

Date: February 19, 2021 **Case/File No.:** Tentative Map Time Extension;

PDS2020-TM-5590TE, PDS2020-ER-14-14-013A

Place: No In-Person Attendance

Allowed - Teleconference Only - County Conference Center 5520 Overland Avenue San Diego, CA 92123 **Project:** Lake Jennings Marketplace

Tentative Map Time Extension

Time: 9:00 a.m.

Location: Lake Jennings Park Road and

Olde Highway 80, Lakeside

Lakeside Community Plan Area

Agenda Item: #2 General Plan: General Commercial (C-1)

Appeal Status: Appealable to Board of

Supervisors

Zoning: General Commercial (C36)

Applicant/Owner: South Coast Development,

LLC

Environmental: CEQA § 15162 Addendum **APNs:** 395-250-08, 09, 15, 22 and 398-

Community:

110-09, 10, 75

A. OVERVIEW

The purpose of this staff report is to provide the Planning Commission with the information necessary to consider the Lake Jennings Marketplace Tentative Map Time Extension (Project) and environmental findings prepared in accordance with the California Environmental Quality Act (CEQA). Time Extension applications are typically heard by the Planning Commission as an Administrative item. As an administrative item, staff provides an informational report to the Planning Commission as a notice of decision of the Director of Planning & Development Services (Director) to extend the period of time (Time Extension) for the Project to allow completion of the Final Map. At that time, the Planning Commission can request that the item be added to a future agenda, or if there is no such request, the Director's Preliminary Decision becomes final. For this Project, following written correspondence opposing the request for a time extension during the public notice period, the Tentative Map Time Extension was placed on the February 19, 2021 Planning Commission Hearing agenda as an action item in accordance with Section 81.317 of the Subdivision Ordinance.

The Project is a request for a six-year Time Extension for the Lake Jennings Marketplace Tentative Map which consists of eight commercial lots and six commercial buildings totaling 76,100 square feet and parking for 389 vehicles. The project includes a 43,000-square foot grocery store, a 4,500-square foot bank, a 3,500-square foot restaurant, two multi-tenant retail buildings (9,600-square feet and 12,500 square feet and 12,500 squa

square feet respectively), a 12,500-square foot multi-tenant retail building, and a 3,000-square foot gas station/car wash. The Tentative Map was approved by the Board of Supervisors on January 24, 2018. There have been no physical changes to the approved map, and the project requests -a time extension to allow the applicant additional time to complete all required conditions in order to finalize the map. None of the conditions associated with the original project will change and no new environmental impacts have been identified.

The sections contained in this report describe the request for the time extension, the Lake Jennings Marketplace development, analysis and discussion, community planning group and public input, and the Planning & Development Services (PDS) recommendation. PDS analyzed the Tentative Map Time Extension request for consistency with the General Plan, Zoning Ordinance, and other applicable regulations, policies and ordinances, and reviewed the potential impacts on the environment in accordance with CEQA. PDS found the Tentative Map Time Extension to be consistent with all relevant regulations with the inclusion of conditions in the Form of Decision (Attachment B).

Based on staff's analysis, the request for a time extension complies with CEQA, the County of San Diego Subdivision Ordinance, and the County of San Diego General Plan, and staff recommends approval of the Tentative Map Time Extension, with the conditions noted in the attached Resolution for Tentative Map 5590 dated January 24, 2018 (Attachment C). If the Tentative Map Time Extension is approved, the new expiration date for the Tentative Map will be January 24, 2027, and this will be the final time extension permitted.

B. STAFF RECOMMENDATIONS

Staff recommends the Planning Commission take the following actions:

- Find the Tentative Map Time Extension in conformance with CEQA and adopt the Environmental Findings included in Attachment A, which concludes that the previously adopted Environmental Impact Report (EIR) is adequate with an Addendum.
- 2. Approve the six-year Tentative Map Time Extension for Tentative Map 5590 and find the application consistent with all relevant regulations, including the Subdivision Map Act and Subdivision Ordinance (Attachment B).

C. BACKGROUND

The Lake Jennings Marketplace project was submitted to the County on July 30, 2014 and included eight commercial lots. On October 6, 2017, the Tentative Map (TM-5590) was approved by the Planning Commission by a vote of 4-1-2-0 (4-Yes, 1-No, 2-Abstain/Absent, 0 Vacant). On January 24, 2018, the TM-5590 was approved by the Board of Supervisors by a vote of 4-0-1 (4-Yes, 0-No, 1-Abstain/Absent) to subdivide 9.5 acres into eight commercial lots. The Lake Jennings Marketplace project consists of six commercial buildings totaling 76,100 square feet and parking for 389 vehicles. It included a Tentative Map, a General Plan Amendment (GPA), Zone Reclassification (Rezone), Site Plan and Major Use Permit. The approved GPA changed the General Plan designation from Village Residential (VR-15) to General Commercial (C-1). The approved Rezone changed the zoning classification from Urban Residential (RU-15) to General Commercial (C36). The expiration date of TM-5590 was January 24, 2021. The Tentative Map Time Extension (Project) was submitted to the County on July 31, 2020. Pursuant to the County's Subdivision Ordinance, the applicant may submit an extension application 180

days prior to the map expiration date. Once an extension application is received, the Project remains active and the County may approve the extension request after the expiration date has passed.

D. REGIONAL SETTING AND LOCATION

The Project is located on the southeast corner of Olde Highway 80 and Ridge Hill Road. The 9.5-acre site is vacant and relatively flat but with a hill on the eastern side and another in the northeast corner; the property generally slopes from north to south towards the Los Coches Creek. Pecan Park Lane currently bisects the northern portion of the property but will be vacated as part of the final mapping, and Rios Canyon Road will extend directly to Olde Highway 80. Access to the site will be provided by Olde Highway 80 and Ridge Hill Road.

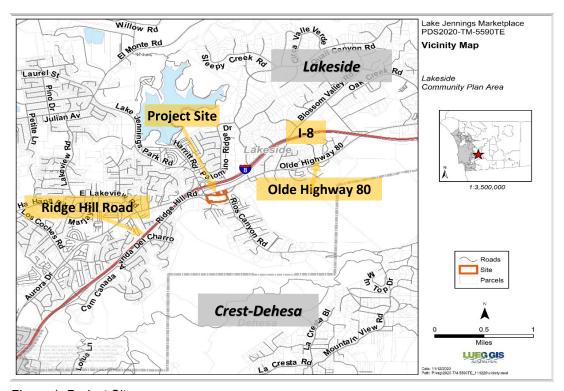


Figure 1: Project Site

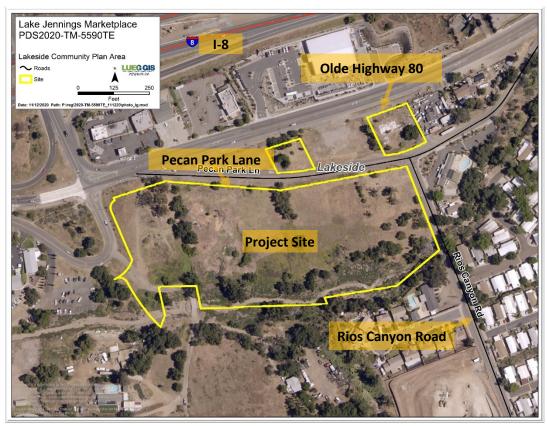


Figure 2: Existing Site

Surrounding land uses include a mix of commercial and residential uses, with the commercial areas being located near the major roadways. Please refer to Figure 2 and Attachment A – Planning Documentation for maps of surrounding land uses and zoning designations.

Table D-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
North	General Commercial	C36, General Commercial	Olde Highway 80	Commercial
East	Village Residential (VR-15)	C37, Heavy Commercial; RMH7, Mobile Home	Rios Canyon Road	Mobile Home Park, Community Center
South	Village Residential (VR-15)	RS7, Single Family; RV, Variable Family	Kelli Lane	Single-Family Residential
West	Village Residential (VR-4.3), General Commercial	C44, Freeway Commercial; RS, Single Family	Lake Jennings Park Road, Ridge Hill Road, Sierra Alta Way	I-8 Interchange and a Church

E. TENTATIVE MAP TIME EXTENSION PROJECT DESCRIPTION

The Project is a request for a six-year Tentative Map Time Extension for the subdivision of 9.5 acres into eight commercial lots. The Project includes a 43,000-square-foot grocery store, a 4,500-square-foot bank, a 3,500-square-foot restaurant, a 9,600-square-foot multi-tenant retail building, and a 3,000-square-foot gas station and car wash.

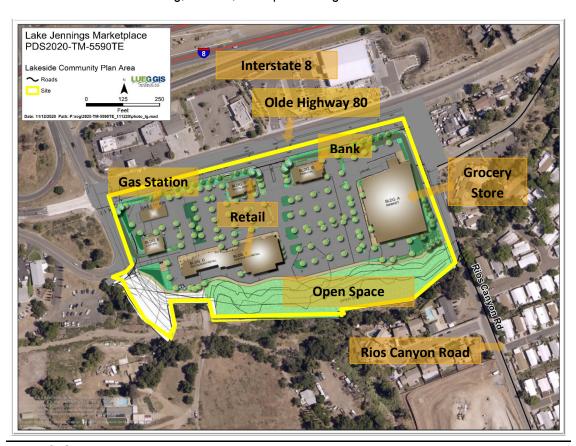


Figure 3: Site Plan

F. ANALYSIS AND DISCUSSION

The Project has been reviewed to ensure it conforms with all relevant ordinances and guidelines, including, but not limited to, the San Diego County General Plan, the Lakeside Community Plan, the Zoning Ordinance, and CEQA Guidelines.

PDS staff reviewed and analyzed the points of concern raised during processing of the Time Extension Request, detailed in the submitted documentation. The concerns focused on Traffic and Access (See Attachment F- Public Documentation). Each of these issues have been analyzed, and PDS has not identified any new impacts in the environmental review or the TM-5590 approval documents.

1. Key Requirements for Requested Actions

- a. Is the Project consistent with the vision, goals, and policies of the General Plan?
- b. Does the Project comply with the policies set forth under the Lakeside Community Plan?

- c. Is the Project consistent with the County's Zoning Ordinance?
- d. Is the proposed Project consistent with the County's Subdivision Ordinance?
- e. Is the Project consistent with other applicable County regulations?
- f. Does the Project comply with CEQA?

2. Tentative Map Time Extension Considerations and Analysis

When a Tentative Map application is submitted, it must be evaluated against the General Plan for conformance. This is consistent with the Subdivision Map Act Government Code Sections 66473.5 and 66474, which require the approval of a proposed Tentative Map to be consistent with the General Plan. However, the Subdivision Map Act and County Subdivision Ordinance do not provide any explicit criteria under which the decision on a discretionary Tentative Map Time Extension must be made. It is standard practice and procedure for PDS to review Tentative Map Time Extensions in conformance with the current General Plan, as well as current Stormwater Management Regulations. There have been no physical changes to the approved map. None of the conditions associated with the original Project will change, and no new environmental impacts have been identified.

The applicant has requested the maximum six-year extension allowed by the Subdivision Map Act, citing multiple reasons why the Project has been unable to move forward:

- While pursuing entitlements, the Applicant had significant interest from grocery anchor tenants who were eager to locate in the Project. However, because the timeline of the Project was delayed from two years to four years to accommodate the processing of an Environmental Impact Report, the interest of anchor tenants waned due to the quickly changing nature of the retail industry.
- There are multiple conditions that need to be completed prior to the final map; the applicant needs additional time to adequately satisfy those conditions. TM-5590 consists of 75 conditions, more than half of which have been completed. Some of those conditions require that the applicant obtain multiple jurisdictional permits. The applicant has applied for the permits and has been working with the appropriate agencies to satisfy these conditions.

Staff considered the circumstances and information provided by the applicant in its analysis and reviewed the Project for conformance with the General Plan, as well as the Zoning Ordinance. Staff supports the request for a six-year time extension.

3. Community Concerns Analysis

This section discusses the traffic concerns raised during the during processing of the Time Extension Request:

Traffic

A comment was received regarding traffic along Olde Highway 80. A Traffic Impact Study (TIS) was prepared for the Project by KOA Corporation (July 2015), which addressed the potential Project-generated traffic impacts along the existing and proposed street system in the area. The Project

fronts on Olde Highway 80 and is directly east of the Interstate 8 (I-8) eastbound off-ramp connecting to Lake Jennings Park Road. The Project is estimated to generate 10,992 daily trips, with 514 morning peak-hour trips and 1,080 evening peak-hour trips. When distributed onto the roadway network, the Project trips will result in direct and potential cumulative impacts.

To mitigate these impacts, the Project will construct:

- 1. Frontage improvements on Olde Highway 80 to provide four lanes with intermittent turn lanes.
- 2. A traffic signal on Olde Highway 80 across from the tractor supply store.
- 3. Improvements from Rios Canyon Road to Pecan Park Lane, with one lane in each direction and a two-way center turn lane.
- 4. Improvements to Lake Jennings Park Road from Harritt Road south of Blossom Valley Road, on both sides of the I-8 eastbound on/off-ramps.

The I-8 eastbound off-ramp is a stop-controlled intersection, under the jurisdiction of Caltrans. Caltrans required an Intersection Control Evaluation (ICE) analysis for alternative intersection control options, including a traffic signal and a roundabout. The results of the ICE analysis determined that a roundabout would more effectively mitigate traffic volumes, accommodate vehicles and large trucks, and provide additional pedestrian and vehicular safety benefits than the traffic signal option. As a result, Caltrans determined that a roundabout is the preferred alternative and County traffic staff agreed. Staff analyzed this concern for the time extension and concluded that the request would not result in any changes to the conditions required for TM 5590.

4. General Plan Consistency

TM-5590 was found to be consistent with the relevant General Plan goals, policies, and actions as described in Table F-1. The Tentative Map Time Extension has also been found to be consistent with all relevant regulations.

Table F-1: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
Page 1-15: Implementing and Amending the Plan. Any proposed amendment will be reviewed to ensure that the change is in the public interest and will not be detrimental to public health, safety, and welfare.	The Project provides an opportunity for retail shopping to the surrounding residents, improves the surrounding roads and intersections, provides permanent open space along Los Coches Creek, and connects trails and pathways, and a bus stop.
LU-6.5: Sustainable Stormwater Management. Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development techniques as well as a combination of site design, source control, and stormwater best management practices where applicable and consistent with the County's Low Impact Development (LID) Handbook.	A Stormwater Quality Management Plan (SWQMP) has been prepared and identifies how stormwater will be adequately captured and treated on-site.

General Plan Policy

LU-6.6: Integration of Natural Features into **Project Design.** Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.

Explanation of Project Conformance

The Project will preserve Los Coches Creek with a biological open-space easement; and Resource Protection Ordinance buffers will be dedicated along the biological open-space to ensure impacts are mitigated.

LU-9.5: Village Uses. Encourage development of distinct areas within communities offering residents places to live, work, and shop, and neighborhoods that integrate a mix of uses and housing types.

The Project will be located immediately next to the Lake Jennings Park Road exit from I-8, which is the southerly main entrance to Lakeside. The Project will serve the neighborhoods of Johnstown, Flinn Springs, Rios Canyon and Blossom Valley that currently don't have a shopping center.

LU-9.8: Village Connectivity and Compatibility with Adjoining Areas. Require new development within Villages to include road networks, pedestrian routes, and amenities that create or maintain connectivity; and site, building and landscape design that is compatible with surrounding areas.

The Project includes improved roads in the area, pathways along the three frontages, and a trail along the southern development edge to create the opportunity for mobility connectivity. Landscaping will be provided along the three frontages to create a buffer to the surrounding residential communities.

LU-13.1: Adequacy of Water Supply. Coordinate water infrastructure planning with land use planning to maintain an acceptable availability of a high-quality sustainable water supply. Ensure that new development includes both indoor and outdoor water conservation measures to reduce demand.

The Padre Dam Municipal Water District provided a signed Water Availability Form for the proposed Project indicating that there is sufficient water supply. Landscaping will utilize drought-tolerant species and comply with the County's Landscape and Water Conservation Ordinance.

LU-3.2: Traffic Impact Mitigation. Require development to contribute its fair share toward financing transportation facilities, including mitigating the associated direct and cumulative impacts caused by their project on both the local and regional road networks and related transit, pedestrian, and bicycle facilities, and equestrian.

Traffic improvements include extending Rios Canyon directly to Olde Highway 80; vacating Pecan Park Lane; constructing a roundabout at the intersection of Lake Jennings Park Road and Olde Highway 80; installing a signal on Olde Highway 80 at the entrance to tractor supply; restriping Lake Jennings Road; and constructing frontage improvements on Ridge Hill Road, Olde Highway 80, and Rios Canyon Road. The applicant will be required to pay Traffic Impact Fees to mitigate for the cumulative traffic impacts. A trail will run along the southern edge of the center connecting Rios Canyon Road to Ridge Hill Road. Pathways will be improved along Rios Canyon Road, Olde Highway 80 and Ridge Hill Road.

5. Lakeside Community Plan Consistency

TM-5590 is consistent with the following relevant Lakeside Community Plan goals, policies, and actions as described in Table F-2. Staff determined that the Project complies with the Lakeside Design Review Guidelines for commercial development outside the town center and ensured compatibility with the Lakeside Community Plan's policies on architecture, landscaping, signage, lighting, fencing, and trails.

Table F-2: Community Plan Conformance

Lakeside Community Plan Policy	Explanation of Project Conformance
Commercial Goal. Provide for the orderly growth of well-designed and located commercial areas that are necessary and convenient for shopping needs and compatible with the character of the community.	The Project will be located at the I-8 Lake Jennings Park Road exit, which is the southerly main entrance to Lakeside. The Project will serve the neighborhoods of Johnstown, Flinn Springs, Rios Canyon and Blossom Valley, which currently don't have a shopping center. Within a three-mile radius of the project, there is a Walmart Supercenter and Smart & Final. Currently, Blossom Valley residents have to travel approximately ten miles roundtrip to the nearest grocery store. Lake Jennings Marketplace will reduce this distance to approximately five miles roundtrip. In addition, the project will serve passing customers traveling on I-8 and Olde Highway 80. The Project is immediately adjacent to commercial uses along Olde Highway 80 and surrounded by landscape buffers and, to the south, Los Coches Creek.
Commercial Policy and Recommendation #2. Provide neighborhood shopping centers for everyday needs. Locate them in areas with easy, safe pedestrian and bicycle access.	The Project will include a grocery store, a bank, a gas station/car wash, a restaurant, and several smaller retail stores. The Project is located in an area with pedestrian and bicycle access. Pathways will be located on the three frontages and a multi-use trail will be located on the south side.
Commercial Policy and Recommendation #16. Diligently enforce the landscaping requirements for commercial structures and parking areas.	The Project has prepared a conceptual landscape plan that meets the requirements of the Landscaping and Water Conservation Ordinance, as well as the other relevant sections of the Lakeside Design Review Guidelines. Landscaping will utilize drought tolerant species and will incorporate trees with mature heights of 20 to 60 feet. The trees will screen the Project from adjacent residential neighborhoods.

6. Zoning Ordinance Consistency

TM-5590 complies with all applicable zoning requirements of the General Commercial (C36) zone with the incorporation of conditions of approval outlined in the Resolution for Tentative Map 5590, dated January 24, 2018.

Table F-3: Zoning Ordinance Development Regulations

CURRENT ZONING	REGULATIONS	CONSISTENT?
Use Regulation:	C36	Yes
Animal Regulation:	Α	Yes
Density:		N/A
Lot Size:	6,000	Yes
Building Type:	Т	Yes
Height:	G	Yes
Lot Coverage:		N/A
Setback:	V	Yes
Open Space:		N/A
Special Area Regulations:	В	Yes

Development Standard	Proposed/Provided	Complies?
Section 2362 lists the uses that are permitted by the proposed C36 General Commercial Use Regulations.	The uses include retail sales, financial services, eating and drinking establishments, and personal services, as permitted in the C36 zone.	Yes No 🗌
Section 6816 lists which enclosed or open uses are allowed in each zone. The C36 zone requires a Major Use Permit (MUP) to allow outdoor use.	A MUP has been approved as part of this Project to allow a car wash on Lot 1 of the Tentative Map.	Yes ⊠ No □
Section 4200 requires a minimum lot size when subdividing a property. The minimum lot size for this site is 6,000 square feet.	The Tentative Map is subdividing the property into eight lots that are all larger than 6,000 square feet.	Yes ⊠ No □
Section 4310 designates a building type for each property. The proposed zoning includes a "T" Building Type that requires the buildings to be triplexes, attached, multi-family or nonresidential (attached or detached).	The Tentative Map includes six buildings that will be nonresidential, commercial buildings.	Yes ⊠ No □

2 - 11

Section 4610 establishes a height designator for each property. The zoning for this site includes a "G" Height Designator that restricts the height of buildings to less than 35 feet and a maximum of two stories.	The Tentative Map includes six buildings that are all one story. The maximum height of the tallest building is 35 feet.	Yes No 🗌
Section 4810 establishes a setback designator for each property. The proposed zoning for this site includes a "V" Setback Designator that requires a Site Plan to order to establish setbacks.	The Tentative Map includes an approved Site Plan in order to establish the setbacks from the property lines and surrounding roadways. The buildings will not be located in areas that block driver's sight distance.	Yes No
Section 5025 establishes special area designators for each property. The zoning for this site includes a "B" Special Area Designator that requires a Site Plan to demonstrate conformance to the Lakeside Design Review Guidelines.	The Tentative Map includes an approved Site Plan in order to demonstrate conformance to the Lakeside Design Review Guidelines. The Lakeside Design Review Board and staff have reviewed the approved Site Plan against the goals and policies in the Lakeside Design Guidelines and found the Project to be consistent. The Project incorporates design measures to achieve physical and visual community compatibility including: varied residential and commercial architectural styles, and an integration of rural design elements such as wood, wrought iron, and stone building materials. The interior bulk of the project is visually shielded from public exterior viewpoints by design, further minimized with the incorporation of landscaping.	Yes No D

7. Subdivision Ordinance Consistency

TM-5590 has been reviewed for compliance with the Subdivision Ordinance. It is consistent with the requirements for major subdivisions in terms of design (Section 81.401), dedication and access (Section 81.402), and improvements (Sections 81.403 and 81.404). TM-5590 includes requirements and conditions of approval necessary to ensure that it is implemented in a manner consistent with the Subdivision Map Act and the Subdivision Ordinance.

8. California Environmental Quality Act (CEQA) Compliance

The Project has been reviewed for compliance with CEQA and it qualifies for an addendum to the previously certified Environmental Impact Report (EIR) in accordance with Section 15162 of the CEQA Guidelines. The Project, as designed, would not cause any significant effects on the environment that were not analyzed for the Tentative Map or that require additional mitigation measures.

9. Applicable County Regulations

Table F-4: Applicable Regulations

County Regulation Policy	Explanation of Project Conformance
Resource Protection Ordinance (RPO)	The Project has been found to comply with the RPO because it will not impact any onsite wetlands, floodplains/floodways, steep slopes, or sensitive habitat lands. The Project will preserve onsite wetlands within the dedicated 2.58 acre open space easement. Additionally the Project will have a 50-foot wetland buffer. The Project is required to have an archeological monitor present throughout grading activities to ensure below-ground archeological resources are not disturbed. Therefore, it was been found that the Project complies with the RPO.
Fire Code	A fire protection plan (FPP) was prepared and accepted by the Lakeside Fire Protection District and San Diego County Fire Authority. The Project has been conditioned to comply with this FPP for the life of the project. Conformance with the FPP will ensure the Project remains in compliance with the San Diego County Consolidated Fire Code. The Project is required to construct a six-foot non-combustible block wall with stucco covering along the southern edge of the development area, north of the trail. In addition, the Project establishes a 40 to 80-foot fuel modification zone.
Noise Ordinance	A noise analysis was prepared for the Project that analyzed impacts generated by the Project, including short-term construction impacts, ground vibration and long-term operational impacts. By including mitigation measures such as requiring a minimum setback distance of 125 to 150-feet for all drilling operations, limiting operation hours for the car wash from 7AM to 10PM, and screening Heating

	Ventilation Air Conditioning (HVAC) systems, the Project will comply with the County's Noise Ordinance.
Light Pollution Code	The Project will include outdoor building lighting, parking lot lighting, and signage lighting, which will be shielded to reflect light downward. The types of lighting used for this Project will comply with the Light Pollution Code.
Watershed Protection Ordinance (WPO)	A stormwater quality management plan was prepared and concluded that the Project is in compliance with the WPO. An onsite detention basin will be constructed that will control flooding and the site has been designed to not impact existing drainage patterns, downstream drainage systems or result in erosion onsite or offsite.

G. COMMUNITY PLANNING GROUP

The Project is located within the Lakeside Community Plan Area and is represented by the Lakeside Community Planning Group (CPG). On September 2, 2020, the Lakeside CPG voted to approve the time extension by a vote of 13-0 (13–Yes, 0–No).

The Planning Group minutes are found in Public Documentation (Attachment I).

H. PUBLIC INPUT

Multiple phone calls and letters were received during the noticing period associated with the Tentative Map Time Extension application submittal. Some members of the community had general questions regarding the Project and wanted to know if anything had changed with the development proposal. Other members of the community expressed concerns with traffic, which have been discussed above. Comments received upon submittal and during processing of the Project are found in Attachment F. Staff responded to members of the community explaining that the approved environmental document evaluated their topics of concern and that the Time Extension does not propose any changes to the previously approved Tentative Map.

Report Prepared By:	Report Approved By:
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AUTHORIZED REPRESENTATIVE: ~

KATHLEEN FLANNERY, ACTING DIRECTOR

ATTACHMENTS:

Attachment A – Planning Documentation

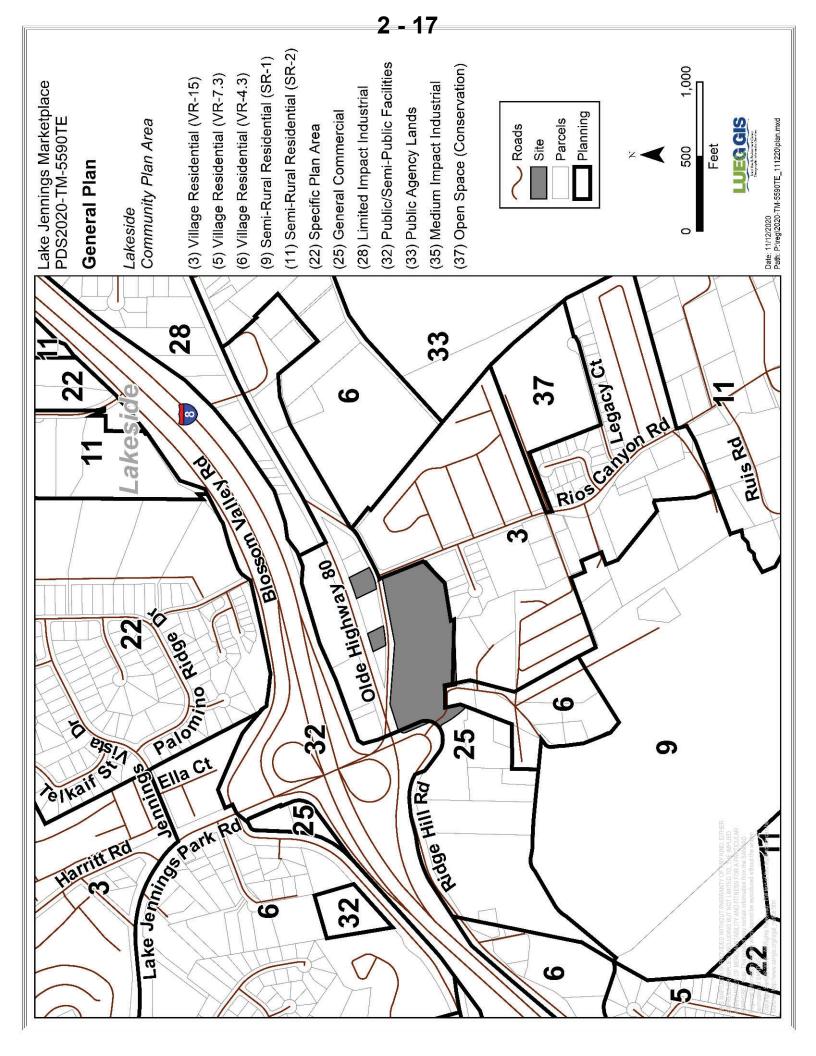
Attachment B – Notice of Preliminary Decision of the Director of Planning & Development Services
Approving a Time Extension for TM 5590

Attachment C – Environmental Documentation

Attachment D – Public Documentation

Attachment E - Ownership Disclosure

Attachment A – Planning Documentation



COUNTY OF SAN DIEGO BOARD OF SUPERVISORS WEDNESDAY, JANUARY 24, 2018

MINUTE ORDER NO. 1

SUBJECT: NOTICED PUBLIC HEARING:

LAKE JENNINGS MARKETPLACE GENERAL PLAN AMENDMENT, ZONE RECLASSIFICATION, TENTATIVE MAP, SITE PLAN, AND MAJOR USE PERMIT, LOCATED IN THE LAKESIDE COMMUNITY PLAN AREA

(DISTRICT: 2)

OVERVIEW

This is a request for the Board of Supervisors to evaluate and consider a proposed General Plan Amendment, Zone Reclassification, Tentative Map, Site Plan and Major Use Permit, and adopt the Environmental Findings for the Lake Jennings Marketplace project.

The Lake Jennings Marketplace project is located on 9.5 acres and consists of six commercial buildings totaling 76,100 square feet and parking for 389 vehicles. The project includes a 43,000-square foot grocery store, a 4,500-square foot bank, a 3,500-square foot restaurant, two multi-tenant retail buildings (9,600-square feet and 12,500 square feet respectively), a 12,500-square foot multi-tenant retail building, and a 3,000-square foot gas station/car wash. The current General Plan would allow 160 housing units on the site. The project site is located directly south of Olde Highway 80, just east of Ridge Hill Road within the Lakeside Community Plan Area (57th Edition Thomas Guide Page (1232 G5).

RECOMMENDATION(S) PLANNING COMMISSION

On October 6, 2017, the Planning Commission considered the project and made the following recommendations to the Board of Supervisors:

- 1. Adopt the Environmental Findings, certifying the Environmental Impact Report (EIR) pursuant to California Environmental Quality Act (CEQA) Guidelines (Attachment B).
- 2. Adopt the General Plan Amendment Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT, REF: PDS2014-GPA-14-005 (Attachment C).
- 3. Adopt the Zone Reclassification Ordinance entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY, REF: PDS2014-REZ-14-004 (Attachment D).
- 4. Adopt the Tentative Map Resolution entitled: A RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS CONDITIONALLY APPROVING TENTATIVE MAP NO. PDS2014-TM-5590, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations set forth in the Resolution of Approval (Attachment E).
- 5. Grant Site Plan Decision PDS2014-STP-14-019, which includes the requirements and conditions set forth in the Form of Decision (Attachment F).

JANUARY 24, 2018

6. Grant Major Use Permit Decision PDS2015-MUP-15-004, which includes the requirements and conditions set forth in the Form of Decision (Attachment G).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with the Planning Commission's recommendation and makes the following additional recommendation to the Board of Supervisors (Board): Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego in accordance to County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require South Coast Development, LLC, to provide security in the amount of \$750,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment H).

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Noting for the record the submission of Written Findings Pursuant to Government Code Section 65863.b were read into the record; ON MOTION of Supervisor Jacob, seconded by Supervisor Roberts, the Board of Supervisors closed the Hearing and took action as recommended by the Planning Commission and the Department of Planning & Development Services, and adopted the following:

Resolution No. 18-010, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT, REF: PDS2014-GPA-14-005;

Ordinance No. 10520 (N.S.), entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY, REF: PDS2014-REZ-14-004; and

Resolution No. 18-011, entitled: RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS CONDITIONALLY APPROVING TENTATIVE MAP NO. PDS2014-TM-5590.

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

JANUARY 24, 2018 2

State of California)

County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

DAVID HALL

Clerk of the Board of Supervisors

Signed

by Marvice Mazyck, Chief Deputy

JANUARY 24, 2018 3

Resolution No.: 18-011 Meeting Date: 01/24/18 (1)

RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS)
CONDITIONALLY APPROVING
TENTATIVE MAP NO. PDS2014-TM-5590
)

WHEREAS, Tentative Map No. PDS2014-TM-5590 proposing the division of property located at the southwest intersection of Olde Highway 80 and Rios Canyon Road, Lakeside, and generally described as:

A Portion of Lots 45, 48 & 49, in the subdivision of the "S" Tract of the Rancho El Cajon, according to Map thereof in Book 170, Page 71 of deeds, records of the San Diego County, together with that portion of El Monte Rancho, in the County of San Diego, State of California, according to Map thereof No. 1146, filed in the Office of the County Recorder of San Diego County, August 26, 1908, and also a portion of Lot 60, in the subdivision of the "S" Tract of the Rancho El Cajon according to Map thereof in Book 170, page 71 of deeds, in the Office of the County Recorder, and also a portion of Pecan Park Lane.

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on July 30, 2014; and

WHEREAS, on January 24, 2018, the Board of Supervisors of the County of San Diego pursuant to Section 81.306 of the San Diego County Subdivision Ordinance held a duly advertised public hearing on said Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

WHEREAS, the 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.

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

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

The approval of this Tentative Map shall become effective 30 days after the adoption of this Resolution, provided that on the effective date Rezone Ordinance PDS2014-REZ-14-004 has also become effective. This approval expires Thirty-Six (36) Months from

said effective date at 4:00 P.M. unless, prior to that date, an application for a Time Extension has been filed as provided by <u>Section 81.313 of the County Subdivision Ordinance</u>.

Note: General Plan Amendment PDS2014-GPA-14-005, Rezone PDS2014-REZ-14-004, Major Use Permit PDS2015-MUP-15-004, and Site Plan PDS2014-STP-14-019 are associated along with this Tentative Map.

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

- Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification allows the use of high pressure sodium (HPS) vapor light sources at the project site if desired. HPS or LED vapor light sources are only prohibited within a 15 mile radius of Palomar or Mount Laguna observatories pursuant to direction from the Board of Supervisors [statement of proceedings of 1-29-03].
- 2. Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- Standard Condition 22: Said condition pertains to private subsurface sewage disposal systems. This project proposes a public sewer system.
- 4. 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.

PRELIMINARY GRADING PLAN: The approval of this Tentative Map here by adopts the Preliminary Grading and Improvement Plan dated July 30, 2014 consisting of 2 sheets (Attached Herein as Exhibit B) pursuant to Section 81.305 of the County Subdivision Ordinance. In accordance with the Section 87.207 of the County Grading Ordinance, Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to County of San Diego Grading Ordinance (Sec 87.701 et. al.)

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

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

30. GEN#1-COST RECOVERY

INTENT: In order to comply with <u>Section 362 of Article XX of the San Diego County Administrative Code</u>, Schedule B.5 existing deficit accounts associated with processing this Final Map shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficits associated with processing this map. **DOCUMENTATION:** The applicant shall provide evidence to [PDS, Zoning Counter], which shows that all fees and trust account deficits have been paid. No Final Map can be issued if there are deficit accounts. **TIMING:** Prior to the approval of any Final Map and prior to the approval of any plan and issuance of any permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall review the evidence to verify compliance with this condition.

31. GEN#2-GRADING PLAN CONFORMANCE

INTENT: In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall conform to the approved Grading Development Plan. Conceptual and DESCRIPTION REQUIREMENT: The grading and/or improvement plans shall conform to the approved Conceptual Grading Plan, which includes all of the following mitigation measures: Biology, Cultural Notes, and Noise Notes. DOCUMENTATION: The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. TIMING: Prior to the recordation of the Final Map and prior to the approval of any plan and issuance of any permit, the notes and items shall be placed on the plans as required. MONITORING: The [DPW, ESU, or PDS, BD for PDS Minor Grading, DPR, TC for trails and PP for park improvements] shall verify that the grading and/or improvement plan requirements have been implemented on the final grading and/or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

32. PLN#1-DISCRETIONARY APPROVALS [PDS, FEE]

INTENT: In order to ensure that the proposed subdivision complies with the required Zoning for the Parcel the following additional discretionary approvals shall be obtained. **DESCRIPTION OF REQUIREMENT:**

-4-

a. Obtain approval of a General Plan Amendment, Rezone, Major Use Permit, and Site Plan from the Board of Supervisors.

DOCUMENTATION: The applicant shall apply for and receive approval of the required discretionary approvals referenced above. Upon approval, provide a copy of the approval to the *[PDS, PCC]* for review and approval of this condition. **TIMING:** Prior to the approval of the Final Map, the applicant shall comply with this condition. **MONITORING:** The *[PDS, PCC]* shall review the discretionary approval for compliance with this condition.

33. ROADS#1-PUBLIC ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the <u>Subdivision Ordinance Sec. 81.404</u> and the Community Trails Master Plan, Ridge Hill Road, Olde Highway 80 and Rios Canyon Road shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for *Ridge Hill Road*, along the project frontage in accordance with Public Road Standards for an Industrial/Commercial, to a graded width of fifty-two and a half feet (52.5') with forty-two feet (42') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and DG pathway. The improvement shall accommodate a fourteen foot (14') southbound through lane, a two foot (2') wide median, a twelve foot (12') northbound and southbound left turn lane, a fourteen foot (14') northbound through lane and a ten foot (10') DG pathway on the project side. The improvement shall also include necessary slopes west of the roadway to support the graded width. All of the above shall be to the satisfaction of the Director of Planning & Development Services (PDS).
- b. Improve or agree to improve and provide security for the project side of *Olde Highway 80 (SA 895)*, along the project frontage in accordance with Public Road Standards for a Major Road (4.1B) with intermittent turn lanes and Class II bike lane, to a graded width of fifty feet (50') from centerline and to an improved width of thirty-seven feet (37') from centerline with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, MTS bus stop landing and sidewalk. Face of curb at thirty-seven feet (37') from centerline. Provide transition, tapers, traffic striping to match existing pavement. All of the above shall be to the satisfaction of the Director of PDS.
- c. Improve or agree to improve and provide security for *Rios Canyon Road*, from Olde Highway 80 southerly to Pecan Park Lane in accordance with Public Road Standards for a Residential Collector Road, to a graded width of sixty feet (60') with forty feet (40') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and a nine and half-foot (9.5') of disintegrated granite pathway on the project side and

sidewalk on the other side of the road. The face of curb shall be at twenty-feet (20') from centerline. All of the above shall be to the satisfaction of the Director of PDS.

- d. Improve or agree to improve and provide security for the project side of *Rios Canyon Road*, from Pecan Park Lane southerly to southeast corner of the project in accordance with Public Road Standards for a Residential Collector Road, to a graded width of thirty feet (30') from centerline and to an improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and a nine and half-foot (9.5') of disintegrated granite pathway, with face of curb at twenty feet (20') from centerline. Provide transition, tapers, traffic striping to match existing pavement. All of the above shall be to the satisfaction of the Director of PDS.
- e. Improve or agree to improve and provide security for **Olde Highway 80**, from Rios Canyon Road easterly to Pecan Park Lane. Improve and restripe to provide one lane each way with a two way left turn lane. All of the above shall be to the satisfaction of the Director of PDS.
- f. Improve or agree to improve and provide security to widen *I-8 eastbound off-ramp* for three hundred-twenty feet (320') to have a third lane to accommodate a left lane, a left/through lane and a through/right lane or a roundabout. Provide transition, tapers, traffic striping to match existing pavement. All of the above shall be to the satisfaction of CALTRANS.
- g. Improve or agree to improve and provide security for *Lake Jennings Park Road*, from I-8 westbound off-ramp southerly to Olde Highway 80. Improve and restripe to provide one southbound refuge lane for the westbound left turn movement from I-8 westbound off-ramp, two lanes with a bike lane each direction and five foot (5') sidewalk on east side. All of the above shall be to the satisfaction of CALTRANS.
- h. Improve or agree to improve and provide security for *Lake Jennings Park Road*, from Blossom Valley Road southerly to I-8 westbound off-ramp. Improve and restripe to provide two lanes with a bike lane each direction, five foot (5') sidewalk on east side and extend the northbound left turn pocket at Blossom Valley Road to 115 feet. All of the above shall be to the satisfaction of the CALTRANS.
- i. Improve or agree to improve and provide security for *Lake Jennings Park Road*. Improve and restripe to provide "KEEP CLEAR" at the intersection of Lake Jennings Park Road and Jennings Vista Drive for southbound traffic. All of the above shall be to the satisfaction of the CALTRANS.

- j. Improve or agree to improve and provide security for *Lake Jennings Park Road*. Improve and restripe to provide "KEEP CLEAR" at the intersection of Lake Jennings Park Road and Rancho Del Villa for southbound traffic. All of the above shall be to the satisfaction of CALTRANS.
- k. Improve or agree to improve and provide security for *Lake Jennings Park Road*. Improve and restripe to provide "KEEP CLEAR" in front of the existing unnamed private road between Jennings Vista Drive and Rancho Del Villa for southbound traffic. All of the above shall be to the satisfaction of the CALTRANS.
- I. Improve or agree to improve and provide for security for I-8 east bound and I-8 westbound pedestrian ramps on the east side of Lake Jennings Park Road. All of the above shall be to the satisfaction of CALTRANS.
- m. Improve or agree to improve and provide security for *Lake Jennings Park Road*, from Harritt Road southerly to Blossom Valley Road. Improve and restripe to provide the following:
 - Add northbound through lane from Blossom Valley Road to Jennings Vista Drive.
 - Maintain through bicycle lane adjacent to right turn lane and through lane at Harritt Road
 - Improve transition from one southbound through lane to two southbound through lanes from Harritt Road to Jennings Vista Drive.
 - Add southbound through lane from Jennings Vista Drive southerly to Blossom Valley Road.
 - Add two way left turn lane south of Harritt Road to Rancho del Villa.
 - Modify the southbound right lane at Blossom Valley Road to a shared through/right turn lane.

All of the above shall be to the satisfaction of the Director of PDS.

- n. Install or agree to install a signalized intersection at *Olde Highway 80 and Proposed Driveway #2* which will provide the following:
 - 1NB left lane, 1NB left/through/right lane from proposed driveway #2.
 - 1EB through lane, 1EB through/right lane, and 1EB left lane along Olde Highway 80.
 - 1SB left/through/right lane from the proposed driveway of project PDS2014-MUP-14-015.
 - 1WB through lane and 1WB left lane along Olde Highway 80.
- o. Install a roundabout at the intersection of *Lake Jennings Park Road and I-8 eastbound off-ramp intersection* to the satisfaction of CALTRANS
- p. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45

degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.

All plans and improvements shall be completed pursuant to the <u>County of San Diego Public Road Standards</u>, the <u>Land Development Improvement Plan Checking Manual</u> and the Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

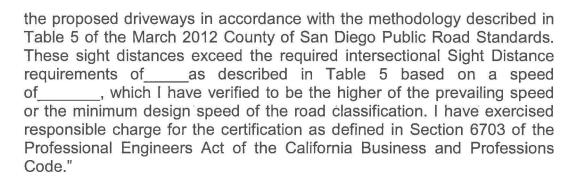
- q. Process and obtain approval of Improvement Plans to improve Lake Jennings Park Road, Ridge Hill Road, Olde Highway 80 and Rios Canyon Road.
- r. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.408.
- s. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDCI].
- t. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- u. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the Lakeside Fire Protection District and the [PDS, LDR].

TIMING: Prior to the approval of the Final Map, the plans, agreements, and securities shall be approved. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

34. ROADS#2-SIGHT DISTANCE

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

a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is ______feet of unobstructed intersectional sight distance in both directions along *Ridge Hill Road* from



- b. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is ______feet of unobstructed intersectional sight distance in both directions along *Olde Highway 80* (*SA 895*) from the proposed driveways and proposed access, Rios Canyon Road in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of ____ as described in Table 5 based on a speed of _____, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."
- c. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is _______feet of unobstructed intersectional sight distance in both directions along *Olde Highway 80* (*SA 895*) from the proposed access, Pecan Park Lane in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of _____ as described in Table 5 based on a speed of _____, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."
- d. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- e. The engineer or surveyor shall further certify that: "The sight distance of adjacent driveways and street openings will not be adversely affected by this project."

DOCUMENTATION: The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is

minimum unobstructed sight distance as detailed above, and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the approval of the Final Map, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

35. ROADS#3- PECAN PARK LANE - ROAD VACATION

INTENT: In order to improve the quality of the roads, promote orderly development, and to comply with the Subdivision Map Act Sec. 66434 (g), the on-site road right of way for Pecan Park Lane shown on Tentative Map No. 5590 shall be vacated. **DESCRIPTION OF REQUIREMENT:** Vacate the onsite portion of Pecan Park Lane from Olde Highway 80 easterly to Rios Canyon Road. During Final Map approval, a Road Vacation Resolution shall also be reviewed for approval by the Board of Supervisors. Upon approval, the resolution shall be withheld from recordation until construction completion, inspection and acceptance by the County Engineer of the Rios Canyon public road improvements. Rios Canyon Road shall be improved in accordance with Public Road Standards for a Residential Collector Road from Olde Highway 80 southerly to Pecan Park Lane. Acceptance of Rios Canyon Road by the Department of Public Works into the County Maintained Road system shall be completed, after which the prior approved Board vacation resolution shall be recorded. DOCUMENTATION: As part of the discretionary project approval process, the proposed Pecan Park Lane vacation shall be included in the standard mailings and for discussion as an agenda item at the Planning Commission hearing. All utilities shall be notified in writing of the proposed vacation 10-days prior to the hearing date. After the Final Map has recorded, construction of Rios Canyon will be completed and before acceptance, the applicant shall notify the Department of Public Works that the Rios Canyon Road improvements (including all utilities) have been completed. TIMING: Upon verification that the improvements are complete and Rios Canyon Road has been accepted into the County Maintained Road system by Department of Public Works, the prior road vacation shall be recorded. MONITORING: [DPW. PDC/I shall verify road improvements are completed and advise the Clerk of the Board to record the prior approved Board vacation resolution.

36. ROADS#4-RIDGE HILL ROAD - ROAD VACATION & FEE TITLE TO BE ACQUIRED

INTENT: In order to improve the quality of the roads, promote orderly development, and to comply with the <u>Subdivision Map Act Sec. 66434 (g) (TMs)</u>, road right of way shall be vacated and fee title shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall work with Real Property to vacate and acquire a fee title for the required area (Ridge Hill Road's ROW) to install the proposed on-site improvements. **DOCUMENTATION:** The applicant shall acquire a fee title for the required area (Ridge Hill Road's ROW). **TIMING:** Prior to the approval of the Final Map, the ROW shall be vacated and fee title shall be acquired for the required area (Ridge Hill Road's ROW). **MONITORING:** The

[PDS, LDR] shall verify that the vacation and fee title for the required area (Ridge Hill Road's ROW).

37. ROADS#5-RELINQUISH ACCESS

INTENT: In order to promote orderly development and to comply with the Mobility Element of the General Plan, access shall be relinquished. DESCRIPTION OF REQUIREMENT: Relinquish access rights onto Olde Highway 80 (SA 895) except for the approved driveways and Rio Canyon Road. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required. DOCUMENTATION: The applicant shall prepare the pages of the Final Map and present them for review to [PDS, LDR]. TIMING: Prior to the approval of the Final Map or on the Final Map, the access shall be relinquished. MONITORING: The [PDS, LDR] shall prepare and process the relinquishment of access with the Final Map.

38. ROADS#6-ROAD DEDICATION

INTENT: In order to improve the quality of the roads, promote orderly development, and to comply with the <u>Subdivision Ordinance Sec. 81.402</u>, road right of way shall be dedicated to the County. **DESCRIPTION OF REQUIREMENT:**

- a. Cause to be granted offsite the right-of-way to the County of San Diego for road purposes that provides a one-half right-of-way width of thirty-six feet (36') from the centerline of *Ridge Hill Road* on the westerly side of the road; in accordance with <u>County of San Diego Public Road Standards</u> for an Industrial/Commercial Collector Road; with twenty foot (20') radius corner rounding at Olde Highway 80 intersection, plus slope rights and drainage easements to the satisfaction of the Director of Planning and Development Services.
- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of sixty feet (60'). Thirty-feet (30') from the centerline of *Rios Canyon Road*; along the project frontage in accordance with <u>County of San Diego Public Road Standards</u> for a Residential Collector Road; with twenty foot (20') radius corner rounding at Olde Highway 80 intersection, plus slope rights and drainage easements to the satisfaction of the Director of Planning and Development Services.
- c. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the Director of PDS.

DOCUMENTATION: The applicant shall dedicate the project side of the easement on the Final Map and show it as Accepted. For the offsite portions of the easement, the applicant shall prepare the legal descriptions of the easements, and submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the recordation of the Final Map the onsite dedication and the offsite granting shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the Final Map and Accepted by the County. The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [PDS, LDR] for review and approval. The [PDS, LDR] shall review the offsite granting for compliance with this condition.

39. ROADS#7-PAVEMENT CUT POLICY

INTENT: In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project pavement treatment, and to comply with County Policy RO-7, adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego Pavement Cut Policy and submit it to the [PDS, LDR] for review. TIMING: Prior to the approval of improvement plans or the recordation of the Final Map, whichever comes first, the Acknowledgement of Department of Public Works Pavement Cut Policy shall be submitted for approval. **MONITORING:** The [PDS, LDR] shall review the acknowledgement letter.

40. DRNG#1-LINES OF INUNDATION

INTENT: In order to prevent future development in flood-prone areas the Lines of Inundation shall be shown on the Final Map. **DESCRIPTION OF REQUIREMENT:** Lines of inundation to the limits of the 100-year flood over the entire property shall be shown and labeled "Flood-Prone Area" on the Final Map.

- a. A Civil Engineer shall provide this information through an analysis performed as part of a drainage study.
- b. Each parcel shall have a flood-free building site. Since all parcels are found to be devoid of a buildable flood-free site for a commercial use, the subdivider shall construct graded pads pursuant to a Grading Plan. Proposed pads shall be elevated above the one hundred-year inundation elevation as determined by the applicant's Civil Engineer and to the satisfaction of the Director of PDS.

DOCUMENTATION: A Civil Engineer shall provide the necessary hydrology and hydraulics to define the 100-year floodplain inundation limits and indicate the lines of inundation on the non-title sheet of the Final Map as indicated above. **TIMING:** Prior to the approval of the Final Map, the inundation lines shall be indicated and labeled on the Final Map. **MONITORING:** The [*PDS, LDR*] shall verify that the inundation lines have been indicated pursuant to this condition.

41. DRNG#2-ONSITE & OFFSITE DRAINAGE IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the <u>Subdivision Ordinance Sec. 81.403</u> and to comply with the <u>County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.10096, County Code Section 67.801 et. seq., and the <u>County Resource Protection Ordinance (RPO) No. 9842</u>, drainage improvements shall be completed. **DESCRIPTION OF REQUIREMENT:**</u>

a. Improve or agree to improve and provide security for relining the existing off-site 48 inch diameter pipe that crossing Ridge Hill Road.

All drainage plan improvements shall be prepared and completed pursuant to the following ordinances and standards: <u>San Diego County Drainage Design Manual</u>, <u>San Diego County Hydrology Manual</u>, <u>County of San Diego Grading Ordinance</u>, <u>Zoning Ordinance Sections 5300 through 5500</u>, <u>County Resource Protection Ordinance (RPO) No. 9842</u>, Community Trails Master Plan and Parkland Dedication Ordinance and <u>County Flood Damage Protection Ordinance (Title 8, Division 11)</u>, Low Impact Development (LID) and Hydromodification requirements and the <u>Land Development Improvement Plan Checking Manual</u>. **DOCUMENTATION:** The applicant shall complete the following:

- b. Process and obtain approval of Improvement Plans to improve the existing off-site 48 inch diameter pipe that crossing Ridge Hill Road.
- c. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.404 (a)(2).
- d. Pay all applicable inspection fees with [DPW, PDCI].
- e. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

TIMING: Prior to the approval of the Final Map, the plans, agreements, and securities shall be approved. The improvements shall be completed within 24 months from the recordation of Final Map or Parcel Map pursuant to <u>Subdivision Ordinance Sec. 81.403</u>. The execution of the agreements and acceptance of the

securities shall be completed before the approval of any subdivision map. **MONITORING:** The [PDS, LDR], [DPR, TC] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

42. STRMWTR#1-STORMWATER FACILITIES IMPROVEMENTS

INTENT: In order to promote orderly development for the project and to comply with the <u>County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410</u>, the required stormwater facilities (structural BMPs) improvements shall be completed. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for the construction of the stormwater facilities to comply with the Municipal Stormwater Permit (MS4).
- b. 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.
- c. Execute maintenance agreements for the proposed stormwater facilities for structural BMPs.

DOCUMENTATION: The applicant shall complete the following:

- d. Process and obtain approval of the grading and/or improvement plans to improve all the on and offsite stormwater facilities (structural BMPs), and provide the cost estimate. All plans and improvements shall be completed pursuant to the <u>County of San Diego Watershed Protection</u>, and <u>Stormwater Management and Discharge Control Ordinance No. 10</u>410.
- e. The improvements shall be completed and a secured agreement shall be executed pursuant to <u>County Subdivision Ordinance Sec. 81.707 and 81.708</u>, for the required improvements.

TIMING: Prior to recordation of the Final Map, the plans, agreements, and securities shall be approved. **MONITORING:** The [*PDS, LDR*] shall review the plans for consistency with the condition and County Standards. Upon approval

of the plans and cost estimate, [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

43. STRMWTR#2-STORMWATER MAINTENANCE DOCUMENTATION

INTENT: In order to promote orderly development and to comply with the <u>County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq.</u>, the maintenance agreements shall be completed. **DESCRIPTION OF REQUIREMENT**: To the satisfaction of the Director of PDS, complete the following:

- a. Process a Maintenance Notification Agreement to assure maintenance of the Category 1 Structural BMPs to the satisfaction of the Director of DPW and/or PDS. The Maintenance Notification Agreement shall be signed, notarized and recorded by the applicant.
- b. Process a Stormwater Facilities Maintenance Agreement (SWMA) to assure maintenance of the Category 2 Structural BMPs and provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of DPW and/or PDS. The SWMA shall be signed and notarized by the applicant and recorded by the County.

DOCUMENTATION: The applicant shall process the agreement forms with [PDS, LDR] and pay the deposit and applicable review fees. **TIMING:** Prior to the recordation of the Final Map, execution of the agreements and securities shall be completed. **MONITORING:** The [PDS, LDR] shall review the agreements/mechanisms for consistency with the condition and County Standards.

44. TRAILS#1 - TRAIL EASEMENT

INTENT: In order to promote orderly development by providing a trail connection pursuant to the County of San Diego General Plan, Community Master Trails Plan and to comply with the County Subdivision Ordinance Sections 81.401(n) and 81.402.v, the applicant shall dedicate a public non-motorized multi-use trail easement. **DESCRIPTION OF REQUIREMENT:** The applicant shall dedicate to the County of San Diego, a twenty-foot (20') non-motorized multi-use trail easement as shown on the approved Tentative Map. **DOCUMENTATION:** The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review. **TIMING:** Prior to recordation of the Final Map, the applicant shall dedicate the trail easement to the County of San Diego. **MONITORING:** [PDS, LDRJ shall route the Final Map to [DPR, TC] and [PDS, TC] for preapproval an acceptance of the dedication prior to Final Map recordation. [PDS, LOR] shall satisfy the condition after recordation.

45. TRAILS#2-TRAIL IMPROVEMENTS

INTENT: In order to promote orderly development by providing a trail connection pursuant to the County of San Diego General Plan, Community Master Trails Plan and to comply with the County Subdivision Ordinance Section 81.403 through 81.406.1, the applicant shall improve the dedicated trail easement. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve to the satisfaction of DPR and PDS a non-motorized public trail to a width of ten (10') feet within the non-motorized public trail as indicated on the approved Plot Plan, Grading Plan, and/or Tentative Map. DOCUMENTATION: The applicant shall prepare improvement plans and provide securities for the construction of the trail and all associated work. All plans and improvements shall be completed pursuant to the Community Trails Master Plan Design and Construction Guidelines, the County of San Diego Public Road Standards, and the Land Development Improvement Plan Checking Manual. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. The applicant shall complete the following:

- a. Process and obtain approval of Grading Plans to improve the public non-motorized multi-use trail.]
- b. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.405 through 81.406.1.
- c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC] and [DPR, TC].

The plans shall be submitted to [DPR, TC] and [PDS, LOR], for review and approval. **TIMING**: Prior to recordation of the Final Map, the trails shall be improved or the trails plan, associated agreements and securities shall be approved. **MONITORING**: The [DPR, TC] and [PDS, LOR] shall review the plans for conformance and approve all financial securities for the construction of the trail.

46. LNDSCP#1-LANDSCAPE DOCUMENTATION PACKAGE

INTENT: In order to provide adequate Landscaping that complies with the County of San Diego's Water Efficient Landscape Design Manual and the County's Water Conservation in Landscaping Ordinance a Landscape Plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Documentation Package shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer and include the following information:

a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall be required

to obtain a tree permit and possibly an encroachment permit through the Land Development Counter approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to PDS.

- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used, which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings. No invasive or fire prone vegetation shall be located adjacent to the projects' open space easement. This includes vegetation around storm drains, vegetated swales, and detention basins that could drain in to the open space easement.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system. Show the location of a dedicated separate landscape water meter.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the Code.
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Additionally, the following items shall be addressed as part of the Landscape Plan: Plans shall be compliant with Section 4.7 of the Fire Protection Plan, including on-going vegetative maintenance requirements.

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the Landscape Documentation Package Checklist (PDS Form #404), submit them to the *[PDS, PCC]*, and pay all applicable review fees. **TIMING:** Prior to the

approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Landscape Plans shall be prepared and approved. **MONITORING:** The *[PDS, LA]* and *[DPR, TC, PP]* shall review the Landscape Plans for compliance with this condition.

47. UTILITIES#1-COMMITMENT TO SERVE SEWER

INTENT: In order to promote orderly development by providing public sewer to the parcels, and to comply with the County Subdivision Ordinance Sec. 81.707 and 81.708, a sewer commitment shall be obtained. DESCRIPTION OF serve REQUIREMENT: A commitment to each parcel obtained/purchased from the County of San Diego Sanitation District (Lakeside). In addition to the capacity commitment fees, the appropriate district fees shall be paid at the time of issuance of the waste-water discharge permit. No sewer permit shall be issued until all conditions in this Final Decision have been satisfied, the Parcel Map, grading plan, and improvement plan have been approved by PDS, and all fees and deposits paid and improvement security posted. DOCUMENTATION: The applicant shall provide the commitment letter and pay all required fees, to the satisfaction of the County of San Diego Sanitation District (Lakeside), TIMING: Prior to recordation of the Parcel Map, the sewer commitment letter shall be provided. MONITORING: The [PDS, LDR] shall review all documents provided to prove the sewer commitment has been completed, to ensure compliance with this condition.

48. UTILITIES#2-WATER COMMITMENT

INTENT: In order to ensure that the proposed subdivision has the required water services, and to comply with <u>County Subdivision Ordinance Sec. 81.707 and 81.708</u> service commitment letter shall be provided. **DESCRIPTION OF REQUIREMENT:** Obtain a commitment to provide water service for each parcel from the Padre Dam Municipal Water District. **DOCUMENTATION:** The applicant shall obtain the appropriate commitment letter from the agency referenced above and comply with any conditions of said commitment letter. The applicant shall provide the required letter of commitment to the [PDS, LDR] for review and approval. **TIMING:** Prior to the recordation of the Parcel Map, the applicant shall comply with this condition. **MONITORING:** The [PDS, LDR] shall review the commitment letter for compliance with this condition.

49. CULT#1 - CULTURAL OPEN SPACE EASEMENT: [PDS, PCC, LDR] [DGS, RP] [MA, GP, IP] [PDS, FEE X 2]. INTENT: In order to protect sensitive Cultural Resources, a Cultural Resource Open Space Easement shall be granted. DESCRIPTION OF REQUIREMENT: Grant to the County of San Diego a Cultural Resource Open Space Easement over portions of Lot(s) 6 & 7 as shown on the approved Final Map. This easement is for the protection of archaeological site CA-SDI-15117 and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use

for any purpose other than as open space. The sole exceptions to this prohibition are:

- a. The placement of a parking lot on top of the capped site within Lot 6 which may require earth-disturbing activities. The earth-disturbing activities shall not breach the cap.
- b. Scientific investigations conducted pursuant to a research design prepared by an archeologist certified by the Register of Professional Archaeologists and approved by the Director of PDS.
- c. Implementation of a site-capping plan approved by the Director of PDS.
- d. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard.
- e. Activities required to be conducted pursuant to a revegetation, habitat management, or landscaping plan approved by the Director of PDS.
- f. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health, in a location and manner approved in writing by the Director of PDS.

DOCUMENTATION: The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review or the applicant shall prepare the legal descriptions of the easements, then submit them for preparation and recordation with the IDGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of the Final Map for PDS2015-TM-5590, or on the Final Map, and prior to the approval of any plan and issuance of any permit. MONITORING: For recordation on the Final Map, the [PDS, LDR] shall route the Final Map to [PDS, PPD] for approval prior to Final Map recordation or for recordation by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PPD] and [DPR GPM] for preapproval. The [PDS, PPD] shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PPD] for satisfaction of the condition or if recorded on the Final Map, the [PDS] LDRI shall satisfy the condition after Final Map recordation.

50. CULT#2 - ARCHAEOLOGICAL SITE CAPPING: [PDS, PCC] [DPW, ESU] [GP, IP, BP] [PDS, FEE X 2]

INTENT: In order to mitigate for potential impacts to site CA-SDI-15117, a site capping plan shall be implemented pursuant to the <u>County of San Diego</u>

Guidelines for Determining Significance for Cultural Resources and CEQA Section 15064.5 an 15064.7. **DESCRIPTION OF REQUIREMENT:** A County Approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to prepare and implement the site capping plan prepared by John Cook (April 2015). The capping program shall include but is not limited to the following:

- a. A Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed.
- b. A Kumeyaay Native American Monitor shall provide Native American monitoring of the capping.
- c. Prior to placing the cap, submit a letter to PDS that a County approved archaeologist (Project Archaeologist) has been retained to supervise and monitor the capping of the archaeological site.
- d. Pre-Construction Coordination. The Project Archaeologist and Kumeyaay Native American monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the capping program. The Project Archaeologist shall review the plan requirements to determine if amendments are necessary due to material changes.
- e. Implement the Site Capping Procedures as outlined in the Historic Properties Treatment Plan for Lake Jennings Village (April 2015) prepared by John Cook.
- e. After the cap has been completed, the Project Archaeologist shall prepare a final letter report that details how the capping was completed.
- f. After capping, all of the following activities are prohibited from taking place on the capped archaeological site: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space.

The sole exception(s) to this prohibition is:

The placement of a parking lot on top of the capped site within Lot 6 which may require earth-disturbing activities. The earth-disturbing activities shall not breach the cap.

DOCUMENTATION: The applicant shall provide a copy of the contract or letter of acceptance and MOU to PDS. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the capping shall be completed, or implemented on an approved Grading Plan.

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MONITORING: The *[PDS, PPD]* shall review the contract and <u>MOU</u> for compliance with this condition. If the capping is completed as part of the grading operations, the *[PDS, LDR]* shall add the cost of the monitoring to the grading bond costs, and the capping requirements shall be made a condition of the issuance of the grading or construction permit.

51. CULT#3 - ARCHAEOLOGICAL MONITORING [PDS, FEE X 2]

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

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

DOCUMENTATION: The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to the approval of the Final Map for PDS2014-TM-5590 and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **MONITORING:** [PDS, PPD] shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

52. BIO#1-BIOLOGICAL EASEMENT [PDS, FEE X 2]

INTENT: In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance (RPO) and Biological Mitigation Ordinance (BMO), a biological open space easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego and the California Department of Fish & Wildlife by separate document, an open space easement, or grant to the California Department of Fish & Wildlife a conservation easement, as shown on the approved Tentative Map. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exception(s) to this prohibition are:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the applicable fire code of the Fire Authority Having Jurisdiction and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of PDS, DPR and DPW.
- c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the County of San Diego DEH.

DOCUMENTATION: The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the easements shall be executed and recorded. **MONITORING:** For recordation by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] and [DPR GPM] for preapproval. The [PDS, PCC] shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition.

53. BIO#2-LBZ EASEMENT [PDS, FEEX 2]

INTENT: In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance (RPO) and Biological Mitigation Ordinance (BMO), a Limited Building Zone (LBZ) Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego a LBZ Easement as shown on the Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

- a. Decking, fences, and similar facilities.
- b. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.

DOCUMENTATION: The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the easements shall be recorded. **MONITORING:** For recordation by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] and [DPR GPM] for preapproval. The [PDS, PCC] shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition.

54. BIO#3-OFFSITE MITIGATION [PDS, FEE X2]

INTENT: In order to mitigate for the impacts to coast live oak woodland and non-native grassland, which are sensitive biological resources pursuant to the Biological Mitigation Ordinance (BMO), offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.90 acre of Tier I credits (coast live oak woodland) and 3.46 acres of Tier III credits (non-native grassland), located within a Biological Resources Core Area (BRCA) in the Multiple Species Conservation Program (MSCP) as indicated below.

a. **Option 1:** If purchasing <u>Mitigation Credit</u> the mitigation bank shall be approved by the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

- 1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
- 2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
- 3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
- 4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. Option 2: If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in within a Biological Resources Core Area (BRCA) in the Multiple Species Conservation Program (MSCP) as indicated below:
 - 1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
 - 2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
 - 3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
 - 4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
 - 5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the

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

DOCUMENTATION: The applicant shall purchase the offsite mitigation credits and provide the evidence to the *IPDS*, *PCCI* for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the IPDS, PCCI, for a pre-approval. If an RMP is submitted in-lieu of purchasing credits (option 1), then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING]. TIMING: Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. MONITORING: The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

55. BIO#4-OPEN SPACE SIGNAGE [PDS, FEE]

INTENT: In order to protect the proposed open space easement from entry, informational signs shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space signs shall be placed along the biological open space boundary as indicated on Figure 6 of the approved Biological Technical Report. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

Sensitive Environmental Resources Area Restricted by Easement

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,
Planning & Development Services
Reference: PDS2014-ER-14-14-013

DOCUMENTATION: The applicant shall install the signs as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor, that the open space signs have been installed at the boundary of the open space easement. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the open space

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signs shall be installed. **MONITORING:** The *[PDS, PCC]* shall review the photos and statement for compliance with this condition.

56. BIO#5-OPEN SPACE FENCING [PDS, FEE]

INTENT: In order to protect the proposed open space easement from entry, and disturbance, a 6-foot cinderblock wall or fence shall be installed. **DESCRIPTION OF REQUIREMENT:** A 6-foot cinderblock wall or fence shall be placed along the northern biological open space boundary, north of the trail and at the top of the slope. **DOCUMENTATION:** The applicant shall install the 6-foot cinderblock wall or fence as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space fencing has been installed. **TIMING:** Prior to the approval of the Final Map for and prior to the approval of any plan and issuance of any permit, the fencing or walls shall be placed. **MONITORING:** The *[PDS, PCC]* shall review the photos and statement for compliance with this condition.

57. BIO#6-REVEGETATION PLAN

INTENT: In order to create a wetland buffer, compliant with the County's Resource Protection Ordinance (RPO) and the Biological Mitigation Ordinance (BMO), 1.14 acres within a 2.58 acre open space easement will be revegetated and enhanced to form an RPO buffer ranging from 52 to 102 feet wide adjacent to 1.44 acres of southern riparian forest, revegetation shall occur. **DESCRIPTION OF REQUIREMENT:** A Revegetation Plan, shall be prepared, which also meets fire safety requirements established in the projects' Fire Protection Plan. The revegetation shall occur on-site within the open space easement. The revegetation plan shall conform to the Conceptual Revegetation Plan for Lake Jennings Market Place, dated January 2015, and the most current version of the County of San Diego Report Format and Content Requirements for Revegetation Plans. The Revegetation Plan shall include the following:

- a. The monitoring plan shall be for a length of five years and have an 80 percent success criterion.
- b. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of PDS.
- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
- d. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of

planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.

e. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.

DOCUMENTATION: The applicant shall prepare the Revegetation Plan, submit it to the *[PDS, ZONING]* and pay all the applicable review fees and deposits. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **MONITORING:** The *[PDS, LA]* shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition #58 (Secured agreement condition #58) shall be made to enter into a Secured Agreement for the implementation of the Plan.

58. BIO#7-SECURED AGREEMENT

INTENT: In order to assure project completion and success of the Revegetation Plan in condition #57 (Revegetation Plan condition #57), a surety shall be provided and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and,
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- c. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty- percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

DOCUMENTATION: The applicant shall execute a Secured Agreement provided with the Revegetation Plan Final Decision, and provide the approved securities

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and the cash deposit for County monitoring time. The executed Agreement, cash deposit, and the securities shall be submitted to the [PDS, LA] for final review and approval. TIMING: Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, and after the approval of the Revegetation Plan, the agreement shall be executed and the securities provided for the revegetation plan implementation. MONITORING: The [PDS, LA] shall review the Agreement cash deposit and securities provided are in compliance with this condition, and the Revegetation Plan Final Decision. The [PDS, LA] shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected. Upon acceptance of the Agreement, securities and cash deposit, the [PDS, LA], shall provide a confirmation letter-acknowledging acceptance of securities.

59. BIO#8-RESOURCE MANAGEMENT PLAN

INTENT: In order to provide for the long-term management of the proposed open space easement, a Resource Management Plan (RMP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Submit to and receive approval from the Director of PDS, a RMP. The RMP shall be for the perpetual management of the onsite open space easement. The plan shall be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.

- a. The plan shall be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements.
- b. The habitat land to be managed shall be completely purchased.
- c. The easements shall be dedicated to ensure that the land is protected in perpetuity.
- d. A Resource Manager shall be selected and evidence provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager
- e. The RMP funding mechanism shall be identified and approved by the County to fund annual costs for basic stewardship.
- f. A contract between applicant and County shall be executed for the implementation of the RMP.

DOCUMENTATION: The applicant shall prepare the RMP and submit it to the [PDS, ZONING] and pay all applicable review fees. **TIMING:** Prior to the approval

of the Final Map and prior to the approval of any plan and issuance of any permit, the RMP shall be approved. **MONITORING:** The [PDS, PPD] shall review the RMP for compliance with the content guidelines, the conceptual RMP, and this condition.

60. BIO#9-BIOLOGICAL MONITORING [PDS, FEE X2]

INTENT: In order to prevent inadvertent disturbance to southern riparian forest habitat within the RPO wetland/wetland buffer, all initial phases of vegetation clearing located within 300-feet of the southern riparian forest habitat shall be monitored by a biologist. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall be contracted to perform biological monitoring during the initial phases of vegetation clearing. The following shall be completed:

- a. The Biologist shall perform the monitoring duties during the initial phases of vegetation clearing pursuant to the most current version of the County of San Diego Biological Report Format and Requirement Guidelines and this permit. The contract provided to the county shall include an agreement that this will be completed, and a Memorandum of Understanding (MOU) between the biological consulting company and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- b. The cost of the monitoring shall be added to the grading bonds or bond separately.
- c. The monitor shall perform daily visits and make a written report within 10 working days to the Director of Planning & Development Services confirming compliance with the construction mitigation measures. If non-compliance is observed, the biological monitor shall report the noncompliance within 24 hours by phone or in person to the County Inspector.

DOCUMENTATION: The applicant shall provide a copy of the biological monitoring contract, cost estimate, and MOU to the *[PDS, PCC]*. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to the approval of any plan, issuance of any permit, and prior to approval of the Final Map, the requirement shall be completed. **MONITORING:** The *[PDS, PCC]* shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to *[PDS, LDR]*, for inclusion in the grading bond cost estimate, and grading bonds.

61. HAZ#1- ASBESTOS CEMENT PIPE REMOVAL [PDS, FEE]

INTENT: In order to comply with the proposed project design for PDS2014-TM-5590, the 260 lineal feet of six-inch diameter Asbestos Cement Pipe (ACP), under Pecan Park Lane, as identified in the Environmental Impact Report (EIR)

as MHZ-1, be removed and transported by a Cal-OSHA registered asbestos abatement contractor to handle asbestos-containing materials and dispose of it at a licensed receiving facility and under proper manifest. DESCRIPTION OF REQUIREMENT: The 260 lineal feet of six-inch diameter ACP running underneath Pecan Park Lane shall be removed under the guidance of a licensed asbestos abatement consultant or certified inspector. All asbestos-containing material removed on-site shall be transported by a Cal-OSHA registered asbestos abatement contactor to handle asbestos-containing material and disposed of at a licensed receiving facility and under proper manifest. An application through DEH HAZ and the County Air Pollution Control District (APCD) shall be obtained prior to the removal work being performed [DEH HAZ, APCDI. In the event that more than 260 linear feet of pipe are removed, that becomes friable, a National Emissions Standard for Hazardous Air Pollutants notification shall be filed. **DOCUMENTATION:** The applicant shall submit to the [PDS, PCC] a signed stamped statement from the licensed asbestos abatement consultant or certified inspector which demonstrates this condition has been completed. TIMING: Prior to the approval of any plan, issuance of any permit (excluding ACP abatement permit), and prior to recordation of the Final Map, the applicant shall comply with this condition. MONITORING: The [PDS, PCC] shall review the statement and any additional evidence for compliance with this condition.

62. GREENHOUSE GAS (GHG) EMISSIONS

INTENT: In order to mitigate for greenhouse gas (GHG) emissions for the project construction. DESCRIPTION OF REQUIREMENT: The project applicant or its designee shall purchase and retire carbon offsets in a quantity sufficient to offset all of the remaining construction GHG emissions. The 2,708 MT CO2e construction emissions shall be offset to achieve carbon neutrality (i.e., a net zero emissions level) for construction emissions. The project applicant or its designee shall purchase 2,708 MT CO2e of carbon offset credits, where 1 MT CO2e equals 1 carbon offset credit. The 2,708 carbon offset credits shall be purchased through either i) a California Air Resources Board (CARB)-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; ii) through the California Air Pollution Control Officers (CAPCOA) GHG Rx; or iii) if no registry is in existence as identified above. then any other reputable registry or entity that issues carbon offsets, to the satisfaction of the Director of Planning & Development Services (PDS). **DOCUMENTATION:** Submit proof of carbon offset credits from the issuing registry. TIMING: Prior to issuance of the first grading permit. MONITORING: The [PDS] shall review evidence that offset credits sufficient to offset all construction GHG emissions are provided to the satisfaction of the Director of PDS.

63. GREENHOUSE GAS (GHG) EMISSIONS

INTENT: In order to mitigate for greenhouse gas (GHG) emissions for the project operation. **DESCRIPTION OF REQUIREMENT:** The project applicant or its

designee shall purchase and retire carbon offsets in a quantity sufficient to offset all of the remaining GHG emissions from project operation over the 30-year project life. The total 71,880 MT CO2e emissions shall be offset to achieve carbon neutrality (i.e., a net zero emissions level) for operation emissions. The project applicant or its designee shall purchase 71,880 MT CO2e of carbon offset credits, where 1 MT CO2e equals 1 carbon offset credit. The 71,880 carbon offset credits shall be purchased through either i) a California Air Resources Board (CARB)-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; ii) through the California Air Pollution Control Officers (CAPCOA) GHG Rx; or iii) if no registry is in existence as identified above, then any other reputable registry or entity that issues carbon offsets, to the satisfaction of the Director of Planning & Development Services (PDS). **DOCUMENTATION:** Submit proof of carbon offset credits from the issuing registry. TIMING: Prior to issuance of the first building plan. MONITORING: The [PDS] shall review evidence that offset credits sufficient to offset all construction GHG emissions are provided to the satisfaction of the Director of PDS.

The following Grading and or Improvement Plan Notes shall be placed on the Preliminary Grading Plan and made conditions of the issuance of said permits. An email or disc will be provided with an electronic copy of the grading plan note language.

PRE-CONSTRUCTION GRADING AND/OR IMPROVEMENTS: (Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

(CULTURAL RESOURCES)

64. CULT#GR-1 - ARCHAEOLOGICAL SITE CAPPING IMPLEMENTATION: [PDS, PPD] [PDS, LD] [GP, IP, BP] [PDS, FEE X 2]

INTENT: In order to mitigate for potential impacts to site CA-SDI-15117, a site capping plan shall be implemented pursuant to the <u>County of San Diego Guidelines for Determining Significance for Cultural Resources</u> and <u>CEQA Section 15064.5 an 15064.7.</u> **DESCRIPTION OF REQUIREMENT:** A County Approved Principal Investigator (PI) known as the "Project Archaeologist," shall implement the archaeological capping plan prepared by John Cook (April 2015) that includes but is not limited to the following:

- a. A Kumeyaay Native American Monitor shall provide Native American monitoring of the capping.
- b. Pre-Construction Coordination. The Project Archaeologist and Kumeyaay Native American monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the capping program. The Project Archaeologist shall review the plan requirements to determine if amendments are necessary due to material changes.

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- c. Implement the Site Capping Procedures as outlined in the Historic Properties Treatment Plan for Lake Jennings Village (April 2015) prepared by John Cook.
- d. After the cap has been completed, the Project Archaeologist shall prepare a final letter report that details how the capping was completed.
- e. After capping, all of the following activities are prohibited from taking place on the capped archaeological site: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space.

The sole exception(s) to this prohibition is:

The placement of a parking lot on top of the capped site within Lot 6 which may require earth-disturbing activities. The earth-disturbing activities shall not breach the cap.

DOCUMENTATION: The applicant shall provide a copy of the final report to [PDS, PPD]. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** [PDS, PPD] shall review the final report for compliance with this condition.

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

(CULTURAL RESOURCES)

65. CULT#GR-2 ARCHAELOGICAL MONITORING – PRECONSTRUCTION MEETING [PDS, FEE X2]

INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented. DESCRIPTION OF REQUIREMENT: The County approved Project Archaeologist and Kumeyaay Native American Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and Kumeyaay Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources. DOCUMENTATION: The applicant shall have the contracted Project Archeologist and Kumeyaay Native American attend the preconstruction meeting to explain the monitoring requirements. TIMING: Prior to any clearing, grubbing,

trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The *[DPW, PDCI]* shall confirm the attendance of the approved Project Archaeologist.

(BIOLOGICAL RESOURCES)

66. BIO#GR-1-TEMPORARY FENCING [PDS, FEE]

INTENT: In order to prevent inadvertent disturbance to areas beyond the RPO wetland buffer revegetation area, temporary construction fencing shall be installed. DESCRIPTION OF REQUIREMENT: Prior to the commencement of any grading and/or clearing in association with this grading plan, temporary orange construction fencing shall be placed along the edge of the RPO wetland buffer revegetation area. The placement of such fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed. DOCUMENTATION: The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located along the edge of the RPO wetland buffer revegetation area. The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval. TIMING: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. MONITORING: The [PDS, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.

67. BIO#GR-2-RESOURCE AVOIDANCE [PDS, FEE X2]

INTENT: In order to avoid impacts to Least Bell's Vireo and nesting raptors. which are sensitive biological resources pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT**: There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of southern riparian forest habitat during the breeding season of the Least Bells' Vireo and nesting raptors. The breeding season is defined as occurring between January 1st and September 15th. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no Least Bells' Vireo or nesting raptors are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. TIMING: Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter."

(NOISE RESOURCES)

68. NOI#1 - GP1. BLASTING NOISE PLAN

INTENT: In order to comply with County Code Noise Ordinance for temporary blasting related operations, a Blasting Plan shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Submit to and receive approval from the Director of PDS, a Blasting Plan consistent with Noise Mitigation Measure M-NOI-2 within the Lake Jennings Market Place EIR on file as PDS2014-TM-5590. The plan shall demonstrate measures to achieve Noise Ordinance Compliance and include the following parameters (but not limited to the recommendations in this said plan):

- a. All blasting shall be performed by a blast contractor and blasting personnel licensed to operate in the County.
- b. Each blast shall be monitored and recorded with an air blast overpressure monitor and groundborne vibration accelerometer approved by the County that is located outside the closest residence to the blast.
- c. A blasting plan, including estimates of the air blast over-pressure level and groundborne vibration at the residence closest to the blast, shall be submitted to the County for review prior to the first blast. Blasting shall not commence until the County has approved the blast plan.
- d. Blasting shall not exceed 0.01 in/sec PPV at the nearest occupied residence in accordance with County of San Diego Noise Guidelines Section 4.3.
- e. Blasting shall not be conducted within 1,000 feet of on- or off-site sensitive receptors unless the Blasting Study concludes that a distance less than 1,000 feet would not exceed County construction and impulsive noise standards.

DOCUMENTATION: The applicant shall prepare the Blasting Plan and submit it to the *[PDS, ZONING]* and pay all applicable review fees. **TIMING:** Prior to Preconstruction Conference, and prior to any blasting activities, this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall not allow any blasting until a Blasting Plan demonstrates noise Ordinance compliance.

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

(CULTURAL RESOURCES)

69. CULT#GR-3 ARCHAEOLOGICAL MONITORING – DURING CONSTRUCTION IPDS, FEE X21

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

- a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Kumeyaay Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor.
- In the event that previously unidentified potentially significant cultural b. resources are discovered, the Project Archaeologist or the Kumeyaay Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Kumeyaay Native American Monitor, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. Isolates and clearly non-significant deposits shall be minimally documented in the field. Should the isolates and/or non-significant deposits not be collected by the Project Archaeologist, then the Kumeyaay Native American monitor may collect the cultural material for transfer to a Tribal Curation facility or

repatriation program. A Research Design and Data Recovery Program (Program) is required to mitigate impacts to identified significant cultural resources. The Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in coordination with the Kumeyaay Native American Monitor. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

- If any human remains are discovered, the Property Owner or their C. representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- d. The Project Archaeologist shall submit monthly status reports to the Director of Planning & Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

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

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(BIOLOGICAL RESOURCES)

- 70. BIO#GR-3—CONSTRUCTION BIOLOGICAL RESTRICTIONS [PDS, FEE X3] INTENT: In order to prevent indirect project construction impacts to southern riparian forest and the RPO wetland buffer biological restrictions shall be in place during construction activities. DESCRIPTION OF REQUIREMENT: During constriction, the following measures shall be complied with the ensure indirect project construction impacts do not occur to southern riparian forest and the RPO wetland buffer:
 - a. No storage or fueling of construction equipment within 100 feet if the Los Coches creek floodway is allowed.
 - b. No storage or fueling of construction equipment within the RPO wetland is allowed.
 - c. Only use of low sodium lighting is permitted. Lighting shall be selectively placed and/or shielded to avoid light directly entering into the southern riparian forest and RPO wetland habitat from the proposed development and/or construction.
 - d. Removal of invasive exotic species within the southern riparian forest and RPO wetland buffer shall be performed without the use of mechanized equipment.

DOCUMENTATION: The Project Biologist shall prepare and submit to the satisfaction the [PDS, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated above. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall assure that the Project Biologist is on-site performing the Monitoring duties of this condition during all applicable grading activities as determined by the Biologist. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Biologist or applicant fails to comply with this condition. The [PDS, PCC] shall review and approve the monitoring reports for compliance with this condition.

(NOISE RESOURCES)

- 71. NOI#2 GP2. TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI]. INTENT: In order to minimize temporary construction noise for grading operations associated with TM-5590. DESCRIPTION OF REQUIREMENT: The project shall comply with the following temporary construction noise control measures and shall comply with the eight hour average sound level of 75 dBA pursuant to Noise Ordinance Section 36.408 & 36.409:
 - a. Turn off equipment when not in use.
 - b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.

- c. Use equipment with effective mufflers.
- d. Minimize the use of back up alarm.
- e. Equipment staging areas should be placed at locations away farthest away from noise sensitive receivers as deemed feasible.
- f. Temporary construction equipment operations shall comply with the County Noise Ordinance Sections 36.408, 409, and 410.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures and the County Noise Ordinance as described within this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction and construction equipment operations. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

72. NOI#3 -GP3.-TEMPORARY ROCK DRILL OPERATIONS - SOUND LEVEL COMPLIANCE: [PDS, CODES] [OG]

INTENT: In order to minimize temporary construction noise for drilling operations associated with TM-5590. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary noise control measures and shall comply with the eight hour average sound level of 75 dBA pursuant to Noise Ordinance Section 36.408 & 36.409. The project shall conform to the following requirements:

- a. Rock drilling will require a minimum set back distance of 125 feet from any sensitive receptor property line.
- Aggregate construction grading operations shall occur no closer than 150 b. feet from any boundary of a sensitive receptor area. If grading operations occur for an extended amount of time within 150 feet of any boundary of an occupied receptor, then information must be provided to prove and certify that the equipment being used is in compliance with the County Noise Ordinance. Then a new construction noise analysis maybe reviewed to the satisfaction of the [PDS, PCC]. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods. and/or implementation of noise reducing measures maybe approved if the construction activities are reduced to 75 dB at the boundary line.

DOCUMENTATION: The applicant shall comply with the setback requirement for temporary drilling and the County Noise Ordinance as described within this

condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction and/or during the drilling operations. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the rock drill setbacks of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

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

(CULTURAL RESOURCES)

73. CULT#GR-4 ARCHAEOLOGICAL MONITORING – ROUGH GRADING [PDS, FEE]

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

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

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

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

(CULTURAL RESOURCES)

- 74. CULT#GR-5 ARCHAEOLOGICAL MONITORING—FINAL GRADING [PDS,FEE] INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. DESCRIPTION OF REQUIREMENT: The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:
 - a. Department of Parks and Recreation Primary and Archaeological Site forms.
 - b. Daily Monitoring Logs.
 - c. Evidence that all cultural materials have been curated as follows:
 - (1) Evidence that all prehistoric materials collected during the survey, testing (current and former programs), and archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.
 - (2) Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

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

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

(BIOLOGICAL RESOURCES)

BIO#GR-4 - OPEN SPACE SIGNAGE & FENCING [PDS, FEE] **75.**

INTENT: In order to comply with Conditions 53 and 54 (Open Space signage and fencing) pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for PDS2014-TM-5590, the fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences or walls, and open space signs shall be placed along the open space boundary as shown on these plans and the approved Conceptual Grading and Development Plan for PDS2014-TM-5590.

- Evidence shall be site photos and a statement from a California a. Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
- b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

Sensitive Environmental Resources Area Restricted by Easement

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego, Planning & Development Services Reference: PDS2014-ER-14-14-013

DOCUMENTATION: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [PDS, PCC].

TIMING: Prior to the occupancy of any structure or use of the premises in

reliance of PDS2014-TM-5590, and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3) the fencing and signage shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

76. BIO#GR-5-EASEMENT AVOIDANCE [PDS, FEE]

INTENT: In order to protect sensitive resources, pursuant to County Grading Ordinance Section 87.112 the open space easements shall be avoided. DESCRIPTION OF REQUIREMENT: The easement indicated on this plan is for the protection of sensitive environmental resources (RPO wetlands) and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. It is unlawful to grade or clear within an open space easement, any disturbance shall constitute a violation of the County Grading Ordinance Section 87.112 and will result in enforcement action and restoration. The only exceptions to these prohibitions are:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the applicable fire code of the Fire Authority Having Jurisdiction and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of PDS, DPR and DPW.
- Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the County of San Diego DEH.

DOCUMENTATION: The applicant shall provide a letter statement to the [PDS, PCC] stating that all Sensitive Resource Easements were avoided during the grading construction, and that no impacts or encroachment into the open space occurred. **TIMING:** Prior to Final Grading Release the letter verifying the easements were not disturbed shall be submitted. **MONITORING:** The [DPW, PDCI] shall not allow any grading, clearing or encroachment into the open space easement."

MITIGATION MONITORING OR REPORTING PROGRAM (MMRP): Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Monitoring or Reporting Program for any project approved with the adoption of a Mitigated Negative Declaration

or with the certification of an Environmental Impact Report, for which changes in the project are required in order to avoid significant impacts.

Section 21081.6(a)(1) states, in part:

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

Section 21081(b) further states:

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

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

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

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

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

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

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

The conditions of approval required to mitigate or avoid significant impacts on the environment are listed below and constitute the MMRP for this project: 30-76.

IT IS FURTHER 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. With the adoption of a General Plan Amendment and Rezone, the Tentative Map will be consistent with all elements of the San Diego County General Plan and with the Office Professional (C-2) Land Use Designation of the Lakeside Community Plan because it proposes a commercial use type which would meet

- 43 -

the General Plan and comply with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;

- 2. With the adoption of a Rezone, the Tentative Map will be consistent with the Zoning Ordinance because it proposes an eight-lot commercial use type which meets the minimum net lot size for the General Commercial (C-36) Use Regulations;
- 3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the Lakeside Community Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;
- 4. The site is physically suitable for the commercial type of development because the use is consistent with the surrounding land uses, the developable site is relatively flat and minimal grading is involved;
- 5. The site is physically suitable for the proposed development because the use is consistent with the surrounding land uses and all public facilities are available to serve the subdivision;
- 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 Environmental Impact Report dated August 2017;
- 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 Padre Dam Municipal Water District sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;

10. Determinations and findings pursuant to the California Environmental Quality Act, the Resource Protection Ordinance, and the Watershed Protection, Stormwater Management, and Discharge Control Ordinance have been made by the Board of Supervisors.

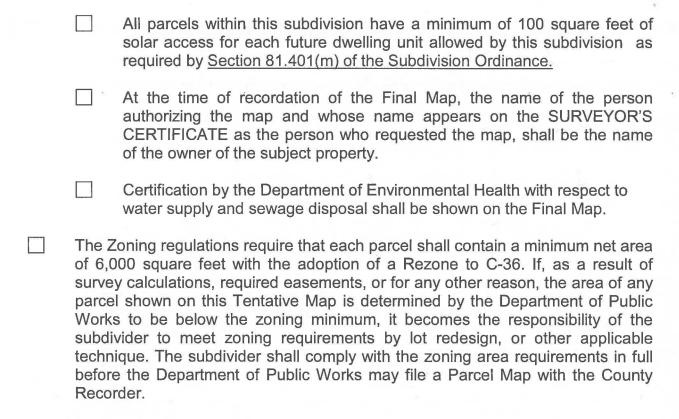
WAIVER(S) AND EXCEPTION(S): This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the County Subdivision Ordinance requirements to permit:

County Public and Private Road Standards to permit:

- 1. Waive the 300-foot driveway separation requirements of Section 6.1.C.2 for the proposed project's driveways on Olde Highway 80 along the project frontage. (See approved letter dated February 5, 2015)
- 2. Waive the 300-foot driveway separation requirements of Section 6.1.C.2 for the proposed re-alignment of Pecan Park Lane (East) and existing driveways on both sides of Olde Highway 80. (See approved letter dated August 17, 2015)
- 3. Waive the underground utilities requirements identified in Section 3.6 of San Diego County Public Road Standards for the existing power poles located along the project's frontages at Olde Highway 80 and Rios Canyon Road. (See approved letter dated May 12, 2016)
- 4. Waive the road improvement for the southerly 145-feet of Rios Canyon Road along the project's frontage. (See approved letter dated August 5, 2016)

MAP PROCESSING REQUIREMENTS: The final map shall comply with the following processing requirements pursuant to the <u>Sections 81.501 through 81.517 of the Subdivision Ordinance</u> and the <u>Subdivision Final Map Processing Manual</u>.

The Final map shall show an accurate and detailed vicinity map.
The Basis of Bearings for the Final Map shall comply with <u>Section 81.507 of the Subdivision Ordinance</u> .
Prior to the approval of the Final Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Final Map report from a qualified title insurance company.
The following notes shall appear on the Final Map:



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

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the <u>San Diego Regional Water Quality Control Board (RWQCB)</u> and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control <u>Ordinance No. 10410</u> and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that 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. *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 the following link: http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf

STORMWATER COMPLIANCE NOTICE: Updated studies, including Hydromodification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410 (N.S.), dated February 26, 2016 and BMP Design Manual. These requirements are subject to the MS4 Permit issued by the 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 exceed 200 cubic yards of movement of material or eight feet (8') of cut/fill per criteria of <u>Section 87.201 of Grading Ordinance</u>.

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 PDS Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate County 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 <u>County TIF Ordinance number 77.201 – 77.223</u>. The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [*PDS*, *LD Counter*] and provide a copy of the receipt to the [*PDS*, *BD*] at time of permit issuance.

NOTICE: The subject property contains habitat which may be used for nesting by migratory birds. Any grading, brushing or clearing conducted during the migratory bird breeding season, January 1 – September 15, has a potential to impact nesting or breeding birds in violation of the Migratory Bird Treaty Act. The applicant may submit

evidence that nesting or breeding migratory birds will not be affected by the grading, brushing or clearing to these agencies: California Department of Fish and Wildlife, 3883 Ruffin Rd., San Diego, CA 92123, (858) 467-4201, http://www.dfg.ca.gov/; and United States Fish and Wildlife Service, 2177 Salk Avenue, Suite 250, Carlsbad, California 92008, (760) 431-9440, http://www.fws.gov/.

LIGHTING ORDINANCE COMPLIANCE: In order to comply with the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, 6324, and 6326, the onsite lighting shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, and 6324. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to lighting. No additional lighting is permitted. If the permittee or property owner chooses to change the site design in any away, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

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

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

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

NOTICE: Fish and Wildlife Fees have been paid in the amount of \$3,028.25 for the review of the EIR, Receipt number 36516, dated August 6, 2009 and Receipt number 3777697, dated September 7, 2017. (Attachment G)

EXPLANATION OF COUNTY	DEPAR	MENT AND DIVISION ACRONYM	S	
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR	
Permit Compliance Coordinator	PCC	Project Manager	РМ	
Building Plan Process Review	BPPR	Plan Checker	PC	
Building Division	BD	Map Checker	МС	
Building Inspector	ВІ	Landscape Architect	LA	
Zoning Counter	ZO			
Department of Public Works (DPW)				
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU	
Department of Environmental Health (DI	EH)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA	
Vector Control	VCT	Hazmat Division	HMD	
Department of Parks and Recreation (DP	R)			
Trails Coordinator	TC	Group Program Manager	GPM	
Parks Planner	PP			
Department of General Service (DGS)			5	
Real Property Division	RP			

APPEAL PROCEDURE: Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with Section 81.310 of the Subdivision Ordinance and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the appellant body and/or the Board of Supervisors within TEN CALENDAR DAYS of the date of this Resolution AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. No Final Map shall be approved, no grading permit issues, and no building permits for model homes or other temporary uses as permitted by Section 6116 of the Zoning Ordinance shall be issued pursuant to said Tentative Map until after the expiration of the 10th day following adoption of this Resolution, or if an appeal is taken, until the appeal board has sustained the determination of this advisory body. Furthermore, the 90-day

period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of adoption of this Resolution.

Approved as to form and legality County Counsel

By: Paul Mehnert, Senior Deputy

ON MOTION of Supervisor Jacob, seconded by Supervisor Roberts, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 24th day of January, 2018, by the following vote:

AYES:

Cox, Jacob, Gaspar, Roberts

ABSENT:

Horn

STATE OF CALIFORNIA) County of San Diego)^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.

DAVID HALL

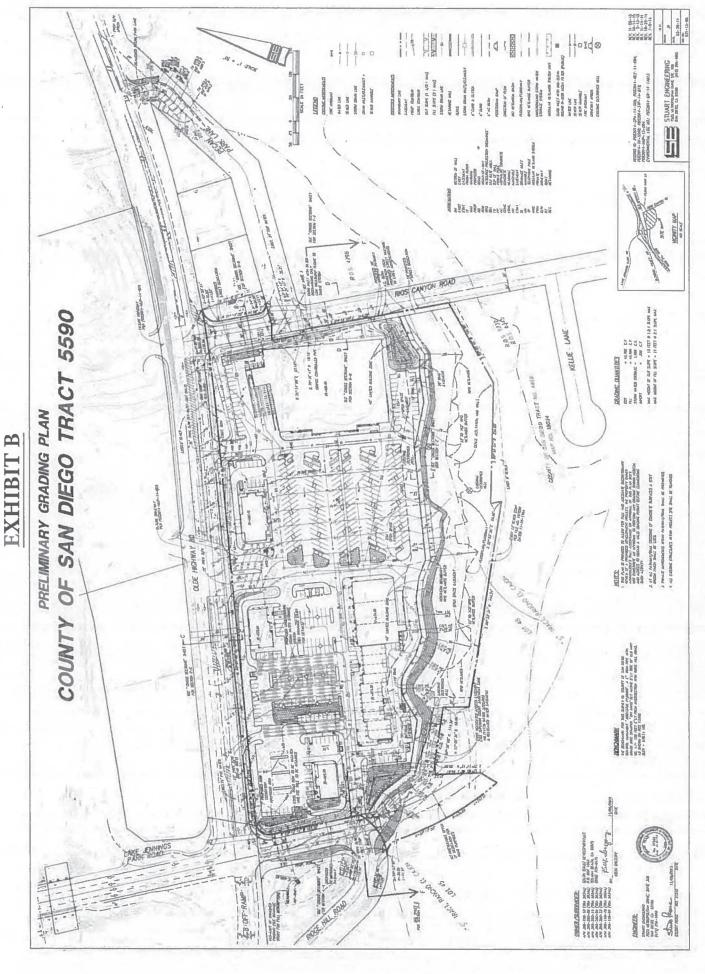
Clerk of the Board of Supervisors

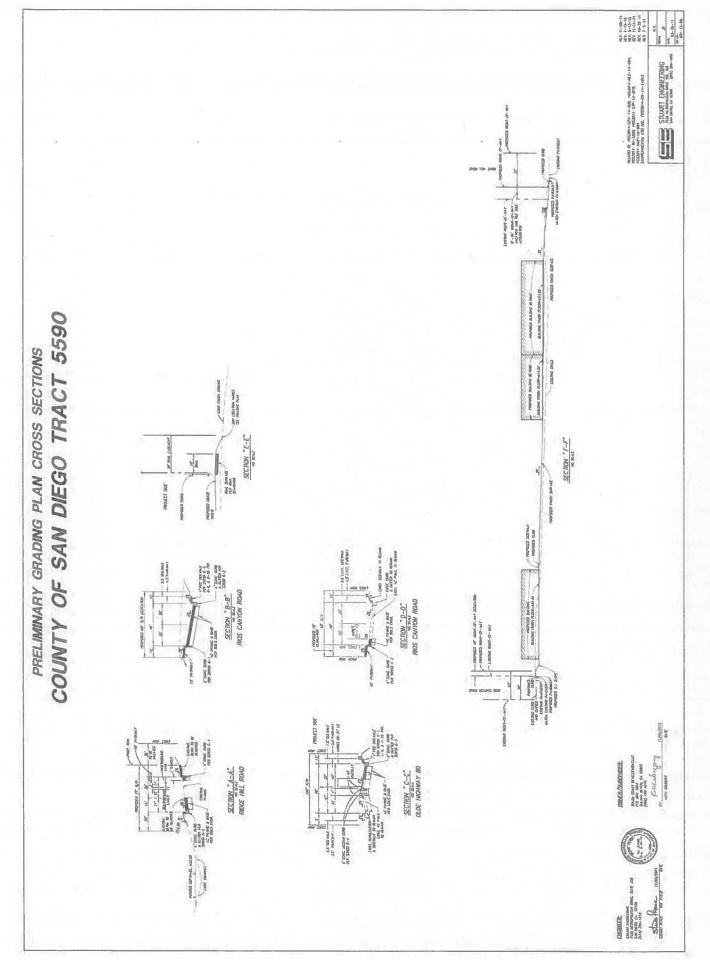
By:/

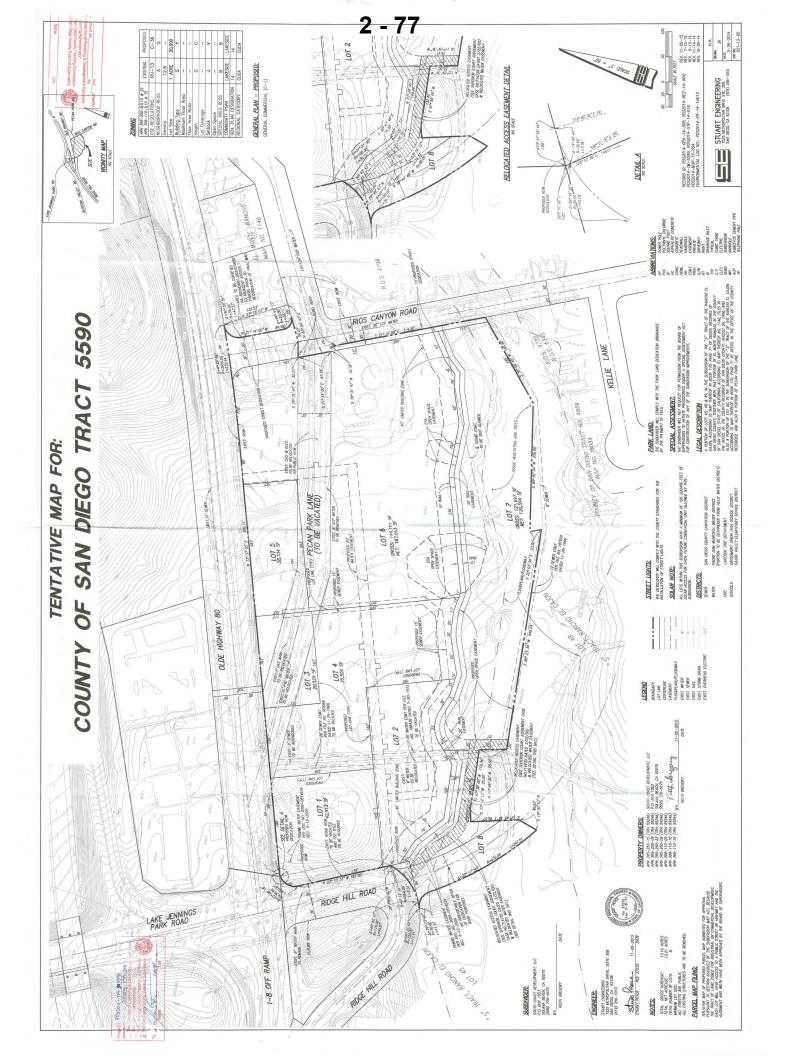
Elizabeth Miller, Deputy

Resolution No. 18-011

Meeting Date: 01/24/18 (1)







Attachment B – Notice of Preliminary Decision of the Director of Planning & Development Services Approving a Time Extension for TM 5590



County of San Diego Planning & development services

COMMISSIONERS

Douglas Barnhart (Chairman) Michael Edwards Ronald Ashman David Pallinger Yolanda Calvo Michael Seiler

KATHLEEN FLANNERY
Acting Director
VINCE NICOLETTI
Assistant Director

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

February 9, 2021

Carey Algaze 525 B Street, Suite 2200 San Diego, CA 92101

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2020-TM-5590TE

DECISION OF THE PLANNING COMMISSION APPROVING A TIME EXTENSION FOR TENTATIVE MAP 5590

In accordance with Section 81.317 of the Subdivision Ordinance, the Tentative Map Time Extension has been placed on the January, 2021 Planning Commission Agenda as an action item. On the above date, the San Diego County Planning Commission adopted this final action approving Tentative Map Time Extension PDS2020-TM-5590TE.

PLEASE NOTE: THIS DECISION 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 <u>January 24, 2027</u> at 4:00 p.m.

The conditions within the Resolution of San Diego County Conditionally Approving Tentative Map No. 5590 dated January 24, 2021 are still applicable (attached) unless so indicated with strikeout.

ORDINANCE COMPLIANCE NOTIFICATIONS: The project is subject to, but not limited to, the following County of San Diego, State of California, and U.S. 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 <u>San Diego Regional Water Quality Control Board (RWQCB)</u> and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control

TM-5590TE February 2021

Ordinance No. 10410 and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects 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_PROGR AM/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 <u>County of San Diego Watershed Protection</u>, <u>Stormwater Management and Discharge Control Ordinance No. 10410</u> (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 <u>Flood Damage</u> <u>Prevention Ordinance</u> No. 10091, adopted December 8, 2010.

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

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.

TM-5590TE February 2021

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

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

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to <u>County TIF Ordinance number 77.201 – 77.223</u>. 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.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS							
Planning & Development Services (PDS)							
Project Planning Division	PPD	Land Development Project Review Teams	LDR				
Permit Compliance Coordinator	PCC	Project Manager	PM				
Building Plan Process Review	BPPR	Plan Checker	PC				
Building Division	BD	Map Checker	MC				
Building Inspector	BI	Landscape Architect	LA				
Zoning Counter	ZO						
Department of Public Works (DPV	/)						
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU				
Department of Environmental Hea	Ith (DE	H)					
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA				
Vector Control	VCT	Hazmat Division	HMD				
Department of Parks and Recreati	on (DPF	R)					
Trails Coordinator	TC	Group Program Manager	GPM				
Parks Planner	PP						
Department of General Service (D	GS)						
Real Property Division	RP						

TM-5590TE February 2021

APPEAL PROCEDURE: Within ten days after the action of the Planning Commission granting a Tentative Map Time Extension, this decision may be appealed in accordance with Section 81.310 of the Subdivision Ordinance and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the appellant body and/or the Board of Supervisors within TEN CALENDAR DAYS of the date of this decision AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. No Final Map shall be approved, no grading permit issues, and no building permits for model homes or other temporary uses as permitted by Section 6116 of the Zoning Ordinance shall be issued pursuant to said Tentative Map until after the expiration of the 10th day following adoption of this decision, or if an appeal is taken, until the appeal board has sustained the determination of this advisory body. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of this decision.

cc: Carey Algaze, Applicant, 525 B Street, Suite 2200, San Diego, CA 92101 South Coast Development LLC., PO Box 1053, Solana Beach, CA 92075

email cc:

Ed Sinsay, Land Development, Team Leader, PDS Bronwyn Brown, Project Planning, Planning Manager, Planning & Development rvices

Angelica Truong, Project Planning, Project Manager, Planning & Development Services

Attachment:

Tentative Map No. 5590 Resolution Dated January 24, 2018

Attachment C – Environmental Documentation

The project is relying on prior environmental documents. Copies of the documents can be found at Planning & Development Services or online at https://www.sandiegocounty.gov/content/sdc/pds/Current_Projects/LakeJenningsMarketplace.html



KATHLEEN A. FLANNERY
ACTING 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

VINCE NICOLETTI
ACTING ASSISTANT DIRECTOR

AN ADDENDUM TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR PURPOSES OF CONSIDERATION OF LAKE JENNINGS MARKETPLACE, TM-5590TE, LOG ER-14-14-013A

February 19, 2021

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: <u>LAKE JENNINGS MARKETPLACE TENTATIVE MAP TIME EXTENSION</u>
- 2. To the Project Number(s) add PDS2020-TM-5590TE
- 3. To the first paragraph add as indicated: <u>The Environmental Impact Report 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 February 19, 2021 which includes the following forms attached.</u>

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 January 24, 2018
- B. An Ordinance Compliance Checklist.
- C. <u>A Priority Development Project Stormwater Quality Management Plan (SWQMP)</u> prepared by Stuart Engineering, dated February 14, 2017.

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF

LAKE JENNINGS MARKET PLACE; PDS2020-TM-5590TE, PDS2014-ER-14-14-013A

February 19, 2021

			≣ – Does the proposed project conform to tl Ordinance findings?	he
	YES	NO	NOT APPLICABLE/EXEMPT	
of the Multiple S	Species Conse	rvation Prog	rovements are located within the boundarie gram. Therefore, conformance to the Habita ce findings is not required.	
			ct conform to the Multiple Species gation Ordinance?	
	YES	NO	NOT APPLICABLE/EXEMPT	
within the bound conforms with the	daries of the M ne Multiple Sp	lultiple Spec ecies Conse	rovements related to the proposed project a ies Conservation Program. The project rvation Program and the Biological Mitigation dings dated October 7, 2015.	
III. GROUNDWA			s the project comply with the requirements ance?	of
	YES	NO	NOT APPLICABLE/EXEMPT □	
which obtains w	ater from surf	ace reservoi	n the Padre Dam Municipal Water District rs and/or imported sources. The project wi including irrigation or domestic supply.	II

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 <u>Steep Slope</u> 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

Discussion:

Wetland and Wetland Buffers:

The site contains a portion of the Los Coches Creek in the southern portion of the site with wetland and wetland buffer ranging from 52 to 102 feet wide, which if disturbed would result in a significant impact. The entire area of wetland and wetland buffer will be placed in an open space easement prior to issuance of improvement or grading plans or prior to recordation of the Final Map, whichever comes first. There will be no net loss of wetlands and therefore no significant impact will occur. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

The southerly portion of the project is located in the Los Coches Creek floodplain as shown on the FEMA FIRM Number 06073C1660F, June 1997. Based on the proposed site design, the portion of the project site that is within the floodplain would be included in the biological open space easement. Therefore, the project is not proposing to place structures in these areas and would not place access roads or other improvements which would limit access during flood events or affect downstream properties, or impede or redirect flows. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes:

The average slope for the property is less than 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

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Ordinance (RPO). There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

Sensitive habitat lands consisting of Southern Riparian Forest associated with the portion of Los Coches Creek along the southern portion of the site were identified on the site. This habitat will be conserved in a dedicated biological open space easement. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

The property has been surveyed by a County of San Diego certified archaeologist/historian, ASM Affiliates, Inc. and it has been determined that the property does not contain any historical sites; however, it has been determined there is one (or more) archaeological site(s) that are RPO significant and would be impacted by the project. To mitigate for the impact the site will be capped, an archaeological easement shall be placed over the site, and a paved lot will be placed over the capping. Monitoring will be required during grading/construction activities to ensure the site is not disturbed. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

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

YES NO NOT APPLICABLE

The project Storm Water Management Plan prepared by Stuart Engineering and Hydromodification Screening Study prepared by Chang Consultants have been reviewed and found to be complete and in compliance with the WPO.

<u>VI. NOISE ORDINANCE</u> – 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

Potentially significant noise levels could occur from the proposed project related to construction noise, operation of a car wash, rooftop HVAC equipment, and a trash compactor that would exceed Noise Ordinance limits. The following noise mitigation measures are proposed to reduce the noise impacts to applicable limits: 1) Rock drilling

activities will be set back from sensitive receptor property lines and aggregate grading/construction activities shall occur no closer than 150 feet from a sensitive receptor boundary or a supplemental noise analysis shall be prepared to ensure noise levels are reduced to 75 dB at the property line; 2) A Construction and Noise Blasting Plan shall be prepared and submitted to PDS to demonstrate compliance with the Noise Ordinance for drilling and blasting activities; 3) The car wash will have an extended tunnel and be designed to provide a clockwise movement of autos into the facility and hours will be from 7 AM to 10 PM; 4) Rooftop HVAC systems will be screened by a minimum three-foot-high parapet screen and best engineering practices shall be used in the placement of noise generating equipment associated with HVAC systems; and, 5) The trash compactor shall be designed with a 12-foot high noise screen wall and best engineering practices shall be used in the placement of noise generating equipment associated with the trash compactor.



KATHLEEN A. FLANNERY
ACTING DIRECTOR

PLANNING & DEVELOPMENT SERVICES
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February 19, 2021

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

FOR PURPOSES OF CONSIDERATION OF Lake Jennings Marketplace Tentative Map Time Extension; PDS2020-TM-5590TE

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 certified EIR:

A Final Subsequent EIR for the Lake Jennings Marketplace (PDS2014-GPA-14-005, PDS2014-REZ-14-004, PDS2014-TM-5590, PDS2014-STP-14-019, LOG NO. PDS2014-ER-14-14-013) was certified by the County of San Diego Board of Supervisors on January 24, 2018. The certified FEIR found significant effects to Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, Paleontological Resources, and Traffic and Transportation. Traffic and Transportation impacts were found to be significant and unavoidable. All other impacts were found to be less than significant, or less than significant with the incorporation of project-specific mitigation.

 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

· ·	/I TE	- 2 -		February 19, 2021
Project applicant's name ar	nd address	3:		
Carey Algaze, Procopio 525 B STREET, SUITE 220 SAN DIEGO, CA 92101	00			
Summary of the activities a	uthorized	by present p	ermit/en	titlement application(s):
with an expiration date of 2020 to extend TM 5590 by	January 2 ⁴ the maxir	4, 2021. The num allowed	applical by the S	nt filed an application on July 31
			nary acti NO ⊠	on is now proposed differ in any
Tentative Map 5590, which	n was app	proved on Ja		
SIGNIFICANT ENVIRONM THE PREVIOUS ND OR EI significant environmental ef increase in severity either	IENTAL E R. The su fects or to due to a	EFFECTS C bject areas of be previous change in	OMPAR checked ly identif project, o	ED TO THOSE IDENTIFIED IN below were determined to be new ied effects that have a substantial change in circumstances or new
NONE] Aesthetics	•		rest	☐ Air Quality
] Biological Resources			S	☐ Geology & Soils
Greenhouse Gas Emissions Land Use & Planning Population & Housing Transportation/Traffic	☐ Minera☐ Public☐ Utilitie	al Resources Services s & Service		☐ Hydrology & WaterQuality☐ Noise☐ Recreation☐ Mandatory Findings of Significance
	Project applicant's name are Carey Algaze, Procopio 525 B STREET, SUITE 220 SAN DIEGO, CA 92101 Summary of the activities a TM 5590 was approved by with an expiration date of 2020 to extend TM 5590 by the expiration date would be Does the project for which a way from the previously apply The proposed project is a strentative Map 5590, which changes to the previously apply The PREVIOUS ND OR El significant environmental el increase in severity either information of substantial in following pages. NONE Aesthetics Biological Resources Greenhouse Gas Emissions Land Use & Planning Population & Housing	Project applicant's name and address Carey Algaze, Procopio 525 B STREET, SUITE 2200 SAN DIEGO, CA 92101 Summary of the activities authorized TM 5590 was approved by the Board with an expiration date of January 24 2020 to extend TM 5590 by the maximathe expiration date would become January 24 Does the project for which a subseque way from the previously approved programmer of the proposed project is a six year Termonative Map 5590, which was appropriate to the previously approved programmer of the programmer of the previously approved programmer of the programmer	Project applicant's name and address: Carey Algaze, Procopio 525 B STREET, SUITE 2200 SAN DIEGO, CA 92101 Summary of the activities authorized by present p TM 5590 was approved by the Board of Supervis with an expiration date of January 24, 2021. The 2020 to extend TM 5590 by the maximum allowed the expiration date would become January 24, 20 Does the project for which a subsequent discretio way from the previously approved project? YES The proposed project is a six year Tentative Map Tentative Map 5590, which was approved on Ja changes to the previously approved project. SUBJECT AREAS DETERMINED TO HAVE NEV SIGNIFICANT ENVIRONMENTAL EFFECTS C THE PREVIOUS ND OR EIR. The subject areas of significant environmental effects or to be previous increase in severity either due to a change in pinformation of substantial importance, as indicate following pages. NONE Aesthetics Agriculture and For Resources Biological Resources Greenhouse Gas Hazards & Haz Ma Emissions Land Use & Planning Mineral Resources Population & Housing Mineral Resources	Project applicant's name and address: Carey Algaze, Procopio 525 B STREET, SUITE 2200 SAN DIEGO, CA 92101 Summary of the activities authorized by present permit/end TM 5590 was approved by the Board of Supervisors on J with an expiration date of January 24, 2021. The applicat 2020 to extend TM 5590 by the maximum allowed by the St the expiration date would become January 24, 2027. Does the project for which a subsequent discretionary active way from the previously approved project? YES NO The proposed project is a six year Tentative Map Time Ext Tentative Map 5590, which was approved on January 2 changes to the previously approved project. SUBJECT AREAS DETERMINED TO HAVE NEW OR SU SIGNIFICANT ENVIRONMENTAL EFFECTS COMPAR THE PREVIOUS ND OR EIR. The subject areas checked significant environmental effects or to be previously identifincrease in severity either due to a change in project, of information of substantial importance, as indicated by the following pages. NONE Agriculture and Forest Resources Biological Resources Cultural Resources Greenhouse Gas Hazards & Haz Materials Emissions Land Use & Planning Hineral Resources Public Services Transportation/Traffic Utilities & Service

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DETERMINATION:

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No substantial changes are proposed in the project changes in the circumstances under which the project require major revisions to the previous EIR or NI significant new environmental effects or a substantial previously identified significant effects. Also, there substantial importance" as that term is used in 15162(a)(3). Therefore, the previously certified EIR of an ADDENDUM.	ect will be undertaken that will D due to the involvement of ial increase in the severity of re is no "new information of CEQA Guidelines Section
No substantial changes are proposed in the project changes in the circumstances under which the project require major revisions to the previous EIR or NI significant new environmental effects or a substantial previously identified significant effects. Also, ther substantial importance" as that term is used in 15162(a)(3). Therefore, because the project is a residuith, and pursuant to, a Specific Plan with a EIR company the project is exempt pursuant to CEQA Guidelines Standard Project Project is exempt pursuant to CEQA Guidelines Standard Project Pr	ect will be undertaken that will of due to the involvement of ial increase in the severity of the is no "new information of CEQA Guidelines Section dential project in conformance inpleted after January 1, 1980,
Substantial changes are proposed in the project or to in the circumstances under which the project will be major revisions to the previous ND due to the intensified environmental effects or a substantial increase is identified significant effects. Or, there is "new importance," as that term is used in CEQA Guid However all new significant environmental effects severity of previously identified significant effects are incorporation of mitigation measures agreed to by the a SUBSEQUENT ND is required.	e undertaken that will require volvement of significant new in the severity of previously information of substantial delines Section 15162(a)(3). or a substantial increase in clearly avoidable through the
Substantial changes are proposed in the project or to in the circumstances under which the project will be major revisions to the previous ND or EIR due to the environmental effects or a substantial increase is identified significant effects. Or, there is "new importance," as that term is used in CEQA Guid Therefore, a SUBSEQUENT or SUPPLEMENTAL EI	e undertaken that will require involvement of significant new n the severity of previously information of substantial delines Section 15162(a)(3).
Signature	Date
Angelies Truens	Droigot Monager
Angelica Truong Printed Name	Project Manager Title

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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:

- 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

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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

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

YES NO ⊠

The 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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 will remain in effect for the proposed Time Extension.

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

YES NO □

The 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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 will remain in effect for the proposed Time Extension.

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

YES NO

The 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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 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 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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 will remain in effect for the proposed Time Extension.

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<u>V. CULTURAL RESOURCES</u> -- 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?



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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 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?



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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 will remain in effect for the proposed Time Extension.

<u>VII.</u> 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

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with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions?

YES

The proposed Tentative Map Time Extension would not result in new significant impacts related to GHG emissions as the project design has not changed and thus would not increase GHG emissions. Further, there are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects relating to GHG emissions.

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?

/ES

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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 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

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in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES NO

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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 for Tentative Map 5590 will remain in effect for the proposed Time Extension.

A Priority Development Project Stormwater Quality Management Plan (SWQMP) was prepared for the project by <u>Stuart Engineering</u>, <u>dated February 14</u>, <u>2017</u>. The SWQMP was reviewed and determined to be acceptable for discretionary approval. The SWQMP is a living document and will be updated if required at Final Engineering to ensure compliance with the most current storm water requirements.

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

YES NO ⊠

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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 will remain in effect for the proposed Time Extension.

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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 NC □ ⊠

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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 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 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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 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

Lake Jennings Marketplace	e TM	ΤE
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population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

X

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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 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 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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 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?

> NO YES \boxtimes

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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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 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 NC

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 effect to aesthetics that were not previously analyzed in the original FEIR. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to transportation and traffic.

All conditions of approval for Tentative Map 5590 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

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 effect to aesthetics that were not previously analyzed in the original FEIR. The proposed Time Extension would not result in a substantial increase in the severity of previously identified significant effects to Tribal cultural resources.

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All conditions of approval for Tentative Map 5590 will remain in effect for the proposed Time Extension.

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?



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 effect to aesthetics that were not previously analyzed in the original FEIR. 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 Tentative Map 5590 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?

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Lake Jennings Marketplace TM TE PDS2020-TM-5590TE

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YES NO ⊠

As described in this Addendum, there are no changes in the approved TM 5590 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 Resources, Noise, or Utilities & Service Systems, as discussed in Section IV, Biological Resources, Section XII, Noise, and Section XVIII, Utilities & Service Systems.

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 effect to aesthetics that were not previously analyzed in the original FEIR.

All conditions of approval for Tentative Map 5590 will remain in effect for the proposed Time Extension.

Attachments

A. Ordinance Compliance Checklist

XXX. 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 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

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- County of San Diego. 1997. Multiple Species Conservation Program, County of San Diego Biological Mitigation Ordinance
- County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO) (Ordinance Nos. 9424 and 9426, County Codes §§ 67801 et seq.)
- Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resource Protection
- Order No. 2001-01, NPDES No. CAS 0108758, California Regional Water Quality Control Board, San Diego Region
- Ordinance 8334, An Ordinance to amend the San Diego County Code of Regulatory Ordinances relating to Flood Damage Prevention, Adopted by the Board of Supervisors on 12/7/93

Public Resources Code Sections 4290 and 4291

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

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

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

Attachment D – Public Documentation

LAKESIDE COMMUNITY PLANNING GROUP PO Box 389 Lakeside, CA 92040 / lakesidecpg@gmail.com

*** MEETING MINUTES***

WEDNESDAY, SEPTMEBER 2, 2020 - 6:30 PM

Meeting Location: VIRTUAL BOARD MEETING – ZOOM CONFERENCE

The Lakeside Community Planning Group is an elected body that acts in an advisory capacity to the Department of Planning & Development Services (PDS), the Planning Commission, the Board of Supervisors and other County departments. The Planning Group's recommendations are advisory only and are not binding on the County of San Diego.

1. CALL TO ORDER / ROLL CALL

*Off the board- waiting for county confirmation

Seat 1 – John Neumeister	A	Seat 2 – Brian Sesko	P	Seat 3 – Liz Higgins	P
Seat 4 – Dan Moody	P	Seat 5 – Carol Hake	P	Seat 6 – Josef Kufa	P
Seat 7 – Sarai Johnson	P	Seat 8 – Jeff Spencer	P	Seat 9 – Marty Barnard	A
Seat 10 – Milt Cyphert	P	Seat 11 – Thomas Martin	P	Seat 12 – Steve Robak	A
Seat 13 – Lisa Anderson	P	Seat 14 – Kristen Everhart	P	Seat 15 – Tiffany Maple	P

	Quorum reached with12	_ present.		
	Public present (approximate #):	8		
2.	PLEDGE OF ALLEGIANCE	lead byThomas Marti	n	
3.	APPROVAL OF THE MINUT	TES FOR THE MEETIN	GS OF:	
	Date March 4, 2020			
	Continued to next month	_X	Approved as Presented	
	Motion:Carol Hake	Second	Liz Higgins	
Vot	e: Aye:10 Nay:	Name(s) Brian Sesko, Lisa	Anderson Absent:3	Abstain:2
	ANNOUNCEMENTS			
1.	Video Recording – Notification for purposes of preparation of	• •	the LCPG virtual Zoom	meeting will be recorded
2.	OPEN FORUM.	Č		
	a) Jitka Parez – Please have	County get back to plannin	g group with status of W	intergardens East
	Project			

5. COUNTY PRESENTATIONS (Possible Vote)

A. Bradley Avenue widening project – Jim Botz

Motion: Tom Martin Second: Sarai Johnson

Action: Approve the 67 Bradley Avenue project

LINK TO PRESENTATION: https://sdcountycagov-

 $\underline{my.sharepoint.com/:p:/g/personal/james_bolz_sdcounty_ca_gov/EdCyGm3r8j5JtPNbpOmx2bYBLb5X}$

0b3RVhRKVMYJWK1fhA?e=SMP8WZ

Board Questions:

- Tiffany Maple How is this going to impact the buildings that are along the route? Jim response: we purchased the portions of right away that are required.
- Liz Higgins Where are the funds coming from? Jim's response: the funding for this project is coming from TransNet funds which have been allocated for local streets and infrastructure. The 16 million dollars to fund the rebuilding of the bridge from 2 to 6 lanes and the on and off ramps will come from SANDAG and the building and contracting for the bridge will be the responsibility of CALTRANS.

CALTRANS. Community Concerns/Comments: • Cathy Kassel – Lakeside Chamber of Commerce voted some time ago to approve the project so we endorse this project.
Vote: Aye:12 Nay: Name(s) Absent:3 Abstain:
PUBLIC HEARING (Discussion & Vote) A. Time Extensions – PDS2020-TM-5590TE – Lake Jennings Market Place, Lakeside Motion: Liz Higgins Second: Lisa Anderson Action: Approve time extension.
Board Questions Community Concerns/Comments:
Vote: Aye:12 Nay: Name(s) Absent:3 Abstain:
B. MUP86-050W1 Approval for Special Care Facility – 11962 Woodside Ave, Lakeside Motion: Josef Kufa Second: Thomas Martin Action: Presenters not in attendance so continue action to another meeting.
Board Questions Community Concerns/Comments:
Vote: Aye: Nay: Name(s) Absent: Abstain:
GROUP BUSINESS (Discussion & Possible Vote) A. Required training a. Ethics training b. Form 700 B. Resignation of Marty Barnard (Seat 9) C. Appointment of Vice Chair Nominations: Liz Higgins Action: Appoint Liz Higgins to Vice Chair of LCPG. Motion: Sarai Johnson Second: Lisa Anderson Vote: Aye:12 Nay: Name(s) Absent: _3 Abstain:

6.

7.

D. Discussion of Traffic on Riverside Drive/Approved in the February meeting

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Liz will draft a letter to Brian restating the motion made by the planning group in February requesting the Sheriff restrict the parking of semi-trucks and trailers and RVs on Riverside Dr. between Palm Row and Lakeside Ave. between the hours of 10pm and 6am and attaching those minutes to the letter. Brian will forward the letter to the Board of Supervisors.

8.	SUBCOMMITTEE REPORTS: None
9.	ADJOURNMENT OF MEETING: at7:20pm by Brian Sesko, Chair
	ote: The next meeting of the LCPG will be on Wednesday, October 7, 2020 at 6:30 p.m. – Location to determined
Mi	inutes prepared by Kristen Everhart Seat 14

Attachment E – 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 5 2020 FR- 14-14-013A

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

Assessor's Parcel Number(s) 398-110-09/10/82, 395-250-08/09, 398-110-75, 395-250-15/22

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.

	evelopment LLC	6.30	1 6 9 6		
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			orporation or partne on or owning any par		
4, 12 m/s					
137					
			non-profit organization or as trustee or t		

NOTE: Section 1127 of The Zoning Ordinance defines <u>Person</u> 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

Keith Gregory, Managing Member, South Coast Development LLC

Print Name

6/22/20

Date

---- OFFICIAL USE ONLY ----

SDC PDS RCVD 7-31-20

TM5590TE

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

PDS-305 (Rev. 09/21/2012)



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