

# Attachment C – Site Plan Decision



## County of San Diego

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**VINCE NICOLETTI**  
ACTING ASSISTANT DIRECTOR

~~November 3, 2020~~  
February 5, 2021

**PERMITEE:** HILLTOP GROUP, INC.  
**SITE PLAN NO.:** PDS2008-3500-08-015  
**E.R. NUMBER:** PDS2008-3910-0808012  
**PROPERTY:** 25568 Mesa Rock Road in the Twin Oaks Valley Community of the North County Metropolitan Subregional Planning Area  
**APN(S):** 187-100-23, -31, -33, -35, & -37, AND 187-100-38

### FORM OF DECISION

This Site Plan for a recycling facility consists of ten sheets including plot plan, floor plans, elevations and conceptual landscape plan dated October 15, 2018, including a revised plot plan dated August 4, 2020 showing the modified processing area location. This permit authorizes a recycling facility that will engage in three forms of recycling: 1) tree waste chipping and grinding; 2) recycling of wood and construction debris (“C&D wood”); and 3) recycling of concrete, asphalt, and inert material from demolition projects (“CDI debris”). Only pre-sorted, non-contaminated tree trimmings and wood and construction debris shall be accepted for processing. There shall be no composting or acceptance of solid waste. This permit authorizes the construction of a 12,000-square foot steel recycling processing building with associated parking lot, 100,000-gallon water tank, a security trailer, truck scales, and up to twenty (60 feet by 60 feet by 18 feet high) adjustable storage containers pursuant to Section 6975 of the Zoning Ordinance. In accordance with Section 6975(a)(2)(i) of the Zoning Ordinance, and incorporated as Condition 25 – PLN#1, the Project shall be modified to require the enclosure of the processing area.

Approval of this site plan also approves the Preliminary Grading and Improvement Plan of five sheets. In accordance with the [Section 87.207 of the County Grading Ordinance](#), Environmental Mitigation Measures or other conditions of approval required and identified on the plan(s), shall be completed or implemented on the final engineering plan before any final improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to [County of San Diego Grading Ordinance \(Sec 87.701 et. al.\)](#)

This Site Plan has been reviewed and approved only for the “B” Designator requirements for community design review pursuant to the Twin Oaks Valley Community and the I-15 Corridor of the North County Metropolitan Subregional Plan.

**SITE PLAN EXPIRATION:** This Site Plan expires on February 5, 2023 (two years from the date of approval except where construction or use of the property in reliance on such Site Plan approval has commenced prior to its expiration). If construction or use of the property in reliance on a Site Plan approval has not commenced within the two year period, said period may be extended by the Director of Planning & Development Services at any time prior to the original expiration date. The request for an extension of time shall be filed prior to the expiration date and accompanied by the required filing fee.

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**SPECIFIC CONDITIONS:** Compliance with the following Specific Conditions (Mitigation Measures when applicable) shall be established before the property can be used in reliance upon this Site Plan. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

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

**1. GEN#1–COST RECOVERY**

**INTENT:** In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, 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. LNDSCP#1–LANDSCAPE DOCUMENTATION PACKAGE**

**INTENT:** In order to provide adequate Landscaping that addresses screening, and to comply with the Scenic Preservation Guidelines for the I-15 Corridor, 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 Grading Ordinance, and the I-15 Corridor 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: An ETAF value of 0.42 shall be used in the MAWA formula on the Water Efficient Landscape Worksheet in place of 0.45 for non-residential projects to be compliant with Measure W-1.2 (Reduce Outdoor Water Use) of the County's Climate Action Plan.
- j. All trees used to screen the retaining walls shall be planted from a minimum of a 24" boxed container and shrubs planted from a 15 gallon container. All trees used to satisfy the Parking Design Manual shall be from 24" boxed containers.
- k. Re-establish the planting in front of the retaining walls paralleling I-15 as was shown on the November 15, 2018 submittal of the Conceptual Landscape Plan. Perimeter screening of the proposed detention basin shall also be re-established as shown on that plan.
- l. Additional tree planting adjacent to the proposed parking area shall be provided as was previously shown on the Conceptual Landscape Plan submitted November 15, 2018.

- m. Screening of the proposed building shall also be provided as seen from surrounding properties and I-15.
- n. All existing dirt roads on the property shall be planted and irrigated to establish erosion control. Plantings shall be typical to the surrounding habitat type and contain no invasive or fire prone vegetation.
- o. Plantings within the impacted willow scrub area and within 50' of the willow scrub habitat shall be typical to that habitat.
- p. Tree planting shown on the November 15, 2018 Conceptual Landscape Plan along Mesa Rock Road shall be re-established outside of the Sight Distance Line area shown on the March 13, 2019 Conceptual Landscape Plan. Planting shall be consistent with Section 86.709 (c) (9) and 86.710 (a) (3) of the Water Conservation in Landscaping Ordinance and located outside of the public right-of-way.
- q. All planting shall be compliant with the projects' most current version of the Fire Protection Plan, including all requirements of the Deer Springs Fire Protection District for Defensible Space and Vegetation Management.

**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. DEH#1–WELL DESTRUCTION

**INTENT:** In order to ensure that water wells located on the property are removed, and to comply with the [County Regulatory Code Section 67.431](#), the well shall be properly destroyed. **DESCRIPTION OF REQUIREMENT:** The water well dug shall be properly destroyed by a California C-57 licensed well driller. A Well Destruction Permit shall be obtained from the [DEH, LWQ] and all applicable inspection fees shall be paid. **DOCUMENTATION:** The applicant shall provide copies of the Well Destruction Logs to [DEH, LWQ] upon completion of the well destruction. **TIMING:** Prior to the approval of any plan, issuance of any permit (Excluding Well Destruction Permit), and prior to occupancy or use of the premises in reliance of this permit, the applicant shall destroy the well. **MONITORING:** Upon submittal of the well destruction logs, [DEH, LWQ] shall perform a field inspection to verify that the well has been properly destroyed. The destruction logs shall be stamped and returned to the applicant.

#### 5. DEH #2–SEPTIC ABANDONMENT:

**Intent:** In order to comply with [County Regulatory Code Section 68.314](#) the existing on-site waste water system (Septic System) shall be properly abandoned. **Description of Requirement:** The septic system serving the site shall be pumped and properly abandoned under DEH guidelines. The property owner shall destroy any septic tank, holding tank or seepage pit within 30 days from the date the system or system component is deemed abandoned. The property owner shall have a licensed septic waste hauler remove the contents from any abandoned septic tank, holding tank or seepage pit and properly backfill the component with sand, gravel or other clean fill material. **Documentation:** Upon completion of the septic abandonment, the applicant shall submit proof of the septic tank abandonment in the form of a letter statement from the licensed septic contractor to [DEH, LWQ] that the septic system has been abandoned according

the Regulatory Code. **Timing:** Prior to the approval of any plan or issuance of any permit, the applicant shall properly abandon the septic system. **Monitoring:** proof of the septic tank abandonment shall be provided by the applicant to [DEH, LWQ] to verify that the septic system has been properly abandoned.

**6. BIO#1-BIOLOGICAL EASEMENT: [PDS, FEE X 2].**

**INTENT:** In order to protect sensitive biological resources and mitigate for impacts to 9.86 acres of mafic southern mixed chaparral, a biological open space easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego, an open space easement, as shown on the Approved Site Plan dated October 15, 2018. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exceptions to this prohibition are:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the applicable fire code of the Fire Authority Having Jurisdiction and the Memorandum of Understanding dated February 26, 1997, (<http://www.sdcounty.ca.gov/PDS/docs/MemoofUnder.pdf>) between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of PDS, DPW or DPR.

**DOCUMENTATION:** The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation 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 easements shall be recorded. **MONITORING:** The [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] for pre approval. The [PDS, PCC] shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] [DPR, TC] for satisfaction of the condition.

**7. BIO#2-LBZ EASEMENT: [PDS, FEEX 2]**

**INTENT:** In order to protect sensitive biological resources protected in a biological open space easement from vegetation management requirements, introduction of exotic pest plants, and increased light and noise, pursuant to CEQA, an enhanced Limited Building Zone Easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego a Limited Building Zone Easement as shown on the Approved Site Plan dated October 15, 2018. The purpose of this easement is to limit the need to clear

or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

- a. Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel modification requirements so that they will not be required within any portion of the biological open space easement.
- b. Decking, fences, and similar facilities.

**DOCUMENTATION:** The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation 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 easements shall be recorded. **MONITORING:** The [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] for pre-approval. The [PDS, PCC] shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition.

**8. BIO#3-OPEN SPACE SIGNAGE AND FENCING: [PDS, FEE].**

**INTENT:** In order to protect the proposed open space easement from entry, informational signs and fences/barriers shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space signs shall be placed at the biological open space easement boundary (on fencing where required). Fencing shall be installed along the western open space boundary where not adjacent to open space. Fencing shall match the fencing of the existing off-site open space, to the satisfaction of the PDS Director. Large boulders or concrete barriers shall be installed to block access wherever existing dirt roads/trails enter the open space. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface. At each of the barricaded 'old' entry points and every 200 feet at the line between the off-site graded pad and the OS, signs will be placed. The sign must state the following:

**Sensitive Environmental Resources**

**Area Restricted by Easement**

Entry without express written permission from the  
County of San Diego is prohibited

To report a violation or for information about restrictions and exceptions  
Contact the County of San Diego

Department of Planning and Development Services

Reference: STP-08-015; ER-08-08-012

**DOCUMENTATION:** The applicant shall install the signs, fences and barriers as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space signs, fences and barriers have been installed at the boundary of the open space easement. **TIMING:** Prior to the approval of

any plan and issuance of any permit, the open space signs, fences and barriers shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

- 9. BIO#4-BIOLOGICAL MONITORING: [PDS, FEE X2]. INTENT:** In order to prevent inadvertent disturbance to sensitive habitats, jurisdictional waters, and special-status species, clearing and grading located within 100 feet of the biological open space easements shall be monitored by a biologist. **DESCRIPTION OF REQUIREMENT:** A County approved biologist "Project Biologist" shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The following shall be completed:

- a. The Biologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Biological Report Format and Requirement Guidelines and this permit. The contract provided to the county shall include an agreement that this will be completed, and a Memorandum of Understanding (MOU) between the biological consulting company and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- b. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with the Department of Planning & Development Services.

**DOCUMENTATION:** The applicant shall provide a copy of the biological monitoring contract, cost estimate, and MOU to the [PDS, PCC]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to the approval of any plan or issuance of any permit, the requirement shall be completed. **MONITORING:** The [PDS, PCC] shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [DPW, Project Manager], for inclusion in the grading bond cost estimate, and grading bonds. The [DPW, PC] shall add the cost of the monitoring to the grading bond costs.

**10. BIO#5-TEMPORARY FENCING: [PDS, FEE].**

**INTENT:** In order to prevent inadvertent disturbance to all on-site biological open space, temporary construction fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Prior to the commencement of any grading and or clearing in association with the grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing:

- a. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary.
- b. The placement of such fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

**DOCUMENTATION:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or



any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **MONITORING:** The [PDS, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.

- 11. BIO#6-OFF-SITE COAST LIVE OAK WOODLAND MITIGATION: [PDS, PCC] [BP, GP, CP, UO] [DPR, GPM] [PDS,FEE X2] INTENT:** In order to mitigate for the impacts to 0.08 acre of coast live oak woodland, which is a sensitive biological resource pursuant to the [Resource Protection Ordinance \(RPO\)](#) and CEQA, off-site mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.24 acre of coast live oak woodland habitat, located in northern San Diego County as indicated below.
- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
    - i. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
    - ii. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
    - iii. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
    - iv. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
  - b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the creation, restoration/enhancement, and conservation of habitat of the same amount and type of land located in northern San Diego County as indicated below.
    - i. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS].
    - ii. A Resource Management Plan (RMP) and Revegetation/ Enhancement Plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR
    - iii. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
    - iv. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
    - v. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency,

and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the off-site mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP and Revegetation Plan is going to be submitted in-lieu of purchasing credits, then the RMP and Revegetation Plan shall be prepared and applications shall be submitted to the [PDS, ZONING]. **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 mitigation shall occur. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, REG] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

## 12. BIO#7-OFF-SITE SOUTHERN COAST LIVE OAK RIPARIAN FOREST MITIGATION:

[PDS, PCC] [BP, GP, CP, UO] [DPR, GPM] [PDS, FEE X2] **INTENT:** In order to mitigate for the impacts to 0.17 acre of southern coast live oak riparian forest, which is a sensitive biological resource pursuant to the [Resource Protection Ordinance \(RPO\)](#) and CEQA, off-site mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.51 acre of southern coast live oak riparian forest habitat, located in northern San Diego County as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
  - i. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - ii. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
  - iii. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
  - iv. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the creation, restoration/enhancement, and conservation of habitat of the same amount and type of located in northern San Diego County as indicated below.
  - i. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS].

- ii. A Resource Management Plan (RMP) and Revegetation/ Enhancement Plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
- iii. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
- iv. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
- v. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the off-site mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP and Revegetation Plan is going to be submitted in-lieu of purchasing credits, then the RMP and Revegetation Plan shall be prepared and applications shall be submitted to the [PDS, ZONING]. **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 mitigation shall occur. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, REG] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

- 13. BIO#8-OFF-SITE COASTAL SAGE SCRUB MITIGATION: [PDS, PCC] [BP, GP, CP, UO] [DPR, GPM] [PDS,FEE X2] INTENT:** In order to mitigate for the impacts to 1.07 acre of coastal sage scrub, which is a sensitive biological resource pursuant to the [Resource Protection Ordinance \(RPO\)](#), HLP Ordinance, and CEQA, off-site mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 3.06 acres of coastal sage scrub habitat, located in northern San Diego County as indicated below.
- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

- i. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - ii. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
  - iii. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
  - iv. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in northern San Diego County as indicated below.
- i. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS].
  - ii. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
  - iii. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
  - iv. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
  - v. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the off-site mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and application shall be submitted to the [PDS, ZONING]. **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 mitigation shall occur. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, REG] [DPR, GPM]

shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

#### 14. ROADS#1–TRAFFIC CONTROL PLAN

**INTENT:** In order to mitigate below levels of significance for temporary traffic impacts, a Traffic Control Plan (TCP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Have A Registered Civil Engineer or licensed Traffic Control Contractor prepare a TCP to the satisfaction of Director of DPW. **DOCUMENTATION:** The applicant shall have the TCP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Traffic]. **TIMING:** Prior to the approval of any plan, issuance of any permit, any grading and or improvement plans and issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit, a TCP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the TCP for compliance with this condition.

#### 15. ROADS#2–HAUL ROUTE PLAN

**INTENT:** In order to ensure the roads are not damaged by heavy loads that loaded trucks place on the construction route (or subsequent operations- use for applicable projects), a Haul Route Plan (HRP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** A HRP shall be prepared that addresses the following, but is not limited to: haul routes, truck types and capacity, number of trips per day, estimated quantity of import & export, destination, duration of the haul, and hours of operation.

- a. The implementation of the HRP shall be a condition of any grading, construction, or excavation permit issued by the County. The applicant is responsible for the road maintenance (sweeping as necessary) and repair of any damage caused to the on-site and offsite County maintained roads that serve the property either during construction or subsequent operations.
- b. The applicant will repair those portions of the roads that are damaged by the heavy loaded trucks. An agreement shall be executed, to require (1) a cash deposit for emergency traffic safety repairs; (2) long-term security for road maintenance and repair of any damage caused by the project to the County maintained roads that serve the project during construction phase on the route identified; and (3) All the roads as identified on the haul route plan shall be returned to the existing condition or better.
- c. Prior to import/export, all affected property owners in the neighborhood shall be notified; no equipment or material storage on public roads will be allowed and sweeping to be performed at the end of each week or more depending on the frequency of hauling.

**DOCUMENTATION:** The applicant shall have the HRP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Road Maintenance]. The applicant shall also execute a secured agreement for any potential damages caused by heavy trucks on the construction route. The agreement and securities shall be approved to the satisfaction of the [DPW, Road Maintenance]. **TIMING:** Prior to the approval of any plan, issuance of any permit, any

grading and or improvement plans and issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit, a HRP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the HRP for compliance with this condition.

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

#### 16. 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 Maintenance Notification Agreement to assure maintenance of the **Category 1** Structural BMPs to the satisfaction of the Director of DPW and/or PDS. The Maintenance Notification Agreement shall be signed, notarized and recorded by the applicant.

**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.

#### 17. STRMWTR#2–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, PDCI] 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.

#### 18. DRNG#1–WAIVER AND RELEASE LETTERS

**INTENT:** In order to notify adjacent property owners downstream of the project site that there will be changes to the drainage features that could have effects on their property; and to comply with [County Flood Damage Prevention Ordinance \(Title 8, Division 11\)](#), [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#) letter(s) of permission shall be obtained. **DESCRIPTION OF REQUIREMENT:** A recorded waiver and release letter shall be obtained from each property owner impacted by significant changes (including diversion and concentration) in downstream flow characteristics resulting from grading, private roads, or other improvements. **DOCUMENTATION:** The applicant shall obtain the letters of approval from each downstream neighbor, have them recorded by the County Recorder, and then submit them to the [PDS, LDR] for review and approval. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the letters shall be obtained. **MONITORING:** The letters of permission shall be reviewed by the [PDS, LDR] for compliance with this condition.

#### 19. GEO#1–SOILS REPORT

**INTENT:** In order to ensure that the final soils report and final grading plans shall conform to all applicable laws, regulations, and requirements. **DESCRIPTION OF REQUIREMENT:** A California Certified Engineering Geologist shall complete a final soils report specific to the preliminary design of the proposed development. The final soils report shall include, but not be limited to, a surficial stability analysis. The report shall include conclusions and design recommendations including, but not limited to, buffering areas without structural development, construction of retaining walls, debris walls, catchment basins, or slope buttressing. All geotechnical recommendations provided in the final soils report and final grading plans shall be followed during grading and construction at the project site. **DOCUMENTATION:** A California Certified Engineering Geologist shall submit a complete final soils report. The findings shall be reviewed and approved by the Director of the County Department of Planning & Development Services or designee. **TIMING:** Prior to the issuance of grading or construction permits for any phase of the project, the final soils report and final grading plans shall conform to all applicable laws, regulations, and requirements. **MONITORING:** [PDS] shall review the geotechnical findings for compliance with this condition.

**20. AIR QUALITY & GREENHOUSE GAS #1-FUGITIVE DUST**

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

**DESCRIPTION OF REQUIREMENT:** The project applicant or designee shall implement the following measures to mitigate fugitive dust compliant with San Diego Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance):

- 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. Areas recently disturbed by dozer/scrapper passes and any unpaved roads within the project limits will be watered a minimum of three (3) times daily.
- c. Grading activities will be terminated in winds in excess of 25 miles per hour (mph).
- d. Dust and debris at public street access points shall be cleaned regularly using sweepers and water trucks.
- 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 applying stabilizing 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, PDC] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDC] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

**21. AIR QUALITY & GREENHOUSE GAS #2-BLASTING**

**INTENT:** In order to mitigate for blasting and rock crushing emissions and fugitive dust.

**DESCRIPTION OF REQUIREMENTS:** The construction contractor shall comply with the following Air Quality and Greenhouse Gas (GHG) measures during blasting and rock crushing activities:

- a. During blasting activities, the construction contractor shall implement measures to control fugitive dust including exhaust ventilation, blasting cabinets and enclosures, vacuum blasters, drapes, water curtains or wet blasting. Watering methods, such as water sprays and water applications, also shall be implemented during blasting, rock crushing, cutting, chipping, sawing, or any activity that would release dust particles to reduce fugitive dust emissions.
- b. All project phases involving blasting shall conform to the following requirements: (1) Each blasting event shall employ a maximum of 2.5 tons of ammonium nitrate/fuel oil (ANFO); (2) blasting activities shall be restricted to not more than one blast per day; and, (3) all blasting shall be performed by a blast contractor and blasting personnel licensed to operate in the County.

**DOCUMENTATION:** The applicant shall comply with the Air Quality and GHG requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of construction. **MONITORING:** The [DPW, PDC] shall make sure that the grading contractor complies with the Air Quality and GHG requirements of this condition.



The [DPW, PDC] shall ensure a qualified opacity observer monitors opacity from crushing activities once every 30 days while crushers are employed on the site. The [DPW, PDC] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

## 22. AIR QUALITY & GREENHOUSE GAS #3-Construction Architectural Coatings

**INTENT:** In order to reduce emissions of volatile organic compounds (VOC).

**DESCRIPTION OF REQUIREMENT:** The project shall use architectural coatings with a VOC content of 100 grams per liter (g/L) or less for interior and exterior 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 this condition.

## 23. HAZ #1—STRUCTURE AND DEBRIS REMOVAL [PDS, FEE]

**INTENT:** In order to comply with the proposed project design, any structures or debris that is encountered within the immediate vicinity, or impedes the development of the project shall be removed or demolished. **DESCRIPTION OF REQUIREMENT:** The project description identifies several existing components/structures to be removed across the project site. **DOCUMENTATION:** The applicant shall submit to the [PDS, PPD]

a signed stamped statement from a registered professional; Engineer, Surveyor, Contractor, which states, that the structures have been removed or demolished. The letter report shall also include before and after pictures of the area and structure. **TIMING** Prior to grading or improvement permit (excluding demolition permit), the applicant shall comply with this condition. **MONITORING:** The [PDS, PPD] shall review the statement and, photos, and any additional evidence for compliance with this condition.

## 24. NOISE#1—NOISE CONTROL DESIGN MEASURES

**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 36.410 and 36.409](#), 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:**

- a. Prior to approval of the grading permit for any portion of the proposed project, the project applicant, or its designee, shall direct that the designated contractor shall prepare a blasting and monitoring plan with an estimate of noise and vibration levels of each blast at NSLU within 1,000 feet of each blast. Where potential exceedance of the County of San Diego Noise Ordinance is identified, the blast drilling and monitoring plan shall identify mitigation measures shown to effectively reduce noise and vibration levels (e.g., altering orientation of blast progression, increased delay between charge detonations, presplitting) to be implemented to comply with the noise level limits of the County's Noise Ordinance, Sections 36.409 and 36.410, the vibration-level limits of 1 inch per second peak particle velocity. Such measures shall be implemented by the Proposed Project applicant, or its designee, prior to the issuance of the grading permit.

Additionally, all Proposed Project phases involving blasting shall conform to the following requirements:

- All blasts shall be performed by a blast contactor and blasting personnel licensed to operate in the County.
- The analysis shall be submitted to the County for review prior to the first blast and according to the Blasting Permit process approved and performed by the County Sheriff's Department.
- Each blast shall be monitored and recorded with an air-blast overpressure monitor and groundbourne vibration accelerometer that is located outside the closest residence to the blast and is approved by the County Blasting shall not exceed 0.1 inch per second peak particle velocity at the nearest occupied residence, in accordance with County of San Diego's Noise Guidelines., Section 4.3.

**TIMING:** Prior to and during construction-related blasting activities, the noise control measure shall be operational. **MONITORING:** The [PDS, Code Compliance Division] is responsible for enforcement of this condition.

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

#### 25. PLN#1-ENCLOSURE

**INTENT:** In order to comply with Section 6975(a)(2) of the Zoning Ordinance. **DESCRIPTION OF REQUIREMENT:** All processing of materials shall be conducted entirely within an enclosed building. Total building floor area on the project site shall not exceed 45,000 square feet in accordance with Section 6975(2)(4) of Zoning Ordinance. Any new buildings shall be in the same architectural style as the steel structure that is shown on approved plot plan. **DOCUMENTATION:** The plot plan shall be reviewed and approved by the Director of Planning & Development Services or designee **TIMING:** The following actions shall occur prior to the approval of any building plan and the issuance of any building permit. **MONITORING:** The [PDS, PCC] shall review to determine compliance with this condition.

#### 26. ROADS#3-CENTERLINE REVIEW

**INTENT:** In order to promote orderly development and to comply with the [Centerline Ordinance 9974 \(Amended by Ord. 10224\), County Code Section 51.301 et seq.](#), frontage improvements may be required. **DESCRIPTION OF REQUIREMENT:** This project is subject to the Centerline Ordinance (unless otherwise noted per [Sec. 51.305](#)). *The applicant must initiate the centerline review process with the Building Official in the Department of Planning and Development Services (PDS) as early as possible in order to coordinate requirements and processing time, and to determine if review is required by PDS Land Development.* Requirements may include, but are not limited to granting of right-of-way, irrevocable offers of dedication, relinquishment of access rights, traffic striping, installation of curb, gutter, & sidewalk, alley improvements, road widening, trails/pathways, street lights, drainage facilities, no-parking restrictions, and undergrounding of utility distribution facilities along the project frontages, and off-site road improvements. **TIMING:** Prior to approval of any building permits, the centerline review

shall be completed. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the centerline conditions and County Standards.

## 27. ROADS#3.1—ROAD DEDICATION

**INTENT:** In order to promote orderly development and to comply with the [Centerline Ordinance 9974 \(Amended by Ord. 10224\)](#), [County Code Section 51.301 et seq.](#), the [County Public Road Standards](#), and the [Community Trails Master Plan](#), road right of way shall be dedicated to the County. **DESCRIPTION OF REQUIREMENT:** 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 **Mesa Rock Road** along the frontage of the project.

- 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-two feet (32') from centerline of **Mesa Rock Road in accordance with Public Road Standards for a Light Collector Road (2.2E)**, plus slope rights and drainage easements along the frontage of the project to the satisfaction of the Director of Planning and Development Services.

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

## 28. ROADS#3.2—RELINQUISH ACCESS

**INTENT:** In order to promote orderly development and to comply with the [Mobility Element of the General Plan](#) and [County Subdivision Ordinance Section 81.401 \(g\)](#), access shall be relinquished. **DESCRIPTION OF REQUIREMENT:** Relinquish access rights onto **Mesa Rock Road**. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required. Only the private road easement access point(s) are permitted along **Mesa Rock Road**. **DOCUMENTATION** The applicant shall prepare the legal descriptions and documents and present them for review to [DGS, RP]. Upon execution of the relinquishment documents, the applicant shall provide copies of the documents to [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 access shall be relinquished. **MONITORING:** The [DGS, RP] shall prepare and execute the relinquishment documents and forward a copy of the recorded documents to [PDS, LDR] for review and approval. The [PDS, LDR] shall review the relinquishment documents for compliance with this condition.

**29. ROADS#3.3—ROAD IMPROVEMENTS**

**INTENT:** In order to promote orderly development and to comply with the [Centerline Ordinance 9974 \(Amended by Ord. 10224\)](#), [County Code Section 51.301 et seq.](#), and the [County Community Trails Master Plan](#), **Mesa Rock Road** shall be improved.

**DESCRIPTION OF REQUIREMENT:** Improve or agree to improve and provide security for **Mesa Rock Road**, to:

- a. Improve or agree to improve and provide security for **Mesa Rock Road** along the project frontage in accordance with the Public Road Standards for a **Light Collector Road (2.2E)**, to a graded width of **thirty-two feet (32')** from centerline and to an improved width of **twenty feet (20')** from centerline with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline. Provide transition, tapers, traffic striping to match existing pavement. All of the above shall be to the satisfaction of the Director of Planning and Development Services.
- b. Improve or agree to improve and provide security for the widening of the existing curve along **Mesa Rock Road** to allow large trucks to negotiate the westbound to northbound turn while staying within their lane as recommended in the RBF Preliminary Traffic Assessment dated March 15, 2013 (Pg.7, Exhibit 8). The curve widening should be based on a WB-40 truck turning template. CALTRANS' Right of Way (ROW) acquisition may be required for the widening of the curved segment of Mesa Rock Road. All of the above shall be to the satisfaction of the Director of PDS.
- c. 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 **Mesa Rock 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, 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, pathways and private easement road improvements to the satisfaction of the **Deer Springs** Fire Protection District 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 issuance of any 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.

### 30. ROADS#3.4—INSTALL STREETLIGHTS

**INTENT:** In order to promote orderly development and to comply with the Street Lighting Requirements of the [Centerline Ordinance 9974 \(Amended by Ord. 10224\), County Code Section 51.301 et seq.](#), street lights shall be installed and energized. **DESCRIPTION OF REQUIREMENT:** Install or arrange to install streetlights to County standards and the satisfaction of the Director of PDS, and deposit with PDS, a cash deposit sufficient to energize and operate the street lights until the property has been transferred into Zone A. **DOCUMENTATION:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [PDS, LDR], and arrange for the installation and energizing of the streetlights. **TIMING:** Prior to occupancy of the first structure built in association with this permit, final grading release, or use in the premises in reliance of this permit, the streetlights shall be installed, and all fees paid. **MONITORING:** The [PDS, LDR] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant. The [PDS, LDR] shall ensure that the streetlights have been installed and all fees have been paid.

### 31. ROADS#4—PRIVATE ROAD IMPROVEMENTS

**INTENT:** In order to promote orderly development and to comply with the San Diego [County Standards for Private Roads, section 3.1.\(B\)](#) the proposed on-site private road easement shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. The onsite private easement road, the northerly boundary of from Parcel (APN 187-100-37-00) to Mesa Rock Road, shall be graded thirty-two feet (32') wide and improved twenty-four feet (24') wide with asphalt concrete. Where conforming to vertical and horizontal design criteria of current County Private Road Standards, the existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The improvement and design standards of Section 3.1(B) of the [San](#)



[Diego County Standards for Private Roads](#) for one hundred and one (101) to seven hundred fifty (750) trips shall apply.

- b. All plans and improvements shall be completed pursuant to the [County of San Diego Standards for Private Roads](#) and the [Land Development Improvement Plan Checking Manual](#).

**DOCUMENTATION:** The applicant shall complete the following:

- c. Process and obtain approval of Grading Plans to construct private road improvements.
- d. Pay all applicable inspection deposits/fees with [DPW, PDC].
- e. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the **Deer Springs** Fire Protection District and [PDS, LDR].
- f. Access to the project site shall be built per the San Diego County Private Road Standards, unless evidence is provided showing that the project access is in compliance with the March 21, 2000 Policy FP 2, County of San Diego Cellular Facilities Standards for Fire Protection

**TIMING:** Prior to approval of any building plan and the issuance of any building permit, the private road and driveway improvements shall be completed. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards

### 32. AIR QUALITY & GREENHOUSE GAS #4-DUST MANAGEMENT PLAN

**INTENT:** In order to mitigate emissions of fugitive dust from operational activities.

**DESCRIPTION OF REQUIREMENTS:** The project will prepare a Dust Management Plan for operations that will outline the management practices to reduce fugitive dust emissions onsite. As part of the Dust Management Plan, the project will include contact information on a sign located on the outside fence of the facility for the public to call if a fugitive dust complaint should be made.

**DOCUMENTATION:** The applicant shall prepare a Dust Mitigation Plan for review and approval by the County. **TIMING:** The following actions shall occur prior to the approval of any building plan and the issuance of any building permit. **MONITORING:** The [PDS, PPD] and [DEH, LEA] shall review the Dust Mitigation Plan to determine compliance with this condition.

### 33. AIR QUALITY & GREENHOUSE GAS #5-ODOR IMPACTS MINIMIZATION PLAN

**INTENT:** In order to mitigate potential odors generated during project operations.

**DESCRIPTION OF REQUIREMENTS:** The project will prepare an Odor Impacts Minimization Plan according to Title 14 California Code of Regulations Division 7, Chapter 3.1 17863.4. **DOCUMENTATION:** The applicant shall prepare an Odor Impacts Minimization Plan that will be reviewed and approved by the County. **TIMING:** The following actions shall occur prior to the approval of any building plan and the issuance of any building permit. **MONITORING:** The [DEH, LEA] shall review the Dust Mitigation Plan to determine compliance with this condition.

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

### **34. NOISE#2–NOISE BLASTING OPERATIONS: [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:

- b. Prior to approval of the grading permit for any portion of the proposed project, the project applicant, or its designee, shall direct that the designated contractor shall prepare a blasting and monitoring plan with an estimate of noise and vibration levels of each blast at NSLU within 1,000 feet of each blast. Where potential exceedance of the County of San Diego Noise Ordinance is identified, the blast drilling and monitoring plan shall identify mitigation measures shown to effectively reduce noise and vibration levels (e.g., altering orientation of blast progression, increased delay between charge detonations, presplitting) to be implemented to comply with the noise level limits of the County's Noise Ordinance, Sections 36.409 and 36.410, the vibration-level limits of 1 inch per second peak particle velocity. Such measures shall be implemented by the Proposed Project applicant, or its designee, prior to the issuance of the grading permit. Additionally, all Proposed Project phases involving blasting shall conform to the following requirements:
  - The analysis shall be submitted to the County for review prior to the first blast and according to the Blasting Permit process approved by the County Sheriff's Department.
  - All blasts shall be performed by a blast contractor and blasting personnel licensed to operate in the County.
  - Each blast shall be monitored and recorded with an air-blast overpressure monitor and groundbourne vibration accelerometer that is located outside the closest residence to the blast and is approved by the County Blasting shall not exceed 0.1 inch per second peak particle velocity at the nearest occupied residence, in accordance with County of San Diego's Noise Guidelines., Section 4.3.
- c. Blasting is only allowed Monday through Saturday, between the hours of 7:00 a.m. and 6:00 p.m. or ½ hour before sunset, whichever occurs first, unless special circumstances requiring other time or days is approved by the County.
- d. Requires that the property owner is required to provide notice in writing (at a minimum of 24 hours prior to blasting operations) for any proposed blasting to the local fire agency and to all residences, including mobile homes, and businesses within 600 feet of any potential major blast location or 300 feet from any potential minor blast location.
- e. The blaster shall retain an inspector to inspect all structures, including mobile homes, within 300 feet of the blast site before blasting operations, unless inspection is waived

by the owner and/or occupant. The inspector shall obtain permission of the owner and/or occupant before conducting the inspection. The inspection shall be only for the purpose of determining the existence of any visible or reasonably recognizable preexisting defects or damages in any structure. Waiver of inspection shall be in writing signed by the owner and/or occupant. Refusal to allow inspection shall also constitute a waiver. The inspector shall notify the owner and/or occupant of the consequences of refusing an inspection shall include a refusal in the summary report filed with the Sheriff. The blaster shall request an inspector conduct post-blast inspections upon receipt of a written complaint of property damage if the complaint is made within 60 days of completion of blasting operations. If the blaster has knowledge of alleged property damage independent of the written complaint, the blaster shall also retain an inspector to conduct a post-blast inspection.

- f. An inspector shall complete and sign pre-blast inspection reports identifying all findings and inspection waivers. The blaster shall retain the inspection reports for three years from the date of the blasting and upon a complaint of alleged damage the blaster shall immediately file a copy of the report with the Sheriff and provide a copy to the complainant. If there is a change in the blasting contractor after blasting has commenced on a project, a re-inspection shall be conducted in accordance with the preceding paragraph before the new blasting contractor undertakes any additional blasting.
- g. The blaster shall retain an inspector to conduct a post-blast inspection of any structure for which a written complaint alleging blast damage has been received. A written report of the inspection shall be immediately filed with the Sheriff and provided to any person who made a complaint for damages.
- h. The blaster shall allow any representative of the Sheriff to inspect the blast site and blast materials or explosives at any reasonable time.
- i. If the blaster wants a representative of the Sheriff to witness a blasting operation the blaster shall make a request with the Sheriff at least 12 hours before the blast. The blaster shall confirm the request for a witness with the Sheriff at least one hour before the blast. The blaster shall be responsible for any cost incurred by the Sheriff in having a representative witness the blast.
- j. The blaster shall notify the Sheriff on the day of a scheduled blasting operation not less than one hour before blasting.
- k. All major blasting operations shall be monitored by an approved seismograph located at the nearest structure within 600 feet of the blasting operation. All daily seismograph reports shall be maintained by the blaster for three years from the blasting.

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 [County Sheriff Department is responsible for enforcement of this permit.

**35. NOISE#3. ROCK CRUSHING AND DRILLING: [PDS, PCC] [DPW, PDCI] [PDS, FEE X1]. Intent:** In order to comply with the [County of San Diego Noise Ordinance 36.408 through 36.410](#), the following noise attenuation measures shall be implemented to reduce the noise generated from project rock crushing, rock drilling, and material processing operations. **Description of Requirement:** The location of any temporary rock crushing and rock drilling activities shall be adequately setback. This mitigation is designed and placed to reduce rock crushing and drilling operations that potentially would affect the adjacent residential uses. The rock crushing and drilling shall comply with the following requirements:

- a. Prior to and during all project-related rock crushing activities, the project applicants and primary contractors of all project phases involving rock crushing shall ensure that these activities are located a minimum distance of 200 feet from the nearest property line where an occupied structure is located.
- b. All rock drilling and rock crushing activities shall comply with County noise standards pursuant to County Noise Ordinance, Section 36.409 and 36.410.
- c. If new information is provided to prove and certify that the equipment being used is different than what was proposed in the noise report, then a new construction noise analysis may be reviewed to the satisfaction of the [PDS, PCC]. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or elimination of setbacks, barriers, etc. maybe approved if the construction activities will not create noise greater than the noise standards at the property line as indicated above.

**Documentation:** The applicant shall maintain the rock crushing and drilling setback mitigation as indicated above until all rock crushing and drilling activities have been completed **TIMING:** The following actions shall occur throughout the duration of the rock crushing and drilling activities. Rock crushing and drilling will only occur in grading and at no point during the operation of the facility. **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.

**36. NOISE#4 -VIBRATION IMPACTS: [PDS, PCC] [DPW, PDCI] [PDS, FEE X1]. Intent:** In order to comply with the [County of San Diego Noise Ordinance 36.409](#) and vibratory requirements within the County Noise Guidelines, the following noise attenuation measures shall be implemented to reduce the temporary construction operations. **Description of Requirement:** Prior to and during all phases of construction activities, the project applicant shall:

- a. Not allow heavy equipment to be operated within 300 feet of any inhabited residence.

- b. Rock blasting shall not be performed within 400 feet of a residential structure.
- c. Prior to beginning construction of any project component that involve the usage of heavy construction equipment within 300 feet of an existing or future occupied residence, the applicant, or its designee, shall require preparation of a vibration monitoring plan for submittal to the County for review. The vibration monitoring plan shall require data be sent to the County Noise Specialist or designee on a weekly basis or more frequently as determined by the Specialist. The vibration monitoring plan shall include: the vibration level measurements taken during the previous work period, location of the vibration monitors, the vibration instrumentation used, a data acquisition and retention plan, and exceedance notification and reporting procedures.
- d. The applicant shall submit a vibration analysis the proposed blasting and material handling associated with the project. The analysis shall be submitted to the County for review prior to the first blast and according to the Blasting Permit process performed by the County Sheriff's Department.
- e. If new information is provided to prove and certify that the assessment being used is different than what was proposed in the noise report, then a new noise analysis maybe reviewed to the satisfaction of the [PDS, PCC]. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements and County noise standards. Any proposed alternative methods, or the reduction or elimination of any noise measure would be determined by the Director of Planning and Development Services.

**DOCUMENTATION:** The applicant shall comply with the temporary vibration measures 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 vibration control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition

**37. NOISE#5. TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].**

**INTENT:** In order to minimize temporary construction noise and rock crushing operations associated with the project. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction and rock crushing noise control measures:

- a. Temporary rock crushing or rock drilling activities shall be located at a minimum of 200 feet from the boundary line of an occupied noise sensitive structure.
- b. Turn off equipment when not in use.

- c. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- d. Use equipment with effective mufflers.
- e. Configure traffic pattern to minimize backing movement.
- f. Equipment staging areas should be placed at locations away from noise sensitive receivers.

**DOCUMENTATION:** The applicant shall comply with the temporary construction noise measures 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 construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

### 38. BIO#GP1-BIOLOGICAL MONITORING: [PDS, FEE X3].

**INTENT:** In order to prevent inadvertent disturbance to sensitive habitats, clearing and grading located within or adjacent to sensitive habitats shall be monitored by a biologist. **DESCRIPTION OF REQUIREMENT:** The biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. The biologist and/or employed biological professionals shall be on site during clearing activities that are in or within 100 feet of native biological habitat or within 100 feet of biological open space easements during clearing and grading activities. If there are disturbances, the biologist must report them immediately to the [PDS, PCC]. Additionally, the biologist shall perform the duties specified in the most current version of the County of San Diego Biological Report Format and Requirement Guidelines. **DOCUMENTATION:** The biologist shall prepare and submit to the satisfaction the [PDS, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated above. **TIMING:** The above actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall assure that the biologist is on-site performing the monitoring duties of this condition during all applicable grading activities as determined by the biologist. The [DPW, PDCI] shall contact the [PDS, PCC] if the biologist or applicant fails to comply with this condition. The [PDS, PCC] shall review and approve the monitoring reports for compliance with this condition.

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

### 39. BIO#GP2-OPEN SPACE SIGNAGE: [PDS, FEE].

**INTENT:** In order to protect the proposed open space easement from entry, informational signs shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space signs shall be placed at the biological open space easement boundary (on posts where required). The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than

three (3) feet in height from the ground surface. In addition, signs approximately 200 feet apart along right-of-ways at the boundary between the development and the biological open space easement. The sign must state the following:

**Sensitive Environmental Resources**

**Area Restricted by Easement**

Entry without express written permission from the  
County of San Diego is prohibited

To report a violation or for information about restrictions and exceptions

Contact the County of San Diego

Department of Planning and Development Services

Reference: STP-08-015; ER-08-08-012

**DOCUMENTATION:** The applicant shall install the signs as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space signs have been installed at the boundary of the open space easement. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the open space signs shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

**40. BIO#GP3-BIOLOGICAL MONITORING: [PDS, FEE X2].**

**INTENT:** In order to ensure that the biological monitoring occurred during the grading phase of the project, a final Biological Monitoring Report shall be prepared.

**DESCRIPTION OF REQUIREMENT:** The biologist shall prepare final biological monitoring report. The report shall substantiate the supervision of the grading activities, and state that grading or construction activities did not impact any additional areas of sensitive habitats, jurisdictional waters, special-status plant and wildlife species, or any other sensitive biological resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources, and include the following items:

- a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.
- b. Monitoring logs showing the date, time, and persons, (biologist and/or employed qualified biologists) present on site.
- c. Photos of the site after the grading and clearing activities.
- d. Daily verification of the following compliance measures:
  - i. Best Management Practices for erosion control;
  - ii. Noise barriers will be installed if needed to avoid impacts to sensitive species.
  - iii. Hours of construction will comply with applicable ordinances and avoid noise impacts to sensitive species.
  - iv. Construction activities shall take place only inside the designated construction area;
  - v. Grading materials shall be stored either inside the fenced construction area or in an area approved by the project biologist;
  - vi. A storm drain system and detention basins shall be constructed to restrict excess water flow from proposed roads and structures. Filter devices shall be installed at the appropriate points to ensure that run-off is cleansed before reaching the basins. All water-catchment features shall be located above graded and natural slopes;

- e. Nighttime lighting shall be shielded and directed away from riparian and upland habitat adjacent to the development.

**DOCUMENTATION:** The biologist(s) shall prepare the final report and submit it to the [PDS, PCC] for review and approval. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be approved. **MONITORING:** The [PDS, PCC] shall review the final report for compliance this condition and the report format guidelines. Upon approval of the report, [PDS, PCC] shall inform [DPW, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PCC] shall inform [PDS, FISCAL] to release the bond back to the applicant.

- 41. BIO#GP4-RESOURCE AVOIDANCE (COASTAL SAGE SCRUB): [PDS, PCC] [DPW, PDCI] PDS, FEE X2]. INTENT:** In order to avoid impacts to nesting coastal California gnatcatchers or other sensitive species under CEQA, brushing and clearing of coastal sage scrub (CSS), chaparral, or willow scrub, or within 300 feet of those habitats shall not occur during the breeding season (February 15 to August 31). **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading during the breeding season of the coastal California gnatcatcher. The Director of Planning & Development Services [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no gnatcatchers or other sensitive species are present in the vicinity of the brushing, clearing or grading based on a survey done within 7 days of the habitat clearing. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition, or the applicant shall provide a letter report of the preconstruction survey. **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. **MONITORING:** The [DPW, PDCI] shall not allow any grading of the site during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.
- 42. BIO#GP5-RESOURCE AVOIDANCE (RAPTOR NESTING HABITAT): [PDS, FEE X2]. INTENT:** In order to avoid impacts to nesting raptors, which are a sensitive biological resource pursuant to CEQA, brushing and clearing within 500 feet of trees suitable for nesting shall not occur during the breeding season unless a pre-construction survey verifies there are no active nests. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading allowed within 500 feet of raptor nesting habitat during the breeding season. The breeding season is defined as occurring between January 15 and July 15. The Director of Planning & Development Services [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no raptors are present in the vicinity of the brushing, clearing or grading based on a survey done within 7 days of the habitat clearing. **DOCUMENTATION:** The applicant shall provide a letter report of the preconstruction survey with the locations of raptor nests or a letter of agreement with this condition. **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, PDCI] shall not allow any grading in or within 500

feet of any trees during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

#### 43. ROADS#5–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 **450 feet** of unobstructed intersectional sight distance in both directions from the proposed private easement road along **Mesa Rock 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 a **2.2E Light Collector Mobility Element Road** as described in Table 5 based on a speed of **45 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. 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 occupancy of the first structure built in association with this permit or use of the premises in reliance of this permit, and annually after that until the project is completely built, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications for compliance with this condition.

#### 44. ROADS#6–ANNEX TO LIGHTING DISTRICT

**INTENT:** In order to promote orderly development and to comply with the Street Lighting Requirements of the [Centerline Ordinance 9974 \(Amended by Ord. 10224\)](#), [County Code Section 51.301 et seq.](#), 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.

#### 45. STRMWTR#3–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, PDC] 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.

#### 46. STRMWTR#4 – 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:
  - i. A Letter for Privately Owned Stormwater Treatment Control Best Management Practices Operation and Maintenance Verification.
  - ii. 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.

#### 47. GEO#2 – STABILIZATION MEASURES

**INTENT:** In order to ensure stabilization of cut slopes. **DESCRIPTION OF REQUIREMENT:** A geotechnical consultant in the field shall perform mapping of temporary slope excavations, including front, side and backcuts, and all cut slopes during grading. If adverse geologic conditions (e.g., highly fractured and jointed rock, clay-lined fractures, seepage zones) are encountered during installation of cut slopes, stabilization measures shall be required and implemented during grading. Specific stabilization measures shall include, but not be limited to, removal of loose boulders or displaced rocks, stability fill, buttresses, rock-bolting, and/or catchment netting. **DOCUMENTATION:** A geotechnical consultant shall prepare a certified report on stabilization measures. The findings shall be reviewed and approved by the Director of

the County Department of Planning & Development Services or designee. **TIMING:** Prior to approval of final inspection of site grading for each phase of the affected areas of the proposed project. **MONITORING:** [PDS] shall review the geotechnical findings for compliance with this condition.

#### 48. GEO#3–GEOTECHNICAL MONITORING

**INTENT:** In order to identify areas of highly expansive soils and determine the actual expansion/compression potential of finish-grade soils during grading. **DESCRIPTION OF REQUIREMENT:** A geotechnical consultant in the field shall perform geotechnical observation and/or laboratory testing during grading to identify areas of highly expansive soils and determine the actual expansion/compression potential of finish-grade soils. All compressible soils in areas of proposed development or future fill shall be removed and soils shall be recompacted during grading. **DOCUMENTATION:** The applicant shall prepare a certified summary of their findings on the removal and recompaction measures. The findings shall be reviewed and approved by the Director of the County Department of Planning & Development Services or designee. **TIMING:** Prior to approval of final inspection of site grading for each phase of the affected areas of the proposed project. **MONITORING:** [PDS] shall review the geotechnical findings for compliance with this condition.

#### 49. FIRE#1 – SITE CONFORMANCE

**INTENT:** In order to assure fire safety in compliance with the County of San Diego Fire Code. **DESCRIPTION OF REQUIREMENT:** Prior to occupancy the applicant obtain a letter of approval from the County Fire Authority to assure that the roads, gate, signage, curb painting, building and roadside fuel management zones, address identification, Knox boxes, gate Opticom, water tank and hydrants have been installed properly. **DOCUMENTATION:** The applicant shall comply with the requirements of this condition. **TIMING:** Prior to occupancy in association with this permit. **MONITORING:** The [PDS, PCC] shall verify a letter of approval from the County Fire Authority is received in compliance with this condition.

#### 50. FIRE#2 – OPERATIONAL AND EVACUATION PLAN

**INTENT:** In order to assure fire safety in compliance with the County of San Diego Fire Code. **DESCRIPTION OF REQUIREMENT:** Prior to occupancy an operational and evacuation plan for the facility shall be submitted, reviewed, and accepted prior to occupancy by the County Fire Authority. **DOCUMENTATION:** The applicant shall comply with the requirements of this condition. **TIMING:** Prior to occupancy in association with this permit. **MONITORING:** The [PDS, PCC] shall verify the operational and evacuation plan has been accepted by the County Fire Authority in compliance with this condition.

#### 51. ROADS#7–TRUCK ROUTE PLAN OPERATIONS

**INTENT:** In order to comply with the traffic assessment prepared for the project, a Haul Route Plan (HRP) shall be prepared and implemented to require all trucks associated with the recycling operations to use Centre City Parkway to Mesa Rock Road to access the project site. **DESCRIPTION OF REQUIREMENT:** A HRP shall be prepared that requires all trucks to use Centre City Parkway to Mesa Rock Road to access the project site. From the I-15/Deer Springs Road interchange, all trucks will travel south on Centre City Parkway to Mesa Rock Road and proceed through the underpass to the west side of I-15 and the project site. Trucks exiting the site will travel north on Centre City Parkway



to Deer Springs Road and I-15. The project proposes a truck route in which all truck trips will use Centre City Parkway to Mesa Rock Road to access the project site. From the I-15/Deer Springs Road interchange, all trucks will travel south on Centre City Parkway to Mesa Rock Road and proceed through the underpass to the west side of I-15 and the project site. Trucks exiting the site will travel north on Centre City Parkway to Deer Springs Road and I-15. **DOCUMENTATION:** The applicant shall comply with the requirements of this condition. **TIMING:** Prior to occupancy in association with this permit. **MONITORING:** The [PDS, PCC] shall review the HRP for compliance with this condition.

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

#### 52. ROADS#8–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 **450 feet** in both directions along **Mesa Rock 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.

#### 53. STRMWTR#5–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 BMPs 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.

#### 54. AIR QUALITY & GREENHOUSE GAS #6-OPERATIONAL FUGITIVE DUST EMISSIONS

**INTENT:** In order to mitigate fugitive dust emissions during operations. **DESCRIPTION OF REQUIREMENTS:** The construction contractor shall comply with the following Air Quality measures during operations:

- a. All equipment operating on the project site will be monitored to not exceed Number 1 on the Ringlemann Chart (20% opacity) as required by SDAPCD Rule 50.
- b. Operational activities related to crushing and grading of material on site will not exceed 4,000 tons of material processed annual, or a maximum of 20 tons per day.

- c. Material handling sources of fugitive dust will be visually monitored by the operator. The operator will be equipped with either truck mounted water apparatus or fixed fixture water source from which water will be misted into feedstock, or recyclable materials to limit fugitive dust.
- d. Process machinery source of fugitive dust will be visually monitored by the operator. Process machinery will be equipped with water misting system at source locations. Operators will monitor and apply water via a fixed misting system to limit fugitive dust.
- e. Product handling source of fugitive dust will be visually monitored by the operator. Stackers will be equipped with water misting system at source locations. Operators will monitor and apply water via a fixed misting system to limit fugitive dust.
- f. The process area will be maintained clean and clear of source material and any potential sources of fugitive dust will be minimized with a truck mounted water apparatus to bind potential fugitive dust sources.
- g. Storage areas will be monitored by the operator and any potential sources of fugitive dust will be minimized with a truck mounted water apparatus to bind potential fugitive dust sources.
- h. Potential sources of fugitive dust on unpaved travel surfaces will be minimized through treatment of recycled asphalt grindings. Unpaved travel surfaces will be monitored by the operator and any potential sources of fugitive dust will be minimized with a truck mounted water apparatus to bind potential fugitive dust sources

**DOCUMENTATION:** The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of project operations. **MONITORING:** The [DEH, LEA] shall make sure that the project operator complies with the Air Quality requirements of this condition. The [DEH, LEA] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

#### 55. PLN#2-ENCLOSURE

**INTENT:** In order to comply with Section 6975(a)(2) of the Zoning Ordinance. **DESCRIPTION OF REQUIREMENT:** All processing of materials shall be conducted entirely within an enclosed building. Total building floor area on the project site shall not exceed 45,000 square feet in accordance with Section 6975(2)(4) of Zoning Ordinance. Any new buildings shall be in the same architectural style as the steel structure that is shown on approved plot plan. **DOCUMENTATION:** The plot plan shall be reviewed and approved by the Director of Planning & Development Services or designee **TIMING:** The following actions shall occur prior to the approval of any building plan and the issuance of any building permit. **MONITORING:** The [PDS, PCC] shall review to determine compliance with this condition.

#### 56. PLN#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. **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, parks and 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, Building Inspector] and DPR [TC, PP] shall inspect the site for compliance with the approved Building Plans.

#### 57. PLN#4–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, parks and 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, Building Inspector] and DPR [TC, PP] shall inspect the site for compliance with the approved Building Plans.

#### 58. LNDSCP#X–CERTIFICATION OF INSTALLATION

**INTENT:** In order to provide adequate Landscaping that screens the site from I-15 and surrounding properties, 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, and the I-15 Corridor 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.

#### **59. HAZ-1X- HAZARDOUS MATERIALS MANAGEMENT PLAN: [DPLU, DPW]**

**INTENT:** In order to ensure proper hazardous materials handling, storage, and spill prevention and response measures, a Hazardous Materials Management Plan (HMMP) shall be prepared and submitted to the County of San Diego for review and approval.

**DESCRIPTION OF REQUIREMENT:** The applicant has proposed to prepare a HMMP which will be reviewed and approved by the County of San Diego, and shall include the following components:

- a. The plan shall identify all hazardous materials that will be present on any portion of the construction site, including, but not limited to, fuels, solvents, and petroleum products. The plan shall address storage, use, transportation, and disposal of each hazardous material anticipated to be used at the site. The plan shall establish inspection procedures, storage requirements, storage quantity limits, inventory control, non-hazardous product substitutes, and disposition of excess materials.
- b. The plan shall identify secondary containment and spill prevention countermeasures, as well as a contingency plan to identify potential spill hazards, how to prevent their occurrence, and responses for different quantities of spills that may occur. Secondary containment and countermeasures shall be in place throughout construction so that if any leaks or spills occur, responses will be made immediately.
- c. The plan shall identify materials (and their locations) that will be on site and readily accessible to clean up small spills (i.e., spill kit, absorbent pads, and shovels). Such emergency spill supplies and equipment shall be clearly marked and located adjacent to all areas of work and in construction staging areas. The plan shall identify the spill-response materials that must be maintained in vehicles and substation sites during construction and procedures for- to the appropriate authorities.
- d. The plan shall identify adequate safety and fire suppression devices for construction-related activities involving toxic, flammable, or explosive materials (including refueling construction vehicles and equipment). Such devices shall be readily accessible on the project site, as specified by the County's Fire Department and per the Uniform Building Code and Uniform Fire Code. The plan shall be included as part of all contractor specifications and final construction plans to the satisfaction of the Department of Planning and Land Use. The plan shall also identify requirements for notices to federal and local emergency response authorities, and shall include emergency response plans.
- e. Prior to construction, all contractor and subcontractor personnel shall receive training regarding the components of the HMMP, as well as applicable environmental laws and regulations related to hazardous materials handling, storage, and spill prevention and response measures. The applicant shall designate an environmental field representative who shall be on site to observe, enforce, and document adherence to the plan for all construction activities.

**DOCUMENTATION:** The applicant shall submit a Hazardous Materials Management Plan (HMMP) to the County of San Diego for review and approval. **TIMING:** Prior to occupancy or use of the premises in reliance of this permit, a HMMP shall be submitted to the County for review and approval. **MONITORING:** The County shall review the plan in accordance with this condition and ensure that it is implemented. All measures in the plan shall be adhered to throughout the construction period.

#### 60. PLN#5–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: all parking, trails, parks and driveways areas, watering all landscaping at all times, painting all necessary aesthetics design features, and all lighting wall/fencing and required signage. 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 Compliance Division] is responsible for enforcement of this permit.

#### 61. PLN#7–OUTBOUND TRUCK SHIPMENTS:

**INTENT:** In order to comply with the approved Transportation Impact Study Section 6975(a)(4) of the Zoning Ordinance, there shall be no more than an average of two (2) outbound truck shipments of material per day. **DESCRIPTION OF REQUIREMENT:** The outbound truck shipments of material shall not exceed an annual average of two (2) per day with a maximum of 624 within any 365 day period and no more than four (4) per day. **DOCUMENTATION:** The property owner and permittee shall maintain records detailing the date and time of each outbound truck shipment, truck ID number, and name of the hauler. **TIMING:** All records shall be provided within 14 days of request by County staff. **MONITORING:** The [PDS, Code Compliance Division] is responsible for enforcement of this permit.

#### 62. NOISE#6–NOISE REQUIREMENT:

**INTENT:** In order to reduce the impacts of the operation of the recycling facility and comply with the acoustical analysis prepared for the Site Plan Permit, the following requirements shall be continued for the life of the permit. **DESCRIPTION OF REQUIREMENT:** No more than two (2) pieces of heavy equipment shall be in operation during any one-hour period. Equipment includes, but is not limited to, wheel loader, dump truck, tub grinder, trommel screen, and crusher. **DOCUMENTATION:** The property owner and permittee shall maintain records detailing the equipment in operation during each one-hour period that the facility is open. **TIMING:** All records shall be provided within 14 days of request by County staff. **MONITORING:** The [PDS, Code Compliance Division] is responsible for enforcement of this condition.

**63. NOISE#7. ON-GOING SOUND LEVEL COMPLIANCE: [DPLU, 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. Recycling processing facility 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 grinder, screen and crusher associated with this Site Plan shall conform to the daytime and nighttime sound level limits for uses pursuant to Section 36.404.
- c. Tub grinder, screen, and crusher operations shall be located at minimum distances of 350 feet to the western habitat boundary line and 465 feet to the southern residential boundary

**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, Code Compliance Division*] is responsible for enforcement of this permit.

**64. FIRE#3 –OPERATIONS**

**INTENT:** In order to assure fire safety in compliance with the County of San Diego Fire Code. **DESCRIPTION OF REQUIREMENT:** As an ongoing requirement the buildings and roadside fuel management zones, the roads, the gate, and the signage shall be properly maintained. **DOCUMENTATION:** The applicant shall comply with the requirements of this condition. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [County Fire Authority] is responsible for enforcement of this permit.

**65. FIRE#4 –GREENWASTE & COMPOSTING OPERATIONS**

**INTENT:** In order to assure fire safety in compliance with the County of San Diego Fire Code. **DESCRIPTION OF REQUIREMENT:** As an ongoing requirement all greenwaste and composting operations are to be performed in conformance with section 1908 of the County Consolidated Fire Code. **DOCUMENTATION:** The applicant shall comply with the requirements of this condition. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [County Fire Authority] is responsible for enforcement of this permit.

**66. GEN#3–HOURS OF OPERATION**

**INTENT:** In order to reduce impacts of the operation of the recycling facility. **DESCRIPTION OF REQUIREMENT:** The facility shall not be in operation between the hours of 7:00 p.m. and 7:00 a.m. **DOCUMENTATION:** The facility entrance shall be clearly marked with the hours of operation. **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 enforcement of this permit.

#### **67. GEN#4-REPORTING REQUIREMENTS**

**INTENT:** In order to reduce impacts of the operation of the recycling facility and ensure compliance with the analysis prepared for the Site Plan Permit. **DESCRIPTION OF REQUIREMENT:** Upon establishment of the use, the property owner and permittee shall submit semi-annual reports during the first two years of project operations as detailed in this condition. **DOCUMENTATION:** The property owner and permittee shall submit semi-annual reports during the first two years of project operations detailing the daily tonnage of materials crushed and/or grinded on site; outbound truck shipments of material including the date and time of each outbound truck shipment, truck ID number, and name of the hauler; and heavy equipment used during each one-hour period. **TIMING:** Upon establishment of the use, all records shall be submitted to [PDS, PPD] every six months for the first two years of project operations. **MONITORING:** The [PDS, Code Compliance Division] is responsible for enforcement of this permit.

#### **68. GEN#3-COST RECOVERY**

**INTENT:** In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, ongoing deposits shall be made to the trust account to ensure sufficient funds to verify compliance with Condition #67-Reporting Requirements. **DESCRIPTION OF REQUIREMENT:** The applicant shall deposit sufficient funds as needed for staff to monitor compliance with Condition #67-Reporting Requirements during the first two years of project operations. **DOCUMENTATION:** The applicant shall comply with the requirements of this condition. **TIMING:** Upon establishment of the use, this condition shall apply for the first two years of project operations. **MONITORING:** The [PDS, PPD] is responsible for enforcement of this condition.

**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:

**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](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.

**ENCROACHMENT PERMIT REQUIRED:** An Encroachment Permit is required for any and all proposed/existing facilities within the County right-of-way. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works.

**EXCAVATION PERMIT REQUIRED:** An excavation permit is required for undergrounding and/or relocation of utilities within the County right-of-way.

**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.

**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 plans, specific permit conditions and approved building plans associated with this permit. No noise generating equipment 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.

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**SITE PLAN FINDINGS**

Pursuant to Section 7160 of the Zoning Ordinance, the following findings in support of the granting of the Site Plan Permit are made:

- a. Standards and Criteria. That the proposed development meets the intent and specific standards and criteria prescribed in pertinent sections of the Zoning Ordinance.

The Project site has zoning designations of General Impact Industrial (M54), Rural Residential (RR) and Limited Agriculture (A-70). The Project is for the construction of a recycling facility that will engage in three forms of recycling: 1) tree waste chipping and grinding; 2) recycling of wood and construction debris (“C&D wood”); and 3) recycling of concrete, asphalt, and inert material from demolition projects (“CDI debris”). The recycling facility will be built on property that is zoned M54. The Project is classified as a Recycling Processing Facility, Light, which is a permitted use in the M54 Zone. Further, the Project will be limited to have no more than an average of two outbound truck shipments of materials per day. In addition, through Condition 25–PLN#1, the Project will be modified to require the enclosure of the processing area in compliance with Section 6975(a)(2)(i) of the Zoning Ordinance, which requires the processing area to be conducted entirely within an enclosed building if the property on which the facility is located abuts a property zoned or planned for residential. The Project site abuts property zoned or planned for residential use on the east. As modified, the Project will comply with Section 6975 of the Zoning Ordinance. Further, the Project will comply with Sections 6300 through Section 6349 of the Zoning Ordinance because the Project will not have a significant noise impact as demonstrated in the noise analysis prepared for the Project due to the low number of trucks entering and exiting the Project site per day; operational constraint of the recycling facility; and ridgelines and other topographical features located between the facility’s equipment and residential uses. In addition, air emissions modeling showed that the estimated maximum daily emissions resulting from the operation of the Project will not exceed the County’s threshold for each of the air pollutants. Project design features such as a Dust Management Plan and Odor Impact Minimization Plan are incorporated as

conditions of project approval to ensure compliance with the performance standards. Therefore, the Project meets the intent and specific standards and criteria detailed in the Zoning Ordinance.

- b. General Plan. That the proposed development is compatible with the San Diego County General Plan

The Project is located within the Semi-Rural Regional Category and contains lands within the High Impact Industrial (I-3) Land Use Designation. The Project is consistent with the General Plan, the North County Metropolitan Subregional Plan, and the I-15 Design Review Guidelines because it proposes an industrial use consistent with the I-3 Land Use Designation of the property identified in both the General Plan and North County Metropolitan Subregional Plan. Further, the Project will not have significant visual impacts from the I-15 freeway as the Project is set back from I-15 and largely blocked from view by existing topography and surrounding vegetation, and design measures will incorporate existing topography, existing vegetation, and landscaping with native plants to effectively screen the Project.

- c. Waiver of Standards or Criteria. That any applicable standards or criteria waived by the Director pursuant to Section 7158d have been or will be fulfilled by the condition or conditions of a Use Permit or Variance. No standard or criteria has been waived.

**ORDINANCE COMPLIANCE AND NOTICES:** The project is subject to, but not limited to the following County of San Diego, State of California, and US Federal Government, Ordinances, Permits, and Requirements:

**STORMWATER 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.

**ENCROACHMENT PERMIT REQUIRED:** An Encroachment Permit is required for any and all proposed/existing facilities within the County right-of-way. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works.

**EXCAVATION PERMIT REQUIRED:** An excavation permit is required for undergrounding and/or relocation of utilities within the County right-of-way.

**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:** To comply with State law, the applicant/owner must file the Notice of Exemption (NOE) signed by the lead agency and remit required fees to the County Clerk’s Office within five (5) working days of the date of project approval. Payment or sufficient proof of prior payment to the County Clerk is required at the time of filing. The filing of a NOD or NOE reduces the period of time the CEQA document can be challenged to **35 days**. However, if the NOD/NOE is not filed, this period is extended to **180 days**. The CDFW adjusts fees annually based on inflation. You must pay the amount effective January 1 of the year of the project decision.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
<b>Planning &amp; Development Services (PDS)</b>			
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		
<b>Department of Public Works (DPW)</b>			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU

<b>Department of Environmental Health (DEH)</b>			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
<b>Department of Parks and Recreation (DPR)</b>			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
<b>Department of General Service (DGS)</b>			
Real Property Division	RP		

**APPEAL PROCEDURE:** Within ten calendar days after the date of this Decision of the Director, the decision may be appealed to the Planning Commission in accordance with [Section 7166 of the County Zoning Ordinance](#). An appeal shall be filed with the Secretary of the Planning Commission within TEN CALENDAR DAYS of the date of this notice AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. Filing of an appeal will stay the decision of the Director until a hearing on your application is held and action is taken by the Planning Commission. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of approval of this Decision.

PLANNING & DEVELOPMENT SERVICES  
 KATHLEEN FLANNERY, ACTING DIRECTOR

By:   
 Mark Slovick, Deputy Director