

**Attachment O – Form of Decision Approving
PDS2012-3500-12-018**

Attachment Page 898

FORM OF DECISION
SITE PLAN PERMIT PDS2012-3500-12-018
(Parks)

August 7, 2015

PERMITEE: ACCRETIVE INVESTMENTS, INC.
SITE PLAN PERMIT: PDS2012-3500-12-018
E.R. NUMBER: PDS2012-3910 -12-02-003
PROPERTY: SOUTH AND WEST OF WEST LILAC ROAD AND NORTH OF MOUNTAIN RIDGE ROAD
APN: 127-072-14, 20, 38, 40, 41, 46, 47, 128-280-10, 27, 42, 46, 37 AND 128-440-05, 23

FORM OF DECISION

GRANT, this Site Plan for five private parks in Phase 1 of Lilac Hills Ranch, which consists of four sheets indicating the private parks' plot plans dated August 7, 2015.

This Site Plan has been reviewed pursuant to Ordinance No. _____ that will be assigned upon approval and approved only for the following "D" Designator requirements:

1. All applicable mitigation measures set forth in the Lilac Hills Ranch Environmental Impact Report dated July 1, 2015 must be complied with.
2. All landscaping, lighting, signage and private parks shall be compatible with the Lilac Hills Ranch Specific Plan.
3. The architecture of the detached single family residential, attached single family residential, mixed use, commercial, recreational facilities, the institutional site and the community purpose facility shall be compatible with the Lilac Hills Ranch Specific Plan.
4. All grading shall be compatible with the grading guidelines and development standards set forth in the Lilac Hills Ranch Specific Plan.
5. Each Site Plan shall specify the allocation and transfer of units as set forth in the Lilac Hills Ranch Specific Plan.

SITE PLAN EXPIRATION: This Site Plan shall expire concurrently with Tentative Map 5572 or one year following the recordation of the Final Map except where construction and/or use of the property in reliance on this permit has commenced. Recordation of a Final Map pursuant to Tentative Map 5572 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; provided, however, that the period within which such construction and/or use must be commenced may be extended as provided by Section 7168.

.....

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, PDS 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. PARKS#1–ESTABLISHMENT OF FUNDING MECHANISM (PRIVATE PARKS)

INTENT: In order to fully fund the operation and maintenance of the private parks, a funding mechanism shall be established to the satisfaction of the DPR. **DESCRIPTION OF REQUIREMENT:** Establish a funding mechanism for the private parks to the satisfaction of the DPR. **DOCUMENTATION:** Provide written evidence to the satisfaction of the DPR that adequate maintenance will be provided for the private parks within the Final Map unit. An example of satisfactory written evidence is documentation of the formation of a Home Owners' Association which has adequate authority, obligations and funding to ensure maintenance of the private parks. **TIMING:** Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit. **MONITORING:** The [DPR, PP] shall review the documentation for conformance with this condition.

4. **LNDSCP#1-LANDSCAPE DOCUMENTATION PACKAGE: [PDS, REG] [GP, CP, BP, UO] [DPR, TC, PP]**

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 Off-Street Parking Design Manual, the COSD Grading Ordinance, the Design Guidelines, and the requirements of the 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 from [*PDS, Land Development*] 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 Planning & Development Services.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the County's Light Pollution Code.
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Parking areas shall be landscaped and designed pursuant to the Off-street Parking Design Manual and the County Zoning Ordinance Section 6793.b

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, Landscape Architect]* and *[DPR, TC, PP]* shall review the Landscape Documentation Package for compliance with this condition.

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

5. PARKS#2–INTERIM PARK

INTENT: Detailed plans and specifications for a 1.5 acre Interim Park shall be submitted to the DPR for review and approval. **DESCRIPTION OF REQUIREMENT:** The applicant shall submit for DPR's review and approval detailed plans and specifications for the 1.5 acre Interim Park that conform to the concept park exhibit in the Lilac Hills Ranch Specific Plan and park design and construction standards as specified by DPR. **DOCUMENTATION:** Detailed plans and specifications for the 1.5 acre Interim Park shall be submitted to the DPR for review and approval. **TIMING:** *Prior to approval of any building plan and issuance of any building permit.* **MONITORING:** The *[DPR, PP]* shall review the detailed plans and specifications for conformance with the concept park exhibit in the Lilac Hills Ranch Specific Plan and park design and construction standards as specified by DPR.

6. PARKS#3–PRIVATE PARKS

INTENT: In order to provide private parks for recreational purposes to serve future residents of the first phase of the development in accordance with the Specific Plan. **DESCRIPTION OF REQUIREMENT:** The applicant shall submit a detailed plans and specifications for the five private parks (P1 through P5) within Phase 1 to DPR for review and approval. **DOCUMENTATION:** Detailed plans and specifications for the private parks shall be submitted to DPR for review and approval. **TIMING:** *Prior to approval of any building plan and issuance of any building permit.* **MONITORING:** The *[PDS, PCC]* shall review the approved Site Plan for compliance with this condition.

7. GEN#4–INSPECTION FEE: [PDS, ZONING][PDS, PCO] [UO][DPR, TC, PP].

INTENT: In order to comply with Zoning Ordinance Section 7362.e the Discretionary Inspection Fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the Discretionary Permit Inspection Fee at the *[PDS, Zoning Counter]* to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt showing that the inspection fee has been paid along with updated contact information *[PDS, PCC]*. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The *[PDS, Zoning Counter]* shall process an invoice and collect the fee for the Use Permit Compliance Inspection Fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

6. GEN#5-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 building plans. This includes, but is not limited to: improving all parking areas and driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly designed and screened, 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.

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

9. LNDSCP#1-CERTIFICATION OF INSTALLATION ACCORDING TO THE LANDSCAPE DOCUMENTATION PACKAGE: [PDS, BPR] [UO] [PDS, FEE]

INTENT: In order to provide adequate Landscaping that, and to comply with the COSD Water Efficient Landscape Design Manual, the COSD Water Conservation in Landscaping Ordinance, the COSD Off-Street Parking Design Manual, the COSD Grading ordinance, the Design Guidelines, and the requirements of the 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, Landscape Architect, PCC] [DPR, TC, PP]. **DOCUMENTATION:** The shall submit to the [PDS Landscape Architect, 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, Landscape Architect] 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.

10. PARKS#4-PARKS-PRIVATE PARK PHASING

INTENT: In order to ensure that the private parks within each phase are constructed and operating prior to issuance of a building permit for 50 percent or more of the total number of dwelling units for each particular Final Map unit. **DESCRIPTION OF REQUIREMENT:** No building permit shall be issued for any building that exceeds 50 percent of the total number of dwelling units in a particular Final Map unit until all grading, improvements and landscaping for the private parks within that particular Final

Map unit have been constructed and are operating. Pay the inspection fee(s) to [PDS, ZC] to cover the cost of DPR inspection(s) of the property to monitor compliance with this condition. In addition, submit a letter to [PDS, ZC] indicating who should be contacted to schedule the inspection(s). **DOCUMENTATION:** The applicant shall provide an accounting of the number of building permits issued within each Final Map unit to [PDS, PCC]. The applicant shall provide a receipt showing that the inspection fees have been paid along with updated contact information [PDS, PCC]. **TIMING:** Prior to issuance of a building permit for 50 percent or more of the total number of dwelling units in a particular Final Map unit. This condition shall be signed off on a permit-by-permit basis. **MONITORING:** The [PDS, ZC] shall process an invoice and collect the fees. The [DPR, PP], [PDS, PCC] shall review the evidence to verify compliance with this condition. [DPR, FEE]

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

11. GEN#6–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 landscape plans, building plans, and plot plans for Major Use Permit 12-005. This includes, but is not limited to maintaining the following: all parking and driveway areas, watering all landscaping at all times, painting all necessary aesthetics design features, and all lighting wall/fencing. Failure to conform to the approved plot plan; 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.

12. PARKS#5–AVAILABILITY OF PARKS TO THE PUBLIC

INTENT: In order to comply with the approved project design indicated on the approved plot plans, the project shall be operated as indicated on the plot plans. **DESCRIPTION OF REQUIREMENT:** Private Parks 1, 2, 3, and 5 in this phase shall be available to the public throughout the occupancy of the park. **DOCUMENTATION:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, BI] and [PDS, PCC] shall inspect the site for compliance with the approved building plans.

SITE PLAN FINDINGS

- a. That the proposed development meets the intent and specific standards and criteria prescribed in Sections 2880 of The Zoning Ordinance because the development is compatible with adjacent land uses.

The proposed parks are consistent with the Lilac Hills Ranch Specific Plan because the proposed parks are located in areas are specifically designated to be utilized as parks.

- b. That the proposed development is compatible with the Valley Center Community Plan.

The parks maintain the rural character of the Valley Center community by incorporating parks into developments. In addition, all park lands dedicated in conjunction with the development of a Specific Plan Area (SPA) land use designation consists of a reasonable amount of flat land suitable for play fields and other similar local park activities, which Lilac Hills Ranch Specific Plan accomplishes. Finally, the development of the proposed park facilities comply with the County's Ordinance No. 7155 relating to the regulation of Light Pollution which is in accordance with Valley Center Community Plan.

- 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” DESIGNATOR FINDINGS

- a. That all landscaping, lighting, signage and private parks shall be compatible with the Lilac Hills Ranch Specific Plan.

All proposed grading for park facilities are compatible with the grading guidelines and development standards set forth in the Lilac Hills Ranch Specific Plan. The architecture of the recreational facilities and parks are compatible with the Lilac Hills Ranch Specific Plan. All applicable mitigation measures set forth in the Lilac Hills Ranch Environmental Impact Report dated July 1, 2015 are complied with.



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:

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, 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.

LOW IMPACT DEVELOPMENT NOTICE: On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning January 25, 2008. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf.

<http://www.sdcounty.ca.gov/PDS/docs/LID-Handbook.pdf>.

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link 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 87.201 of Grading Ordinance.

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

NOTICE: The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on _____.

NOTICE: The project will be required to pay Planning & Development Services Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to PDS, including Mitigation Monitoring requests. The amount of the fee will be determined by the current Fee Ordinance requirement at the time of the first submittal and is based on the number of PDS conditions that need to be satisfied. The fee amount will only be paid one time for those conditions that are indicated with the **[PDS, FEE]** designator. The fee will not apply to subsequent project approvals that require a separate submittal fee such as, Revegetation and Landscape Plans, Resource (Habitat) Management Plans, Habitat Loss Permits, Administrative Permits, Site Plans, and any other discretionary permit applications.

NOTICE: Fish and Wildlife Fees have been paid in the amount of \$3,069.75 for the review of the EIR, Receipt numbers 442372 and 37-2015-049, dated June 21, 2013 and July 21, 2015.

Attachment Page 906

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
Department of Public Works (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU
Department of Environmental Health (DEH)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
Department of Parks and Recreation (DPR)			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
Department of General Service (DGS)			
Real Property Division	RP		

cc: Randy Goodson, Accretive Investments, Inc., 12275 El Camino Real, Suite 110, San Diego, CA 92130
Landmark Consulting, 9555 Genesee Ave., Suite 200, San Diego, CA 92121

email cc:
Mark Slovick, Planning Manager, PDS
Valley Center Community Planning Group
Valley Center Design Review Board