

**Attachment G – Form of Decision for
Major Use Permit PDS2015-MUP-15-008**

**FORM OF DECISION
MAJOR USE PERMIT PDS2015-MUP-15-008**

October 1, 2025

PERMITTEE: HARMONY GROVE VILLAGE SOUTH WASTEWATER
TREATMENT AND WATER RECLAMATION PLANT MAJOR USE
PERMIT
MAJOR USE PERMIT: PDS2015-MUP-15-008
E.R. NUMBER: PDS2015-ER-15-08-006
PROPERTY: SOUTH OF HARMONY GROVE ROAD AND EAST OF COUNTRY
CLUB DRIVE
APN: 235-011-06

DECISION OF THE BOARD OF SUPERVISORS

This Major Use Permit is for a wastewater treatment and water reclamation plant, in association with a Vesting Tentative Map, PDS2018-TM-5626, consisting of five sheets including a plot plan and conceptual landscape plan. The project consists of two options for a wastewater treatment facility:

Option 1: Construction of a stand-alone Aeromod Wastewater Treatment Plant (180,000-gallon per day) that consists of the following: (1) 1,000 square feet Equalization Basin, (2) 2,500 square foot Secondary Treatment Area, (3) 1,000 square feet filter area, (4) 750 square feet chlorine contact basins, (5) 900 square foot equipment building (25 ft. height maximum), (6) non-compliant effluent storage tank(s), and (7) residual solids processing equipment.

Option 2: Construction of an "Ovivo" design plant that consists of the following: (1) 480 square foot compact plant, (2) 20,000 gallon liquid sludge storage tank, (3) 750 square foot off-quality effluent storage tank (97,480 gallon capacity), (4) a 500 square foot building (18 ft. height maximum) to house an emergency generator, electrical control system, and miscellaneous equipment.

Regardless of which treatment plant option would be implemented, the following is proposed for both options: 1) A 8,127,000 gallon underground wet weather storage tank sited beneath the recreational areas of the project site, including community gardens, (2) a 6-foot perimeter wall, (3) landscaping, (4) a small parking lot and (4) transportation of biosolids to another wastewater treatment plant for dewatering, pursuant to Sections 1350, 2888.b., 5750, 7150 and 7350 of the Zoning Ordinance.

Should the Harmony Grove Village South project be served by the Rincon Del Diablo Municipal Water District for sewer service, and the facilities specified above not be built by the project, this Major Use Permit shall become null and void.

MAJOR USE PERMIT EXPIRATION: This Major Use Permit shall expire concurrently with Vesting Tentative Map, PDS2018-TM-5626, except where construction and/or use of the property in reliance on this permit has commenced. Recordation of a Final Map pursuant to Vesting Tentative Map, PDS2018-TM-5626, and completion of (or entry into agreements to construct where permitted) all required improvements shall be deemed to establish such construction and/or use in reliance; provided however, that the period within which such

construction and/or use must be commenced may be extended as provided by Section 7376 and provided further, that construction complies with zoning regulations in effect at the time of construction.

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 Major Use Permit. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

ANY PERMIT: *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

1. GEN#1. COST RECOVERY

INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, 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. GEN#3. RECORDATION OF FINAL MAP AND COMPLETION OF ALL REQUIRED IMPROVEMENTS

INTENT: In order to comply with Section 81.1205 of the County of San Diego Subdivision Ordinance, a subdivider shall file with a vesting tentative map a complete site plan application showing all proposed land uses intended to be vested on the lots to be created with the filing of a final map or a parcel map. **DESCRIPTION OF REQUIREMENT:** Prior to the acquiring the vested rights of this Site Plan, the applicant shall complete all required conditions and improvements of this Site Plan and Tentative Map 5626 prior to recordation of the final map. **DOCUMENTATION:** The applicant shall provide evidence that all conditions related to this Site Plan and Tentative Map 5626 have been completed.

TIMING: Prior to the recordation of the Final Map of Tentative Map 5626. **MONITORING:** PDS shall verify that all the conditions of this Site Plan and the Tentative Map have been completed.

4. ODOR CONTROL FOR WASTEWATER TREATMENT AND WATER RECLAMATION FACILITY

INTENT: In order to reduce odor emissions **DESCRIPTION OF REQUIREMENT:** The following design features shall be implemented at the onsite WTWRF for the project:

- a. As relevant, all WTWRFs will be designed to minimize odors, including the addition of water misting, chemical additives or activated carbon, as required.
- b. All water treatment facilities will be covered or housed to avoid uncontrolled odor release.
- c. Active odor control units will be located to manage gases from the wet and solids stream treatment process.
- d. A misting system with odor neutralizing liquids to break down the foul smelling chemical compounds in the biogases will be installed.
- e. Bio filters would be utilized to capture odor causing compounds in a media bed where they are oxidized by naturally occurring micro-organisms.

DOCUMENTATION: The applicant shall comply with the requirements of this condition.

TIMING: Prior to approval of any construction or building plan or the issuance of any building permit, the following design measures shall be implemented on the building plans. **MONITORING:** The [PDS, BPPR] shall make sure that the sustainable design measures are implemented on all building plans for the project.

MAJOR USE PERMIT FINDINGS

Pursuant to Section 7358 of The Zoning Ordinance, the following findings in support of the granting of the Major Use Permit are made:

- (a) *The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to:*

1. *Harmony in scale, bulk, coverage, and density*

Bulk, Scale and Coverage

The MUP is for the operation of a wastewater treatment and water reclamation plant on a 0.37 acre lot. The Project includes two options: (1) a stand-alone Aeromod wastewater treatment plant or (2) an "Ovivo" plant. The approximate lot coverage of the wastewater treatment and water reclamation plant is compatible with other wastewater treatment plant in the surrounding area: 1) the Harmony

Grove Wastewater Treatment Facility is approximately 40%, 2) Santa Fe Valley Reclamation Plant is approximately 35% (Distance: 4.9 miles), 3) Whispering Palms Reclamation Plant is approximately 42% (Distance: 8.08 miles), 4) Rancho Santa Fe Reclamation is approximately 26% (Distance: 7.14 miles), and 5) Fairbanks Ranch Water Pollution Control Facility is approximately 21% (Distance: 7.46 miles). The project is similar in bulk, scale, and lot coverage to other wastewater treatment plants in area as its lot coverage has a maximum of 42 percent.

The elevation of any future structure constructed onsite will not exceed twenty-five feet in height. Therefore, the proportional bulk, scale, and lot coverage of the proposed project would be consistent and compatible with public/semi-public and agricultural land uses in the San Dieguito community.

Density

The proposed project is a wastewater treatment and reclamation plant. As such, the project is not subject to the density requirements.

2. *The availability of public facilities, services, and utilities*

All necessary public facilities and services are available as detailed in the service availability letters submitted for the project. Fire protection services would be provided by the Rancho Santa Fe Fire Protection District. Water service would be provided by the Rincon del Diablo Municipal Water District. As such, all necessary public facilities and services are available. The proposed wastewater treatment facility will require annexation to the County of San Diego or Rincon del Diablo Municipal Water District for sewer service (if the proposed annexation is approved).

3. *The harmful effect, if any, upon desirable neighborhood character*

The Project is a wastewater treatment and reclamation plant. With the adoption of the proposed Specific Plan, the Project would be allowed pursuant to the approval of a Major Use Permit. The Project is located within the San Dieguito Community Plan areas and is south of Harmony Grove Road and east of Country Club Drive.

An Environmental Impact Report (EIR) and associated technical studies were prepared that analyzed the environmental impacts of the Project, including the construction of a wastewater treatment and reclamation plant. Appropriate mitigation measures were identified and are imposed on the Project.

Visual and noise impacts are mitigated to a level below significant by designing the structures in an agrarian barn style that is compatible with the community character. The plant would be located adjacent to Country Club Drive, but would be separated from the road by a manufactured slope. The structures would be screened by landscaping, a six-foot perimeter wall, and limited lighting. All mechanical equipment would be housed within buildings or noise-attenuating covers. Design details include; varied building massing; gable roof profiles; horizontal siding; exposed, simple beams and columns; carriage style stable and

man doors; cupolas and weather vanes. Air quality, specifically the issue of odors would be mitigated through the inclusion of the following: (1) facilities would be covered to avoid uncontrolled odor release, (2) appropriate siting of active control units to manage gases from the wet and solids stream treatment processes, (3) all processes and equipment would be housed and ventilation controlled such that no objectionable odors will be discernible at the project site boundaries, (4) a misting system with odor neutralizing liquids to break down any noxious odors, (5) utilizing bio filters to capture odor causing compounds in a media bed where they are oxidized by naturally occurring micro-organisms, and (6) by having wastewater operators routinely check the digester pressure relief valves. The proposed project has been reviewed and approved for consistency with the Harmony Grove South Specific Plan and the San Dieguito Community Plan in terms of visual, landscaping, community character, and architectural design. Therefore, the project would not have a harmful effect upon the desirable neighborhood character.

4. *The generation of traffic and the capacity and physical character of surrounding streets*

The operation of the wastewater treatment and reclamation plant would not generate significant traffic. 10 average daily trips have been calculated for the maintenance, management, and supervision of the site as identified in the Traffic Impact Analysis. Traffic generated by the wastewater treatment and reclamation plant is less than significant. The road improvements required as part of the overall project will accommodate the proposed facility and all required parking will be provided onsite.

5. *The suitability of the site for the type and intensity of use or development, which is proposed*

The Project is the construction and operation of a wastewater treatment and reclamation facility. The project design and site layout is similar to existing private and County facilities within the San Dieguito Community Plan area and conforms with both the San Dieguito Community Plan and the Harmony Grove Village South Specific Plan.. With the incorporation of site grading, landscaping, and fencing, the site would be suitable for the type and intensity of development proposed and would be compatible with the surrounding community.

6. *Any other relevant impact of the proposed use*

None identified.

(b) *The impacts, as described in Findings (a) above, and the location of the proposed use will be consistent with the San Diego County General Plan:*

With the adoption of the General Plan Amendment and Zoning Reclassification, the Project would be subject to the General Plan Land Use Designation Village Residential 10.9 (VR-10.9), Neighborhood Commercial (C-3) and Semi-Rural (SR-0.5) and Zoning Use Regulation - Specific Plan Area Use Regulations (S88). A wastewater treatment and reclamation plant is typically associated with residential uses. In addition, the Project is consistent with provisions of the Land Use Element of the General Plan pertaining to

privately proposed treatment plants. The findings regarding the treatment plant that are required to be made prior to approval of the Specific Plan are set forth in the Resolution approving the Harmony Grove Village South Specific Plan (SP-15-002). Therefore, for the reasons stated above, the project is consistent with the San Diego County General Plan.

- (c) *That the requirements of the California Environmental Quality Act have been complied with:*

The project has been reviewed and found in compliance with CEQA because an EIR for the Harmony Grove Village South Specific Plan has been prepared and certified by the Board of Supervisors.

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MITIGATION MONITORING OR REPORTING PROGRAM (MMRP): Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Monitoring or Reporting Program for any project approved with the adoption of a Mitigated Negative Declaration or with the certification of an Environmental Impact Report, for which changes in the project are required in order to avoid significant impacts.

Section 21081.6(a)(1) states, in part:

The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

Section 21081(b) further states:

A public agency shall provide [that] the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.

As indicated above, a Mitigation Monitoring or Reporting Program is required to assure that a project is implemented in compliance with all required mitigation measures. The Mitigation Monitoring or Reporting Program (MMRP) for this project is incorporated into the mitigation measures adopted as project conditions of approval. Each mitigation measure adopted as a condition of approval (COA) includes the following five components.

Intent: An explanation of why the mitigation measure (MM) was imposed on the project.

Description: A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.

Documentation: A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.

Timing: The specific project milestone (point in progress) when the specific required actions are required to implemented.

Monitoring: This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

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ORDINANCE COMPLIANCE NOTIFICATIONS: The project is subject to, but not limited to, the following County of San Diego, State of California, and U.S. Federal Government, Ordinances, Permits, and Requirements:

LIGHTING ORDINANCE COMPLIANCE: In order to comply with the [County Lighting Ordinance 59.101](#) et seq. and Zoning Ordinance Sections 6322, 6324, and 6326, the onsite lighting shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to the [County Lighting Ordinance 59.101](#) et seq. and Zoning Ordinance Sections 6322, and 6324. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to lighting. No additional lighting is permitted. 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.

NOISE ORDINANCE COMPLIANCE: In order to comply with the [County Noise Ordinance 36.401](#) et seq. and the Noise Standards pursuant to the General Plan Noise Element (Table N-1 & N-2), the property and all of its uses shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. No loudspeakers, sound amplification systems, and project related noise sources shall produce noise levels in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. 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.

COMPLIANCE INSPECTION: In order to comply with Zoning Ordinance Section 7362.e the County shall inspect the Use Permit property for compliance with the terms of this Use Permit. The County Permit Compliance Officer will perform a site inspection and review the on-going conditions associated with this permit. The inspection shall be scheduled no later than the six months subsequent to establishing the intended use of the permit. If the County determines the applicant is not complying with the Major Use Permit terms and conditions the applicant shall allow the County to conduct follow up inspections more frequently than once every twelve months until the County determines the applicant is in compliance. The Property Owner/Permittee shall allow the County to inspect the property for which the Major Use Permit has been granted, at least once every twelve months, to determine if the Property Owner/Permittee is complying with all terms and conditions of the Use Permit. This requirement shall apply during the term of this permit.

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10410](#) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that during construction the

property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning in May 2013. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link:

http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/susmppdf/lid_handbook_2014sm.pdf

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link below:
<http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>

STORMWATER COMPLIANCE NOTICE: Updated studies, including Hydro-modification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to [County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410](#) (N.S.), dated February 26, 2016 and BMP Design Manual. These requirements are subject to the MS4 Permit issued by the Regional Water Quality Control Board, Order No. R9-2013-0001 and any subsequent order. Additional studies and other action may be needed to comply with future MS4 Permits.

DRAINAGE: The project shall be in compliance with the County of San Diego [Flood Damage Prevention Ordinance](#) No. 10091, adopted December 8, 2010.

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities of excavation or fill results in the movement of material exceeding 200 cubic yards or eight feet (8') in vertical height of cut/fill, pursuant to [Section 87.201 of Grading Ordinance](#).

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact PDS Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate County requirements. In addition, 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.

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to [County TIF Ordinance number 77.201 – 77.223](#). The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [PDS, LD Counter] and provide a copy of the receipt to the [PDS, BD] at time of permit issuance.

NOTICE: This subject property contains Coastal sage scrub plant community. Such plant community is habitat for the coastal California gnatcatcher. The Federal government recently listed the gnatcatcher as a threatened species under the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.). THE LISTING MAY RESULT IN AN APPLICANT'S INABILITY TO PROCEED WITH HIS/HER PROJECT WITHOUT A PERMIT FROM THE FEDERAL GOVERNMENT IF THE SPECIES OR ITS HABITAT ARE PRESENT ON THE PROJECT SITE. It is advisable to contact the United States Fish and Wildlife Service to determine the applicability of the prohibitions under the Act to each applicant's property.

NOTICE: The subject property contains wetlands, a lake, a stream, and/or waters of the U.S. which may be subject to regulation by State and/or federal agencies, including, but not limited to, the Regional Water Quality Control Board, U.S. Army Corps of Engineers and the California Department of Fish and Wildlife. It is the applicant's responsibility to consult with each agency to determine if a permit, agreement or other approval is required and to obtain all necessary permits, agreements or approvals before commencing any activity which could impact the wetlands, lake, stream, and/or waters of the U.S. on the subject property. The agency contact information is provided below.

U.S. Army Corps of Engineers: 6010 Hidden Valley Rd, Suite 105, Carlsbad, CA 92011-4219; (858) 674-5386; <http://www.usace.army.mil/>

Regional Water Quality Control Board: 9174 Sky Park Court, Suite 100, San Diego, CA 92123-4340; (858) 467-2952; <http://www.waterboards.ca.gov/sandiego/>

California Department of Fish and Wildlife: 3883 Ruffin Rd., San Diego, CA 92123; (858) 467-4201; <http://www.dfg.ca.gov/>

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

NOTICE: Fish and Wildlife Fees have been paid in the amount of \$3,168.00 for the review of the EIR, Receipt number _____.

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

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

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 General Service (DGS)			
Real Property Division	RP		

ON MOTION of Supervisor _____, seconded by Supervisor _____, this Major Use Permit Form of Decision is passed by the Board of Supervisors, at a regular meeting held on this _____, in the County Administration Center Hearing Room, 1600 Pacific Highway, Room 310, San Diego, California, by the following vote:

AYES:

NOES:

ABSENT: