition C.14. a) for submission of revised documentation to reconcile the Revised Tentative Map submitted September 9, 2007 proposing 14 lots with reduced setbacks with the approval by the Board of Supervisors for a revised Tentative Map for 13 14 lots with no incentives. setback reductions allowed by the settlement are as follows: 5 feet (5 feet versus the standard 10 feet) for each of the two side yards and EITHER a front yard setback reduction of 9 feet (41 feet versus the standard 50 feet) OR a rear yard set back reduction of 5 feet (20 feet versus the standard 25 feet).

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

1. The Revised Tentative Map with 13 lots is consistent with all elements of the San Diego County General Plan and with the (6) Residential Land Use Designation of the North County Metropolitan Subregional Plan because it proposes a residential dwelling use type at a density of 5.02 dwelling units per acre and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code. However, the Settlement Agreement between the County and the Applicant shall allow 14 lots for the

Raecorte Project and shall allow setback reductions of 5 feet (5 feet versus 10 feet) for the two side yards; in addition each lot shall receive EITHER a front yard setback reduction of 9 feet (41 versus 50 feet) OR a rear yard set back reduction of 5 feet (20 versus 25 feet).

2. The Revised Tentative Map with 13 lots is consistent with the California density bonus law, which provides a formula at GC Section 65915(g) for determining allowed density increases and in the Raecorte project, the formula allows 4 additional lots for a total of 13. The RS4 Use Regulation requires a 10,000 square foot minimum lot size; with the Density Bonus, the lot sizes will average 8700 square feet. However, the Settlement Agreement between the County and the Applicant shall allow 14 lots for the Raecorte Project and shall allow setback reductions of 5 feet (5 feet versus 10 feet) for the two side yards; in addition each lot shall receive EITHER a front yard setback reduction of 9 feet (41 versus 50 feet) OR a rear yard set back reduction of 5 feet (20 versus 25 feet).
3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the North County Metropolitan Subregional Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;
4. The site is physically suitable for the residential type of development because a single-family residence, now demolished, existed on the site at the time of the Tentative Map application;
5. The site is physically suitable for the proposed density of development because adequate public facilities are available to serve the lots;
6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of an Addendum to the Negative Declaration dated September 25, 2007;
8. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and

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

9. The discharge of sewage waste from the subdivision into the Vallecitos sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and

CEQA Findings

1. It is hereby found that that the Board of Supervisors has reviewed and considered the information contained in the Addendum to Negative Declaration dated September 25, 2007, on file with DPLU as Environmental Review Number 01-08-049A prior to approving the project.
2. The "Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document" dated September 25, 2007 on file with DPLU as Environmental Review Number 01-08-049A including California Environmental Quality Act Guidelines Sections 15162, 15163, and 15164 Findings for Determining the Appropriate Environmental Documentation to be completed when there is a previously adopted Negative Declaration (ND); is hereby adopted.

Resource Protection Ordinance Findings:

It is hereby found that the use or development permitted by the application is consistent with the provisions of the Resource Protection Ordinance.

Stormwater Management Plan:

It is hereby found that the project proposed by the application has prepared plans and documentation demonstrating compliance with the provisions of the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance.

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IT IS FURTHER RESOLVED, DETERMINED AND ORDERED that based on these findings said revised Tentative Map for 43 14 lots is hereby approved subject to the following conditions:

- A. The approval of this revised Tentative Map for 43 14 lots expires on May 14, 2011, October 13, 2013 at 4:00 p.m., unless prior to that date an application for a Time Extension has been filed and subsequently approved as provided by Section 81.308 of the County Subdivision Ordinance.

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

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

- B. The "Standard Conditions for Tentative Subdivision Maps" approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk as Resolution No. 00-199, shall be made conditions of this Revised Tentative Map for 13 lots approval. Only those exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized.
- C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to issuance of grading or other permits as specified):

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. Standard Conditions 1 through 10 and 12.
2. Specific Conditions:
 - a. Prior to approval of the Final Map, improve or agree to improve and provide security for **Mycorte Drive**, offsite, from the publicly maintained portion of Mycorte Drive to Raecorte Place to a graded

width of fifty-one feet (51') with thirty-six feet (36') of asphalt concrete pavement over approved base with Portland cement concrete curb and gutter with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of thirty-six feet (36'). All distressed sections shall be replaced to the satisfaction of the Director of Public Works.

- b. Prior to approval of the Final Map, improve or agree to improve and provide security for **Raecorte Place**, offsite, from Mycorte Drive to the westerly subdivision boundary, to a graded width of forty-two feet (42') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb and gutter with face of curb at sixteen feet (16') from centerline to the satisfaction of the Director of Public Works. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of thirty-two feet (32'). All distressed sections shall be replaced to the satisfaction of the Director of Public Works.
- c. Prior to approval of the Final Map, improve or agree to improve and provide security for **Raecorte Place**, onsite, from the westerly subdivision boundary to the proposed cul-de-sac, in accordance with Public Road Standards for a Residential Cul-de-sac, to a graded width of fifty-two feet (52') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb and gutter with face of curb at sixteen feet (16') from centerline to the satisfaction of the Director of Public Works.
- d. The Raecorte Place shall terminate with a **cul-de-sac** graded to a radius of forty-eight feet (48') and improved to a radius of thirty-eight feet (38') with asphaltic concrete pavement over approved base and Portland cement concrete curb and gutter, with face of curb at thirty-eight feet (38') from the radius point to the satisfaction of the San Marcos Fire Department and the Director of Public Works.
- e. Asphaltic concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphaltic concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to

the satisfaction of the Director of Public Works.

- f. Safe and adequate sight distance shall be provided at all intersections to the satisfaction of the Director of Public Works.

(Drainage/Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:
 - a. Final grading and drainage design shall implement the mitigation measures contained in the approved Stormwater Management Plan (SWMP) dated March 2, 2007 prepared by Construction Testing & Engineering, Inc.

(Grading Plans)

- 5. Standard Conditions 19 (a-d).
- 6. Specific Conditions
 - a. 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 of (1) acre or greater require that the property owner keep additional and updated information on-site concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
 - b. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to

unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. If said deposit collected for grading is less than \$5,000.00, the developer will supplement the deposit to equal \$5,000.00. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

FAIR HOUSING

7. Standard Condition 20.

SANITATION

8. Standard Condition 21.
9. Specific Conditions:
- a. Prior to approval of the Final Map, the applicant shall present evidence to the Department of Planning and Land Use that arrangements have been made to the satisfaction of the Department of Environmental Health for the pumping by a licensed septic tank pumper contractor and backfill with earthen material in compliance with the Uniform Plumbing Code of the septic tank which served the demolished residence.

WATER SUPPLY AND FIRE PROTECTION

10. Standard Condition 23.1 and 23.2.

DEVELOPMENT IMPACT FEES

11. Specific Conditions:
- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
 - b. Deposit with the County Department of Public Works \$220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the

developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

- c. Participate in the cost of a traffic signal installation at the intersection of Rock Springs Road and Nordahl Road. The amount of the developer's portion of the entire cost of the signal shall be \$750.00. The Planning and Board of Supervisors hereby determines that:
 - (1) The fees is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
 - (2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Rock Springs Road and Nordahl Road;
 - (3) The traffic signal will help mitigate the additional traffic impact on this intersection caused by the residential subdivision;
 - (4) This residential subdivision will contribute additional traffic to the intersection of Rock Springs Road and Nordahl Road; and,
 - (5) The fee of \$750.00 is based on an estimate of the percentage of traffic this project will contribute to this intersection.

FINAL MAP RECORDATION

(Streets and Dedication)

12. Specific Conditions:

- a. With the Final Map, cause to be granted, offsite, **Mycorte Drive**, from the publicly maintained portion of Mycorte Drive to Raecorte Place, in accordance with Public Road Standards for a Residential Road to a right-of-way width of fifty-six feet (56') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.

- b. With the Final Map, cause to be granted, offsite, Raecorte Place, from Mycorte Drive to the westerly subdivision boundary, in accordance with Public Road Standards for a Residential Cul-de-sac to a right-of-way width of fifty-two feet (52') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- c. With the Final Map, dedicate, onsite, **Raecorte Place**, from the westerly subdivision boundary to the cul-de-sac, in accordance with Public Road Standards for a Residential Cul-de-sac to a right-of-way width of fifty-two feet (52') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- d. With the Final Map, dedicate the right-of-way required for a complete forty-eight-foot (48') radius **cul-de-sac** at the terminus of Raecorte Place per County of San Diego Standards DS-6 for a fifty-two foot (52') right-of-way street, plus the right to construct and maintain slopes and drainage improvements as required beyond the limits of the cul-de-sac.
- e. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- f. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. **To be in compliance with the Public Resources Code, all Parcel Map surveys performed after January 1, 2000, must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.**
- g. Prior to January 1, 2000, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control Book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e.; Grid

bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground to Grid distances shall be shown on the map, all to the satisfaction of the County of San Diego, Director of Public Works (Refer to San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

After December 31, 1999, a survey for any Parcel Map that is to be based on state plane coordinates shall show 2 measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego Horizontal Control book. These tie lines to the existing control system shall be shown in relation to the California Coordinate System (i.e.; Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid to Ground distances shall be shown on the map.

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

(Miscellaneous)

13. Standard Conditions 25, 26, 27, 28, and 29.
14. DENSITY BONUS CONDITIONS: Prior to Final Map Approval:
 - a. Provide evidence that revised plans for the 43 14-lot subdivision TM 5269R, to include the revised Tentative Map, Preliminary Grading plans, and all associated documentation, has been submitted and approved to the satisfaction of the Director of Planning and Land Use. The revised plans shall show setback reductions of 5 feet (5 feet versus 10 feet) for the two side yards and each lot shall show EITHER a front yard setback reduction of 9 feet (41 versus 50 feet) OR a rear yard set back reduction of 5 feet (20 versus 25 feet).
 - b. Prior to recordation of the revised map, cause to be placed on the final map a note that this map is a result of a density bonus project that requires that one lot be reserved for very low income housing subject to the conditions of a contract with the Department of Housing and Community Development. The very low income lot

shall be identified on the recorded map with a reference to Density Bonus Project DPB 06-001.

- c. Show evidence to the Director of Planning and Land Use from the Director of Public Works that the Conditions A1 through A5 in the Density Bonus Project DBP 06-001 have been complied with.

Prior to Approval of Grading or Improvement plans and prior to recordation of the final map, the applicant shall:

15. Provide evidence that grading and/or other excavation will be monitored for fossils. The person responsible for fossil monitoring need not be a Qualified Paleontologist or a Qualified Paleontological Resources Monitor, and may be an employee(s) of the grading contractor, and in some cases, may be the equipment operator(s). Evidence shall be a letter from the Grading Contractor to the Director of Planning and Land Use stating the names of those individuals that will be responsible for monitoring for fossils.
16. Provide evidence to the Director of Public Works (DPW) that the following notes have been placed on the Grading Plan:
 - a. If a fossil or group of fossils (e.g. a shell bed) of greater than twelve inches in any dimension (including circumference) is encountered beneath the soil layers (meaning that it is not archaeological) during grading or other excavation:
 - (1) All earthmoving operations in the area where the fossil was found shall be suspended immediately;
 - (2) The County's Permit Compliance Coordinator shall be notified;
 - (3) The applicant shall contract with a Qualified Paleontologist to evaluate the significance of the fossil. A Qualified Paleontologist is a person with a Ph.D. or Master's Degree in Paleontology or a related field, and who has knowledge of San Diego County paleontology and documented experience in professional paleontological procedures and techniques.
 - b. Verification of the contract shall be presented in a letter from the Qualified Paleontologist to the Director of Planning and Land Use stating that he/she has been contracted to determine if the found fossil is significant or potentially significant, and if it is, to:

- (1) Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
 - (2) In the field, record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting;
 - (3) Grading and excavation can resume either when the Qualified Paleontologist determines that the find is not significant or after the fossil has been removed and the associated data collected.
17. Prior to Rough Grading Inspection Sign-off provide evidence that monitoring for fossils has been completed. Evidence shall be in the form of a letter from the Grading Contractor to the Director of Planning and Land Use. *[DPLU, Fee]*.
18. Prior to Final Grading Release:
 - a. If **no** paleontological resources were discovered, submit a "No Fossils Found" letter from the grading contractor to the Director of Planning and Land Use stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources. *[DPLU Fee]*
 - b. If paleontological resources were discovered and salvaged, the following tasks shall be completed by or under the supervision of a Qualified Paleontologist:
 - (1) Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 - (2) Curate, catalog and identify all fossil remains to the lowest tax on possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into an collection database;

- (3) Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, preferably:
- San Diego Natural History Museum, *Physical Address*: 1788 El Prado, San Diego, CA 92101; *Mailing Address*: P.O. Box 121390, San Diego, CA 92112-1390, (619) 232-3821
 - Natural History Museum of Los Angeles County, 900 Exposition Boulevard, Los Angeles, CA 90007, (213) 763-DINO
 - San Bernardino Museum of Natural History, 2024 Orange Tree Lane, Redlands, California 92374, (909) 307-2669
 - University of California Museum of Paleontology, Berkeley, 1101 Valley Life Sciences Building, Berkeley, CA 94720-4780, (510) 642-1821
 - Anza-Borrego Desert State Park, 200 Palm Canyon Drive, Borrego Springs, CA 92004, (760) 767-5311
- (4) Prepare a final Paleontological Resources Mitigation Program Report summarizing the field and laboratory methods used, the stratigraphic units inspected, the types of fossils recovered, and the significance of the curated collection.
- (5) Submit a detailed report prepared by the Qualified Paleontologist in the format provided in County's Guidelines for Determining Significance for Paleontological Resources and documenting curation of the collected fossils and identifying which accredited institution has agreed to accept the curated fossils;
- (6) Submitting TWO hard copies of the final Paleontological Resources Mitigation Report to the Director of DPLU for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a CD. Submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.
[DPLU Fee]

- (7) Submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of DPLU verifying that the curated fossils from the project site have been received by the institution. [DPLU Fee]

WAIVER AND EXCEPTIONS

Said subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required Ordinances of San Diego County except for a waiver or modification of the:

19. Standard Conditions for Tentative Maps:

- a. Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- b. Standard Condition 19e: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- c. Standard Condition 22: Said condition pertains to private subsurface sewage disposal systems. This subdivision will be on public sewer and served by the Vallecitos Water District.
- d. Standard Condition 23.3: Said condition pertains to the California Department of Forestry and Fire Protection. This subdivision will be served by the San Marcos Fire Department.
- e. Standard Condition 24: Said condition pertains to subdivisions outside of the boundaries of a fire protection agency. This subdivision is within the boundaries of the San Marcos Fire Department.
- f. Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

20. County Subdivision Ordinance requirements:

- a. Section 4.2: Said section requires a graded width of fifty-two feet (52') for a Residential Cul-de-sac and a graded width of fifty-six feet (56') for a Residential Road. This waiver will permit a reduction in the graded width for Raecorte Place, from Mycorte Drive to the westerly subdivision boundary, to forty-two feet (42'), a five-foot reduction on the both sides, and for Mycorte Drive, from the publicly maintained portion of Mycorte Drive to Raecorte Place, to fifty-one feet (51'), a five-foot reduction on the east side, in accordance with the approved exception request dated June 7, 2007.

The following shall be the Mitigation Monitoring or Reporting Program for Revised Tentative Map 5269.

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.

A. Subsequent Project Permits

Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:
C14 a, b and c., and C. 15 through C.18.

NOTICE - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on May 14, 2008-October 13, 2010.

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

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~~May 14, 2008~~, October 13, 2010

INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOTICE – The project relies on CEQA 15162 - 15164 Findings and the previously issued finding of “de minimis” effects on fish and wildlife. The “de minimis” finding is dated March 4, 2004.

NOTICE: The project will be required to pay the Department of Planning and Land Use Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to DPLU, including Mitigation Monitoring requests. The amount of the fee will be determined by the current Fee Ordinance requirement at the time of the first submittal and is based on the number of two (2) DPLU conditions that need to be satisfied. The fee amount will only be paid one time for those conditions that are indicated with the [DPLU, FEE] designator. The fee will not apply to subsequent project approvals that require a separate submittal fee such as, Revegetation and Landscape Plans, Resource (Habitat) Management Plans, Habitat Loss Permits, Administrative Permits, Site Plans, and any other discretionary permit applications.

BOARD10\13\10\TM5269R-RES

**Attachment B – Notice of Preliminary Decision of the
Director of Planning & Development Services and
Final Notice of Action of the Planning Commission
Approving a Time Extension for Tentative Map 5269R**



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 694-2962 • Fax (858) 694-2555
www.sdcounty.ca.gov/pds

KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

October 15, 2019

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2019-TM-5269RTE

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

On the above date, the Director of Planning & Development Services (PDS) adopted this preliminary decision approving Time Extension PDS2019-TM-5269RTE. A copy of this Notice of Preliminary Decision will be filed with the Planning Commission as an informational agenda item on October 25, 2019. In the event the Planning Commission takes no action to initiate a public hearing on the preliminary decision, the preliminary decision shall become a final decision of the Planning Commission that is effective immediately.

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

PLANNING & DEVELOPMENT SERVICES
MARK WARDLAW, DIRECTOR

By:

MARK SLOVICK, DEPUTY DIRECTOR
PLANNING & DEVELOPMENT SERVICES

October 25, 2019

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2019-TM-5269RTE

FINAL NOTICE OF ACTION OF
THE PLANNING COMMISSION APPROVING
A TIME EXTENSION FOR TENTATIVE MAP 5269R

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

1. The approval of this Tentative Map expires on ~~April 4, 2019~~ October 25, 2020 at 4:00 p.m.

The conditions within the Resolution of San Diego County, Conditionally Approving Tentative Map No. 5594 dated September 18, 2015 are still applicable.

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

The conditions within the Resolution of San Diego County, Conditionally Approving Tentative Map No. 5269R dated October 13, 2010 are still applicable.

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

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 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 Quality Management Plan (SWQMP), all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. 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/susmppdf/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 below

<http://www.sdcounty.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 the MS4 Permit issued by the Regional Water Quality Control Board, Order No. R9-2013-0001 and any subsequent order. Additional studies and other action may be needed to comply with future MS4 Permits.

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

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities of excavation or fill results in the movement of material exceeding 200 cubic yards or eight feet (8') in vertical height of cut/fill pursuant to Section 87.201 of the County Code.

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

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

Attachment C – Environmental Documentation



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 694-2962 • Fax (858) 694-2555
www.sdcountry.ca.gov/pds

KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

AN ADDENDUM TO THE PREVIOUSLY APPROVED NEGATIVE DECLARATION FOR PURPOSES OF CONSIDERATION OF SKY TERRACE, TM-5269RTE, LOG ER-01-08-049C

October 25, 2019

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

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

1. To the Project Name add: SKY TERRACE TENTATIVE MAP TIME EXTENSION
2. To the Project Number(s) add PDS2019-TM-5269RTE
3. To the first paragraph add as indicated: The Negative Declaration for this project is comprised of this form along with the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated August 31, 2010, revised October 25, 2019, which includes the following forms attached.
4.
 - A. An Addendum to the previously certified Environmental Impact Report with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated August 31, 2010.
 - B. An Ordinance Compliance Checklist.
 - C. A Priority Development Project Stormwater Quality Management Plan (SWQMP) prepared by San Dieguito Engineering, dated March 22, 2019.



County of San Diego

MARK WARDLAW
DIRECTOR

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5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
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KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

October 25, 2019

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

FOR PURPOSES OF CONSIDERATION OF SKY TERRACE TENTATIVE MAP TIME EXTENSION PDS2019-TM-5269RTE

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

1. Background on the previously adopted ND:

A ND for TM 5269, Vande Vegte Residential Subdivision was adopted by the Planning and Environmental Review Board (PERB) on March 4, 2004. The project was to subdivide 2.59 gross acres into 9 residential lots with a minimum lot size of 10,500 gross square feet. The project was subject to the (6) Residential land Use Designation (7.3 dwelling units per gross acre) and the RS4 (Single-Family Residential, 4.3 dwelling units per net acre) Land Use Regulation. Lots would be accessed via Mycorte Drive an existing private road. The adopted ND found the project would not have any potentially significant effects. TM 5269 was set to expire on March 4, 2007 unless recorded. An application for a Time Extension (TM 5269 TE) was submitted March 2, 2007 and subsequently approved by the Planning Commission on May 4, 2007.

2. Lead agency name and address:

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

- a. Contact Angelica Truong, Project Manager
- b. Phone number: (858) 495-5421

c. E-mail: angelica.truong@sdcounty.ca.gov

3. Project applicant's name and address:

Bernard Reeder
750 Banyan Court
San Marcos, CA 92069

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

No changes are proposed by the project; only a time extension is requested to allow sufficient time to satisfy conditions and record the final map.

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

YES

NO

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If yes, describe ALL differences.

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

☒ NONE

☐ Aesthetics

☐ Agriculture and Forest Resources

☐ Air Quality

☐ Biological Resources

☐ Cultural Resources

☐ Geology & Soils

☐ Greenhouse Gas Emissions

☐ Hazards & Haz Materials

☐ Hydrology & Water Quality

☐ Land Use & Planning

☐ Mineral Resources

☐ Noise

☐ Population & Housing

☐ Public Services

☐ Recreation

☐ Transportation/Traffic

☐ Utilities & Service Systems

☐ 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 **CHOOSE EITHER A) or B): A)** without modification. **B)** upon completion of an ADDENDUM.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

October 25, 2019

Signature

Date

Angelica Truong

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Aesthetics that were not previously analyzed in the TM 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Aesthetics.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Agriculture and Forestry Resources that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Agriculture and Forestry Resources.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Air Quality that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Air Quality.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Biological Resources that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Biological Resources.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Cultural Resources that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Cultural Resources.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Geology and Soils that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Geology and Soils.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Greenhouse Gas Emissions that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Greenhouse Gas Emissions.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Hazards and Hazardous Materials that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Hazards and Hazardous Materials.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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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Since certification of the Negative Declaration for Raecorte Tentative Map in 2010, there has been a change in circumstances regarding municipal stormwater regulations. The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES) on discharges from municipal separate storm water sewer systems (MS4). The new MS4 Permit was adopted by the Regional Board on May 8, 2013 and amended on November 18, 2015. In order to comply with all applicable stormwater regulations, the activities proposed under this project 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. A Stormwater Quality Management Plan (SWQMP) must be approved by the County for the currently proposed project. A Priority Development Project (PDP) SWQMP for Tentative Map was submitted to the County and it was determined no revisions to project.

The proposed Time Extension would not result in any new significant environmental effects to Hydrology and Water Quality that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Hydrology and Water Quality.

All conditions of approval Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Land Use and Planning that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Land Use and Planning.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Mineral Resources that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Mineral Resources.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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
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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Noise that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Noise.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Population and Housing that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Population and Housing.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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
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NO
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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Public Services that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Public Services.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Recreation that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Recreation.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

☐

NO

☒

The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Transportation/Traffic that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Transportation/Traffic.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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 previous environmental document was certified, 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 (TCRs) be evaluated under CEQA. However, AB-52 consultation does not apply in this case because the environmental document is not a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report. In addition, a Sacred Lands File Search was completed by the Native American Heritage Commission with negative results.

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

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NO

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The proposed project is for a time extension only; no changes are proposed for the approved Tentative Map. The proposed Time Extension would not result in any new significant environmental effects to Utilities and Service Systems that were not previously analyzed in the Tentative Map 5269R Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Utilities and Service Systems.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

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

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NO

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As described in this Addendum, there are no changes in the approved TM 5269R for the proposed Time Extension, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any of the mandatory findings of significance. There are no proposed changes on Biological and Cultural Resources, as discussed in Section IV, Biological Resources, and Section V Cultural Resources.

The proposed Time Extension would not result in any new significant environmental effects that were not previously analyzed in the Tentative Map Mitigated Negative Declaration. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects.

All conditions of approval for the Tentative Map 5269R will remain in effect for the proposed Time Extension.

Attachments

- Previous environmental documentation
- Addendum to the previously adopted Negative Declaration or certified EIR

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

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

California Environmental Quality Act, CEQA Guidelines

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

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

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

California Public Resources Code, CPRC, Sections 40000-41956

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

County of San Diego Public Facility Conservation/Open Space Element of the General Plan (Section 6-Solid Waste, XII-6-1Goal COS-17: Solid Waste Management)

County of San Diego Scenic Highway Conservation/Open Space Element of the General Plan

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

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

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

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

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

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

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

Public Resources Code Sections 4290 and 4291

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

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

The Resource Conservation and Recovery Act (RCRA), 1976

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

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

**REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH
ORDINANCES/POLICIES****FOR PURPOSES OF CONSIDERATION OF
SKY TERRACE, TM 5269RTE****October 25, 2019****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
☒

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?YES
☐NO
☐NOT APPLICABLE/EXEMPT
☒

The proposed project and any off-site improvements related to the proposed project are 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
☒

The project will obtain its water supply from the Vallecitos 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
☒NO
☐NOT APPLICABLE/EXEMPT
☐

The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance? YES ☒ NO ☐ NOT APPLICABLE/EXEMPT ☐

The Steep Slope section (Section 86.604(e))? YES ☒ NO ☐ NOT APPLICABLE/EXEMPT ☐

The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance? YES ☒ NO ☐ NOT APPLICABLE/EXEMPT ☐

The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance? YES ☒ NO ☐ NOT APPLICABLE/EXEMPT ☐

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.

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 plotted on any official County floodway or floodplain map.

Steep Slopes:

Approximately 98 percent of the 2.59-acre site has slopes under 15 percent gradient. 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. The project is in conformance with the RPO.

Sensitive Habitats:

No sensitive habitat lands were identified on the site as determined by a Biological Resources and Wetland Survey Letter Report dated April 9, 2007 prepared by Everett and Associates. Therefore, it has been found that the proposed project complies with Article IV, Item 6 of the Resource Protection Ordinance. No sensitive habitat lands were identified.

Significant Prehistoric and Historic Sites:

The County of San Diego staff archaeologist/historian has reviewed project site photographs, analyzed records and reports, and determined there are no archaeological/historical sites.

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

YES

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NO

☐

NOT APPLICABLE

☐

Since the previous ND was adopted, there have been changes in the circumstances under which the project was undertaken related to hydrology and water quality. The County of San Diego has approved and implemented the Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO). In order to demonstrate compliance with the WPO, the project submitted a Stormwater Management Plan (SWMP) prepared by Patrick Harris, dated September 20, 2002, which identifies potential construction and post-construction pollutants that may result from the project and also identifies BMPs to address the pollutants. As such the project is not anticipated to result in any substantial increase in polluted runoff or any significant adverse effects to water quality. The SWMP received for the project has been approved by DPW and it has been found that the project will reduce adverse effects to water quality to the maximum extent practicable and as such complies with the requirements of the WPO. Therefore, although there are changes in circumstances, these changes will not result in new significant environmental effects related to hydrology and water quality.

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

YES

☒

NO

☐

NOT APPLICABLE

☐

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

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

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

Attachment D – 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:

PDS 2019-TM-5269TE

Assessor's Parcel Number/s:

226-280-19

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The applicant 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:

Roccastle Development LLC

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

Construct Inc. - Bernard Reeder

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

Print Name

Date

BERNARD REEDER

3/19/2019

OFFICIAL USE ONLY

SDC PDS RCVD 3-27-19

TM5269RTE

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

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