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April 22, 2021

County of San Diego
Via Email Only: Ann.jimenez@sdcounty.ca.gov

To: San Diego County Planning Commission

Honorable Ronald Ashman
Honorable Douglas Barnhart
Honorable Yolanda Calvo
Honorable Michael Edwards, Chairman
Honorable Ginger Hitzke
Honorable Tommy Hough
Honorable David Pallinger, vice chairman

Planning Commission Hearings April 16th, 2021; May 14, 2021 Re: INFORMATIONAL HEARINGS ON PEPPERTREE PARK UNITS 9 & 10;

This office is privileged to represent the applicant for the project known as Peppertree Park Units 9 & 10, PDS2003-3800-03-xx (hereinafter “the Project”).

The Project is part of a 2003 application for a general plan amendment and rezone to allow 117 units of urgently needed workforce residential housing. Previously designated office/professional, it is located near the Fallbrook Airpark and has a Grandfather Exemption¹ from the 2006 Fallbrook Airport Land Use Compatibility Plan (“FALUCP”) because the GPA/Rezone was deemed outside the Airport Influence Area and the application was deemed complete in 2003.

When approved the Project will implement the declared statewide public policy goal of encouraging more workforce housing.

But there is a problem. County staff seeks to stop the Project by applying unduly restrictive and

¹ 1.2.2(e) (e) **ALUC Project Review Not Required:** A project application which was deemed complete by the local jurisdiction prior to the effective date of this *Compatibility Plan*, and which did not require ALUC review because it was located beyond the boundary of the airport influence area defined by the Fallbrook Community Airpark compatibility plan in place at the time the application was deemed complete shall not require subsequent ALUC review under this *Compatibility Plan*, unless the project changes in a substantive manner (see Policy 2.3.4(b)). (2006 FALUCP)

misguided interpretations of applicable regulations. These misguided interpretations would lead to disapproval on the ground the Project is in FALUCP Safety Zone 2, whereas a proper interpretation leads to approval on the ground that it is deemed safe under the airport land use plan that preceded the FALUCP².

County staff thereby makes itself a poster boy for Government Code Section 65589.5(a)(1), which declares in pertinent part:

“(B) California housing has become the most expensive in the nation. The excessive cost of the state's housing supply is partially caused by activities and policies of many local governments that limit the approval of housing,

(C) Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

(D) Many local governments do not give adequate attention to the economic, environmental, and social costs of decisions that result in disapproval of housing development projects, reduction in density of housing projects, and excessive standards for housing development projects.”

HOW COUNTY HAS MISAPPLIED IT'S PROCESSING DISCRETION TO LIMIT WORKFORCEHOUSING

The story begins with the Plan Amendment Authorization Application originally made in 2002 (attached Ex. 001-009) and granted on Feb. 04, 2003 (Ex.010-011). Deemed complete on June 27, 2003 (Ex. 012-022), it proposed converting office/professional uses to residential uses on Unit 9. On Unit10 it proposed that uses range from commercial to residential.

If the application is given the foregoing interpretation, the Project gets the Grandfather Exemption and is deemed safe under the pre-2006 airport land use plan. If it is given the unduly restrictive interpretation advocated by staff, the Project is subject to FALUCP safety zone 2, and absent a finding of overriding considerations, cannot be approved to provide the needed workforce housing.

- **County Staff Limits The Production Of Workforce Housing By Applying A Restrictive Interpretation Of The Application: :** County staff has insisted this application proposed residential use only on Unit 9, and proposed commercial

² Under the airport land use plan applicable in 2003, the project is located outside the airport influence area and is thereby deemed safe.

only for Unit 10, and on that basis contends Unit 10 residential (60 units of workforce housing) constitutes a material change in the application making the Grandfather Exemption inapplicable.

- **County's Interpretation is Proved Wrong:** County's misinterpretation is based upon an illustrative map taken out of context. The map was attached to the application to illustrate the project with residential on Unit 9 and commercial on Unit 10. But commercial was simply one option in the range of proposed uses. When considered in context, the application identifies residential as a use for Unit 10 by expressly providing that the parcel numbers for Unit 10 would allow residential. The application identifies the Assessor Tax Parcel numbers of Unit 10 (Ex. 003), followed by a zoning box specifying a rezone to R10 and RS7, accompanied by the following unambiguous statement:

"Value-neutral increases in residential density for presently undeveloped portion of Specific Plan area identified by Assessors Tax Parcel numbers above." (Ex. 003)

Conclusion: The FALUCP Grandfather Exemption applies because the application was complete in 2003 and unambiguously calls for residential on Unit 10. Moreover, even if there are two possible interpretations, one of which would lead to denial of 60 units of workforce housing and the other of which would lead to approval, the interpretation favoring approval is mandated by the legislative policy favoring approvals that serve to alleviate the housing crisis.³ The County's restrictive interpretation is simply unnecessary and is counterproductive to statewide policy goals.

County Gives Restrictive Interpretation To FALUCP Grandfather Exemption In An Effort To Stop Workforce Housing On Both Units 9 And 10: Worse still, County has recently adopted the new contention that subsequent submittals on the 2003 application disqualify it from the FALUCP Grandfather Exemption. Again, County inexplicably applies a severe and restrictive interpretation in a manner calculated to deny rather than approve workforce housing. Subsequent implementing submittals on a pending application do not create a whole new application.

Years of County vacillation and reversals of position on this issue show that such a restrictive interpretation is neither necessary nor reasonable.

- In its June 27, 2003 scoping letter, the County identified no airport hazards, but stated that a consistency determination would be needed (Ex. 012, 016).

³ The County must give "...adequate attention to the economic, environmental, and social costs of decisions that result in disapproval of housing development projects, reduction in density of housing projects, and excessive standards for housing development projects." Gov. Code Section 65589.5 (a)(1)(D)

- On December 22, 2003, the SDCRAA informed the County the project was located outside the airport influence area and therefore no consistency determination was required (Ex. 023).
- In a letter to the applicant from Staff member Dave Sibbet in December, 2017, County led applicant to believe the “Long Term Project Exemption” from the FALUCP would qualify the project for approval. Over a year later County incorrectly repudiated this position.
- In the summer of 2019, Ed Gowens from the SDCRAA reminded the County of the December 22, 2003 Regional Airport letter, leading to a meeting with ALUC and PDS Staff on October 30, 2019. At that meeting it was collectively agreed that applicant could pursue the 2003 application and it would be exempt from the 2006 FALUCP. A copy of the meeting minutes prepared by the County reflecting this decision (which on the face page contains the erroneous date of 2018 as opposed to 2019) (Ex. 024-025). Therefore, there would be no inconsistency and there would be no airport hazard.
- In December, 2020, PDS planner Mark Slovick reversed the decision, and advised in an email that the application made in 2002 would be governed by the 2006 FALUCP, thereby placing both Units 9 and 10 in safety zone 2 prohibiting residential. His rationale was that the *implementing documents* for the 2003 GPA/Rezone constitute an entirely new project. His rationale relies on an overly restrictive interpretation designed to deny rather than approve workforce housing. He ignored the plain language of the 2006 FALUCP exempting projects deemed complete prior to its adoption.
- Slovick’s contention directly contradicts the written opinion of the County’s own airport expert, Nicholas Koutoufidis, as set forth in his ‘DEPARTMENT DETERMINATION memo dated May 18th, 2020 (Ex. .026), and which provides (in the highlighted portion, Ex. 027)) that if the Project is revised to delete residential on the northern portion (Unit 10), and is otherwise consistent with the 2003 application which indisputably proposed residential on Unit 9, it will not be subject to the 2006 FALUCP

SUMMARY: The County is violating the FALUCP and the statewide housing affordability policies by attempting to deny the entire Project, including 57 units of affordable workforce housing on Unit 9, and 60 units on Unit 10, upon the false pretext that the 2006 FALUCP applies when in fact it does not.

Very Truly Yours,

MCKINLEY LLP

Steven McKinley

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COUNTY OF SAN DIEGO
DEPT. OF PLANNING & LAND USE
6301 RUFFIN ROAD, SUITE B
SAN DIEGO, CA 92121-1804

(602) 646-0901 • (602) 297-9779 • FAX (602) 495-6060

02 03 049730 12/06/02 09:44AM
4900 TRUST FUND DEPOSITS \$2,020.0
Work Auth: WN6946
REF: PAA02-005

CP332

DISCRETIONARY PROJECT APPLICATION

Case Numbers	DPLU	DPW	Health	Other
PAA02-005	\$2020 F/D	F/D	F/D	F/D
	F/D	F/D	F/D	F/D
	F/D	F/D	F/D	F/D
ENV#				
WE#	D			
WN# 6946	12020 D			
DEPARTMENT USE ONLY				
TOTALS	\$2,020 +	+	=	\$2,020
	DPLU	DPW	Health and Others	Total

Have you had a pre-application conference? YES ☒ NO ☐

If yes, Planner's Name: Jeff M. L.

Financial responsibility: owner ☒ applicant ☐ engineer ☐ taxpayer ID# or SSN _____

Owner Name Peppertree Land Co. Phone (760-630-6585)

Owner's E-mail Address _____

Address 5256 South Mission Rd Suite 905

City Bonsall CA 92003

State _____ Zip _____

Applicant Name Duane Urquhart Phone (760-630-6585)

(If different from owner and/or party financially responsible for project on DPLU#128.)

Address 5256 South Mission Rd Suite 905

City Bonsall CA 92003

State _____ Zip _____

Engineer Name (Planners) TRS Consultants Phone (858-496-2525)

Address 7867 Convoy Ct. #312

City San Diego CA 92111

State _____ Zip _____

Point of Contact Thure Stedt Phone (858-496-2525)

Project Name Peppertree Park

Project Address Peppertree Lane east of Mission Rd, Fallbrook

Assessor's Parcel No 104-350-15,19, 104-351-17, 106-410-44, 106-041-52

I am able and intend to proceed with actual construction work and/or division of land in accordance with plans submitted herein within _____ months after approval. ATTACH A LETTER OF AUTHORIZATION FOR AGENT (IF APPLICABLE).

Signature of owner or Authorized Agent

Eric Kallen

Print or type Signature's Name

12-01-02

Date



COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

PLAN AMENDMENT AUTHORIZATION (PAA) APPLICATION

GENERAL INSTRUCTIONS

Submit five (5) sets of the following documents to the Zoning Counter with a check for applicable fees made payable to the County of San Diego:

- DPLU #126 Acknowledgment of Filing Fees and Deposits
- DPLU #271 Plan Amendment Application
- DPLU #305 Ownership Disclosure
- DPLU #346 Discretionary Permit Application

**A pre-application conference with a Planner is strongly recommended prior to submittal to discuss your project and the PAA/GPA process.*

PROJECT NAME Peppertree Park

Address/Location Peppertree Lane at Mission Road

APPLICANT Duane Urquhart

Address 5256 South Mission Rd Suite 905 Bonsall CA 92003

Telephone () 760-630-6585

OWNER (if different from applicant) Peppertree Land Co.

Address 5256 South Mission Rd Suite 905 Bonsall CA 92003

Telephone () 760- 630-6585

FOR DEPARTMENT USE ONLY

PAA #	Did applicant attend a Pre-Application Conference?
Submittal date	Yes <input type="checkbox"/> No <input type="checkbox"/>
Decision date	If yes, with whom?
(45 calendar days after submittal)	Zoning and General Plan information checked by

LIST THE ASSESSOR'S PARCEL NUMBERS FOR ALL PROPERTY INCLUDED IN THIS APPLICATION.
An incomplete listing may invalidate General Plan Amendment Authorization.

Undeveloped portion: 104-350-15,19 104-351-17 106-041-52 106-410-44

Already developed portion: 106-500-all (except 29) 106-510-all 106-520-all

106-521-all 106-550-all 106-551-all 106-560-all 106-561-all

Total Acreage: 162.9 acres Tax Rate Area:

Thomas Bros. Page & Coordinate: 1027 G5 Supervisor's District: Horn

Community or Subregional Plan: Fallbrook

ZONING RECLASSIFICATION INFORMATION: Complete the zoning boxes below. Information for completing this form is available from the Zoning Information Counter, Department of Planning and Land Use, 565-5981. Please duplicate this form if you need to fill out more than one zoning reclassification item.

EXISTING

General Plan Regional Category:

CUDA

Community/Subregional Plan Designation:

#21 (1.65)

PROPOSED

General Plan Regional Category:

CUDA

Community/Subregional Plan Designation:

#21 (2.24)

Existing Zoning

USE REGULATIONS		S88/ RS1.17
ANIMAL REGULATIONS		A/J
Density		0/1.17
Lot size		6000/20000
Building type		L/C
Maximum floor area		
Floor area ratio		
Height		G
Coverage		
Setback		E/J
Open space		E/A
SPECIAL AREA REGULATIONS		B/P

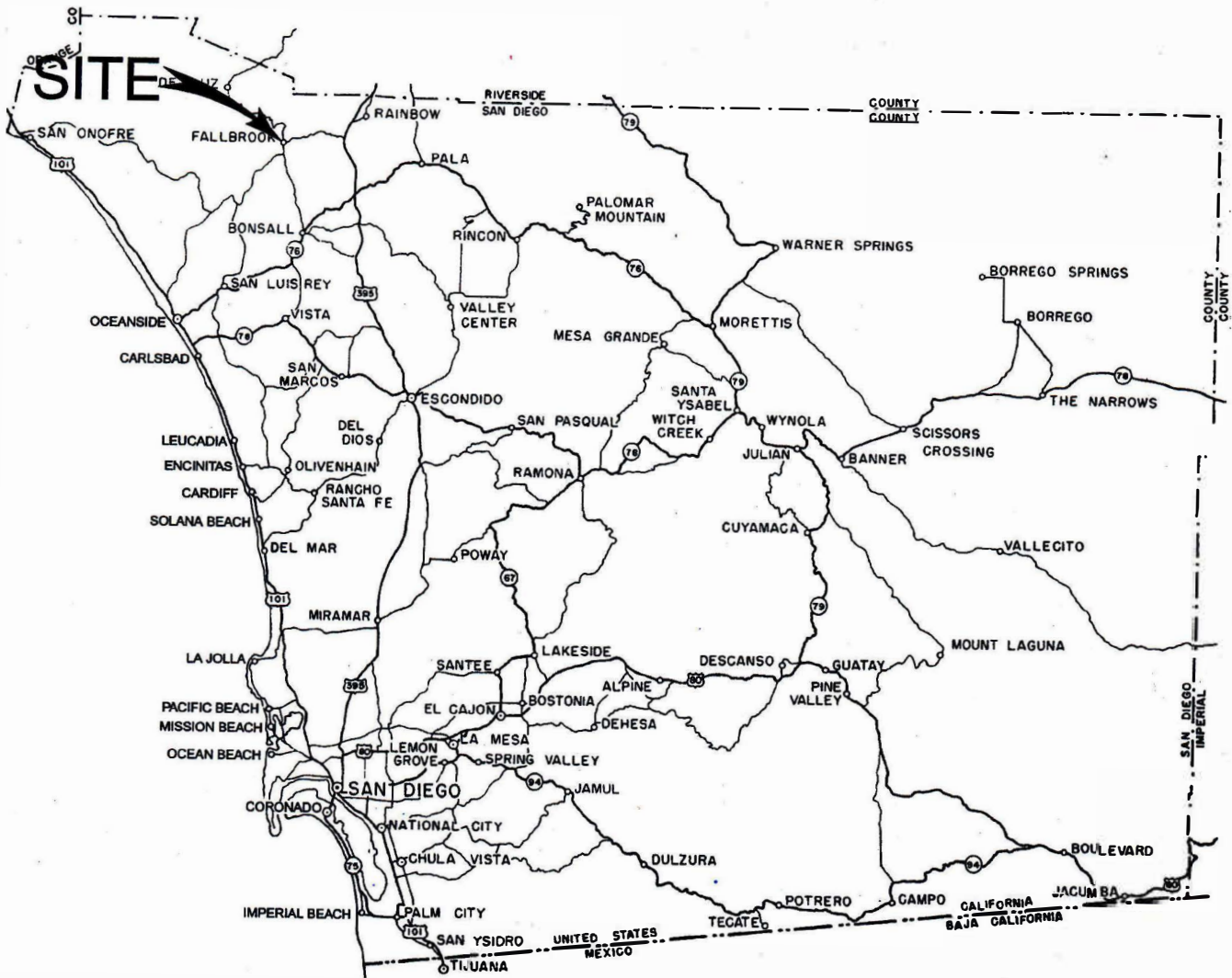
Proposed Zoning

USE REGULATIONS		S88	R10	RS7	RS1.17
ANIMAL REGULATIONS		A	J	J	J
Density		0	10	7	1.17
Lot size		6000	6000	3000	20000
Building type		L	K	C	C
Maximum floor area					
Floor area ratio					
Height		G	G	G	G
Coverage					
Setback		E	J	J	J
Open space		E	A	A	A
SPECIAL AREA REGULATIONS		B	P	P	P

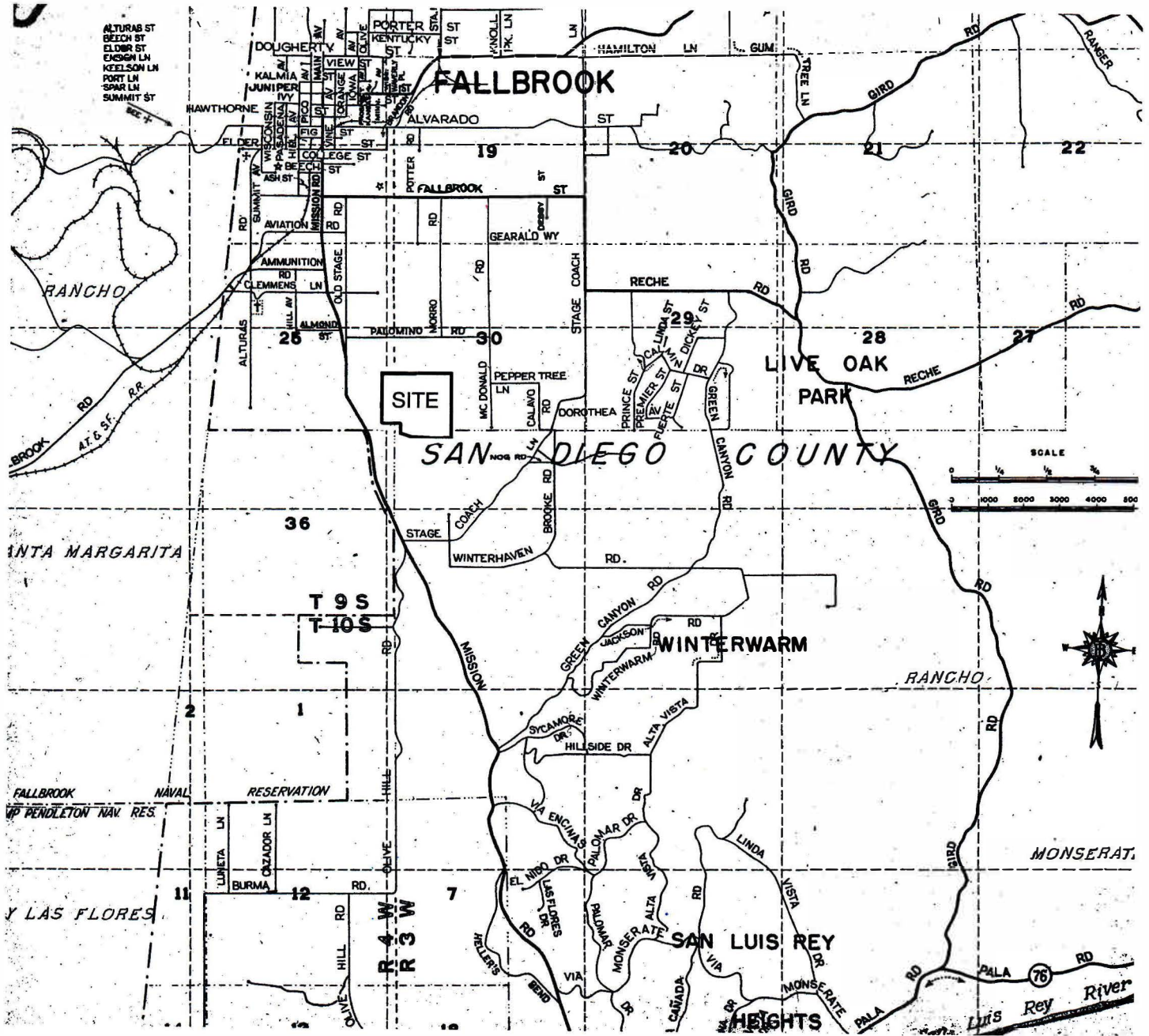
Give a brief description of the proposed plan amendment:

Value-neutral increase in residential density for presently undeveloped portion of Specific Plan area identified by Assessor's Tax Parcel numbers above. Realignment of Peppertree Lane.

No proposed zone change on already developed portion of Specific Plan area.



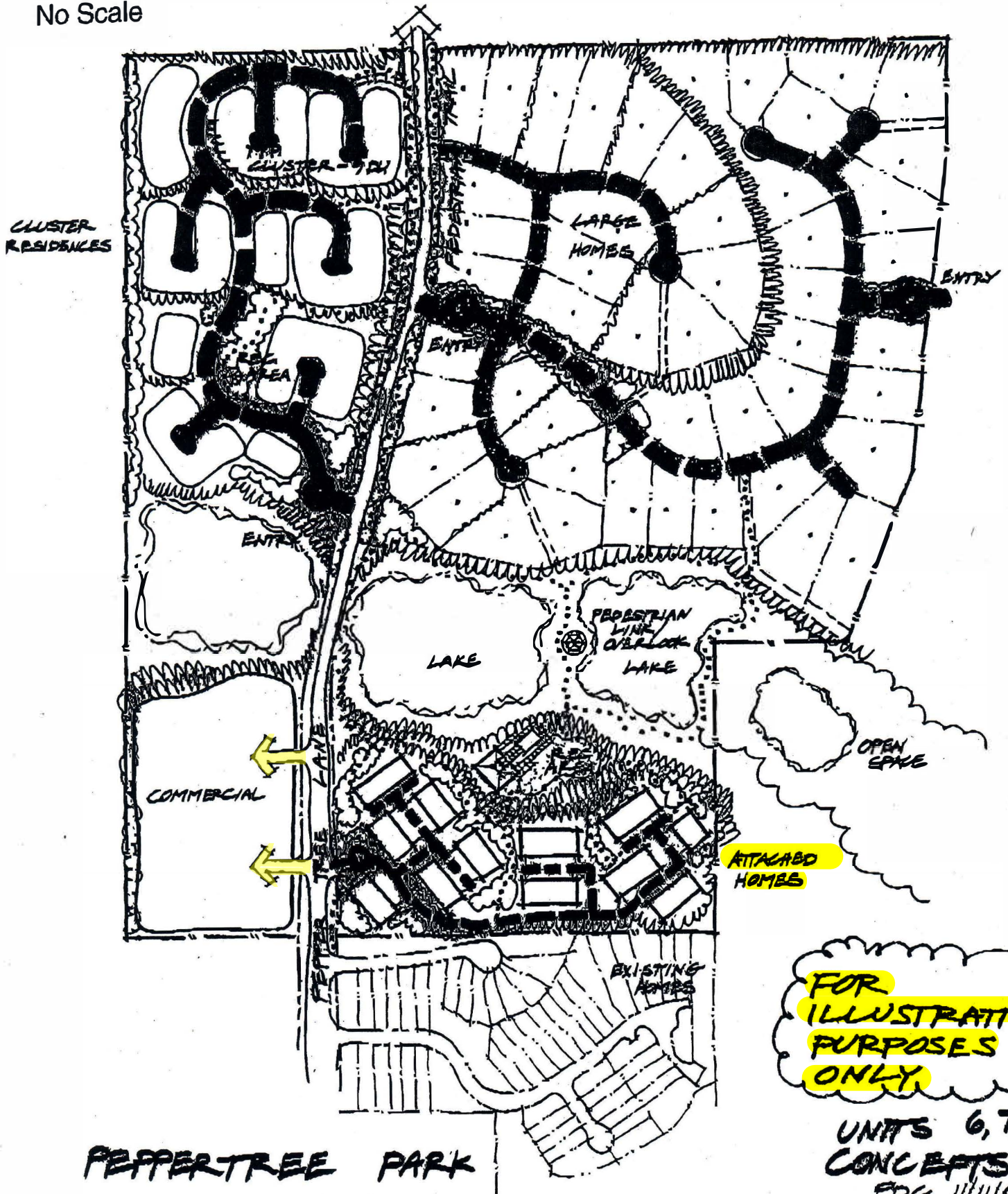
REGIONAL VICINITY MAP



VICINITY MAP



No Scale



FOR
ILLUSTRATIVE
PURPOSES
ONLY.

UNITS 6, 7, 8,
CONCEPTS
FDC 11/11/02

APPLICATION DEPOSIT ACKNOWLEDGEMENT AND AGREEMENT

INTRODUCTION

It is the policy of the County of San Diego to recover from applicants for land development approvals the full costs of processing such applications. (See Board of Supervisors' Policy B-29.) An advance deposit is required for certain applications, in an amount is set by ordinance, based upon average costs as past experience demonstrates. This initial deposit amount is only an estimate of the amount which will be required to process an application of a particular type; for an individual case, the actual cost may be substantially less or more than the initial deposit amount.

As work proceeds on an application, actual County costs will be recorded. When actual County costs reach approximately 75% of the initial deposit amount, the case will be reviewed and a determination will be made whether additional funds are required to cover anticipated future County costs. (County work normally will be proceeding while such review is being conducted, and in some cases, the amount of resulting County costs may then exceed the amount on deposit, resulting in a deficit account. Pre-intake assistance applications are prohibited by ordinance from going into deficit.) On applications other than pre-intake assistance applications, if anticipated or actual County costs exceed the amount of the initial deposit, the applicant is required to pay the additional amount necessary to cover such costs. When a case is completed, any unused amount on deposit will be refunded.

It may become necessary for the County to engage the services of an outside contractor to assist with processing an application. Costs for such services are considered County costs, and are to be paid by the applicant as with the above.

AGREEMENT

The person named below as "Depositor" is herewith depositing, or has previously deposited with the County of San Diego the sum of \$ 2 for processing the following application being filed with the County:
Plan Amendment Application

Said deposit is made on behalf of the person, corporation or partnership named below as the "Applicant". With reference to said application and deposit, Depositor and Applicant hereby acknowledge and agree as follows:

1. Said deposit shall be held by the County in an account under the name of Applicant, and Applicant shall be considered as the owner of all funds in said account, and Depositor (if different from Applicant) releases any interest in said funds. Except as provided below, any funds remaining in said account at the completion of work on said application shall be refunded to the Applicant at the address below.
2. All costs incurred by the County in processing said application, including overhead, whether within or over the amount of said deposit, shall be paid by Applicant. This is Applicant's personal obligation and shall not be affected by sale or transfer of the property subject to the application, changes in Applicant's business organization, or any other reason. County is authorized to deduct such costs from said deposit at such times and in such amounts as County determines. If the Applicant withdraws an application not involving a violation of a County ordinance, County will cease work thereon within one day.

3. ^{13 of 28}Costs incurred by the County, under paragraph 2 include costs for the services of an outside contractor, where the County determines to use contract services.
4. In the event that County determines that said deposit must be increased by additional sums in order to cover work anticipated to be necessary to complete processing of said application, County may make a written demand for such increased deposit and mail the same to Applicant at the address below. Applicant will deposit with County such additional sums demanded within thirty days of the date of County's request.
5. If Applicant fails to deposit such additional sums within said period, County may cease work on said application. County may thereafter deem said application to have been withdrawn by Applicant, or may forward said application to the appropriate decisionmaker with a recommendation for denial. The application will not be approved until required deposits are paid in full.
6. If the amount of costs incurred by County exceeds the amount of funds on deposit, and Applicant has failed to pay County sufficient funds to cover said deficit after demand, County may, in addition to ceasing work on said application, take any or all of the following actions:
- (a) cease work on and refuse to process any other applications for land development approvals submitted to County by or on behalf of Applicant;
 - (b) charge such deficit amount to any other account(s) held by County on behalf of Applicant for such other land development applications;
 - (c) commence suit or pursue any other legal or equitable remedies available to it.
7. If County commences suit to recover any deficit in processing costs, the party prevailing in such suit shall be entitled to recover as costs from the other party its costs of litigation, including reasonable attorneys' fees.

APPLICANT:

Signature

Print name

Number & street

City, state & zip

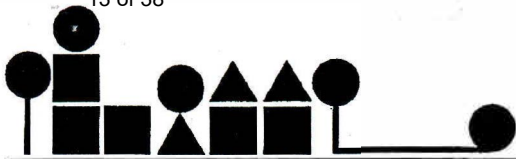
DUANE S. JOHNSON
DUANE S. JOHNSON, c/o PEPPER TREE LAND Co.
5256 S. Mission #905
San Jose, Ca. 95003

DEPOSITOR:

Signature

Date

[Signature]
7-2-02



COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

APPLICANT'S STATEMENT OF DISCLOSURE OF CERTAIN OWNERSHIP INTERESTS ON APPLICATIONS FOR LAND USE AMENDMENTS AND PERMITS PURSUANT TO ORDINANCE NO. 4544 (N.S.)

The ordinance requires that the following information must be disclosed at the time of filing of this discretionary permit.

- A. List the names of all persons having an *interest* in the application.

Duane Urquhart

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

Duane Urquhart

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

Peppertree Land Co.

- C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

NOTE: Section 1127 of The Zoning Ordinance defines *Person* as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

NOTE: Attach additional pages if necessary.

DPL/04305 (8/97)

Signature of Applicant

Date

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CA 92123-1666 • (619) 565-5981



GARY L. PRYOR
DIRECTOR
(858) 694-2962

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

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

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

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

February 4, 2003

Duane Urquhart
Peppertree Land Co.
5256 South Mission Rd. Suite 905
Bonsall, California 92003

RE: THRESHOLD DECISION ON PLAN AMENDMENT AUTHORIZATION (PAA) 02-005

Dear Mr. Urquhart:

On December 12, 2002, you filed an application to amend the map and text of the Fallbrook Community Plan. Your application proposes to change the density and development criteria for 74.25 acres located in the northerly portion of the Peppertree Park Specific Plan Area. You also proposed to rezone the area in order to implement the General Plan Amendment.

Your plan amendment request, PAA 02-005, has been authorized for processing in accordance with Board Policy I-63. The environmental review process, including scoping for the project and the preparation of an Initial Study will begin after the project is officially submitted to the County. It will be necessary to complete an Application for Environmental Initial Study and it may be necessary to provide additional studies and information at a later date before determination as to the environmental effects of the project can be made. In addition to the proposed Zone Reclassification, implementation of the General Plan Amendment will require an amendment to the Peppertree Park Specific Plan, and new Tentative Maps for the residential portions of the proposal. These applications can be processed concurrently with the General Plan Amendment.

Please submit seven copies of the General Plan Amendment Report, along with the appropriate implementing applications, a copy of this letter, and deposits to the Department of Planning and Land Use by May 4, 2003, so processing may begin. Please consult staff at the Zoning Counter for the applicable deposits and filing

Duane Urquhart

- 2 -

February 4, 2003

requirements. Enclosed you will find a Scope of Work outlining the topics to be discussed in your GPAR.

Marette Esperance of our Department is the assigned staff planner on your project. Please contact her at (858) 694-2969 to arrange a meeting to discuss the proposed amendment in greater detail.

Sincerely,



GARY L. PRYOR, Director
Department of Planning and Land Use

GLP:ME:br

Enclosures

cc: Thure Stedt, TRS Consultants, 7867 Convoy Ct. #312, San Diego, CA 92111
Development Review, Department of Public Works, M.S. O336
File

AUTHOR\IMPLTRME1-0203



FILE COPY

GARY L. PRYOR
DIRECTOR
(858) 694-2962

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
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SAN MARCOS OFFICE
338 VIA VERA CRUZ - SUITE 201
SAN MARCOS, CA 92069-2620
(760) 471-0730

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

June 27, 2003

Thure Stedt
TRS Consultants
7867 Convoy Ct. #312
San Diego, CA 92111

CASE NUMBER: GPA03-xx; ACCOUNT NUMBER: CP 332; PROJECT NAME: Peppertree Park General Plan Amendment

Dear Mr. Stedt:

The Department of Planning and Land Use (DPLU) has reviewed your application for a General Plan Amendment and has determined that your application is complete pursuant to Section 65943 of the Government Code. The Department is providing you with this letter as a guide for the further processing of this application.

This letter lists those concerns that have been identified and specifies any revisions and additional information that may be necessary to process this application. Additionally, an estimated time schedule and estimated cost of processing this application have been included as well as draft conditions that will likely be made part of any resolution of approval.

1. PROJECT DESCRIPTION

This is a request to change the text of the Fallbrook Community Plan that guides development of the Peppertree Park Specific Plan Area. The changes would increase the density of the Specific Plan Area from 1.65 dwelling units per acre to 2.24 dwelling units per acre, change the housing mix from 100% single family residential to 83.5% single family residential and 16.5% multi-family residential and allow General Commercial uses on a 6.7 acre portion of the Specific Plan Area. Reclassification of Pepper Tree Lane from Light Collector to Rural Light Collector is proposed.

2. DEPARTMENT OF PLANNING AND LAND USE – PLANNING ISSUES

- 2 -

The Department has identified the following issues:

The General Plan Amendment Report (GPAR) is internally inconsistent. An application for a General Plan Amendment is the only application that was submitted. However, the GPAR references concurrent processing of a Specific Plan Amendment and proposed zoning. In addition, the discussion of consistency with the General Plan and Fallbrook Community Plan is incomplete. A revised GPAR is required. A red-line copy of the GPAR is attached for your use.

3. **DEPARTMENT OF PLANNING AND LAND USE – ENVIRONMENTAL ISSUES**

The Department of Planning and Land Use has completed its review of your AEIS and determined it not to be "complete" as defined by the CEQA. At this time, additional information will be required to determine your project's potential impacts on the environment and to complete the CEQA Environmental Initial Study.

The County of San Diego's environmental review guidelines require that the following environmental technical studies be prepared by a California Licensed professional (i.e., engineer, geologist) qualified to complete the study or a consultant from the County's List of Environmental Consultants. A General Plan Amendment Report was accepted with the initial submittal. This report served to assist in the scoping process.

These reports will be reviewed for technical accuracy and to determine whether a Negative Declaration or Environmental Impact Report will be necessary for your project. Additional copies of the final technical report(s) will be required when your project's environmental documents are circulated for public review.

As discussed at our meeting on July 2, 2003, you intend to submit applications for the permits (a Specific Plan Amendment, Rezone, Tentative Maps and Major Use Permits) that will be necessary to implement this proposed GPA. As we discussed, the project will be re-evaluated and re-scoped when these implementing permit applications are submitted. These permit applications are necessary for a complete and thorough environmental review of the project.

The following information is required at this time:

A. TRAFFIC ANALYSIS

The GPA report states (Pg.3) that the Fallbrook Planning Community Planning Group has been supportive of the proposed development. The GPA report

- 3 -

Appendix should include correspondence from the Planning Group that documents their support of the proposed GPA.

The GPA report references (Pg.4) a traffic analysis update dated April 20, 1989. A comprehensive traffic analysis should be prepared that analyzes the proposed project based on current conditions/circumstances and addresses the following comments:

1. The traffic analysis should include a detailed project description.
2. The currently proposed GPA is only for the northern half of the Peppertree Park development. The traffic analysis should describe the status of development for the southern portion of the development.
3. The traffic analysis should provide a description of the existing roadway conditions/geometrics for the following County Circulation Element roads: 1) Mission Road (SF 1305) and 2) Pepper Tree Lane (SC 90). The description of the roadway conditions should include road width, number of lanes, posted and prevailing speed, daily traffic volumes, pavement conditions, and shoulder availability.
4. The GPA report states (Pg.3) that Pepper Tree Lane will be improved and realigned as part of the project. The traffic analysis should provide map figures that show and compare the existing, previously approved (Pg.3), and currently proposed alignments of Pepper Tree Lane. The proposed Pepper Tree Lane realignment should be consistent with the County's Public Road Standard and with any easements that the County has previously obtained for the purposes of future roadway improvements. Maps of the various alignments should show the entire segment of Pepper Tree Lane from Mission Road to Stage Coach Lane.
5. The GPA report states (Pg.3) that Pepper Tree Lane will be improve to Rural Light Collector Standards. Pepper Tree Lane (SC 90) is classified a Light Collector. The differences between the Rural Light Collector and Light Collector standards should be identified.
6. The traffic analysis should include a conceptual striping plan for the proposed improvements to Pepper Tree Lane for the segment that traverses the project site.
7. The GPA report states that the alignment of Pepper Tree Lane is being altered in order to avoid existing off-site developments. The GPA report and traffic analysis should provide maps that identify and show the off-site developments.

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8. The project's trip generation and trip distribution assumptions should be identified in the traffic analysis. The trip generation assumptions should account for the maximum development potential of the site. The trip distribution assumptions should reflect near-term and long-range project-related trip distribution with and without the Pepper Tree Lane extension/connection.
9. The following scenarios should be assessed in the traffic analysis:
 - Existing conditions
 - Existing plus project
 - Existing plus project plus other proposed projects (Near-term Cumulative)
 - Future-year/2020 with (Proposed General Plan/zoning) and without (Adopted General Plan/zoning) the proposed project
10. The project applicant/consultant should coordinate with the County's Department of Planning and Use (DPLU) in order to identify what projects should be included in the near-term cumulative analysis. In addition, DPLU staff should review the proposed GPA and verify consistency with the County's General Plan 2020 update land use plan.
11. The traffic analysis should include AM and PM Peak hour LOS analyses for key intersections along Mission Road and Pepper Tree Lane.
12. The GPA report discusses (Pg.4) the availability of alternative forms of transportation such as bus, rail, and bicycles. The traffic analysis should elaborate on the discussion of alternate transportation modes and identify what alternate modes are currently available at the project site and what additional modes that the proposed GPA will implement.
13. Efforts should be made to included pathways and/or walkways to encourage pedestrian traffic. Connections to reduce pedestrian travel lengths should be provided where feasible.
14. The proposed GPA exceeds (Pg.4) the 2400 daily trips threshold identified in the 2002 Congestion Management Program (CMP) for the San Diego Region. An assessment of the project's impacts to Interstate 15 and State Route 76. The assessment should utilize the CMP Enhanced CEQA review guidelines.
15. The traffic analysis should address on-site circulation and verify that the internal roads are in conformance with the County's Public and/or Private Road Standards.

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16. The traffic analysis should address the adequacy of corner sight distance for project access driveway(s) onto the County's public road system.
17. The traffic analysis should include a summary table that identifies the roadway segment and intersection LOS for all scenarios. In addition, the LOS summary table should include columns that identify the net increase in traffic volumes or intersection delays due to the project-related traffic, whether the project has a significant direct or cumulative impact, and recommended mitigation measures.
18. Five copies of the traffic study should be submitted to the Department of Public Works. Upon submittal, copies of the traffic study will be submitted to Caltrans for their review and comments.

B. Airport Issues

General Plan Amendments must be sent to the San Diego County Regional Airport Authority (SDCRAA) for review to ensure that the project is consistent with the draft Airport Compatibility Plans. County staff will forward the project to SDCRAA in the future when implementing permit applications for this GPA are received. This should allow for a more detailed and thorough review by SDCRAA.

APPEAL INFORMATION: If you disagree with the above environmental processing requirements you may, in certain circumstances, be able to appeal some or all of the requirements to the appropriate hearing body pursuant to Section 6.3.3 or 7.2 of the San Diego County CEQA Guidelines. Such an appeal must be filed at the DPLU Zoning Counter, 5201 Ruffin Road, Suite B, San Diego, CA 92123 (Telephone: (858)565-5981) no later than 4:00 p.m. on the tenth calendar day after the date of this letter and must be accompanied by the appropriate appeal form. Appeal forms and other information are available at the DPLU Zoning Counter. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. the following day the County is open for business. No separate appeal fee is required but be aware that your deposit account will be charged for the staff time spent processing such an appeal (typically approximately 20 - 30 hours). Prior to filing an appeal you should, but are not required to, confirm with the project Environmental Analyst that the point(s) of your disagreement are in fact subject to appeal. Furthermore, discussing the points of the disagreement with staff often results in a clarification or compromise that may alleviate your concerns thereby eliminating the need for the appeal.

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If you have any questions regarding these requirements, we encourage you to contact Robert Hingtgen, project Environmental Analyst, at (858) 694-3712.

4. **DEPARTMENT OF PUBLIC WORKS (DPW)**

The DPW does not provide road improvement requirements for General Plan Amendments. DPW has provided comments on the GPAR. These comments also address the traffic analysis that must be prepared for the project and are incorporated in the comments in Section 3, above. In addition, the DPW has the following comment regarding trails:

Address the trails aspects of this general plan amendment.

The DPLU notes that the discussion of conformance with the County General Plan and Fallbrook Community Plan should include a discussion about trails.

If you have any questions concerning trails, please call Jeff Bosvay at (858) 694-3266.

5. **DEPARTMENT OF ENVIRONMENTAL HEALTH (DEH)**

The DEH has not provided comments on the General Plan Amendment proposal. If the DEH provides comments, they will be forwarded to you under separate cover.

6. **PUBLIC FACILITY PROVIDERS**

No public facility providers provided comments on the General Plan Amendment proposal. If comments are received, they will be forwarded to you under separate cover.

7. **PLANNING/SPONSOR GROUP ISSUES**

The Fallbrook Community Planning Group will receive a copy of your General Plan Amendment Report at the next submittal. When the Planning Group provides comments, they will be forwarded to you under separate cover.

8. **ESTIMATED PROCESSING SCHEDULE**

An estimated time schedule is attached. Several assumptions were required to supply a schedule at this time and are listed at the bottom of the estimated schedule. If these assumptions prove to be incorrect, the schedule will be adjusted. The schedule also makes assumptions regarding County staff workload, submittal turnaround times by the applicant, and the number of

- 7 -

iterations of submittals required for the applicant to obtain an adequate document. These assumptions are based on staff's experience with this type of case. **If reports are determined to be acceptable with less than three reviews or the applicant turnaround times shortened, the "standard" schedule can be reduced by as much as 50 percent in some cases.**

9. **ESTIMATED PROCESSING COSTS**

The following is an estimate of the additional deposits required to process the application through hearing/decision:

AGENCY	DEPOSIT AMOUNT
DPLU-Planning	\$7,500
DPLU-Environmental	\$3,000
DPW	\$-
DEH	\$-
TOTAL ADDITIONAL DEPOSITS	\$

Be aware that Section 362 of Article XX of the San Diego County Administrative Code, Schedule B, 5 states that:

The Director of Planning and Land Use may discontinue permit processing and/or recommend denial of the said project based on non-payment of the estimated deposit.

Several assumptions were required to supply the DPLU-Environmental cost estimate at this time in the process. If these assumptions prove to be incorrect, your cost estimate will be adjusted. These assumptions are listed at the bottom of the attached environmental cost estimate.

Should your application be approved, there will be additional processing costs in the future (e.g., Final Map processing costs, park fees, drainage fees, building permit fees). The above estimate includes only the costs to get your present application(s) to hearing/decision and does not include these additional processing costs.

The initial review of your project indicates that there will be an effect on native biological resources. Therefore, State law requires the payment of a fee to the California Department of Fish and Game for their review of the project environmental document (Fish and Game Code §711.4). If this fee is needed, it will be requested and collected at a later time during the process. Payment of the fee is required regardless of whether or not we consider the effect on native biological resources to be significant or clearly mitigated. The project analyst will

- 8 -

remind you to pay this fee immediately prior to public review of the project environmental document.

10. **SUBMITTAL REQUIREMENTS**

Unless other agreements have been made with County staff, you must submit all of the following items concurrently and by the submittal date listed below in order to make adequate progress and to minimize the time and costs in the processing of your application. The submittal must be made to the DPLU Zoning Counter at 5201 Ruffin Road, Suite B, San Diego, CA 92123-1666 and must include the following items:

- a. **A COPY OF THIS LETTER.** The requested information will not be accepted unless accompanied by this letter.
- b. The following information and/or document(s) with the requested number of copies as specified:

INFORMATION/DOCUMENT	NO. OF COPIES	LEAD REVIEW DEPT./SECTION
Revised General Plan Amendment Report	7	Current(3)/ Resource(1)/DPW(2) /Fallbrook PG(1)
Traffic Report	7	Current(1)/ Resource(1)/DPW(5)
The staff turnaround goal for review of the requested information/document is 30 days.		

- c. Deposits in accordance with the following schedule as specified above in the Estimated Processing Costs section:

AGENCY	ACCOUNT NUMBER	DEPOSIT AMOUNT
DPLU-Planning	WN 7156	\$7,500
DPLU-Environmental	WE 1980	\$3,000
DPW		\$-
DEH		\$-
Other:		\$-

11. **SUBMITTAL DUE DATE**

In order to maintain adequate progress in the processing of your project, the DPLU requires that the revisions/information/deposits requested in this letter be submitted by **October 31, 2003**. An extension of this date may be granted at the

- 9 -

discretion of the Director of Planning and Land Use. To request an extension, submit a written request, signed and dated by the project applicant. The request must include the proposed new submittal date and a brief reasoning for the extension request. If the revised document(s) are not received, or an approved extension request is not granted by the Director by the above date, the Department may make a recommendation for denial of your project to the appropriate decision-making authority based upon inadequate progress pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15109.

If you have any questions regarding this letter or other aspects of your project, please contact me at (858) 694-2969.

Sincerely,



MARETTE ESPERANCE, Project Manager
Current Planning

cc: Duane Urquhart, Peppertree Village VI, LLC, 5256 South Mission Rd. #905,
Bonsall, CA 92003
Fallbrook Community Planning Group
Nael Areigat, Project Manager, Department of Public Works, M.S. O336
Susan Porter, Regional Planner, Department of Planning and Land Use,
M.S. O650
Glenn Russell, Environmental Coordinator, Department of Planning and Land
Use, M.S. O650
Rob Hingtgen, Project Analyst, Department of Planning and Land Use,
M.S. O650
File

Attachments

SUMMARY ENVIRONMENTAL COST ESTIMATE AND DEPOSIT SCHEDULE

Project #: **GPA03-xx**
 Name: **Peppertree Park**
 Date: **07/02/03**
 Estimator: **Robert Hingtgen**

TASK	Staff Hours	Management Hours	Word Proc. Hours
AEIS Completeness/Initial Study	25.9	1.4	2.2
Extended Initial Studies	N/A	N/A	N/A
MSCP/BMO or HLP Findings	N/A	N/A	N/A
Negative Declaration	26.3	4.7	2.7
Environmental Impact Report	N/A	N/A	N/A
Addendum/Use of Previous CEQA Document	N/A	N/A	N/A
Board Policy I-119 Review	N/A	N/A	N/A
TOTAL LABOR HOURS	52.2	6.1	4.9
Charge Rates (\$/hour)	\$ 102.01	\$ 122.86	\$ 39.99
Subtotal - County Labor Costs*			\$ 6,300
Fish and Game Fees**			\$ 1,275
TOTAL ESTIMATED COST (Environmental)			\$ 7,575

DEPOSIT SCHEDULE

Environmental Deposits already paid	\$ 3,300
Submit Immediately or Upon Next Submittal, as Appropriate	\$ 3,000
Submit Immediately Prior to Public Review	N/A
Fish and Game Fees**	\$ 1,275
TOTAL DEPOSITS (Environmental)	\$ 7,575

This is an estimate of County staff time and costs related to Environmental processing only.

Estimates do not include any of the applicant's consultant costs nor County special graphics charges.

* - Labor Cost Subtotal is rounded to the nearest \$100.

** - Fish and Game fees are collected by the County on behalf of the California Dept. of Fish and Game immediately prior to public review.

GENERAL ASSUMPTIONS:

There will be no Extended Initial Studies required.

The project will be able to be completed using a Negative Declaration.

MSCP/BMO or HLP Findings are not required or HLP Fee has already been paid.

There may be substantial changes in this estimate if any of the following occur:

- The above general assumptions prove incorrect, especially if an EIR is deemed to be required;
- Applicant does not meet turnaround times;
- It takes more or less than three iterations to obtain an adequate EIR or Extended Study (if applicable);
- Previously unknown public controversy occurs;
- Recirculation of the ND or EIR for public review is required;
- Your project is appealed to a hearing body for any reason.

XIS Factor: N/A

MSCP/BMO/HLP Factor: N/A

Project Factor: 6

ESTIMATED PROCESSING SCHEDULE

Project Name:
 Project Number: **GPA03-XX**
 Staff Completing Schedule: Robert Hingtgen
 Decision-Making Body: Board of Supervisors
 Date Schedule Produced/Revised: 7/2/2003

TASK/ACTIVITY	Estimated Duration	Estimated Completion Date	Actual Completion Date
APPLICATION SUBMITTAL			5/14/2
DPLU reviews for application "completeness", determines project issues, costs and schedule	30	6/13/2003	7/3/2003
Applicant Submits 1st Draft Extended Initial Studies	120	10/31/2003	
DPLU Reviews 1st Draft Extended Initial Studies	30	12/1/2003	
Applicant Submits 2nd Draft Extended Initial Studies*	45	1/15/2004	
DPLU Reviews 2nd Draft Extended Initial Studies	21	2/5/2004	
Applicant Submits 3rd Draft Extended Initial Studies*	30	3/8/2004	
DPLU Reviews 3rd Draft Extended Initial Studies	21	3/29/2004	
DPLU finalizes Environmental Initial Study and Prepares Application Amendment Form	21	4/19/2004	
<i>Applicant submits Application Amendment form, F&G fees, copies of Extended Initial Studies</i>	14	5/3/2004	
DPLU completes, advertises and distributes draft Negative Declaration	21	5/13/2004	
Public review of draft Negative Declaration	30	6/14/2004	
<i>DPLU develops draft condition language and mitigation monitoring program</i>	30	6/14/2004	
DPLU reviews public review comments per "Fair Argument Standard", finalizes documentation	10	6/24/2004	
DPLU completes final documents, docket project and initial PROJECT HEARING/DECISION	42	8/5/2004	

Total Estimated Duration 64 weeks
 14.8 months

Bolded tasks are under the control of applicant/consultant.

Italicized tasks are completed concurrently with other tasks.

* - Task can be eliminated if earlier draft documents are adequate.

Assumptions:

- Project will be completed using a Negative Declaration and extended Initial Studies will be required.
- Public Comments and Hearing comments will not meet the "Fair Argument" standard requiring an Environmental Impact Report.
- Applicant/consultant will provide adequate Extended Initial Studies in three iterations.
- Applicant/Consultant will submit all required information in accordance with the estimated schedule.
- The project will not be continued by the decision-making body nor appealed.
- Any Department of Public Works or Department of Environmental Health issues will be resolved concurrently with the environmental process.

The Hearing/Decision date is subject to Decision-Making Body availability and schedule.
 Dates which fall upon a holiday will have an actual completion date the first business day after such holiday.

SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY

P.O. BOX 82776, SAN DIEGO, CA 92138-2776
619.400.2400 WWW.SAN.ORG

December 22, 2003

Ms. Megan Jones
Environmental Management Specialist
County of San Diego
5201 Ruffin Road, Ste. B
San Diego, CA 92123-1666

**Re: San Diego County Regional Airport Authority ALUC Determination –
Peppertree Park Project; Pepper Tree Lane east of Mission Road; Fallbrook
Community Airpark CLUP**

Dear Megan:

The San Diego County Regional Airport Authority has received your application for review by the Airport Land Use Commission (ALUC) for the proposed project as described below:

Project: Peppertree Park Project; Pepper Tree Lane east of Mission Road

Proposed General Plan Amendment to modify the Peppertree Park Specific Plan Area text in the Fallbrook Community Plan to change the allowed density from 1.65 to 2.24 Dwelling Units/Acre.

The project is located outside the Airport Influence Area of Fallbrook Community Airpark. Therefore, staff review of the proposed project indicates that an ALUC consistency determination is not required. We appreciate your notification and wish you success with your project.

If you have any questions, please e-mail them to tanasis@san.org.

Sincerely,



TED ANASIS, AICP
Manager, Airport Planning
San Diego County Regional Airport Authority

TA/ljt



SAN DIEGO
INTERNATIONAL
AIRPORT

Meeting Record

Project Name (Case numbers)	Meeting Chair	Meeting Date
Peppertree Park Villages 9 & 10 PDS2018-SPA-18-001, -GPA-18-002, -TM-5625, -REZ-18-001	Jeff Smyser	October 30, 2018

Action Items:

Action to be taken:	Responsible Party	Due date
1. Current (2018) applications must be withdrawn to allow former GPA03-XX proposal to be considered.	applicant	ASAP
2. PDS pull projects from ALUC agenda when withdrawals received.	PDS staff Smyser	upon receiving withdrawal
3. Pursue Unit 9 development only.	applicant	ongoing
4. Amend GPA so it includes only Unit 9.	applicant	submittal TBD

Decisions:

Decisions/Agreements reached:
1. The GPA03-XX application was deemed complete in June 2003.
2. When David Sibbet was on site he thought Duane Urquhart said Duane does not want to proceed with the development described in the GPA proposal. Possible misunderstanding.
3. The 2003 proposal was not subject to airport commission review.
4. Unit 9: 7 du/acre. Developing Unit 9 per GPA03-XX may be doable. Residential in Unit 10 is NOT workable because it conflicts with current ALUCP.
5. Unit 10: Duane Urquhart said there was another submittal in August 2003. PDS has no record of such a submittal.
6. A Rezone would be needed, but ALUC could consider that a "subsequent implementing action" for GPA03-XX.
7. ALUC future plan may change boundaries of Zone 2, which might not restrict Unit 10.
8. Applicant must withdraw current 2018 applications in order to pursue GPA03-XX.
9. GPA03-XX must be officially reduced to only include Unit 9.

Copy of Record provided to all?	Results of meeting summarized?	Signature of meeting chair
yes	see above	

Meeting Record

Project Name (Case numbers)	Meeting Chair	Meeting Date
Peppertree Park Villages PDS2018-SPA-18-001	Jeff Smyser	October 30, 2019

Attendance Roster

Name	Phone Number(s)	E-mail
Jeff Smyser	858-495-5438	jeffrey.smyser@sdcounty.ca.gov
RICH BRASHER	760-936-3248	RICH.BRASHER@PANGLOSSLAND CONSULTANTS.COM
Ed Gowens	619-400-2244	edgowens@san.org
RALPH REDMAN	619-400-2464	rredman@san.org
David Sibbet	858 694-3091	david.sibbet@sdcounty.ca.gov
DUNNIE DUNNIE (760) 660-6585		KC@AES-3JELGLOBAL.NET
Brice Bosler	(619) 850-1399	briceboslergroup.com

TO: JEFF SMYSER, PLANNER
FROM: NICHOLAS KOUTOUFIDIS, STAFF AIRPORT SPECIALIST
SUBJECT: PDS2003-3800-03-XX COMMENTS – AIRPORT REVIEW (APN(S): 104-351-15, 17, & 19)
DATE: MAY 18, 2020

To assess the relative safety of uses on the subject project site in San Diego County, the **Fallbrook Airport Land Use Compatibility Plan** (ALUCP) was reviewed. An airport review assesses the project site for specific requirements by the County of San Diego and the Federal Aviation Administration (FAA).

Fallbrook ALUCP:

https://www.san.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=2945&language=en-US&PortalId=0&TabId=225

DEPARTMENT DETERMINATION

In 2003, the Peppertree Park project (PDS2003-3800-03-xx) proposed commercial in the northern half of the project and residential in the southern half of the project (see Attachment A).

On May 7, 2020, a revised project was submitted, subjecting the project to the following requirements:

- 1) FAA notification is required -
http://www.faa.gov/documentLibrary/media/Form/FAA_Form_7460-1_2017.pdf
- 2) An Avigation Easement Agreement is required. – Work with General Services located at 5560 Overland Avenue
- 3) A Regional Airport Consistency Determination will need to be made. Please submit a completed application to the County so that it can be forwarded to the Airport Land Use Commission by the County airport specialist.
- 4) The parcel falls within Airport Safety Zone 2 and 3.
 - a. No dwelling units are allowed within Zone 2. The applicant will have to revise his project to meet this criteria.

- b. The maximum amount of density allowed in Zone 3 is 120 people per acre. If any portion of the project involves Zone 2, then the density allowed for the entire project is 60 people per acre.
- c. According to policy FAL.2.4.c., “In the range of more than 4.0 but less than 8.0 dwelling units per acre, new developments are conditioned upon the building sites being clustered in a manner that maximizes the open land on which an aircraft could execute an emergency landing.” The applicant will have to meet this criteria as well.
- d. Pursuant to Section FAL.2.9., the applicant must meet the Open Land Criteria.
 - i. This area must be free of most structures and other major obstacles such as walls, large trees or poles, and overhead wires.
 - ii. Have minimum dimensions of approximately 75 feet by 300 feet (0.5 acres).
 - iii. Open land should be oriented with the typical direction of aircraft flight over the location involved.

Project Options

The project is inconsistent with the current Fallbrook Airport Land Use Compatibility Plan.

The applicant has the following options to resolve these inconsistencies:

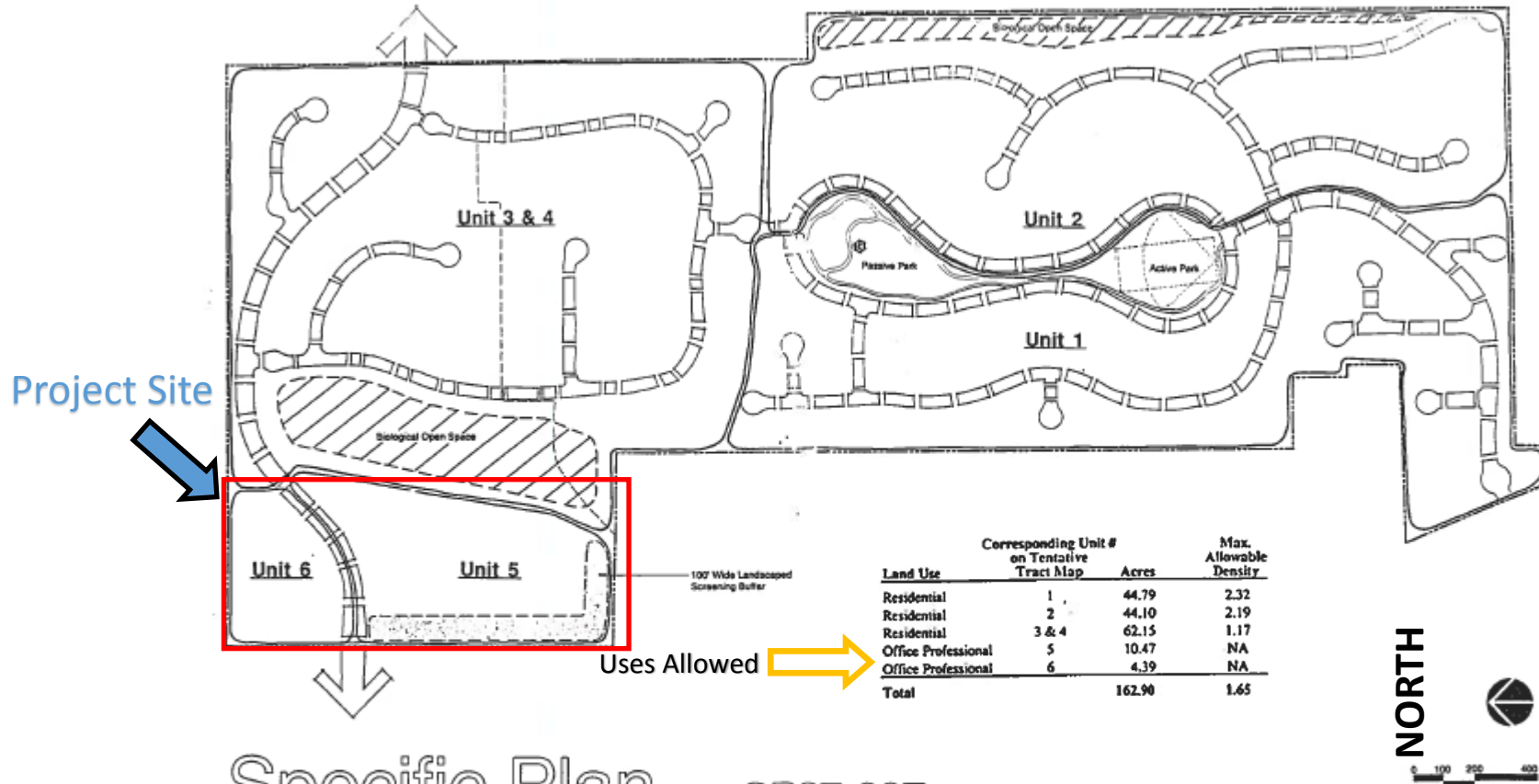
1. If the applicant removes the residential on the northern portion and is consistent with the 2003 submittal, the project will not be subject to the current Fallbrook Airport Land Use Compatibility Plan.
2. The applicant revises the project to be outside of Zone 2.
3. The project can be submitted to the Airport Land Use Commission for a consistency review. The project, as presented, will likely be deemed inconsistent with the Airport Land Use Compatibility Plan.
 - a. In order to override a determination from the ALUC, the Board of Supervisors will need to approve the project with a 2/3 majority. When the Board overrides an ALUC determination, the County of San Diego would take full liability for any plane crash that could occur on the project.

Attachments:

- A. Peppertree Park History Context
- B. Application Form for ALUC review.

PEPPERTREE PARK PROJECT HISTORY

On August 14, 1991, Specific Plan 87-007, Tentative Map 4713R, and Major Use Permit 87-069 were approved with no residential planned in APN(s): 104-351-15, 17, & 19. Units 5 and 6 of the exhibit below is where the project is now proposed, which zoned it as Office Professional Use only.



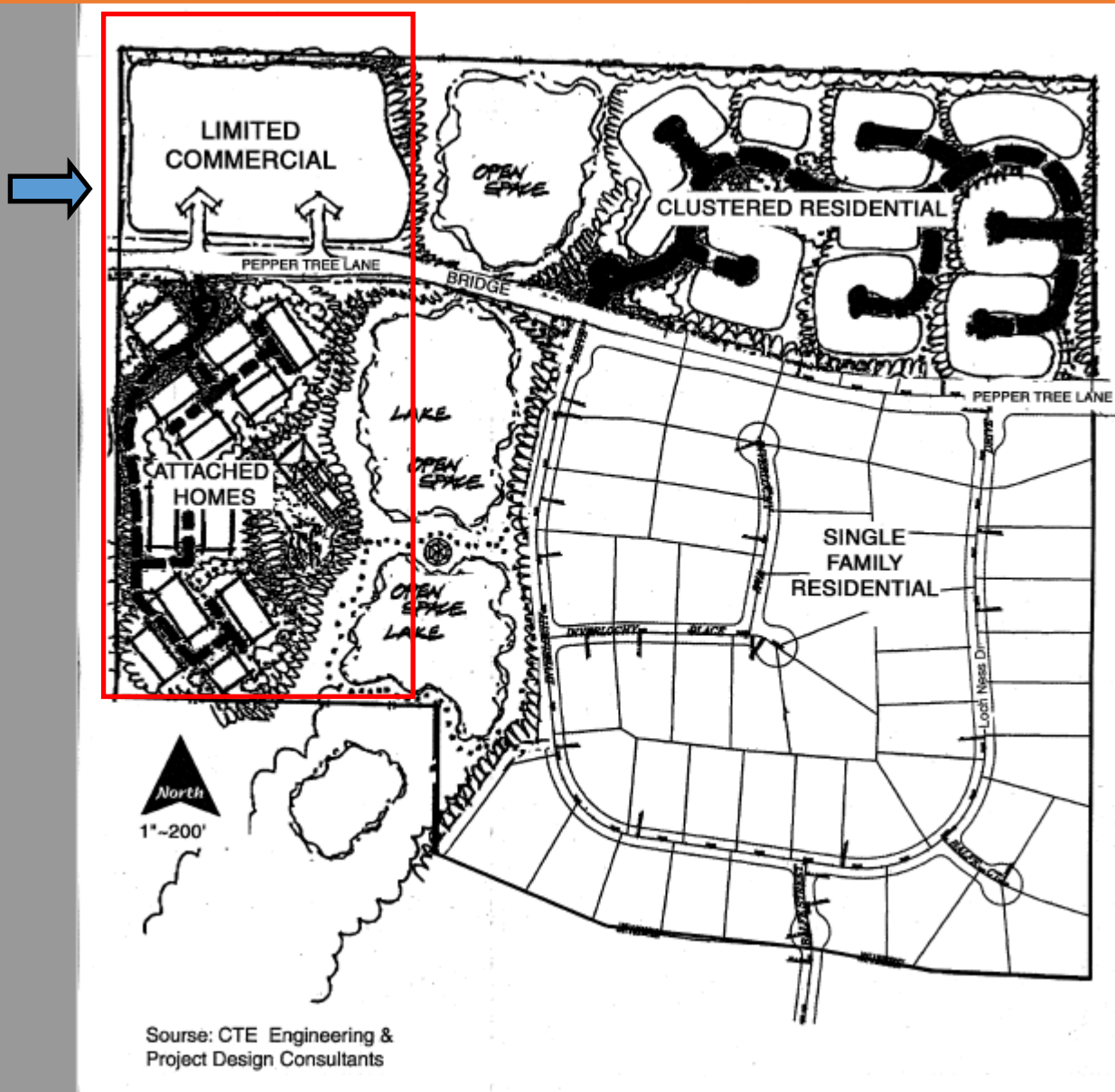
Specific Plan - SP87-007
Peppertree Park

Prepared For:
The Peppertree Land Co.
Rancho La Cuesta
Prepared By:
J.L. Webb Planning, Inc. 
2000 South Street, Suite 100, San Jose, CA 95128
408.281.1111

2003 Proposal By Applicant

In 2003, the applicant proposed an amount that was undetermined as it included another portion of the site (see below). The arrow and red box are just for reference of where Units 5 and 6 are in the Specific Plan, but the applicant proposed the entire image in the scope of work.

Units 5 & 6 of
Specific Plan



2015 Proposal By Applicant

In 2015, the scope now only incorporated the western portion of the project for a total of 62 units.

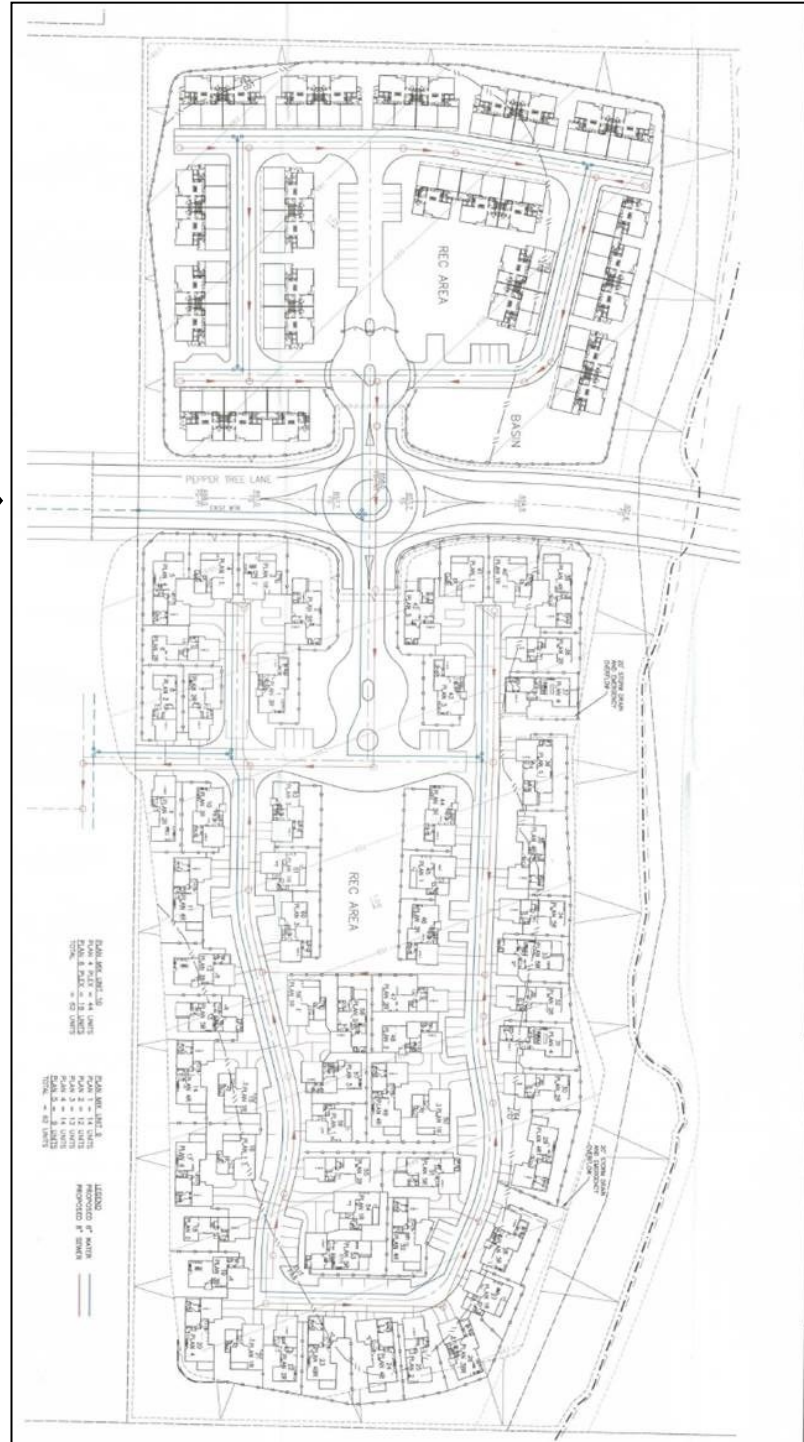
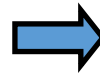
Units 5 & 6 of
Specific Plan



2017 Proposal By Applicant

In 2017, the project proposed 124 units.

Units 5 & 6 of
Specific Plan





ERIC GIBSON
INTERIM DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

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

October 18, 2007

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

FOR PURPOSES OF CONSIDERATION OF **PEPPERTREE PARK REVISED MAP** **TM 4713RPL⁶R, P87-069W¹, LOG NO. 87-02-106D**

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 Supplemental EIR for Peppertree Park, TM 4713RPL⁶, P87-069RPL⁶, SP87-007, and R88-004 was certified by the Board of Supervisors on August 14, 1991. The certified Supplemental EIR found significant and not mitigable effects to Aesthetics, Grading and Erosion; and, Biological Resources. The certified Supplemental EIR also found significant effects to Traffic, Flooding, Noise, and Airport Safety, however these effects were mitigated to a level of less than significant.

Reliance on the existing Supplemental EIR with no modification was approved by the San Diego County Planning Commission on November 20, 1998, for the Peppertree Park Resolution Amendment, TM4713RPL⁶RA, Log No. 87-02-106.

Reliance on the existing Supplemental EIR with no modification was approved by the Director of Department of Public Works on April 29, 2004 for Peppertree Park Portion of Unit 6 TM 4713 RPL⁶, L14323, Log No. 87-02-106B.

An Addendum to the EIR was prepared for the Peppertree Park Time Extension (TM 4713RPL⁶TE, Log No. 87-02-106E) which was approved by the Board of Supervisors on November 2, 2007.