August 9, 2022

TO:  Zoning Administrator

FROM:  Dahvia Lynch, Director
        Planning & Development Services

SUBJECT:  Via Monte Residence Site Plan (STP) and Coastal Administrative Permit (CAP) - PDS2021-STP-21-026; PDS2021-ER-21-08-009 (District: 3)

A. PURPOSE
The purpose of this staff report is to provide the Zoning Administrator with the information necessary to consider the proposed Site Plan (STP) and Coastal Administrative Permit (CAP) for a single-family dwelling with accessory structures, conditions of approval and findings, and environmental findings prepared in accordance with the California Environmental Quality Act.

B. BACKGROUND
On September 2, 1999, the Planning Commission approved Major Use Permit (MUP) MUP-98-005 to implement the Coastal Resource Protection Special Area Regulations and Tentative Map (TM) TM-5128 to subdivide the property (Attachment D – Previous Discretionary Approvals). The MUP and TM subdivided the original 17.93-acre parcel into 10 residential lots with associated improvements and open space easements and the MUP established conditions and development criteria that regulate development. This Project is located on lot one of this subdivision and has been reviewed and determined to be consistent with the conditions and development criteria of the MUP.

On February 10, 2021, California Coastal Commission certified the County's Local Coastal Program (LCP). Following this, the County assumed permitting authority within the unincorporated coastal area effective March 15, 2021. With the certified LCP, the County is responsible for issuing coastal development permits, which streamlines the development review process within this area. Based on the County LCP, this Project requires the approval of a CAP.
Additional discussion on these topics and this project's conformance to the LCP is included within Section D below.

C. PROJECT DESCRIPTION
The applicant requests a STP and CAP to allow for the construction of a single-family dwelling unit and accessory structures. The Project consists of a new 4,854 square foot single-family residence with an attached 750 square foot accessory dwelling unit, attached garage, pool, landscaping, and other accessory structures on an existing undeveloped 2.55-acre parcel. The project site is at 16073 Via Monte in the San Dieguito Community Planning area, within unincorporated San Diego County. The site is subject to the General Plan Regional Category Semi-Rural, Land Use Designation Semi-Rural Residential (SR-2). The site is zoned Single Family Residential (RS) and contains the Coastal Resource Protection Area (R) and Scenic Area (S) special area designators. The Project would be served by sewer and imported water from the Olivenhain Water District.

Please refer to Attachment A – Planning Documentation for a copy of the project's plot plan, preliminary grading, and landscape plans.

D. ANALYSIS AND DISCUSSION
The Project has been reviewed to ensure it conforms to all the relevant ordinances and guidelines, including, but not limited to, the San Diego County General Plan, the San Dieguito Community Plan, the Zoning Ordinance, the County of San Diego LCP, and CEQA Guidelines. In addition, the following subjects were reviewed for the Project and are detailed below:

1. Compliance With Previous Discretionary Permits (MUP-98-005 and TM-5128)
This parcel is covered by a previously approved MUP and TM, which was approved when the Project was subdivided in 1999. The MUP established design criteria that regulate development on these lots. These design criteria include requirements regarding the architectural style of main buildings and accessory structures, that all structures emphasize the colors in the surrounding natural landscape, and views from the surrounding roads. In addition, the TM established access easements, a limited building zone, and open space easements.

The Project has been reviewed and found to be in conformance with these requirements. The Project is one story in height, will be painted white, and does not include red tile roofs, which are discouraged by the conditions of approval of the MUP. Consistent with the requirements from the MUP, the rear elevations have been designed to show a level of articulation consistent with the front elevations, and the Project incorporates decks and patios into the design. In addition, the Project has been located to avoid the on-site biological open space and steep slope easements and is proposed within the original development area identified in the MUP and TM.
2. Local Coastal Program

The property contains an "R" special area designator, indicating that the property is within the Coastal Resource Protection Area. Therefore, the property must be found to comply with the County's LCP contained within Section 9000 of the Zoning Ordinance.

The Project is located with Coastal Zone Subarea "P" of the LCP, which designates the family residential use as a Principal Permitted Use. In addition, the Project is located within an appealable area of the LCP. The LCP requires that a CAP be processed for the Project and that the development is reviewed for conformance with criteria regarding lighting; environmentally sensitive habitat areas (ESHA's); wetlands; water quality and water protection; scenic areas; flooding and sea level rise; fire hazard management; steep slopes; and public access, trails, and recreation. As required by the LCP, the building characteristics; building and structure placement; landscaping; roads and pedestrian walkways; parking and storage areas; above-ground utilities; project grading; signs; and lighting of this project have been reviewed found to be in conformance with these criteria.

As explained in the Decision for PDS-2021-STP-21-026, findings have been included that show the Project is consistent with these criteria and the findings required by the LCP (Attachment B).

3. Scenic Area Regulations

The Project also contains an "S" special area designator, indicating that the Project is subject to the scenic regulations within the LCP. Section 9308 of the CAP states that the goal of these provisions is to regulate development in areas of high scenic value both to assure exclusion of incompatible uses and structures and to preserve and enhance the scenic resources present in adjacent areas. In addition, this Project is located within a critical viewshed since it is within 2,000 feet of the Pine Tower and La Orilla Trailhead, both vantage points within the LCP.

As required by the LCP, development within the critical viewshed area shall be subject to design review as part of any discretionary review, and shall be based on the following criteria:

a) Building height, bulk, roof line and scale shall not obstruct, limit or degrade the existing views;

b) Landscaping shall not, at maturity, obstruct views; and

c) Landscaping shall be located to screen adjacent undesirable views (parking lot areas, mechanical equipment etc.).

The Project has been reviewed and found to be in conformance with these criteria. The Project proposes one-story structures located on the lower area of the lot that
is consistent with the development on the surrounding lots and is shielded by existing mature landscaping. As designed, the proposed landscaping will not obstruct views, and the landscaping and architectural style of the Project has been designed to screen undesirable views of the parking areas and mechanical equipment. Please refer to the project plot plan, preliminary grading plan and landscape plan contained within Attachment A – Planning Documentation and the findings included within Attachment B - Decision for PDS-2021-STP-21-026 for additional discussion.

4. California Environmental Quality Act (CEQA) Compliance
The Project has been reviewed in compliance with the CEQA. An Addendum dated July 12, 2022, to the previously adopted Mitigated negative Declaration (MND) (Log No. 98-8-1) dated August 19, 1999, was prepared and is on file with Planning & Development Services. It has been determined that the Project, as designed, would not cause any significant impacts on the environment which would require mitigation measures that were not previously analyzed in the adopted MND. Please refer to Attachment C – Environmental Documentation.

E. PROJECT ISSUES:
No project issues have been identified.

F. WAIVERS AND EXCEPTIONS:
No waivers or exceptions have been identified.

G. PUBLIC INPUT:
On March 10, 2022, the San Dieguito Planning Group voted Ayes - 9 Noes - 0 Abstained - 0 Absent -1 to recommend approval of the project. See Attachment E for the Planning Group Minutes.

H. STAFF RECOMMENDATIONS:
Staff recommends that the Zoning Administrator take the following actions:

1. Find the Project in conformance with CEQA and adopt the Environmental Findings included in Attachment C, which include a finding that the previously adopted MND is adequate with an Addendum.

2. Recommend that the PDS Director approve STP and CAP PDS2021-STP-21-026, make the findings, and impose the requirements and conditions as set forth in the Form of Decision in Attachment B.

Respectfully submitted,

Michael Johnson, Project Manager
Project Planning, Planning & Development Services
ATTACHMENTS:

Attachment A – Planning Documentation
Attachment B – Decision for PDS2021-STP-21-026
Attachment C – Environmental Documentation
Attachment D – Previous Discretionary Approvals
Attachment E – Planning Group Minutes
Attachment F – Ownership Disclosure
Attachment A
Planning Documentation
Attachment B
Decision for PDS2021-STP-21-026
August 9, 2022

PERMITEE: CWS VIA MONTE LP
SITE PLAN NO.: PDS2021-STP-21-026
E.R. NUMBER: PDS2021-ER-21-08-009
PROPERTY: 16073 VIA MONTE, RANCHO SANTA FE, CA 92067
APN(s): 302-180-60-00

FORM OF DECISION

This Site Plan and Coastal Administrative Permit for single-family dwelling unit, accessory dwelling unit, and accessory structures consists of eight (8) sheet(s) including plot plan, floor plans and elevations dated June 17, 2022 and a Conceptual Landscape Plan dated June 17, 2022. This permit authorizes of a new 4,854 square foot (sqft) single family residence with an attached 473 sqft garage and an attached 750 sqft accessory dwelling unit with 459 sqft garage. The project also includes a total of 387 sqft porches and 132 sqft breezeway pursuant to Sections 5200, 5950, 6156, 7150, and 9000 of the Zoning Ordinance and Local Coastal Program.

Approval of this site plan and coastal administrative permit also approves the Preliminary Grading and Improvement Plan dated June 17, 2022 consisting of three (3) sheets. In accordance with the Section 87.207 of the County Grading Ordinance, Environmental Mitigation Measures or other conditions of approval required and identified on the plan(s), shall be completed or implemented on the final engineering plan before any final improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to County of San Diego Grading Ordinance (Sec 87.701 et. al.)

This Site Plan and Coastal Administrative Permit has been reviewed and approved only for the “R” Designator requirements for the Coastal Resource Protection Area and the “S” Designator requirements of the Scenic Area Regulations.
SITE PLAN and COASTAL ADMINISTRATIVE PERMIT EXPIRATION: This Site Plan and coastal administrative permit expires on August 9, 2024 (two years from the date of approval except where construction or use of the property in reliance on such permit approval has commenced prior to its expiration). If construction or use of the property in reliance on a Site Plan and Coastal Administrative Permit approval has not commenced within the two year period, said period may be extended by the Director of Planning & Development Services at any time prior to the original expiration date. The request for an extension of time shall be filed prior to the expiration date and accompanied by the required filing fee.

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 Site Plan. 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:

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

2. GEN#2–RECORDATION OF DECISION
   INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. DESCRIPTION OF REQUIREMENT: The applicant shall sign, notarize with an ‘all purpose acknowledgement’ and return the original recordation form to PDS. DOCUMENTATION: Signed and notarized original recordation form. TIMING: Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder’s
Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.

3. **GEN#3—FILING OF NOD:**
   **INTENT:** In order to comply with CEQA and State law, the permit NOD shall be filed at the County Recorder’s Office. **DESCRIPTION OF REQUIREMENT:** The applicant shall take the original NOD and required fees to the San Diego County Recorder’s Office and file the document within five (5) days of permit approval and return a copy of the filed document to PDS. **DOCUMENTATION:** The filed NOD form. **TIMING:** Within the first five (5) days of the appeal period, the applicant/owner shall take the original NOD form and required filing fees to the San Diego County Recorder’s Office and file the document. **MONITORING:** The PDS Zoning Counter shall verify that the NOD was filed and that a copy of the document is on file at PDS.

4. **LNDSCP#1—LANDSCAPE DOCUMENTATION PACKAGE**
   **INTENT:** In order to provide adequate Landscaping, a landscape plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Plans shall be prepared pursuant to the COSD Water Efficient Landscape Design Manual and the COSD Water Conservation in Landscaping Ordinance, the COSD Parking Design Manual, the COSD Grading Ordinance, and the requirements of the D Designator. 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. Plans shall be in substantial conformance with Sheets 2 and 3 of the Conceptual Landscape Plans submitted on February 15, 2022.

i. Show the location of the 5’ wide Home Ignition Zone around the proposed structures. Planting shall be compliant with Section 4907 of the 2020 Fire Code. No invasive or fire prone species shall be allowed.

**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.

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

5. **DRNG#1–DRAINAGE IMPROVEMENTS**

**INTENT:** In order to provide the required drainage improvements for the project and to comply with the County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq., the County Resource Protection Ordinance (RPO) No. 9842, Community Trails Master Plan and Section 810.105(c) of the Parkland Dedication Ordinance, the drainage improvements shall be completed.

**DESCRIPTION OF REQUIREMENT:** Improve or agree to improve and provide security for one proposed detention pond and brow ditch on site.

a. The proposed detention pond shall be installed per the Preliminary Grading Plan approved on June 17, 2022.

b. Install one brow ditch along the southern side of the property bounds per San Diego Regional Standard Drawing D-75 and the Preliminary Grading Plan approved on June 17, 2022.

All drainage plan improvements shall be prepared and completed pursuant to the following ordinances and standards: San Diego County Drainage Design Manual, San Diego County Hydrology Manual, County of San Diego Grading Ordinance,
Zoning Ordinance Sections 5300 through 5500, County Resource Protection Ordinance (RPO) No. 9842, County Flood Damage Protection Ordinance (Title 8, Division 11), Low Impact Development (LID) and Hydromodification requirements, and the Land Development Improvement Plan Checking Manual. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. No Building permit can receive final approval or occupancy until these improvements are completed. Drainage improvements shall be completed to the satisfaction of the Directors of the Departments of Planning & Development Services (PDS) and Public Works (DPW). DOCUMENTATION: The applicant shall complete the following:

a. Process and obtain approval of Grading Plans to install an onsite detention pond and brow ditch.

b. Provide Secured Agreements in accordance with Section 7613 of the Zoning Ordinance.

c. Pay all applicable inspection fees with [DPW, PDCI].

d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

TIMING: Prior to any occupancy, final grading release, and use of the premises in reliance of this permit the plans, agreements, and securities shall be approved. MONITORING: The [PDS, LDR] [DPR, TC, PP] shall review the plans for consistency with this condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS before any work can commence.

6. STRMWTR#1–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:
   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.

**7. ROADS#1–PRIVATE ROAD EASEMENT IMPROVEMENTS**

**INTENT:** In order to promote orderly development and to comply with the County Subdivision Ordinance Section 81.702 the easement(s) shall be provided.

**DESCRIPTION OF REQUIREMENT:**

1. The cul-de-sac at end of street (Via Montes) shall be 72-feet in width. The existing width of the cul-de-sac is shy by 2-feet, the applicant or owner shall improve or agree by widening the cul-de-sac a on the homeowner’s side to comply with the required width.

**DOCUMENTATION:** The applicant shall complete the following:

a. Pay all applicable inspection fees with [BI].

b. Obtain approval for the design and construction of all driveways, turnarounds, pathways and private easement road improvements to the satisfaction of the Rancho Santa Fire Protection District and the [PDS, LDR].

c. (If applicable) Obtain a Construction Permit for any work within the County road right-of-way. PDS Construction/Road right-of-way Permits Services Section should be contacted at (858) 694-3275 to coordinate departmental requirements. Also, 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.

**TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, widening of the cul-de-sac shall be completed.

**MONITORING:** The [PDS, FIRe] shall review the plans for consistency with the condition and County Standards. The [PDS, BI] and [DPR TC, PP] shall inspect the site for compliance with the approved Building Plans.
8. **BIO#1–OPEN SPACE SIGNAGE [PDS, FEE]**

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

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Sensitive Environmental Resources
Area Restricted by Easement
Entry without express written permission from the County of San Diego
is prohibited. To report a violation or for more information about easement
restrictions and exceptions contact the County of San Diego,
Planning & Development Services
Reference: PDS2021-STP-21-026
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**DOCUMENTATION:** The applicant shall install the signs as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor, that the open space signs have been installed at the boundary of the open space easement(s). **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the open space signs shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

9. **BIO#2–OPEN SPACE FENCING [PDS, FEE]**

**INTENT:** In order to protect the proposed open space easement from entry, or disturbance, permanent fencing or walls shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space fencing or walls shall be placed along the biological open space boundary as indicated on the Site Plan. The fencing/walls design shall consist of tubular steel fencing. **DOCUMENTATION:** The applicant shall install the fencing or walls as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space fencing has been installed at the open space easement boundary. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the fencing or walls shall be placed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

10. **LNDSCP#2–CERTIFICATION OF INSTALLATION**

**INTENT:** In order to provide adequate Landscaping, and to comply with the COSD Water Efficient Landscape Design Manual, the COSD Water Conservation in Landscaping Ordinance, the COSD Parking Design Manual, the COSD Grading ordinance, and the requirements of the D Designator, 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.

11. PLN#1–SITE PLAN IMPLEMENTATION

INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. DESCRIPTION OF REQUIREMENT: The site shall conform to the approved Site Plan STP-21-026 plot plan and the building plans. This includes, but is not limited to: improving all parking areas, trails, parks and driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly screened, required and approved signage is installed and located properly, and all temporary construction facilities have been removed from the site. DOCUMENTATION: The applicant shall ensure that the site conforms to the approved plot plan and building plans. TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. MONITORING: The [PDS, BI] and [DPR TC, PP] shall inspect the site for compliance with the approved Building Plans.

12. PALEO#1 - PALEO GRADING MONITORING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance for Paleontological Resources, a Paleontological Monitoring Program shall be implemented during grading, trenching or other excavation into undisturbed rock layers beneath the soil horizons. DESCRIPTION OF REQUIREMENT: A Qualified Paleontologist shall be contracted to perform paleontological resource monitoring and a fossil recovery program if significant paleontological resources are encountered during all grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons. The monitoring program shall include the following:

a. A Qualified Paleontologist ("Project Paleontologist") shall perform the monitoring duties pursuant to the most current version of the County of San Diego Guidelines for Determining Significance for Paleontological Resources,
and this permit. The contract or letter of acceptance provided to the County shall include an agreement that the grading/trenching/excavation monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Paleontologist 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 cost of the monitoring shall be added to the grading bonds or bonded separately.

**DOCUMENTATION:** The applicant shall provide a copy of the Grading Monitoring Contract or letter of acceptance, cost estimate, and MOU to the [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:** The [PDS, PPD] shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, LDR], 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.

### 13. PALEO#2 - PALEO RESOURCES REPORT

**INTENT:** In order to ensure that the Grading Monitoring occurred during the grading, trenching or other excavation phase of the project, a final report shall be prepared. **DESCRIPTION OF REQUIREMENT:** A final Paleontological Resources Mitigation Report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program shall be prepared. The report shall include the following:

a. If no paleontological resources were discovered, submit a Negative letter report, which states that the monitoring has been completed and that no paleontological resources were discovered.

b. If resources were discovered and recovered during grading, a detailed report shall be prepared by the Project Paleontologist. The report shall comply with the [County of San Diego’s Guidelines for Determining Significance for Paleontological Resources](#). The report shall identify which accredited institution has agreed to accept the curated fossils and include proof of the Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of PDS verifying that the curated fossils from the project site have been received by the institution.
**DOCUMENTATION:** The Project Paleontologist shall prepare the final report and submit it to the [PDS, PPD] for approval. If resources were discovered then the following shall be completed:

a. Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display; and

b. The applicant shall submit two hard copies of the final Paleontological Resources Mitigation Report to the [PDS, PPD] for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on an USB disk. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.

**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 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, FISCAL] to release the bond back to the applicant.

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

14. **PLN#2–SITE CONFORMANCE**

**INTENT:** In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved building plans, and plot plan(s). 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.

15. **PLN#3–ACCESSORY USES**

**INTENT:** A Minor Deviation or Modification to a Site Plan is not required for any building, structure or projection listed in Sections 9404, 4835 or any use listed in the Accessory Use Regulations, section 6150-6199 (or as otherwise referenced),
provided the building, structure, or projection or use meets the specific accessory use setbacks in the Site Plan and meets all other conditions and restriction in the Site Plan. This condition is intended to comply with Zoning Ordinance Section 7175, ensuring the ability to allow for structures as detailed in this section without Minor Deviation or Modification. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s); should any accessory uses be proposed that do not meet the requirements as detailed in the Zoning Ordinance sections listed above, the property owner shall be responsible for obtaining all necessary permits. **DOCUMENTATION:** None. The property owner and permittee shall conform to the Zoning Ordinance requirements for Accessory Uses as detailed above and within the County Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

Grading Plan Notes

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

**BIO#3–TEMPORARY FENCING [PDS, FEE]**

**INTENT:** In order to prevent inadvertent disturbance to areas outside the limits of grading, temporary construction fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Prior to the commencement of any grading and/or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing, or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The placement of such fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed. **DOCUMENTATION:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **MONITORING:** The [PDS, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.

**PALEO-GR#1 PALEONTOLOGICAL MONITORING**

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for
Paleontological Resources, a Paleontological Resources Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources.

**DOCUMENTATION:** The applicant shall have the contracted Project Paleontologist attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

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

**PALEO-GR#2 PALEONTOLOGICAL MONITORING**

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

**DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site. The Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the following requirements during grading:

a. If paleontological resources are encountered during grading/excavation, the following shall be completed:

1. The Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.

2. The Monitor shall immediately contact the Project Paleontologist.

3. The Project Paleontologist shall contact the Planning & Development Services immediately.

4. The Project Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading and/or excavation may resume.
b. If the paleontological resource is significant or potentially significant, the Project Paleontologist or Paleontological Resources Monitor, under the supervision of the Project Paleontologist, shall complete the following tasks in the field:

1. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;

2. Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and

3. Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

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

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

**PALEO-GR#3 - PALEONTOLOGICAL MONITORING**

**INTENT**: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT**: The Project Paleontologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:

a. If no paleontological resources were discovered, submit a “No Fossils Found” letter from the grading contractor to the [PDS, PPD] stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
b. If Paleontological Resources were encountered during grading, a letter shall be prepared stating that the field grading monitoring activities have been completed, and that resources have been encountered. The letter shall detail the anticipated time schedule for completion of the curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PPD] for review and approval. TIMING: Upon completion of all grading activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the letter report shall be completed. MONITORING: The [PDS, PPD] shall review the final negative letter 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).

PALEO-GR#4 - PALEONTOLOGICAL MONITORING

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

DESCRIPTION OF REQUIREMENT: The Project Paleontologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:

a. If paleontological resources were discovered, the following tasks shall be completed by or under the supervision of the Project Paleontologist:

1. Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;

2. Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;

3. Submit a detailed report prepared by the Project Paleontologist in the format provided in Appendix D of the County of San Diego’s Guidelines for Determining Significance for Paleontological Resources. The report shall identify which accredited institution has agreed to accept the curated fossils. Submit two hard copies of the final Paleontological Resources Mitigation Report to the Director of PDS for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on an USB drive. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.
4. Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of PDS verifying that the curated fossils from the project site have been received by the institution.

b. If no resources were discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Paleontologist.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PPD] for review and approval. Timing: Prior to the occupancy of any structure or use of the premises, and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the final report shall be completed. Monitoring: The [PDS, PPD] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

BIO#4–OPEN SPACE SIGNAGE & FENCING [PDS, FEE]

Intent: In order to protect the proposed open space easement from entry, or disturbance, the fencing and signage shall be installed. Description of Requirement: The permanent fences or walls, and open space signs shall be placed along the open space boundary as shown on these plans and the approved Conceptual Grading and Development Plan for PDS2021-STP-21-026.

a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.

b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

   Sensitive Environmental Resources
   Area Restricted by Easement

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

   Reference: PDS2021-STP-21-026

Documentation: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [PDS, PCC]. Timing: Prior to the occupancy of any structure or use of the premises and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3) the fencing and
signage shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

**LNDSCP#2—CERTIFICATION OF INSTALLATION**

**INTENT:** In order to provide adequate Landscaping, and to comply with the COSD Water Efficient Landscape Design Manual, the COSD Water Conservation in Landscaping Ordinance, the COSD Parking Design Manual, the COSD Grading ordinance, and the requirements of the D Designator, 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.

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

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

Section 21081(b) further states:
A public agency shall provide that the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.

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

**Intent:** An explanation of why the mitigation measure (MM) was imposed on the project.  
**Description:** A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.  
**Documentation:** A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.  
**Timing:** The specific project milestone (point in progress) when the specific required actions are required to be implemented.  
**Monitoring:** This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

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

**Condition(s):** None

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**SITE PLAN FINDINGS**

a. Standards and Criteria. That the proposed development meets the intent and specific standards and criteria prescribed in pertinent sections of the Zoning Ordinance. The proposed development meets the intent and specific standards and criteria prescribed in Sections 5200, 5950, 6156, and 7150 of The Zoning Ordinance and of the County Local Coastal Program because the development is compatible with adjacent land uses, the San Dieguito Community Plan, and the Coastal Protection Resources regulations. The proposed Project consists of a 4,854 square foot (sqft) single-family residence with an attached 473 sqft garage and an attached 750 sqft accessory dwelling unit with a 459 sqft garage on an existing 2.55 net acre parcel within an existing residential neighborhood. The Project also includes 387 sqft porches and a 132 sqft breezeway. All proposed structures will be painted neutral colors and will be one story in height. The surrounding parcels are developed with single-family dwelling units with accessory structures similar in scale to the proposed Project.

The Project is located within Coastal Zone Subarea "P" of the LCP, which designates the family residential use as a Principal Permitted Use. The Project
complies with the development criteria contained within this subarea, including the B building type, E height designator, and G setback designator. The project lighting has also been reviewed and found in compliance with the outdoor lighting regulations with the zoning ordinance. In addition, the Project complies with the accessory use regulations within Section 6156 of the Zoning Ordinance. Therefore, the project is consistent with this finding.

b. General Plan. That the proposed development is compatible with the San Diego County General Plan; and that the proposed development is compatible with the San Dieguito Community Plan because the proposed single-family dwelling unit, accessory dwelling unit, and accessory structures are designed with appropriate landscaping, parking, and a color palette that compliments the surroundings, as required for projects subject to the San Dieguito Design Guidelines. The San Dieguito Community Planning Group recommended approval of the Project on March 10, 2022, with a vote of 9-yes, 0-no, and 0-abstain.

The project site is subject to the Semi-Rural Residential (SR-2) Land Use Designation and Semi-Rural Regional Category of the General Plan. The Project is consistent with this land use designation and regional category because it proposes a single-family residence on an existing legal lot. In addition, the Project is consistent with goal LU-6.5 (sustainable Stormwater Management) because a stormwater management plan has been prepared and accepted for the Project, the Project minimizes the use of impervious surfaces, and is in conformance with the County Watershed Protection Ordinance. The Project is also consistent with Policy LU-6.9 (Development Conformance with Topography) because the Project avoids the steep slopes on the property, and the proposed grading is minimal with 590 cubic yards of excavation, 690 cubic yards of fill, and 100 cubic yards on import. Also, the Project is consistent with policy LU-10.2 (Development-Environmental Resource Relationship) because the Project avoids impacts on the steep slope and biological open space easements located on the site. Therefore, the Project is consistent with this required finding.

c. Waiver of Standards or Criteria. That any applicable standards or criteria waived by the Director pursuant to Section 7158.d have been or will be fulfilled by the condition or conditions of a Use Permit or Variance.

No standard or criteria has been waived.

COASTAL ADMINISTRATIVE PERMIT (CAP) FINDINGS

Section 9400.c. Findings

i. The establishment, maintenance, or operation of the use or structure applied for, shall not under the circumstances of the particular case, be detrimental or injurious to:
a) Health, safety, and general welfare of persons residing or working in the neighborhood, of such proposed use;

b) Property and the improvement of a neighborhood; or

c) The general welfare of the County of San Diego.

The Project proposes a single-family residence with accessory structures in a residentially zoned property, which is surrounded by other properties that are improved with residences and other structures of a similar bulk and scale. The Project has been reviewed and found to comply with all applicable codes and ordinances, including the grading ordinance, noise ordinance, zoning ordinance, and County LCP. A stormwater management plan has been reviewed for compliance with the County watershed protection ordinance and the Project has been reviewed to ensure that it does not create drainage and erosion issues. Additionally, the Project has been reviewed by the Rancho Santa Fe Fire Protection District, and their corrections and requirements have been incorporated to ensure that proper access is provided to the residence and that the Project will comply with the fire code. The applicant is required to obtain a building permit prior to construction, which will ensure the Project complies with the all applicable building codes. Based on these reasons, the Project is in compliance with this finding.

ii. The subject property is in compliance with all rules and regulations pertaining to County regulations including zoning uses, subdivision, and any other applicable provisions of this Section, and any zoning violations have been resolved, including any abatement costs have been paid.

The Project proposes a single-family residence and accessory structures that have been reviewed and found to be in conformance with the zoning ordinance and allowed uses with the RS zone. The Project complies with all setback and height requirement, and the accessory structures comply with the accessory use regulations contained within Section 6156 of the Zoning Ordinance. The Project complies with the Subdivision Map Act and County Subdivision Ordinance and was legally subdivided by Map 14151. The Project is proposed within the development envelope identified on this Map, and the Project avoids the onsite steep slope and biological open space easements. The Project has also been reviewed for conformance with the County Noise Ordinance, Stormwater Ordinance, and outdoor lighting regulations and found to comply. Conditions have been incorporated to ensure ongoing compliance with these regulations. The parcel currently does not have any open Code Compliance cases, and there are no outstanding abatement costs. Therefore, the project is in compliance with this finding.
iii. The proposed Project, if located between the sea and the first public road paralleling the sea, conforms to the public access and public recreation policies of the Coastal Act.

The Project does not impact the ability of residents and visitors to use and enjoy areas within the coastal zone for access and recreational activities, such as hiking, bicycling, and picnicking. The Project will be located at the end of a cul-de-sac on a previously subdivided lot and does not propose to place a gate, guardhouse or other feature that would limit existing public access points, the Project does not propose to change existing public access ways, no trail easements will be blocked or impacted by the proposed development, and the Project does not impact the publicly accessible vantage points and regional trail network and points of interest contained in figure 6 and 7 of the County LCP. Based on this, the Project is in conformance with this finding.

iv. The proposed development is in conformance with plans, policies, and requirements of the certified Local Coastal Program Land Use Plan and complies with regulations of the Certified Implementation Program. Specific findings shall be made with respect to the following:

a) The proposed development protects vegetation, natural habitats, and natural resources consistent with the LUP.

This Project will be located on a previously subdivided property. This subdivision (Map 14151) granted a biological open space easement, steep slope open space easement, and fire clearing easement on this lot. The Project has been designed to not conflict with these easements and to avoid the biological open space easement and steep slope easement, in conformance with the LUP. The Project also avoids the areas identified as Environmentally Sensitive Habitat Area (ESHA). The Project preserves the privately owned open space easement located on the parcel in conformance with Policy 2.4 and 2.6 of the LCP Land Use Plan. Therefore, the Project complies with this finding.

b) The design, location, size, and operating characteristics of the proposed development is consistent with any applicable design plans and/or area plans incorporated into the LUP.

The Project proposes a single-family residence and accessory structures. It is located within Coastal Zone Subarea "P" of the LCP, which designates the family residential use as a Principal Permitted Use. The Project complies with the development criteria contained within this subarea, including the B building type, E height designator, and G setback designator of this subarea. The project lighting has been reviewed and found in compliance with the outdoor lighting regulations with the zoning ordinance. The Project has been designed to avoid ESHA's and wetlands. In addition, the Project proposes one story structures and incorporates
landscaping that complies with the requirements of the scenic area regulations. The Project also avoids the steep slope open space easement located on the parcel and the Project has been reviewed by the Rancho Santa Fe Fire Protection District and access requirements and required fuel modification zones have been incorporated into the project design. Based on this, the Project complies with this finding.

c) The proposed development maintains public access to and along the coast as set forth in the LUP.

As mentioned above, the Project does not impact the ability of residents and visitors to use and enjoy areas within the coastal zone for access and recreational activities, such as hiking, bicycling, and picnicking. The Project will be located at the end of a cul-de-sac on a previously subdivided lot and does not propose to place a gate, guardhouse or other feature that would limit existing public access points, the Project does not propose to change existing public access ways, no trail easements will be blocked or impacted by the proposed development, and the Project does not impact the publicly accessible vantage points and regional trail network and points of interest contained in figure 6 and 7 of the County LCP. Based on this, the Project is in conformance with this finding.

d) The proposed development is consistent with the LUP goal of protecting existing visitor-serving uses and providing visitor-serving needs as appropriate.

This Project does not remove any land zoned for visitor-serving uses. The Project is located within subarea P of the LCP, which is zoned RS. The RS zone does not allow visitor-serving uses and allows the family residential use type as a principle permitted use. Since the Project does not remove any existing visitor-serving uses and is not located on a commercially zoned property, the Project is consistent with policy 7.38 of the LUP, which states that projects should "maintain and protect land planned and zoned for office-professional, and general commercial, land uses along Via de la Valle. These commercial zoning districts provide business that serve both visitors and local residents with a diverse selection of goods and services." Since the Project is not located within a commercially zoned property and does not remove any visitor serving uses, the Project is also consistent with policy 7.39, which states "encourage visitor serving retail uses in the commercial zones. Existing visitor serving uses shall be protected and new visitors serving facilities are encouraged." Based on this, the Project is consistent with this finding.

e) The proposed development is consistent with the LUP goal of encouraging coastal dependent and related uses as appropriate.

The project site is zoned RS. As explained in Table 9-1 of the LCP, "The RS Use Regulations are intended to create and enhance areas where family residential uses are the principal and dominant use and where certain civic uses are conditionally permitted when they serve the needs of residents. Typically, these
Use Regulations would be applied to rural, suburban, and urban areas where adequate levels of public service are available and where there is a desire to create residential neighborhoods and to maintain such neighborhoods once developed. The intent of the RS Use Regulation in the Coastal Zone is to create a traditional single-family residential area." The Project proposes a single family dwelling with associated residential uses that is consistent in size and scale to the surrounding developed lots. Therefore, the Project is consistent with this finding.

f) The proposed development protects and where feasible enhances coastal resources.

This Project is located on lot one of Subdivision Map 14151. This subdivision granted a biological open space easement, steep slope open space easement, and fire clearing easement on this lot, which created the buildable area on the portion of the lot closest to El Camino Real. The Project has been designed to not conflict with these easements and to avoid the biological open space easement and steep slope easement, in conformance with the LUP. The Project also avoids the areas identified as Environmentally Sensitive Habitat Areas (ESHA) within the LCP.

The Project is also consistent with the scenic regulations of the LCP. The Project proposes one-story structures located on the lower area of the lot that is consistent with the development on the surrounding lots and is shielded by existing mature landscaping. As designed, the proposed landscaping will not obstruct views, and the landscaping and architectural style of the Project has been designed to screen undesirable views of the parking areas and mechanical equipment. Finally, a stormwater management plan has been submitted and accepted for the Project. The stormwater document incorporates BMPs to ensure the Project conforms to stormwater quality management plan (SWQMP) requirements for development projects per Sections 67.809 and 67.811 of the County of San Diego Watershed Protection Ordinance (WPO). As designed, the Project protects the onsite coastal resources, including steep slopes, scenic areas, and ESHAs and is therefore in conformance with this finding.

Section 9400.e.ix. Findings

a. Standards and Criteria. That the proposed development meets the intent, and specific standards and criteria prescribed in the LCP.

As the discussed above, the Project meets the intent and specific standards and criteria prescribed in the LCP. The Project has been reviewed and found to confirm with the findings required for a CAP by Section 9400.c and e of the LCP. The Project proposes a single-family residence and accessory structures. It is located within Coastal Zone Subarea "P" of the LCP, which designates the family residential use as a Principal Permitted Use. The Project complies with the
development criteria contained within this subarea, including the B building type, E height designator, and G setback designator of this subarea. The project lighting has been reviewed and found in compliance with the outdoor lighting regulations with the zoning ordinance. The Project has been designed to avoid ESHA's and wetlands. In addition, the Project proposes one story structures and incorporates landscaping that complies with the requirements of the scenic area regulations. The Project also avoids the steep slope open space easement located on the parcel and the Project has been reviewed by the Rancho Santa Fe Fire Protection District and access requirements and required fuel modification zones have been incorporated into the project design. Based on this, the Project complies with this finding.

b. General Plan. That the proposed development is compatible with the San Diego County General Plan; and

The proposed development is compatible with the San Diego County General Plan because the proposed single-family dwelling unit, accessory dwelling unit, and accessory structures are designed with appropriate landscaping, parking, and a color palette that compliments the surroundings, as required for projects subject to the San Dieguito Design Guidelines. The San Dieguito Community Planning Group recommended approval of the Project on March 10, 2022, with a vote of 9-yes, 0-no, and 0-abstain.

The project site is subject to the Semi-Rural Residential (SR-2) Land Use Designation and Semi-Rural Regional Category of the General Plan. The Project is consistent with this land use designation and regional category because it proposes a single-family residence on an existing legal lot. In addition, the Project is consistent with goal LU-6.5 (sustainable Stormwater Management) because a stormwater management plan has been prepared and accepted for the Project, the Project minimizes the use of impervious surfaces, and is in conformance with the County Watershed Protection Ordinance. The Project is also consistent with Policy LU-6.9 (Development Conformance with Topography) because the Project avoids the steep slopes on the property, and the proposed grading is minimal with 590 cubic yards of excavation, 690 cubic yards of fill, and 100 cubic yards on import. Also, the Project is consistent with policy LU-10.2 (Development-Environmental Resource Relationship) because the Project avoids impacts on the steep slope and biological open space easements located on the site. Therefore, the Project is consistent with this required finding.

c. Waiver of Standards or Criteria. That any applicable standards or criteria waived by the Director pursuant to subsection 9400.g.v.c, have been or will be fulfilled by the condition or conditions of a CAP or Variance, consistent with Variance Procedures in the County Zoning Ordinance. Waiver of standards or criteria shall not be approved for development in or adjacent to ESHA, in or adjacent to a
riparian area, or in or adjacent to a wetland. The waiver of standards or criteria shall not be inconsistent with the provisions of the certified County land use plan.

No Standards or criteria have been waived.

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

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

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

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 plan(s), specific permit conditions and approved building plans associated with this permit. No loudspeakers, sound amplification systems, and project related noise sources shall produce noise levels in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.
**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. 10096 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 on file for the project, 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 the property owner keep additional and updated information onsite concerning stormwater runoff. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

**GRADING PERMIT REQUIRED:** A grading permit is required prior to commencement of grading when quantities exceed 200 cubic yards of excavation or eight feet (8’) of cut/fill per criteria of Section 87.202 (a) of the County Code.

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

**NOTICE:** The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of issuance of the Final Notice of Decision.

### EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS

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<th>Planning &amp; Development Services (PDS)</th>
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<td>Project Planning Division</td>
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<td>Group Program Manager</td>
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<td>Parks Planner</td>
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### Department of General Service (DGS)

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**APPEAL PROCEDURE:** Within ten calendar days after the date of this Decision of the Director, the decision may be appealed to the Planning Commission in accordance with [Section 7166 of the County Zoning Ordinance](#). An appeal shall be filed with the Secretary of the Planning Commission within TEN CALENDAR DAYS of the date of this notice AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT’S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. Filing of an appeal will stay the decision of the Director until a hearing on your application is held and action is taken by the Planning Commission. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of approval of this Decision.

**PLANNING & DEVELOPMENT SERVICES**

**DAHVIA LYNCH, DIRECTOR**

**BY:**

Dahvia Lynch, Director  
Planning & Development Services

**email cc:**  
Angelica Truong, PDS, Planning Manager  
Souphalak Sakdarak, PDS, Project Manager  
Chris Larsen, Project Contact, clarsen@CaliforniaWestCommunities.com  
California Coastal Commission  
San Dieguito Community Planning Group
Attachment C
Environmental Documentation
Attachment C
Environmental Findings

1. Find that the Mitigated Negative Declaration on file with Planning & Development Services as Environmental Review Number Log 98-8-10 was adopted in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Zoning Administrator and Director has reviewed and considered the information contained therein and the Addendum thereto dated July 12, 2022 on file with PDS as Environmental Review Number ER-21-08-009 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 adopted Mitigated Negative Declaration dated August 19, 1999, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the Mitigated Negative Declaration was adopted as explained in the Environmental Review Update Checklist dated July 12, 2022.

2. Find that the proposed project is consistent with the Resource Protection Ordinance (County Code, section 86.601 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.).
July 12, 2022

Environmental Review Update Checklist Form
For projects with Previously Approved Environmental Documents
FOR PURPOSES OF CONSIDERATION OF
Via Monte Residence Site Plan (STP) and Coastal Administrative Permit (CAP)
PDS2021-STP-21-026; PDS2021-ER-21-08-009

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

1. Background on the previously adopted ND:

   An ND for the Horseman’s Valley South project, TM 5128RPL2, P98-005, Log 98-8-10 dated August 19, 1999 was adopted by the Planning and Environmental Review Board on September 2, 1999. The adopted ND found the project would not have any potentially significant effects. The adopted ND is included in the staff report and on file under Log No. 98-8-10.

2. Lead agency name and address:
   County of San Diego
   Planning & Development Services
   5510 Overland Avenue, Suite 110
   San Diego, CA 92123

   a. Contact Souphalak Sakdarak, Project Manager
   b. Phone number: (619) 793-9256
   c. E-mail: Souphalak.Sakdarak@sdcounty.ca.gov

3. Project applicant’s name and address:
4. Summary of the activities authorized by present permit/entitlement application(s):
The applicant requests an STP and CAP to allow the construction of a single-family dwelling unit and accessory structures. The Project consists of a new 4,854 square foot single-family residence with an attached 750 square foot accessory dwelling unit, attached garage, pool, landscaping, and other accessory structures on an existing undeveloped 2.55-acre parcel. The project site is at 16073 Via Monte in the San Dieguito Community Planning area, within unincorporated San Diego County. The site is subject to the General Plan Regional Category Semi-Rural, Land Use Designation Semi-Rural Residential (SR-2). The site is zoned Single Family Residential (RS) and contains the Coastal Resource Protection Area (R) and Scenic Area (S) special area designator. The Project would be served by sewer and imported water from the Olivenhain Water District.

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

YES  NO
6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

- **NONE**

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<td>Mandatory Findings of Significance</td>
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ETERMINATION:

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 an 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  Date

Souphalak Sakdarak
Planner
Printed Name  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; in non-urbanized areas, substantially degrade existing visual character or quality of the site and its surroundings; if project is in urbanized area, conflict with applicable zoning or other regulations governing scenic quality; and/or create a new source of light or glare which would adversely affect day or nighttime views in the area?

YES ☐ NO ☑

The original ND indicated that the project site is not in the vicinity of a Scenic Highway. The project site is not visible from any scenic vistas that are listed in the Local Coastal Program. In addition, the proposed Single family dwelling unit, accessory dwelling unit and accessory structures are designed to comply with the San Dieguito Community design guidelines and the Zoning Ordinance.

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; conflict with zoning for or cause rezoning 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)); result in the loss or conversion of forest land; and/or involve other changes which could result in the conversion of Farmland to a non-agricultural use or conversion of forest land to a non-forest use?

YES ☐ NO ☑

The original ND for the project site indicated that the site is not in a prime agricultural soil, as identified on the soils map for the Conservation Element of the San Diego County General Plan. The proposed project site does not support any agricultural resources or operations, nor have any agricultural resources or operations been identified in the immediate vicinity.

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: conflict with or obstruct 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; and/or creation of objectionable odors affecting a substantial number of people?

YES ☑ NO ☐

The original ND for the project site indicated that there were no significant source of either stationary or indirect air pollutants has been identified for the original project. The primary source of air pollutants would be generated from the vehicle trips associated with the proposed project. According to the Bay Area Air Quality Management District, California Environmental Quality Act (CEQA) Guidelines for Assessing the Air Quality Impacts of Projects and Plans, projects that generate less than 2,000 ADTs are below the threshold of significance for reactive organic gases (ROG). Therefore, the vehicle trip emissions associated with the proposed project are not expected to significantly contribute to an existing or projected air quality violation. No other potential sources of air pollutants have been identified from the project. Additionally, the project was not expected to emit any toxic air contaminant or particulate matter based on project description and information submitted. The proposed project consists of a single-family dwelling unit, accessory dwelling unit, and accessory structure, which would generate less than 110 ADT, therefore, would not result in a more significant impact than what was previously evaluated.

**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: substantial adverse effect on any 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; substantial adverse effects on any sensitive natural community (including riparian habitat); 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; conflict with any local policies or ordinances protecting biological resources; 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?

YES ☐ NO ☑

The original ND for the original project consists of mitigation measures incorporated for the project include the dedication of on-site biological open space easements prior to issuance of improvement or grading plans or prior to the recordation of the Parcel Map, whichever comes first. The proposed open space easements were for the protection of approximately 3.5 acres (86.5 percent) of Southern maritime chaparral, and 0.85 acre (100 percent) of Diegan coastal sage scrub. Approximately 0.55 acre of Southern maritime chaparral, which also included less than 10 percent of the population of Nuttall's scrub oak, was found to be impacted as a result of required fire clearing activities. In addition, the project included an open space easement to
protect steep slope lands and a fire clearing easement to protect the biological resources on-site. Due to the incorporation of these mitigation measures, the potential impacts were reduced to a level of less than significant. The proposed project is designed to also include the open space signs to protect the sensitive species and resources previously identified in the ND. No new impacts were found during the review of the Site Plan for the proposed single family dwelling unit, accessory dwelling unit, and accessory structures.

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 resource as defined in State CEQA Guidelines Section 15064.5; causing a change in the significance of an archaeological resource as defined in State CEQA Guidelines Section 15064.5; and/or disturbing any human remains, including those interred outside of formal cemeteries?

YES ☑ NO ☐

Based on the original ND, majority of the site has been disturbed by prior residential, equestrian and agricultural uses. The project will not impact significant prehistoric and historic sites since the majority of the project site has been by prior uses. The remainder of the site, which supports steep slope lands and biological resources, will be placed into open space easements. In addition, the property has been surveyed by a County of San Diego staff archaeologist for the Site Plan review, and it has been determined that the property does not contain any archaeological/historical sites. As such, the project complies with the RPO and no new impacts were identified.

VI. ENERGY -- 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 regarding energy including: resulting in a potentially significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation; and/or conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

YES ☐ NO ☑

The proposed project is a single-family dwelling unit, accessory dwelling unit, and accessory structure. The proposed project is designed to comply with all codes and regulations.

VII. 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, strong seismic ground shaking, seismic-related ground failure, including liquefaction, 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; 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; and/or destroy a paleontological resources or site or unique geologic feature?

YES  NO

The project is not located in a hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1994, Fault-Rupture Hazards Zones in California.

VIII. 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 associated with greenhouse gas emissions including: generation of greenhouse gas emissions that may have a significant impact on the environment; and/or conflict with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions?

YES  NO

The County’s Air Quality and Greenhouse Gas Specialist reviewed the Site Plan and found that there are no impact for AQ and GHG for this proposed project. The project proposes a single-family dwelling unit, accessory dwelling unit, and accessory structure. The project is designed to comply with all codes and regulations.

IX. 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; emit hazardous emissions or handle 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 result in a safety hazard or excessive noise 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?

YES  NO

The proposed project will not contain, handle, or store any potential sources of chemicals or compounds that would present a significant risk of accidental explosion or release of hazardous substances. The proposed project is a single-family dwelling unit, accessory dwelling unit, and accessory structure.
X. 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 water quality or waste discharge requirements or otherwise substantially degrade surface or groundwater quality; substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; 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; impede or redirect flood flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; and/or conflict with or obstruct implementation of a water quality plan or sustainable groundwater management plan?

YES ☐ NO ☒

The original ND identified that there were no conflicts with environmental plans or policies adopted by other agencies have been identified. These agencies include but are not limited to: the California Regional Water Quality Control Board, the San Diego Air Pollution Control District, California Department of Fish and Game, the Federal Department of Fish and Wildlife Service, the State Department of Health Services, and the County Department of Environmental Health. As part of the Site Plan review, the project was also required for compliance with the County Watershed Protection Ordinance and a stormwater management plans was prepared and accepted for this project. No new impacts were identified.

XI. 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 associated with land use and planning including: physically dividing an established community; and/or conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

YES ☐ NO ☒

The project still proposes a residential use on this lot, as was anticipated under the original environmental document. The zoning and general plan designation still allows for this residential use, and the project is still subject to the “S” and “R” special area designators. As part of the STP and CAP review, the project was reviewed by the San Dieguito Community Planning Group. The project was found to be designed to incorporate the San Dieguito’s design guidelines and to comply with the Local Coastal Program, General Plan, and Zoning Ordinance.

XII. 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 availability of a locally-important
mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES ☐ NO ☒

The project will not result in a loss of availability of a known significant mineral resource that would be of value to the region. The project is not located in a significant mineral resource area, as identified on maps -- prepared by the Department of Conservation, Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1996). Also, a site visit conducted by Rosalind Smith on December 2, 1998 for the original ND, did not identify any past or present mining activities on the project.

XIII. 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: generation of a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; generation of excessive groundborne vibration or groundborne noise levels; and/or for a project within the vicinity of a private airstrip or airport land use plan or within two miles of a public airport or public use airport, expose people residing or working in the area to excessive noise levels?

YES ☐ NO ☒

Analysis of the project's maps, field observation, and traffic noise prediction estimates by Dr. Alexander Segal for the previous project (3300-98-005), Department of Planning and Land Use Acoustical Engineer, indicates that while parts of the project site would be impacted by traffic noise levels exceeding Community Noise Equivalent Level (CNEL)=60 decibels (dB), most of the impacted area will be located within the open space easements proposed along El Camino Real and Highland Drive. The large size of the proposed lots provides sufficient space for placing "noise sensitive areas" outside the CNEL=60 dB traffic noise contour. Based on the above, it is considered that traffic noise impacts to the proposed project would be insignificant. Therefore, the proposal would not expose people to potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations. Transportation (traffic, railroad, aircraft) noise levels at the project site are not expected to exceed CNEL=60 dB limit. Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance. The proposed Site Plan would not result in additional noise impacts there were not previously reviewed. Based on staff review of the GIS and plan, it demonstrates that the project site is not within the noise contour. In addition, the proposed project is anticipated to generate less than 110 ADT, therefore, would not expose existing or future noise sensitive receptors to areas that exceed the County’s noise standards.

XIV. 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 associated with population and housing including: induce substantial unplanned population growth either directly or indirectly; and/or displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

☑️ YES  ❌ NO

This original project (330-0-98-005) proposed to add nine houses to an existing parcel that already contained one house. The proposed project is on one of the lots created by this project and the project is consistent with the allowable density that was evaluated in the previous project. The Site Plan is consistent with the density allowed by the General Plan and Zoning Ordinance.

XV. 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 effects associated substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or 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, and/or other public facilities?

☑️ YES  ❌ NO

The applicant has submitted Service Availability Letters from all the required districts. The project site has connections to all required services. No new information or impacts is identified.

XVI. 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 cause effects to recreation including: 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; and/or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

☑️ YES  ❌ NO

As part of the Site Plan review, the project was sent to the Department of Parks and Recreation for review. The proposed project would not result in accelerated deterioration of the regional or neighborhood park or require expansion of the recreational facilities. The proposed project would be subject to Park fees at building permit issuance.

XVII. TRANSPORTATION -- 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 including: conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; conflict with or be inconsistent with CEQA Guidelines
section 15064.3, subdivision (b); substantially increase in hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and/or result in inadequate emergency access?

YES  NO

The original ND identified that the Level of Service (LOS) is "C" on El Camino Real (SC 1522), which is classified as a Light Collector, and the increased traffic generated by the ten lots was less than two percent, which was considered insignificant. The ND also determined that the project would not result in an increase in hazard, nor create barriers for pedestrians or bicyclists. The proposed project was reviewed for traffic compliance, and it was determined that no new impacts would occur from the project.

XVIII. TRIBAL CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to tribal cultural resources including: causing a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resource Code §21074 and that is listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources or a resource determined by the lead agency to be significant pursuant to criteria set forth is subdivision (c) of Public Resources Code 5024.1?

YES  NO

A field survey was conducted on the portion of the parcel that is proposed for development. Survey conditions in the areas were good to excellent with some areas partially obscured by ground cover in the form of grasses. No artifacts or features were identified during the survey. Prior Research: Staff conducted a records search of the surrounding area using the California Historic Resources Inventory System (CHRIS). One hundred thirty-nine (139) studies have been conducted within a one-mile radius. In addition, 22 sites and two historic addresses were identified. A portion of one site was identified (P-37-035277) on site. P-37-035277 is the Rancho Santa Fe Cultural Landscape and it covers the area of the original project site that was proposed for development. Historic aerial photographs from 1947 through 2018 were reviewed, and no structures were present onsite. The surrounding area remained undeveloped until 1978 when residential development west of the project site within the City of Solana Beach was constructed. The project site was in agriculture beginning in 1982 and concluding in 2000 when it appears that the agricultural activities were abandoned. Since 2000, no activities or development have occurred onsite.

Native American Consultation: A Sacred Lands File (SLF) check request was submitted to the Native American Heritage Commission (NAHC) on February 7, 2022. Follow up requests were made on March 8, 2022, and April 19, 2022. A response was not received from the NAHC.

XIX. 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: require or result in the relocation or construction of new or expanded water, wastewater treatment for storm water drainage, electrical power, natural gas or telecommunication facilities; have sufficient water supplies available to serve the project and
reasonably foreseeable future development during normal, dry, and multiple dry years; 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; generate solid waste in excess if State or local standards, in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals; and/or comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

YES ☐ NO ☒

The proposed project would not result in expansion or construction of new services. The project site has access to the water, sewer, fire services.

XX. WILDFIRE -- 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 associated with wildfire including: substantially impair an adopted emergency response or emergency evacuation plan; due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; and/or expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire instability or drainage changes?

YES ☐ NO ☒

The original ND indicated that original project would not significantly increase the fire hazard because it would comply with the regulations relating to emergency access, water supply, and defensible space specified in the Uniform Fire Code, Article 9 and Appendix II-A, Section 16, as adopted and amended by the local fire protection district. Implementation of these fire safety standards occurred during the Final Map and building permit process. A Fire Service Availability Letter, dated March 5, 1998, was received from the Rancho Santa Fe Fire Protection District. The Rancho Santa Fe Fire District reviewed the project and did not identify new significant impacts from the proposed project. The proposed project incorporates of Fire Districts requirements and the project was reviewed for compliance with all the Fire codes.

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

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

YES ☐ NO ☑

The original ND indicated that the original project (3300-98-005) would not degrade the quality of the environment and would not substantially reduce the habitat of fish or wildlife species. The project will not cause a fish or wildlife population to drop below self-sustaining levels and would not threaten to eliminate a plant or animal community. Also, the project would not reduce the number or restrict the range of a rare or endangered plant or animal and would not eliminate important examples of the major periods of California history or prehistory. As part of the Site Plan review, the Biological and Cultural impacts were reviewed and found that no new impacts would occur from this proposed project. The proposed project is to construct a single-family dwelling unit, accessory dwelling unit, and accessory structures which was contemplated by the original environmental document. The proposed project has incorporated all the previous mitigation measures and no new mitigation measures were required for the Site Plan.

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

California Environmental Quality Act, CEQA Guidelines

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


San Diego County Light Pollution Code (San Diego County Code Section 59.101)
REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
Via Monte Residence CAP and STP; PDS2021-STP-21-026; PDS2021-ER-21-026

August 9, 2022

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

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>NOT APPLICABLE/EXEMPT</th>
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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?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>NOT APPLICABLE/EXEMPT</th>
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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?

<table>
<thead>
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<th>YES</th>
<th>NO</th>
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Discussion:
The project will obtain its water supply from the Olivenhain Municipal Water District which obtains water from imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

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

<table>
<thead>
<tr>
<th>Section Description</th>
<th>Yes</th>
<th>No</th>
<th>Not Applicable/Exempt</th>
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<tbody>
<tr>
<td>The wetland and wetland buffer regulations (Sections 86.604(a) and (b))</td>
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<td>of the Resource Protection Ordinance?</td>
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<tr>
<td>The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d))</td>
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<td>of the Resource Protection Ordinance?</td>
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<td>The Steep Slope section (Section 86.604(e))?</td>
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<td>The Sensitive Habitat Lands section (Section 86.604(f))</td>
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<td>of the Resource Protection Ordinance?</td>
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<tr>
<td>The Significant Prehistoric and Historic Sites section (Section 86.604(g))</td>
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<td>of the Resource Protection Ordinance?</td>
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**Discussion:**

**Wetland and Wetland Buffers:**
Yes – Wetland and Wetland Buffers were analyzed under the original MUP and TM. This project complies with the building envelope and avoids open space easements that were granted as part of the MUP and TM.

**Floodways and Floodplain Fringe:**
Yes: --- The project complies. The project contains 100-year lines of inundation for a blue line stream, but the developer has demonstrated the project will not have an impact on the blueline watercourse.

The lines of inundation shown in the project plot plan are subject to regulation by State and/or federal agencies, including, but not limited to, the Regional Water Quality Control Board, U.S. Army Corps of Engineers and the California Department of Fish and Wildlife. It is the applicant/permittee’s responsibility to consult with each agency to determine if a permit, agreement or other approval is required and to obtain all necessary permits, agreements or approvals before commencing any activity which could impact the wetlands, lake, stream, and/or waters of the U.S. on the subject property.

The project team conducted a joint meeting with the agencies on March 9, 2021, where the agencies agreed that if the project components and mechanized disturbances were kept outside of the watercourse then permitting with the agencies would not be required.
The project shall comply with the requirements set forth in the County of San Diego Flood Damage Prevention Ordinance No. 10091, adopted December 8, 2010.

Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

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

**Sensitive Habitats:**
The Resource Protection Ordinance is not applicable to this project.

**Significant Prehistoric and Historic Sites:**
The property has been surveyed by a County of San Diego certified archaeologist/historian and it has been determined that the property does not contain any archaeological/historical sites. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

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

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<th>YES</th>
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Discussion:

The project Storm Water Management Plan has been reviewed and is found to be complete and in compliance with the WPO. The project has been found to be exempt from Hydromodification requirements for the following reasons: the project does not meet the criteria of a Priority Development Project.

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?

<table>
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<tr>
<th>YES</th>
<th>NO</th>
<th>NOT APPLICABLE</th>
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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.
TO: Recorder/County Clerk
Attn: James Scott
1600 Pacific Highway, M.S. A33
San Diego, CA 92101
FROM: County of San Diego
Planning & Development Services, M.S. O650
Attn: Project Planning Section Secretary
5510 Overland Avenue, Suite 110
San Diego, CA 92123

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name and Number(s): Via Monte Residence PDS2021-STP-21-026; PDS2021-ER-21-08-009
State Clearinghouse No.: 
Project Location: 16073 VIA MONTE, RANCHO SANTA FE, CA 92067
Project Applicant: Chris Larsen Address: 5927 Priestly Drive, Suite 110, Carlsbad
Telephone Number: (760) 918-6768

Project Description: This permit authorizes construction of a new 4,854 square foot single family residence with an attached 750 square foot accessory dwelling unit, garage, and other accessory structures on an existing legal lot.

Agency Approving Project: County of San Diego Planning & Development Services
County Contact Person: Souphalak Sakdarak
Date Form Completed: August 9, 2022

This is to advise that the County of San Diego Director of Planning & Development Services has approved the above described project on August 9, 2022 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.
   - A Negative Declaration or Mitigated Negative Declaration was adopted for this project pursuant to the provisions of the CEQA.
   - An Addendum to a previously certified Environmental Impact Report, or to a previously adopted Negative Declaration or Mitigated Negative Declaration, was prepared and considered for this project pursuant to the provisions of CEQA.
3. Mitigation measures were not made a condition of the approval of the project.
4. A Mitigation reporting or monitoring plan was not adopted for this project.

The following determinations are only required for projects with Environmental Impact Reports:
5. A Statement of Overriding Considerations was not adopted for this project.
6. Findings were not made pursuant to the provisions of State CEQA Guidelines Section 15091.

Project status under Fish and Wildlife Code Section 711.4 (Department of Fish and Wildlife Fees):
- Certificate of Fee Exemption (attached)
- Proof of Payment of Fees (attached)

The Environmental Impact Report or Negative Declaration with any comments and responses and record of project approval may be examined at the County of San Diego, Planning & Development Services, Project Processing Counter, 5510 Overland Avenue, Suite 110, San Diego, California.

Date received for filing and posting at OPR: 

Signature: Michael Johnson Telephone: (619) 323-4869
Name (Print): Michael Johnson Title: Planning Manager

This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15075 or 15094.
NEGATIVE DECLARATION

April 1, 1999
Revised August 19, 1999

Project Name: HORSEMAN’S VALLEY SOUTH

Project Number(s): TM 5128RPL², P98-005, Log No. 98-8-10

The Negative Declaration for this project is comprised of this form along with the Environmental Initial Study which includes the following forms (attached):

a. Initial Study Form
b. Environmental Analysis Form and attached extended studies for Biological Resources

1. California Environmental Quality Act Negative Declaration Findings:

Changes in the project plans or mitigation measures agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur and there is no substantial evidence before the decision-making authority that the project as revised may have a significant effect on the environment.

This Negative Declaration reflects the independent judgment of the decision-making authority.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:
Prior to approval of improvement plans, prior to recordation of the Final Map, or on the Final Map, whichever comes first, the applicant shall:

A. Grant to the County of San Diego a biological open space easement over portions of Lots 1, 2, 3, 7, 9 and 10 as shown as Open Space Easement "A" on Tentative Map 5128RPL² dated August 19, 1999. This easement is for the protection of approximately 3.5 acres of Southern maritime chaparral and Nuttall's scrub oak, and 0.85 acres of Diegan coastal sage scrub, and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space.

B. Grant to the County of San Diego a fire clearing easement over portions of Lots 1, 2, 3, 7, 8, 9, and 10 as shown as Open Space Easement "B" on Tentative Map 5128RPL² dated August 19, 1999. This easement is intended to provide a buffer to prevent fire clearing impacts in the biological open space easements. The fire clearing easement will provide a 100-foot fuel modified zone, of which the 50 feet adjacent to the building envelopes shall be allowed to be cleared and replanted to fire resistive vegetation. The second 50 feet shall be selectively thinned and replanted with fire resistive vegetation pursuant to the San Diego County Fire Chief Association Wildland/Urban Interface Standards. This easement prohibits construction, erection or placement of any building or structure that requires fire clearing. Grading, landscaping utilizing fire resistive vegetation, and uses that will not require fire clearing as determined by the applicable fire protection district are allowed within the first 50 feet of the fire clearing easement adjacent to the building envelopes.

C. Grant to the County of San Diego an open space easement over portions of Lots 1, 2, 3, 7, and 10 as shown as Open Space Easement "C" on Tentative Map 5128RPL² dated August 19, 1999. This easement is for the protection of steep slope lands and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space.

D. Install boundary markers (weather-resistant 4 feet in height) every 50 feet along the boundaries of the dedicated biological open space easement.
labeled as Easement "A", (located adjacent to development areas and adjacent to the Fire Buffer Easement labeled as "B"), to ensure future owners will respect preservation of the Southern maritime chaparral, Coastal sage scrub and sensitive species associated with these habitats. The boundary markers shall include open space easement signage that prohibits the removal of the boundary markers.

The undersigned, as the individual(s) with legal authority to fully represent the above-referenced project, concur with the inclusion of the above-listed amendments as conditions of approval of the referenced project.

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

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

None.

This Negative Declaration was adopted and above California Environmental Quality Act findings made by the __________________________ on __________________________

(Decision-Making Authority) (Date/Item #)

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

GLP:RS:adw

ND0499\98810-ND;jcr
ENVIRONMENTAL ANALYSIS FORM

DATE: April 1, 1999
Revised August 19, 1999

PROJECT NAME: HORSEMAN'S VALLEY SOUTH

PROJECT NUMBER(S): TM 5128RPL², P98-005, Log No. 98-8-10

EXPLANATION OF ANSWERS:

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

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

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

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

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

I. LAND USE AND PLANNING

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

Less Than Significant Impact.
The San Diego County General Plan indicates that the project is located within the Current Urban Development Area Regional Category (CUDA). The San Dieguito Community Plan indicates that the project is subject to the (2) Residential Land Use Designation, which allows a density of one dwelling unit per acre. The project is also subject to the Local Coastal Program. The provisions of the Local Coastal Program are implemented through the zoning which includes the "R" Designator indicating that it is subject to the Coastal Resource Protection Special Area Regulations.

The Coastal Resource Protection Special Area Regulations are intended to protect and preserve sensitive resources within the California Coastal Zone. In order to facilitate the preservation of sensitive resources, the development of property that is ten acres or greater is subject to the approval of a Major Use Permit for a Planned Development. In addition to the applicable development standards and criteria required to approve a Major Use Permit for Planned Development, the project must be found to be consistent with the criteria set forth in Section 5957 of The Zoning Ordinance. At first, the project did not conform to these criteria, however, after two replacement maps and additional information in the form of a Land Use Community Character Study, staff has been able to find the project to be consistent with these criteria.

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

Less Than Significant Impact.

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

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

Less Than Significant Impact.

The area to the west is within the City of Solana Beach and is currently developed with single-family detached residences at a density of about
seven dwelling units per acre. The area to the north is comprised of estate residences with minimum lot sizes of about two acres. The area to the north is subject to the same plan and zone as the project site. The area to the east is estate residential development with minimum lot sizes of three acres. The acre to the east is within the Estate Development Area Regional Category and is subject to the (17) Estate Residential Land Use Designation. The zoning allows minimum lot sizes of 2.86 acres. The area to the south is the San Dieguito Regional Park.

The project proposes 10 residential lots over 17.93 acres. The plan allows 1 dwelling unit per acre and the actual density of the project is .55 dwelling unit per acre. The lot sizes for the project range from 1.08 acres to 3.70 gross acres. The proposed subdivision would provide a good transition between the Estate Development Area to the east and the high density residential development to the west within the city of Solana Beach.

4. Would the proposal have a potentially significant adverse effect on agricultural resources or operation?

**Less Than Significant Impact.**

The proposed project is not in prime agricultural soils, as identified on the soils map for the Conservation Element of the San Diego County General Plan. The proposed project site does not support any agricultural resources or operations nor have any agricultural resources or operations been identified in the immediate vicinity.

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

**Less Than Significant Impact.**

The project is located on the fringe of Rancho Santa Fe and Solana Beach and the proposed project would provide a good transition between the estate development within Rancho Santa Fe and the higher density development within the City of Solana Beach to the west.
II. POPULATION AND HOUSING

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

**Less Than Significant Impact.**

The proposed project involves the extension of sewer line to the project site a distance of about 2,850 feet from the current terminus. However, the project is not growth-inducing because it would allow growth that was anticipated when the community or subregional plan was adopted.

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

**Less Than Significant Impact.**

This project proposes to add nine houses to land that currently has one house.

III. GEOLOGIC ISSUES

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

**Less Than Significant Impact.**

The project is not located in a hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1994, Fault-Rupture Hazards Zones in California.

2. Would the proposal result in potentially significant increased erosion?

**Less Than Significant Impact.**

According to the Soil Survey of San Diego County, the soils on-site are identified as: Altamont clay, 15 to 30 percent slopes (AtE); Corralitos loamy sand, 5 to 9 percent slopes (CsC); Coralitos loamy sand, 9 to 15 percent slopes, (CsD); Loamy alluvial land-Huerhuero complex, 9 to 50 percent slopes (LvF3). The following soils are identified as having severe erodibility, CsC, CsD, LvF3, however, the project will not result in
unprotected erodible soils; will not alter existing drainage patterns; is not located in a floodplain, wetland, or significant drainage feature; and will not develop steep slopes. The project is required to comply with the Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING) of Division 7, EXCAVATION AND GRADING, of the San Diego County Zoning and Land Use Regulations. Due to these factors, it has been found that the project will not result in significantly increased erosion potential.

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

Less Than Significant Impact.

A review of the Soil Survey, San Diego Area CA by the U.S. Department of Agriculture has identified the following on-site soils having a HIGH shrink-swell behavior: Altamont clay (AtE), Loamy alluvial land-Huerhuero complex, (LvF3). All other mapped soils on the site have a low to moderate shrink-swell behavior and are not identified as having adverse potential for development activity. However, the Department of Public Works requires a soils engineer to be present during the grading activities to monitor the soil quality and to ensure the soil has 90 percent compaction as required by the San Diego County Grading Ordinance. Thus, potential impacts to the project from unstable soils are considered to be less than significant.

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

Less Than Significant Impact.

A site visit completed by Rosalind Smith on December 2, 1998 did not identify any significant geological features on-site. No known unique geologic features were identified on the property or in the immediate vicinity on the Natural Resources Inventory of San Diego County listed in the Conservation Element of the San Diego County General Plan. Since no unique geologic features are present on the site, no adverse impacts will result from the proposed project.
5. Would the proposal result in potentially significant loss of availability of a significant mineral resource that would be of future value to the region?

**Less Than Significant Impact.**

The project will not result in a loss of availability of a known significant mineral resource that would be of value to the region. The project is not located in a significant mineral resource area, as identified on maps prepared by the Department of Conservation, Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1996). Also, a site visit conducted by Rosalind Smith on December 2, 1998 did not identify any past or present mining activities on the project.

IV. WATER RESOURCES

1. Would the proposal create a potentially adverse effect on drainage patterns or the rate and amount of runoff?

**Less Than Significant Impact.**

The increased drainage runoff from the proposed subdivision building pads will not cause a significant amount of increased runoff.

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

**Less Than Significant Impact.**

A Service Availability Letter from the Olivenhain Water District dated May 22, 1998 has been provided indicating adequate water resources and infrastructure to provide requested water resources.

3. Would the proposal have a potentially significant adverse effect on surface water quality?

**Less Than Significant Impact.**

The proposed project will not contain significant potential sources of chemicals or compounds which will contaminate surface water sources so as to decrease the quality of surface water to below standards as
established by the San Diego Regional Water Quality Control Board's (SDRWQCB's) Basin Plan, Surface Water Quality Objectives.

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

**Less Than Significant Impact.**

The project will obtain its water supply from the Olivenhain Water District, which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

5. Would the project have a potentially significant adverse effect on groundwater quality?

**Less Than Significant Impact.**

The proposed project will not contain significant potential sources of chemicals or compounds which will degrade groundwater resources so as to decrease the quality of the groundwater to below the standards as set by the SDRWQCB’s Basin Plan, Groundwater Quality Objectives.

V. **AIR QUALITY**

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

**Less Than Significant Impact.**

No significant source of either stationary or indirect air pollutants has been identified from the project. The primary source of air pollutants would be generated from vehicle trips associated with the proposed project. The vehicle trips generated from the project will result in 120 Average Daily Trips (ADTs). According to the Bay Area Air Quality Management District, California Environmental Quality Act (CEQA) Guidelines for Assessing the Air Quality Impacts of Projects and Plans, projects that generate less than 2,000 ADTs are below the threshold of significance for reactive organic gases (ROG). Therefore, the vehicle trip emissions associated with the proposed project are not expected to
significantly contribute to an existing or projected air quality violation. No other potential sources of air pollutants have been identified from the project. Additionally, the project is not expected to emit any toxic air contaminant or particulate matter based on project description and information submitted.

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

Less Than Significant Impact.

Based on a site visit conducted on December 2, 1998 by Rosalind Smith, the project is not located near any identified source of noxious emissions and will not expose people to excessive levels of air pollutants.

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

Less Than Significant Impact.

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

VI. TRANSPORTATION/CIRCULATION

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

Less Than Significant Impact.

The Level of Service (LOS) is “C” on El Camino Real (SC 1522), which is classified as a Light Collector, and the increased traffic generated by the ten lots is less than two percent, which is considered insignificant.

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

Less Than Significant Impact.

The project will have no significant impacts to traffic safety. The project will be required to provide adequate sight distance at the street
intersections and the public roads will be required to be built to County Public Road Standards.

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

Less Than Significant Impact.

This is a large lot residential development and all the required parking can easily be accommodated on-site.

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

Less Than Significant Impact.

The project will not result in an increase in hazards nor will it create barriers for pedestrians or bicyclists.

VII. BIOLOGICAL RESOURCES

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

Potentially Significant Unless Mitigation Incorporated.

A Biological Technical Report, prepared by Gerald A. Scheid, dated March 19, 1999, on file at the Department of Planning and Land Use, identified 4.05 acres of Southern maritime chaparral, which is dominated by *Quercus dumosa* (Nuttall’s scrub oak), and 0.85 acre of Diegan coastal sage scrub. In addition, the site supports approximately ten individuals of *Ceonothus verrucosus* (Wart stemmed ceanothus), in the larger patch of Diegan coastal sage scrub.

The site also supports a drainage that lies parallel to El Camino Real that is considered non-wetland Jurisdictional Waters of the U.S. According to the Biological Technical Report, this drainage is considered disturbed, lacks typical native riparian plant community characteristics, and appears to have been planted with western sycamores. The proposed project will result in temporary impacts to 0.02 acre of the disturbed drainage on-site, which will be mitigated by restoring the bed and bank of the drainage channel to pre-construction contours after the installation of the utility
In addition, the disturbed drainage lies within the proposed private sewer easement.

Mitigation measures incorporated for the project include the dedication of on-site biological open space easements prior to issuance of improvement or grading plans or prior to the recordation of the Parcel Map, whichever comes first. The proposed open space easements are for the protection of approximately 3.5 acres (86.5 percent) of Southern maritime chaparral, and 0.85 acre (100 percent) of Diegan coastal sage scrub. Approximately 0.55-acre of Southern maritime chaparral, which also includes less than 10 percent of the population of Nuttall’s scrub oak, will be impacted as a result of required fire clearing activities.

Nuttall’s scrub oak is considered a sensitive plant species by the County of San Diego (Group A), and Wart stemmed ceanothus is considered a sensitive plant species (Group B). Potential impacts to these sensitive plant species have been avoided to the extent possible, through project redesign. Mitigation measures incorporated for the project would preserve all the Wart stemmed ceanothus in an open space easement, and would preserve greater than 90 percent of the population of Nuttall’s scrub oak within an open space easement. Impacts to less than ten percent of the Nuttall’s scrub oak are expected to occur as a result of required fire clearing activities.

In addition, the project includes an open space easement to protect steep slope lands and a fire clearing easement to protect the biological resources on-site. Due to the incorporation of these mitigation measures, the potential impacts to are reduced to a level of less than significant.

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

Yes.

Sensitive habitat lands were identified on the site in the form of Southern maritime chaparral, Diegan coastal sage scrub, Nuttall’s scrub oak and Wart stemmed ceanothus. However, the project will not complete any development, grading, grubbing, clearing, or any other activity which will damage the Diegan coastal sage scrub and Wart stemmed ceanothus, because the entire area supporting these vegetation communities will be placed into an open space easement. Potential impacts to Southern maritime chaparral and Nuttall’s scrub oak have been reduced to below a level of significance through project redesign, as outlined in the above
sections. Approximately, 0.55 acre of Southern maritime chaparral, which also includes approximately 10 percent of the population of Nuttall's scrub oak, will be impacted as a result of required fire clearing activities. The remaining Southern maritime chaparral (3.5 acres) and Nuttall's scrub oak will be protected in an open space easement. Due to this, it has been found that the proposed project complies with Article IV, Item 6 of the RPO.

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

Less Than Significant Impact.

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

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

Less Than Significant Impact.

Although drainage and topographic features that appear to be appropriate wildlife dispersal or migration corridors occur on-site, the entire area will be placed in an open space easement prior to recordation of the Final Map, and therefore no significant impact will occur.

VIII. HAZARDS

1. Would the proposal present a significant risk of accidental explosion or release of hazardous substances?

Less Than Significant Impact.

The proposed project will not contain, handle, or store any potential sources of chemicals or compounds that would present a significant risk of accidental explosion or release of hazardous substances.
2. Would the proposal have the potential to significantly interfere with the County of San Diego Operational Area Emergency Plan or the County of San Diego Operational Site Specific Dam Failure Evacuation Data Plans?

Less Than Significant Impact.

The project lies outside any mapped dam inundation area for major dams/reservoirs within San Diego County, as identified on inundation maps prepared by the dam owners. Thus, the project complies with all applicable plans as established by the County Office of Disaster Preparedness.

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

Less Than Significant Impact.

The project will not significantly increase the fire hazard because it will comply with the regulations relating to emergency access, water supply, and defensible space specified in the Uniform Fire Code, Article 9 and Appendix II-A, Section 16, as adopted and amended by the local fire protection district. Implementation of these fire safety standards will occur during the Tentative Map, Tentative Parcel Map, or building permit process. Also, a Fire Service Availability Letter, dated March 5, 1998, has been received from the Rancho Santa Fe Fire Protection District.

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

Less Than Significant Impact.

There is an adequate drainage channel and bridge presently on-site. The project will be required to provide flood-free sites for residences and any drainage improvements will be constructed to County Standards.

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

Yes.

Existing drainage channel and bridge were constructed with a grading permit approved by the County.
5. Would the proposal expose people to any other demonstrable potentially significant health or safety hazard not listed above?

**Less Than Significant Impact.**

No other health or safety hazard has been identified in the review of the proposed project.

**IX. NOISE**

1. Would the proposal result in exposing people to potentially significant noise levels (i.e., in excess of the San Diego County Noise Control Regulations)?

**Less Than Significant Impact.**

Analysis of the project’s maps, field observation, and traffic noise prediction estimates by Dr. Alexander Segal, Department of Planning and Land Use Acoustical Engineer, indicates that while parts of the project site would be impacted by traffic noise levels exceeding Community Noise Equivalent Level (CNEL)=60 decibels (dB), most of the impacted area will be located within the open space easements proposed along El Camino Real and Highland Drive. The large size of the proposed lots provides sufficient space for placing “noise sensitive areas” outside the CNEL=60 dB traffic noise contour.

Based on the above, it is considered that traffic noise impacts to the proposed project would be insignificant.

Therefore, the proposal would not expose people to potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Transportation (traffic, railroad, aircraft) noise levels at the project site are not expected to exceed CNEL=60 dB limit.

Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance.
2. Would the proposal generate potentially significant adverse noise levels (i.e., in excess of the San Diego County Noise Control Regulations)?

Less Than Significant Impact.

The proposal would not generate potentially significant adverse 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.

X. PUBLIC SERVICES

Would the proposal create potentially significant adverse effects on, or result in the need for new or significantly altered services or facilities? This could include a significantly increased maintenance burden on fire or police protection, schools, parks, or other public services or facilities. Also, will the project result in inadequate emergency access?

Less Than Significant Impact.

The applicant has submitted Service Availability Letters from all the required districts. The Rancho Santa Fe Fire Department indicates that the project is in the District and eligible for service. The existing facility at 16936 El Fuego is adequate to serve this project. The expected emergency travel time to the proposed project is four minutes. One hundred (100) feet of clearing is required around all structures. This location is within the “Very High Fire Hazard Area” and as such is required to comply with the Wildland/Urbam Interface Development Standards (August 1997). Specifically, construction materials used on external wall eaves and roofs, and also the fuel modification areas must conform to the specifications identified in the standards. Finally, all structures shall be protected by fire sprinklers.

The Olivenhain Water District indicates that the project is in the District. Facilities to serve the project are reasonably expected to be available within the next five years.

The Rancho Santa Fe Community Services District indicates that the project is in the District. Facilities to serve the project are reasonably expected to be available within the next five years. The project will require the following improvements:
1. Construction of approximately 2,850 linear feet of gravity sewer on El Camino Real; 3,600 linear feet of gravity sewer on La Orilla; 1,100 linear feet of gravity sewer on Rancho Serena Road; and 1,350 linear feet of gravity sewer on Rambla de las Flores.

2. An agreement with the District as to separate conditions and reimbursements.

The San Dieguito Union High School District and the Solana Beach School District indicate that the project is located entirely within the Districts and is eligible for service. Fees will be levied in accordance with either Government Code Section 53080 or Section 65970 prior to the issuance of building permits.

XI. UTILITIES AND SERVICES

Would the proposal result in a need for potentially significant new distribution systems or supplies, or substantial alterations to the following utilities:

- Power or natural gas;
- Communication systems;
- Water treatment or distribution facilities;
- Sewer or septic tanks;
- Storm water drainage;
- Solid waste disposal;
- Water supplies?

Less Than Significant Impact.

The proposed project will require the construction of approximately 8,800 linear feet of gravity sewer. However, it will all be located within an existing road right-of-way.

XII. AESTHETICS

1. Would the proposal result in a demonstrable, potentially significant, adverse effect on a scenic vista or scenic highway?

Less Than Significant Impact.

The Scenic Highways Element indicates that this project is not in the vicinity of a highway. The project is not in the vicinity of any scenic vistas that are listed in the Local Coastal Program.
2. Would the proposal result in a demonstrable, potentially significant, adverse visual effect that results from landform modification, development on steep slopes, excessive grading (cut/fill slopes), or any other negative aesthetic effect?

**Less Than Significant Impact.**

The project does not propose development on steep slopes. Sensitive steep slopes will be within dedicated open space easements as a condition of project approval. The proposed development will occur in the gently sloping and flat-lying portion of the project site, and is not expected to result in negative aesthetic effects.

However, the project site is located adjacent to the boundary of the Rancho Santa Fe Association Covenant. The applicant has submitted design guidelines that will be included in the Major Use Permit Form of Decision.

3. Does the project comply with the Steep Slope section (Article IV, Section 5) of the RPO?

**Less Than Significant Impact.**

Slopes with a gradient of greater of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements, pursuant to the San Diego County RPO. The entire area of steep slope lands identified on the project site will be placed within an open space easement prior to issuance of grading plans, improvement plans, or prior to recordation of the Final Map, whichever comes first. Therefore, the proposed project has been found in compliance with the RPO.

4. Would the project produce excessive light, glare, or dark sky impacts?

**Less Than Significant Impact.**

This project does not propose any uses that would produce an inordinate amount of light.
XIII. CULTURAL AND PALEONTOLOGICAL RESOURCES

1. Would the proposal grade or disturb geologic formations that may contain potentially significant paleontological resources?

A review of the paleontological maps provided by the San Diego Museum of Natural History indicates that the project is not located on geological formations that contain significant paleontological resources. The geological formations that underlie the project have a low probability of containing paleontological resources.

2. Does the project comply with the Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the RPO?

The majority of the site has been disturbed by prior residential, equestrian, and agricultural uses. The project will not impact significant prehistoric and historic sites since the majority of the project site has been by prior uses. The remainder of the site, which supports steep slope lands and biological resources, will be placed into open space easements.

3. Would the proposal grade, disturb, or threaten a potentially significant archaeological, historical, or cultural artifact, object, structure, or site which:
   a. Contains information needed to answer important scientific research questions;
   b. Has particular quality or uniqueness (such as being the oldest of its type or the best available example of its type);
   c. Is directly associated with a scientifically recognized important prehistoric or historic event or person;
   d. Is listed in, or determined to be eligible to be listed in, the California Register of Historical Resources, National Register of Historic Places, or a National Historic Landmark; or
e. Is a marked or ethnohistorically documented religious or sacred shrine, landmark, human burial, rock art display, geoglyph, or other important cultural site?

Less Than Significant Impact.

The proposed project is not expected to impact significant archaeological resources since prior disturbance of the property from residential, equestrian, and agricultural uses has eliminated any potential for buried archaeological features.

XIV. OTHER IMPACTS NOT DETAILED ABOVE

None.

XV. MANDATORY FINDINGS OF SIGNIFICANCE

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

Less Than Significant Impact.

As discussed in Section VII, Biological Resources, Questions 1., 2., 3., and 4., and Section XIII, Cultural and Paleontological Resources, Questions 1., 2., and 3., the project will not degrade the quality of the environment and will not substantially reduce the habitat of a fish or wildlife species. The project will not cause a fish or wildlife population to drop below self-sustaining levels and will not threaten to eliminate a plant or animal community. Also, the project would not reduce the number or restrict the range of a rare or endangered plant or animal and will not eliminate important examples of the major periods of California history or prehistory.

2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

Less Than Significant Impact.
In the completion of this Initial Study, it has been determined that no significant unmitigated environmental impacts will result from the project. Thus, all long-term environmental goals have been addressed.

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

**Less Than Significant Impact.**

The incremental impacts of the project have not been found to be cumulatively considerable after an evaluation of all potential impacts. After careful review, there is no substantial evidence that any of the incremental impacts of the project are potentially significant. The impacts of the project have therefore not been found to be cumulatively considerable. The potential combined environmental impacts of the project itself have also been considered in reaching a conclusion that the total cumulative effect of such impacts is insignificant.

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

In the completion of this Initial Study, it has been determined that the project will not cause substantial adverse effects on human beings, either directly or indirectly. This conclusion is based on the analysis completed in Sections: I, Land Use and Planning; II, Population and Housing; III, Geologic Issues; IV, Water Resources; V, Air Quality; VI, Transportation/Circulation; VIII, Hazards; IX, Noise; X, Public Services; XI, Utilities and Services; and XII, Aesthetics. In totality, these analyses have determined that the project will not cause substantial adverse effects on human beings.

**XVI. EARLIER ANALYSIS**

Earlier CEQA analyses are used where one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration.

1. Earlier analyses used: Not applicable.
2. Impacts adequately addressed in earlier CEQA documents. The following effects from the above checklist that are within the scope of, and were analyzed in, an earlier CEQA document: Not applicable.

3. Mitigation measures: Not applicable.

XVII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

Air in San Diego County, 1996 Annual Report, Air Pollution Control District, San Diego County

Bay Area Air Quality Management District - Assessing the Air Quality Impacts of Projects and Plans, April 1996

Biological Technical Report for the Horseman’s Valley South Property, dated March 19, 1999, prepared by Gerald A. Scheid, RECON

California Environmental Quality Act, CEQA Guidelines 1997

California State Clean Air Act of 1988

Circulation Element of the San Diego County General Plan, Part III, Chapter 1

Conservation Element of the San Diego County General Plan, Part X, Chapter 5, Unique Geological Features, and Appendix G

County of San Diego Code Zoning and Land Use Regulation Division Sections 88.101, 88.102, and 88.103

County of San Diego Code Zoning and Land Use Regulation, Division 7, Excavation and Grading

County of San Diego Groundwater Ordinance (Chapter 7, Sections 67.701 through 67.750)

County of San Diego Noise Element of the General Plan (especially Policy 4b, Pages VIII-18 and VIII-19)

County of San Diego Noise Ordinance (Chapter 4, Sections 36.401 through 36.437)
County of San Diego Zoning Ordinance (Performance Standards, Sections 6300 through 6314, Section 6330-6340)

Dam Safety Act, California Emergency Services Act; Chapter 7 of Division 1 of Title 2 of the Government Code

Housing Element of the San Diego County General Plan, Part IX, 1991-1999, Policy 8, Preserving and Increasing Housing Supply

Resource Protection Ordinance of San Diego County, Articles I-VI inclusive, October 10, 1993

San Diego County Soil Survey, San Diego Area, United States Department of Agriculture, December 1973

Special Publication 42, *Fault Rupture Hazard Zones in California*, Alquist-Priolo Special Studies Zones Act, Title 14, Revised 1994

U.S. Federal Clean Air Act of 1990

Updated of Mineral Land Classification: Aggregate Materials in the Western San Diego County Production-Consumption Region, 1996, Department of Conservation, Divisions of Mines and Geology


ND0699198810-ISF;adw
INITIAL STUDY FORM

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

   TM 5128RPL^2, P98-005, Log No. 98-8-10; Horseman's Valley South

2. Description of Project:

   The proposed project is a major subdivision of 17.93 acres into 10 residential lots, ranging in size from 1.08 to 3.07 gross acres. A Major Use Permit for Planned Development is required by the Coastal Resource Protection Special Area Regulations. The project includes the dedication of open space easements over approximately 3.5 acres of Southern maritime chaparral, and 0.85 acre of Diegan coastal sage scrub for the protection of biological resources, and an open space easement for the protection of steep slope. An additional open space easement will serve as a fire buffer easement to protect the biological open space easements from encroachment as a result of clearing for fire management practices. Water service will be provided by Olivenhain Municipal Water District. Sewer service will be provided by Rancho Santa Fe Community Services District. Access to the site will be provided by a private easement road that connects to El Camino Real.

3. Project Sponsor's Name and Address:

   John W. Chamberlain, Horseman's Valley South, LLC, 410 "B" Street, Suite 1200, San Diego, California 92101

4. Project Location:

   The proposed project is located at 16056 El Camino Real, between Highland Drive and Rancho Serena Road, in the San Diego County community of Rancho Santa Fe.

   Thomas Brothers Coordinates: Page 1167, Grid J/5
5. Surrounding Land Uses and Environmental Setting:

The topography of the site consists of relatively steep terrain along the northwestern and southern boundaries and a slight north-facing slope across the center to the eastern boundary of the site. Elevation on the site ranges from approximately 90 to 240 feet above sea level. Soil on-site consist of loamy alluvial sand-Huerero complex and Corralitos loamy sand. The site supports 4.05 acres of Southern maritime-chaparral including Nuttall’s scrub oak, which are found on the steep slope portion of the site, along with 0.85 acre of Diegan coastal sage scrub. In addition, the site supports 6.13 acres of disturbed habitat, 0.73 acre of disturbed drainage, 2.24 acres of non-native vegetation, 2.54 acres of a citrus grove, and 1.32 acres of urban developed. The existing uses on the site include a single-family residence, tennis court and equestrian field. The surrounding land uses consist of residential development on the northern, eastern, and western boundaries of the project site, and San Dieguito Park is located to the west, off of Highland Drive.

6. General Plan Designation
Community Plan: San Dieguito Community Plan
Land Use Designation: CUDA
Density: 1 du/1 acre(s)

7. Zoning
Use Regulation: RS1
Density: 1 du/1 acre(s)
Special Area Regulation: R, S

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

Biological Resources

9. Lead Agency Name and Address:
County of San Diego, Department of Planning and Land Use
5201 Ruffin Road, Suite B MS 0650
San Diego, California 92123-1666

10. Lead Agency Contact and Phone Number:
Rosalind Smith, (858) 694-3694
11. Anticipated discretionary actions and the public agencies whose discretionary approval is necessary to implement the proposed:

<table>
<thead>
<tr>
<th>Permit Type/Action</th>
<th>Agency</th>
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<tbody>
<tr>
<td>Tentative Map</td>
<td>County of San Diego</td>
</tr>
<tr>
<td>Major Use Permit</td>
<td>County of San Diego</td>
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<tr>
<td>Clean Water Act - Section 404 Permit</td>
<td>U.S. Army Corps of Engineers</td>
</tr>
<tr>
<td>Coastal Development Permit</td>
<td>California Coastal Commission</td>
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</table>

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

- California Department of Fish and Game
- U.S. Fish and Wildlife Service

13. Participants in the preparation of this Initial Study:

- Rosalind Smith, Environmental Analyst, Department of Planning and Land Use
- William Stocks, Project Planner, Department of Planning and Land Use
- Dr. Alexander Segal, Acoustical Engineer, Department of Planning and Land Use
- Paula Barca, Civil Engineer, Department of Public Works
- Gerald A. Scheid, Consultant, RECON

14. Initial Study Determination:

On the basis of this Initial Study, the Department of Planning and Land Use recommends that although the proposed project may have a potentially significant effect on the environment, the mitigation measures described in the attached Environmental Analysis Form have been added to the project which clearly reduce the potentially significant effects to a level below significance. A MITIGATED NEGATIVE DECLARATION will be prepared.

ROSALIND J. SMITH, Environmental Analyst
County of San Diego, Department of Planning and Land Use

Date: April 1, 1999
Revised August 19, 1999
FISH-AND-GAME
NOTICE OF DETERMINATION

TO:   ☑ Office of Planning and Research  FROM: County of San Diego
      1400 Tenth Street, Room 121          Department of Planning and Land Use, M.S. O650
        Sacramento, CA  95814               Attn: Nora Rivera

☑ Recorder/County Clerk
      Attn: Sue MacGowan
      1600 Pacific Highway, M.S. A33
      San Diego, CA  92101

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name: TM 5128 RPL2 / P98-005/ Log Number 98-8-10 / Horseman’s Valley South

State Clearinghouse No.:

Project Location: The proposed project is located at 16056 El Camino Real, between Highland Drive and Rancho Serena Road, in the San Diego County community of Rancho Santa Fe.

Project Applicant: John W. Chamberlain, Horseman’s Valley South, LLC, 410 “B” Street, Suite 1200, San Diego, California 92101

Project Description: The proposed project is a major subdivision of 17.93 acres into 10 residential lots, ranging in size from 1.08 to 3.07 gross acres. A Major Use Permit for a Planned Development is required by the Coastal Resource Protection Special Area Regulations.

Agency Approving Project: County of San Diego

County Contact Person: Rosalind Smith          Telephone: (619) 694-3894

Date Form Completed: March 29, 1999

This is to advise that the County of San Diego __________________________ (County decision-making body) has approved the above described project on __________________________ (date/item #) and has made the following determinations:

1. The project ☑ will ☑ not will have a significant effect on the environment.
2. ☑ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA. ☑ A Negative Declaration or Mitigated Negative Declaration was prepared for this project pursuant to the provisions of the CEQA. ☑ Mitigation measures ☑ were ☑ were not made a condition of the approval of the project.

The following determinations are only required for projects with Environmental Impact Reports:

4. A Statement of Overriding Considerations ☑ was ☑ was not adopted for this project.
5. Findings ☑ were ☑ were not made pursuant to the provisions of State CEQA Guidelines Section 15091.

Project status under Fish and Game Code Section 711.4 (Department of Fish and Game Fees):
☐ Certificate of Fee Exemption (attached)
☒ Proof of Payment of Fees (attached)

The Environmental Impact Report or Negative Declaration with any comments and responses and record of project approval may be examined at the County of San Diego, Department of Planning and Land Use, Project Processing Counter, 5201 Ruffin Road, Suite B, San Diego, California.

Date received for filing and posting at OPR: __________________________

Signature: __________________________ Telephone: (619) 694-3820

Name (Print): John Peterson          Title: CEQA Regulatory Manager

This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than nine months. Reference: CEQA Guidelines Section 15075 or 15094.
<table>
<thead>
<tr>
<th>Service Code</th>
<th>Description</th>
<th>Amount</th>
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<td>FISH AND GAME</td>
<td>$1,250.00</td>
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<tr>
<td>610</td>
<td>FISH/GAME PROCESS FE</td>
<td>$25.00</td>
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</table>

**TOTAL**  
CHECK  
$1,275.00

---

**STATE OF CALIFORNIA THE RESOURCES AGENCY**  
**DEPARTMENT OF FISH AND GAME**

**ENVIRONMENTAL FILING FEE CASH RECEIPT**

**DFG 753.2a (B-91)**

**Lead Agency:** DPLU  
**County/State Agency of Filing:** County of San Diego  
**Project Title:** Horseman's Valley South  
**Project Applicant Name:** TM 5128 RPL 2 LOG # 98-8-A  
**Project Applicant Address:**

**CHECK APPLICABLE FEES:**

- [ ] Environmental Impact Report  
- [ ] Negative Declaration  
- [ ] Application Fee Water Diversion (State Water Resources Control Board Only)  
- [ ] Projects Subject to Certified Regulatory Programs  
- [ ] County Administrative Fee  
- [ ] Project that is exempt from fees

**TOTAL RECEIVED:** $1,275.00

---

**Washington Mutual Bank, FA**

**OFFICIAL CHECK**

**MATCH THE AMOUNT IN WORDS WITH THE AMOUNT IN NUMBERS**

**WASHINGTON MUTUAL**

Mar 15, 1999 ONE THOUSAND TWO HUNDRED SEVENTY FIVE DOLLARS AND 00 CENTS

**PAY TO THE ORDER OF**

COUNTY OF SAN DIEGO

**DRAWER:** WASHINGTON MUTUAL BANK, FA

**AUTHORIZED SIGNATURE REMITTER**

JOHN W. CHAMBERLAIN  
1142 110
Attachment D

Previous Discretionary Approvals
DECISIONS
Decision of the Planning and Environmental Review Board
On the Application of Horseman's Valley, LLC
Application Number P98-005

GRANT, as per plot plan dated November 15, 1998, consisting of three sheets, as amended and approved concurrently herewith, a Major Use Permit, pursuant to Sections 5950 and 6600 of The Zoning Ordinance, for a Planned Development as covered by Tentative Map Number TM 5128RPL², or subsequent revision thereof, which provides for a maximum of ten dwelling units. Accessory uses are the same as those allowed by the RS Use Regulations. The purpose of this permit is to implement the Coastal Resource Protection Special Area Regulations (Section 5950). This project does not propose clustering. In addition, this project implements the Scenic Special Area Regulations (Section 5200).

The following conditions are imposed with the granting of this Major Use Permit:

A. Prior to issuance of any permit pursuant to this Major Use Permit the applicant shall:

1. Obtain approval from the Department of Public Works of a "Runoff and Sedimentation Control Plan". Said Plan shall be prepared by a registered civil engineer and include the following measures:

   - Temporary ditches, dikes, berms, sand bags, and bladed swales shall be provided to control erosion.

   - Sedimentation basins shall be installed and maintained during development to remove sediment from runoff water and to prevent siltation of the downstream drainageway.

   - All manufactured slopes shall have a maximum gradient of 2:1. Erosion control measures shall be implemented during construction and post-development for all manufactured slopes.

   - A program whereby Department of Public Works Field Inspectors will ensure compliance with the approved Runoff and Sedimentation Control Plan.
2. Obtain approval of grading plans from the Department of Public Works that include the following requirements:
   
a. Any open space easements shown on the Tentative Map, which preclude grading, or brushing, or clearing, shall have temporary fences placed between the open space and the area to be graded. Said fencing shall be installed prior to commencing grading or brushing and clearing, shall remain until grading and/or clearing and brushing are completed, and must be removed upon completion of such activities.

b. Implementation of the “Runoff and Sedimentation Control Plan” mentioned above in “A.1.”

c. Grading activity is prohibited between October 1 and April 1 of each year.

d. All cut and fill slopes and other graded areas shall be landscaped prior to October 1 with temporary or permanent landscape materials. Such landscaping shall be designed to minimize erosion potential, be adequately maintained, and shall be replanted if not established by December 1. Use of drought-tolerant native plants is encouraged.

3. File and receive approval of a final subdivision map of the property pursuant to TM 5128RPL² or subsequent revision thereof.

4. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plan. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Current Planning Division, Zoning Counter. Plans shall include:
   
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 from the Department of Public Works 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 the Department of Planning and Land Use.

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 permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.

d. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.

e. The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.

f. Additionally, the following items shall be addressed as part of the Landscape Plans:

(1) The Landscape Plans shall substantially conform with the landscape concept plan that is part of the plot plan approved with this permit.

6. Building plans shall be reviewed for compatibility with the following criteria:

a. Each residence shall possess a similar architectural style yet provide visual variety by varying the height, mass, and roofline of buildings, as well as window, door, and entry details.

b. Each residence shall provide shadow relief, accomplished by incorporating offset, pop-outs, overhangs, and recesses into the building design.
Secondary building elevations (i.e., rear and side) that face El Camino Real or Highland Drive are highly visible from community areas and shall be detailed to demonstrate a level of articulation consistent with the front elevations.

d. If visible from other properties, terraces, decks, and patios shall be designed as an integral part of the architecture.

e. Additions or remodels shall be designed to appear as part of the main structure.

f. Roof vents and appurtenances shall be painted a color which matches the roof color.

g. The color of external materials shall emphasize the colors in the surrounding natural landscape. Red tile roofs are discouraged in order to minimize visibility.

h. Elevation treatments that are duplicated shall be different color schemes in the same family. Varied colors and materials schemes are encouraged but all materials and colors should be compatible with adjacent dwellings.

i. Homes located on corner lots are encouraged to provide a less imposing appearance on the side street. Architectural massing should be softened by siting the short and low side next to the street.

B. Prior to issuance of any permit excluding any grading permit pursuant to this Major Use Permit, the applicant shall:

1. Submit for the approval of the Director of Public Works structural and geometric plans for all private streets within this subdivision, said plans to be followed in the construction of the subdivision. Plans shall show cross-sections, a minimum of two inches of asphaltic concrete over four inches of approved base, Portland cement concrete curbs, gutters, and sidewalks, asphaltic concrete dike or better (where appropriate), and other details as required by the Director. Grades shall be a minimum of .5 percent and a maximum of 15 percent, and designed to drain the surface properly.

2. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private improvements.
C. Prior to any occupancy of any dwelling units (within any construction phase) of the development or use of the premises pursuant to this Major Use Permit, the following shall be accomplished:

1. All landscaping and improvements (for said phase) shown on the approved plot plan and landscaping plan shall be installed. Submit to the Director of Planning and Land Use a statement from the project California licensed landscape architect that all landscaping has been installed as shown on the approved landscape planting and irrigation plans.

2. Finished grading shall be certified by a registered civil engineer and inspected by the County Engineer for drainage clearance. Approval of the rough grading does not certify finished grading because of potential surface drainage problems that may be created by landscaping accomplished after rough grading certification. If a grading permit is not required for the project, a registered civil engineer's certification for the drainage clearance shall still be required.

3. Property owners shall agree to preserve and save harmless the County of San Diego and each officer and employee thereof from any liability or responsibility for any accident, loss, or damage to persons or property happening or occurring as the proximate result of any of the work undertaken to complete this work, and that all of said liabilities are hereby assumed by the property owner.

4. The permittee shall make suitable provisions as outlined in "a." and "b." following, to assure the continued maintenance and operation of open space and improvements specified herein:

   a. The permittee and all persons, firms, or corporations owning the property subject to this Major Use Permit at the time of the recording of the Final Map or Maps, their heirs, administrators, executors, successors, and assigns shall operate, maintain, and repair all common open space, and improvements shown on the plot plan primarily for the benefit of the residents of the subject development and shall continue to operate, maintain, and repair said open space, facilities, and improvements until such time as the operation and maintenance of said open space and improvements is assured by some public agency, district, corporation, or legal entity approved by the Board of Supervisors.

   b. The maintenance and operation of said open space and improvements shall be assured by the formation of a homeowners
association. The homeowners association shall be comprised of
the purchasers of each of the individual dwelling units in said
subject development. Inclusion in the deeds conveying said
individual units shall be provisions, such as covenants running with
the land, requiring the owners, their heirs, administrators,
successors, and assigns to participate in the cost of such
maintenance and operation, and the creation of legal entity with the
right to assess all owners, in the costs of maintenance and
operation of said facilities and improvements, or be assured by
some other device creating a legal entity capable of maintaining
and operating said open space, facilities, and improvements and
providing for the participation by the owners of all dwelling units in
the cost of maintenance and operation and the enforcement of
such participation.

Upon certification by the Director of Planning and Land Use for occupancy or
establishment of use allowed by this Major Use Permit, the following conditions shall
apply:

D. All features shown on the approved plot plan shall be located substantially where
they are shown, and shall be constructed in accordance with appropriate San
Diego County Code sections.

E. No exterior radio or television antennas shall be permitted. The developer shall
make the necessary arrangements for the installation of licensed cable television
service to all dwelling units. If such service is unavailable (no licensed operator
is found to be willing and able to install a system), the developer shall provide a
Master Antenna System with a common central antenna and underground cable
to all dwelling units. The Master Antenna System shall be maintained and
ultimately conveyed to the purchasers of the dwelling units in the same manner
provided for open space, recreational facilities, and other improvements that are
also a part of this Major Use Permit.

F. All utility distribution facilities within the boundaries of the subject development
shall be placed underground in accordance with Section 81.403(e) of the San
Diego County Code.

G. All light fixtures (and tennis court lighting) shall be designed and adjusted to
reflect light downward, away from any road or street, and away from any adjoining
premises and shall otherwise conform to Section 6324 of The Zoning Ordinance.

H. No loudspeaker or sound amplification system shall be used to produce sounds
in violation of the County Noise Ordinance.
I. The paving for any roads and driveways shall be well maintained and promptly repaired to smooth out cracks, potholes, or other effects of aging or weathering.

J. All landscaping shall be adequately watered and well maintained at all times. Any malfunctioning irrigation systems shall be promptly replaced. The plants shall be trimmed to maintain consistency with the approved Landscape Plan. Any dead plants shall be promptly replaced with those that are consistent with the approved Landscape Plan.

K. The terms and conditions of this Major Use Permit shall be binding upon the permittee and all persons, firms, and corporations having an interest in the property subject to this Major Use Permit and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and districts.

L. The water supply for all uses and activities conducted within the premises shall be imported to the site by the Olivenhain Municipal Water District. Use of any other water source (including groundwater) is prohibited. Modification of this use permit to delete or modify this requirement so as to permit the use of groundwater shall be reviewed by the County Groundwater Geologist.

M. This Major Use Permit shall expire on September 2, 2002 at 4:00 p.m. unless construction and/or use of the property in reliance on this permit is established prior thereto. Recordation of a Final Map pursuant to TM 5128RPL² and completion of (or entry into agreements to construct where permitted) all required improvements shall be deemed to establish such construction and/or use in reliance. If a moratorium is imposed pursuant to Section 66452.6(b) of the Subdivision Map Act which precludes recordation of TM 5128RPL², this permit shall expire on the same date as TM 5128RPL² (unless a time extension is granted for said Tentative Map).

NOTICE - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions required in this approval begins on July 15, 1999.

NOTICE - This subject property is known to contain Coastal sage scrub plant community. Such plant community is habitat for the coastal California gnatcatcher. The Federal government recently listed the gnatcatcher as a threatened species under the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.). THE LISTING MAY RESULT IN AN APPLICANT’S INABILITY TO PROCEED WITH HIS/HER PROJECT WITHOUT A PERMIT FROM THE FEDERAL GOVERNMENT IF THE SPECIES OR ITS HABITAT ARE PRESENT ON THE PROJECT SITE. It is advisable to contact the United States Fish and Wildlife Service to determine the applicability of the prohibitions under the Act to each applicant’s property.
THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOTICE: The applicant has complied with Fish and Game Code Section 711.4 which requires that certain projects pay fees for purposes of funding the California Department of Fish and Game. A payment in the amount of $1,250 was made on March 15, 1999, Receipt Number 77376, prior to the public review of the Negative Declaration pursuant to San Diego County Administrative Code Section 362, Schedule C.

DEFENSE OF LAWSUITS AND INDEMNITY: The applicant shall: (1) defend, indemnify, and hold harmless the County, its agents, officers, and employees, from any claim, action, or proceeding against the County, its agents, officers, or employees to attack, set aside, void, or annul this approval or any of the proceedings, acts of determination taken, done or made prior to this approval, if the action is brought within the time period specified in Government Code Section 66499.37; and (2) reimburse the County, its agents, officers, and employees for any court costs and attorney's fees which the County, its agents or officers or employees may be required to pay as a result of this approval. At its sole discretion, the County may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition. The County shall notify the applicant promptly of any claim or action and cooperate fully in the defense.

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

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

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

The facts supporting Finding (a-1) are as follows:

This permit is related to a conventional subdivision which does not propose clustering. The permit is utilized here as a tool to implement the provisions of the Coastal Resource Protection Special Area Regulations. There is no development proposed at this stage in the process, however, the proposed subdivision does require a finding related to density. The zoned density of the project site is one dwelling unit per acre. Areas
located to the north and east have parcel sizes averaging over three acres. To the south is the San Dieguito Park. The area to the west is within the City of Solana Beach and the density of development there is about three dwelling units per acre. The project provides suitable transition between the estate residential areas to the north and east and the suburban densities to the west because the proposed density is about midway between the densities of these two areas.

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

The facts supporting Finding (a-1) are as follows:

All the relevant public service districts have indicated that the project is within their districts and services are available. The districts have not requested that any extraordinary conditions be placed on the project.

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

The facts supporting Finding (a-3) are as follows:

The project will not have a harmful effect on neighborhood character because new development will be subject to design guidelines that are intended to be compatible with the architectural design requirements of the Rancho Santa Fe Association. In addition, steep slopes, sensitive habitat, and a drainage area will be protected within open space easements. Finally, a conceptual landscaping plan will be approved with this permit that is intended to buffer views of the site from adjacent areas including the park. The plants that will be utilized include eucalyptus and orange trees which are characteristic of the Rancho Santa Fe area.

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

The facts supporting Finding (a-4) are as follows:

The project takes access off of El Camino Real which is classified as a Light Collector. The Level of Service (LOS) is “C” on El Camino Real. The increased traffic generated by the ten lots proposed by this project is less than two percent, which is considered insignificant. The project has been conditioned to provide improvements to the intersection of El Camino Real and Highland Drive.
5. The suitability of the site for the type and intensity of use or development which is proposed

The facts supporting Finding (a-5) are as follows:

The project will be able to provide adequate development envelopes while preserving all sensitive areas within open space easements. Site grading will average less than 400 cubic yards per lot and the maximum height of manufactured slopes is not proposed to exceed 14 feet.

6. Any other relevant impact of the proposed use

The fact supporting Finding (a-6) is as follows:

No other relevant impacts have been 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 facts supporting Finding (b) are as follows:

This project is located within the (2) Residential Land Use Designation that allows one dwelling per acre. Under this land use designation the site has a potential for 17 dwelling units. It proposes ten. The project is also subject to the San Dieguito Local Coastal Program. This Program is implemented through the Coastal Resource Protection Special Area Regulations in the zoning and this permit is a requirement of said regulations. These regulations have a number of special requirements regarding drainage, grading, and habitat protection. Conditions of approval of this permit ensure that these special requirements are implemented.

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

The facts supporting Finding (c) are as follows:

A Negative Declaration was issued on this project on April 1, 1999. Significant but mitigated biological impacts were noted and the mitigation measures have been included in the Tentative Map Resolution and this Major Use Permit Form of Decision.

(d) In addition to the typical Major Use Permit findings made above, projects that are subject to the Coastal Resource Protection Special Area Regulations are also
subject to all the provisions of Section 2818b and 5210 of The Zoning Ordinance. Section 2818b requires making the following findings:

1. The proposed use, activity or construction will not have any significant adverse effects on the habitat or scenic values of the wetlands or on associated rare, threatened or endangered species; or that adequate measures will be provided to mitigate such significant adverse effects.

   This project is not located close enough to a wetland to have any impact on it.

2. The proposed use, activity or construction will not:

   Involve wetland fill, except as related to habitat enhancement;
   Increase sedimentation of the wetland;
   Adversely decrease stream flow into the wetland; nor
   Reduce tidal interchange or internal water circulation.

   The closest wetlands to this project are located within the San Elijo Ecological Preserve. The project site is located about one-half mile away from the Lagoon. The project is conditioned to prevent sedimentation off-site and it will not affect stream flow. Since the project is about one-half mile from the Lagoon, it will not affect tidal flow in any way.

3. The proposed use, activity or construction is consistent with the applicable goals and policies of the California Coastal Act and of the San Diego County Local Coastal Program Land Use Plan.

   The goals and policies of the California Coastal Act have been incorporated into the detailed Local Coastal Program, San Dieguito Land Use Plan. Generally, the intent of this Plan is to identify and protect sensitive coastal resources. The identified resources that could be affected by this project are sensitive habitat and visual resources. In recognition of this, the project proposes open space easements over steep slope lands and sensitive habitat and a landscape concept plan will be approved that will buffer the project from lower density areas to the east located within the Rancho Santa Fe Covenant Area and the San Dieguito Park to the south. The future residential development will be subject to design criteria that will be compatible with the criteria set forth by the Rancho Santa Fe Association.

   The project is also subject to all the provisions of Section 5210 of The Zoning Ordinance, which sets forth the Site Plan Review Criteria for Scenic Special
Area Regulations. Generally, the proposed development shall not, to the maximum extent feasible, interfere with or degrade those visual features, natural or man-made, of the site or adjacent site which contribute to its scenic attractiveness, as viewed from either the scenic highway or the adjacent scenic, historic, or recreational resource.

This large-lot Residential Use Type has relatively low visual impacts in general. The potential impacts to visual quality will be mitigated by the preservation of sensitive habitat and steep slopes on-site, implementation of a landscape concept plan, and implementation of architectural design criteria that will ensure future development is consistent with the character of the existing development in the vicinity.
DECISIONS
RESOLUTION OF SAN DIEGO COUNTY
APPROVING CONDITIONS FOR )
TENTATIVE MAP NO. 5128RPL² )

WHEREAS, Tentative Map No. 5128RPL² proposing the division of property located westerly of the intersection of Highland Drive and El Camino Real and generally described as:

Parcels 1 2, 3, and 4 of Parcel Map No. 4877, in the County of San Diego, State of California

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on November 15, 1998; and

WHEREAS, on July 15, 1999, the Planning and Environmental Review Board of the County of San Diego pursuant to Section 81.307 of the San Diego County Subdivision Ordinance held a duly advertised public hearing on said Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

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

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

1. The Tentative Map is consistent with all elements of the San Diego County General Plan and with the (2) Residential Land Use Designation of the San Dieguito Community Plan because it proposes a residential use type at a density of .55 dwelling unit per acre in the RS1 Use Regulation and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;

2. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the San Dieguito Community Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;
3. The site is physically suitable for the residential type of development because adequate level building sites are provided that will not encroach on sensitive resources such as Coastal sage scrub, Southern maritime chaparral, and steep slopes;

4. The site is physically suitable for the proposed density of development because all necessary public facilities are available to the site;

5. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;

6. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of a Negative Declaration dated April 1, 1999;

7. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and

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

8. The discharge of sewage waste from the subdivision into the Rancho Santa Fe Community Services District sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;

9. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and

10. This project has been found to be subject to the County’s Resource Protection Ordinance. The project site contains the following sensitive lands: sensitive habitat and steep slopes. If the mitigation measures listed under Condition C.12.b. are taken, the location, size, design, and operating characteristics of the
proposed project is thereby found to be in compliance with the Resource Protection Ordinance.

IT IS FURTHER FOUND, DETERMINED, AND DECLARED that the Negative Declaration on file in the Department of Planning and Land Use as Log No. 98-8-10 has been adopted in compliance with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines, that the decision-making body has reviewed and considered the information contained therein prior to approving the project and that Tentative Map 5128RPL\(^2\) would not have a significant effect on the environment.

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

A. The approval of this Tentative Map expires on September 2, 2002, at 4:00 p.m., unless prior to that date a request for a Time Extension has been filed and subsequently approved as provided by Section 81.308 of the County Subdivision Ordinance.

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

B. The "Standard Conditions for Tentative Subdivision Maps" approved by the Board of Supervisors on April 10, 1991, and filed with the Clerk as Document No. 740858(a), shall be made conditions of this Tentative Map approval. Only those exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized.

C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to issuance of grading or other permits as specified):

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

2. Specific Conditions:

   a. Prior to recordation of the Final Map, improve, or agree to improve and provide security for, El Camino Real (SC 1522), in accordance with Public Road Standards for a Light Collector, to a one half graded width of thirty-five feet (35') with twenty feet (20') of asphaltic concrete pavement over approved base with asphaltic concrete dike at twenty feet (20') from centerline. Improvement of the intersection shall be to the satisfaction of the Director of Public Works.

   b. Prior to recordation of the Final Map, improve or agree to improve and provide security for a five foot (5') bike lane constructed with asphaltic cement concrete pavement over approved base along the westerly side of the pavement on El Camino Real (SC 1522) along the frontage of the tract.

   c. Prior to recordation of the Final Map improve or agree to improve and provide security for the easement road, Calle Charro (on-site), to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphaltic concrete pavement over approved base with asphaltic concrete dike at twelve feet (12') from centerline. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply.

   d. Calle Charro (on-site) 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 asphaltic concrete pavement over approved base with asphaltic concrete dike at thirty-six feet (36') from the radius point.

   e. Intersectional sight distance along El Camino Real from Calle Caballista shall be four hundred ninety feet (490') to the satisfaction of the Director of the Department of Public Works.

(Drainage and Flood Control)


4. Specific Conditions:

   a. The 100-year flood line of the natural channels crossing all lots with drainage watersheds in excess of twenty-five (25) acres shall be clearly delineated on the non-title information sheet of the Final Map.
FAIR HOUSING


SANITATION


FIRE PROTECTION AND WATER SUPPLY

7. Standard Condition 23.1 and 23.2.

8. Specific Conditions:
   a. Prior to recordation of the map by the Board of Supervisors
      (1) The residence on Lot 10 shall be connected to the sanitary sewer. The septic tank and vertical pit(s) shall be pumped by a licensed pumper truck company and backfilled with earthen material.
      (2) The existing well shall be destroyed by a C57-licensed contractor under permit and inspection by Department of Environmental Health, Land Use Division.

PLANNING AND ZONING ADMINISTRATION

8. Specific Conditions:
   a. Obtain a Planned Development Permit from the Planning and Environmental Review Board, Planning Commission, or the Board of Supervisors. [DPLU - Current Planning Division]
   b. Obtain and furnish the Department of Public Works a copy of a permit or exemption from the State Coastal Commission when the original parcel lies in whole or in part within the permit area of the California Coastal Act, Public Resources Code Sections 30000 et seq. [DPLU - Current Planning Division]

DEVELOPMENT IMPACT FEES

9. Specific Conditions:
a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.

b. Deposit with the County Department of Public Works $220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

c. Participate in the cost of a traffic signal installation at the intersection of El Camino Real at Linea del Cielo. The amount of the developer's portion of the entire cost of the signal shall be $270.00. The Planning and Environmental Review Board hereby determines that:

(1) The fee is to assist in financing the construction of a traffic signal to mitigate this project's impact on traffic safety;

(2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of El Camino Real and Linea del Cielo;

(3) The traffic signal will help mitigate the additional traffic impact on this intersection caused by the residential subdivision;

(4) This residential subdivision will contribute additional traffic to the intersection of El Camino Real and Linea del Cielo; and

(5) The fee of $270.00 is based on an estimate of the percentage of traffic this project will contribute to this intersection.

FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

10. Specific Conditions:
a. With the recordation of the Final Map, offer to dedicate El Camino Real (SC 1522) to a width of seventy feet (70'), together with right to construct and maintain slopes and drainage facilities. The Final Map shall be prepared to show the offer being accepted and shall show the ultimate limits of the slopes and drainage facilities.

b. Contact Route Locations of the Department of Public Works (694-3728) to determine the desired location of the centerline for El Camino Real (SC 1522), which is shown on the Circulation Element of the County General Plan as a LIGHT COLLECTOR Highway. The following shall be shown on the Final Map:

(1) The centerline location as approved by the Department of Public Works.

(a) The width of the right-of-way which is thirty-five feet (35') from the centerline and identified by a line drawn at the appropriate location and labeled, "Limit of Proposed Street Widening." The additional five feet (5') is for a bike lane.

(b) A building line which is sixty-five feet (65') from the centerline of the road, identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."

c. Contact Route Locations of the Department of Public Works (694-3728) to determine the desired location of the centerline for Highland Drive (SC 1600), which is shown on the Circulation Element of the County General Plan as a LIGHT COLLECTOR Highway. The following shall be shown on the Final Map:

(1) The width of the right-of-way which is thirty-five feet (35') from the centerline and identified by a line drawn at the appropriate location and labeled, "Limit of Proposed Street Widening."

(2) A building line which is sixty-five feet (65') from the centerline of the road, identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."

d. Provide private road easements for the on-site roads to a width of forty feet (40').
e. The subdivider shall sign a covenant agreeing not to oppose the formation of a Landscape Maintenance District (LMD) for maintaining riding and hiking trails.

f. Because private roads are approved as a condition of this subdivision, the following shall apply:

(1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of the Department of Public Works.

(2) The Director of the Department of Public Works shall be notified as to the final disposition of title (ownership) to the on-site private road, and place a note on the Final Map as to the final title status of said streets.

(3) Access to each lot shall be provided by a private road easement not less than forty feet (40') wide.

g. If the private streets are separate lots, they shall have lot numbers consecutive with the other lot numbers within each unit. A street lot will have a different lot number in each unit.

h. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.

i. Relinquish access rights into El Camino Real (SC 1522), except for Calle Caballista.

j. Relinquish access rights into Highland Drive (SC 1600).

k. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations (min. 3rd order accuracy) or by Astronomic Observations to the satisfaction of the Director of the Department of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.506(b)).
The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of the Department of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.506(j)).

(Miscellaneous)


12. Specific Conditions:

a. No lot shall contain a net area of less than one acre. [DPLU - Current Planning Division]

b. Prior to approval of improvement plans and prior to recordation of the Final Map, the applicant shall:

(1) Grant to the County of San Diego a biological open space easement over portions of Lots 1, 2, 3, 7, 9 and 10 as shown as Open Space Easement “A” on Tentative Map 5128 RPL2 dated August 19, 1999. This easement is for the protection of approximately 3.5 acres of Southern maritime chaparral and Nuttall’s scrub oak, and 0.85 acres of Diegan coastal sage scrub, and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space.

(2) Grant to the County of San Diego a fire clearing easement over portions of Lots, 1, 2, 3, 7, 8, 9, and 10 as shown as Open Space Easement “B” on Tentative Map 5128 RPL2 dated August 19, 1999. This easement is intended to provide a buffer to prevent fire clearing impacts in the biological open space easements. The fire clearing easement will provide a 100-foot fuel modified zone, of
which the 50 feet adjacent to the building envelopes shall be
allowed to be cleared and replanted to fire resistive vegetation.
The second 50 feet shall be selectively thinned and replanted with
fire resistive vegetation pursuant to the San Diego County Fire
Chief Association Wildland/Urban Interface Standards. This
easement prohibits construction, erection or placement of any
building or structure that requires fire clearing. Grading,
landscaping utilizing fire resistive vegetation, and uses that will not
require fire clearing as determined by the applicable fire protection
district are allowed within the first 50 feet of the fire clearing
easement adjacent to the building envelopes.

(3) Grant to the County of San Diego an open space easement over
portions of Lots 1, 2, 3, 7, and 10 as shown as Open Space
Easement "C" on Tentative Map 5128 RPL² dated August 19, 1999.
This easement is for the protection of steep slope lands and
prohibits all of the following on any portion of the land subject to
said easement: grading; excavation; placement of soil, sand, rock,
gravel, or other material; clearing of vegetation; construction,
erction, or placement of any building or structure; vehicular
activities; trash dumping; or use for any purpose other than as
open space.

(4) Install boundary markers (weather-resistant 4 feet in height) every
50 feet along the boundaries of the dedicated biological open
space easement labeled as Easement "A", (located adjacent to
development areas and adjacent to the Fire Buffer Easement
labeled as "B"), to ensure future owners will respect preservation of
the Southern maritime chaparral, Coastal sage scrub and sensitive
species associated with these habitats. The boundary markers
shall include open space easement signage that indicate that no
activities may take place within the easement. Removal of the
boundary markers is prohibited.

WAIVER AND EXCEPTIONS

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

a. Standard Condition(s) for Tentative Maps:
Standard Condition 11: Said condition pertains to condominium units or a Planned Development. This subdivision is neither a condominium nor a Planned Development.

Standard Conditions 19(a-e): Said conditions pertain to projects for which a grading plan is required. No grading plan is required because no lot grading is proposed.

Standard Condition 22: Said condition pertains to projects that will utilize private subsurface sewage disposal systems. This project proposes to receive sewer service from the Rancho Santa Fe Community Services District.

Standard Condition 23.3: Said condition refers to requirements of the California Department of Forestry and Fire Protection. Said Department had no requirements of this project.

Standard Condition 24: Said condition pertains to projects located outside of the boundaries of a fire protection district and this project is within the boundaries of the Rancho Santa Fe Fire Protection District and it is eligible for service.

Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

b. County Subdivision Ordinance design requirements:

Section 81.401(e) requires lots whose side lines are approximately radial to the center of a cul-de-sac or the center of the intersection of two dead end streets shall have at least 33 feet of frontage measured at the right-of-way line. Lots 7, 8, and 9 require minor relief from this requirement, however, such a waiver is reasonable because of the difficulty in providing an adequate building envelope and fire clearing area for these lots while still protecting sensitive habitat.

Section 81.401(h) requires the side lines of all lots to be at right angles or radial to the street upon which the lots front with a maximum deviation of up to ten degrees. Lots 1, 7, 8, and 9 require relief from this requirement for the same reasons indicated above for Section 81.401(e).

Section 81.403(a)(6): Said section requires all new and existing utility distribution facilities within the boundaries of a new subdivision or within any half street abutting a new subdivision to be placed underground. This waiver will permit the existing power poles and overhead power lines to remain. Requiring
them to be placed underground would be a spot improvement inconsistent with the established system of the area. However, permitting them to be overhead does not preclude relocating them. All other utilities for the project shall be placed underground.

NOTICE - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions required in this approval begins on September 2, 1999.

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

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

NOTICE: The applicant has complied with Fish and Game Code Section 711.4 which requires that certain projects pay fees for purposes of funding the California Department of Fish and Game. A payment in the amount of $1,250 was made on March 15, 1999, Receipt Number 77376, prior to the public review of the Negative Declaration pursuant to San Diego County Administrative Code Section 362, Schedule C.

DEFENSE OF LAWSUITS AND INDEMNITY: The applicant shall: (1) defend, indemnify, and hold harmless the County, its agents, officers, and employees, from any claim, action, or proceeding against the County, its agents, officers, or employees to attack, set aside, void, or annul this approval or any of the proceedings, acts of determination taken, done or made prior to this approval, if the action is brought within the time period specified in Government Code Section 66499.37; and (2) reimburse the County, its agents, officers, and employees for any court costs and attorney's fees which the County, its agents or officers or employees may be required to pay as a result of this approval. At its sole discretion, the County may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition. The County shall notify the applicant promptly of any claim or action and cooperate fully in the defense.
ON MOTION of Board Member Fink, seconded by Board Member Holmquist, this Resolution is passed and approved by the Planning and Environmental Review Board of the County of San Diego, State of California, at a regular meeting held on this 2nd day of September 1999, in the Department of Planning and Land Use Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California, by the following vote:

AYES: Fink, Holmquist, Vokac

NOES: None.

ABSENT: None.

[NOTE: Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with Section 81.307 of the Subdivision Ordinance to the appellant body and/or the Board of Supervisors. No Final Map shall be approved, no grading permit issues, and no building permits for model homes or other temporary uses as permitted by Section 6116 of The Zoning Ordinance shall be issued pursuant to said Tentative Map until after the expiration of the 10th day following adoption of this Resolution, or if an appeal is taken, until the appeal board has sustained the determination of this advisory body.]
SAN DIEGUITO PLANNING GROUP  
P.O. Box 2789, Rancho Santa Fe, CA, 92067  
7:00 pm, Thursday, March 10, 2022  
MEETING MINUTES

1. CALL TO ORDER: - 7:06 PM  
Attendees: P. Fisch, S. Fogg, J. Callow, L. Lemarie, N. Christenfeld (joined at 7:23pm), S. Williams, B. Nelson, J. Zagara, D. Willis  
Absent: D. Dill. Three vacant seats.

2. AGENDA REVIEW

3. APPROVAL OF MINUTES: February 10, 2022 SDPG Meeting Minutes circulated to members in advance of meeting for initials/comments.  
MOTION (J. Zagara): Vote to approve.  
Second: D. Willis  
VOTE: 8 - Yes; 0 – No; 0 – Abstain; 2 – Absent (D. Dill, N. Christenfeld); 3 - Vacant

4. OPEN FORUM

Rebecca Smith, MCP, Policy Advisory, Supervisor Terra Lawson-Remer, District 3 – The Supervisor welcomes the opening of the new 9-mile HOV lane traffic improvements on the I-5 North and South bound lanes. This is a great enhancement for quality of life, reducing emissions, saving time. Community enhancement funds are available for Covid relief for non-profits, as well as neighborhood reinvestment funds and small business grants. There will be an upcoming grant webinar on April 7th at 1:00pm.

Mariko Nakawatase, Community Outreach Coordinator, Supervisor Joel Anderson, District 2 – She is working with the Registrar of Voters to get us a detailed map of the new San Dieguito Planning Group coverage area in District 2 in response to the questions following redistricting. Supervisors Anderson and Vargas collaborated on a policy to allow for microenterprise home kitchens (MEHKO) last Fall. They are now accepting applications for these small businesses. Specialists are available to help anyone interested in starting the program. Direct MEHKO public inquiries to the dedicated program email FHDMEHKO@sdcounty.ca.gov and the food program duty specialist can be reached via phone at (858) 505-6900. Supervisor Anderson’s office has an internship program and a community recognition program. Please reach out to nominate someone who is doing good in the community.

D. Willis – Will the health department inspect and rate home kitchens like they do restaurants?  
M. Nakawatase – The website has more information on this, and it is evolving. She can find out more for us.  
https://www.sandiegocounty.gov/content/sdc/deh/fhd/food/homekitchenoperations.html

D. Willis – Sun Valley resident started ADU construction against Sun Valley HOA ADU position.  
B. Nelson – Signature campaign for non-partisan, state-wide, ballot initiative to overturn SB9 for November 2022 has been suspended. It will be retooled, and efforts restarted for the 2024 election instead.

P. Fisch – Introduced resident Jeff Dugdale who observed the meeting and is interested in becoming a member of the Planning Group.

Judi Strang (audience) – Provided a Capital Improvement Needs Assessment document with estimated funding plan from the March 1, 2022 Board of Supervisors meeting, which includes some projects in the San Dieguito plan area.

5. GENERAL PLANNING ITEMS:

Public Disclosure  
We strive to protect personally identifiable information by collecting only information necessary to deliver our services. All information that may be collected becomes public record that may be subject to inspection and copying by the public, unless an exemption in law exists. In the event of a conflict between this Privacy Notice and any County ordinance or other law governing the County’s disclosure of records, the County ordinance or other applicable law will control.

Access and Correction of Personal Information  
You can review any personal information collected about you. You may recommend changes to your personal information you believe is in error by submitting a written request that credibly shows the error. If you believe that your personal information is being used for a purpose other than what was intended when submitted, you may contact us. In all cases, we will take reasonable steps to verify your identity before granting access or making corrections.
A. **Board of Supervisors VMT Implementation Analysis in Unincorporated Region** – review, discuss and formulate comments for submitting SDPG response to the BOS. Link below to maps indicating unincorporated County TAZs which meet infill definition and TAZs Adjacent to Infill Areas including the San Dieguito Planning area.

BOS VMT Options Memorandum: [https://bosagenda.sandiegocounty.gov/cob/cosd/cob/doc?id=0901127e80e1e7a3](https://bosagenda.sandiegocounty.gov/cob/cosd/cob/doc?id=0901127e80e1e7a3)

BOS VMT Options Infill Area Maps: [https://bosagenda.sandiegocounty.gov/cob/cosd/cob/doc?id=0901127e80e1e79e](https://bosagenda.sandiegocounty.gov/cob/cosd/cob/doc?id=0901127e80e1e79e)

**Continue to April 2022 SDPG Meeting**

B. **Surf Cup/Polo Fields/Horse Park** – Status on current Surf Cup (over use) activities/status not in compliance with property title usage overlay, and related developments with adjacent 22nd DAA Horse Park. Possible review and vote on SDPG letter supporting Fairbanks Polo Club efforts to bring Surf Cup field activities in compliance with property Grant Deed restrictions. SDPG Lead: Beth Nelson, 858-765-2322.

Draft SDPG letter distributed in advance and reviewed at the meeting.

**MOTION (B. Nelson): Recommend approval of SDPG letter as presented, with additional organizations/persons copied as discussed.**

**SECOND: D. Willis**

**VOTE: 9 -Yes; 0 - No; 0 - Abstain; 1 – Absent (D. Dill); 3 – Vacant**

C. **County ADU, JADU, GLQ and State SB-9 Guidelines** – discussion on current Accessory Dwelling Unit (ADU), Junior Accessory Dwelling Unit (JADU), Guest Living Quarters (GLQ), and CA State Bill 9 zoning laws as it applies to unincorporated SDPG rural residential and master plan community areas. Possible County Staff presentation. SDPG member: Don Willis, 858-481-6922

Presentation by Souphalak Sakdarak, County Planner, and Dag Bunnemeyer, County Planning Manager on addition of two residential units on a parcel zoned for 1 home or a lot split of a parcel zoned for 1 home. There are some restrictions for a property to qualify. Most of San Dieguito area is a designated State Landmark and ineligible for SB-9. RSF Covenant is a Historic District, so it does not qualify for SB-9. Areas in high fire severity zones also do not qualify for SB-9. Dag demonstrated an SB-9 web app created with various overlays that can be used to determine if a property address is subject to SB-9. It can be found at gis-portal.sandiegocounty.gov/arcgis/apps/webappviewer/index.html?id=087045b76abd4329f5a288fa2f594ff

S. Fogg – Are HOA’s exempt from SB-9?

D. Bunnemeyer – The county does not get involved with enforcing HOA restrictions. It would be up to the HOA or an individual to take civil action.

D. **AB-2705 Housing: fire safety standards** – discussion and possible vote on a SDPG position for this State Assembly Bill now working its way through the CA State Capitol. Bill introduces “Discretionary Entitlements” allowing high-density, master-planned communities in severe high-fire hazard areas, such as portions of the San Dieguito Planning Group area. SDPG Member: Susan Williams, 760-212-3280.

S. Williams read the letter from Dan Silver, Executive Director of the Endangered Habitats League regarding AB-2705 in its entirety.

**MOTION (S. Williams): Recommend that the SDPG endorse the EHL position letter to the State Assembly in opposition of AB-2705 as written.**

**SECOND: N. Christenfeld**

**VOTE: 9 -Yes; 0 - No; 0 - Abstain; 1 – Absent (D. Dill); 3 – Vacant**


**Continue to April 2022 SDPG Meeting**
F. **RSF Village Red Curbing Request to DPW** – Vote to recommend to the Traffic Advisory Committee (TAC) of the Department of Public Works (DPW) the red curbing at the following locations in the Village of RSF to facilitate safe egress from parking lot exit and driveways.
1.) 6110 El Tordo - Pacific Western Bank - one space either side of parking lot exit onto Ave. de las Acacias
2.) 6157 El Tordo - Kahn residence - redline length of property from neighbor's sidewalk to driveway
3.) 6136 Paseo Delicias - Madura duplex - redline one space either side of driveway
SDPG Member: Laurel Lemarie, 858-922-8866.
Concerns were expressed about the SDPG's authority to recommend the red curbing at these 3 locations. It was preferred that we ask the County to study it instead.
**MOTION (L. Lemarie):** Due to safety concerns, ask the County TAC to study the risks and find solutions for the lack of sidewalk/pedestrian safety at one site (6157 El Tordo) and visibility for vehicle egress at two other sites (6110 El Tordo and 6136 Paseo Delicias).
**SECOND:** S. Williams
VOTE: 9 -Yes; 0 - No; 0 - Abstain; 1 – Absent (D. Dill); 3 – Vacant

6. **MAJOR PROJECTS AND LAND USE ITEMS:**

A. **PDS2021-AD-21-015 Richmond Residence Barn and Accessory Building Permit.** Proposed new 1,596 sf barn with 1,093 sf accessory dwelling unit. Project location: 5371 La Glorieta, Rancho Santa Fe, CA 92067, Closest cross street: Linea del Cielo; APN: 268-111-13-00. Applicant Representative: Maxwell Wuthrich (B+W Architect) 858-756-1788; PDS Planner: Hunter McDonald, 858-495-5330; SDPG Member: Laurel Lemarie, 858-756-2835
**MOTION (L. Lemarie):** Recommend approval of the new 1,596 sf barn and 1,093 sf ADU, with the following conditions: Since the “Existing Workshop” on applicant’s plans dated 4/5/2021 was reported to be an existing ADU, the new barn and ADU may be constructed if the “Existing Workshop” returns to being a workshop, a recreation room or other such non-habitable space.
**SECOND:** P. Fisch
Discussion: Two neighbors have reported that the existing workshop is being used as a rental, which would make this property ineligible for an additional habitable structure such as an ADU. County Code Enforcement investigated but was not allowed entry to the structure to inspect. The applicant was not present and available for questions at this meeting. PG members preferred to defer pending further research and information from County Code Enforcement. Motion was withdrawn by L. Lemarie.
**Continue to April 2022 SDPG Meeting**

B. **PDS2021-STD-21-026/PDS2021-MUP-21-007 Via Monte Residence Site Plan.** Construct a new 4,854 square foot single family residence with an attached 750 square foot accessory dwelling unit and 4-car garage parking on an existing vacant 2.55 net acre parcel within an existing residential neighborhood. Location: 16073 Via Monte (off El Camino Real north of San Dieguito Park), Rancho Santa Fe, CA 92067; APN: 302-180-60-00. Applicant (CWS Via Monte LP) Representative: Guy Oliver, 760-602-6406; PDS Planner: Souphalak Sakdarak, 619-323-4869; SDPG Member: Don Willis, 858-481-6922.
**MOTION (D. Willis):** Recommend approval as presented.
**SECOND:** P. Fisch
VOTE: 9 -Yes; 0 - No; 0 - Abstain; 1 – Absent (D. Dill); 3 – Vacant

**Continue to April 2022 SDPG Meeting**

D. **PDS2021-VAR-92-001W1 Variance, Fuglesang-Vadakan Residence.** Applicant requesting a reduction in the front yard setback from 100 feet to approximately 96 feet for an addition to an existing single-family dwelling into the front yard setback. The property currently contains a guest house in the front yard setback.

**Public Disclosure**
We strive to protect personally identifiable information by collecting only information necessary to deliver our services. All information that may be collected becomes public record that may be subject to inspection and copying by the public, unless an exemption in law exists. In the event of a conflict between this Privacy Notice and any County ordinance or other law governing the County’s disclosure of records, the County ordinance or other applicable law will control.

**Access and Correction of Personal Information**
You can review any personal information collected about you. You may recommend changes to your personal information you believe is in error by submitting a written request that credibly shows the error. If you believe that your personal information is being used for a purpose other than what was intended when submitted, you may contact us. In all cases, we will take reasonable steps to verify your identity before granting access or making corrections.
which will be demolished to allow for an addition to the single-family dwelling. The proposed addition will
encroach into the front yard setback less than the existing guest house. Project location: 6605 La Valle
Plateada, RSF, CA 92067; APN: 266-320-50-00. Access would be provided via an existing private driveway
connected to a private road easement connected to La Valle Plateada. Applicant Representative: Doug
Mansfield, 949-218-0408; PDS Planner: Lauren Yzaguirre, 619-323-7021; SDPG Member: Beth Nelson,
858-353-5773; Laurel Lemarie, 858-756-2835
Laurel Lemarie presented as the lead PG member for this project since it is still in early stages of review with
the RSF Art Jury. The PDS Planner is now Nathan Kling, 619-323-5507.
The property currently has approximately 400 sf of building encroaching into the FYSB, at 83’ from the
center line. The proposed project will have approximately 139 sf encroaching into the FYSB at 88 6” from the
center line. L. Lemarie presented the findings that must be met for the variance modification and the
likelihood that each would be met. Some of them require further research from the County planner who just
took over this case. Applicant’s representative stated that the plans will be changing from what is currently
submitted (patio walls that encroach into the side yard setback will be removed), thus no vote was taken
pending revised plans and RSF Art Jury approval.
Continued to April 2022 SDPG Meeting
E. PDS2022-MUP-97-003M8 Thornmint Business Park Build Signage Permit – Two non-electrical building
signs, (1) attached to front of building, (1) attached to side of building, and (1) existing monument sign
section. Located at 10807 Thornmint Road, San Diego, CA 92127, APN: 678-291-32-00. Applicant: Dan
Mayorgas / Golden Holdings LLC, 858-610-0458; Applicant’s Representative: Joanna Fox, 858-538-3858;
PDS Planner: Jessica Madamba, 619-323-8672; SDPG Member: Phil Fisch, 858-967-5323.
Joanna Fox presented images of proposed designs which are within allowable square footage and locations.
The 4S Ranch HOA has already given approval.
MOTION (P. Fisch): Recommend approval as presented.
SECOND: N. Christenfeld
VOTE: 9 - Yes; 0 - No; 0 - Abstain; 1 – Absent (D. Dill); 3 – Vacant

7. ADMINISTRATIVE MATTERS:
A. Community Reports - None
B. Consideration and comments on circulation mail
C. Future agenda items and planning
D. Prospective & returning Planning Group members:
   Secretary position OPEN
   SDPG member seats #8, #10 and #13 are OPEN.
E. Supply orders and reimbursement of expenses.

8. MEETING ADJOURNMENT: 10:29 PM

NOTE: The San Dieguito Planning Group currently has THREE vacancies; Seat #8, Seat #10 and Seat #13. If
you wish to become a member of the SDPG, please provide the chair with your current resume and plan to attend 2
or 3 meetings in advance of processing your application for membership.

Future Meeting Dates: 04/10/2022 05/12/2022 06/09/2022 07/14/2022 08/11/2022 09/08/2022
Doug Dill, Chair 760-420-7909 e-mail: theddills@att.net
Phil Fisch Vice-Chair 858-592-6758 e-mail: philipfisch@gmail.com
Secretary (OPEN)
Attachment F
Ownership Disclosure
Record ID(s) _____________________________

Assessor's Parcel Number(s) 302-180-60

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.

CWS Via Monte LP

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.

Robby Thorne

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

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

Signature of Applicant

Print Name

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123
For any questions, please email us at: PDSZoningPermitCounter@sdcouncil.ca.gov
http://www.sdcouncil.ca.gov/pds

PDS.305 (Rev. 6/15/2021)