



The County of San Diego

Planning Commission Hearing Report

Date:	July 9, 2021	Case/File No.:	Fallbrook Hacienda Winery and Event Venue; PDS2018-MUP-18-003; PDS2018-ER-07-02-006C
Place:	County Conference Center 5520 Overland Avenue San Diego, CA 92123	Project:	Major Use Permit for an existing Event Venue and Proposed Small Winery
Time:	9:00 a.m.	Location:	4103 E. Mission Road, Fallbrook
Agenda Item:	#1	General Plan:	Semi-Rural Residential (SR-4)
Appeal Status:	Appealable to the Board of Supervisors	Zoning:	Limited Agriculture (A70)
Applicant/Owner:	Frulla, Inc.	Community:	Fallbrook Community Plan Area
Environmental:	CEQA § 15164 Addendum	APN:	108-372-04, -05, -07

A. OVERVIEW

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

The Fallbrook Hacienda Winery and Event Venue Major Use Permit (Project) includes a request to approve an existing unpermitted event venue and the construction of ancillary event facilities and a small winery and vineyard. The Project is located on three parcels adjacent to North Old Highway 395 and Mission Road within the Fallbrook Community Planning Area.

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

PDS analyzed the Project for consistency with the General Plan, Zoning Ordinance, and other applicable regulations, policies and ordinances, and found the Project to be consistent with the inclusion of conditions in the Project Form of Decision (Attachment B). The Planning Commission is asked to consider the Project and either approve the Project as submitted, approve the Project with modifications, or deny the Project. Based on its analysis of the Project, staff can make the required findings and recommends approval of the Project.

B. REQUESTED ACTIONS

This is a request for the Planning Commission to evaluate the Project for an existing unpermitted event venue and the construction of ancillary event facilities, a small winery and a vineyard; determine if the required findings can be made; and, if so, take the following actions:

- a. Adopt the Environmental Findings included in Attachment D, which concludes that the previously adopted Mitigated Negative Declaration (MND) is adequate with an Addendum.
- b. Approve MUP PDS2018-MUP-18-003, make the findings, and include the requirements and conditions as set forth in the Form of Decision (Attachment B).

C. PROJECT BACKGROUND

The Project site contains an existing agricultural avocado operation and single-family residential structures that were built in the early 1950s. The site has been a wholesale grove and nursery for years and continues to farm its 41 acres today. The existing structures have been in use for the last 60 years, primarily for farm employee housing and serving as the applicant's main residence. On March 8, 2007, the applicant submitted the Fallbrook Ranch Tentative Map and Site Plan project (Record ID: PDS2007-3100-5532 and PDS2007-3500-07-012) project which subdivided the 41 acres into 11 residential lots, with an existing single-family residence and farm employee housing trailer, and four acres of biological open space and four acres of steep slope open space easements. The purpose of the subdivision was to allow the applicant to construct single-family residential homes on the 11 lots, while retaining the existing avocado grove. On March 5, 2010, the Planning Commission approved the Fallbrook Ranch Tentative Map and Site Plan. The Fallbrook Ranch Tentative Map was recorded on July 31, 2017 (Map 16206). Following the approval of the Tentative Map, the applicant held unpermitted wedding events at the existing single-family residence. On March 3, 2015, PDS's Code Compliance division received a complaint regarding violation of County Code and cited by Code Compliance for the unpermitted wedding event use upon inspection (Record ID: PDS2009-RFS-09-0056739). Code Compliance staff allowed the continued operation of the event venue as long as the applicant diligently processes a Major Use Permit for the unpermitted use. On March 5, 2018, the applicant submitted the Project to rectify the Code Violation, bring the existing structures into compliance and construct additional event buildings and a small winery.

D. REGIONAL SETTING AND PROJECT LOCATION

The Project site consists of three separate parcels totaling approximately 11.75-acres. The Project site is located at 4103 E. Mission Road in the Fallbrook Ranch development within the Fallbrook Community Plan Area. The site is developed with an existing wedding venue, courtyard, approximately 4.7 acres of biological open space, and avocado agricultural operation. There is also an existing single-family residence and an attached guest house that will be retained. The existing single-family residence is within the Project boundaries but is only being used as a private residence and will not be used for events or proposed winery purposes. Only the courtyard of the private residence will be used for events. Access to the site is provided by private roads, Fallbrook Hacienda Lane and Topa Topa Place, connecting to Mission Road. The Interstate 15 (I-15) and Mission Road interchange is located approximately 500-feet west of the project site. Figure 1 shows the Project site outlined in yellow and the immediately surrounding land uses which are primarily characterized as residential, agricultural, and vacant land.

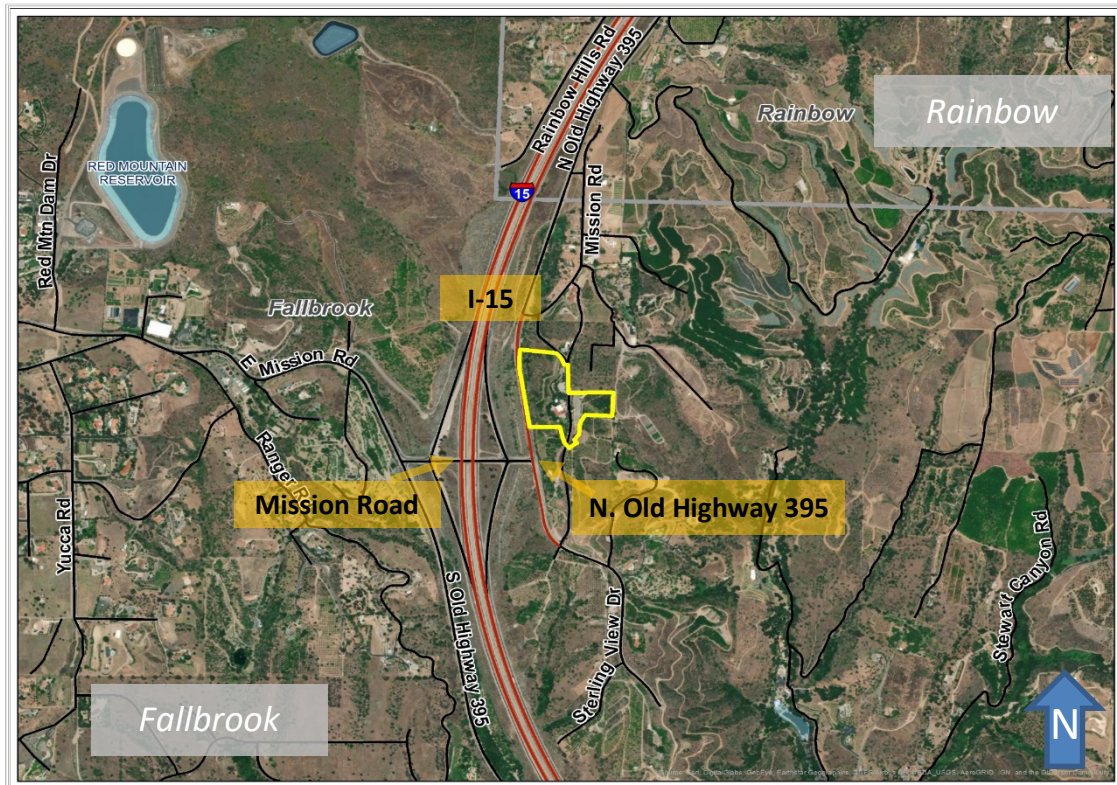


Figure 1: Vicinity Map

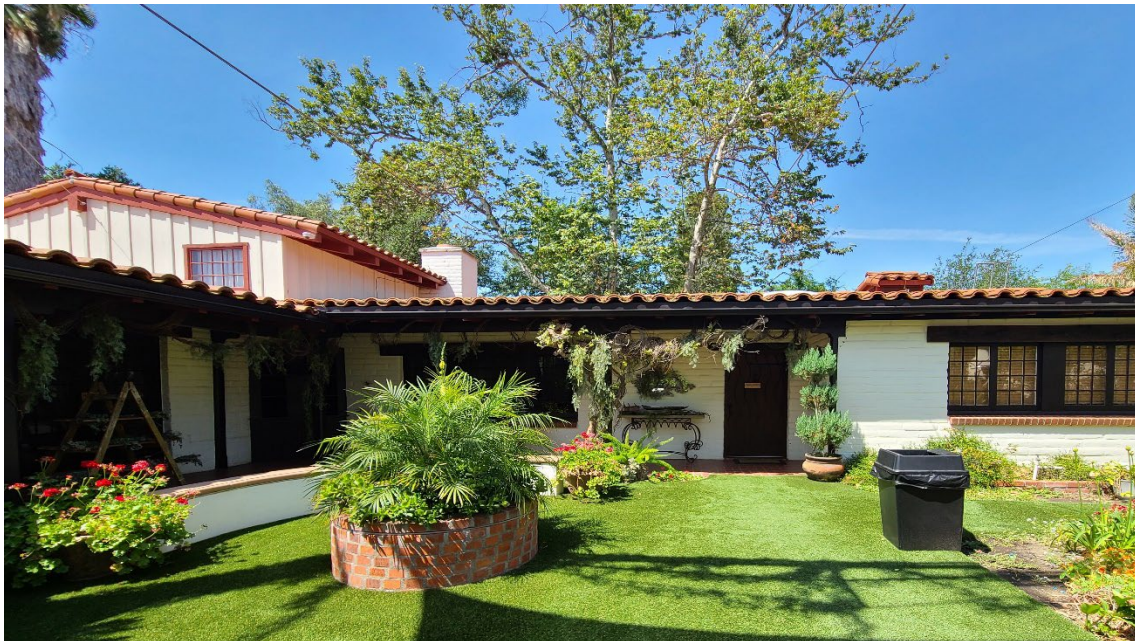


Figure 2: Existing Single-Family Residence



Figure 3: Closer Extent

The General Plan Regional Category for the site is Semi-Rural, and the General Plan Land Use Designation is Semi-Rural Residential (SR-4). The Semi-Rural Residential Land Use Designation is intended to allow for low density residential uses, golf courses and other recreational activities, and community-oriented uses on larger properties. Zoning for the parcels is Limited Agriculture (A70). The A70 zone is intended for agricultural and residential uses on larger lots ranging from 0.5 to five acre lots. The existing single-family residential use to be retained is allowed by-right within the A70 zone. The proposed wedding event facilities and small winery uses are allowed within the A70 zone through the processing of a Major Use Permit (MUP). Pursuant to Section 6910 of the Zoning Ordinance, the proposed small winery is allowed within the A70 zone through the processing of an Administrative Permit (AD), however, the approval of a MUP can permit both the existing event venue and the proposed small winery. The MUP will authorize the use of the proposed small winery which consists of a 9,725-square feet winemaker's residence and wine tasting room, a 3,000-square feet wine production building, and 2.3 acres of vineyard.

Please refer to 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	Public/Semi-Public Facilities, Semi-Rural Residential (SR-4)	Limited Agriculture (A70)	Mission Road, N. Old Highway 395	Residential, Agriculture
East	Semi-Rural Residential (SR-4)	Limited Agriculture (A70)	Sterling View Drive	Residential, Agriculture, Vacant Land
South	Semi-Rural Residential (SR-10)	Limited Agriculture (A70)	N. Old Highway 395	Residential, Agriculture
West	Public/Semi-Public Facilities	Transportation/Utility Corridor (S94)	N. Old Highway 395, Interstate 15	Vacant Land, Interstate 15

E. DEVELOPMENT PROPOSAL

1. Project Description

The applicant requests a MUP to permit an existing wedding venue, construct a small winery, authorize the use of events, expand the venue space, and plant 2.3 acres of vineyards. The Project is located on three parcels within the Fallbrook Ranch subdivision (Figures 1 and 2). The Project is conditioned to hold events on Saturday, Sunday or Holidays between mid-March and late November with a maximum of 43 events per year. Events are conditioned to only occur between 11 a.m. and 10 p.m. Events would consist of up to 250 people in attendance. The Project will be implemented in four phases. Phase 1 will bring the existing event structures into compliance and allow the venue to operate commercially. All the structures in Phase 1 are existing and are currently being utilized by the applicant as a residence and unpermitted wedding event venue. Phases 2, 3 and 4 will include additional buildings for wedding events, a small winery and 2.3 acres of vineyards.

Phase 1 – Existing Structures and Septic System

- Existing Structures: A building permit application will be submitted for the following existing structures:
 - Private Residence (3,149-square feet) – The existing private residence will not be used for any events or guests. The existing private residence is permitted, however, there have been unpermitted additions and remodels to the residence. The Project has been conditioned to have all existing structures reviewed for compliance with the Building Code.
 - Outdoor Courtyard to be primarily used as an event facility (593-square feet)
 - Venue Restrooms (500-square feet)
 - Dressing Room and Games Shed (680-square feet)
 - Garage and Storage (1,320-square feet)
 - Wood Stairs
- A septic system will be constructed on the west side of the Project to serve the existing guest bathrooms for the wedding venue.

Phase 2 – Additional Event Structures

- Additional Event Structures (4,980-square feet) – The additional event venue structure will include a banquet hall, new dressing rooms, commercial kitchen, and an underground storage area.

Phase 3- Small Winery Production Structures

- Winemaker's Villa (9,725-square feet) – The winemaker's villa will be located on the easternly adjacent legal lot (Lot 7) to the existing single-family residence. The winemaker's villa is a two-story mixed-use facility that will include a wine tasting room, commercial kitchen, restrooms, recreation room on the first floor. The second floor will be used as a residence with six bedrooms, a theatre room, and a game room.
- Wine Production Building (3,000-square feet)
- Plant 2.3-acres of grape vines.

Phase 4 – Ancillary Venue Structures

- Ancillary Venue Building (2,652-square feet) – The ancillary venue structure will be located on the northernly adjacent legal lot (Lot 5) to the existing single-family residence. The ancillary venue structure will be designed as a single-family residence with five bedrooms. The purpose of this structure is to provide an additional space and changing areas for the wedding party to get ready. In the event that this structure is not needed for the event venue in the future, the MUP allows for this lot to be used for a single-family residential use and allows for sale to a separate property owner.
- Garage (1,840-square feet)

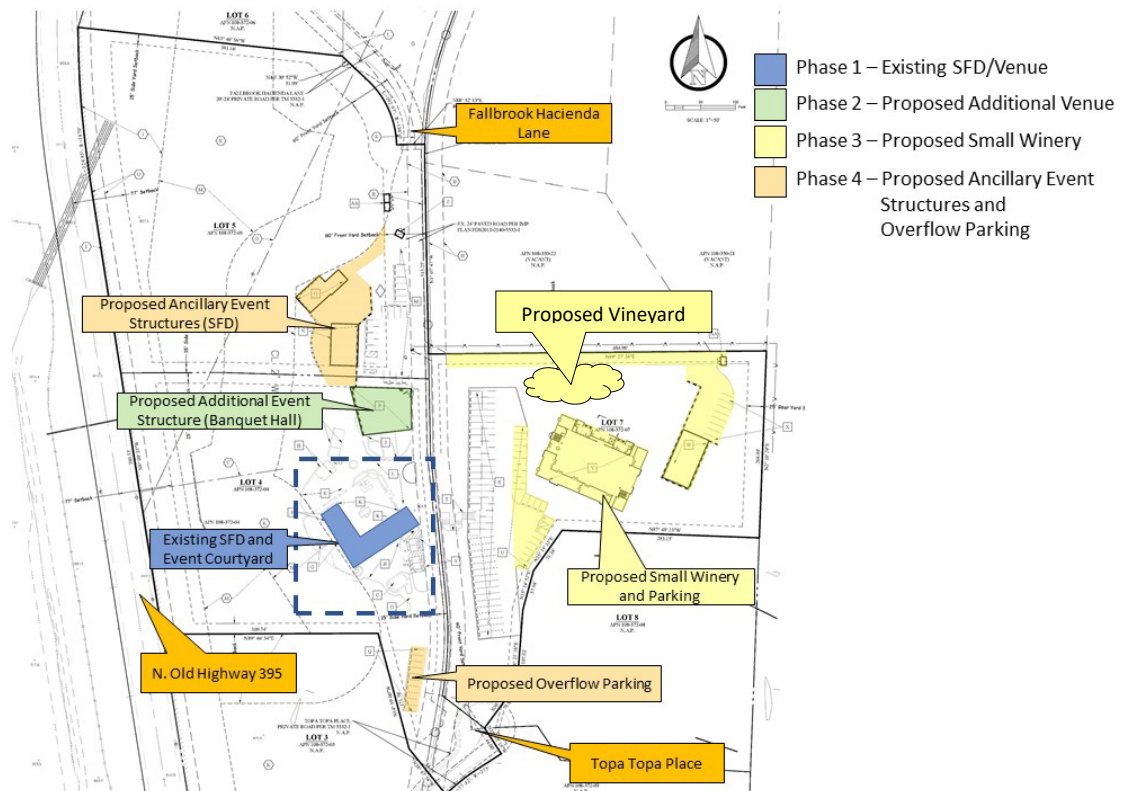


Figure 4: Phased Site Plan

Phase 1 requires a total of 103 parking spaces, and there are 104 existing parking spaces provided in a gravel lot and four paved ADA spaces. A total of 137 parking spaces is required for the complete build out of the event venue, and the Project will have a total of 144 parking spaces provided. Parking will be expanded when the Small Winery is built in Phase 3 with 30 parking spaces, including 22 guest parking spaces, eight spaces for winery production, four Electric Vehicle (EV) charging stations, two ADA spaces, and eight employee parking spaces. In Phase 4, an overflow parking lot will be constructed near the south end of the project site which will have 10 parking spaces.

The winery and event venue are anticipated to host a maximum of 43 total events a year and no more than two events per week. Wedding events will only be permitted on weekends and holidays. The Project has been conditioned for a maximum capacity of 250 guests and 20 service personnel onsite during an event. Hours of operations for the winery and events will be from 7 a.m. to 10 p.m. Additionally, events are conditioned to begin at 11 a.m. and end at 10 p.m. Any wastewater produced during the production of wine will be captured and treated in accordance with applicable Regional Water Quality Control Board, San Diego County Sanitation District, and County of San Diego Department of Environmental Health Quality (DEHQ) requirements. Outdoor sound for weddings will be limited to ceremony music and wedding officials. Events with amplified music will be required to place speakers within the concrete masonry unit walls surrounding the courtyard venue area. In accordance with the San Diego County Noise Ordinance and Noise Analysis prepared for the Project, all events will be required to stop music at 10 p.m. and can only be held on weekends.

Please refer to Attachment A – Planning Documentation, to view the plot plans, elevations, preliminary grading plans, and conceptual landscape plans.



Figure 5: Aerial with existing event structures



Figure 6: Existing event venue and residence

F. ANALYSIS AND DISCUSSION

The Project has been reviewed for conformance with all relevant ordinances and guidelines, including the San Diego County General Plan, the Fallbrook Community Plan, the County Zoning Ordinance, and CEQA Guidelines. A discussion of the Project's consistency with applicable codes, policies, and ordinances, is described on the following pages.

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 Fallbrook Community Plan?
- c. Is the Project consistent with the County's Zoning Ordinance?
- d. Is the Project consistent with other applicable County regulations?
- e. Does the Project comply with CEQA?

2. Analysis

Major Use Permit Findings

The discussion below pertains to scale, bulk and coverage, availability of services, effects upon neighborhood character, and suitability of the site for the type of proposed use. Staff has analyzed the Project in relation to each of these.

The proposed location, size, design, and operating characteristics of the Project will be compatible with adjacent uses, residences, and agricultural uses. Additionally, the proposed location will be

distanced 1,600-feet from nearby preserve lands to ensure there are no lighting or noise impacts to sensitive chaparral and gnatcatcher habitat.

The scale of the proposed event facility and small winery are consistent with surrounding properties that are developed with similar uses with buildings ranging in size from 5,000 to 15,000-square feet. (Figure 5). At full buildout, the existing and proposed buildings total square footage will cover five percent of the 11.75-acre site. The remainder of the site will contain landscaping and vineyards, parking, mature vegetation, and biological open space. Within a half mile of the Project site, lot size varies from 1.5 to 53 acres, with buildings covering two to eight percent of the lot. The Project's proposed building scale and coverage is within the range of the existing adjacent properties.

Buildings associated with the Project will be designed with white and clay tone colors to complement the existing tones and colors of the visual landscape of the community. The locations of the proposed structures are screened by mature landscaping and have been positioned away from North Old Highway 395 to have no visual impacts as it is identified as a scenic highway in the County of San Diego General Plan.

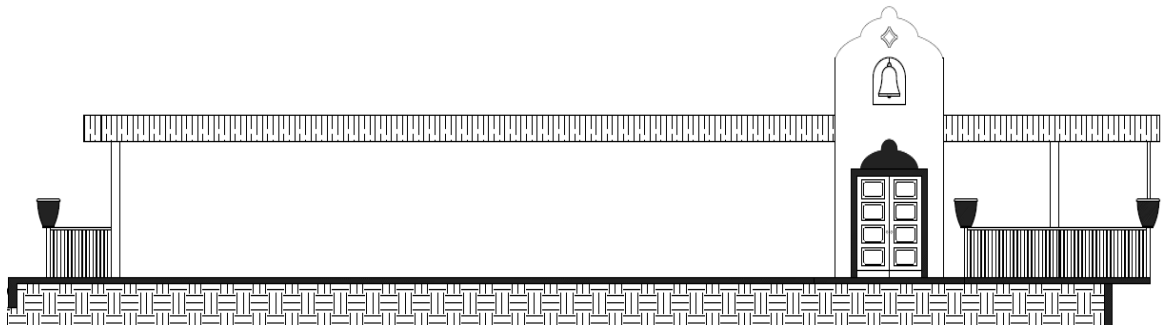


Figure 6: Indoor Venue Hall Elevation



Figure 7: Winemaker's Villa Elevation

The Project site is surrounded by mature vegetation and trees including oaks and eucalyptus along North Old Highway 395 and on the western property boundaries, which will screen the proposed structures for the Project. The proposed vineyards and existing avocado agricultural operations will be located on the eastern portion of the site and will blend in with the visual setting of the project site by being the same, form and scale to agricultural uses near residences surrounding the project site.

The proposed use is consistent with the General Plan and Zoning designations, and all necessary public facilities and services are available to the site based on service availability forms provided by

the applicable utility providers and districts. Therefore, the Project will maintain the property's compatibility with the surrounding community.

Traffic and Parking

The Project is tiering off a previously approved CEQA document that utilized Level of Service (LOS) to determine transportation impacts; therefore, the Project is not subject to the County's newly adopted Transportation Study Guidelines (TSG) and Vehicle Miles Travelled (VMT). A Focused Traffic and Parking analysis was prepared for the Project that analyzed nearby roads utilizing LOS and concluded that with the addition of project traffic there is sufficient available capacity, and the project will not cause any roads to operate at an unacceptable LOS. The Project will be required to contribute to the County's Traffic Impact Fee (TIF) program to mitigate for potential cumulative impacts.

Although the Project is not subject to the County's new TSG, for informational and disclosure purposes, it was analyzed for VMT. When combining the expected weekday trips with expected special event trips, the Average Daily Trips (ADT) for the project is 108. The TSG identifies projects that generate less than 110 ADT as *Small Projects* that are considered to have a *less than significant impact* for transportation.

In accordance with the Focused Traffic and Parking analysis and the requirements of the Zoning Ordinance, the proposed Project requires a total of 103 parking spaces for operations of events with a maximum capacity of 250 guests. The Traffic Trip Generation and Parking Analysis concluded that the required amount of parking spaces is consistent with the requirements of the Zoning Ordinance which required one parking space per three guests. The Project includes 104 parking spaces for Phase 1 – Existing Event Structures and 40 parking spaces on the winery lot for a total of 144 parking spaces, which is seven spaces beyond the required parking amount.

Fire Access and Circulation

The Project includes a Fire Protection Plan that has been approved by the North County Fire Protection District (NCFPD) and the County of San Diego Fire Authority. NCFPD provides fire and emergency medical response for the area. North County Fire Station Number 4 is located four miles away within the required a five-minute travel time. Additionally, the Cal-Fires Red Mountain Fire Station is located one mile away with a 1.5 minutes travel time to the site. The Project includes shuttle services and carpooling for the operations of events. The Project will install vineyards between residential lots which will assist in providing a fuel break compared to existing vegetation between residences. Vegetation includes mature eucalyptus, palms and citrus trees. The Fallbrook Ranch Final Map was completed in July 2017 and installed the Project's primary access road, Topa Topa Place, which is a 36-foot radius cul-de-sac. The banks along Topa Topa Place were cleared and planted with a fire resistant hydroseed. Secondary access to the Project includes Fallbrook Hacienda Drive, which accesses the site from East Mission Road and connects to North Old Highway 395. Irrigated ornamental landscaping borders both sides of Fallbrook Hacienda Drive. The Project is conditioned for access roads to maintain irrigated fire resistive type shrubs and ground cover. The existing gates at Fallbrook Hacienda Drive and East Mission Road are conditioned to be upgraded with an exit loop, Knox and Opticom activation device for fire access.

Fuel modification zones are not required as there is currently 100-feet of irrigated, maintained landscaping and orchard around all sides of the buildings. However, the applicant has been granted permissions from the Rainbow Water Municipal District and adjacent property owners to have the northerly portion of the Project site cleared to provide 100-feet of defensible space for the proposed additional venue hall and 20 lineal feet along Fallbrook Hacienda Drive.

Greenhouse Gas Emissions (GHG)

There have been no changes to the Project, changes in circumstances, or new information of substantial importance that would result in a significant impact from GHG emission since adoption of the previous MND. A Global Climate Change study prepared for the Project analyzed emissions associated with the Project and determined the Project would result in a total of 47 metric tons of carbon dioxide equivalent (MTCO₂e) per year, which includes 11 MTCO₂e from construction spread out over the life of the project and 36 MTCO₂e per year during Project operation. The Project was previously approved, is consistent with the County General Plan, and is consistent with the SANDAG RTP/SCS which is the County's applicable GHG emission reduction plan due to its consistency with the growth projections of the County's General Plan land use designations. The Project analysis includes two screening thresholds to illustrate the relatively small amount of GHG emissions generated by the Project. One screening threshold developed for 2020 suggests that if a project is below 900 MTCO₂e per year, it would be less than significant, and another screening threshold developed for 2030 suggests that if a project is below 1,100 MTCO₂e per year it would be less than significant. The Project would result in 47 MTCO₂e per year, well below these screening thresholds. The Project does not rely on the screening level thresholds to determine impact significance, rather to illustrate that the Project would not cause a significant direct or cumulative impact from GHG emissions due to the relatively small amount of GHG emissions during operation and construction. The Project includes sustainable design features to reduce GHG emissions. These include solar photovoltaic panels; electric vehicle charging stations; LED fixtures for interior and exterior lighting; electric heat pumps; low-flow and Energy Star appliances; installation of rain barrels if available; and water reduction from outdoor landscaping. Because the Project is consistent with the relevant local and regional planning efforts to reduce GHG emissions and would not generate significant GHG emissions, the Project will not result in a significant impact on the environment.

Groundwater Use

A Groundwater Analysis prepared for the Project analyzed groundwater use for landscape and agricultural irrigation. The Project will include removal of six acres of avocado trees and replace them with 2.3 acres of grape vines. The Project is estimated to use 6.9 acre-feet per year (afy) of groundwater from existing onsite wells for the proposed vineyard and ongoing operations of the remaining avocado grove. The grading and removal of a portion of the existing avocado will reduce existing onsite groundwater use from 20.7 afy by 13.8 afy. Additionally, the remaining avocado trees will be watered using water from the Rainbow Municipal Water District. Groundwater will only be used for irrigation purposes. The proposed event facility and single-family residences will use water provided by the Rainbow Municipal Water District.

3. General Plan Consistency

The site is subject to the Semi-Rural General Plan Regional Category and Semi-Rural Residential (SR-4) Land Use Designation. The Project is consistent with the following relevant General Plan goals, policies, and actions as described in Table F-1.

Table F-1: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
<p>Policy S-3.6 – Fire Protection Measures. Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire.</p>	<p>The Fire Protection Plan for the Project has been approved by the North County Fire Protection District and County Fire Authority. The Project contains two gated emergency access driveways and requires maintenance of vegetation including oaks in conformance with the Fire Protection Plan.</p>
<p>Policy COS-6.1 – Economic Diversity. Support the economic competitiveness of agriculture and encourage the diversification of potential sources of farm income, including value added products, agricultural tourism, roadside stands, organic farming, and farmers markets.</p>	<p>The Project consists of permitting an existing and operating wedding venue and construction of a small winery that is intended to support agricultural and vineyard operations on the subject property.</p>
<p>Policy LU-6.5 – Sustainable Stormwater Management. Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development (LID) techniques as well as a combination of site design, source control, and stormwater best management practices, where applicable and consistent with the County's LID Handbook.</p>	<p>The Project has incorporated stormwater management features in accordance with the County's LID Handbook. Additionally, the Project includes structural BMPs and biofiltration basins to address treatment of stormwater for the project.</p>
<p>Goal LU-10 – Function of Semi-Rural and Rural Lands. Semi-Rural and Rural Lands that buffer communities, protect natural resources, foster agriculture, and accommodate unique rural communities.</p>	<p>The Project site is subject to the Semi-Rural Regional Category. The Project as designed includes agricultural uses and does not impact the existing four acres of Biological Open Space Easement which is consistent with or commonly associated with Semi-Rural Lands.</p>
<p>Policy LU-10.2 – Development—Environmental Resource Relationship. Require development in Semi-Rural and Rural areas to respect and conserve the unique natural features and rural character and avoid sensitive or intact environmental resources and hazard areas.</p>	<p>The Project is compatible with the rural nature of the surrounding community as it includes agricultural uses such as vineyards in an area that includes residences mixed with existing agricultural operations.</p>
<p>Policy LU-13.1 – Commitment of Water Supply. Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.</p>	<p>The project will obtain water service from the Rainbow Municipal Water District (RMWD) for the operations of structures associated with the project. The Project will also remove six acres of avocado trees and replace them with 2.3 acres of grape vines. Remaining avocado trees will be watered using water from the RMWD and the proposed grape vineyards will be watered using onsite water wells.</p>

4. Community Plan Consistency

The Proposed Project is consistent with the following relevant Fallbrook Community Plan goals, policies, and actions as described in Table F-2.

Table F-2: Community Plan Conformance

Fallbrook Community Plan Policy	Explanation of Project Conformance
<p>Commercial – Goal LU 2.2c: Support business enterprises that promote and enhance agricultural activity.</p> <p>Conservation and Open Space – Goal COS 1.1: Agriculture and agriculturally-oriented services that promote agriculture as an important component in the economic base of Fallbrook.</p>	<p>The Project consists of the construction and operation of a winery and event center that is intended to support the existing avocado operations on the subject property.</p>
<p>Community Beautification and Design – Goal LU 2.4: New development within Fallbrook that is designed to be sensitive to the community character, while encouraging the upgrade and beautification of existing development.</p>	<p>The Project will maintain the existing structures of the event venue and all proposed structures have been designed to be compatible with the adjacent single-family residences. Proposed structures will be designed using white and clay-tone colors and adobe facades and be compatible with the surrounding areas. Staff conducted multiple site visits and found that the existing landscaping and fencing will screen the Project from public and scenic roadways.</p>

5. Zoning Ordinance Consistency

The Project complies with all applicable zoning requirements of the Limited Agriculture zone with the incorporation of conditions of approval (Table F-3).

Table F-3: Zoning Ordinance Development Regulations

CURRENT ZONING REGULATIONS		CONSISTENT?
Use Regulation:	A70	Yes, upon approval of a MUP
Animal Regulation:	L	N/A
Density:	-	N/A
Lot Size:	2 AC	N/A
Building Type:	C	N/A
Height:	G	Yes
Lot Coverage:	-	N/A
Setback:	C	Yes
Open Space:	-	N/A
Special Area Regulations:	B	Yes, upon approval of a MUP

Table F-4: Zoning Ordinance Development Regulations Compliance Analysis

Development Standard	Proposed/Provided	Complies?
Sections 2185, 2705, 6156 of the Zoning Ordinance allows for Participant Sports and Recreation: Outdoor uses, accessory uses to a residential subdivision, as well as Packing and Processing of agricultural products associated with a Winery, not defined as a Tiered Winery within Sections 6910 of the Zoning Ordinance, upon issuance of a MUP.	All primary and accessory uses proposed for the Project are allowed within the A70 zone through the processing of a MUP.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Upon approval of a MUP
Section 4300 of the Zoning Ordinance requires the Project to comply with the "C" building type requirements.	The existing and proposed buildings are designed as single-family residences which complies with building type requirements.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Upon approval of a MUP
Section 4600 of the Zoning Ordinance requires that the Project meet the "G" height requirement of 35 feet.	All proposed buildings associated with the Project are less than 35 feet in height and meet the height requirements.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4800 of the Zoning Ordinance requires that the Project meet the "C" setback requirements for structures proposed on each parcel.	All existing and proposed buildings within the MUP boundaries are designed to comply with all applicable setbacks.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

6. California Environmental Quality Act (CEQA) Compliance

The Project has been reviewed for compliance with the CEQA. An addendum dated May 15, 2021 (Log No. PDS2018-ER-07-02-006C) to the previously approved Mitigated Negative Declaration (MND) dated June 25, 2009 has been prepared and is on file with Planning & Development Services. It has been determined that the Project, as designed, will not cause any significant impacts to the environment which require mitigation measures that were not previously analyzed in the approved MND. There are no substantial changes to the Project, changes in circumstances, or new information that would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effect from what was analyzed in the approved MND.

7. Applicable County Regulations

Table F-5: Applicable Regulations

County Regulation Policy	Explanation of Project Conformance
a. Resource Protection Ordinance (RPO)	The Project has been found to comply with the RPO because it will not impact any wetlands, floodplains/floodways, steep slopes, or sensitive habitat lands as all buildings will be set back at a minimum of 50 feet from any identified RPO wetlands.

b. County Consolidated Fire Code	The Project and its Fire Protection Plan have been reviewed by the North County Fire Protection District and County Fire Authority and have been found to comply with the County Consolidated Fire Code.
c. Noise Ordinance	The Project's Noise Study analyzed data and found that with the noise reduction features installed and limiting the hours of the events between 11 a.m. and 10 p.m., the event noise levels comply with the County's Noise Ordinance.
d. Light Pollution Code	The Project will implement outdoor lighting and glare controls which will ensure compliance with the Light Pollution Code.
e. Watershed Protection Ordinance (WPO)	A Priority Development Project Stormwater Quality Management Plan (PDP SWQMP) was prepared for the project dated February 7, 2020, which demonstrates that the project would comply with all requirements of the County of San Diego BMP Design Manual. The SWQMP has been prepared in accordance with the County of San Diego BMP Design Manual and SDRWQCB Order No. R9-2013-0001 Municipal Separate Storm Sewer System (MS4) permit (2013), as adopted by the RWQCB on May 8, 2013.

G. COMMUNITY PLANNING GROUP (CPG)

On April 16, 2018 the Fallbrook Community Planning Group (CPG) unanimously voted to recommend approval of the Project by a vote of 12-0-2 (12 ayes, 0 noes, 2 vacant/absent). Members of the Fallbrook CPG had no further questions or conditions.

The Fallbrook CPG Meeting Minutes can be found in Attachment E – Public Documentation.

H. PUBLIC INPUT

No formal comments were received by the County as a result of the public notices sent at the time of the MUP application submittal or during processing of the permit. At the time of application submittal and in accordance with Board Policy I-49, public notices were sent to property owners within a minimum radius of 300 feet of the project site until at least 20 different property owners were noticed. The legal ad and public notices for the Planning Commission Hearing were sent to property owners beyond the minimum of 300 feet at a radius of 1,500 feet from the project site.

I. STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Adopt the Environmental Findings included in Attachment D, which concludes that the previously adopted Mitigated Negative Declaration is adequate with an addendum.
2. Approve MUP PDS2018-MUP-18-003, make the findings, and include the requirements and conditions as set forth in the Form of Decision.

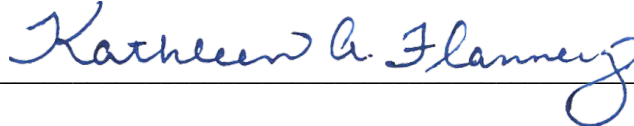
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AUTHORIZED REPRESENTATIVE:



KATHLEEN A. FLANNERY, ACTING DIRECTOR

ATTACHMENTS:

Attachment A – Planning Documentation
Attachment B – Form of Decision Approving PDS2018-MUP-18-003
Attachment C – Environmental Documentation
Attachment D – Environmental Findings
Attachment E – Public Documentation
Attachment F – Service Availability Forms
Attachment G – Ownership Disclosure

Attachment A – Planning Documentation

**Attachment B – Form of Decision Approving
PDS2018-MUP-18-003**

Attachment C – Environmental Documentation

Attachment D – Environmental Findings

Attachment E – Public Documentation

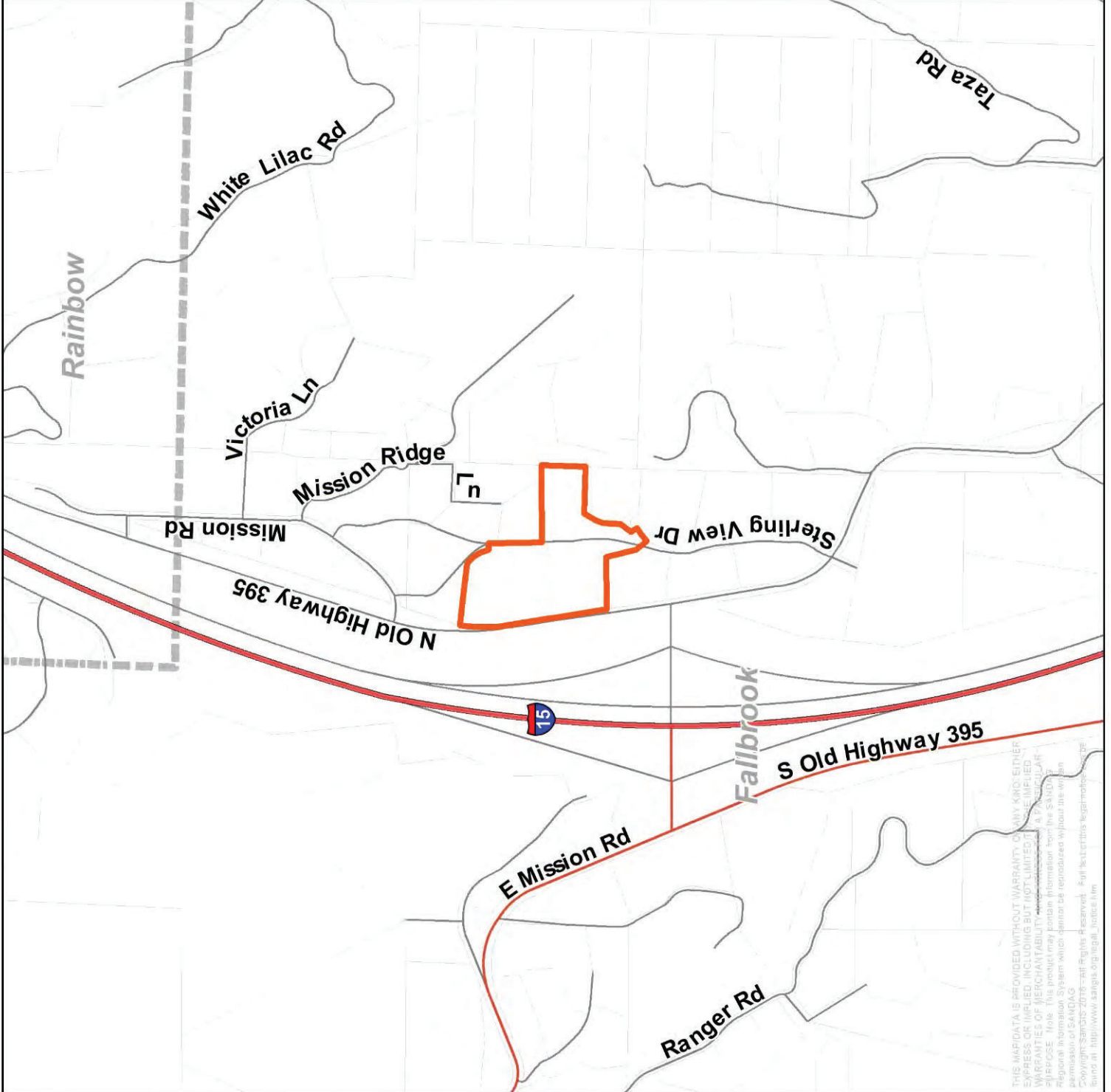
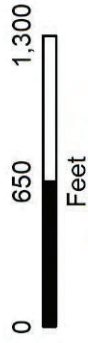
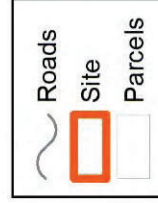
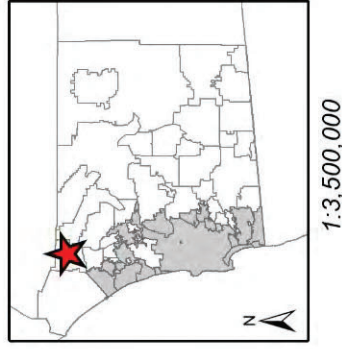
Attachment F – Service Availability Forms

Attachment G – Ownership Disclosure

Attachment A – Planning Documents

Fallbrook Hacienda
PDS2018-MUP-18-003
Vicinity Map

Fallbrook
Community Plan Area

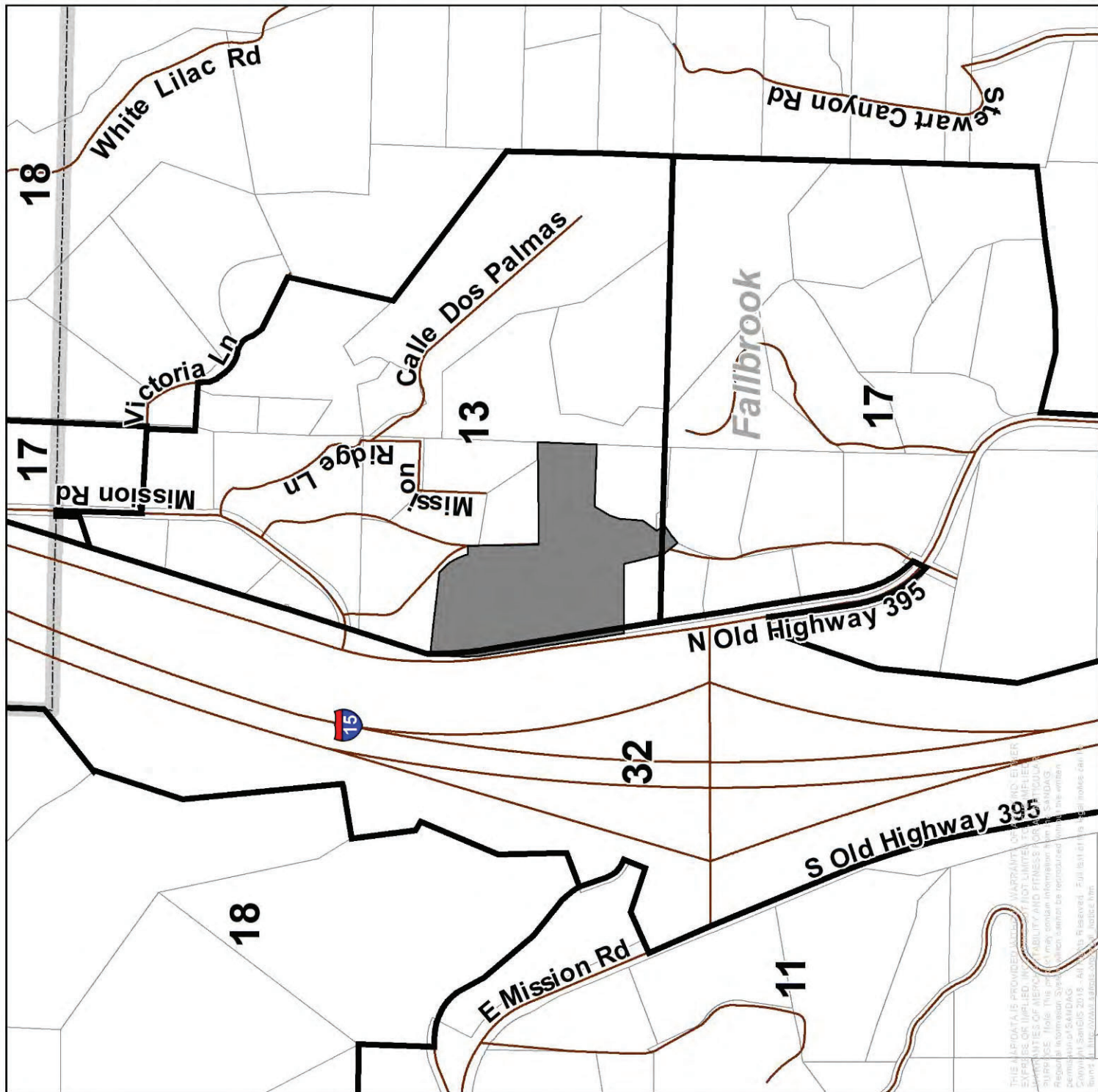
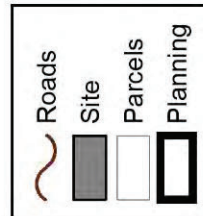


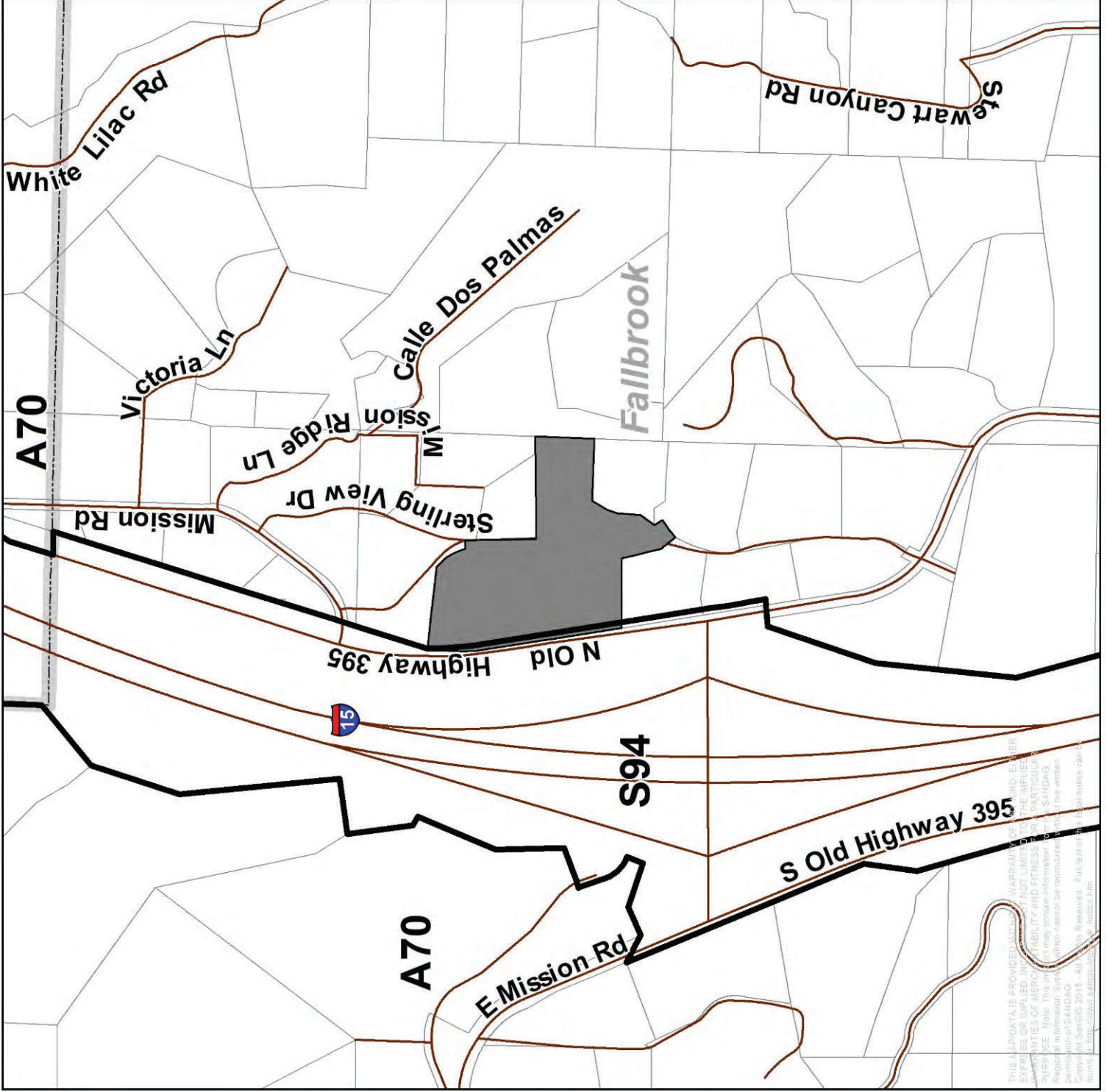
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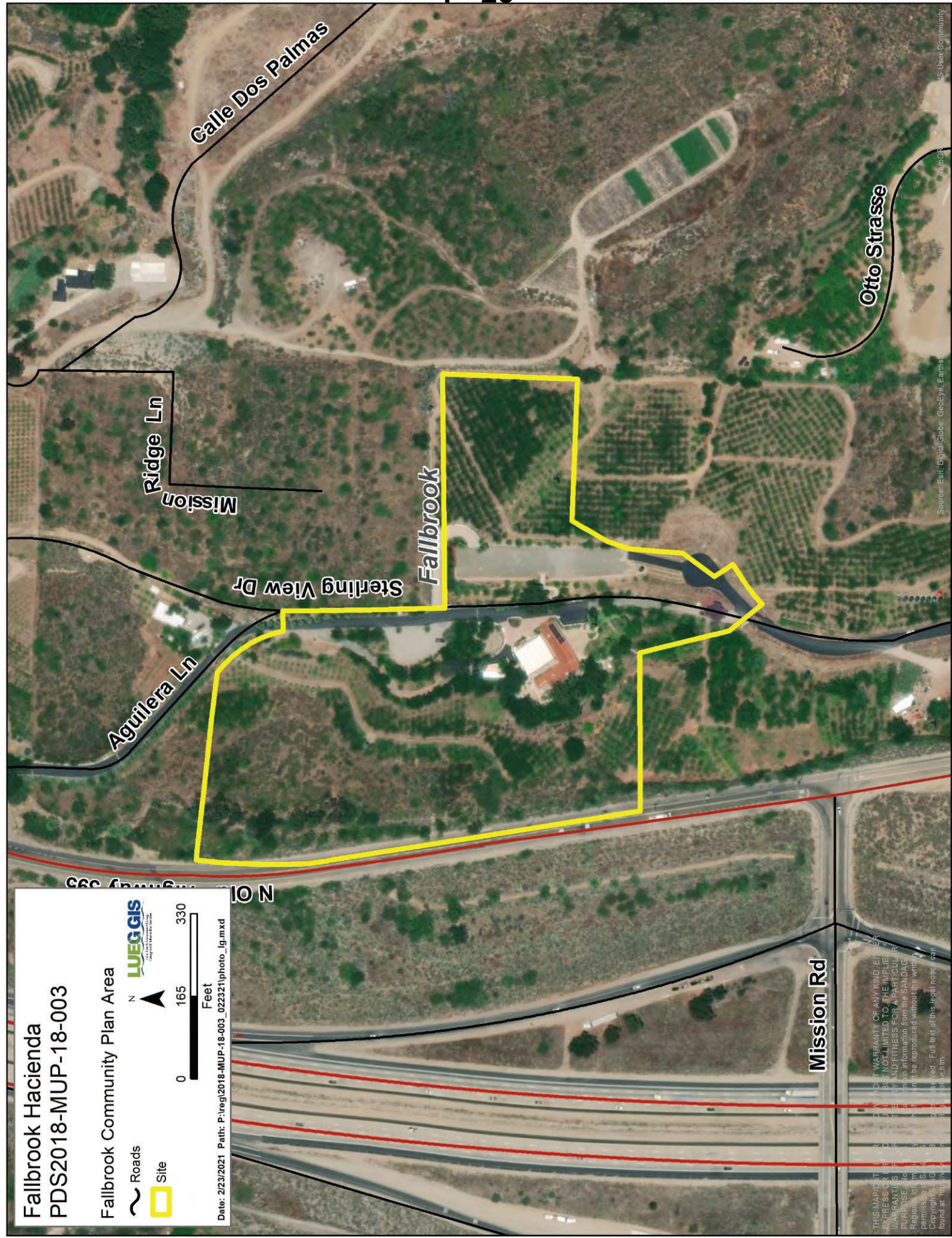
Fallbrook Hacienda PDS2018-MUP-18-003 General Plan

Fallbrook Community Plan Area

- (11) Semi-Rural Residential (SR-2)
- (13) Semi-Rural Residential (SR-4)
- (17) Semi-Rural Residential (SR-10)
- (18) Rural Lands (RL-20)
- (32) Public/Semi-Public Facilities







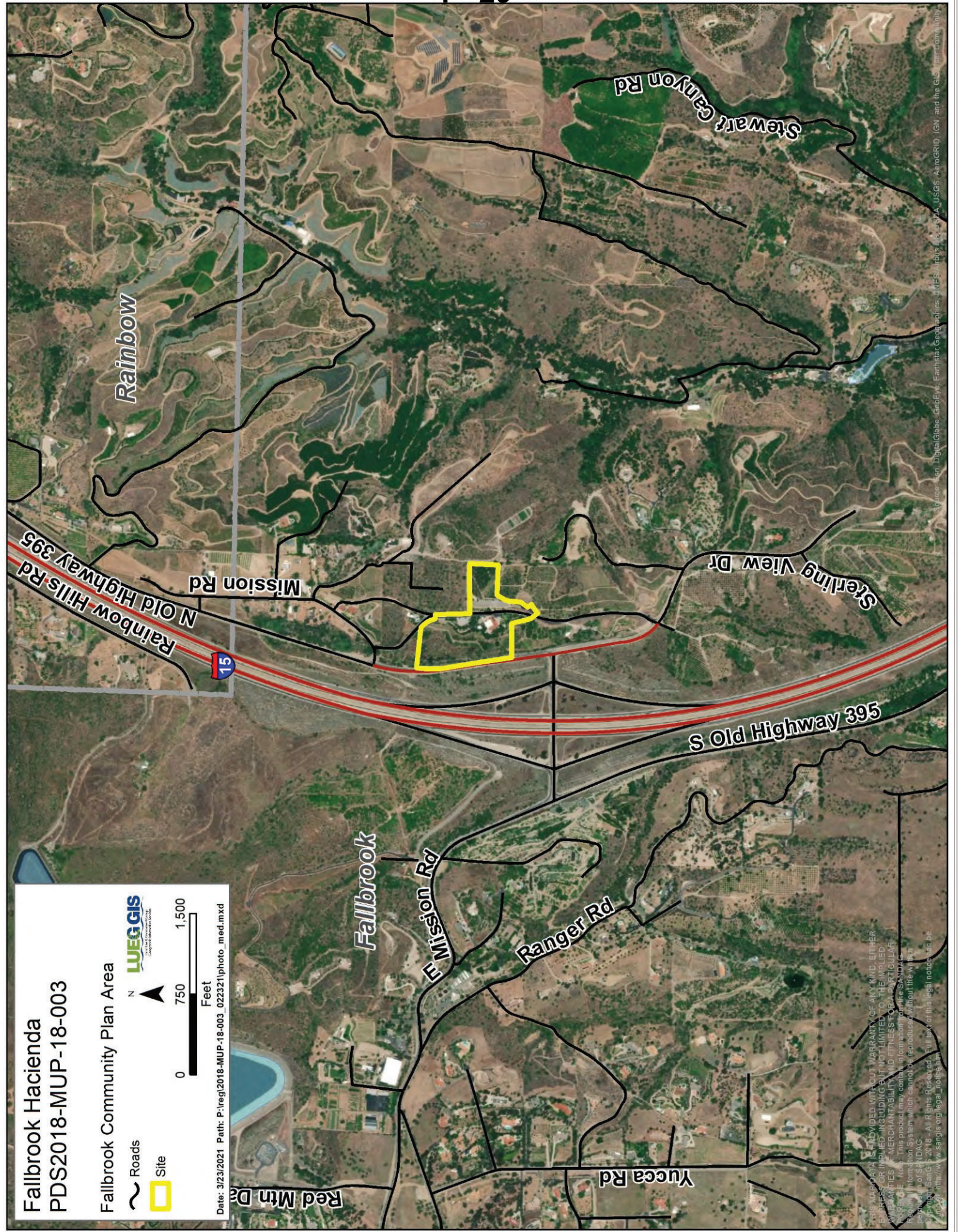
Fallbrook Hacienda
PDS2018-MUP-18-003

Fallbrook Community Plan Area



Date: 2/23/2021 Path: P:\veg\2018-MUP-18-003_022321\photo_lg.mxd

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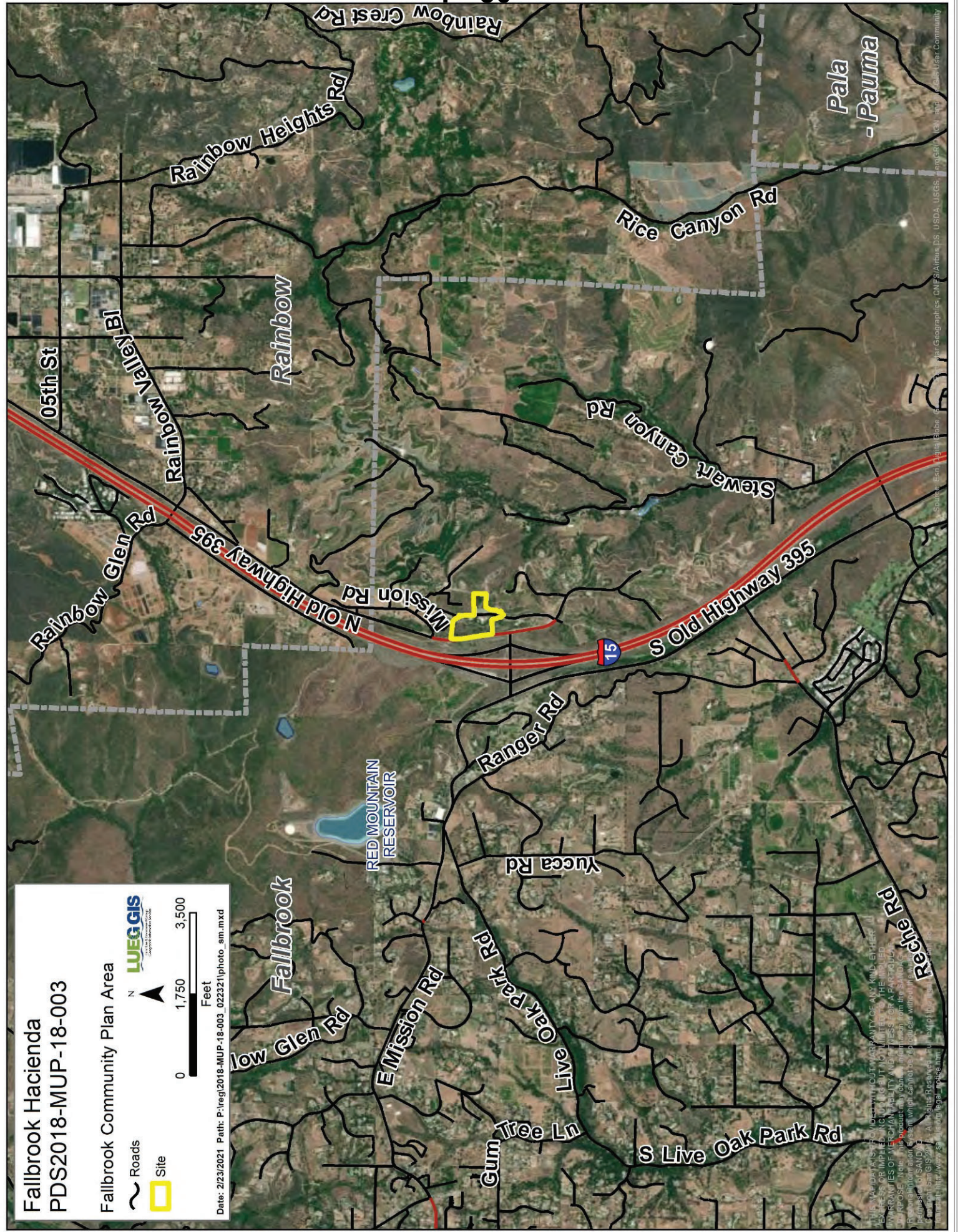
Fallbrook Hacienda
PDS2018-MUP-18-003

Fallbrook Community Plan Area



Date: 3/23/2021 Path: P:\veg\2018-MUP-18-003_022321\photo_med.mxd

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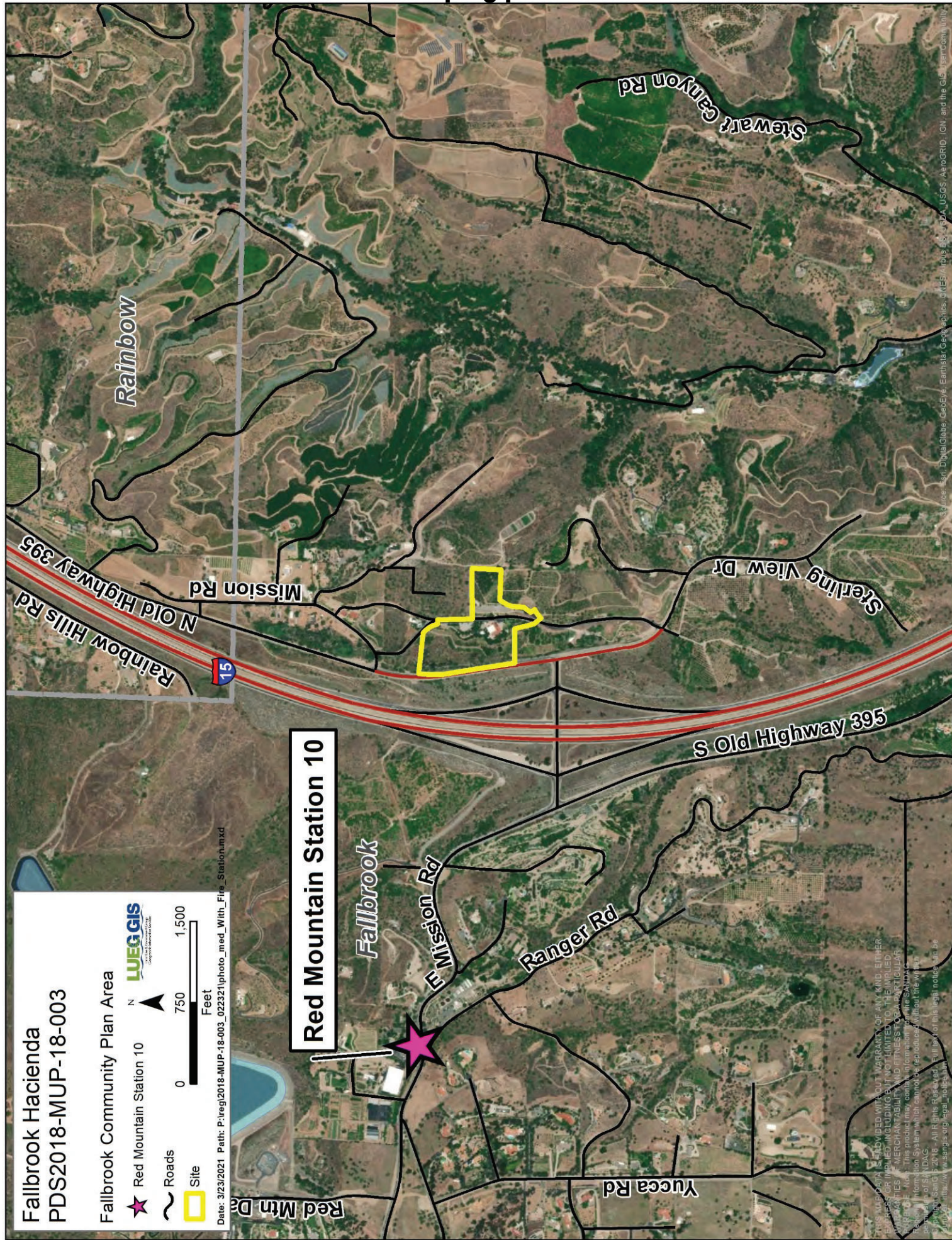
Fallbrook Hacienda PDS2018-MUP-18-003

Fallbrook Community Plan Area



Date: 2/23/2021 Path: P:\reg\2018-MUP-18-003_022321\photo_sm.mxd

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[illegible]

INTERNAL DILUTIONS WITHIN ZONE CEMENTS OF A FLOWMOUNTED, 2019-2020 RECONSTRUCTION

 INDICATES LIMITED BUILDING ZONE OPEN SPACE EASEMENT PER DOCUMENT O.R.

INDICATES 18 I.O.D. PER DOCUMENT No. 2017-0018087 RECORDED 1/12/17, O.R.

0

 INDICATES STEEP SLOPE OPEN SPACE EASEMENT PER DOCUMENT NO. 2013-0183580 RECORDED 3/22/13, O.R.

A	EXISTING MAIN RESIDENT - NO GUEST ACCESS
B	EXISTING STABILIZED DUNE VEGETATION AREA (PHASE 1)
C	EXISTING GAZEBO (PHASE 1)
D	EXISTING LAWN (PHASE 1)
E	EXISTING VINEYARD PLAYGROUND (PHASE 1)
F	EXISTING IRBO BLAND (PHASE 1)
G	EXISTING CONCRETE PATIO (PHASE 1)
H	AS-BUILT TREES RESTROOMS, 500SF (PHASE 1)
I	AS-BUILT TREES RESTROOM & CAMEL SHED, 680 SF (PHASE 1)
J	AS-BUILT STORAGE RECREATION ROOM, 1200 SF (PHASE 1)
K	EXISTING VINEYARD COURT AND (PHASE 1)
L	EXISTING CONCRETE DRIVEWAY, VALT DROP OFF (PHASE 1)
M	PROPOSED STAFF (10 SPACES) & ADA (15 SPACES) PARKING (PHASE 1)
N	PROPOSED ANCILLARY VEHICLE BUILDING, 2650 SF (PHASE 4)
O	PROPOSED GARAGE AND STORAGE, 1800 SF (PHASE 4)
P	PROPOSED INDOOR VEHICLE, 4900 SF (PHASE 2)
Q	PROPOSED OVERHEAD PARKING, 10 SPACES (PHASE 4)
R	EXISTING EVENT SUPPORT FACILITIES, 931 SF (PHASE 1)
S	EXISTING GRANT VALT PARKING 76 SPACES (PHASE 1)
T	AS-BUILT WOOD STAIRS (PHASE 1)
U	PROPOSED A.C. PARKING 22 SPACES (PHASE 3)
V	PROPOSED VINYL MAKERS RESIDENCE, 4,630 SF W/INTERIOR 7751 SF RESIDENCE (PHASE 3)
W	PROPOSED PRODUCTION BUILDING, 3000 SF (PHASE 3)
X	PROPOSED A.C. STAFF PARKING, 8 SPACES (PHASE 3)
Y	EXISTING ADA PARKING, 4 SPACES (PHASE 1)
Z	EXISTING TRASH ENCLOSURE (PHASE 1)
A	PROPOSED TRASH ENCLOSURE (PHASE 3)

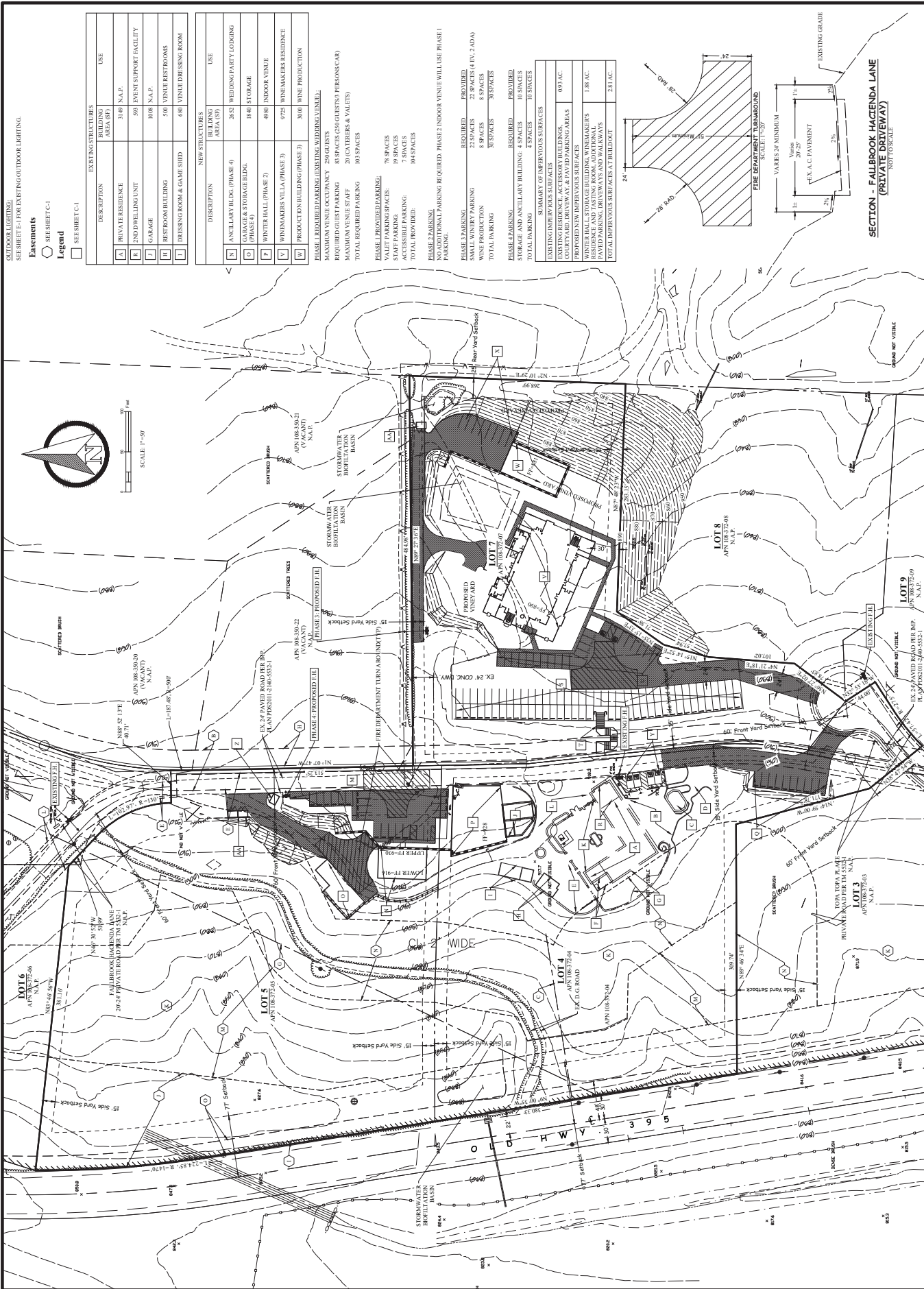
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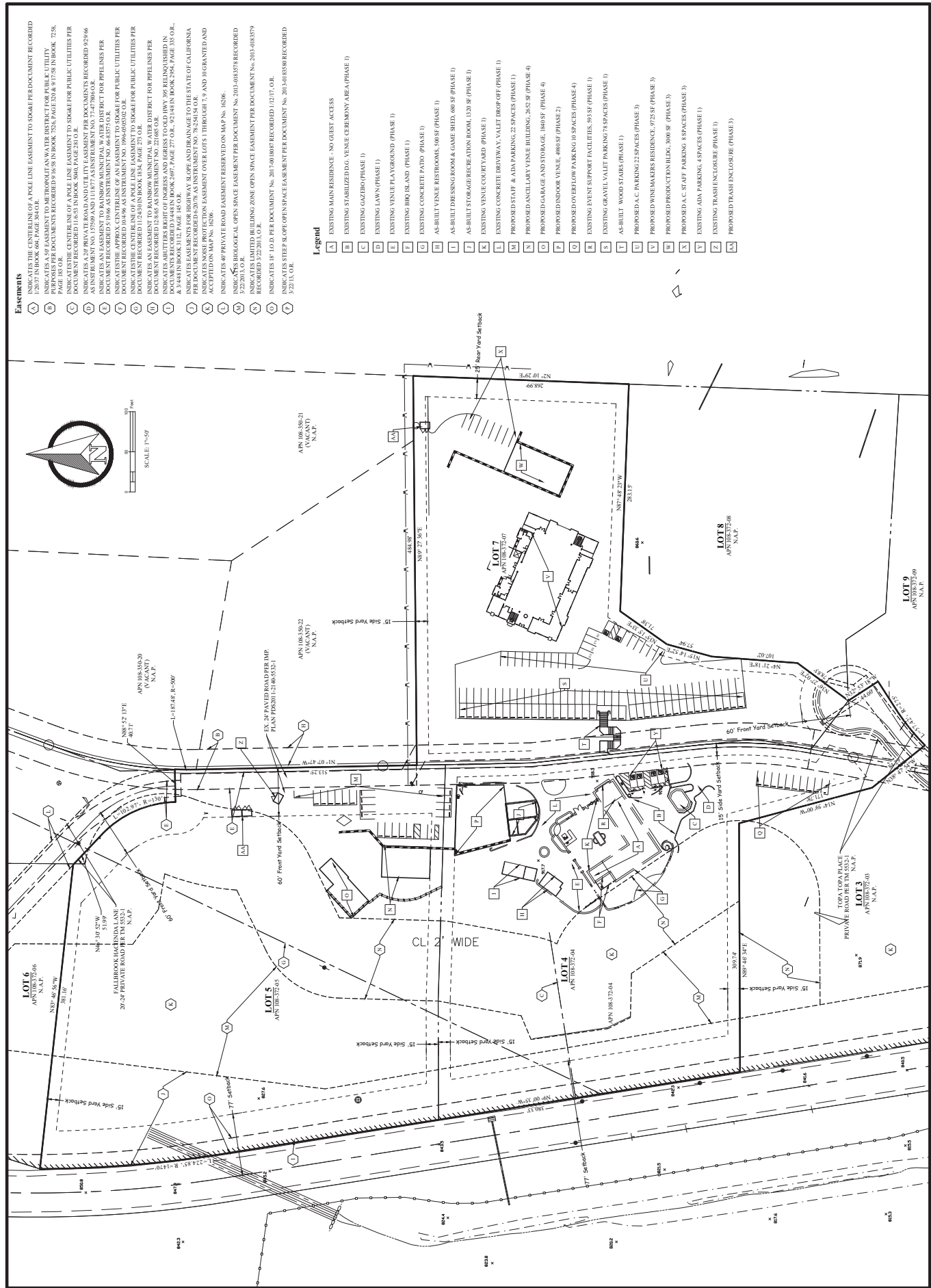


DATE: 2/5/20
 PREPARED BY: MICHAEL L. HENNESSEY, P.E. 77993
 MLB Engineering
 401 South Bay Area Blvd., Redwood City, CA 94063
 650.962.1111
 mlb@mlbengr.com

MAJOR USE PERMIT SITE PLAN
 FOR
FALLBROOK HACIENDA
 A PRIVATE PARTY VENUE
 4011 N. MISSION ROAD, FALLBROOK, CA

SITE PLAN
 DATE: 2/5/2020
 SHEET NO.: C-2





No.	Revisions/Notes

sadara designs
 2222 LOGAN AVE. #4
 SAN DIEGO, CA 92113
 760-536-2147

EXISTING OUTDOOR LIGHTING

CLIENT

FRULLA RESIDENCE

4103 E. MISSION RD.

FALLBROOK, CA 92028

SCALE

1/16" = 1'-0"

DATE

06/30/15

DRAWN BY

TEAM

PROJECT NO.

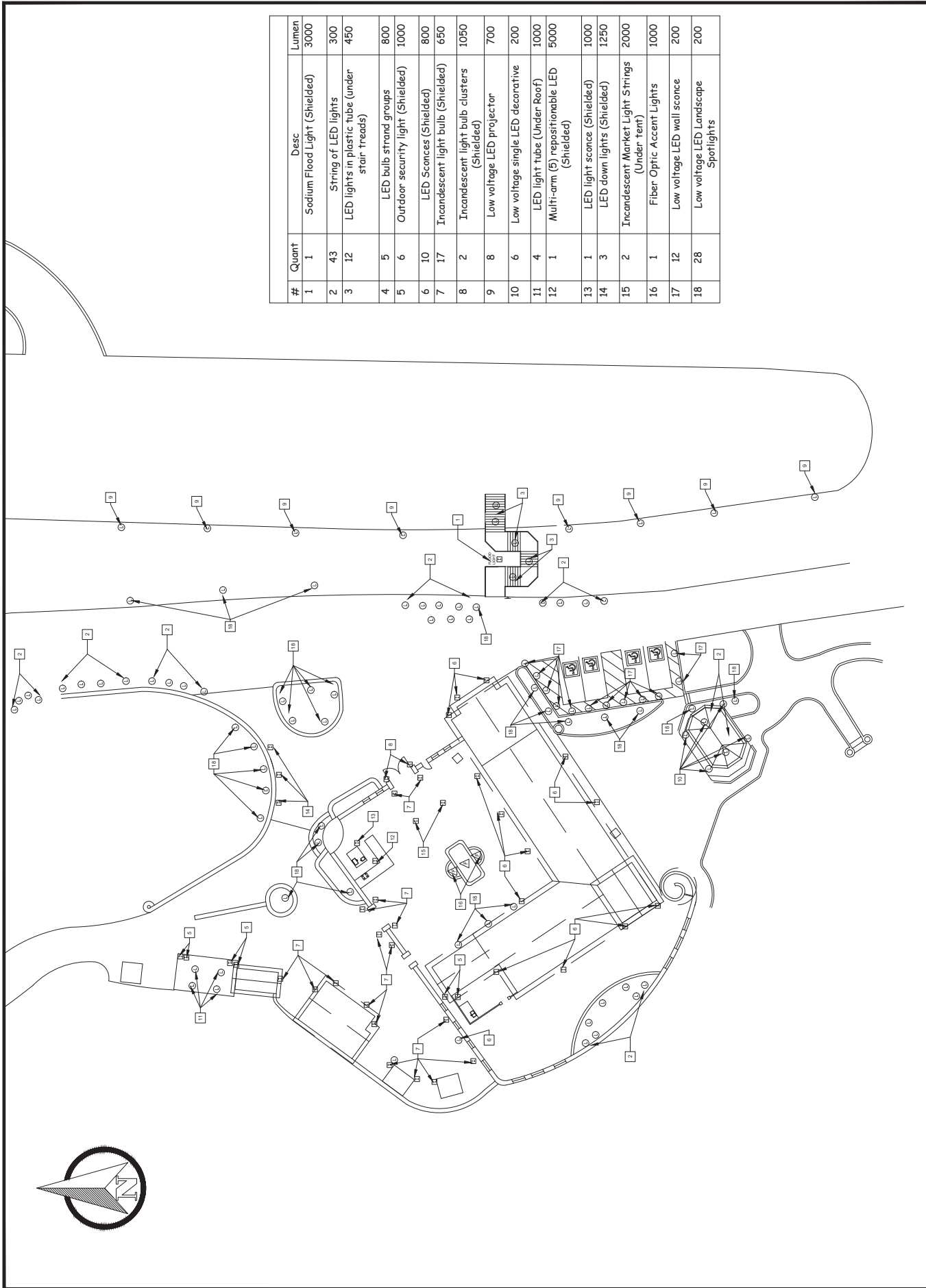
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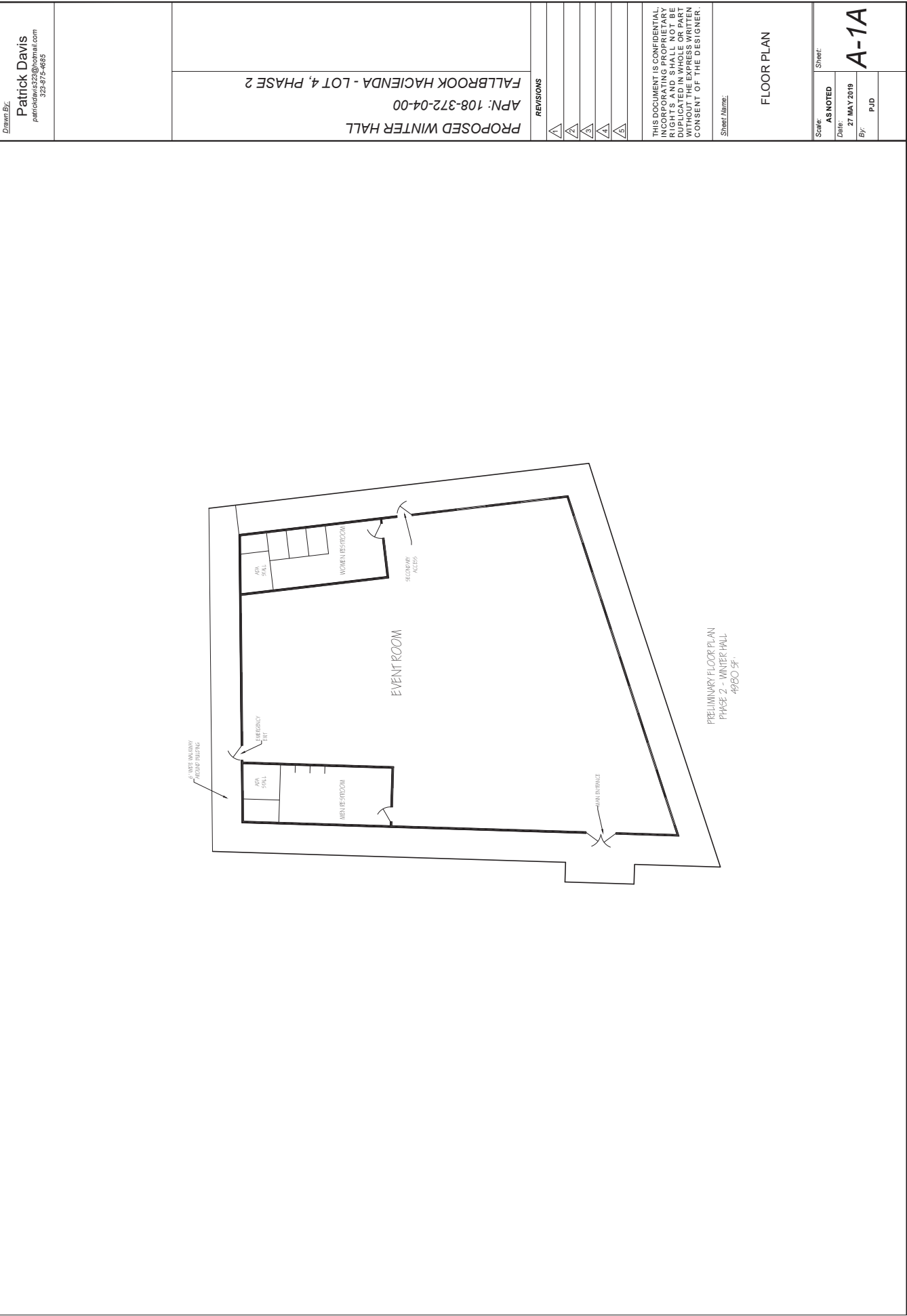
E-1

OF

X



#	Quant	Desc	Lumen
1	1	Sodium Flood Light (Shielded)	3000
2	43	String of LED lights	300
3	12	LED lights in plastic tube (under stair treads)	450
4	5	LED bulb strand groups	800
5	6	Outdoor security light (Shielded)	1000
6	10	LED Sconces (Shielded)	800
7	17	Incandescent light bulb (Shielded)	650
8	2	Incandescent light bulb clusters (Shielded)	1050
9	8	Low voltage LED projector	700
10	6	Low voltage single LED decorative	200
11	4	LED light tube (Under Roof)	1000
12	1	Multi-arm (5) repositionable LED (Shielded)	5000
13	1	LED light sconce (Shielded)	1000
14	3	LED down lights (Shielded)	1250
15	2	Incandescent Market Light Strings (Under tent)	2000
16	1	Fiber Optic Accent Lights	1000
17	12	Low voltage LED wall sconce	200
18	28	Low voltage LED Landscape Spotlights	200



Drawn By:
Patrick Davis
patrickdavis323@hotmail
323-875-4685

PROPOSED WINTER HALL & UNDERGROUND
STORAGE APN: 108-372-04-00
FALLBROOK HACIENDA - LOT 4, PHASE 2

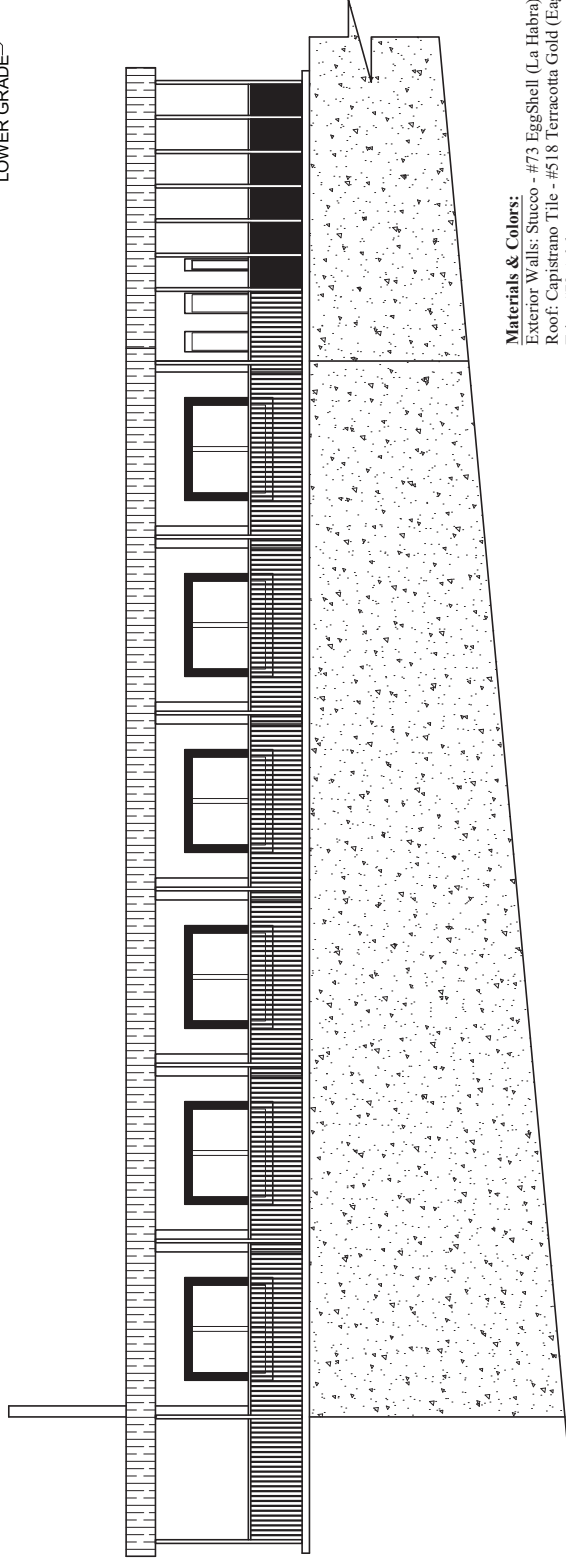
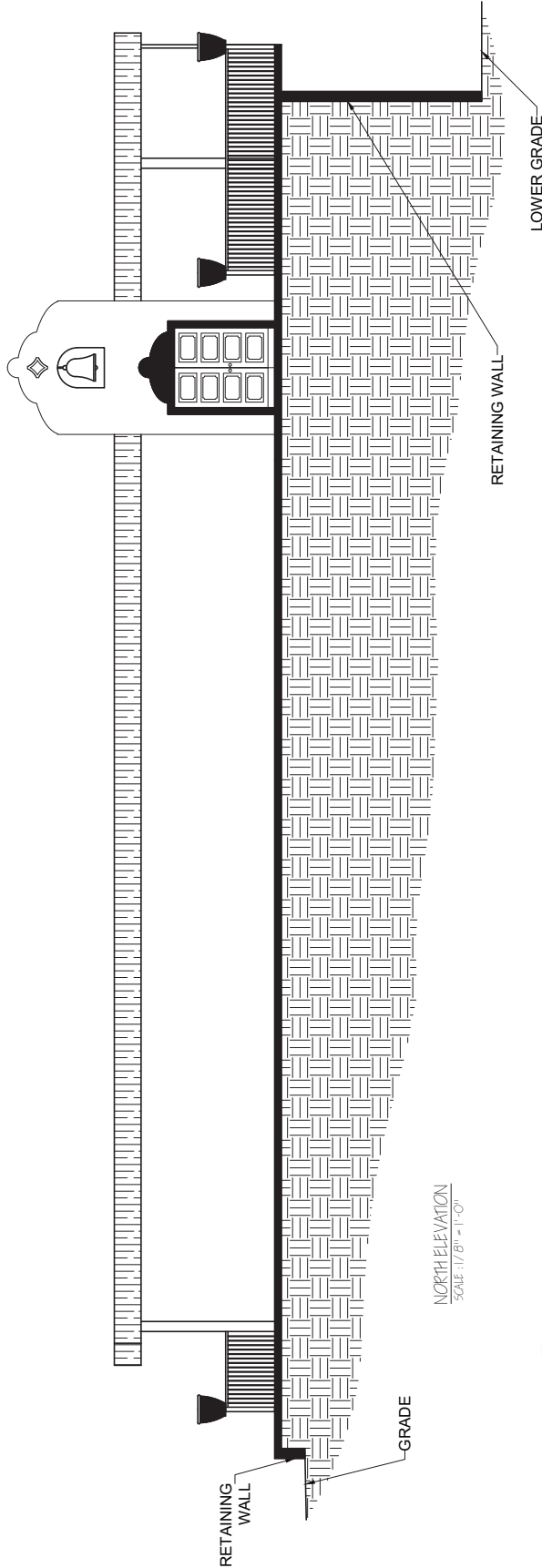
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**NORTH & WEST
EXTERIOR
ELEVATIONS**

Scale:	AS NOTED	Sheet:
Date:	27 MAY 2019	A-1B
By:	PJD	



Materials & Colors:
Exterior Walls: Stucco - #73 EggShell (La Habra)
Roof: Capistrano Tile - #518 Terracotta Gold (Eagle)
Trim: #72 Adobe
Tubular Steel: Black
Window Frames: White

Drawn By:
Patrick Davis
patrickdavis323@hotmail
323-875-4685

PROPOSED WINTER HALL & UNDERGROUND
STORAGE APN: 108-372-04-00
FALLBROOK HACIENDA - LOT 4, PHASE 2

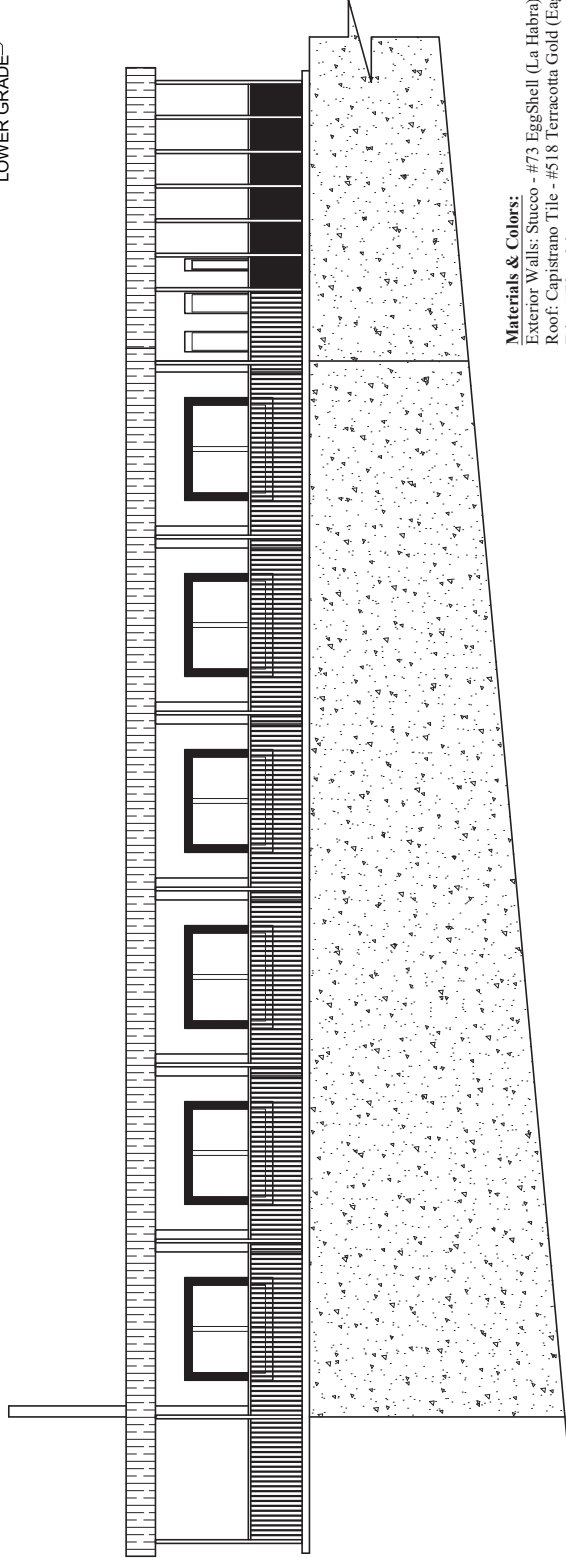
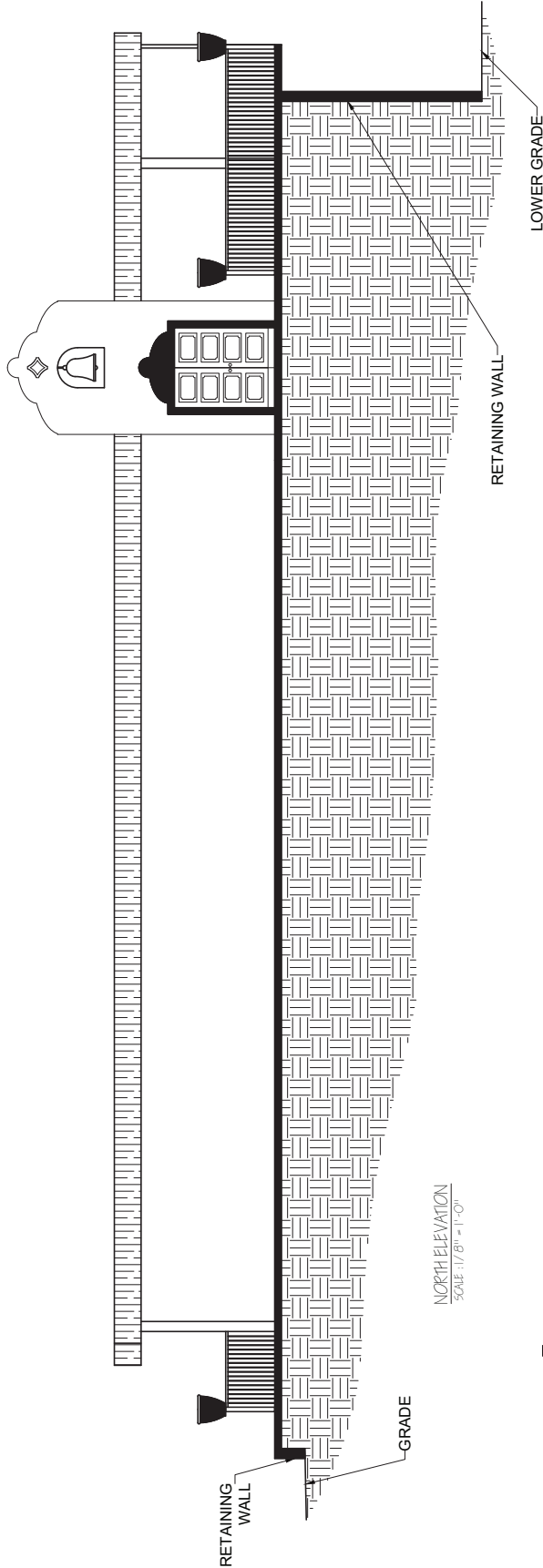
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**NORTH & WEST
EXTERIOR
ELEVATIONS**

Scale:	AS NOTED	Sheet:
Date:	27 MAY 2019	A-1B
By:	PJD	



Materials & Colors:
Exterior Walls: Stucco - #73 EggShell (La Habra)
Roof: Capistrano Tile - #518 Terracotta Gold (Eagle)
Trim: #72 Adobe
Tubular Steel: Black
Window Frames: White

PROPOSED GARAGE & STORAGE BLDG. (1933 SF.)

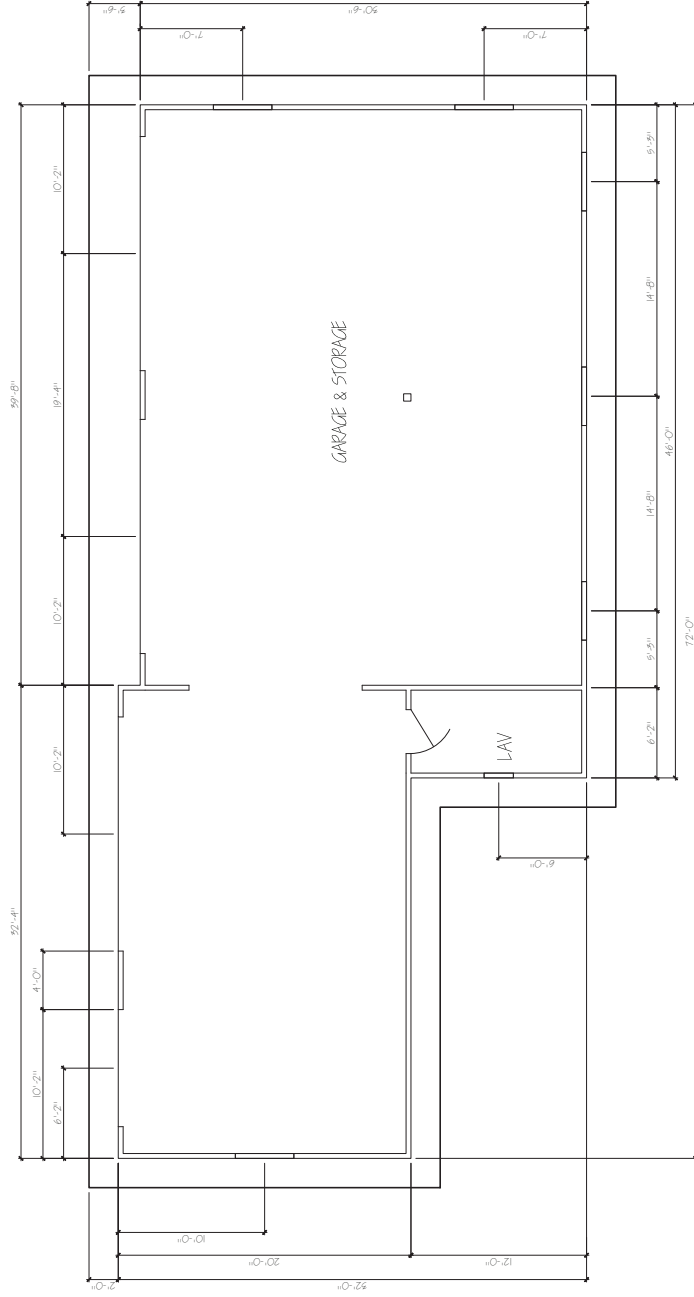
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Sheet Name:

FLOOR PLAN

Scale:	AS NOTED	A-2A
Date:	27 MAY 2019	
By:	PJD	
Sheet:		



PRELIMINARY FLOOR PLAN
PHASE 4 - STORAGE AND GARAGE BUILDING
1,840 SF.

Drawn By:
Patrick Davis
patrickdavis32@hotmail.com
323-875-4685

PROPOSED GARAGE & STORAGE BLDG.

REVISIONS

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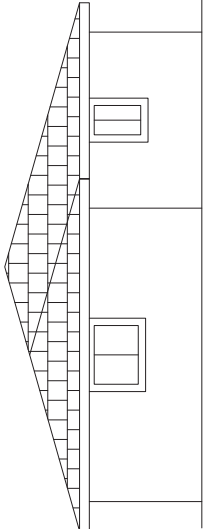
EXTERIOR
ELEVATIONS

Scale: AS NOTED

Date: 27 MAY 2019

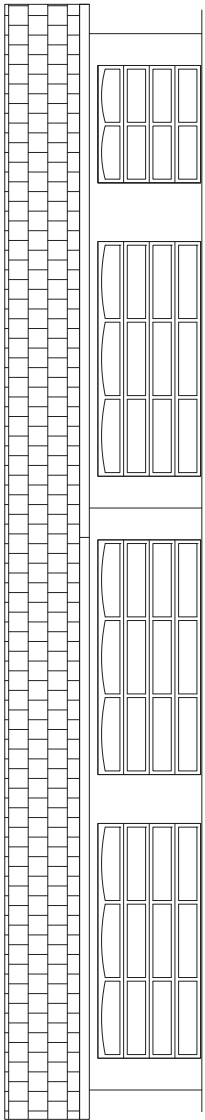
By: P.D.

A-2B

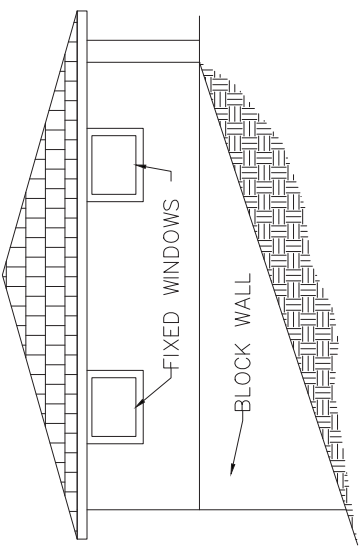


LEFT ELEVATION
SCALE: 1/4" = 1'-0"

Materials & Colors:
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Roof: Capistrano Tile - #518 Terracotta Gold (Eagle)
Trim: #72 Adobe
Window Frames: White

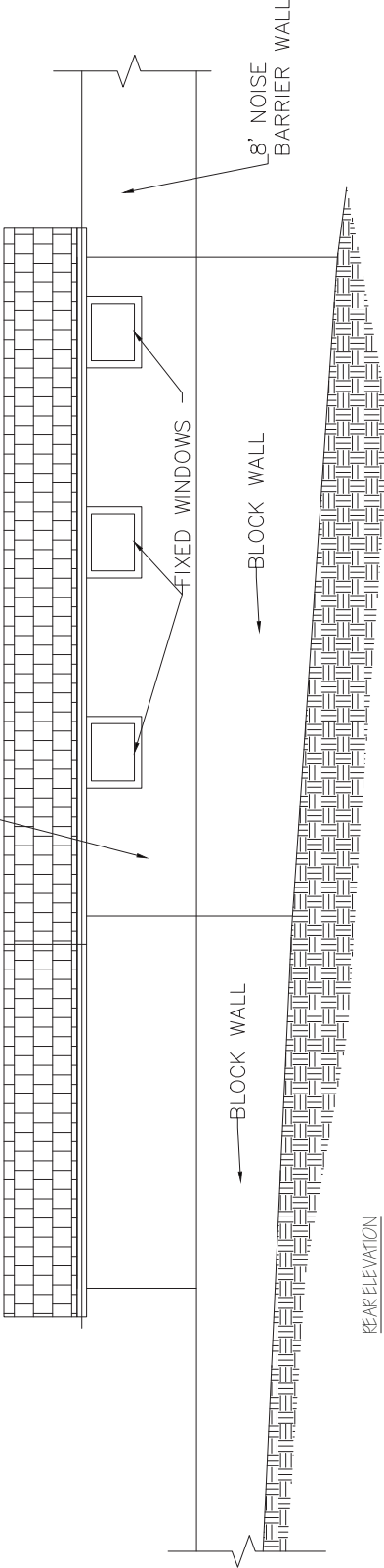


FRONT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

THIS SIDE OF BUILDING TO BE
CONSTRUCTED AS NOISE BARRIER
WITH MINIMUM DENSITY OF 3.5lbs./SQ. FT.



REAR ELEVATION
SCALE: 1/4" = 1'-0"

8' NOISE
BARRIER WALL

BLOCK WALL

BLOCK WALL

UPPER FLOOR PLAN
1,080 SF. SCALE: 1/8" = 1'-0"

Drawn By:
Patrick Davis
patrickdavis323@hotmail
323-875-4685

PROPOSED ANCILLARY VENUE BLDG.
& STORAGE APN: 108-372-05-00
FALLBROOK HACIENDA - LOT 5, PHASE 4

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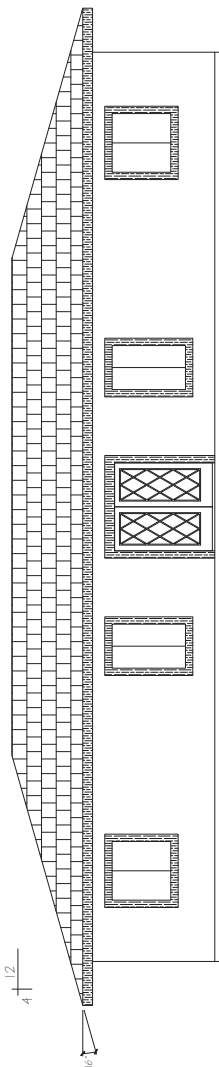
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FRONT & LEFT
SIDE EXTERIOR
ELEVATIONS

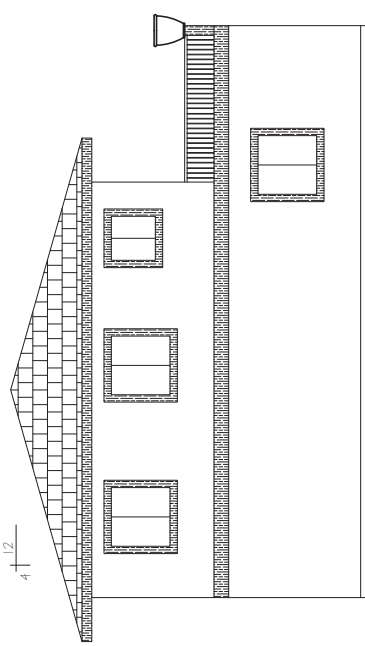
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Date:	27 MAY 2019	
By:	PJD	

A-3B

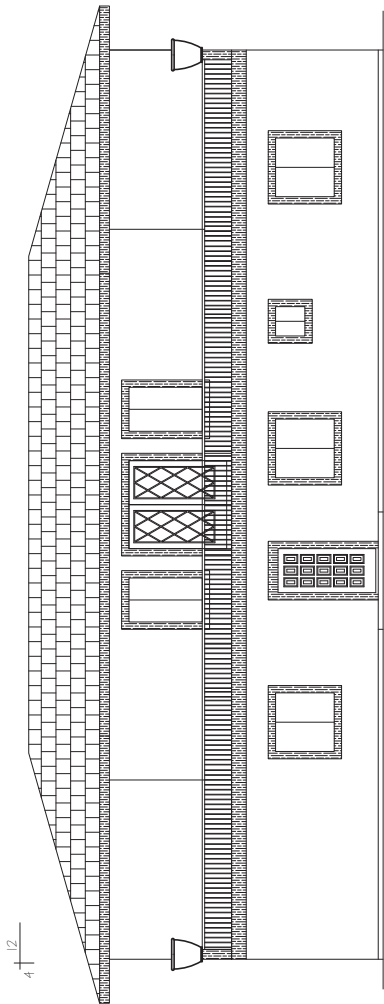
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Roof: Capistrano Tile - #518 Terracotta Gold (Eagle)
Trim: #72 Adobe
Tubular Steel: Black
Window Frames: White



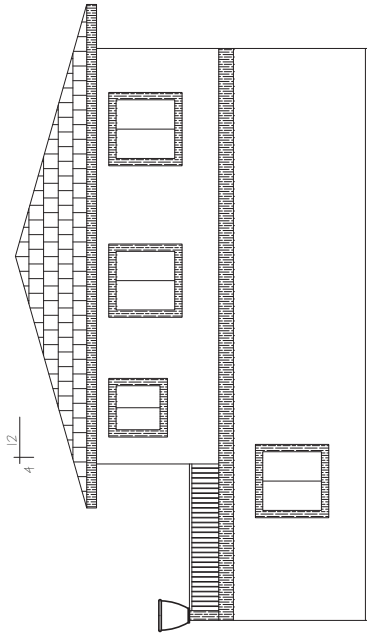
FRONT ELEVATION
SCALE: 1/8" = 1'-0"



LEFT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

Materials & Colors:
Exterior Walls: Stucco - #73 EggShell (La Habra)
Roof: Capistrano Tile - #518 Terracotta Gold (Eagle)
Trim: #72 Adobe
Tubular Steel: Black
Window Frames: White

Drawn By:
Patrick Davis
patrickdavis323@hotmail.com
323-875-4685

PROPOSED ANCILLARY VENUE BLDG.
& STORAGE APN: 108-372-05-00
FALLBROOK HACIENDA - LOT 5, PHASE 4

1 - 44

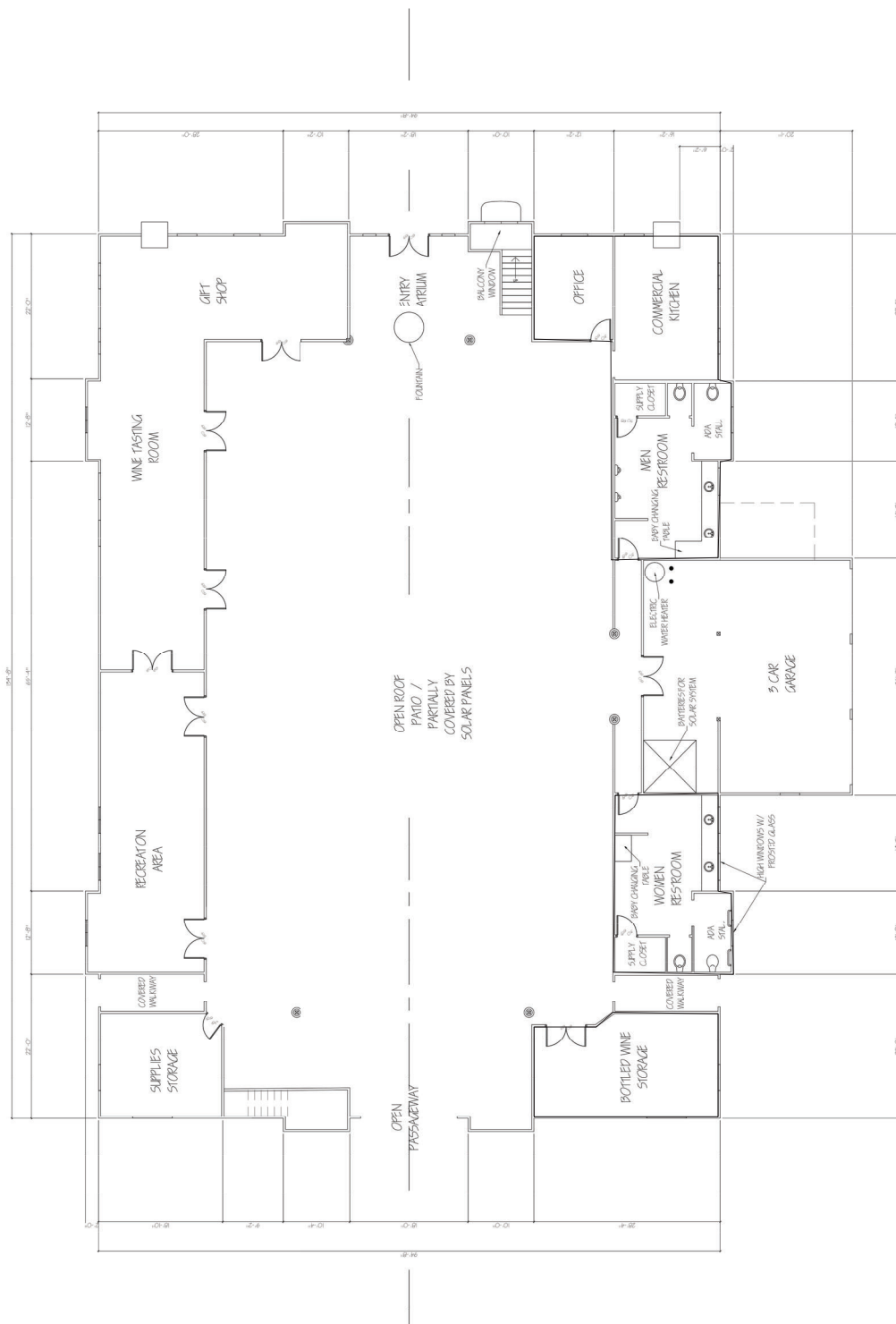
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Sheet Name:

REAR & RIGHT
SIDE EXTERIOR
ELEVATIONS

Scale:	AS NOTED	Sheet:
Date:	21 MAY 2019	A-3C
By:	PJD	



LOWER FLOOR PLAN - SMALL WINERY

GROUND LEVEL OCCUPIED
4,639 SF

Drawn By:
Patrick Davis
patrickdavis23@gmail.com
323-675-4685

PROPOSED WINE MAKER'S RESIDENCE
APN: 108-372-07-00
FALLBROOK HACIENDA - LOT 7, PHASE 3

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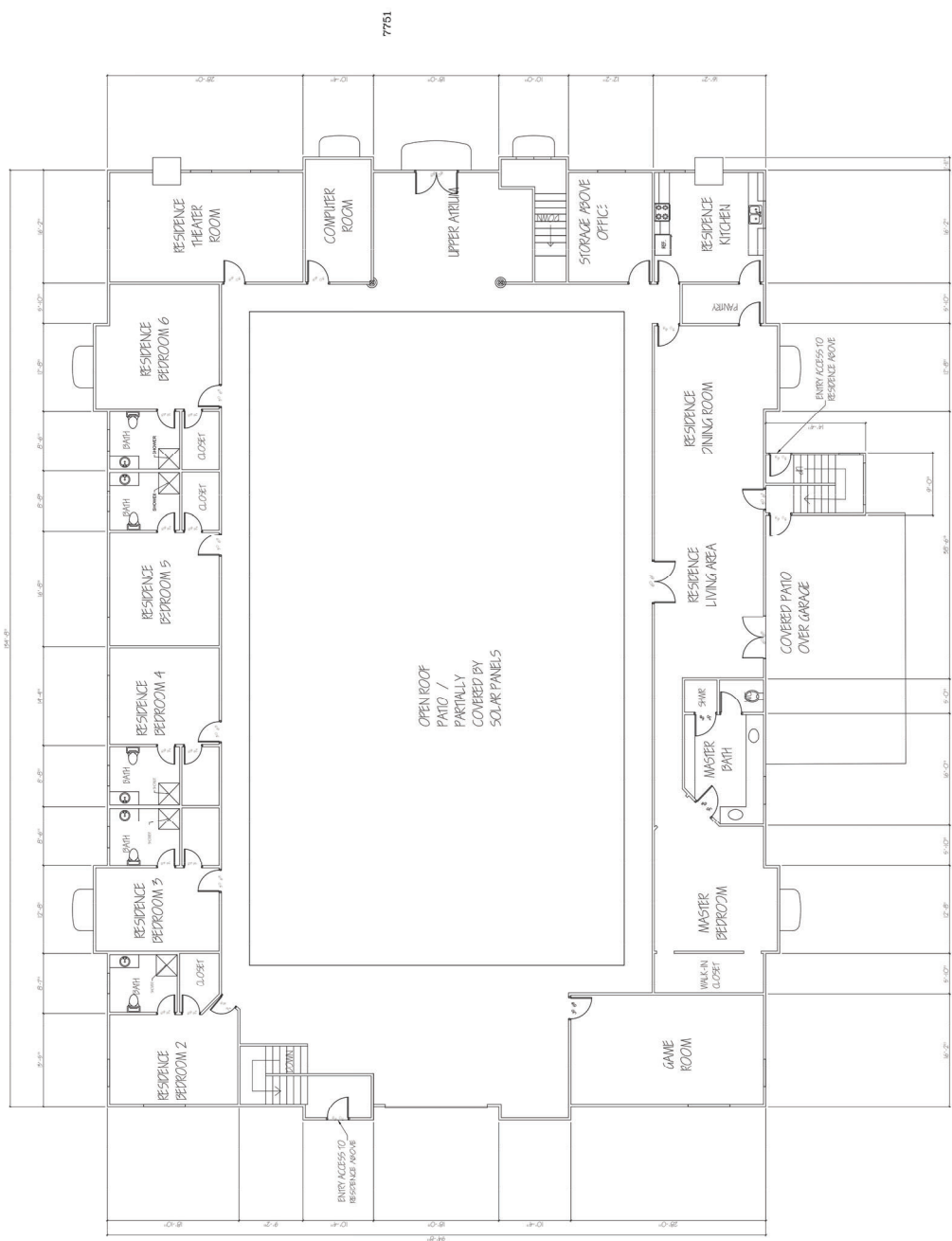
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UPPER FLOOR
PLAN

Project:	FALLBROOK	Sheet:	
Date:	27 MAY 2019		
By:	PJD		
Scale:	AS NOTED		

A-4B



UPPER FLOOR, COVERED
AREA - 77'5"1

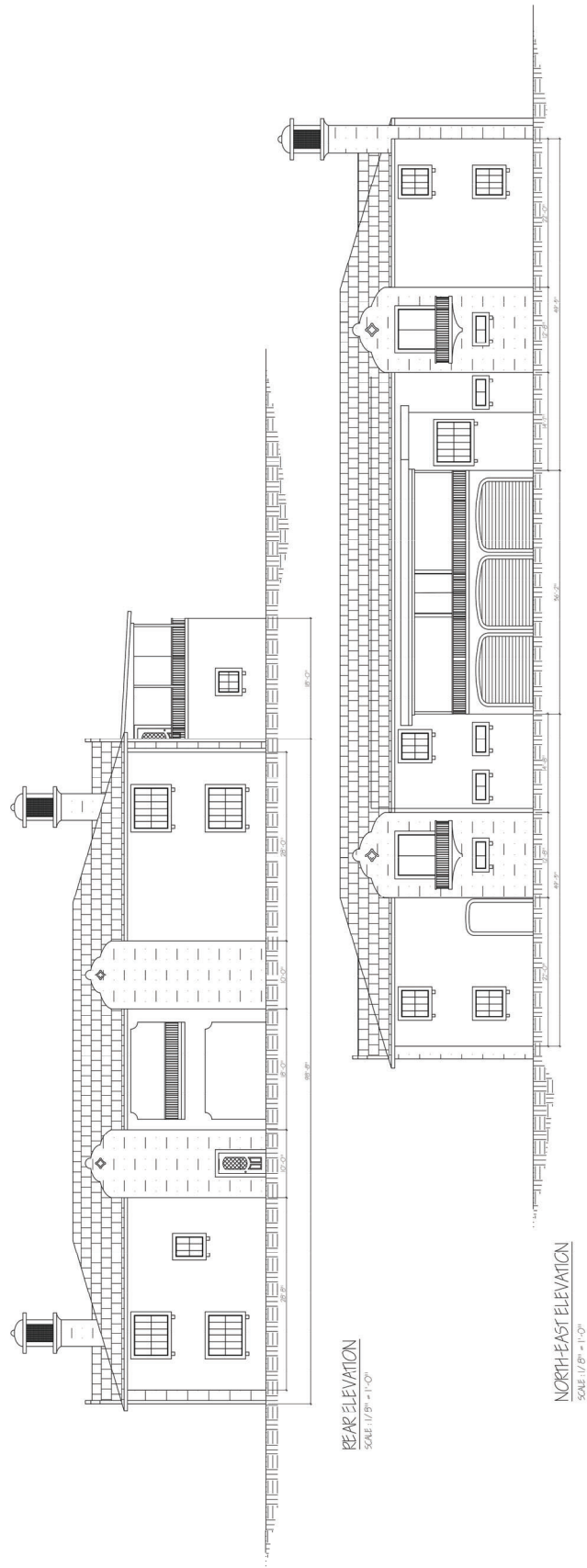
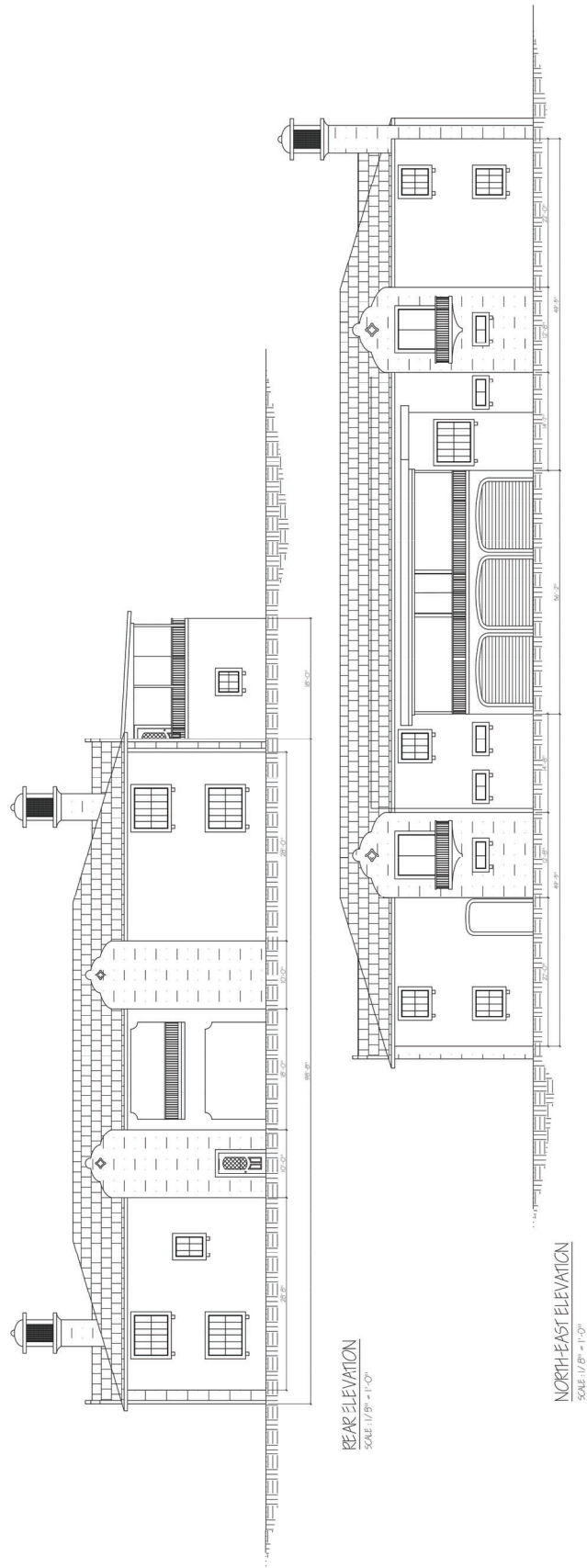
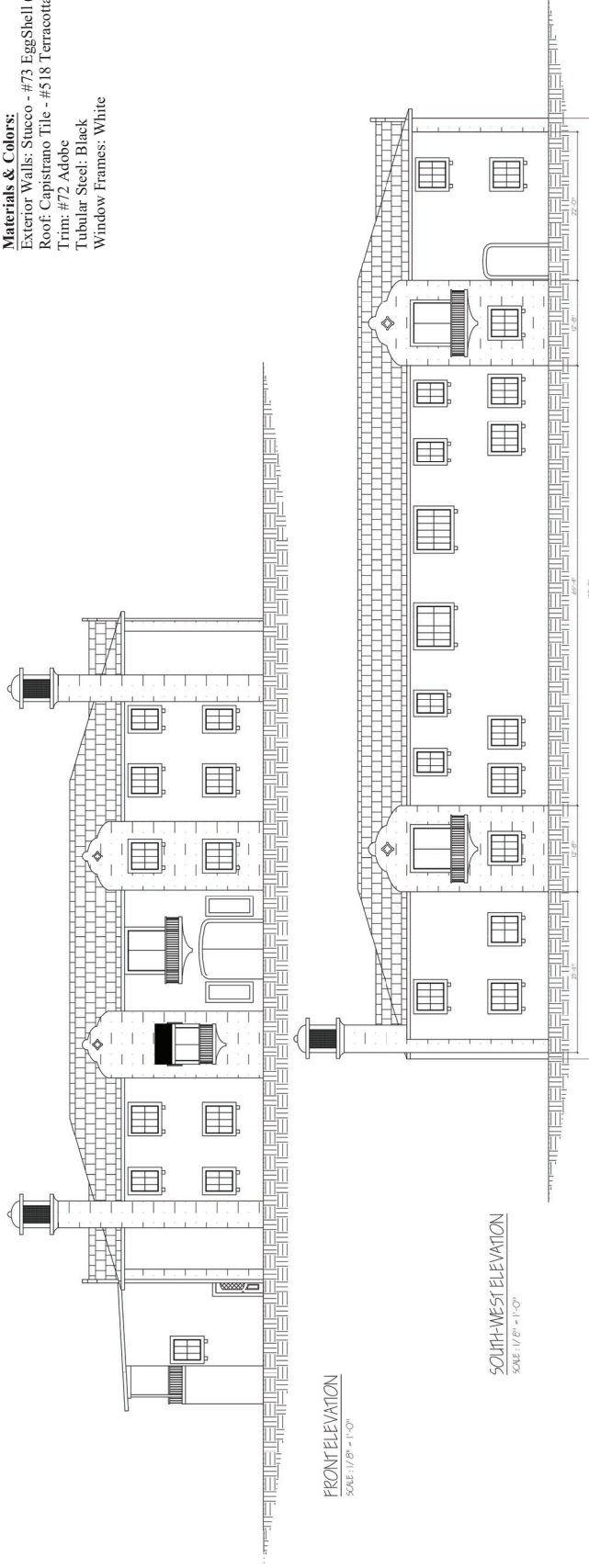
UPPER FLOOR PLAN - WINE MAKER RESIDENCE
SCALE 1/8" = 1'-0"

Drawn By:

Patrick Davis
patrickdavis323@hotmail.com
323-875-4685

Materials & Colors:

Exterior Walls: Stucco - #73 EggShell (La Habra)
 Roof: Capistrano Tile - #518 Terracotta Gold (Eagle)
 Trim: #72 Adobe
 Tubular Steel: Black
 Window Frames: White



PROPOSED WINE MAKER'S RESIDENCE

APN: 108-372-07-00

FALLBROOK HACIENDA - LOT 7, PHASE 3

REVISIONS

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Sheet Name:

EXTERIOR ELEVATIONS

Project:	Sheet:
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Date: _____

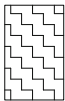
By: _____

Scale:

Sheet:

A-4C

IGNITION RESISTIVE, NON-INVASIVE PLANT PALETTES -



LOW WATER-USE PLANTS

Trees - 24" box container size at planting

	Desert Willow
	Non-Fruiting Olive
	Coast Live Oak

Shrubs & Perennials - 5 gallon & 1 gallon container sizes at planting

	Baja Fairy Duster
	Kaffir Lily
	Coast Sunflower
	Island Bush Snapdragon
	Red Yucca
	Red-Hot Poker

Ground Covers - 1 gallon container size at planting

	Pigeon Point'	Dwarf Coyote Brush
		Variegated Bougainvillea
	'Lowfast'	Bearberry Cotoneaster
	- white	White Trailing Lantana
	'Putah Creek'	NCN
		NCN

GRADED SLOPE PLANTS

Trees - 15 gallon & 5 gallon container size at planting

	Coast Live Oak
--	----------------

Shrubs - 1 gallon container size at planting at 10 Ft. on center spacing max.

	Fairy Duster
	California Brittlebush

Ground Cover - Hydro-seed areas between Shrubs with mix shown at right



MODERATE WATER-USE PLANTS (primarily chosen for shade tolerance)



NOTE: THE EXISTING MODERATE WATER-USE PLANTINGS SHOWN ON SHEET 1 OF 2 AND INDICATED BY THE HATCH SYMBOL SHOWN ABOVE WILL BE SUPPLEMENTED BY THE FOLLOWING LIST OF MODERATE WATER-USE PLANTS AS NECESSARY

Shrubs, Perennials - 5 gallon & 1 gallon container size at planting

	Abelia
	Variegated Mirror Plant
	NCN
	Mock Orange
	Shrub Rose

Ground Covers - Rooted flats at planting

	Ornamental Strawberry
	Blue Star Creeper

HYDRO-SEEDING MIX -

The ground area under the grapevines, the utility areas around the perimeter of the vineyard, and the graded slopes will be hydro-seeded after installation of improvements and final grading/graze-out with the following Native Hydro-seed Mix:

Botanical Name	Common Name	Lbs./Acre
Lotus scoparius	Deerweed	3.00
Bromus carinatus	California Brome	4.00
Muhlenbergia microsperma	Littleseed Muhly	0.75
Vulpia microstachys	Three Week Fescue	6.00
Echinochloa californica	California Poppy	2.00
Nasella pulchra	Purple Needlegrass	4.00
Isocoma menziesii	Coast Goldenbush	1.50
Salvia Apiana	White Sage	1.00
Plantago erecta	California Plantain	2.50
Encelia californica	Bush Sunflower	1.50
Lasthenia glabrata	Goldfields	1.00
Total Seed Rate		27.25 Lbs. /Acre

FALLBROOK HACIENDA

4013 E. Mission Rd.
Fallbrook, CA

IRRIGATION STATEMENT -

All landscape areas are irrigated with drip irrigation supplied by Two existing wells (indicated on the plan) which are each equipped with a 5000 gallon storage tank, booster pump, and pressurized water tank downstream of the water pump. The water delivery pressure varies between 65psi and 85psi and will be regulated at each drip control zone station by a pressure regulating filter.

All new planting areas, included graded slopes not planted with grape vines, shall be planted with low water-use ornamental plant material that is ignition Resistive as found in Appendix "G" of the Water Efficient Landscape Design Manual, and shall be irrigated with drip irrigation.

PLANT WATER-USE CLASSIFICATION NOTE -

The water use of the plants shown above were determined by using the "WUCOLS IV - Water Use Classification of Landscape Species" available at: https://lucanr.edu/sites/wucols/plant_search/.

FUEL MODIFICATION NOTE -

Project will remove any high fire danger specimens, invasive species, and any combustible vegetation within 100 Ft. of any structures, and thin existing vegetation by 50%. Any fill-in planting with the 100 Ft. Zone shall be done with new plants from the Fire Resistive Moderate Water-use Plant Palette on Sheet 2 to conform to the requirements for Screening or Erosion Control per the County of San Diego "Parking Design Manual", & the County of San Diego Water Efficient Landscape Design Manual"

LANDSCAPE CONCEPT PLAN

LOST WEST
LANDSCAPE ARCHITECTURE
30 + YEARS

3 Feb. 2020
Sheet 2 of 2

**Attachment B – Form of Decision Approving
PDS2018-MUP-18-003**



County of San Diego
PLANNING & DEVELOPMENT SERVICES

KATHLEEN FLANNERY
Acting Director

VINCE NICOLETTI
Assistant Director

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COMMISSIONERS

Michael Edwards (Chairman)
David Pallinger (Vice Chairman)
Ronald Ashman
Douglas Barnhart
Yolanda Calvo
Ginger Hitzke
Tommy Hough

July 9, 2021

PERMITTEE: FRULLA, INC.
MAJOR USE PERMIT: PDS2018-MUP-18-003
E.R. NUMBER: PDS2018-ER-07-02-006C
PROPERTY: 4103 N. MISSION ROAD IN THE FALLBROOK COMMUNITY PLANNING AREA
WITHIN UNINCORPORATED COUNTY OF SAN DIEGO
APNs: 108-372-04, 05, -07

DECISION OF THE PLANNING COMMISSION

This Major Use Permit for PDS2018-MUP-18-003 consists of sixteen (16) sheets including plot plans, grading plans, a conceptual landscape plan, and elevations. This permit authorizes the operation and expansion of an unpermitted existing event venue with the addition of event facilities, small winery and plant 2.3 acres of vineyards. Hours of operation for the winery and events are from 7 AM to 12 AM. The event venue will have a maximum of 250 guests and 20 service personnel onsite during an event. Hours of operations for the winery and events will be from 7 a.m. to 10 p.m. with typical operations of events occurring between 11 a.m. to 10 p.m. The Project will be implemented in four phases. Phase 1 will bring the existing event facilities into compliance and make the Project commercially operational. Phases 2, 3 and 4 will include additional buildings for wedding events, a small winery and 2.3 acres of vineyards. This permit authorizes the proposed uses in accordance with Sections 2180, 2720, 6156(z), and 7350 of the Zoning Ordinance.

The granting of this permit also approves the Preliminary Grading Plan of two (2) sheets. In accordance with the [Section 87.207 of the County Grading Ordinance](#), Environmental Mitigation Measures or other conditions of approval required and identified on 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 Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to [County of San Diego Grading Ordinance \(Sec 87.701 et. al.\)](#).

MAJOR USE PERMIT EXPIRATION: This Major Use Permit shall expire on **July 9, 2023** at 4:00 p.m. (or such longer period as may be approved pursuant to Section 7376 of The Zoning

Ordinance of the County of San Diego prior to said expiration date) unless construction or use in reliance on this Major Use Permit has commenced prior to said expiration date.

SPECIFIC CONDITIONS: Compliance with the following Specific Conditions (Mitigation Measures when applicable) shall be established before the property can be used in reliance upon this Major Use Permit. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified. The Major Use Permit authorizes uses on several separate parcels. Specific conditions apply to certain parcels as indicated by the property in the brackets in the title of the condition. Conditions with "All Property" or conditions without property in brackets apply to the entire project site and Major Use Permit. The table below provides a summary of property in order to assist with condition satisfaction utilizing the current Assessor Parcel Number (APN) which may be subject to change:

Property Indicated on Map 16206	Current APN
Lot 4	108-372-04-00
Lot 5	108-372-05-00
Lot 7	108-372-07-00

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

1. GEN#1-COST RECOVERY: [PDS, DPW, DEH, DPR], [GP, CP, BP, UO]

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

2. GEN#2-RECORDATION OF DECISION: [PDS], [GP, CP, BP, UO]

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

3. ROADS#1–SIGHT DISTANCE

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

- a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is _____feet of unobstructed intersectional sight distance in the northeasterly direction from the private easement road, Fallbrook Hacienda Lane, serving the project along **N. Mission Road** in accordance with the methodology described in section 6.1.E, 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."
- 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 from the private easement road, Topa Topa Place, serving the project along **Sterling View Drive** in accordance with the methodology described in section 6.1.E, 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. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

DOCUMENTATION: The applicant shall complete the certifications and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

4. STRMWTR#1–STORMWATER MAINTENANCE DOCUMENTATION

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

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

5. STRMWTR#2-EROSION CONTROL

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [State Construction General Permit, Order No. 2009-00090-DWQ](#), or subsequent order and the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), and all other applicable ordinances and standards for this priority project.

DESCRIPTION OF REQUIREMENT: The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to [PDS, LDR] authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County PDS and/or DPW by the date agreed.

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

6. LNDSCP#1-LANDSCAPE DOCUMENTATION PACKAGE

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

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s) -of-way shall be maintained by the landowner(s) shall be submitted to PDS.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the [County's Light Pollution Code](#).
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Parking areas shall be landscaped and designed pursuant to the [Off-street Parking Design Manual](#) and the County Zoning Ordinance Section 6793.b
- i. Additionally, the following items shall be addressed as part of the Landscape Documentation Package: Wheel stops shall be included at the parking stalls west/south of the Winemaker's Villa to prevent bumper overhang and subsequent conflict with pedestrian circulation on walkways, per the Off-street Parking Design Manual.
- j. All backfilled storm drain trenches shall be revegetated and temporarily irrigated until plant material is established.

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the [Landscape Documentation Package Checklist](#) (PDS Form #404), and pay all applicable review fees. **TIMING:** Prior to approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, the Landscape Documentation Package

shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Documentation Package for compliance with this condition.

7. CULT#1 - ARCHAEOLOGICAL AND TRIBAL MONITORING

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

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist and Luiseno Native American monitor shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide evidence that a Luiseno Native American has been contracted by the property owner or their representative 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, copy of the Tribal monitoring contract, cost estimate, and MOU to [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** [PDS, PPD] shall review the contracts 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.

8. CULT#2 - CULTURAL RESOURCES TREATMENT AGREEMENT AND PRESERVATION PLAN

INTENT: In order to mitigate for impacts to Traditional Cultural Properties, develop and enter into a Cultural Resources Treatment Agreement and Preservation Plan with culturally-affiliated Tribes. **DESCRIPTION OF REQUIREMENT:** A single Cultural Resources Treatment Agreement and Preservation Plan shall be developed between the applicant or their representative, the County of San Diego, and culturally-affiliated Tribes. The Cultural Resources Treatment Agreement and Preservation Plan shall be reviewed

and agreed to by the County prior to final signature and authorization. The Cultural Resources Treatment Agreement and Preservation Plan shall include but is not limited to the following:

- a. Parties entering into the agreement and contact information.
- b. Responsibilities of the Property Owner or their representative, Principal Investigator, archaeological monitors, Luiseno Native American monitors, and consulting tribes.
- c. Requirements of the Archaeological Monitoring Program including unanticipated discoveries. The requirements shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, and analysis of identified cultural materials.
- d. Excavated soils. Soils are to stay onsite. Consultation with the culturally-affiliated tribes shall occur should excavated soils need to be exported offsite.
- e. Treatment of identified Native American cultural materials. Any identified Native American cultural materials with the exception of Native American human remains and associated grave goods (described in item g below) are to be reburied onsite.
- f. Deed restriction. Details of the requirement for a deed restriction for reburial of identified Native American cultural materials. The requirements shall address protection of Native American cultural materials, access, and responsibilities for management and maintenance of the open space.
- g. Treatment of Native American human remains and associated grave goods.
- h. Confidentiality of cultural information including location and data.
- i. Negotiation of disagreements should they arise during the implementation of the Agreement and Preservation Plan.
- j. Regulations that apply to cultural resources that have been identified or may be identified during project construction.

DOCUMENTATION: A copy of the implemented agreement shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances. **MONITORING:** The [PDS, PPD] shall review the implemented agreement for compliance this condition.

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

9. PLN#2-PLAN CONFORMANCE: [DPW, ESU] [GP, IP,] [DPR, TC, PP]

INTENT: In order to implement the required mitigation measures for the project, the required Major Use Permit shall conform to the approved Conceptual Grading and Development Plan pursuant to Section 87.207 of the County Grading Ordinance.

DESCRIPTION OF REQUIREMENT: The Major Use Permit shall conform to the approved Conceptual Grading and Development Plan. All conditions, requirements, and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented. No deviation of the requirements can be made without modification of this permit. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the notes and items shall be placed on the plans as required. **MONITORING:** The *[DPW, Environmental Services Unit Division, DPR, TC, or PDS, Building Division for Minor Grading]* 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 notes shall be made conditions of the issuance of said grading or construction permit.

10.AQ#1-Fugitive Dust

INTENT: In order to mitigate for fugitive dust during construction activities.

DESCRIPTION OF REQUIREMENT: The project applicant or designee shall comply with the San Diego County Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance), and implement the following dust control measures during construction:

- a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least 12 inches of freeboard, cover loads of all haul/dump trucks securely, or secure transported material by watering or treating.
- b. Dust control measures of the Grading Ordinance will be enhanced with a minimum of two (2) daily applications of water to the construction areas between dozer/scrapper passes and on any unpaved roads within the project limits.
- c. Grading is to be terminated in winds in excess of 25 miles per hour (mph).
- d. Sweepers and water trucks shall be used to control dust and debris at public street access points and approach routes to construction sites.
- e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing, or other suppression measures.
- f. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading.
- g. A 15-mph speed limit on unpaved surfaces shall be enforced.
- h. Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the County and/or SDAPCD to reduce dust generation.
- i. Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be minimized by the use of track-out grates, gravel beds, or wheel-washing at each egress point and be removed at the conclusion of each work day when active operations cease, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only respirable particulate matter (PM₁₀) -efficient street sweepers certified to meet the most current South Coast Air Quality Management District (SCAQMD) Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances.

DOCUMENTATION: The applicant or designee shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the

duration of construction and grading. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the applicant fails to comply with this condition.

11.AQ#2-Construction Exhaust Emissions

INTENT: In order to mitigate for exhaust emissions during construction activities.

DESCRIPTION OF REQUIREMENT: The project shall comply with the following Air Quality and Greenhouse Gas measures:

- a. The project shall require the construction contractor to provide a construction fleet that uses heavy-duty diesel-powered equipment equipped with Tier 3 diesel engines or better. An exemption from these requirements may be granted by the County in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the County, the applicant shall be required to demonstrate that three construction fleet owners/operators in the San Diego Region were contacted and that those owners/operators confirmed Tier 3 or better equipment could not be located within the San Diego region.
- b. Construction equipment shall be outfitted with best available control technology (BACT) devices certified by the California Air Resources Board. A copy of each unit's BACT documentation shall be provided to the County of San Diego at the time of mobilization of each applicable unit of equipment.

DOCUMENTATION: The applicant or designee shall comply with the Air Quality and Greenhouse Gas requirements of this condition. The applicant shall show compliance with this measure by providing the construction bid/estimate from the construction contractor that will be used. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the applicant fails to comply with this condition.

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

12.ROADS#3–PRIVATE ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the San Diego [County Standards for Private Roads](#), and the County of San Diego [Consolidated Fire Code](#), shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. The onsite and offsite private easement road, Fallbrook Hacienda Lane, shall be improved from its intersection with N. Mission Road to Lot 4 and 7, depicted in Final Map 16026, to a minimum graded width of twenty-eight feet (28') and a minimum twenty-four feet (24') surfaced width with asphalt concrete. Where conforming to vertical and horizontal design criteria of current County Private Road Standards, the existing pavement may remain and shall be widened with asphalt

concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The improvement and design standards of Section 3.1(C) of the [San Diego County Standards for Private Roads](#) for seven hundred fifty one (751) to two thousand five hundred (2500) trips shall apply.

Pursuant to Joint Agreement to improve Major Subdivision for County of San Diego Tract No. 5532-1, the following improvements shall be completed prior to the issuance of any permit:

- b. The offsite private easement road, Topa Topa Place, shall be improved from an acceptable intersection with Sterling View Drive near the southerly corner of Lot 1, depicted in Final Map 16206, to common corner of Lots 7, 8, and 9 to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24'), with asphalt concrete pavement over approved base with dike or curb as necessary. The Improvement and Design Standards of Section 3.1 (C) of the County Standards for Private Roads for one hundred one (101) to seven hundred fifty (750) trips shall apply. All of the above shall be to the satisfaction of the Director of Public Works.
- c. Topa Topa Place shall terminate with a cul-de-sac graded to a radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with dike or curb as necessary. All of the above shall be to the satisfaction of the Director of Public Works.
- d. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- e. All plans and improvements shall be completed pursuant to the [County of San Diego Standards for Private Roads](#) and the [Land Development Improvement Plan Checking Manual](#).

DOCUMENTATION: The applicant shall complete the following:

- f. Process and obtain approval of Improvement Plans to construct Fallbrook Hacienda Lane and Topa Topa Place.
- g. Pay all applicable inspection deposits/fees with [DPW, PDCI].
- h. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the North County Fire Protection District and [PDS, LDR].

TIMING: Prior to approval of any building plan and the issuance of any building permit, the private road(s) and driveway(s) improvements shall be completed. **MONITORING:**

The [PDS, LDR] shall review the plans for consistency with the condition and County Standards.

13. UTILITIES#1–PAVEMENT CUT POLICY

INTENT: In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project 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 approval of any grading or improvement plan and prior to issuance of any grading or construction permit, and prior to use of the property in reliance of this permit, the Acknowledgement of Department of Public Works Pavement Cut Policy shall be submitted for approval. **MONITORING:** [PDS, LDR] shall review the acknowledgement letter to determine compliance with the condition.

14. NOISE#1–NOISE REQUIREMENT [PDS, FEE X2]

INTENT: In order to reduce the impacts of the exterior sound levels from the project site on the adjacent parcels and to comply with the [County of San Diego Noise Ordinance 36.404](#) as evaluated in the [County of San Diego Noise Guidelines for Determining Significance](#), the following design measures shall be implemented on the building plans and in the site design. **DESCRIPTION OF REQUIREMENT:** The following design elements and noise attenuation measures shall be implemented and indicated on the building plans and made conditions of its issuance:

- a. Include a plan detail that states the following: “Project Conditions: The main entrance gate will be fully closed, once the amplified D/J music is operational. The gate shall be solid and may be constructed of glass or plexiglass.
- b. Include a plan detail that states the following: “Hours of operations would be limited to 11:00 am to 10:00 pm, where no music, live or recorded would occur after 10:00 pm”.
- c. Include a plan detail that states the following: “There will be only one event on-site occurring simultaneously on any given day”.
- d. General Note: If substantial new information and/or major project design changes occur to what was previously assessed, then additional noise review may be necessary to ensure noise ordinance compliance.

DOCUMENTATION: The applicant shall place the design elements, or notes on the building plans and submit the plans to [PDS, BPPR] for review and approval. **TIMING:** Prior to issuance of any building permit, the design elements and noise attenuation measures shall be incorporated into the building plans. **MONITORING:** The [PDS, BPPR]

shall verify that the specific note(s), and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

15. DEH#1 – FOOD AND HOUSING DIVISION PERMIT [DEH]

INTENT: In order to operate the small commercial kitchen as part of the small winery in Phase 3. **DESCRIPTION OF REQUIREMENT:** A Food & Housing permit must be submitted to the Food & Housing Division (FHD). **DOCUMENTATION:** The applicant must submit plans for the commercial kitchen in Phase 3 to the Food & Housing Division (FHD). **TIMING:** Prior to building permit or septic permit issuance.

MONITORING: For details on the FHD plan check process please contact 858-505-6659 or via email at FHDPlanCheckLUEG@sdcounty.ca.gov.

16. AQ#3 Construction Architectural Coatings

INTENT: In order to reduce emissions of volatile organic compounds (VOC). **DESCRIPTION OF REQUIREMENT:** According to SDAPCD Rule 67.0.1, the project shall use architectural coatings with a VOC content of 100 grams per liter (g/L) or less for exterior coatings and 50 g/L or less for interior coatings. **DOCUMENTATION:** The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following action shall occur throughout the duration of the construction activities involving the application of architectural coatings. **MONITORING:** The [DLPU, BI] shall make sure that the construction contractor complies with the Air Quality requirement of this condition. The [DLPU, BI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

17. AQ#4 Sustainability Measures

INTENT: In order to promote sustainable project designs. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following sustainability measures:

- a. The project will install at least a 95-Kilowatt (KW) solar photovoltaic (PV) system.
- b. The project would install 100 percent light emitting diode (LED) fixtures for all interior and exterior lighting.
- c. The project would use 100% electricity for all energy use.

DOCUMENTATION: The applicant shall comply with the requirements of this condition. **TIMING:** Prior to approval of any building plan or the issuance of any building permit, these design measures shall be implemented on the building plans and landscape plans. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Plans for compliance with these conditions. The [PDS, BPPR] shall verify that the Building Plans comply with the remaining conditions.

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

18. CULT#GR-1 - ARCHAEOLOGICAL AND TRIBAL MONITORING - PRECONSTRUCTION MEETING

INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and Luiseno 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 Luiseno Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The Project Archaeologist and Luiseno Native American monitor shall also evaluate fill soils to determine that they are clean of cultural resources. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist and Luiseno 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.

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

19. CULT#GR-2 - ARCHAEOLOGICAL AND TRIBAL MONITORING – DURING CONSTRUCTION

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist and Luiseno 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. **Monitoring.** During the original cutting of previously undisturbed deposits, the Project Archaeologist and Luiseno 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 Luiseno Native American Monitor. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseno Native American Monitor.
- b. **Inadvertent Discoveries.** In the event that previously unidentified potentially significant cultural resources are discovered:
 1. The Project Archaeologist or the Luiseno 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.
 2. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist and culturally-affiliated tribes as identified in the Treatment Agreement and Preservation Plan.

3. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the project archaeologist, tribal monitor(s), and the tribal representative(s) to discuss the significance of the find. Optionally, the County Archaeologist may attend the meeting to discuss the significance of the find.
4. After consultation with the developer, project archaeologist, tribal monitor(s), and tribal representative(s), a decision shall be made, with the concurrence of the County Archaeologist, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the identified cultural resources.
5. Construction activities shall not resume in the area of discovery until an agreement has been reached by all parties as to appropriate mitigation. Work shall be allowed to continue outside of the buffer area and shall be monitored.
6. Isolates and clearly non-significant deposits shall be minimally documented in the field. The isolates and/or non-significant deposits shall be reburied onsite as identified in the Treatment Agreement and Preservation Plan.
7. Treatment and avoidance of the newly discovered resources shall be consistent with the Treatment Agreement and Preservation Plan (CUL-2) entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity.
8. If cultural resources are identified, one or more of the following treatments, in order of preference, shall be employed:
 - a. Preservation in place of the Cultural Resources, if feasible. Preservation in place means avoiding the resources, leaving them in place where they were found with no development affecting the integrity of the resources.
 - b. Reburial of the resources on the project property. The measures for reburial shall include, at least, the following:
 - Measures and provisions to protect the future reburial area from any future impacts in perpetuity.
 - Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded.
 - Any reburial process shall be culturally appropriate.
 - Listing of contents and location of the reburial shall be included in the confidential appendix of the Monitoring Report.
 - The Monitoring Report shall be filed with the County under a confidential cover and is not subject to Public Records Requests.
 - c. If preservation in place or reburial is not feasible, a Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Tribe and Luiseno Native American Monitor and approved by the County Archaeologist prior to implementation. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Monitoring Report.

Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and

the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the Planning & Development Services Director for decision. The Planning & Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe.

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

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

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

e. **Monthly Reporting.** The Project Archaeologist shall submit monthly status reports to the Director of Planning and 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 [PDS, PPD] if the Project Archeologist or applicant fails to comply with this condition.

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

20. CULT#GR-3 - ARCHAEOLOGICAL AND TRIBAL MONITORING – ROUGH GRADING

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

- a. **No Archaeological Resources Encountered.** If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the Native American Monitor must be included in the Negative Monitoring Report.
- b. **Archaeological Resources Encountered.** If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of reburial 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 who requests a copy. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** [PDS, PPD] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

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

21. CULT#GR-4 - ARCHAEOLOGICAL AND TRIBAL MONITORING – FINAL GRADING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs

- c. Evidence that all Native American cultural materials in order of preference have been conveyed as follows:

(1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been reburied

or

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

- d. Evidence that all historic cultural materials have been conveyed as follows:

Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- e. 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 who requests a copy. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** [PDS, PPD] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

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

22. GEN#3-INSPECTION FEE: [PDS, ZONING][PDS, PCO] [UO][DPR, TC, PP].

INTENT: In order to comply with Zoning Ordinance Section 7362.e the Discretionary Inspection Fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the Discretionary Permit Inspection Fee at the [PDS, Zoning Counter] to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection.

DOCUMENTATION: The applicant shall provide a receipt showing that the inspection fee

has been paid along with updated contact information [PDS, PCC]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, Zoning Counter] shall process an invoice and collect the fee for the Use Permit Compliance Inspection Fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

23. PLN#3-SITE PLAN IMPLEMENTATION: [PDS, BI] [UO] [DPR, TC, PP].

INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved plot plan and the building plans. This includes, but is not limited to: improving all parking areas, trails, and driveways, installing all required design features, properly screening trash enclosures, and removing all temporary construction facilities from the site. **DOCUMENTATION:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **MONITORING:** The [PDS, Building Inspector] and DPR [TC, PP] shall inspect the site for compliance with the approved Building Plans.

24. STRMWTR#3-VERIFICATION OF STRUCTURAL BMPs

INTENT: In order to promote orderly development and to comply with the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), verification of Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Complete a Structural BMP Verification Form as shown in Attachment 10 of the PDP SWQMP. **DOCUMENTATION:** The applicant shall process the Structural BMP Verification Forms *with* [DPW, PDCI] or [PDS, BLDG]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; execution of the Structural BMP Verification Form shall be completed. **MONITORING:** The [PDS, LDR] and [DPW, WPP] shall review the Structural BMP Verification Forms for consistency with the condition and County Standards.

25. STRMWTR#4-PROVISION OF STORMWATER DOCUMENTATION TO PROPERTY OWNER

INTENT: In order to promote orderly development and to comply with the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), stormwater documentation shall be provided to property owner. **DESCRIPTION OF REQUIREMENT:** Demonstrate that copies of the following documents are provided to the property owner and initial occupants:

- a. A copy of the project's approved SWQMP (with attached Operation & Maintenance Plan).
- b. A copy of project's recorded Maintenance Notification Agreement and/or Stormwater Facilities Maintenance Agreement and/or Private Road Maintenance Agreement showing the Structural BMPs pertaining to the property.
- c. Sample copies of the following:
 - 1) A Letter for Privately Owned Stormwater Treatment Control Best Management Practices Operation and Maintenance Verification.

- 2) One Operation and Maintenance Verification Form for each type of Private Treatment Control BMP.

DOCUMENTATION: The applicant shall submit a letter stating that the above documentation has been submitted to the property owner and initial occupants. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; provision of stormwater documents shall be completed. **MONITORING:** The [PDS, LDR] and [DPW, WPP] shall review the letter provided by the applicant for consistency with the condition and County Standards.

26. LNDSCP#2–CERTIFICATION OF INSTALLATION

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

27. FIRE#1-FIRE PROTECTION PLAN: [PDS, PCC] [UO] [PDS, FEE]

INTENT: In order to assure fire safety in compliance with the County of San Diego Fire Code Sections 96.1.4703 and 96.1.4707, the site shall be maintained in conformance with the approved Fire Protection Plan – Letter Report. **DESCRIPTION OF REQUIREMENT:** The following measures approved in the Fire Protection Plan shall be implemented and maintained:

- a. Vegetation management zones of 100-feet from all structures shall be maintained at all times.
- b. Fire resistant coating on all existing exposed wood on the existing gazebo and outbuildings.

DOCUMENTATION: The applicant shall provide documentation (inspection report or photographs) that demonstrates compliance with the FPP. **TIMING:** Prior to occupancy of the first structure built in association with this permit, the FPP requirements shall be implemented. **MONITORING:** The [PDS, PCC] shall verify that the mitigation measures

have been initially implemented pursuant to the approved building plans and the fire protection plan.

28. NOISE#2–NOISE CONTROL DESIGN MEASURES [PDS FEE X2]

INTENT: In order to reduce the impacts of the exterior sound levels from the project site on the adjacent parcels and to comply with the [County of San Diego Noise Ordinance 36.404](#) as evaluated in the [County of San Diego Noise Guidelines for Determining Significance](#), the following design measures shall be verified that they are constructed.

DESCRIPTION OF REQUIREMENT: The following noise control design measure(s) shall be constructed pursuant to the approved building plans:

- a. Include a plan detail that states the following: “Project Conditions: The main entrance gate will be fully closed, once the amplified D/J music is operational. The gate shall be solid and may be constructed of glass or plexiglass.
- b. Include a plan detail that states the following: “Hours of operations would be limited to 11:00 am to 10:00 pm, where no music, live or recorded would occur after 10:00 pm”.
- c. Include a plan detail that states the following: “There will be only one event on-site occurring simultaneously on any given day”.
- d. General Note: If substantial new information and/or major project design changes occur to what was previously assessed, then additional noise review may be necessary to ensure noise ordinance compliance.

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the noise control measure shall be installed and operational.

MONITORING: The [PDS, BI] shall verify that the noise control measures above have been constructed pursuant to the approved building plans and this permit’s conditions.

29. CULT#3 - CULTURAL RESOURCES MONITORING REPORT

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

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

- a. DPR Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials collected during the survey, testing, and archaeological monitoring program have been conveyed as follows:
 - (1) All prehistoric cultural materials shall be curated at a San Diego curation facility or a culturally affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and

associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

or

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

- (2) Historic materials shall be curated at a San Diego curation facility as described above and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

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

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

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

30. PLN#4-SITE CONFORMANCE: [PDS, PCO] [OG] [DPR, TC, PP].

INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s). This includes but is not limited to:

- a. Maintaining all approved parking, trails, and driveway areas;
- b. Watering all approved landscaping;
- c. Painting all necessary aesthetics design features;

- d. Maintaining all approved lighting, walls, fencing, and signage;
- e. Limiting hours of winery operation to 11:00 am to 10:00 pm., seven (7) days per week;
- f. Limiting hours of event operation to 11:00 am to 10:00 pm, only on Saturdays, Sundays or Holidays
- g. Limiting the number of people per event to 250 guests.
- h. Operating not more than one event on the premises per day;
- i. Restricting operation of the event venue during existing equestrian events on the neighboring property to the north.

Failure to conform to the approved plot plan(s); is an unlawful use of the land and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

31. ROADS#5–SIGHT DISTANCE

INTENT: In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E) of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be maintained for the life of this permit. **DESCRIPTION OF REQUIREMENT:** There shall be a minimum unobstructed sight distance of _____ in northeasterly direction along N. Mission Road from the private road, Fallbrook Hacienda Lane, serving the project for the life of this permit. **DOCUMENTATION:** A minimum unobstructed sight shall be maintained. The sight distance of adjacent driveways and street openings shall not be adversely affected by this project at any time. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Compliance Division] is responsible for compliance of this permit.

32. ROADS#6–SIGHT DISTANCE

INTENT: In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E) of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be maintained for the life of this permit. **DESCRIPTION OF REQUIREMENT:** There shall be a minimum unobstructed sight distance of _____ in both directions along Sterling View Drive from the private road, Topa Topa Place, serving the project for the life of this permit. **DOCUMENTATION:** A minimum unobstructed sight shall be maintained. The sight distance of adjacent driveways and street openings shall not be adversely affected by this project at any time. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Compliance Division] is responsible for compliance of this permit.

33. STRMWTR#5–SELF-VERIFICATION OPERATION AND MAINTENANCE LETTER

INTENT: In order to promote orderly development and to comply with the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), an operation and maintenance verification form for each Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Every year the property owner shall receive from the County a BMP Verification Form to be completed for each privately owned Structural BMP. **DOCUMENTATION:** Every year the property owner shall file with the County the completed Structural BMP Verification Form stating the maintenance performed during the reporting period for each privately owned Structural BMP with [DPW, WPP]. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [DPW, WPP] is responsible for compliance of this permit.

34.NOISE#3–ON-GOING SOUND LEVEL COMPLIANCE: [PDS, CODES] [OG]

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

MAJOR USE PERMIT FINDINGS

Pursuant to Section 7358 of the Zoning Ordinance, the following findings in support of the granting of the Major Use Permit (MUP) are made:

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

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

Scale and Bulk

The proposed location, size, design, and operating characteristics of the Project will be compatible with adjacent uses, residences, and agricultural uses. Additionally, the proposed location will be sufficiently distanced from nearby preserve lands to ensure there are no lighting or noise impacts.

Buildings associated with the Project will be designed with earth tone colors to complement the existing tones and colors of the visual landscape of the community. The locations of the proposed structures are screened by landscaping and have been positioned away from N. Old Highway 395 to minimize visual impacts as it is identified as a scenic highway in the County of San Diego General Plan.

Coverage

The proposed event facility and small winery are an appropriate scale for the area. At full buildout, the site will have comparable lot coverage to the adjacent properties as the total lot coverage of the proposed buildings is five percent of the total 12.56-acre site. The remainder of the site will contain landscaping and vineyards, parking, mature vegetation, and biological open space.

Density

The proposed project is a MUP for an unpermitted as-built event venue with an addition of a winery and additional vineyards and does not propose residential uses. The project is not subject to the density requirements.

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

All necessary public facilities and services are available as detailed in the service availability letters submitted for the project. The project will be served by on-site septic and water service from the Rainbow Water Municipal District. Fire service will be provided by the North County Fire Protection District. The County Fire Authority has also approved a Fire Protection Plan for the project. As such, all necessary public facilities and services are available.

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

The project proposes to permit an unpermitted as-built wedding venue, construct a small winery, authorize the use of events, expand the venue space, and plant 2.3 acres of vineyards. The project site is approximately 11.75 acres and is located on three parcels within the Fallbrook Ranch subdivision within the Fallbrook Community Plan Area. The Project will be implemented in four phases. Phase 1 will bring the existing event facilities into compliance and make the Project commercially operational. Phases 2, 3 and 4 will include additional buildings for wedding events, a small winery and 2.3 acres of vineyards.

The project site is surrounded by mature vegetation and trees including oaks and eucalyptus along N. Old Highway 395 and on the western property boundaries which will screen the proposed structures for the Project. The vineyards and agricultural operations will be located on the eastern portion of the site and will be compatible with the visual setting of the project site by being the same, form and scale to agricultural uses near residences surrounding the project site. The proposed project is designed to fit with the existing rural neighborhood character, with landscaping adjacent to the public roads, and architectural features and tones that are in conformance with the existing architecture of the boutique winery, and vineyards that are similar to the line, form, and color of the rolling green hills in the project vicinity.

A Focused Traffic Impact Study was prepared for the project and concluded that the project will not significantly impact any road segments or intersections nearby. Additionally, a Noise study was prepared for the project and concluded that the project will not significantly impact any sensitive receptors in the area and the

project will be in conformance with the Noise Ordinance through the implementation of design features such as placing speakers within structures and ending all music by 10:00 PM.

The project will not result in light pollution to the surrounding areas. All proposed lighting will be required to comply with the County's Light Pollution Code. All light fixtures are required to be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to Section 6324 of the Zoning Ordinance and the Light Pollution Code.

When considering that potential visual, noise, and traffic impacts have been addressed during the discretionary review process through design considerations and conditions of approval, and all potential impacts have been adequately addressed, it has been demonstrated that the proposed project will not have harmful effect upon desirable neighborhood character.

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

A focused traffic and parking analysis was prepared for the Project and concluded the Project will not have a significant impact on surrounding roads. The Project will be required to contribute to the County's Traffic Impact Fee (TIF) program to mitigate for cumulative impacts.

For informational and disclosure purposes, the Project was analyzed using the Vehicle Miles Traveled (VMT) proposed Small Project Screening Threshold of 110 Average Daily Trips (ADT). In accordance with the Traffic Impact Analysis prepared for the County of San Diego Tiered Winery Ordinance, a maximum occupancy scenario for a winery of similar size to the proposed project within the County of San Diego is anticipated to have 40 ADT on weekdays and 317 ADT on weekends resulting in a weekly average of 63 ADT, which is below the proposed Small Project Screening Threshold of 110 ADT. The maximum occupancy scenario of 250 guests with 220 ADT for operations of events associated with the facility are anticipated to occur two times a week during the highest market conditions and even less throughout the year.

In accordance with the focused traffic and parking analysis and the requirements of the Zoning Ordinance, the proposed Project requires a total of 103 parking spaces for operations of events with a maximum capacity of 250 guests. The Traffic Trip Generation and Parking Analysis concluded that the required amount of parking spaces is consistent with several event centers approved by the County of San Diego which required one parking space per three guests. The Project includes 104 parking spaces for Phase 1 – Existing Event Structures and 40 parking spaces on the winery lot for a total of 144 parking spaces, which is seven spaces beyond the required parking amount.

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

The design and site layout of the proposed project is compatible with adjacent uses, residences, open space, and agriculture. The project consists of agricultural uses, participant and sports and recreational uses, and uses accessory to a residential subdivision that are located on several properties within the Fallbrook Ranch Subdivision. All uses associated with the project are allowed within the Limited Agriculture (A70) zone upon approval of a Major Use Permit. The project is able to accommodate adequate on-site parking as well as space for internal circulation within the development. The project includes design features such as ending all music by 10 PM in order to comply with the Noise Ordinance and prevent any impacts to surrounding residences. Therefore, the type and intensity of the proposed use is suitable for the project site.

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

No relevant impacts were identified.

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

The General Plan Regional Category for the site is Semi-Rural, and the General Plan Land Use Designation is Semi-Rural Residential (SR-4). The Semi-Rural Residential Land Use Designation is intended to allow for low density residential uses, golf courses and other recreational activities, and community-oriented uses on larger properties after careful consideration of environmental impacts and community character. Zoning for the parcels is Limited Agriculture (A70). The A70 zone is intended for agricultural and residential uses on larger lots ranging from 0.5 to five acre lots. All primary and accessory uses proposed for the Project are allowed within the A70 zone through the processing of a Major Use Permit (MUP). Pursuant to Section 6910 of the Zoning Ordinance, the proposed small winery is allowed within the A70 zone through the processing of an Administrative Permit (AD), however, the approval of a MUP can permit both the event venue and the proposed small winery.

The project is consistent with the goals and policies of the Fallbrook Community Plan such as supporting business enterprises that promote and enhance agricultural activity as an important component of Lakeside. The project is also consistent with the goals and policies within the General Plan, such as supporting economic diversity including agriculture, sustainable stormwater management, being consistent with semi-rural lands, and the avoidance of environmental impacts upon implementation of the project.

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

The Project has been reviewed for compliance with the CEQA. An addendum dated July 9, 2021 (Log No. PDS2018-ER-07-02-006C) to the previously approved Mitigated Negative Declaration (MND) dated June 25, 2009 has been prepared and is on file with Planning & Development Services. It has been determined that the Project, as designed, will not cause any significant impacts to the environment which require mitigation measures that were not previously analyzed in the approved MND. There are no substantial changes to the Project, changes in circumstances, or new information that would result in new significant environmental effects or a substantial increase in the

severity of previously identified significant effect from what was analyzed in the approved MND.

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 [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10410](#) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects 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 link below: <http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>

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

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

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

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

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

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, February 1 – August 31, has a potential to impact nesting or breeding birds in violation of the Migratory Bird Treaty Act. The applicant may submit evidence that nesting or breeding migratory birds will not be affected by the grading, brushing or clearing to these agencies: California Department of Fish and Wildlife, 3883 Ruffin Rd., San Diego, CA 92123, (858) 467-4201, <http://www.dfg.ca.gov/>; and United States Fish and Wildlife Service, 6010 Hidden Valley Rd, Carlsbad, CA 92011-4219, (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

PDS2018-MUP-18-003

July 9, 2021

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

NOTICE: THE 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.

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 (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU
Department of Environmental Health (DEH)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
Department of Parks and Recreation (DPR)			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
Department of General Service (DGS)			
Real Property Division	RP		

APPEAL PROCEDURE: Within ten calendar days after the date of this Decision of the Planning Commission, the decision may be appealed to the Board of Supervisors in accordance with [Section 7366 of the County Zoning Ordinance](#). An appeal shall be filed with the Director of Planning & Development Services or by mail with the Secretary of the Planning Commission within TEN CALENDAR DAYS of the date of this notice AND MUST BE ACCOMPANIED BY

PDS2018-MUP-18-003

July 9, 2021

THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. Filing of an appeal will stay the decision of the Director until a hearing on your application is held and action is taken by the Planning Commission. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of approval of this Decision.

COUNTY OF SAN DIEGO PLANNING COMMISSION
KATHLEEN A. FLANNERY, ACTING DIRECTOR

BY:

Ashley Smith Chief
Project Planning Division
Planning & Development Services

cc: Roberto Frulla, P.O. Box 1731, Temecula, CA 92593

email cc:

Ashley Smith, Planning Manager, Project Planning, PDS
Angelica Truong, Project Manager, Project Planning, PDS
Ed Sinsay, Team Leader, Land Development, PDS
Alishia Ballard, Land Development, PDS
Taylor Ryan, Land Development, PDS
Fallbrook Community Planning Group
Roberto Frulla, roberto@frulla.com

Attachment C – Environmental Documentation



County of San Diego

MARK WARDLAW
DIRECTOR

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

KATHLEEN FLANERY
ASSISTANT DIRECTOR

AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION FOR THE FALLBROOK RANCH MAJOR SUBDIVISION, LOG NO. ER 07-02-006

**FOR PURPOSES OF CONSIDERATION OF FALLBROOK HACIENDA
PDS2018-MUP-18-003; LOG NO. PDS2018-ER-07-02-006C
APN: 108-372-04-00; 108-372-05-00; 108-372-07-00**

July 9, 2021

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

Discussion:

There are some minor changes and additions, which need to be included in an Addendum to the previously adopted Negative Declaration (ND) and Subsequent Mitigated Negative Declaration (MND) 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 Fallbrook Hacienda
2. To the Project Numbers add PDS2018-MUP-18-003; PDS2018-ER-07-02-006C
3. To the first paragraph add as indicated: "The MND 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 July 9, 2021 which includes the following forms attached."
 - A. The previously adopted Mitigated Negative Declaration, dated March 12, 2010;
 - B. An Addendum to the previously adopted Mitigated Negative Declaration with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated July 9, 2021.
 - C. An Ordinance Compliance Checklist dated July 9, 2021.



County of San Diego

KATHLEEN A. FLANNERY
ACTING DIRECTOR

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

VINCE NICOLETTI
ACTING ASSISTANT DIRECTOR

July 9, 2021

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

**FOR PURPOSES OF CONSIDERATION OF
FALLBROOK HACIENDA
PDS2018-MUP-18-003; PDS2018-ER-07-02-006C
APN: 108-372-04-00; 108-372-05-00; 108-372-07-00**

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

1. Background on the previously adopted certified EIR, Supplemental EIRs, and Addenda pertaining to the proposed project:

A Mitigated Negative Declaration (MND) for the Fallbrook Ranch Major Subdivision (11 Lots); Tentative Map and Site Plan (TM 5532RPL; S07-012), Log No. ER 07-02-006, was adopted by the Planning Commission on March 12, 2010. The adopted MND found significant effects to transportation/ traffic, biological resources, cultural resources and noise.

2. Lead agency name and address:
County of San Diego, Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123
 - a. Contact: Angelica Truong
 - b. Phone number: (858) 495-5421
 - c. E-mail: angelica.truong@sdcounty.ca.gov

3. Project applicant's name and address:

Frulla, Inc., P.O. Box 1731, Temecula CA 92028

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

The present permit authorized the subdivision of 41 acres into 11 residential lots. The site is located on Old Highway 395 in the Fallbrook Community Planning Area within the unincorporated portion of San Diego County. The site contains an existing single-family residence and ancillary structures

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

YES

NO



If yes, describe **ALL** differences.

The proposed project is a Major Use Permit (MUP) to authorize an existing wedding/ special event venue, ancillary structures associated with the wedding venue, and the construction and operation of a winery/special event venue for an average of 75 to 125 guests with a maximum of 250 guests. The project site is located at 4103 N. Mission Road in the Fallbrook Community Planning area, within unincorporated San Diego County.

The site is developed with an existing single-family dwelling unit (NAP), attached guest house, guest bathrooms, an open-air courtyard and various accessory structures that would be retained. Access would be provided by a private roadway connecting to N. Mission Road. The project would be served by on-site septic systems and imported water from the Rainbow Municipal Water District. No extension of sewer or water utilities will be required by the project.

The project proposes to be implemented in phases, with the wedding/special event venue occurring in the first phase, new dressing rooms, commercial kitchen and underground storage area occurring in the second phase, a Winery with production facility and tasting room and ancillary structures for guests of the wedding/special event venue occurring in the third and fourth phases. The site is subject to the General Plan Regional Category Semi-Rural, Land Use Designation SR-4. Zoning for the site is A70 (APN(s) 108-372-04; -05 and 07).

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

☒ NONE

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Haz Materials | <input type="checkbox"/> Hydrology & Water Quality |
| <input type="checkbox"/> Land Use & Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION:

On the basis of this analysis, Planning & Development Services has determined that:

- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or previously certified EIR is adequate upon completion of an ADDENDUM.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.



Signature

June 23, 2021

Date

Angelica Truong

Printed Name

Project Manager

Title

INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

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

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

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

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

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

YES

☐

NO

☒

The prior MND found impacts to aesthetics to be less than significant. The project site is not located near or within the viewshed of a scenic vista. The Project site is adjacent to the I-15 corridor, which is identified as a County Scenic Highway by the County General Plan – Conservation and Open Space Element. The project would be consistent with the approved site plan (on file with the County of San Diego as S07-012) for Community Design review pursuant to the I-15 Design Review Guidelines. Consistency with the approved site plan would ensure project compatibility with surrounding development and community goals. The proposed site is not visible within the composite viewshed of any State Scenic Highways.

The Project site is within a non-urbanized area of the Fallbrook Community Plan area, within the unincorporated County of San Diego. The existing visual character and quality of the Project site and surrounding can be characterized as low-density development with interspersed residential and agricultural use types. The Project is compatible with the existing visual character and quality of the surrounding area for the following reasons: the proposed use type is allowed by both the General Plan and Zoning Ordinance with the approval of a Major Use Permit and would not introduce any visually dominant features which would detract from the visual quality of the site or surrounding area. The existing structures, as built structures to be permitted, and proposed winemaker's residence, production facility, and ancillary structures are similar in bulk and scale with the surrounding development. Additionally, the proposed use type is consistent with existing use types within the area.

The project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to aesthetics and visual resources.

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

Farmland, or Farmland of Statewide Importance to a non-agricultural use, conflicts with existing zoning for agricultural use or Williamson Act contract, or conversion of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

YES

☐

NO

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The prior MND found impacts to agricultural resources to be less than significant. Since the prior MND was certified, CEQA guidelines have been updated to require analysis of forestry resources for discretionary actions. The Project site does not contain forest lands or timberland. The County of San Diego does not have any existing Timberland Production Zones, or forest lands as defined in Public Resources Code section 12220(g), therefore project implementation would not result in the loss or conversion of forest land to a non-forest use.

Active agricultural operations in proximity to the project site are interspersed with residential, winery, and event venue land uses. The project proposes winery production and tasting room facilities in conjunction with the existing vineyards which are which are compatible with existing on- and off-site surrounding land use types. Vineyards are not intensive agricultural use types which would be incompatible with residential land.

Therefore, the Project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to agriculture and forestry resources.

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

YES

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NO

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The prior MND found impacts to air quality to be less than significant. An Air Quality Assessment was prepared for the project by Ldn Consulting, Inc. dated April 13, 2021. The project is consistent with the Zoning Ordinance and General Plan and thus anticipated in SANDAG growth projections used in development of the RAQS and SIP. Operation of the project would result in emissions of ozone precursors that were considered as a part of the RAQS based on growth projections. As such, the project is not expected to conflict with either the RAQS or the SIP. The project would not violate any air quality standard or contribute substantially to an existing or projected

air quality violation. The emissions associated with the project are not expected to significantly contribute to an existing or projected air quality violation.

In general, air quality impacts from land use projects are the result of emissions from area sources (landscaping and consumer products), energy (natural gas and electricity), transportation (on-road mobile sources), and short-term construction activities. The County of San Diego (County) has established Guidelines for Determining Significance for Air Quality which incorporate the San Diego Air Pollution Control District's (SDAPCD's) established air quality impact analysis screening level thresholds (SLTs for all new source review (NSR) in SDAPCD Rule 20.2 and Rule 20.3. These SLTs identified in the County Guidelines can be used as numeric methods to demonstrate that a project's total emissions (e.g. stationary and fugitive emissions, as well as emissions from mobile sources) would not result in a significant impact to air quality. SLTs for volatile organic compounds (VOCs) are based on the threshold of significance for VOCs from the South Coast Air Quality Management District (SCAQMD) for the Coachella Valley (which is more appropriate for the San Diego Air Basin). The average daily trips (ADT) for the project over a seven-day week was calculated to be approximately 63 ADT, far below the Screening-Level Criteria established by SDAPCD Rule 20.2.

Project design features have been incorporated into the Project to reduce emissions associated with operations of the Project. The Project would implement the following Project Design Features as Conditions of Approval:

- Use of 100% electricity and no natural gas.
- Installation of at least a 95-Kilowatt (KW) solar/photovoltaic (PV) system.
- Installation of 100% LED fixtures for all interior and exterior lighting.
- Installation of low flow water fixtures within all onsite buildings.

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to air quality.

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

YES
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NO
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The prior MND found impacts to biological resources to be less than significant with the incorporation of mitigation measures. The project site contains an existing biological open space easement and

slope and drainage easement, as well as a limited building zone to serve as a buffer between the open space and the proposed development. The project does not propose development outside of the allowed building envelope on the project site. As analyzed in the prior MND, mitigation measures to reduce potential impacts to biological species would be carried forward as applicable to the proposed development.

Refer to the attached Ordinance Compliance Checklist dated July 9, 2021 for further information on consistency with other local policies or ordinances that protect biological resources including the Multiple Species Conservation Program (MSCP), Biological Mitigation Ordinance, Resource Protection Ordinance (RPO), Habitat Loss Permit (HLP).

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to biological resources.

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

YES

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NO

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The prior MND found impacts to cultural and archaeological resources to be less than significant with the incorporation of mitigation measures. Cultural and archaeological monitoring would be required as a project Condition of Approval for all ground disturbing activities associated with the approval of the proposed project.

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to cultural resources.

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

YES

NO



The project is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act or located withing any other area with substantial evidence of a known fault, nor is the site within a Potential Liquefaction Area or Landslide Susceptibility Area identified by the County Guidelines for Determining Significance.

A Priority Development Project SWQMP was prepared for the project which includes outlines the implementation of Best Management Practices which would be included as Conditions of Approval for the project. Additionally, all proposed structures would be required to comply with the County Grading Ordinance and California Building Code effective at the time of building permit issuance.

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to geology and soils.

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

YES



NO



The prior MND did not include a greenhouse gas (GHG) emissions analysis as it was not required by CEQA at that time. However, global climate change could have been known with the exercise of reasonable diligence at the time the previous MND was adopted. Changes in law, regulation, or guidelines adoption are not "new information" as that term is used in CEQA Guidelines Section 15162 if the information about the issue was known or should have been known at the time the original MND was adopted. In the U.S. Supreme Court Case of Massachusetts v. E.P.A. (2007) 549 U.S. 497, 507, the Court explained the issue of global climate change began garnering governmental attention long before the prior MND was adopted. The opinion states: "In the late 1970's, the Federal Government began devoting serious attention to the possibility that carbon dioxide emissions associated with human activity could provoke climate change. In 1978, Congress enacted the National Climate Program Act, 92 Stat. 601, which required the President to establish a program to 'assist the Nation and the world to understand and respond to natural and man-induced climate processes and their implications.'" Although the prior MND does not include a GHG analysis, the air quality section did include an analysis of short-term construction impacts and operational impacts to air quality for the entire map area.

The project is consistent with the County's General Plan land use designation for the site. Through its goals, policies, and land use designations, the County's General Plan aims to reduce County-wide GHG emissions. Furthermore, the County's General Plan growth projections informed the development of the SANDAG RTP/SCS. SANDAG's RTP/SCS is the regions applicable plan for reducing GHG and is consistent with State GHG emissions reductions set by

the California Air Resources Board (CARB). Because the proposed project is consistent with the General Plan land uses, it is also consistent with State GHG emission reduction targets as identified in the SANDAG RTP/SCS.

The proposed project would result in GHG emissions during construction and operational activities. Construction sources of GHG emissions include heavy construction equipment, worker vehicle miles traveled (VMT), and water use. Operational sources of GHG emissions include transportation, energy demand, and solid waste disposal.

The Project would incorporate the sustainable design features for the purpose of reducing GHG emissions:

Project Sustainable Design Features

- 95-kilowatt solar photovoltaic (PV) system
- LED fixtures for interior and exterior lighting
- Shared and reduced parking strategies
- EV parking spaces
- Electric heat pumps
- Low flow and Energy Star certified appliances
- Installation of rain barrels if incentives/rebates are available for the purchase and installation
- Compliance with the County's Water Conservation in Landscaping Ordinance and demonstration of a 40 percent reduction in current Maximum Applied Water Allowance for outdoor water use
- Participation in the SDAPCD's farm equipment incentive program to convert gas- and diesel-powered farm equipment to electric equipment.

Although greenhouse gas emissions and global climate change were reasonably known at the time of adoption of the prior MND and the change to the project is not required to conduct a GHG analysis to determine impacts, a Greenhouse Gas analysis was prepared for the Project by Ldn Consulting, Inc. dated March 24, 2021. GHG emissions from both Construction and Operations from the proposed Project were calculated using the CalEEMod 2016.3.2 emissions model, which was developed for the South Coast Air Quality Management District (SCAQMD).

A screening threshold was used to illustrate that impacts from the project would be less than significant for GHG emissions. The California Air Pollution Control Officers Association (CAPCOA) developed a 900 MTCO₂e per year threshold in order to meet Assembly Bill (AB) 32 State target of reducing emissions to 1990 levels by year 2020. Since adoption of this threshold, Senate Bill (SB) 32 was passed to set a revised statewide reduction target to reduce emissions to 40 percent below 1990 levels by year 2030. Though the CAPCOA threshold does not consider the reduction targets set by SB 32, the CAPCOA threshold was developed with an aggressive project-level GHG emission capture rate of 90 percent.

As compared to similar mass emissions thresholds adopted by other regional air district the CAPCOA 900 MTCO₂e threshold is relatively conservative and could be used to support

cumulative impact determination beyond 2020. In April 2020, the Sacramento Metropolitan Air Quality Management District (SMAQMD) published updated project screening levels and determined that projects estimated to generate less than 1,100 MTCO₂e per year would not result in a significant, cumulative impact. This threshold was developed to demonstrate compliance with the statewide reduction targets in 2030 and the screening threshold was determined by SMAQMD to capture 98 percent of total GHG emissions.

The CAPCOA threshold of 900 MTCO₂e represents a more stringent screening level than has been approved by other air districts in compliance with 2030 statewide reduction targets. Due to the aggressive GHG emission capture rate, the CAPCOA threshold would still act as a viable threshold to reduce project GHG emissions proposed after 2020 and meet SB 32 targets. Furthermore, as State legislative requirements such as Building Energy Efficiency Standards and transportation-related efficiency measures become increasingly more stringent overtime, future project GHG emissions would be reduced, helping to meet State emission reduction targets.

The GHG emissions that would be generated by the project were estimated using CalEEMod Version 2016.3.2. The project is estimated to generate approximately 47 MTCO₂e per year during operations when combined with a 30-year amortization of construction emissions of 11 MTCO₂e per year (consistent with methodology from the SCAQMD). The project would not generate GHG emissions that would result in an impact when compared to the 900 MTCO₂e per year CAPCOA or 1,100 MTCO₂e per year SMAQMD screening thresholds. However, the project does not rely on the screening level thresholds to determine impact significance, rather to illustrate that the project would not cause a significant direct or cumulative impact from GHG emissions due to the relatively small amount of GHG emissions during operation and construction.

The proposed project has incorporated all reasonable and feasible on-site measures to avoid or reduce GHG emissions. The proposed project does not include any changes that cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects associated with greenhouse gas emissions. There are no changes to the project or changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in new or increased effects to global climate change.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard

for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES

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NO

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The prior MND found impacts to Hazards and Hazardous materials to be less than significant. The project does not propose the demolition of any structures, nor has the project site be found to be subject to a release of hazardous substances. The project site is not within an Airport Land Use Compatibility Plan, Comprehensive Land Use Plan, within an FAA Height Notification Surface. The project is not within one mile of a private airstrip. Additionally, the project does not propose any structures greater than 150 feet in height.

The project does not propose the transport, storage, use, transport, emission, or disposal of hazardous substances. Additionally, the project would not impair implementation of or interfere with any adopted emergency response plan.

The project site is adjacent to wildlands that have the potential to support wildland fires. A Fire Protection Plan was prepared for the project dated November 5, 2019 and has been approved by the North County Fire Protection District.

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to hazards and hazardous materials.

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

YES

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NO

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The prior MND found impacts to Hydrology and Water quality to be less than significant. A Priority Development Project Stormwater Quality Management Plan (PDP SWQMP) was prepared for the project dated February 7, 2020, which demonstrates that the project would comply with all requirements of the County of San Diego BMP Design Manual. The SWQMP has been prepared in accordance with the County of San Diego BMP Design Manual and SDRWQCB Order No. R9-2013-0001 Municipal Separate Storm Sewer System (MS4) permit (2013), as adopted by the RWQCB on May 8, 2013.

The project proposes the use of groundwater from existing onsite wells for the irrigation of outdoor landscaping. The estimated groundwater use is 6.9 acre-feet pre year (afy). Implementation of the project will result in grading that will remove irrigated agricultural use and reduce onsite groundwater use by 13.8 afy. The project would result in an estimated net water savings of 6.9 afy.

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to hydrology and water quality.

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

YES

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NO

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The proposed project is consistent with the goals and policies of the County of San Diego General Plan, Zoning Ordinance, and the Fallbrook Community Plan. The proposed project is for a winery and wedding venue and ancillary structures associated with winery and event operations and would not physically divide an established community.

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to land use and planning.

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

YES

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NO

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The prior MND found impacts to Mineral resources to be less than significant. The project site is surrounded by developed land uses including residential and agricultural uses which are

incompatible to future extraction of mineral resources on the project site. A future mining operation at the project site would likely create a significant impact to neighboring properties for issues such as noise, air quality, traffic, and possibly other impacts. Implementation of the project would not result in the loss of availability of a known mineral resource that would be of value since the mineral resource has already been lost due to incompatible land uses.

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to mineral resources.

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

YES

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NO

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The proposed project is for a Major Use Permit (MUP) for a winery and wedding venue and ancillary structures associated with winery and event operations. The MUP would allow for wedding events to occur on weekends and holidays with a maximum of 43 events per year. The main noise producing source would occur from amplified music within the existing courtyard area on the site.

A noise study was prepared for the project dated February 20, 2020. The project noise levels were found to be in compliance with the County Noise Ordinance with the incorporation of noise reduction features as a design feature of the proposed project. Noise level increases related to traffic would not result in levels greater than 3 decibels above current volumes.

Project construction noise would not exceed the thresholds of the County Noise Ordinance, and no blasting or impulsive noise is proposed for the project.

The project would be in compliance with the County Noise Ordinance and County General Plan – Noise Element, and noise impacts would not be greater than those analyzed within the prior MND. Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to noise.

XIII. POPULATION AND HOUSING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is

undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES

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NO

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The proposed project is for a Major Use Permit (MUP) for a winery and wedding venue to operate in conjunction with the existing residence and residential accessory structures. The project would not displace substantial numbers of existing housing or people. Additionally, as analyzed in the prior MND, the proposed project will not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area.

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to population and housing.

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

YES

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NO

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Based on the service availability forms received for the project, the proposed project will not result in the need for significantly altered services or facilities. Service availability forms have been provided which indicate existing services are available to the project from the following agencies/districts: North County Fire Protection District, Fallbrook Union High School District, and Fallbrook Union Elementary School District. The project would be served water by existing onsite wells.

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

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to public services.

XV. RECREATION -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or

"new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES

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NO

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The prior MND found impacts to Recreation to be less than significant. The proposed project is for a Major Use Permit (MUP) for a winery and wedding venue and ancillary structures associated with winery and event operations and does not include recreational facilities or require the construction or expansion of recreational facilities.

Therefore, the project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to recreation.

XVI. TRANSPORTATION/TRAFFIC -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

YES

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NO

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The prior MND found that transportation and traffic impacts would be less than significant with the incorporation of mitigation.

The County's Transportation Study Guide (TSG) defines a small project as any project that generates less than 110 Average Daily Trips (ADT). Per the TSG, projects with varying trip generation on different days of the week should determine ADT by accounting for the variance of trip generation throughout the week or month. The maximum occupancy of the event venue is 250 people, which with the inclusion of employee trips equates a total ADT of 220 per event. The venue plans on having 2 events per week, so the average ADT when applied to a seven day week is 63 ADT. Therefore, the project is defined as a small project and considered to have a less than significant impact for transportation.

The project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to traffic.

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

YES

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NO

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The proposed project is for a Major Use Permit (MUP) for a winery and wedding venue and ancillary structures associated with winery and event operations. The project would require the use of an onsite wastewater treatment system (OWTS). The project is proposed in four phases, each of which involves specific OWTS design requirements. The RWQCBs with jurisdiction over San Diego County have authorized the County of San Diego, Department of Environmental Health (DEH) to issue certain OSWS permits throughout the County and within the incorporated cities. DEH has reviewed the OSWS lay-out for the project pursuant to DEH, Land and Water Quality Division's, "On-site Wastewater Systems: Permitting Process and Design Criteria." DEH approved the project's OSWS on February 10, 2020. Therefore, the project is consistent with the wastewater treatment requirements of the RWQCB as determined by the authorized, local public agency.

Additionally, and Priority Development Project Stormwater Quality Management Plan (PDP SWQMP) was prepared for the project dated February 7, 2020, which demonstrates that the project would comply with all requirements of the County of San Diego BMP Design Manual. The SWQMP has been prepared in accordance with the County of San Diego BMP Design Manual and SDRWQCB Order No. R9-2013-0001 Municipal Separate Storm Sewer System (MS4) permit (2013), as adopted by the RWQCB on May 8, 2013.

The prior MND found impacts to utilities and service systems to be less than significant. The project would not result in substantial changes and would not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, there are no changes in circumstances under which the project is undertaken, or new information of substantial importance with respect to utilities and service systems.

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

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten

to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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

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

YES

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NO

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**XVIII. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW
UPDATE CHECKLIST FORM****TECHNICAL STUDIES**

Ldn Consulting, Inc., April 13, 2021, Air Quality Assessment

Ldn Consulting, Inc., March 24, 2021, Greenhouse Gas Screening Letter

OTHER REFERENCES

Add/ Delete As Needed California Department of Fish and Wildlife. Fish and Wildlife Code, Section 1600 *et. seq.*

California Environmental Quality Act, CEQA Guidelines

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

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

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

California Public Resources Code, CPRC, Sections 40000-41956

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

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

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

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

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

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

County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO) (Ordinance No. 10410, County Codes §§ 67.801 *et seq.*)

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

PDS2018-MUP-18-003

Fallbrook Hacienda

- 21 -

JULY 9, 2021

Order No. 2001-01, National Pollutant Discharge Elimination System (NPDES) No. CAS 0109266, 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 Hydrology Manual, 2003

San Diego County Hydraulic Design Manual, 2014

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

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
Fallbrook Hacienda; PDS2018-MUP-18-003

July 9, 2021

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

YES

☐

NO

☐

NOT APPLICABLE/EXEMPT

☒

Discussion:

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

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

YES

☐

NO

☐

NOT APPLICABLE/EXEMPT

☒

Discussion:

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

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

YES

☐

NO

☐

NOT APPLICABLE/EXEMPT

☒

Discussion:

The project proposes to obtain its water supply from the Rainbow Municipal Water District which obtains water from surface reservoirs and/or imported sources. Existing on-site well water will be used for irrigation purposes only.

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

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

Discussion:

Wetland and Wetland Buffers: Even though wetlands and/or wetland buffer areas have been identified on the project, the project has been found to be consistent with Article IV of the Resource Protection Ordinance, due to the following reasons: a) the project will not place any non-permitted uses within wetlands; b) the project will not allow grading, filling, construction, or placement of structures within identified wetlands; and c) the project will not allow any non-permitted uses within wetland buffer areas. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe: The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map.

Steep Slopes: Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are steep slopes on the property however, steep slopes on site are located within an existing open space easement. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats: Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. No sensitive habitat lands were identified on site. 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 and it has been determined there is one historical site (a house dating to 1954). The current project proposes to preserve the house onsite where it will remain in use by the current owner.

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

YES

☒

NO

☐

NOT APPLICABLE

☐

Discussion:

The Project Storm Water Quality Management Plan has been reviewed and is found to be complete and in compliance with the WPO.

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

YES

☒

NO

☐

NOT APPLICABLE

☐

Discussion:

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

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

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

Attachment D – Environmental Findings

**FALLBROOK HACIENDA WINERY AND EVENT VENUE
PDS2018-MUP-18-003; PDS2018-ER-07-02-006C
ENVIRONMENTAL FINDINGS**

Attachment D

July 9, 2021

- 1) Find that the Addendum on file with Planning & Development Services as Environmental Review Number PDS2018-ER-07-02-006C was adopted in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Planning Commission has reviewed and considered the information contained therein prior to approving the project; and

Find that there are no substantial changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously Mitigated Negative Declaration on file with Planning & Development Services as Environmental Review Number 07-02-006 before making its recommendation on the proposed project.

- 2) Find that the proposed project is consistent with the Resource Protection Ordinance (County Code, section 86.801 et seq.).
- 3) Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, section 67.801 et seq.).

Attachment E – Public Documentation

FALLBROOK COMMUNITY PLANNING GROUP

And

DESIGN REVIEW BOARD

Regular Meeting

Monday 16 April 2018, 7:00 P.M., Live Oak School, 1978 Reche Road, Fallbrook

Approved Minutes

The meeting was called to order by Chair Jim Russell at 7:00PM.

Twelve (12) members were present: Jim Russell, Jack Wood, Roy Moosa, Jerry Kalman, Lee J. DeMeo, Karel Hanson, Steve Brown, Ron Miller, Donna Gebhart, Jim Loge, Bill O'Connor and Rich Billburg. Eileen Delaney and William Leach were excused.

NOTE. Due to the resignation of Ike Perez there is an opening on the Fallbrook Community Planning Group. Interested individuals please contact the chair, (see below) to receive an application.

1. Open Forum. Opportunity for members of the public to speak to the Planning Group on any subject matter within the Group's jurisdiction but not on today's agenda. Three minute limitation. Non-discussion & Non-voting item.
2. Approval of the minutes for the meeting of 19 March 2018. Voting Item.

Steve Brown moved to approve the minutes as presented and the motion passed with Karel Hanson abstaining.

3. MUP 18-003 Fallbrook Hacienda. Request for a Major Use Permit to use existing facilities as a wedding venue. No new improvements are proposed. Located on the 20.42 acres at 4103 North Mission Road APN108-372-04.05.07. Owner, Fruilla, Inc, 951-375-9052. Contact person Roberto Frulla, 951-375-2052, Roberto@fallbrookhacienda.com. County planner Lori V. Radcliffe-Meyers, (858) 495-5340, lori.radcliffe-meyers@sdcounty.ca.gov. **Land Use and Design Review Committees.** Community input. Voting item. (3/5)

Roberto Frulla, applicant and property owner, indicated that he started the process 12 years ago. Final maps and plans to conform to County requirements were resubmitted to the County in 2017. He said that the County requested the applicant to file a subdivision map indicating other proposed uses for the parcels, which the applicant did in 2017. He indicated that most of the weddings envisioned for the property are to be held on holidays and weekends in the warmer months of the year. He proposed erecting a conforming 90-square-foot sign on the property where Mission Rd. crosses over the freeway to become Old 395.

Land Use Committee Chair Jack Wood reported for his committee, which visited the property on a site tour, and on behalf of the Design Review Committee. He said that the applicant's proposed project meets requirements established by both committees to conform to local land use and signage standards. He further said that the project, when originally

submitted three years ago, was approved then and as currently submitted to those committees, which both approved the project again in April 2018 as presented by Mr. Frulla.

Jack Wood moved to approve the project as presented and it passed unanimously.

4. VAR18-003. Request for a variance to reduce the front yard setback from 60' to 40' to rebuild a fire damaged single family dwelling located on the 1.18 acres at 1504 Via Chaparral, APN 107-330-53. Owner and contact person Doug & Tara Schleifer, 760-822-5461, taraschleifer@yahoo.com. County planner John Leavitt, 858-495-5448, john.leavitt@sdcounty.ca.gov. **Land Use Committee.** Community input. Voting item. (3/19)

The applicant was not present, however, Land Use Committee Chair Jack Wood reported that members of the committee conducted a site tour and reviewed plans by the applicant on the morning of the committee meeting. He noted that the committee approved the plans as submitted to the County and discussed by the applicant to build the project with a 40-foot setback because of the ground conformation of the property.

Jack Wood moved to approve the project as presented and it passed unanimously.

5. Request for a waiver of the B Designator Design Review requirement for a Site Plan for the expansion of the San Diego Gas and Electric Avocado substation to include new central shelter structure as well as a new retaining/screen wall located east of Industrial Way and south of E. Mission Road, APN 105-41-042. Owner San Diego Gas and Electric, 858-690-4118. Contact person Jorge Balderrama, 619-337-5534, jbalderrama@rbrady.net. County planner AJ Morales, a.morales@sdcounty.ca.gov. **Design Review Committee.** Community input. Voting item. (3/21)

At the request of the applicant, the project was continued to the May meetings. Arnold Rashkin and Paul Keck, neighboring property owners, spoke at the meeting and noted that the applicant and County need to follow standard procedures for notification of affected properties near the project and to file plans with those neighbors. That has not been done, according to both owners. Chair Jim Russell indicated that the applicant has requested the project be continued to address some of these issues.

Bill O'Connor moved to continue the project to a future meeting and the motion passed unanimously.

6. Appoint of Mr. Jim Loge as an elected member of the Planning Group to the Land Use Committee. Community input. Voting item.

Appointment of Jim Loge to the Land Use Committee was approved unanimously.

The April meeting of the Fallbrook Community Planning Group was adjourned at 7:27PM.

Respectfully submitted, Jerry Kalman, Secretary.

NOTE: The Planning Group occasionally has openings on its **Land Use** (Jack Wood 760-731-3193), **Circulation** (Roy Moosa 760-723-1181), **Parks & Recreation** (Donna Gebhart 760-731-9441), **Public Facilities** (Roy Moosa 760-723-1181) and **Design Review** (Eileen Delaney 760-518-8888) Committees for non-elected citizens. Interested persons please contact the Chairman. This is a preliminary agenda. If any changes are made, a final agenda will be posted at the North County Fire District, 315 E. Ivy Street, Fallbrook, at least 72 hours prior to the meeting.

Jim Russell, Chairman, 205 Calle Linda, Fallbrook, California 92028, (760) 728-8081,
russellfarms@roadrunner.com

Attachment F – Service Availability Forms



County of San Diego

ELISE ROTHCHILD
DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
LAND AND WATER QUALITY DIVISION
P.O. BOX 129261, SAN DIEGO, CA 92112-9261
Phone: (858) 565-5173 Fax: (858) 694-3670
www.sdcdeh.org

AMY HARBERT
ASSISTANT DIRECTOR

DATE: April 1, 2019

TO: Nicholas Koutoufidis, Project Manager
Planning and Development Services (PDS)

FROM: Scott Rosecrans, Environmental Health Specialist III
Land and Water Quality Division
Department of Environmental Health

PDS2018-MUP-18-003, Fallbrook Hacienda, 236 Old Highway 395, Fallbrook
APN: 108-372-04, 108-372-05, 108-372-07

SCOPING DISCUSSION

DEH has reviewed revisions to the proposed Major Use Permit application that was received February 1, 2019. The project proposes the use of the existing facilities to host special events up to 250 total guests with a maximum of 43 events per year. Food service is proposed to be by licensed caterers, no commercial kitchen is proposed in Phase 1. Phase 2 includes the addition of dressing rooms with a bathroom. Phase 3 includes a commercial kitchen and an alternate indoor venue with storage space. Phase 4 includes future structures for a Small Winery and 6-bedroom wine maker villa. Phase 5 includes future structures for new guest quarters and additional storage buildings.

The project is proposed to be served by onsite wastewater treatment systems. The property contains several wells, but the potable water source for the project is indicated to be obtained from the Rainbow Municipal Water District, per the submitted documents. There are some discrepancies between the submitted site plan and the project description that should be resolved.

DEH has no objection to the proposed design for the onsite wastewater treatment system to serve the 2-bedroom guest house and the wedding facility on Lot 4 (108-372-04), as part of Phase 1. The estimated wastewater flow was 300 GPD for the guest house and 550 gallons for the wedding venue. With a 2x safety factor applied to the wedding facility the total daily wastewater design flow is 1400gpd. A proposed 4000-gallon septic tank and 306' of horizontal seepage pits are proposed as the primary system. A supplemental treatment system with 2226 square feet of drip dispersal field is proposed as the reserve area.

DEH has no objection to the proposed design for the onsite wastewater treatment system to serve the 6-bedroom winemaker's villa on Lot 7 (108-372-07), as part of Phase 4. The estimated wastewater flow was 750 GPD. A proposed 1500-gallon septic tank and 116' of horizontal seepage pits are proposed as the primary system with an equivalent reserve area.

RECOMMENDATIONS

The Department of Environmental Health, Land and Water Quality Division, cannot recommend approval of the proposed project. The following item must be addressed:

- The applicant must provide details of the additional onsite wastewater treatment systems to serve Phases 2, 3, and 5 of the project, as described in the project description. This should include wastewater flow estimates based on the proposed use for each phase of the project. The applicant should be aware that any proposed onsite wastewater treatment facilities must be located on the parcel from which they are generated.

Should you have any questions, please contact me at (619) 208-0337.

Sincerely,

Scott Rosecrans
EHS III, REHS



County of San Diego, Planning & Development Services
PROJECT FACILITY AVAILABILITY - FIRE
ZONING DIVISION

Please type or use pen

Frulla, Inc. 951 375-2052
 Owner's Name Phone
 P.O. Box 1731
 Owner's Mailing Address Street
 Temecula, CA 92593
 City State Zip

ORG _____
 ACCT _____
 ACT _____
 TASK _____
 DATE _____ AMT \$ _____

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION**TO BE COMPLETED BY APPLICANT**

- A. ☐ Major Subdivision (TM) ☐ Specific Plan or Specific Plan Amendment
☐ Minor Subdivision (TPM) ☐ Certificate of Compliance: _____
☐ Boundary Adjustment
☐ Rezone (Reclassification) from _____ to _____ zone.
☒ Major Use Permit (MUP), purpose: Private Party Venue
☐ Time Extension... Case No. _____
☐ Expired Map... Case No. _____
☐ Other _____

Assessor's Parcel Number(s)
 (Add extra if necessary)

108-372-04

108-372-05

108-372-07

- B. ☐ Residential Total number of dwelling units _____
☐ Commercial Gross floor area _____
☐ Industrial Gross floor area _____
☐ Other Gross floor area _____

C. Total Project acreage 12.56 Total lots 3 Smallest proposed lot _____

Thomas Guide. Page 1028 Grid F-1
4103 N. Mission Rd
 Project address Street
Fallbrook 92028
 Community Planning Area/Subregion Zip

OWNER/APPLICANT AGREES TO COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT.

Applicant's Signature: [Signature] Date: 1-29-18
 Address: P.O. Box 1731 Phone: 951 375-2053

(On completion of above, present to the district that provides fire protection to complete Section 2 and 3 below.)

SECTION 2: FACILITY AVAILABILITY**TO BE COMPLETED BY DISTRICT**District Name: North County Fire Protection District

Indicate the location and distance of the primary fire station that will serve the proposed project:

- 4375 Palm Mesa Dr Fallbrook Ca 92028
- A. ☒ Project is in the District and eligible for service.
☐ Project is not in the District but is within its Sphere of Influence boundary, owner must apply for annexation.
☐ Project is not in the District and not within its Sphere of Influence boundary.
☐ Project is not located entirely within the District and a potential boundary issue exists with the _____ District.
- B. ☒ Based on the capacity and capability of the District's existing and planned facilities, fire protection facilities are currently adequate or will be adequate to serve the proposed project. The expected emergency travel time to the proposed project is 7 minutes.
☐ Fire protection facilities are not expected to be adequate to serve the proposed development within the next five years.
- C. ☐ District conditions are attached. Number of sheets attached: 1
☐ District will submit conditions at a later date.

SECTION 3. FUELBREAK REQUIREMENTS

Note: The fuelbreak requirements prescribed by the fire district for the proposed project do not authorize any clearing prior to project approval by Planning & Development Services.

- ☐ Within the proposed project _____ feet of clearing will be required around all structures.
☐ The proposed project is located in a hazardous wildland fire area, and additional fuelbreak requirements may apply. Environmental mitigation requirements should be coordinated with the fire district to ensure that these requirements will not pose fire hazards.

This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.

[Signature] Patricia Koch FM 7607232040 2-5-18
 Authorized Signature Print Name and Title Phone Date

On completion of Section 2 and 3 by the District, applicant is to submit this form with application to:
 Planning & Development Services - Zoning Counter, 5510 Overland Ave, Suite 110, San Diego, CA 92123





County of San Diego, Planning & Development Services
PROJECT FACILITY AVAILABILITY - SCHOOL
ZONING DIVISION

Please type or use pen

(Two forms are needed if project is to be served by separate school districts)

Frulla, Inc 951 375-2052
 Owner's Name _____ Phone _____
 P.O. Box 1731
 Owner's Mailing Address _____ Street _____
 Temecula, CA 92593
 City _____ State _____ Zip _____

ORG _____
 ACCT _____
 ACT _____
 TASK _____
 DATE _____
 ELEMENTARY _____
 HIGH SCHOOL _____
 UNIFIED _____

Sc

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION

TO BE COMPLETED BY APPLICANT

A. LEGISLATIVE ACT

- ☐ Rezones changing Use Regulations or Development Regulations
☐ General Plan Amendment
☐ Specific Plan
☐ Specific Plan Amendment

Assessor's Parcel Number(s)
 (Add extra if necessary)

108-372-04	108-372-05
108-372-07	

B. DEVELOPMENT PROJECT

- ☐ Rezones changing Special Area or Neighborhood Regulations
☐ Major Subdivision (TM)
☐ Minor Subdivision (TPM)
☐ Boundary Adjustment
☒ Major Use Permit (MUP), purpose: Private Party Venue
☐ Time Extension... Case No. _____
☐ Expired Map... Case No. _____
☐ Other _____

Thomas Guide Page 1028 Grid F1

4103 N. Mission Rd

Project address _____ Street _____

Fallbrook 92028

Community Planning Area/Subregion _____ Zip _____

- ☒ Residential Total number of dwelling units _____
☐ Commercial Gross floor area _____
☐ Industrial Gross floor area _____
☐ Other Gross floor area _____

- ☒ Total Project acreage 12.56 Total number lots _____

Applicant's Signature: [Signature] Date: 1-29-18

Address: P.O. Box 1731, Temecula, CA 92593 Phone: 951 375-2052

(On completion of above, present to the district that provides school protection to complete Section 2 below.)

SECTION 2: FACILITY AVAILABILITY

TO BE COMPLETED BY DISTRICT

Fallbrook Union High School District

If not in a unified district, which elementary or high school district must also fill out a form?

Fallbrook Union Elementary School District

District Name:

Indicate the location and distance of proposed schools of attendance.

Elementary: _____ miles: _____

Junior/Middle: Potter Jr. High _____ miles: 5.1

High school: Fallbrook High School _____ miles: 7.0

- ☐ This project will result in the overcrowding of the ☐ elementary ☐ junior/school ☐ high school. (Check)
☒ Fees will be levied or land will be dedicated in accordance with Education Code Section 17620 prior to the issuance of building permits.
☒ Project is located entirely within the district and is eligible for service.
☐ The project is not located entirely within the district and a potential boundary issue may exist with the _____ school district.

Authorized Signature

Chief Business Officer

Print Title

Khair Nguyen

Print Name

760-723-6332

Phone

On completion of Section 2 by the district, applicant is to submit this form with application to:
 Planning & Development Services, Zoning Counter, 5510 Overland Ave. Suite 110 San Diego, CA 92123





County of San Diego, Planning & Development Services
PROJECT FACILITY AVAILABILITY - WATER
ZONING DIVISION

Please type or use pen

Frulla, Inc.	951 375-2052	ORG _____	W
Owner's Name	Phone	ACCT _____	
P.O. Box 1731		ACT _____	
Owner's Mailing Address	Street	TASK _____	
Temecula, CA 92593		DATE _____	
City	State	Zip	AMT \$ <u>250.⁰⁰</u>
			DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION

TO BE COMPLETED BY APPLICANT

- A. ☐ Major Subdivision (TM) ☐ Specific Plan or Specific Plan Amendment
☐ Minor Subdivision (TPM) ☐ Certificate of Compliance: _____
☐ Boundary Adjustment
☐ Rezone (Reclassification) from _____ to _____ zone.
☒ Major Use Permit (MUP), purpose: Private Party Venue
☐ Time Extension... Case No. _____
☐ Expired Map... Case No. _____
☐ Other _____

Assessor's Parcel Number(s)
 (Add extra if necessary)

108-372-04	108-372-05
108-372-07	

- B. ☐ Residential Total number of dwelling units _____
☐ Commercial Gross floor area _____
☐ Industrial Gross floor area _____
☐ Other Gross floor area _____

- C. ☒ Total Project acreage 12.56 Total number of lots 3

- D. Is the project proposing the use of groundwater? ☐ Yes ☒ No
 Is the project proposing the use of reclaimed water? ☐ Yes ☒ No

Thomas Guide Page 1028 Grid F-1
 4103 N. Mission Rd
 Project address _____ Street _____
 Fallbrook 92028
 Community Planning Area/Subregion _____ Zip _____

Owner/Applicant agrees to pay all necessary construction costs, dedicate all district required easements to extend service to the project and
 COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT.

Applicant's Signature: [Signature] Date: 1-29-18
 Address: P.O. Box 1731 Phone: 951 375-2053

(On completion of above, present to the district that provides water protection to complete Section 2 below.)

SECTION 2: FACILITY AVAILABILITY

TO BE COMPLETED BY DISTRICT

District Name: Rainbow Municipal Water District Service area: Rainbow/Fallbrook

- A. ☒ Project is in the district.
☐ Project is not in the district but is within its Sphere of Influence boundary, owner must apply for annexation.
☐ Project is not in the district and is not within its Sphere of Influence boundary.
☐ The project is not located entirely within the district and a potential boundary issue exists with the _____ District.
 B. ☒ Facilities to serve the project ☒ ARE ☐ ARE NOT reasonably expected to be available within the next 5 years based on the capital facility plans of the district. Explain in space below or on attached _____. (Number of sheets) _____
☐ Project will not be served for the following reason(s): _____
 C. ☐ District conditions are attached. Number of sheets attached: _____
☐ District has specific water reclamation conditions which are attached. Number of sheets attached: _____
☒ District will submit conditions at a later date.
 D. ☐ How far will the pipeline(s) have to be extended to serve the project? _____

This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.

Authorized Signature: [Signature] Print Name: Michael Powers
 Print Title: Interim Engineering Manager Phone: (760) 728-1178 Date: 2/7/2018

NOTE: THIS DOCUMENT IS NOT A COMMITMENT OF SERVICE OR FACILITIES BY THE DISTRICT

On completion of Section 2 and 3 by the District, applicant is to submit this form with application to:
 Planning & Development Services - Zoning Counter, 5510 Overland Ave, Suite 110, San Diego, CA 92123



Attachment G – Ownership Disclosure



County of San Diego, Planning & Development Services
**APPLICANT'S DISCLOSURE OF
 OWNERSHIP INTERESTS ON
 APPLICATION FOR ZONING PERMITS/
 APPROVALS**
 ZONING DIVISION

Record ID(s) MUP-18-003

Assessor's Parcel Number(s) 108-372-04, 108-372-05, 108-372-07

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The application shall be signed by all owners of the property subject to the application or the authorized agent(s) of the owner(s), pursuant to Section 7017 of the Zoning Ordinance. **NOTE:** Attach additional pages if necessary.

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

Frulla, Inc.

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

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

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

Roberto Frulla

Signature of Applicant

Roberto Frulla

Print Name

1-25-18

Date

--- OFFICIAL USE ONLY ---

SDC PDS RCVD 03-05-18

MUP18-003

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

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

