

# NOTICE OF EXEMPTION

TO: Recorder/County Clerk Office of Planning and Research  
Attn: Recording Supervisor P.O. Box 3044  
1600 Pacific Highway, M.S. A33 Sacramento, CA 95812  
San Diego, CA 92101

FROM: County of San Diego  
Planning & Development Services, M.S. O650  
Attn: Project Planning Division Section Secretary

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

Project Name: Winter Gardens; PDS2020-STP-14-013W1TE2, PDS2020-STP-14-14-008B

Project Location: 9208-9224 Winter Gardens Blvd, within unincorporated San Diego County (APN: 382-191-56-00)

Project Applicant: Flo-Grove, LLC c/o Craig Howard, DBRDS 363 Fifth Ave, Suite 203, San Diego, CA 92101 (619-270-6190)

Project Description: The project consists of a Site Plan Modification and Time Extension for the development of a 98-unit apartment complex, including associated parking and landscaping. The project utilizes the Density Bonus Program (California Government Code Sections 65915 – 65918) and will reserve 11 percent (8 units) for very-low-income households to qualify for a 35 percent density bonus, which will allow for a maximum of 98 total dwelling units. The 98 units will be built within seven (7) detached three-story structures comprising a total of 109,590 square feet. Access to the site will be provided by a driveway connecting to Winter Gardens Boulevard. Water service will be provided by the Lakeside Water District and sewer service will be provided by the County of San Diego Sanitation District.

Agency Approving Project: County of San Diego

County Contact Person: Regina Ochoa Telephone Number: (619) 323-8090

Date Form Completed: March 24, 2023

This is to advise that the County of San Diego Director of Planning & Development Services has approved the above-described project on March 24, 2023, and found the project to be exempt from CEQA under the following criteria:

- Exempt status and applicable section of the CEQA ("C") and/or State CEQA Guidelines ("G"): (check only one)
  - Declared Emergency [C 21080(b)(3); G 15269(a)]
  - Emergency Project [C 21080(b)(4); G 15269(b)(c)]
  - Statutory Exemption: Public Resource Code (PRC) § 21159.25**
  - Categorical Exemption. G Section:
    - G 15061(b)(3) - It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to the CEQA.
    - G 15182 – Residential Projects Pursuant to a Specific Plan
    - G 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning
    - Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
- Mitigation measures  were  were not made a condition of the approval of the project.
- A Mitigation reporting or monitoring plan  was  was not adopted for this project.

Statement of reasons why project is exempt: The project complies with Public Resource Code Section 21159.25 because it is consistent with the applicable general plan policies and zoning regulations; substantially surrounded by qualified urban uses; contains more than six dwelling units per acre; is no more than five acres; has no value as habitat for endangered, rare, or threatened species; the project will not result in any significant effects related to transportation, noise, air quality, greenhouse gas emissions, or water quality; the project is served by all required utilities and public services; and the project site is within an urbanized area as designated by the United States Census Bureau.

The following is to be filled in only upon formal project approval by the appropriate County of San Diego decision-making body.

Signature: Regina Ochoa Telephone: (619) 323-8090

Name (Print): Regina Ochoa Title: Planning Manager

This Notice of Exemption has been signed and filed by the County of San Diego.

This notice must be filed with the Recorder/County Clerk as soon as possible 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 15062.