



County of San Diego

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MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Bonita ACE Self-Storage Major Use Permit

RECORD ID: PDS2016-MUP-16-010

ENVIRONMENTAL LOG NO.: PDS2016-ER-16-18-002

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for aesthetics, biological resources, cultural resources, drainage, stormwater, noise, greenhouse gas, air quality and traffic.

1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

BIOLOGICAL RESOURCES

1. BIO#1–BIOLOGICAL EASEMENT

INTENT: In order to protect sensitive biological resources, including a [Resource Protection Ordinance \(RPO\)](#) wetland and its buffer pursuant to the RPO and [Biological Mitigation Ordinance \(BMO\)](#), a biological open space easement shall be granted.

DESCRIPTION OF REQUIREMENT: Grant to the County of San Diego and the California Department of Fish and Wildlife by separate document, an open space easement, or grant to the California Department of Fish and Wildlife a conservation easement, as shown on the Conceptual Grading and Development Plan. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exceptions to this prohibition are:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the applicable fire code of the Fire Authority Having Jurisdiction and the Memorandum of Understanding dated February 26, 1997, (<http://www.sdcounty.ca.gov/PDS/docs/MemoofUnder.pdf>) between the wildlife agencies and the fire districts and any subsequent amendments thereto. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of PDS. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the DEH. **DOCUMENTATION:** The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit the easements shall be recorded. **MONITORING:** The [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] for pre-approval. The [PDS, PCC] shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] [DPR, TC] for satisfaction of the condition.

2. BIO#2–LBZ EASEMENT

INTENT: In order to protect sensitive biological resources, including a [Resource Protection Ordinance \(RPO\)](#) wetland and its buffer pursuant to the RPO and [Biological Mitigation Ordinance \(BMO\)](#), a Limited Building Zone Easement shall be granted to

limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego a Limited Building Zone Easement not less than 75.5 feet wide as measured from the biological open space easement as shown on the Conceptual Grading and Development Plan. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

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

DOCUMENTATION: The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the *[DGS, RP]*, and pay all applicable fees associated with preparation of the documents.

TIMING: Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the easements shall be recorded.

MONITORING: The *[DGS, RP]* shall prepare and approve the easement documents and send them to *[PDS, PCC]* for pre-approval. The *[PDS, PCC]* shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon recordation of the easements *[DGS, RP]* shall forward a copy of the recorded documents to *[PDS, PCC]* for satisfaction of the condition.

3. **BIO#3—OPEN SPACE SIGNAGE**

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 entire biological open space boundary as indicated on the Conceptual Grading and Development 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, spaced not more than 50 feet apart, 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: PDS2016-MUP-16-010

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 approval of any plan or issuance of any permit, and prior to 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.

4. BIO#4–OPEN SPACE FENCING

INTENT: In order to protect the proposed open space easement from entry, or disturbance, permanent fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space fencing shall be placed along the entire biological open space boundary as indicated in the Biological Resource Letter Report dated July 16, 2018 and with fencing on top of retaining wall and on the Conceptual Grading and Development Plan. The fencing design shall consist of minimum four-foot high security fencing. **DOCUMENTATION:** The applicant shall install the fencing 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 shall be placed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

5. BIO#5–OPEN SPACE SIGNAGE & FENCING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) for PDS2016-MUP-16-010, the fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences, 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 PDS2016-MUP-16-010.

- a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent 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 not more than 50 feet apart, and must state the following:

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Area Restricted by Easement**

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Planning & Development Services
Reference: PDS2016-MUP-16-010

DOCUMENTATION: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [PDS, PCC]. **TIMING:** Prior to the occupancy of any structure or use of the premises in reliance of PDS2016-MUP-16-010, 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.

6. BIO#6–EASEMENT AVOIDANCE

INTENT: In order to protect sensitive resources, pursuant to [County Grading Ordinance Section 87.112](#) the open space easements shall be avoided.

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

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

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

HYDROLOGY

1. 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 on-site bio-filtration structure and drainage structure. 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](#), and [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. **DOCUMENTATION:** The applicant shall complete the following:

- a. Process and obtain approval of Drainage Improvement Plans to improve on-site bio-filtration structure and drainage structure.
- b. Provide Secured Agreements in accordance with [Section 7613 of the Zoning Ordinance](#).
- c. Pay all applicable inspection fees with [DPW, PDC].
- 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 issuance of any permit, and prior to 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.

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 environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

AESTHETICS/GREENHOUSE GAS**1. LNDSKP#1—LANDSCAPE DOCUMENTATION PACKAGE**

INTENT: In order to provide adequate Landscaping that provides screening, and to comply with Sweetwater Design Guidelines, 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 Sweetwater Design Guidelines. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s) -of-way shall be maintained by the landowner(s) shall be submitted to PDS.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the [County's Light Pollution Code](#).
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Parking areas shall be landscaped and designed pursuant to the [Parking Design Manual](#) and the County Zoning Ordinance Section 6793.b
- i. Preparation of a Water Exhibit in accordance with the County's Landscape Design Guidelines to demonstrate compliance with CAP requirement to achieve a 40% reduction in current Maximum Applied Water Allowance for outdoor use. The water exhibit shall identify baseline water use, the maximum allowable water usage on a lot by lot basis, as

well as for common and open space areas, and the reduced water use in compliance with CAP measure.

- j. Preparation of a Water Exhibit in accordance with the County's Landscape Design Guidelines to demonstrate compliance with CAP requirement to plant, at a minimum, two trees per residential unit proposed. The water exhibit shall identify the number and type of trees provided on each private lot.
- k. 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 obtain a permit from DPW 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. Green Street Tree Wells shall require an Encroachment Maintenance Removal Agreement from DPW. Proof of this Agreement shall be provided prior to final approval of the Landscape Documentation Package.
- l. 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.
- m. 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.
- n. 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.
- o. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- p. 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](#).
- q. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- r. Additionally, the following items shall be addressed as part of the Landscape Plan: Trees used for Green Street Tree Wells shall be a minimum 24" box container size and shall be a species that can attain a 15' diameter canopy at maturity and be typical to existing species along Old Highway 80 or selected from the Lakeside Design Guidelines.

- s. Sight Line Distances and applicable maintenance notes shall be provided as required by Section 86.709 c.9 of the Water Conservation in Landscaping Ordinance.
- t. Turf areas are not considered Recreational Areas and will not be counted as Special Landscape Areas in the Maximum Applied Water Allowance (MAWA) calculations. These areas will be considered High Water Use Hydrozones and must meet the requirements of the Estimated Total Water Use calculations and the Water Efficient Landscape Worksheet.
- u. All trees associated with the site’s parking lots shall be a minimum 24” boxed container.
- v. Eucalyptus species, California Peppers, and other highly flammable vegetation shall not be allowed on site. All vegetation shall be compliant with the project’s Fire Protection Plan.
- w. Gazania and Fragaria groundcovers shall not be located in areas adjacent to drain inlets or vegetated swales where irrigation runoff or stormwater can transport cuttings or seeds in to the bioretention basins, and eventually off-site.
- x. Screening shrubs around all trash enclosures shall be a minimum container size of 5 gallon.
- y. Moisture sensors shall be used in the bottoms of all bioretention basin to effectively shut off individual irrigation stations when basins become flooded and remain wet in order to further conserve water. The lower portions of slopes that may become inundated with stormwater runoff may also require individual sensors to control irrigation times.

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.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

_____ on _____

Ben Mills, Planning Manager
Project Planning Division

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