



County of San Diego

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MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Lavender and Olive Event Venue

RECORD ID: PDS2018-MUP-18-013

ENVIRONMENTAL LOG NO.: PDS2018-ER-18-09-006

**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 – Environmental Checklist Form
 - b. Technical Studies and Reports as referenced
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

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

2. Required Mitigation Measures:

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

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

BIOLOGICAL RESOURCES

1. BIO#1–BIOLOGICAL MONITORING [PDS, FEE X3]

INTENT: In order to prevent inadvertent disturbance to sensitive wildlife species that may occur onsite, all initial clearing and rough grading onsite shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all initial clearing and rough grading onsite. The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan:

- a. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements. Such meeting shall include the [PDS, PCC].

DOCUMENTATION: The Biological Monitor shall prepare written documentation that certifies that all construction staff has been trained on the site sensitive biological resources that are to be avoided. **TIMING:** Prior to Preconstruction Conference, and prior to all initial clearing and rough grading onsite this condition shall be completed.

MONITORING: The [DPW, PDC] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Biological Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and approve the training documentation prepared by the biologist.

2. BIO#2–RESOURCE AVOIDANCE [PDS, FEE X2]

INTENT: In order to avoid impacts to breeding or nesting birds, that could occur during brushing, grading, and clearing activities, clearing and grubbing of vegetation and/or grading shall occur outside the avian breeding season (February 1 through August 31). **DESCRIPTION OF REQUIREMENT:** If clearing and/or grading are proposed to occur within the breeding season (February 1 through August 31), then pre-construction surveys for breeding and nesting birds must occur before clearing and grading begins and must be completed no more than 72 hours before initial brushing, clearing, grubbing, or grading. **DOCUMENTATION:** The applicant shall comply with this condition; alternatively, the applicant may submit a written request for waiver of this condition to clear/grade during the breeding season (February 1 through August 31). No clearing and/or grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC] shall not allow any clearing/grading during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.”

3. BIO#3–BIOLOGICAL MONITORING [PDS, FEE X3]

INTENT: In order to prevent inadvertent disturbance to sensitive wildlife species that may occur onsite, all initial clearing and rough grading onsite shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all initial clearing and rough grading onsite. The Project Biologist shall supervise and monitor all initial clearing and rough grading onsite to ensure against impacts to sensitive wildlife species. The monitor(s) shall be on site during all initial clearing and rough grading onsite. If there are disturbances, the monitor must report

them immediately to the [PDS PCC]. Additionally, the biologist shall perform the following duties:

- a. If necessary, perform weekly inspection of erosion control measures (daily during rain events) and report deficiencies immediately to the DPW Construction Inspector;
- b. Periodically monitor the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;
- c. Conduct training for contractors and construction personnel, including the purpose for resource protection and the measures that should be implemented during project construction;
- d. Monitor equipment maintenance, staging, and fuel dispensing areas, if any, to ensure there is no runoff;
- e. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and [PDS PCC] within 24 hours;
- f. Attend construction meetings and other meetings as necessary.

DOCUMENTATION: The Project Biologist shall prepare and submit to the satisfaction of the [PDS, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated above. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall assure that the Project Biologist is on-site performing the Monitoring duties of this condition during all applicable all initial clearing and rough grading onsite as determined by the Biologist. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Biologist or applicant fails to comply with this condition. The [PDS, PCC] shall review and approve the monitoring reports for compliance with this condition.

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

BIOLOGICAL RESOURCES

4. BIO#4–BIOLOGICAL MONITORING [PDS, FEE]

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Biologist shall prepare and submit a final letter report substantiating his/her supervision of the all initial clearing and rough grading activities onsite and substantiating that grading did not impact any sensitive wildlife species or other sensitive biological resources. The report shall conform to the [County of San Diego Report Format Guidelines for Biological Resources](#). It shall also include but not be limited to the following items:

- a. Monitoring logs showing the date and time that the monitor was on site.
- b. Photos of the site after the grading and clearing activities.

DOCUMENTATION: The applicant shall submit the final biological monitoring report to the [PDS, PCC] 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 final report shall be completed. **MONITORING:** The [PDS, PCC] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

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.

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: [PDS, DPW, DEH, DPR], [GP, CP, BP, UO]**

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 a receipt to Planning & Development Services, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No permit can be issued if there are deficit deposit 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 discretionary deposit accounts shall be paid. **MONITORING:** The PDS Zoning Counter shall review the receipts and verify that all PDS, DPW, DEH, and DPR deposit accounts have been paid.

2. **GEN#2-RECORDATION OF DECISION: [PDS], [GP, CP, BP, UO]**

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. **LNDSKP#1-LANDSCAPE DOCUMENTATION PACKAGE**

INTENT: In order to provide adequate Landscaping that provides perimeter planting, and to comply with the Ramona Design Guidelines, a landscape plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Plans shall be prepared pursuant to the [COSD Water Efficient Landscape Design Manual](#) and the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), the COSD Grading Ordinance and the Ramona Design Guidelines. All Plans shall be prepared by

a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s) -of-way shall be maintained by the landowner(s) shall be submitted to PDS.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the [County's Light Pollution Code](#).
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Parking areas shall be landscaped and designed pursuant to the [Parking Design Manual](#) and the County Zoning Ordinance Section 6793.b
- i. Additionally, the following items shall be addressed as part of the Landscape Documentation Package: Mulch will be applied to a depth of 3" in all areas of bare soil.

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.

4. ROADS#1–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 320 feet of unobstructed sight distance in the westerly direction from the proposed driveway (Driveway 1) along **Montecito Road**. There is 400 feet of unobstructed intersectional sight distance in the easterly direction from the proposed driveway (Driveway 1) along **Montecito Road** in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards; this sight distance meets the required intersectional Sight Distance requirements of a 2.2E Light Collector as described in Table 5 based on a speed of 40 MPH, 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. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is 350 feet of unobstructed sight distance in the northerly direction from the proposed driveway (Driveway 2) along **Montecito Way**. There is 400 feet of unobstructed intersectional sight distance in the southerly direction from the proposed driveway (Driveway 2) along **Montecito Way** in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards; this sight distance meets the required intersectional Sight Distance requirements of a 2.2E Light Collector as described in Table 5 based on a speed of 40 MPH, 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."
- c. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is 300 feet of unobstructed sight distance in the northerly direction from the proposed driveway (Driveway 3) along **Montecito Way**. There is 350 feet of unobstructed sight distance in the southerly direction from the proposed driveway (Driveway 3) along **Montecito Way**. 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."
- d. 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#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 **Montecito Road** with the exception of the driveways 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 (1) access point(s) are permitted along **Montecito Road** as indicated on the approved plot plan.
- b. Relinquish access rights onto **Montecito Way** with the exception of the driveways 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 three (3) access point(s) are permitted along **Montecito Way** as indicated on the approved plot plan.
- c. 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 approval of any plan or issuance of any 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.

6. NOISE#1-NOISE REQUIREMENT [PDS, FEE X2]

INTENT: In order to reduce the impacts of the exterior sound levels from the project site on the adjacent parcels and to comply with the [County of San Diego Noise Ordinance 36.404](#) as evaluated in the [County of San Diego Noise Guidelines for Determining Significance](#), the following design measures shall be implemented on the building plans and in the site design. **DESCRIPTION OF REQUIREMENT:** The following design elements and noise attenuation measures shall be implemented and indicated on the building plans and made conditions of its issuance:

- a. Include a plan detail that states the following: "Hours of operations would be limited to 10:00 am to 10:00 pm, where no music, live or recorded would occur after 10:00 pm".
- b. Amplified equipment to be limited to 75 dBA at the distance of 25 feet from the nearest property lines.
- c. Include a plan detail that states the following: "There will be only one event on-site occurring on any given day".
- d. Include a plan detail that states the following: "The existing equestrian events would not occur the same day as any of the public events with amplified music".
- e. General Note: If substantial new information and/or major project design changes occur to what was previously assessed, then additional noise review may be necessary to ensure noise ordinance compliance.

DOCUMENTATION: The applicant shall place the design elements or notes on the building plans and submit the plans to [PDS, BPPR] for review and approval. **TIMING:** Prior to issuance of any building permit, the design elements and noise attenuation measures shall be incorporated into the building plans. **MONITORING:** The [PDS, BPPR] shall verify that the specific note(s), and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

7. GHG #1—COUNTY CLIMATE ACTION PLAN SATISFACTION

INTENT: In order to comply with the County's Climate Action Plan (CAP) measures, the project shall include the following features. **DESCRIPTION OF REQUIREMENT:** The project shall implement or install the following measures or features as required within Step 2 of the CAP Measure Consistency Checklist.

- a. **Measure 2:** The project will incorporate measures to reduce commute vehicle miles traveled (VMT) through a combination of transportation demand management (TDM) and parking strategies. Strategies implemented by the project will include:
 - i. The project will plumb for the installation of one (1) electric vehicle (EV) charger for future installation.
 - ii. The project would encourage employees to participate in SANDAG's iCommute program and carpool to the project site, to the extent feasible.
- b. **Measure 6:** The project shall submit a Landscape Document Package that complies with the County's Water Conservation in Landscaping Ordinance and demonstrates a 40 percent reduction in current Maximum Applied Water Allowance for outdoor use.

DOCUMENTATION: The applicant shall comply with the requirements of this condition. **TIMING:** Prior to the approval of any plan and issuance of any permit. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Plans for compliance with **Measure 6** of this condition. The [PDS, BPPR] shall verify that the Building Plans comply with **Measure 2** of this condition. The [PDS, PCC] shall verify that the sustainable design features as required by **Measure 2** have been implemented.

GRADING PERMIT: (Prior to or at the time approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits).

8. PLN#2-PLAN CONFORMANCE: [DPW, ESU] [GP, IP,] [DPR, TC, PP]

INTENT: In order to implement the required mitigation measures for the project, the required Major Use Permit shall conform to the approved Conceptual Grading and Development Plan pursuant to Section 87.207 of the County Grading Ordinance. **DESCRIPTION OF REQUIREMENT:** The Major Use Permit shall conform to the approved Conceptual Grading and Development Plan. All conditions, requirements, and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented. 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, Environmental Services Unit Division, DPR, TC, or PDS, Building Division 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 notes shall be made conditions of the issuance of said grading or construction permit.

9. AIR QUALITY #1—FUGITIVE DUST

INTENT: In order to mitigate for fugitive dust during construction activities. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measures:

- a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least two (2) feet of freeboard or cover loads of all haul/dump trucks securely.
- b. Dust control measures of the Grading Ordinance will be enhanced with a minimum of three (3) daily applications of water to the construction areas between dozer/scrapper passes and on any unpaved roads within the project limits.
- c. Grading is to be terminated in winds in excess of 25 miles per hour (mph).
- d. Sweepers and water trucks shall be used to control dust and debris at public street access points.
- e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing, or other suppression measures.
- f. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading.
- g. A 15-mph speed limit on unpaved surfaces shall be enforced.

DOCUMENTATION: The applicant or designee shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of construction and grading. **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 [DPLU, PCC] if the applicant fails to comply with this condition.

10. STRMWTR#1—EROSION CONTROL

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [State Construction General Permit, Order No. 2009-00090-DWQ](#), or subsequent order and the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), and all other applicable ordinances and standards for this priority project.

DESCRIPTION OF REQUIREMENT: The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304](#). The cash deposit

collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to [PDS, LDR] authorizing the use of this deposit for emergency measures.

- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County PDS and/or DPW by the date agreed.

DOCUMENTATION: The applicant shall process an Erosion Control Plan and provide the letter of agreement and any additional security and/or cash deposit to the [PDS, LDR].

TIMING: Prior to approval of any grading or improvement plan or construction permit, and prior to use of the property in reliance of this permit, the Erosion Control Plan shall be approved and the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the Erosion Control Plan adequately satisfies the requirements of the conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. [DPW, PDC] shall use the securities pursuant to the agreement to implement and enforce the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

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

11. GEN#3-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.

12. PLN#3-SITE PLAN IMPLEMENTATION: [PDS, BI] [UO] [DPR, TC, PP].

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 plot plan and the building plans. This includes, but is not limited to: improving all parking areas, trails, and driveways, installing all required design features, properly screening trash enclosures, and removing all temporary construction facilities 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, Building Inspector] and DPR [TC, PP] shall inspect the site for compliance with the approved Building Plans.

13. FIRE#1-FIRE PROTECTION PLAN: [PDS, PCC] [UO] [PDS, FEE]

INTENT: In order to assure fire safety in compliance with the County of San Diego Fire Code Sections 96.1.4703 and 96.1.4707, the site shall be maintained in conformance with the approved Fire Protection Plan – Letter Report. **DESCRIPTION OF REQUIREMENT:** The following measures approved in the Fire Protection Plan shall be implemented and maintained:

- a. Vegetation management zones of 100-feet from all structures shall be maintained at all times.
- b. Vintage Trailers shall meet the 150-foot hose pull requirement at all times.

DOCUMENTATION: The applicant shall provide documentation (inspection report or photographs) that demonstrates compliance with the FPP. **TIMING:** Prior to occupancy of the first structure built in association with this permit, the FPP requirements shall be implemented. **MONITORING:** The [PDS, PCC] shall verify that the mitigation measures have been initially implemented pursuant to the approved building plans and the fire protection plan.

14. LNDSCP#2–CERTIFICATION OF INSTALLATION

INTENT: In order to provide adequate Landscaping that provides perimeter planting, 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 Ramona Design Guidelines, 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.

15. DEH#1-SPECIAL OCCUPANCY PARK

INTENT: In order to protect public health and safety, this facility shall complete all requirements necessary in compliance with the Special Occupancy Park Regulations, Title 25, Chapter 2.2 of California Code of Regulations. **DESCRIPTION OF REQUIREMENT:** The applicant shall obtain a Special Occupancy Park permit, per the California Health and Safety Code, Division 13, Part 2.3, through the Department of

Environmental Health (DEH). **DOCUMENTATION:** The property owner or permittee shall provide documentation of Special Occupancy Park permit issuance to DEH and PDS. **TIMING:** Prior to any occupancy or use of the seven (7) vintage trailers on the property, this condition shall be satisfied. **MONITORING:** Compliance with this condition shall be confirmed by DEH and monitored by the PDS Code Enforcement Division.

16. ROADS#3–ACCESS IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the [Policy I-18](#) and the [County Consolidated Fire Code Sec. 503 et al.](#), a project access shall be improved. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve and provide security for:

- a. The project driveway(s), which shall be designed and constructed per San Diego Regional Standard Drawing G-14 or design standard DS-07, to the satisfaction of the Director of Planning & Development Services.
- b. The project entry gate, which shall be designed and constructed to meet DS-17, 18 or 19 to the satisfaction of the San Diego County Fire Authority and the Director of Planning & Development Services.

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:

- c. Process and obtain approval of Improvement Plans to improve the project driveway and the pavement taper on **Montecito Way** and **Montecito Road**.
- d. Provide Secured Agreements. The required security shall be in accordance with [Section 7613 of the Zoning Ordinance](#).
- e. Pay all applicable inspection fees with [DPW, PDCI].
- f. If the applicant is a representative, then a 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.
- g. Obtain approval for the design and construction of all driveways, turnarounds, pathways and private easement road improvements to the satisfaction of the San Diego County Fire Authority and the [PDS, LDR].
- h. Obtain a Construction Permit for any work within the County road right-of-way. Contact DPW Construction/Road right-of-way Permits Services Section, (858) 694-3284. 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 occupancy or 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.

17. ROADS#4-ANNEX TO LIGHTING DISTRICT

INTENT: In order to promote orderly development and to comply with the Street Lighting Requirements of the [County of San Diego Board Policy I-18](#) and [The County of San Diego Public Road Standards](#), the property shall transfer into the Lighting District.

DESCRIPTION OF REQUIREMENT: Allow the transfer of the property subject of this permit into Zone A of the San Diego County Street Lighting District without notice or hearing and pay the cost to process such transfer. **DOCUMENTATION:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [PDS, LDR]. The applicant shall provide the receipt to [PDS, PCC]. **TIMING:** Prior to occupancy of the first structure built in association with this permit, or use in the premises in reliance of this permit, the fee shall be paid. **MONITORING:** The [PDS, LDR] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant.

18. ROADS#5-ROAD DEDICATION

INTENT: In order to promote orderly development and to comply with the [County of San Diego Board Policy I-18](#), the [County Public Road Standards](#), and the [Community Trails Master Plan](#), road right of way shall be dedicated to the County. **DESCRIPTION OF REQUIREMENT:**

- a. Grant by separate document to the County of San Diego an easement for road purposes that provides a one-half right-of-way width of thirty-seven feet (37') from centerline, plus slope rights and drainage easements for **Montecito Road** (2.2E Light Collector with Class II Bike Lane) along the frontage of the project in accordance with Mobility Element County Standards.
- b. Grant by separate document to the County of San Diego an easement for road purposes that provides a one-half right-of-way width of thirty-two feet (32') from centerline, plus slope rights and drainage easements for **Montecito Way** (2.2E Light Collector with Class III Bike Lane) along the frontage of the project in accordance with Mobility Element County Standards.

The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the Director of PDS.

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

applicant shall provide copies of the easement documents to the [PDS, LDR] for review.

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

MONITORING: The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [PDS, LDR] for review and approval. The [PDS, LDR] shall review the easements to assure compliance with this condition.

19. ROADS#6-ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the [County of San Diego Board Policy I-18](#), the [County Public Road Standards](#), and the [County Community Trails Master Plan](#), **Montecito Road** and **Montecito Way** shall be improved.

DESCRIPTION OF REQUIREMENT:

- a. Improve or agree to improve and provide security for **Montecito Road** (SA 330), which is shown on the Mobility Element as a 2.2E Light Collector, along the project frontage. The improvement shall include the following:
 1. An eight-foot (8') pathway shall be installed from the edge of pavement.
- b. Improve or agree to improve and provide security for **Montecito Way** (SA 330), which is shown on the Mobility Element as a 2.2E Light Collector, along the project frontage. The cross section of the improvement shall include the following:
 1. An improved paved width of fourteen feet (14') from centerline to edge of pavement with asphalt concrete over approved base;
 2. An eight-foot (8') pathway shall be installed from the edge of pavement;
- c. Provide a two-foot (2') asphalt concrete widening and six-inch (6") berm at the beginning of the corner rounding at the intersection of **Montecito Road** and **Montecito Way** to the northwest property line as shown on the approved plan. The corner rounding radius shall be twenty feet (20') at the intersection of **Montecito Road** and **Montecito Way**.

All of the above shall be to the satisfaction of the Director of Planning & Development Services.

- d. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.

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 **Montecito Way** and **Montecito Road**.
- 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, PDCI].
- 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, pathways and private easement road improvements to the satisfaction of the San Diego County Fire Authority and the Ramona Fire Department and the [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 approval of any building permits, 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.

20. NOISE#2-NOISE CONTROL DESIGN MEASURES [PDS FEE X1]

INTENT: In order to reduce the impacts of the exterior sound levels from the project site on the adjacent parcels and to comply with the [County of San Diego Noise Ordinance 36.404](#) as evaluated in the [County of San Diego Noise Guidelines for Determining Significance](#), the following design measures shall be verified that they are constructed.

DESCRIPTION OF REQUIREMENT: The following noise control design measure(s) shall be constructed pursuant to the approved building and/or landscape plans: The following design elements and noise attenuation measures shall be implemented and indicated on the building plans and made conditions of its issuance:

1. Include a plan detail that states the following: "Hours of operations would be limited to 10:00 am to 10:00 pm, where no music, live or recorded would occur after 10:00 pm".
2. Amplified equipment to be limited to 75 dBA at the distance of 25 feet from the nearest property lines.

3. Include a plan detail that states the following: "There will be only one event on-site occurring on any given day".
4. Include a plan detail that states the following: "The existing equestrian events would not occur the same day as any of the public events with amplified music".
5. General Note: If substantial new information and/or major project design changes occur to what was previously assessed, then additional noise review may be necessary to ensure noise ordinance compliance.

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the noise control measure shall be installed and operational.

MONITORING: The [PDS, BI] shall verify that the noise control measures above have been constructed pursuant to the approved building plans and/or landscape plans, and this permit's conditions.

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

21. PLN#4-SITE CONFORMANCE: [PDS, PCO] [OG] [DPR, TC, PP].

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:

- a. Maintaining all approved parking, trails, and driveway areas;
- b. Watering all approved landscaping;
- c. Painting all necessary aesthetics design features;
- d. Maintaining all approved lighting, walls, fencing, and signage;
- e. Limiting hours of operation to 10:00AM to 10:00PM, seven (7) days per week;
- f. Limiting the number of people per event to 225, including employees and subcontracted staff;
- g. Limiting the number of overnight guests to 18, with four (4) guests in the Bed and Breakfast, and fourteen (14) guests in the seven (7) temporary trailers;
- h. Maintaining the temporary vintage trailers in the approved location on the property;
- i. Operating not more than one event on the premises per day;
- j. Restricting operation of the event venue during existing equestrian events on the neighboring property to the north.

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.

22. FIRE#2-ON-GOING FIRE PROTECTION: [PDS, PCC] [OG]

INTENT: In order to comply with the County of San Diego Fire Code Sections 96.1.4703 and 96.1.4707, the site shall comply with the approved Fire Protection Plan.

DESCRIPTION OF REQUIREMENT: The following measures approved in the Fire Protection Plan shall be implemented and maintained:

- a. Vegetation management zones of 100-feet from all structures shall be maintained at all times.
- b. Vintage Trailers shall meet the 150-foot hose pull requirement at all times.

DOCUMENTATION: The applicant shall comply with the requirements of the Fire Protection Plan and this condition for the life of this permit. **TIMING:** Upon establishment of the use, the conditions of the Fire Protection Plan shall be complied with for the term of this permit. **MONITORING:** The [PDS, PCC] shall verify that the mitigation measures have been implemented pursuant to the approved building plans and the fire protection plan. The [PDS, Code Enforcement Division] is responsible for enforcement of this permit. The [fire agency] shall be responsible for long-term implementation of fire clearing requirements.

23. ROADS#7-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 300 Feet in both directions along *Montecito Way and Montecito Road* from the project driveway openings 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. ROADS#8-PLANT TRIMMING AND/OR REMOVAL PERMIT

INTENT: In order to improve the unobstructed lines of sight within the County right-of-way for vehicles exiting the project driveway opening(s) and in accordance with the [County of San Diego Public Road Standards](#), a Plant Removal permit shall be obtained, pursuant to County Code Section 71.501 et al. **DESCRIPTION OF REQUIREMENT:** A Plant Trimming Removal permit shall be obtained from Construction/Road right-of-way Permits Services Section, for the vegetation removal within the public 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 plant trimming permit 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]. **TIMING:** Prior to construction of anything within the County right of way, the permit shall be obtained. **MONITORING:** The [PDS, LDR] shall review the permit and evidence of said completion of work for compliance.

25. 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:

- a. Major 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.
- b. The operations of any mechanical unit associated with this Major Use Permit shall conform to the daytime and nighttime sound level limits for uses pursuant to Section 36.404.
- c. All mechanical equipment may incorporate (if needed for noise ordinance compliance) noise reducing measures such as, but not limited to, screen walls, noise barriers, increased setbacks to the property line, placement of equipment behind structures, etc.

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. **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.

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

on _____

Ashley Smith, Planning Manager
Project Planning Division

MW:AS:dr