



County of San Diego

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MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Paradise Valley Gas Station

RECORD ID: PDS2019-ZAP-19-003

ENVIRONMENTAL LOG NO.: PDS2019-ER-20-18-001

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
 - c. Multiple Species Conservation Plan Findings of Conformance
 - d. Ordinance Compliance Checklist
1. California Environmental Quality Act 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:

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

BIO-1

PLAN CONDITIONS NOTES: [DPW, ESU] [PDS, BD] [DPR TC, PP] [GP, IP, MA] **INTENT:** In order to implement the required mitigation measures, for which was the basis for approval of this project pursuant to Section 87.207 of the County Grading Ordinance the condition notes shall be implemented on the final engineering plans and made conditions of the permit issuance. **DESCRIPTION OF REQUIREMENT:** The final engineering plans shall include the following condition notes and made conditions of the issuance of said permit:

- a. If feasible, removal of vegetation within suitable nesting bird habitats will be scheduled to occur in the fall and winter (between September 1 and January 31), after fledging and before the initiation of the nesting season. For construction activities occurring during the nesting season (generally February 1 to August 31), surveys for nesting birds covered by the California Fish and Game Code (CFGC) and the Migratory Bird Treaty Act (MBTA) should be conducted by a qualified biologist no more than 14 days prior to vegetation removal for each phase of the project. The surveys should include the disturbance area plus a 100-foot buffer around the site, or to the topographic divide where substantial topography is present in the buffer. If active nests are located, all construction work should be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer should be a minimum of 50 feet for non-raptor bird species and 300 feet for raptor species, as practicable. Larger buffers may be required depending upon the status of the nest and the construction activities occurring near the nest. The buffer area(s) should be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist should confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. If buffer zones are determined to be infeasible, a full-time qualified biological monitor must be onsite to monitoring construction within the buffer zones to ensure active nests and nesting birds are not impacted.

DOCUMENTATION: The applicant shall submit the grading, improvement and building plans, which shall include the above reference condition notes. The condition notes shall be in addition to what is already approved on the Conceptual Grading and Improvement Plan, unless indicated in this condition that it is superseding. Changes to the final engineering plans that are not consistent with the conceptual plan may cause further environmental review. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits) for any phase, the notes and items shall be placed on the plans. **MONITORING:** The [DPW, ESU, or PDS, BD for PDS Minor Grading and DPR, TC and PP for trail and park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final engineering plans. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

GEO-1

PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the [San Diego County Guidelines for Determining Significance for Paleontological Resources](#), a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** This project site has marginal levels of sensitive Paleontological resources. All grading activities are subject to the [County of San Diego Grading Ordinance Section 87.430](#), if any significant resources (Fossils) are encountered during grading activities.

- a. The grading contractor is responsible to monitor for paleontological resources during all grading activities. If any fossils are found greater than 12 inches in any dimension, stop all grading activities and contact PDS before continuing grading operations.
- b. If any paleontological resources are discovered and salvaged, the monitoring, recovery, and subsequent work determined necessary shall be completed by or under the supervision of a Qualified Paleontologist pursuant to the [San Diego County Guidelines for Determining Significance for Paleontological Resources](#).

TIMING: The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDC] shall make sure that the grading contractor is on-site performing the Monitoring duties of this condition. The [DPW, PDC] shall contact PDS if the grading contractor or applicant fails to comply with this condition.

GEO-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 Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** One of the following letters shall be performed 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 PDS 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 PDS 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:** PDS shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDC] that the requirement is completed.

HAZ-1:

HAZARDOUS MATERIALS BUSINESS PLAN (HMBP)

INTENT: To protect human health and the environment, a Hazardous Materials Business Plan (HMBP) serves the purpose of providing emergency response personnel and the public information about potential hazardous chemicals being stored at a business, while also ensuring that the business has a plan for emergencies and that their staff has proper training. **DESCRIPTION OF**

REQUIREMENT: A HMBP consists of: Facility Information (contacts), Hazardous Materials Inventory & Site Map, and Emergency Response and Training Plan. The HMBP must be submitted online in the California Environmental Reporting System, and reviewed and approved by the Hazardous Materials Division (HMD) of the Department of Environmental Health (DEH) and a Unified Program Facility Permit (UPFP) will be issued to comply with California Health & Safety Code Ch 6.95, California Code of Regulations Title 19, and the San Diego County Code.

DOCUMENTATION: The applicant shall begin by filling out a hazardous materials questionnaire in the local online portal. Once reviewed, HMD will provide the applicant with a stamped form that will let them know if the HMBP is required, or if they're exempt from that requirement. The stamped questionnaire serves as evidence from the county of San Diego, Department of Environmental Health, Hazardous Materials Division (DEH, HMD) to state that the appropriate DEH, State and/or Federal permits are being pursued or that a Unified Program Facility Permit is not required. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the HMBP shall be prepared, submitted in CERS, and implemented. **MONITORING:** [DEH, HMD] shall verify and approve the HMBP for compliance with this condition and the business will need to annually certify this plan as well as comply with any other requirements that are part of the Unified Program. **CONTACT:** Email HazmatPlanCheck@sdcounty.ca.gov for more information or to inquire about the plan check process.

HAZ-2:

SOIL TESTING AND REMEDIATION [PDS, FEE X 2]

INTENT: In order to remediate impacts associate with petroleum hydrocarbons in the soil, as identified in Phase I and Phase II Environmental Site Assessments (ESAs) prepared by Rincon and Associates, dated June 27, 2019 and June 4, 2020, or other contaminated soils discovered during grading or construction, remediation under the supervision of the Department of Environmental Health (DEH), [Site Assessment and Mitigation Program \(SAM\)](#) is required. The

excavated soil should be stockpiled, tested, characterized for disposal and transported off-site to an appropriate disposal facility. **DESCRIPTION OF REQUIREMENT:** For soil testing, a signed, stamped addendum to the Phase II ESA shall be prepared by a Registered Engineer or Professional Geologist. The addendum shall include the following information or as modified by DEH:

- a. Documentation that the soil sampling occurred between six inches to 2-3 feet in depth.
- b. Findings which identify whether onsite soils in this location exceed regulatory screening levels for soil vapors, petroleum, heavy metals, or other contaminants (including PCEs and TCEs).
- c. If contaminated soils are detected, provide a copy of the contract and a signed sealed statement from the Registered Engineer or Professional Geologist, which states that they will implement the work plan approved by SAM. Grading required to implement the site remediation activities is permitted.

For remediation, a California Licensed Environmental Consultant company shall prepare a Soil Management Plan (SMP), for the remediation of hazardous materials as identified above. The plan shall be prepared and implemented pursuant to the [DEH SAM Manual](#) under direction from the DEH [SAM](#):

- d. Enrollment in the DEH, Voluntary Assistance Program (VAP) is required. If contamination is found to be from an underground storage tank (UST) then enrollment in the Regional Water Quality Control Board (RWQCB), Underground Storage Tank (UST) Cleanup Program is required in lieu of enrollment in the VAP. All soil remediation shall be completed under supervision of the SAM/VAP or the RWQCB as required.
- e. All required grading work shall comply with the County of San Diego Grading Ordinance 87.101 et. al. If a grading permit is required for the remediation work, it shall be issued for the remediation work only.
- f. The presence, locations and quantities of septic system(s) shall be evaluated. If present, the septic tanks shall be removed under approval from the [DEH, LWQ].
- g. Once contaminated soils are removed, these soils shall be replaced by compacted fill in layers to ensure the structural integrity of the gas station, convenience store, and carwash structures.
- h. If the Director of PDS determines the remediation work will take an enormous amount of time that would be detrimental to ultimate project implementation, approval of other engineering plans and/or issuance of other project permits may be permitted as long as there is no risk of effects to public health and safety. Concurrence from the [DEH, SAM] or RWQCB is required, and the applicant shall enter into a secured agreement for the completion of the remediation work.

DOCUMENTATION: The applicant shall contract with a California Licensed Environmental Consultant to prepare the SMP and implement any required work plan for soil remediation. The applicant shall also enroll in the VAP or UST

Cleanup Program and pay all applicable fees for review and completion of this requirement. Upon completion of the VAP or UST Cleanup Program, a "Closure Letter" from [DEH, SAM or the RWQCB] shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to approval of any grading and/or improvement plans, the applicant shall comply with this condition. **MONITORING:** The [DEH, SAM or RWQCB] shall oversee the progress of the remediation project. Upon Completion of the remediation project the [DEH, SAM or the RWQCB] shall issue a "Closure Letter" to the applicant. The [PDS, PPD] shall review the closure letter for compliance with this condition.

HAZ-3:

PLAN CONDITIONS NOTES [DPW, ESU] [PDS, BD] [DPR TC, PP] [GP, IP, MA]

INTENT: In order to implement the required mitigation measures, for which was the basis for approval of this project pursuant to Section 87.207 of the County Grading Ordinance the condition notes shall be implemented on the final engineering plans and made conditions of the permit issuance. **DESCRIPTION OF REQUIREMENT:** The final engineering plans shall include the following condition notes and made conditions of the issuance of said permit:

- a. Prior to the preconstruction meeting for the project, the following Grading and or Improvement Plan Notes shall be placed on the Preliminary Grading Plan and made conditions of the issuance of said permits:

In the event that any activity, including earthmoving or construction, discovers the presence of USTs, septic tanks, wells, site debris, and/or contaminated soils on-site, the contractor and/or property owner shall notify County PDS and DEHQ. The presence of contaminated soils will require soil testing and remediation in accordance with standard County procedures. This process will be determined once the County is notified of the presence of contaminated soils.

DOCUMENTATION: The applicant shall submit the grading, improvement and building plans, which shall include the above reference condition notes. The condition notes shall be in addition to what is already approved on the Conceptual Grading and Improvement Plan, unless indicated in this condition that it is superseding. Changes to the final engineering plans that are not consistent with the conceptual plan may cause further environmental review. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits) for any phase, the notes and items shall be placed on the plans. **MONITORING:** The [DPW, ESU, or PDS, BD for PDS Minor Grading and DPR, TC and PP for trail and park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final engineering plans. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

NOI-1:

NOISE#1-TEMPORARY NOISE IMPACTS

INTENT: In order to reduce the sound level generated from project construction on the residential uses and to comply with the [County of San Diego Noise Ordinance 36.409](#) the following noise attenuation measures shall be implemented. **DESCRIPTION OF REQUIREMENT:** As evaluated in the Noise Report prepared by Rincon Consultants, Inc. and [County of San Diego Noise Guidelines for Determining Significance](#), the temporary noise impacts from the off-site construction noise along Paradise Valley Road shall be mitigated below levels of significance. Noise levels from off-site conceptual median construction along Paradise Valley Road using a concrete saw shall not exceed the San Diego County the 75 dBA Leq (8-hour) noise threshold. Measures to comply with this threshold may include one of the following options:

- a. Option 1: Reduce the usage of the concrete saw to not be longer than 25 percent of an hour or approximately 15 minutes per hour and supply a statement and must be included in the grading plan. **OR**
- b. A temporary noise attenuation barrier shall be placed along Paradise Valley Road to break the line of sight between the occupied properties and concrete saw. The barrier shall be designed and placed to reduce construction noise that potentially will effect the adjacent residential use located 60 feet to the west of that roadway. The barrier shall be maintained for the duration of the construction activities that will create noise greater than 75 dB at the property line indicated above. The attenuation barrier shall comply with following requirements:
 - i. The temporary construction noise barrier shall be 8-foot high with a minimum surface density of two pounds per square foot, consisting of masonry, wood, berm, plastic, fiberglass, steel or a combination of these material with no cracks or gaps through or below the wall. If wood is used, temporary barrier design shall be with a minimum thickness of 5/8-inch plywood, 5/8-inch oriented strand board, and hay bales.
 - ii. Alternately, where placement of noise reduction enclosures are feasible, they may be used in lieu of a barrier. The enclosure shall be a minimum 10 feet wide by 10 feet long and of eight-foot height to block the line of sight from the pile head to the nearest residence and shall move along with the saw. A typical noise reduction enclosure frame shall be constructed of steel tubing and sound blankets. The sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70. The sound blankets shall be of sufficient length to extend from the top of the frame and drape on the ground or be sealed at the ground. The sound blankets shall have grommets along the top edge with exterior grade hooks, and loop fasteners along the vertical edges with overlapping seams, with a minimum overlap of 2 inches.

DOCUMENTATION: The contractor shall incorporate the noise mitigation measure(s) as indicated above. The contractor shall provide site photos, a statement from a California Registered Engineer, or licensed surveyor that the barrier has been installed to the [PDS, PCC]. OR the contractor shall provide a statement indicating the usage of the concrete saw cutting machinery shall not exceed 25% of an hour (15 minutes per hour). This statement shall be placed on the grading/improvement plans and verified by [PDS, PCC]. If a new analysis is performed to provide an alternative method, then submit the report to [PDS, PCC] for review. **TIMING:** Option 1: Prior to approval of any grading and/or improvement plans of any Grading; Option 2, prior to Preconference, the location of the walls a mitigation measure(s) indicated above must be incorporated. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

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.

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 Permit. Where specifically indicated, actions are required prior to approval of any grading, improvement, and/or building plan, and issuance of grading, construction, building, and/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. ROADS#1-ENCROACHMENT PERMIT

INTENT: In order to ensure that improvements for the proposed driveway, concrete path, and storm drain comply with the [County of San Diego Public Road Standards](#), and [The Caltrans Facility Standards and Requirements](#) an encroachment permit(s) shall be obtained and implemented. **DESCRIPTION OF REQUIREMENT:** A permit shall be obtained from CALTRANS for the improvements to be made within the Caltrans' right-of-way. A copy of the permit and evidence from the issuing agency that all requirements of the permit have been met shall be submitted to the [PDS, LDR]. **DOCUMENTATION:** The applicant shall obtain the encroachment permit(s) and provide a copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, to the [PDS, LDR]. The applicant should contact the CALTRANS Permit Office at (619) 688-6843 for additional details. **TIMING:** Prior to the approval of any plan, issuance of any County permit, and prior to occupancy or use of the premises in reliance of this permit, the encroachment permit shall be obtained. **MONITORING:** The [PDS, LDR] shall review the permit for compliance with this condition and the applicable improvement plans and implement any conditions of the permit in the County improvement plans.

4. ROADS#4-SIGHT DISTANCE

INTENT: In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E) of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is _____ feet of unobstructed intersectional sight distance in both directions from the proposed driveway along **Paradise Valley Road** in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of _____ as described in Table 5 based on a speed of _____, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."
- b. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

DOCUMENTATION: The applicant shall complete the certifications and submit them to the [PDS, LDR] for review. **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, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

5. ROADS#5–QUITCLAIM DEED FOR SLOPE EASEMENT TO COUNTY OF SAN DIEGO

INTENT: In order to promote orderly development, the Slope Easement granted to the County of San Diego per Recorded Document 1978-456427 shall be extinguished through a quitclaim deed. **DESCRIPTION OF REQUIREMENT:** In order to remove the encumbrance of the existing Slope Easement granted to the County of San Diego, and to promote orderly development of the site, the easement shall be extinguished through a quitclaim deed as shown on the plot plan. **DOCUMENTATION:** The applicant shall prepare a Public Service Easement Vacation package, and submit them for preparation to [DGS, RP], and pay all applicable fees associated for preparation of the documents. Upon recordation of the quitclaim deed, the applicant shall provide copies of the documents to the [PDS, LDR] for review. **TIMING:** Prior to approval of a grading plan, improvement plan or building plan, and prior to use of the premises in reliance of this permit the quitclaim deed for the Slope Easement extinguishment shall be executed and recorded. **MONITORING:** The [DGS, RP] shall prepare the quitclaim deed for recordation. The [PDS, LDR] shall review the quitclaim deed for compliance with this condition.

6. STRMWTR#1–STORMWATER MAINTENANCE DOCUMENTATION

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.), the maintenance agreements shall be completed. **DESCRIPTION OF REQUIREMENT:**

- a. Process a Stormwater Facilities Maintenance Agreement (SWMA) to assure maintenance of the Category 2 Structural BMPs and provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of DPW and/or PDS. The SWMA shall be signed and notarized by the applicant and recorded by the County.

DOCUMENTATION: The applicant shall process the agreement forms with [PDS, LDR] and pay any deposit and applicable review fees. **TIMING:** Prior to approval of any grading or improvement plan or construction permit, prior to use of the property in reliance of this permit; execution of the recorded agreements and securities shall be completed. **MONITORING:** The [PDS, LDR] shall review the agreements/mechanisms for consistency with the condition and County Standards.

7. LNDSCP#1–LANDSCAPE DOCUMENTATION PACKAGE

INTENT: In order to provide adequate Landscaping that addresses screening, and to comply with Spring Valley 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, the Spring Valley Design Guidelines, and the requirements of the B 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. Parking areas shall be landscaped and designed pursuant to the [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, LA] and [DPR, TC, PP] shall review the Landscape Documentation Package for compliance with this condition.

8. PLN#1–PLAN CONFORMANCE

INTENT: In order to implement the required mitigation measures for the project, the required Grading Plans/Improvement Plans shall conform to the approved Conceptual Grading and Development Plan pursuant to [Section 87.207 of the County](#)

Grading Ordinance. **DESCRIPTION OF REQUIREMENT:** The Grading Plans shall conform to the approved Conceptual Grading and Development Plan, which includes all of the following mitigation measures: PALEO, HAZ, AIR, NOISE. All conditions, requirements, mitigation measures and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) of this Permit. No deviation of the requirements can be made without modification of this permit. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the notes and items shall be placed on the plans as required. **MONITORING:** The [DPW, ESU, DPR, TC, or PDS, BD for Minor Grading] shall verify that the grading and/or improvement plan requirements have been implemented on the final grading and/or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

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

9. DEH#1-UNDERGROUND STORAGE TANKS

INTENT: In order to comply with the San Diego County Code of Regulatory Ordinances Title 6, Division 8, Chapter 10, the applicant shall obtain approval from the Department of Environmental Health for the installation and operation of Underground Storage Tanks. **DESCRIPTION OF REQUIREMENT:** The applicant shall obtain approval from the Department of Environmental Health through applicable permits, documentation, and enrollment in programs for the installation of Underground Storage Tanks prior to issuance of a building permit. Any applicable documentation and inspections following the installation of the Underground Storage Tanks shall be obtained and completed as required by the permit and prior to final inspection. **DOCUMENTATION:** Applicable documentation and permits from the Department of Environmental Health shall be obtained for the installation of Underground Storage Tanks and the [PDS, LDR] or BPPR shall review the applicable documentation. Any applicable documentation and inspections following the installation of the Underground Storage Tanks shall be obtained and completed as required by the permit and prior to final inspection. **TIMING:** Prior to the approval of any building permit and prior to occupancy or use of the premises in reliance of this permit, the applicant shall obtain approval from the Department of Environmental Health for the installation and operation of Underground Storage Tanks. **MONITORING:** The [PDS, LDR] or BPPR shall review the applicable documentation and the Department of Environmental Health shall provide documentation of approval or any applicable permits as well as perform inspections if necessary.

10. BLD#1-LIGHTING COMPLIANCE

INTENT: In order to ensure that all lighting proposed for the project conforms with the Lighting Ordinance, the following notes and condition shall apply. **DESCRIPTION OF REQUIREMENT:** The Building Division [PDS, BPPR] shall review that all lighting

indicated on the plans comply with Section 59.101 et. Seq. of the San Diego County Code, Section 6322 et. Seq. of the San Diego County Zoning Ordinance, and all outdoor LED lighting will conform to Title 24 or other applicable requirements, be fully shielded, downward facing, and be limited to 4,050 lumens. **DOCUMENTATION:** The applicant shall place the design elements, or notes on the building plans and the [PDS, BPPR] shall review the lighting and notes for compliance. **MONITORING:** The [PDS, BPPR] shall review all proposed lighting and notes for compliance with the applicable lighting code and requirements.

11. ROADS#3—ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the Centerline Ordinance (County Code Section 51.301 et seq.), County of San Diego Board Policy I-18 and the County Community Trails Master Plan, **Paradise Valley Road** shall be improved. **DESCRIPTION OF REQUIREMENT:**

- A. Improve or agree to improve and provide security for Paradise Valley Road to Elkelton Place from centerline to the end of the project frontage:
 - 1. A San Diego Regional Standard Drawing (SDRSD) raised median per the approved use permit plan ZAP-19-003 and to the satisfaction of Department of Public Works director.
 - 2. A modified SDRSD driveway per the approved Design Exception dated February 4, 2022, per the approved use permit plan ZAP-19-003 and to the satisfaction of the Department of Public Works director.

- B. Submit traffic signal plans that include the following:
 - 1. Provide electrical drawings that show the removal of the no U-Turn.
 - 2. Removal of the right turn overlap phase onto **Paradise Valley Road** from **Elkelton Place**.
 - 3. Timing plans that accommodate the northbound left turn and eastbound right turn movements to the satisfaction of the Department of Public Works director and CALTRANS.

- C. After approval of the traffic signal plans, improve or agree to improve and provide security for the installation of the traffic signal modifications. All improvements shall be completed to the satisfaction of the Department of Public Works director.

- D. Install right turn only signs at the project driveway along **Paradise Valley Road** to the satisfaction of the Department of Public Works director.

All plans and improvements shall be completed pursuant to the County of San Diego Public Road Standards, the PDS Land Development Improvement Plan Checking Manual and the Community Trails Master Plan. The improvements shall be

completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.

DOCUMENTATION: The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve **Paradise Valley Road** including the traffic signal modification.
- b. Provide Secured Agreements. The required security shall be 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.
- e. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the **San Miguel Fire Protection District** and [PDS, LDR].
- f. 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 issuance of the building permit, and prior to use of the premises in reliance of this permit, the plans shall be approved and securities must be provided.

MONITORING: The [PDS, LDR] and [DPR, TC] shall review the plans for consistency with the condition and County Standards and Community Trails Master Plan. 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.

12. ROADS#2–RELINQUISH ACCESS

INTENT: In order to promote orderly development and to comply with the [Mobility Element of the General Plan](#) access shall be relinquished. **DESCRIPTION OF REQUIREMENT:**

- a. Relinquish access rights onto **Elkelton Place** and **Paradise Valley Road** with the exception of the driveway as shown on the approved plot plan. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required. Only the one access point is permitted along Paradise Valley Road as indicated on the approved plot plan.

- b. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.

DOCUMENTATION: The applicant shall prepare the legal descriptions of the easement(s), submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to issuance of a building permit, and prior to use of the premises in reliance of this permit, the access shall be relinquished. **MONITORING:** The [DGS, RP] shall prepare the relinquishment documents and forward a copy of the documents to [PDS, LDR] for preapproval. [DGS, RP] shall forward copies of the recorded documents to [PDS, LDR]. The [PDS, LDR] shall review the documents for compliance with this condition.

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

13. NOISE#2. TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

INTENT: In order to minimize temporary construction noise for grading operations associated with PDS2019-ZAP-19-003 and to comply with County Noise Ordinance 36.409. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures and shall comply with the eight-hour average sound level of 75 dBA pursuant to Noise Ordinance Section 36.408 & 36.409:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers
- d. Configure traffic pattern to minimize the use of back up movement and alarm. Minimize the use of back up alarm.
- e. Equipment staging areas should be placed at locations away farthest away from noise sensitive receivers as deemed feasible.
- f. Temporary construction equipment operations shall comply with the County Noise Ordinance Sections 36.408, 409, and 410.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures and the County Noise Ordinance as described within this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction and construction equipment operations. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

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

14. GEN#3–INSPECTION FEE

Intent: In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the inspection fee at the [PDS, ZC] 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, ZC] shall process an invoice and collect the fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

15. PLN#2–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 PDS2019-ZAP-19-003 Minor Use Permit plot plan and the building plans. This includes, but is not limited to: improving all parking areas, 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.

16. AIR#1-CONSTRUCTION ARCHITECTURAL COATINGS

INTENT: In order to reduce emissions of volatile organic compounds (VOC). **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measure:

- a. The project shall use architectural coatings with a VOC content of 100 grams per liter (g/l) or less for exterior coatings and 50 g/l or less for interior coatings.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following action shall occur throughout the duration of the construction activities involving the application of architectural coatings. **MONITORING:** The [DPW, BI] shall make sure that the construction contractor complies with the Air Quality requirement of this condition. The [DPW, BI] shall contact the [PDS, PCC] if the applicant fails to comply with and enforce this condition.

17. STRMWTR#2–VERIFICATION OF STRUCTURAL BMPs

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.), verification of Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Complete a Structural BMP Verification Form as shown in Attachment 10 of the PDP SWQMP. **DOCUMENTATION:** The applicant shall process the Structural BMP Verification Forms *with [DPW, PDCI] or [PDS, BLDG]*. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; execution of the Structural BMP Verification Form shall be completed. **MONITORING:** The *[PDS, LDR]* and *[DPW, WPP]* shall review the Structural BMP Verification Forms for consistency with the condition and County Standards.

18. STRMWTR#3—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:
 1. A Letter for Privately Owned Stormwater Treatment Control Best Management Practices Operation and Maintenance Verification.
 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.

19. UTILITIES#1—PAVEMENT CUT POLICY

INTENT: In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project pavement treatment, and to comply with [County Policy RO-7](#) adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering

development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego Pavement Cut Policy and submit it to the [PDS LDR] for review. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, and prior to use of the property in reliance of this permit, the Acknowledgement of Department of Public Works Pavement Cut Policy shall be submitted for approval. **MONITORING:** [PDS, LDR] shall review the acknowledgement letter to determine compliance with the condition.

20. LNDSCP#2—CERTIFICATION OF INSTALLATION

INTENT: In order to provide adequate Landscaping that addresses, 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, the Spring Valley Design Guidelines, and the requirements of the B 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.

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

21. 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 Section 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.

22. STRMWTR#4—SELF-VERIFICATION OPERATION AND MAINTENANCE LETTER

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., an operation and maintenance verification form for each Structural BMP shall be completed. **DESCRIPTION OF REQUIREMENT:** Every year the property owner shall receive from the County a BMP Verification Form to be completed for each privately owned Structural BMP. **DOCUMENTATION:** Every year the property owner shall file with the County the completed Structural BMP Verification Form stating the maintenance performed during the reporting period for each privately owned Structural BMP with [DPW, WPP]. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [DPW, WPP] is responsible for compliance of this permit.

23. ROADS#6—SIGHT DISTANCE

INTENT: In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E) of the County of San Diego Public Road Standards, an unobstructed sight distance shall be maintained for the life of this permit. **DESCRIPTION OF REQUIREMENT:** There shall be a minimum unobstructed sight distance of ___ feet in both directions along *Paradise Valley Road* from the project driveway opening for the life of this permit. **DOCUMENTATION:** A minimum unobstructed sight shall be maintained. The sight distance of adjacent driveways and street openings shall not be adversely affected by this project at any time. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Compliance Division] is responsible for compliance of this permit.

24. NOISE#3—ON-GOING SOUND LEVEL COMPLIANCE: [PDS, CODES] [OG]

INTENT: In order to comply with the applicable sections of Title 3, Division 6, Chapter 4 (County of San Diego Noise Ordinance), the site shall comply with the requirements of this condition. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the following requirements:

Minor Use Permit associated activities shall comply with the one-hour average sound level limit property line requirement pursuant to the County Noise Ordinance, Section 36.404. **DOCUMENTATION:** The property owner(s) and applicant shall conform to the ongoing requirements of this condition. Failure to conform to this condition may result in disturbing, excessive or offensive noise interfering with a person's right to enjoy life and property and is detrimental to the public health and safety pursuant to the applicable sections of Chapter 4, therefore, may result in citations from the Code

Compliance Division until the noise levels from the operations comply with the Noise Ordinance Section 36.404. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, CODES] is responsible for enforcement of this permit.

25. PLN#4–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 plan(s), building plans, and plot plan(s). This includes, but is not limited to maintaining the following: improving all parking areas, 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. 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.

GRADING PLAN NOTES

In addition to the conditions set forth above, the following Grading and or Improvement Plan Notes shall be placed on the Preliminary Grading Plan and made conditions of the issuance of said permits.

The following Grading and or Improvement Plan Notes shall be placed on the Preliminary Grading Plan and made conditions of the issuance of said permits. An email or disc will be provided with an electronic copy of the grading plan note language.

PRIOR TO PRECONSTRUCTION MEETING

NOTICE: IN THE EVENT THAT ANY ACTIVITY, INCLUDING EARTHMOVING OR CONSTRUCTION, DISCOVERS THE PRESENCE OF UNDERGROUND STORAGE TANKS, SEPTIC TANKS, WELLS, SITE DEBRIS, AND/OR CONTAMINATED SOILS ON-SITE, THE CONTRACTOR AND/OR PROPERTY OWNER SHALL NOTIFY THE COUNTY OF SAN DIEGO PLANNING & DEVELOPMENT SERVICES DEPARTMENT AND THE DEPARTMENT OF ENVIRONMENTAL HEALTH. THE PRESENCE OF CONTAMINATED SOILS WILL REQUIRE SOIL TESTING AND REMEDIATION IN ACCORDANCE WITH STANDARD COUNTY PROCEDURES. THIS PROCESS WILL BE DETERMINED ONCE THE COUNTY IS NOTIFIED OF THE PRESENCE OF CONTAMINATED SOILS.

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

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

26. NOISE#2. TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

INTENT: In order to minimize temporary construction noise for grading operations associated with PDS2019-ZAP-19-003 and to comply with County Noise Ordinance 36.409. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures and shall comply with the eight-hour average sound level of 75 dBA pursuant to Noise Ordinance Section 36.408 & 36.409:

- g. Turn off equipment when not in use.
- h. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- i. Use equipment with effective mufflers
- j. Configure traffic pattern to minimize the use of back up movement and alarm. Minimize the use of back up alarm.
- k. Equipment staging areas should be placed at locations away farthest away from noise sensitive receivers as deemed feasible.
- l. Temporary construction equipment operations shall comply with the County Noise Ordinance Sections 36.408, 409, and 410.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures and the County Noise Ordinance as described within this condition.

TIMING: The following actions shall occur throughout the duration of the grading construction and construction equipment operations. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

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

27. AIR-GR#2- FUGITIVE DUST

INTENT: In order to mitigate for fugitive dust during construction activities.

DESCRIPTION OF REQUIREMENT: The project applicant or designee shall comply with the San Diego Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance), and implement the following dust control measures during construction:

- a. Water or utilize another SDAPCD-approved dust control non-toxic agent on the grading areas at least two times daily.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of

the grading construction. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

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

28. AIR-GR#4- FUGITIVE DUST

INTENT: In order to mitigate for fugitive dust during construction activities.

DESCRIPTION OF REQUIREMENT: The project applicant or designee shall comply with the San Diego Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance), and implement the following dust control measures during construction:

- b. Water or utilize another SDAPCD-approved dust control non-toxic agent on the grading areas at least two times daily.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

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		

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

on _____

Michael Johnson, Group Program Manager
Project Planning Division