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DEPARTMENT OF PLANNING AND LAND USE

5201 Ruffin Road

San Diego, CA 92123

August 13, 1999

Decision of the Director of the Department of Planning and Land Use On the Application of Ortega Construction Yard Site Plan S98-031

WN #5169

APPROVE, as per replacement plot plan dated August 2, 1999, floor plans and elevations dated July 14, 1998, consisting of three sheets, a Site Plan pursuant to Section 5756 and 7150 of The Zoning Ordinance for the installation of a modular office building.

NOTE: This Site Plan has been reviewed and approved only for the "B" Designator requirements for community design review pursuant to the Lakeside Design Review Guidelines.

Compliance with other applicable San Diego County codes, ordinances, and requirements is required unless otherwise noted.

The Director of Planning and Land Use has reviewed the Site Plan and, subject to the following conditions, finds:

- a. That the proposed development meets the intent and specific standards and criteria prescribed in Sections 5760 and 7150 of The Zoning Ordinance because the development is compatible with adjacent land uses and will not be detrimental to adjacent uses.
- b. That the proposed development is compatible with the Lakeside Community Plan because it proposes an industrial use on land designated as (16) General Impact Industrial.
- c. That any applicable standards or criteria waived by the Director pursuant to Section 7158d. have been or will be fulfilled by the condition or conditions of a use permit or Variance. No standard or criteria has been waived.

d. That the proposed development is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303(c) of the CEQA Guidelines.

The following conditions are imposed with the granting of this Site Plan:

- A. Prior to obtaining any building or other permit pursuant to this Site Plan, and prior to commencement of construction or use of the property in reliance on this Site Plan, the applicant shall:
 - 1. Pay off all existing deficit accounts associated with processing this application to the satisfaction of the Department of Planning and Land Use.
- B. Prior to any occupancy or use of the premises pursuant to this Site Plan, the applicant shall:
 - 1. Improve all parking areas and driveways shown on the approved plot plan with a minimum of two inches asphaltic concrete or a surfacing of a more durable type.
 - 2. 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 concept plan. The landscape plan shall delete reference to Carrotwood trees and substitute with a pine species or eucalyptus species.
 - 3. Design and adjust all light fixtures to reflect light downward, away from any road or street, and away from any adjoining premises, and shall otherwise conform to Sections 6324 and 6326 of The Zoning Ordinance.

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

- C. The parking areas and driveways shall be well maintained.
- D. The landscaping shall be adequately watered and well maintained at all times.
- E. All trees and shrubs shall be allowed to grow to attain desired shading and screening effects without extensive shaping, topping or hatracking.

F. The trash enclosure shall be painted to match the color of the modular office building.

The decision of the Director becomes final on the eleventh day following the date on this permit unless prior to that date, you or a protestant files a written appeal to the Planning Commission accompanied by a fee of \$750.00. 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.

This Site Plan expires on August 13, 2001 (two years from the date of approval except where construction or use of the property in reliance on such Site Plan approval has commenced prior to its expiration). If construction or use of the property in reliance on a Site Plan approval has not commenced within the two year period, said period may be extended by the Director of Planning and Land Use 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 of \$475.00.

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. The Department of Planning and Land Use has determined that this project is Categorically Exempt from the California Environmental Quality Act and has, therefore, found this project to be exempt from Fish and Game fees pursuant to Fish and Game Code Section 711.4(c)(2)(A).

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.

DEPARTMENT OF PLANNING AND LAND USE GARY L. PRYOR, DIRECTOR

BY:

PATRICIA LAYBOURNE, Regional Planner

Current Planning

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