



The County of San Diego

Zoning Administrator Hearing Report

Date:	November 16, 2023	Case/File No.:	Paradise Valley Gas Station; PDS2019-ZAP-19-003, PDS 2020-ER-20-18-001
Place:	County Operations Center 5520 Overland Avenue San Diego, CA 92123	Project:	Minor Use Permit for a gas station, convenience store and carwash.
Time:	8:30 a.m.	Location:	Paradise Valley Road/Elkelton Place, Spring Valley
Agenda Item:	#1	General Plan:	Village – Medium Impact Industrial
Appeal Status:	Appealable to the Planning Commission	Zoning:	Limited Impact Industrial/ General Impact Industrial (M52/M54)
Applicant/Owner:	BPI E&P, LLC	Community:	Spring Valley Community Plan Area
Environmental:	Mitigated Negative Declaration	APN:	584-160-52

A. OVERVIEW

The purpose of this report is to provide the Zoning Administrator with the information necessary to consider the proposed Minor Use Permit (ZAP), Site Plan findings, and environmental findings prepared in accordance with the California Environmental Quality Act (CEQA).

The Paradise Valley Gas Station (Project) includes a request for the development of a gasoline service station, convenience store, and fully automated, enclosed carwash. The Project is located on an approximately 0.5-acre (21,548-square foot) parcel within the Spring Valley Community Planning Area.

The sections contained in this report describe the following: development proposal, analysis and discussion, community planning group and public input, CEQA compliance, and the Planning & Development Services (PDS) recommendation. PDS analyzed the Project for consistency with the General Plan, Zoning Ordinance, and other applicable regulations, policies and ordinances, and found the Project to be consistent with the inclusion of conditions in the Project Form of Decision (Attachment B). The Zoning Administrator is asked to consider the Project and either approve the Project as submitted, approve the Project with modifications, or deny the Project. Based on the analysis of the Project, the required findings can be made, and staff recommends approval of the Project.

B. REQUESTED ACTIONS

This is a request for the Zoning Administrator to evaluate the proposed ZAP for a gas station, convenience store, and carwash, determine if the required findings can be made and, if so, take the following actions:

1. Adopt the Environmental Findings included in Attachment D, which includes the adoption of a Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) guidelines.
2. Approve ZAP PDS2019-ZAP-19-003, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment B).

C. REGIONAL SETTING AND PROJECT LOCATION

The project site is located in an urbanized area of the Spring Valley community and is bordered by Paradise Valley Road to the west, Elkelton Place to the south, and State Route (SR-) 125 to the east (Figure 1 & 2). The project site is currently vacant, undeveloped, and relatively flat, with lightly varied topography between 284 to 286 feet above sea level (Figures 3 & 4). Access to the project site is from a driveway located on Paradise Valley Road. The surrounding area contains several different uses with residential development approximately 150 feet west of the project site and an outdoor sand and soil lot located to the south.

The site is within the Spring Valley Community Plan area and has a General Plan Land Use Designation of Limited Industrial, which is intended for industrial uses primarily engaged in manufacturing, compounding, processing, assembling, packaging, and treatment or fabrication of materials and products. The southern portion of the project site (fronting Elkelton Place, approximately 5,900 square feet (sf)) has a zoning designation of M52 (Limited Impact Industrial Use), which permits commercial gasoline sales and automotive and equipment cleaning uses pursuant to limitations "12" and "8," respectively as noted in Section 2980 of the San Diego County Zoning Ordinance. Supplemental limitation 8 requires that all operations, including the storage of materials and equipment, shall be entirely within an enclosed building. The carwash is an enclosed building. Supplemental limitation 12 requires that there shall be no open storage of goods or materials, and all repair and lubrication services shall take place in an enclosed building. There are no repair services proposed as a part of this project and there will be no open storage of good or materials included as a part of the proposed plan. The northern portion of the project site (fronting Paradise Valley Road, approximately 15,600 sf) has a zoning designation of M54 (General Impact Industrial Use), which also permits commercial gasoline sales and automotive and equipment cleaning uses with no limitations. Both the M52 and M54 use regulations allow convenience retail operations under a ZAP, which the project would require for the proposed convenience store. Surrounding properties to the north, west, and south are zoned Residential – Single and Residential – Variable. The properties to the east (across SR-125) are also zoned Industrial.

Please refer to Attachment A – Planning Documentation, for maps of surrounding land uses and zoning designations

Table C-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
North	Village Residential -7.3	Single-Family Residential (RS)	Elkelton Road	Single-Family Residential
East	Public/Semi Public Facilities	Transportation Utility Corridor/ General Impact Industrial	SR-125	SR -125
South	Public/Semi Public Facilities /Medium Impact Industrial	Limited/General Impact Industrial	Elkelton Place/Paradise Valley Road	Vacant Lot
West	Village Residential-7.3	Single-Family Residential (RS)	Paradise Valley Road	Single-Family Residential

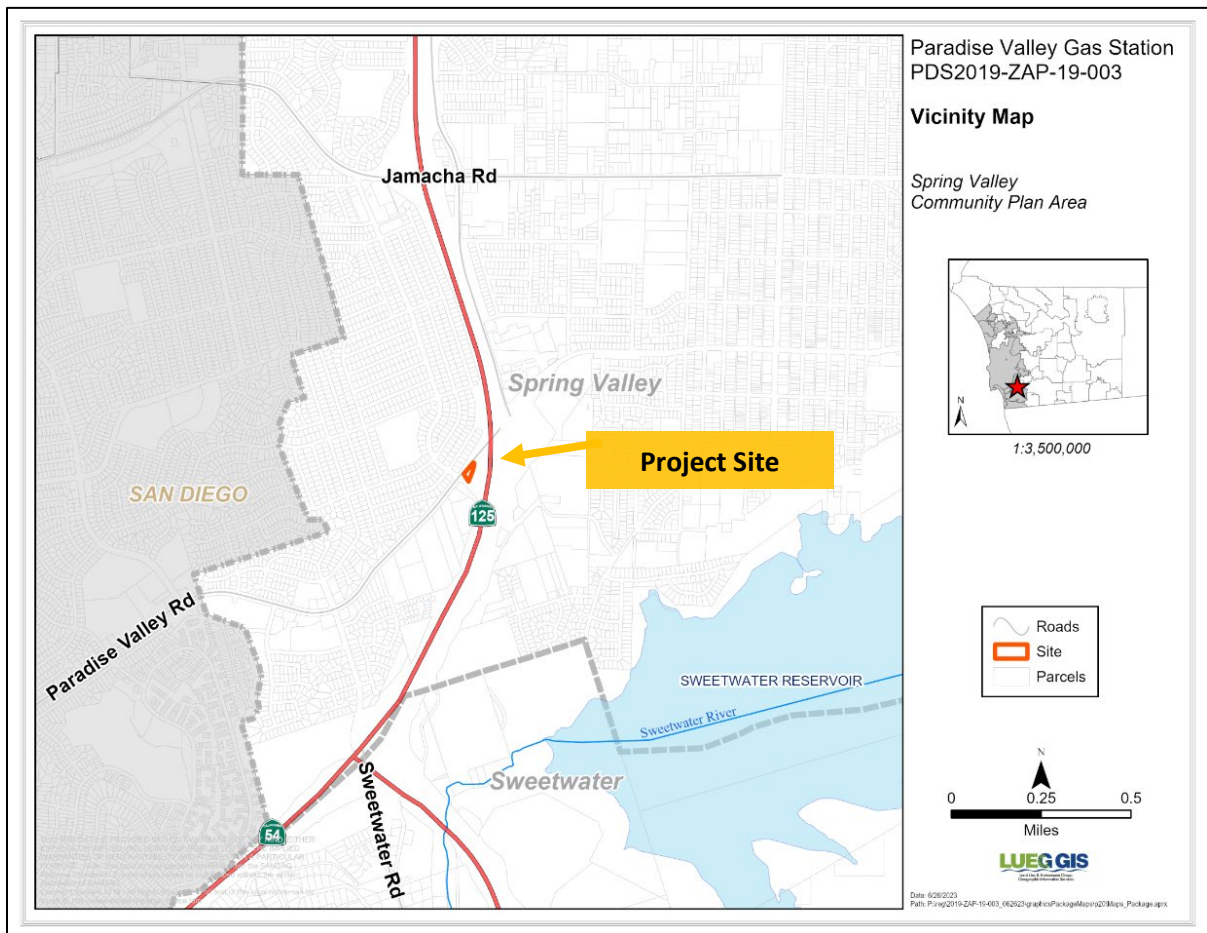


Figure 1: Vicinity map

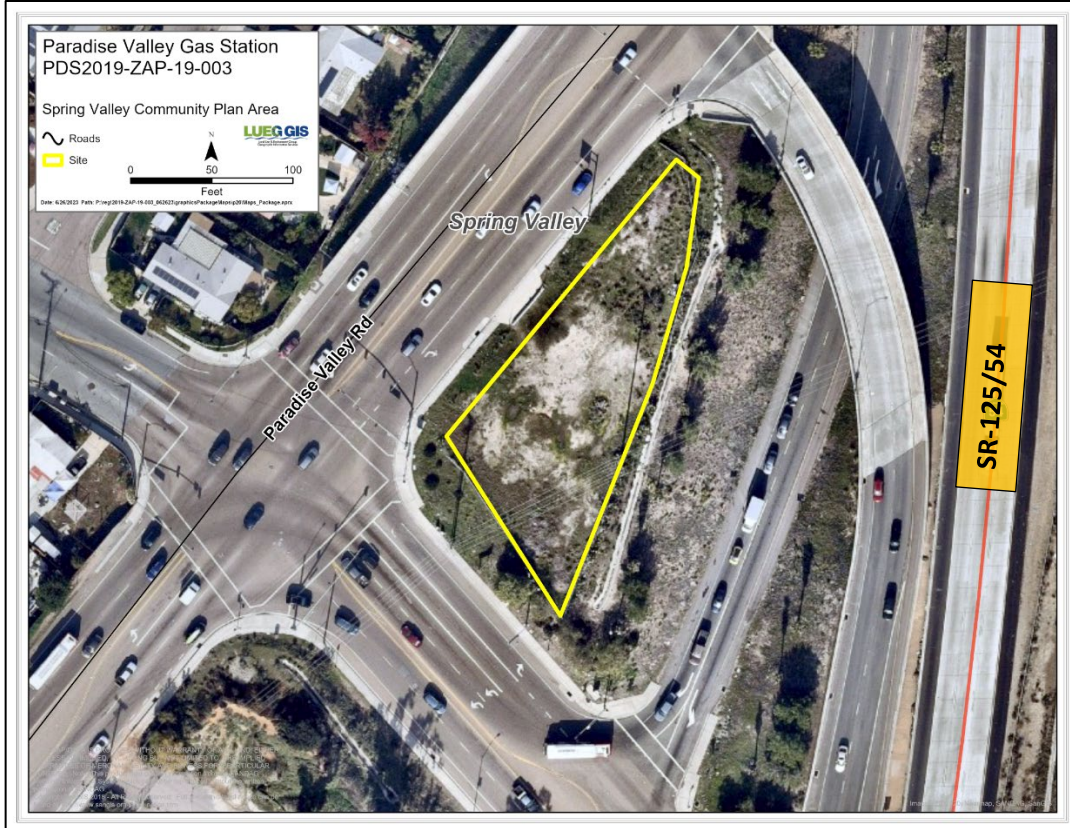


Figure 2: Aerial photograph of project site.



Figure 3: Center of project site, looking east toward SR-125.



Figure 4. Center of project site, looking south toward Elkelton Place.

D. DEVELOPMENT PROPOSAL

1. Project Description

The applicant requests a ZAP for the development of a gasoline service station, convenience store, and fully automated, enclosed carwash known as Paradise Valley Gas Station (Project). The proposed gas station and convenience store would operate 24 hours a day, seven days a week, with a total of 10 employees (three working at any given time). The car wash will operate between 6 a.m. and 10 p.m., seven days a week. The eight pump stations would provide three grades of gasoline (regular, mid-range, and premium) and diesel under a 2,318-sf canopy.

The project would also include a 3,559-sf convenience store building with a mezzanine of 1,154-sf, for a total of 4,713-sf total, and an 855-sf carwash tunnel. A total of eight off-street parking spaces are proposed. Six spaces would be standard parking spaces, one space would be designated as handicap parking, and one space would be designated van pool. The gas station would also provide eight parking spaces by the eight pump stations under the canopy. A total of four underground storage tanks (USTs), one for each of the three grades of gasoline (regular, mid-range, and premium) and diesel fuel are also proposed.

Off-site improvements include the installation of a concrete traffic median with a 6-inch-high curb located on Paradise Valley Road north of Elkelton Boulevard to the intersection of Paradise Valley Road and the SR-125 on-ramp. This median would prevent illegal left-hand turns into the gas station from Paradise Valley Road. The project would also include raising an existing guy wire supporting the existing power pole to 30 feet above the ground, running the existing guy wire above the project site to maintain wire tension, and connecting it to a new post located directly off-site in the undeveloped portion of the right-

of-way that runs between the project site and existing sidewalk along Paradise Valley Road. These improvements would ensure safe operations of proposed uses and vehicular circulation on the project site.

The proposed development would require site preparation and grading. An estimated 100 cubic yards (CY) of soil would be cut and recompact on site. An additional estimated 550 CY of fill would be imported to the Project site. Project construction is estimated to take between six to seven months, starting in June 2024. Project opening is anticipated for early 2025.

Please refer to Attachment A – Planning Documentation, to view the Plot Plans, Elevations, Preliminary Grading Plans, and Conceptual Landscape Plans.

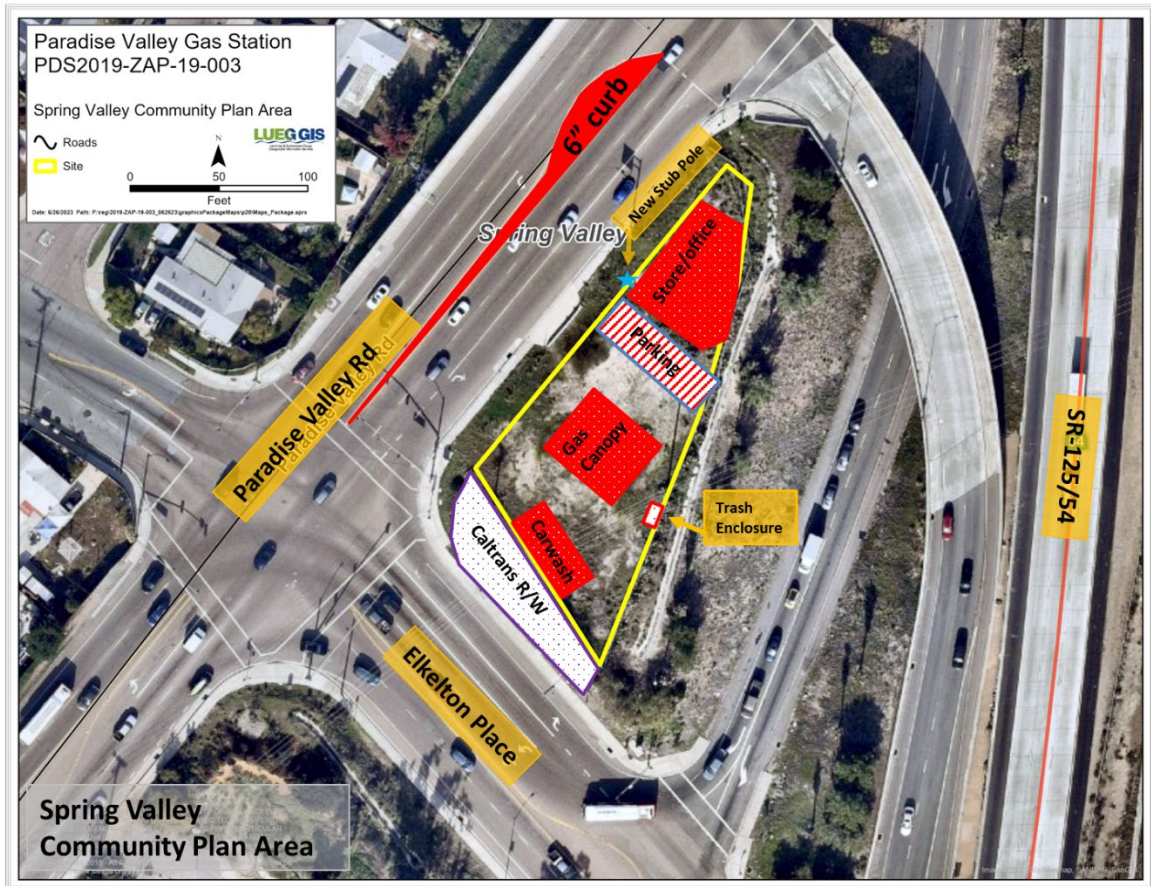


Figure 5: Proposed Project layout (not to scale)



Figure 6. Rendering of southwest elevation at Paradise Valley Rd & Elkelton Blvd



Figure 7. Rendering of southeast elevation

E. ANALYSIS AND DISCUSSION

The Project has been reviewed to ensure it conforms to all the relevant ordinances and guidelines, including, but not limited to, the San Diego County General Plan, the Spring Valley Community Plan, the Zoning Ordinance, and CEQA. A discussion of the Project's consistency with applicable codes, policies, and ordinances, is described on the following pages.

1. Key Requirements

- a. Is the Project consistent with the vision, goals, and policies of the General Plan?

- b. Does the Project comply with the goals and policies of the Spring Valley Community Plan?
- c. Is the Project consistent with the County's Zoning Ordinance?
- d. Is the project consistent with other applicable County regulations?
- e. Does the Project comply with CEQA?

2. Analysis

Minor Use and Site Plan Permit Findings

The discussion below pertains to scale, bulk and coverage, availability of services, effects upon neighborhood character, and suitability of the site for the type of proposed use. Staff has analyzed the Project in relation to each of these.

The proposed location, size, design, and operating characteristics of the Project will be compatible with adjacent uses.

The Project has been designed to be consistent with the surrounding area. The Project consists of the development of a gasoline service station, convenience store, and fully automated, enclosed carwash known as Paradise Valley Gas Station. The surrounding area is characterized as a populated suburban environment primarily consisting of single-family and multi-family residential homes, a freeway, and roads. Development surrounding the project site consists of primarily residential uses and freeway. The project site is designated Industrial by the County's Zoning Ordinance and General Plan, which allow for industrial uses primarily engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products.

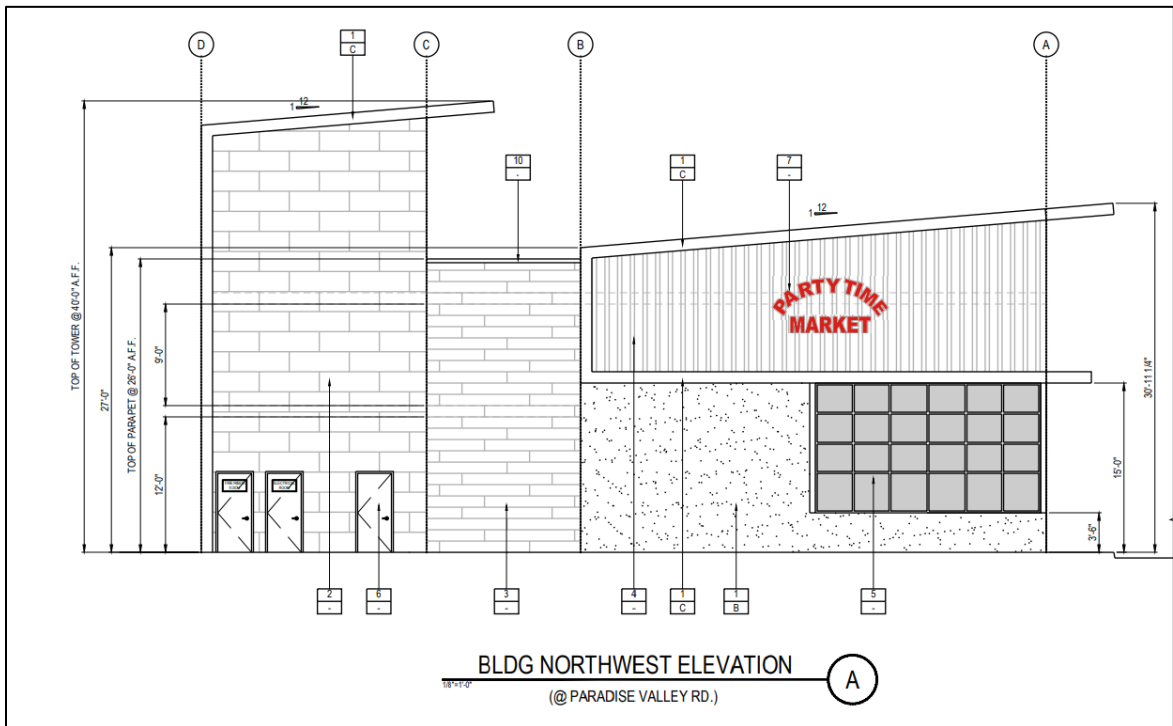


Figure 8. Northwest Elevation with 40-ft height of parapet screening roof top mechanical equipment

The project has been designed to be consistent with the Spring Valley Community Design Guidelines, including landscaping and color scheme requirements, per consultation with the Spring Valley Community Design Review Board. Site Plan findings have been included within Attachment D. Additionally, the proposed coverage is comparable to surrounding properties. The proposed gas station canopy is 2,318 sf, a 3,559-sf convenience store building with a mezzanine of 1,154-sf, for a total of 4,713-sf total, and the carwash is 855 sf. Together these structures have a combined square footage of 7,886, and the entirety of the lot is 21,548 sf, which equates to a Floor Area Ratio (FAR) of 0.36. This is below the maximum allowable FAR for the site, which is 0.50. The proposed lot coverage of the project would be compatible with surrounding lot coverage in the area.

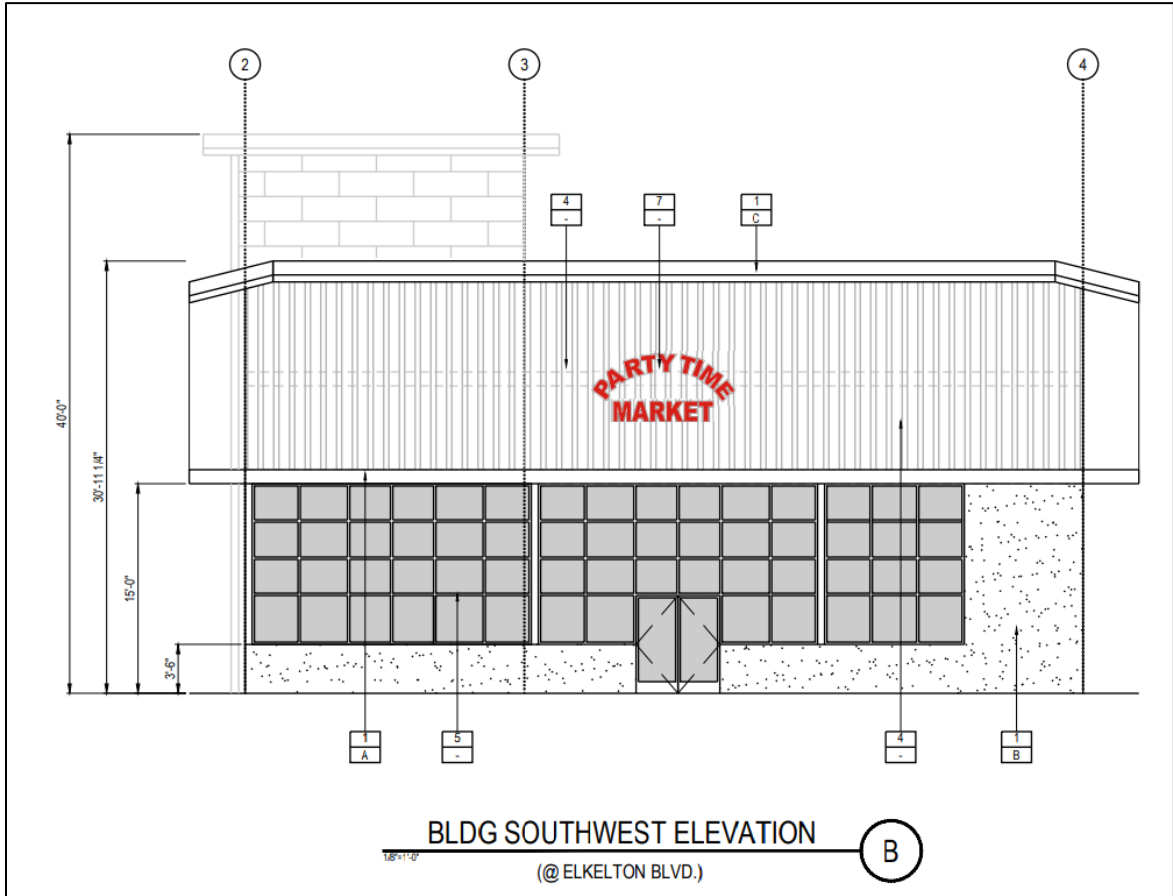


Figure 9. Southwest Elevation with 40-ft height of parapet screening roof top mechanical equipment

Service availability forms have been provided by all applicable utilities and agencies for Fire, Sewer, Water, and Schools. The Project is proposed on a previously graded site and the existing road and utility infrastructure are located adjacent to the site. The San Diego County Sanitation District has required that a 200-foot extension of public sewer be incorporated into the project design to accommodate the on-site uses. All required utilities are therefore available for the project.

Finally, a parking study was completed to determine if the project included an adequate number of off-street parking spaces. The study found that gas stations in the vicinity of the proposed project that provide a range between six to eight fueling positions have a parking supply that ranges between six to nine parking spaces. The Project proposes eight fueling positions with eight parking spaces, which is consistent with the parking supply range of what other gas stations in the vicinity. The planned eight spaces would primarily serve customers that enter the site to access the convenience market services

while occasionally servicing customers that use the fueling services and access the convenience market services either before or after using the fueling services. The eight fueling positions would also serve as short-term temporary spaces for customers entering the facility to access only the fueling services of the facility as their primary trip objective, whilst having the flexibility to briefly access the convenience marker services before, during, or after using the fueling services.

Traffic and Transportation

The Project is not located within a Vehicle Miles Travelled (VMT) Efficient or Infill Area. However, the project meets the CEQA VMT screening criteria for locally serving retail projects that are less than 50,000 sf and will not result in a significant VMT impact. According to the SANDAG Not So Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, gas stations with convenience stores generate only 21 percent of their total ADT as primary trips with the remaining trips being related to diverted or pass-by trips. The diverted or pass-by trips are typically generated by uses within the existing community. The nature of the use is intended to serve density in existing travel patterns associated with developed communities. The project also requires a minimal number of employees to operate the use and their commutes will occur outside of typical commute hours. The project would not substantially increase driving hazards due to a geometric design feature or incompatible uses.

Additionally, the project would include an off-site improvement to install a concrete-filled traffic median with a 6-inch-high curb located on the portion of Paradise Valley Road north of Elkeltou Boulevard to the intersection of Paradise Valley Road and the SR-125 on-ramp (Figure 10). The proposed concrete median would not substantially increase hazards due to a geometric design feature or incompatible uses. The construction of this median prevents illegal left-hand turns into the gas station from Paradise Valley Road.

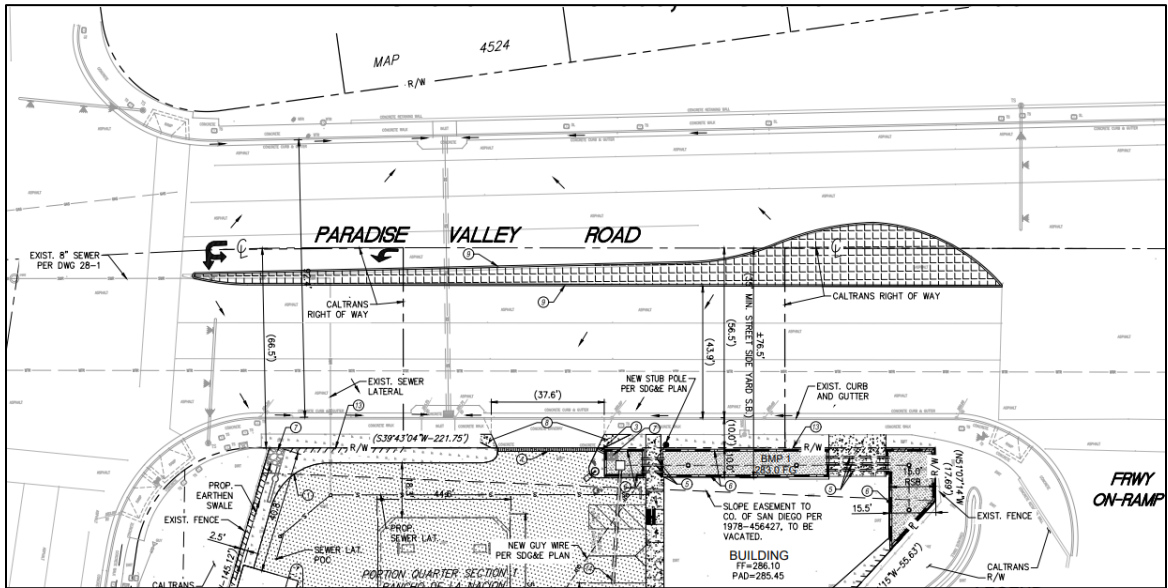


Figure 10. Proposed 6" Median Curb

3. General Plan Consistency

The proposed project is consistent with the following relevant General Plan goals, policies, and actions as described in Table E-1.

Table E-1: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
<p>GOAL S-11– Controlled Hazardous Material Exposure. Limited human and environmental exposure to hazardous materials that pose a threat to human lives or environmental resources.</p>	<p>The Project is conditioned with a Hazardous Materials Business Plan (HMBP) to protect human health and the environment by providing emergency response personnel and the public information about potential hazardous chemicals being stored at a business, while also ensuring that the business has a plan for emergencies and that their staff has proper training.</p>
<p>POLICY S-11.4 – Contaminated Lands. Require areas of known or suspected contamination to be assessed prior to reuse. The reuse shall be in a manner that is compatible with the nature of the contamination and subsequent remediation efforts.</p>	<p>The Project is conditioned with Soil Testing and Remediation which requires excavated soil to be stockpiled, tested, characterized for disposal and transported off-site to an appropriate disposal facility if petroleum hydrocarbons are discovered during grading or construction.</p>
<p>POLICY M-3.2 – Traffic Impact Mitigation. Require development to contribute its fair share toward financing transportation facilities, including mitigating the associated direct and cumulative traffic impacts caused by their project on both the local and regional road networks. Transportation facilities include road networks and related transit, pedestrian and bicycle facilities, and equestrian.</p>	<p>The project would include an off-site improvement to install a concrete-filled traffic median with a 6-inch-high curb located on the portion of Paradise Valley Road north of Elkerton Boulevard to the intersection of Paradise Valley Road and the SR-125 on-ramp. Implementation of the proposed concrete median would not interfere with the provision of public transit, bicycle, or pedestrian facilities, nor would it generate sufficient travel demand to increase demand for transit, pedestrian, or bicycle facilities. This median would prevent illegal left-hand turns into the gas station from Paradise Valley Road.</p>
<p>POLICY COS-14.10 – Low-Emission Construction Vehicles and Equipment. Require County contractors and encourage other developers to use low-emission construction vehicles and equipment to improve air quality and reduce GHG emissions.</p>	<p>Construction activities would comply with local, state, and federal regulations (e.g., USEPA and CARB engine emissions standards, limitations on engine idling times). Compliance with these regulations would reduce short-term energy demand during the project’s grading to the extent feasible and increase the project’s energy efficiency.</p>

<p>Policy LU-6.5 – Sustainable Stormwater Management. Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development (LID) techniques as well as a combination of site design, source control, and stormwater best management practices (BMP), where applicable and consistent with the County’s LID Handbook.</p>	<p>The Project has incorporated required stormwater management features in accordance with the County’s Low Impact Development (LID) Handbook. Additionally, the Project includes site design measures, source control BMPs, as well as several long-term operational BMPs order to address treatment of stormwater for the Project.</p>
<p>POLICY LU-11.1 – Location and Connectivity. Locate commercial, office, and industrial development in Village areas with high connectivity and accessibility from surrounding residential neighborhoods, whenever feasible.</p>	<p>The project site is located in an urbanized area of the Spring Valley community adjacent to the southbound SR-125 on-ramp with residential development approximately 150 feet west of the project site.</p>
<p>Policy LU-13.1 – Commitment of Water Supply. Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.</p>	<p>The Project will obtain water service from the Otay Water District for the operations of the Project, who has agreed to provide service to the Project. The Project will not rely on groundwater or deplete groundwater resources in the area.</p>

4. Community Plan Consistency

The Proposed Project is consistent with the following relevant Spring Valley Community Plan goals, policies, and actions as described in Table E-2.

Table E-2: Community Plan Conformance

Spring Valley Community Plan Policy	Explanation of Project Conformance
<p>Policy LU 1.1.1 Require all new commercial/light or medium industrial construction or changes to existing sites to:</p> <ul style="list-style-type: none"> • Conform to minimum size requirements and setbacks. • Be easily accessible by vehicle and foot traffic. • Appropriately screen mechanical equipment so that it is not visible by developments, existing or proposed, from above. • Appropriately screen trash areas. • Allocate a minimum of 20% of the area to open space or nonparking landscaping. Maximize the provision of landscaped areas through innovative site design. • Provide internal and external connections to pedestrian walkways in multi-commercial developments, including concentrations. • Limit outdoor lighting to minimize impacts to adjacent properties and night sky interference. • Provide signage that complies with Spring Valley Sign Ordinance. • Have a FAR (Floor Area Ratio) that is 0.50 or less for Commercial and Limited Impact Industrial Land Use Designations. • Use paint colors of a neutral or subdued density. 	<p>The Project complies with all requirements of this policy including:</p> <ul style="list-style-type: none"> • Setback regulations • The project site is located in an urbanized area of the Spring Valley community adjacent to the southbound SR-125 on-ramp with residential development approximately 150 feet west of the project site. • The architecture of the convenience store building has been designed with parapets to screen all roof top mechanical equipment. • Screened trash enclosures • A Conceptual Landscape Approval and Conditions Memorandum was prepared based on a review of the County's Water Conservation in Landscaping Ordinance, the Water Efficient Landscape Design Manual, the County's Parking Design Manual, the Grading Ordinance, and the Spring Valley Design Guidelines. • This is not a multi-commercial development. • The Project will implement outdoor lighting and glare controls which will ensure compliance with the Light Pollution Code. • The project complies with the Spring Valley Design Review Guidelines. The Planning Group reviewed the project signage and recommended approval without conditions. • The FAR is 0.26. • Paint colors are neutral.

<p>Policy LU 1.1.2 Require all commercial uses to have aesthetically pleasing and functionally adequate operations with appropriate off-street parking, internal circulation, setbacks and landscaping through application of the Site Plan review.</p>	<p>The Project complies with all requirements of this policy for the following reasons:</p> <ul style="list-style-type: none"> • The project would provide eight off-street parking spaces: six spaces would be standard parking spaces, one space would be designated as handicap parking, and one space would be designated van pool. The gas station would also provide eight parking spaces by the eight pump stations under the canopy. The applicant provided a parking study which analyzed parking for other similar gas stations in the County and concluded that this amount of parking is consistent with other gas stations within the area. • In addition to the median along Paradise Valley Road, the project would also include raising the existing guy wire supporting the existing power pole to 30 feet above the ground, running the existing guy wire above the project site. This improvement would ensure safe operations of proposed uses and vehicular circulation on the project site. • A Conceptual Landscape Approval and Conditions Memorandum was prepared.
<p>Goal S 1.2a Provide a safer and healthier environment for the citizens of Spring Valley through effective enforcement of current ordinances and codes for hazardous/toxic materials and their handling.</p>	<p>The project is conditioned with a Hazardous Materials Business Plan (HMBP) to protect human health and the environment by providing emergency response personnel and the public information about potential hazardous chemicals being stored at a business, while also ensuring that the business has a plan for emergencies and that their staff has proper training.</p>

5. Zoning Ordinance Consistency

a. Development Regulations

The Project site is zoned Limited and General Impact Industrial (M52/M54). The proposed Project does not propose to change the existing General Plan Land Use Designation and is consistent to the Zoning Use Regulations Compatibility Matrix (Zoning Ordinance Section 2050).

Table E-3: Zoning Ordinance Development Regulations

ZONING REGULATIONS	CURRENT	CONSISTENT?
Use Regulation:	M52/M54	Yes, upon approval of a ZAP
Animal Regulation:	S/T	N/A
Density:	-	N/A
Lot Size:	6000	N/A
Building Type:	W	N/A
Height:	G (35')/P (60')	Yes
Lot Coverage:	-	N/A
Setback:	E/Q	Yes
Open Space:	-	N/A
Special Area Regulations:	B	Yes, upon approval of a ZAP with Site Plan Findings

Table E-4: Zoning Ordinance Development Regulations

Development Standard	Proposed/Provided	Complies?
<p>Section 1430(a), 1460, and 1490 of the Zoning Ordinance defines the Automotive and Equipment - Cleaning, Convenience Sales and Gasoline Sales use type.</p>	<p>The Automotive and Equipment - Cleaning, and Gasoline Sales use type are permitted by right in this zone pursuant to limitations “12” and “8”. Supplemental Limitation 8 requires that all operations, including the storage of materials and equipment, shall be entirely within an enclosed building. The carwash is an enclosed building. Supplemental Limitation 12 requires that there shall be no open storage of goods or materials, and all repair and lubrication services shall take place in an enclosed building. There are no repair services proposed as a part of this project and there will be no open storage of good or materials included as a part of the proposed plan. The Convenience Sales use requires a ZAP to comply with Zoning Ordinance.</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Upon approval of a ZAP.</p>
<p>Section 4300 of the Zoning Ordinance requires the Project to comply with the “W” building type requirements.</p>	<p>The Project complies with the building type requirements.</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>Section 4600 of the Zoning Ordinance sets the maximum height requirements. This parcel has a designated height of “G” which requires structures to be no more than two-stories and 35-feet in height, and “P” which requires structures to be no more than four-stories and 60-feet in height.</p>	<p>The Project consists of a proposal for a maximum building height of 40-feet. However, that building is located on the portion of the site zoned M54 which allows for a maximum height of 60-feet. Therefore, the Project complies with the Height Regulations of the Zoning Ordinance.</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>Section 4800 of the Zoning Ordinance requires that the project meet the “E” & “Q” setback requirements for a 60-foot front yard setback, 0-foot interior side yard setback, 35-foot exterior side yard setback, and a 15-foot rear yard setback.</p>	<p>The existing location of the gasoline service station, carwash, and convenience store are located outside all required setbacks including front, rear, and side yard setbacks.</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>

The site is subject to a “B” Special Area Regulations for Community Design Review Area, Ordinance 5750.	The project complies with the Spring Valley Design Review Guidelines and signage was recommended for approval without conditions by the Spring Valley Community Planning Group.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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6. California Environmental Quality Act (CEQA) Compliance

The Project has been reviewed for compliance with CEQA because a MND was prepared and was available for comments during Public Review from August 24, 2023 to September 25, 2023, on file with PDS under Environmental Log Number PDS2020-ER-20-18-001. The MND concluded that the project, as designed, would not cause any significant effects on the environment. The project requires minimal grading which would not significantly affect stormwater or air quality, and the project complies with the County Noise Ordinance. Mitigation measures have been incorporated for Biology, Hazards, Geology, and Noise.

Comments from Caltrans and the San Diego County Archaeological Society were received during the MND public review period. Details of the mitigation measures and full responses to these comments can be found in the Environmental Documentation (Attachment C).

7. Applicable County Regulations

Table E-5: Applicable Regulations

County Regulation Policy	Explanation of Project Conformance
1. Resource Protection Ordinance (RPO)	The Project has been found to comply with the RPO because it will not impact any wetlands, floodplains/floodways, steep slopes, or sensitive habitat lands.
2. County Consolidated Fire Code	The Project has been reviewed by the San Miguel Fire Protection District and has been found to be in compliance with the County Consolidated Fire Code.
3. Noise Ordinance	The Project as conditioned will not generate significant noise levels which exceed the allowable limits of the County Noise Element or Noise Ordinance.
4. Light Pollution Code	The Project will implement outdoor lighting and glare controls which will ensure compliance with the Light Pollution Code.
5. Watershed Protection Ordinance (WPO)	A Stormwater Quality Management Plan (SWQMP) was prepared for the Proposed Project in compliance with the WPO. The Project will require construction BMPs that would include vegetation stabilization planting, fiber rolls (straw wattles), stabilized construction entrance, materials management, and waste management. The project is required to implement the following site design measures and/or source control BMPs and/or permanent post-construction pollutant and hydromodification control BMPs to reduce potential pollutants to the maximum extent practicable from entering stormwater runoff: vegetation stabilization planting on disturbed slopes, bonded or stabilized fiber matrix, energy

	dissipater outlet protection for water velocity control, silt fencing, gravel and sand bags, storm drain inlet protection, stabilized construction entrance, and measures to control materials management (including spill prevention and control) and waste management.
6. Multiple Species Conservation Program (MSCP)	The project site is located within the Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program (MSCP) Subarea Plan. The project is therefore required to conform to the MSCP and the Biological Mitigation Ordinance. There are no sensitive habitats or species within the proposed project area. The site is entirely urban/ developed and does not support native vegetation. As a Tier IV habitat, no on-site preservation is required and impacts to urban/ developed do not require mitigation under the Biological Mitigation Ordinance. No impacts to wildlife corridors or linkages will occur as the project site does not support geological, topographic or habitat features that would function in a corridor capacity. Furthermore, the site is not classified as a Biological Resource Core Area as it is not within the Pre-Approved Mitigation Area, is not within or adjacent to a large block of undisturbed habitat, is not mapped as having high habitat value and does not support sensitive species. Given the current site conditions and the surrounding land uses, development of this project will not hinder the formation of a future preserve system.

F. COMMUNITY PLANNING GROUP (CPG) AND DESIGN REVIEW BOARD (DRB)

On January 14, 2020, the Spring Valley Community Planning Group (CPG) considered the Project and recommend approval with conditions of the proposed ZAP by a vote of 9-2-1-3 (9-Ayes, 2-Noes, 1-Abstain, 3-Vacant/Absent). The condition included with the approval requested that traffic delineators be included in the design to stop illegal left hand turns into the gas station. The project would include an off-site improvement to install a concrete-filled traffic median with a 6-inch-high curb located on the portion of Paradise Valley Road north of Elkelton Boulevard to the intersection of Paradise Valley Road and the SR-125 on-ramp. On April 12, 2022, the Spring Valley CPG considered the signage for the project and recommended approval with no conditions by a vote of 12-1-0-4 (12-Ayes, 1-No, 0- Abstain, and 4-Vacant/Absent). The Spring Valley CPG Recommendation Forms can be found in Attachment E. There is no DRB for the Spring Valley Community Planning Area.

G. PUBLIC INPUT

At the time of application submittal (November 12, 2019) and in accordance with Board Policy I-49, public notices were sent to property owners within a minimum radius of 400 feet of the project site. Staff did not receive documented interest or opposition regarding the Project. 34 public notices have been sent out to a radius of 500 feet of the project site in advance of the Zoning Administrator Hearing.

I. STAFF RECOMMENDATIONS

Staff recommends that the Zoning Administrator take the following actions:

1. Adopt the Environmental Findings included in Attachment D, which includes the adoption of a Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) guidelines.
2. Approve ZAP PDS2019-ZAP-19-003, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment B).

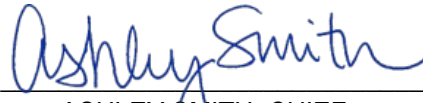
Report Prepared By:

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AUTHORIZED REPRESENTATIVE: _____


ASHLEY SMITH, CHIEF

ATTACHMENTS:

- Attachment A – Planning Documentation
- Attachment B – Form of Decision Approving PDS2019-ZAP-19-003
- Attachment C – Environmental Documentation
- Attachment D – Environmental Findings
- Attachment E – Public Documentation
- Attachment F – Service Availability Forms
- Attachment G – Ownership Disclosure

**Attachment A –
Planning
Documents**

SITE PLAN
PARADISE VALLEY GAS STATION
PDS2019-ZAP-19-003, PDS2020-ER-20-18-001

SITE ADDRESS:
PARADISE VALLEY ROAD AND EXELTON BLVD
SPRING VALLEY, CA 94777
APN 584-160-52-00

LEGAL DESCRIPTION
THAT PORTION OF QUARTER SECTION 4 OF RANCHO DE LA NACION, MAP NO. 166, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF CALIFORNIA AS PARCEL 3072 OF SAID COMBINATION RECORDED JULY 14, 1998 AS INSTRUMENT NO. 1998-0435558 IN THE OFFICE OF SAID RECORDER.

EXISTING EASEMENTS
AGREEMENT FOR IMPROVEMENTS IN PUBLIC RIGHT-OF-WAY ORDNANCE 4815 DATED AUGUST 1, 2017
COMMERCE/7/1 LAND TITLE COMPANY - ORDER NO. 20192321-19-ARC-AKE.

- 1. AGREEMENT FOR IMPROVEMENTS IN PUBLIC RIGHT-OF-WAY ORDNANCE 4815 DATED AUGUST 1, 2017
- 2. STAKE PER DOCUMENT RECORDED DECEMBER 4, 1978 AS INSTRUMENT NO. 78-520244 OF OFFICIAL RECORDS. NON-NEGOTIABLE.
- 3. THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM ANY ADJACENT LANDS OR FROM ANY ADJACENT PUBLIC HIGHWAY AS HAVING BEEN RELINQUISHED OF THE RECORD RECORDED DECEMBER 8, 1999 AS INSTRUMENT NO. 9999-0788894 OF OFFICIAL RECORDS. (NOTED HEREON) NON-NEGOTIABLE.
- 4. AN EASEMENT FOR SLOPE PURPOSES IN FAVOR OF STATE OF CALIFORNIA PER PERMITS AND CONDITIONS OF APPROVAL NO. 1999-0788894 OF OFFICIAL RECORDS. (NOTED HEREON)

SITE AREA:
TOTAL SITE AREA (GROSS) 21,458 SF (1.49 AC)
NET SITE AREA 21,458 SF (1.49 AC)

OWNER/DEVELOPER
NAME: JOSEPH BRINDO
ADDRESS: 245 HIGHLAND AVE
NATIONAL CITY, CA 91950
PHONE NO.(619): 728-7774

SOIL CONDITION
EXISTING UNDEVELOPED SITE

TOPOGRAPHY SOURCE
TOPOGRAPHY SHOWN ON THESE PLANS WAS GENERATED FROM SURVEY POINTS AND DATA PROVIDED BY THE CITY OF SPRING VALLEY AND SAN JOAQUIN COUNTY.

BENCHMARK
THE BENCHMARK FOR THIS SURVEY IS CITY OF SAN JOAQUIN CONTROL PT. NO. 1287. A LEAD WITH DISK STAMPED "SD CITY ENGINEER" IN THE TOP OF CURB AT 538 & ELEVATION = 97.517 FEET ABOVE DATUM.

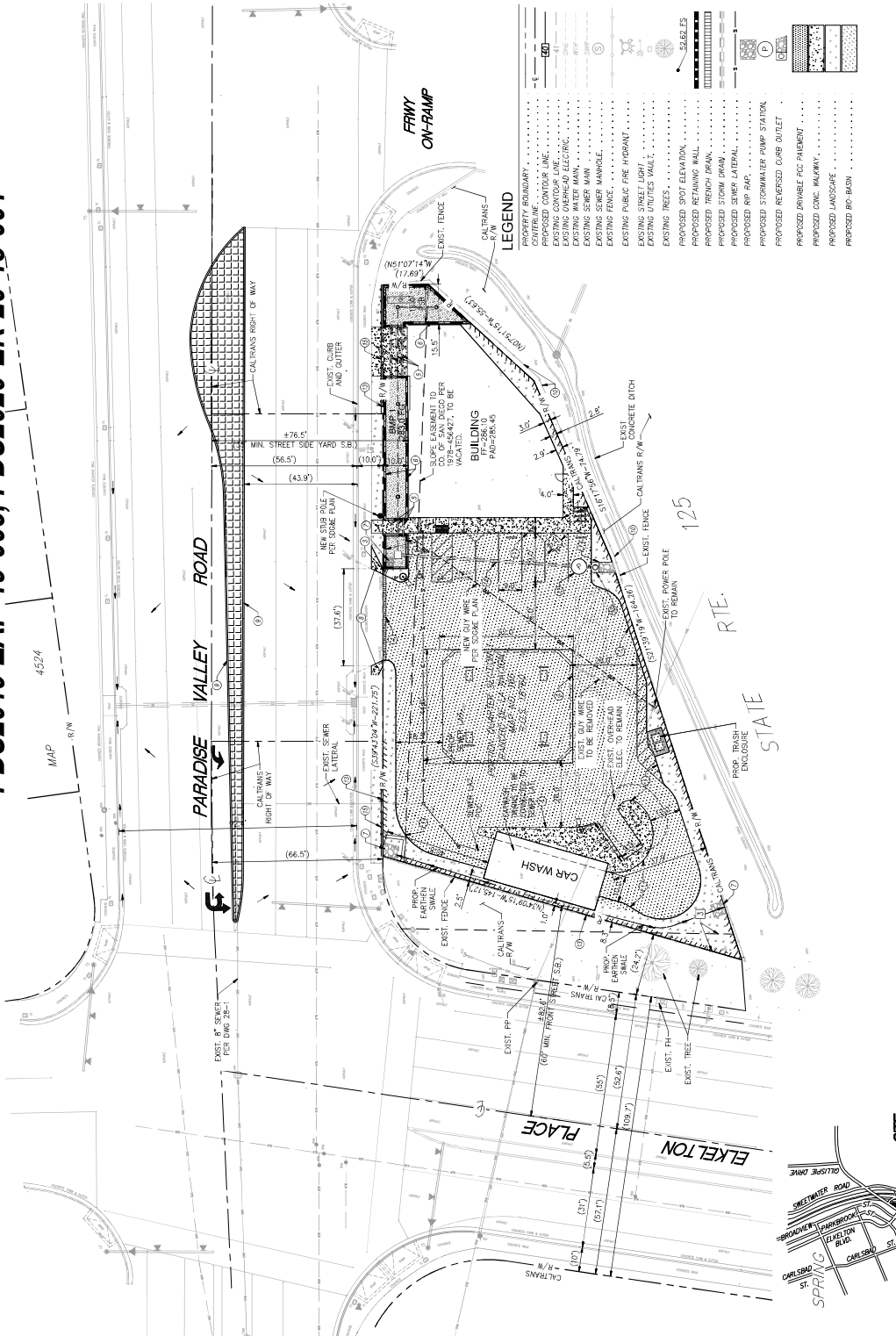
BASINS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTHWESTERLY LINE OF THE BOUNDARY OF THE TRACT OF LAND SHOWN ON THE SURVEY MAP NO. 166, AS SHOWN HEREON. (E NORTH) 394.934° EAST

- 1. PROPOSED 6" CURB PER SISED P-01
- 2. PROPOSED 2" WIDE RIBBON CUTTER
- 3. PROPOSED 8" HOPE STORM DRAIN
- 4. PROPOSED TRENCH DRAIN "UG"
- 5. PROPOSED 3'-4" STORM DRAIN PIPES
- 6. PROPOSED RETAINING WALL PER SPEC'S D-01
- 7. PROPOSED NO. 2 BACKING RP RAP PER SPEC'S D-40
- 8. MODIFY EX. DRIVEWAY TO INCLUDE 21
- 9. PROPOSED 4" MEDIA CURB TYPE B-1 PER SPEC'D C-00
- 10. EXISTING FENCE TO BE REDUCED
- 11. PROPOSED SHURBET STORMWATER PUMP STATION
- 12. PROPOSED 8" VENTED FLEXIBLE CURB OUTLET TYPE A
- 13. PROPOSED 8" VENTED FLEXIBLE CURB OUTLET TYPE B
- 14. PROPOSED 12" VENTED FLEXIBLE CURB OUTLET TYPE A
- 15. PROPOSED 12" VENTED FLEXIBLE CURB OUTLET TYPE B
- 16. PROPOSED ACCESS CONTROL FENCE PER ARCH. PLAN
- 17. PROPOSED 12" PVC S1 @ 0.008'

PREPARED BY:

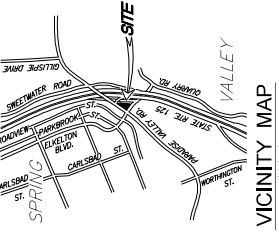


MELTOP R. LANDY
DATE
RCE 8/065 EXP. 9/30-25
1ST SUBMITTAL 11/11/19
2ND SUBMITTAL 11/11/22
3RD SUBMITTAL 8/30/25



LAND COVER SUMMARY TABLE

LAND COVER	AREA (SQ FT)
DRIVABLE PCC PAVEMENT	12,012 SF
CONC. WALKWAY	1,066 SF
LANDSCAPE	2,465 SF
BO-BASE	800 SF
GRAVEL DRIVEWAY	433 SF
PAVED DRIVEWAY	433 SF
LAND COVERAGE	826 SF



PRELIMINARY GRADING PLAN PARADISE VALLEY GAS STATION PDS2019-ZAP-19-003, PDS2020-ER-20-18-001

14" 6" PVC COMMON FORCE MAIN DOWNSTREAM OF VALVING AND TEE FOR HIGH FLOW PUMPS
4" PVC DISCHARGE PIPING FOR EACH HIGH FLOW PUMP AND 4" VALVING (CHECK VALVE & SHUTOFF VALVE)

DEVIATION	EXIST. HIGH FLOW PUMP	NEW HIGH FLOW PUMP	QUANTITY
273.55	LOW FLOW PUMP	LOW FLOW PUMP	2
278.60	LOW FLOW PUMP	LOW FLOW PUMP	3
283.60	LOW FLOW PUMP	LOW FLOW PUMP	3
288.60	LOW FLOW PUMP	LOW FLOW PUMP	3

18" 1-1/4" PVC FORCE MAIN FOR LOW FLOW PUMP
18" 1-1/4" PVC FORCE MAIN FOR HIGH FLOW PUMP
18" 1-1/4" PVC FORCE MAIN FOR HIGH FLOW PUMP

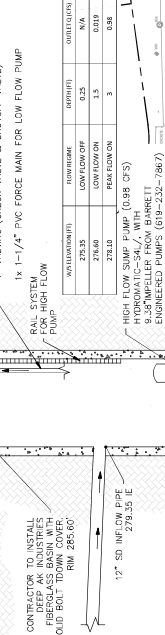
17" SD INFLOW PIPE 279.35 E

CATCH BASIN D-36 CURB OUTLET
CONCRETE TO INSTALL FIBERGLASS BASIN WITH SOLID HOLE RIM 285.40'

1" X LOW FLOW SUMP PUMP FROM BARRETT ENGINEER PUMPS (619-232-7867) SCHEDULE 40 OR GREATER

17" SD INFLOW PIPE 279.35 E

1" X LOW FLOW SUMP PUMP FROM BARRETT ENGINEER PUMPS (619-232-7867) SCHEDULE 40 OR GREATER

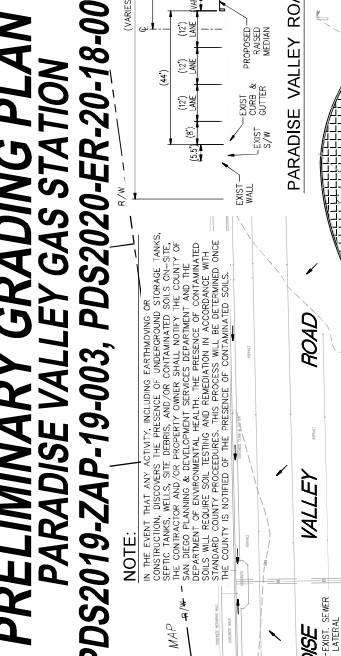


MANHOLE & SUMP PUMP DETAIL
NOT TO SCALE

2" RIBBON GUTTER DETAIL
NOT TO SCALE

NOTE: CHECK DETAILS FOR ALL SUMP PUMPS AND GUTTERS. PUMP SIZES AND SCHEDULES TO BE DETERMINED BY BARRETT ENGINEER PUMPS (619-232-7867).

NOTE: SUMP PUMPS TO BE INSTALLED DURING FINAL ENGINEERING.



SITE ADDRESS:
NORTH EAST CORNER OF PARADISE VALLEY ROAD AND EKELETON BLVD
APR 584-180-32-00 (09/1)

LEGAL DESCRIPTION:
THAT PORTION OF QUARTER SECTION 14 OF RANGE 10E, T3S, R12E, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 166, IN FINAL ORDER OF CONVEYANCE TO THE STATE OF CALIFORNIA AS PARCEL 30975 OF SAID CONVEYANCE RECORDED JULY 14, 1988 AS INSTRUMENT NO. 89-53244 OF OFFICIAL RECORDS.

EXISTING EASEMENTS:
EASEMENTS AND ENCUMBRANCES REFERENCED TO PRELIMINARY TITLE REPORT BY BARRETT ENGINEERING INC. (619-232-7867) DATED AUGUST 1, 2017.
1. AGREEMENT FOR IMPROVEMENTS IN PUBLIC RIGHT-OF-WAY ORDINANCE 4815 AS AMENDED BY CAROLINE M. FERRO, LOUISE ERICCA, ERNEST M. STAMLEY & INMA 79-53244 OF OFFICIAL RECORDS, NON-NEGOTIABLE.
2. THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM THE STREET, HIGHWAY, OR FREIGHT RAILROAD SAID LAND, SUCH RIGHTS AS INSTRUMENT NO. 89-53244 OF OFFICIAL RECORDS (NOTED HEREON) NON-Negotiable.

3. AN EASEMENT FOR SLOPE PURCHASES IN FAVOR OF STATE OF CALIFORNIA PER OFFICIAL RECORDS (NOTED HEREON).

SITE AREA:
TOTAL SITE AREA (ACRES) 21,458 SF (0.49 AC)
NET SITE AREA (ACRES) 21,458 SF (0.49 AC)

OWNER/DEVELOPER:
NAME: JORDAN BEVINS
ADDRESS: 465 HOBBS AVE
PHONE NO. (619) 728-7743

SOIL CONDITION:
CLASSIFIED UNDEVELOPED SITE

TOPOGRAPHY SOURCE:
TOPOGRAPHY SHOWN ON THESE PLANS WAS GENERATED FROM FIELD SURVEY BY APPELL LAND SURVEYORS, INC. MAP 6 & 6, 2019 BY SURVEYOR APPELL LAND SURVEYORS, INC. 82758.

BENCHMARK:
THE BENCHMARK FOR THIS SURVEY IS CITY OF SAN DIEGO CONTROL PT. NO. 1292, A LEAD WITH DISK STAMPED "SD CITY ENGINEER" IN THE TOP OF CURB AT 238 & 542 BROADWAY STREET, NORTHEAST OF EKELETON BLVD.
ELEVATION = 227.21 FEET ABOVE DATUM.

BASINS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTHWESTERLY LINE OF SUBJECT PARCEL AS SHOWN ON RECORD OF SURVEY MAP NO. 88760, AS SHOWN HEREON. LE NORTH 89°43'04" EAST.

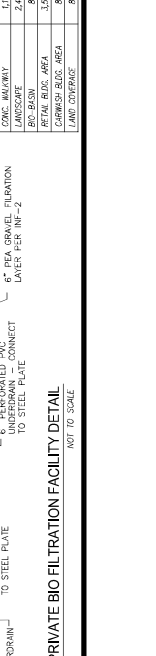
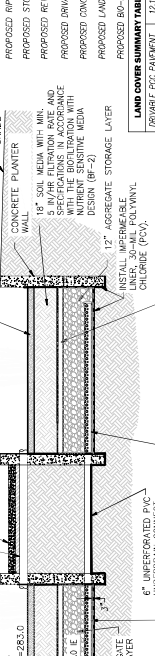
PRELIMINARY GRADING PLAN NOTE:
THIS PLAN IS PROVIDED TO ALLOW FOR FULL AND ADEQUATE DISCRETIONARY REVIEW OF PROPOSED DEVELOPMENT PROJECT. THE PROPERTY OWNER ACKNOWLEDGES THAT ANY GRADING SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REQUIREMENTS AND ALL APPLICABLE PERMITS AND ORDINANCES AND ALL APPLICABLE REGULATIONS AND ORDINANCES. THE OWNER AGREES TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND TO OBTAIN VALID GRADING PERMITS BEFORE COMMENCING SUCH ACTIVITY.
DOT (TO FINISH SURFACES)..... 100 FT
TID (TO FINISH SURFACES)..... 650 FT 558 FT

LEGEND

.....	PROPERTY BOUNDARY
.....	PROPOSED CONTOUR LINE
.....	EXISTING CONTOUR LINE
.....	EXISTING WATER
.....	EXISTING SEWER MAIN
.....	EXISTING FIRE MAIN
.....	EXISTING PUBLIC FIRE HYDRANT
.....	EXISTING STREET LIGHT
.....	EXISTING UTILITY WALL
.....	EXISTING TREES
.....	PROPOSED RETAINING WALL
.....	PROPOSED TRENCH DRAIN
.....	PROPOSED SUMP
.....	PROPOSED SUMP PUMP STATION
.....	PROPOSED PERFORATED CURB OUTLET
.....	PROPOSED DRINKABLE FOG FAN
.....	PROPOSED CONCRETE WALL
.....	PROPOSED BIOPASSIVE
.....	PROPOSED BIOPASSIVE

LAND COVER SUMMARY TABLE

DRINKABLE FOG FAN	12,022 SF
CONCRETE WALL	1,658 SF
LANDSCAPE	2,465 SF
RETAINING WALL	3,495 SF
CURB AREA	855 SF
LAND COVERAGE	67%



PREPARED BY:
HOWES WEILER LANDY PLANNING & ENGINEERING
186 760.833.2288 Fax: 760.833.2287
3800 CENTURION BLVD. SUITE 207
CARLSBAD, CA 92009
www.hwl.com
Melissa R. Landy
RICE 81085 EXP. 9-30-25

DATE: 11-11-19
SUBMIT: 11-11-19
REVISION: 11-11-19
DATE: 11-11-19



2705 30TH STREET
SAN DIEGO, CA 92104
TEL: 619.226.0595
WWW.MFAARCHITECTS.COM

CLIENT
JOSEPH BRIKHO
245 HIGHLAND AVE.
NATIONAL CITY, CA 91950
P: (619) 738.7744
F: (619) 944.9705

PROJECT
A PROPOSED COMMERCIAL DEVELOPMENT LOCATED AT
NEC PARADISE VALLEY RD. & ELKELTON PL.,
NATIONAL CITY, CA 91977

POSITION 245-P-0001
FORNADIS (10) 01 01 01

SHEET TITLE	
PHOTOMETRIC SITE PLAN	
PROJECT NO.	245-P-0001
DATE	10/15/2015
SCALE	AS SHOWN
DESIGNER	MFA
DRAWN BY	MM
CHECKED BY	MM
DATE	10/15/2015
SCALE	AS SHOWN

DATE: _____ LOCATION: _____
SITE: _____ PROJECT: _____
CONSOLE: _____

RATIO Series
AREAS ILLUMINATED

FEATURES

- High performance lighting fixtures with adjustable beam spread
- High performance lighting fixtures with adjustable beam spread
- High performance lighting fixtures with adjustable beam spread
- High performance lighting fixtures with adjustable beam spread
- High performance lighting fixtures with adjustable beam spread

PHOTO METRY # RATIO BROCHURE # RATIO SPEC PAGE # INSTALLATION INSTRUCTIONS

Fix # Fixmount # Fixhitch

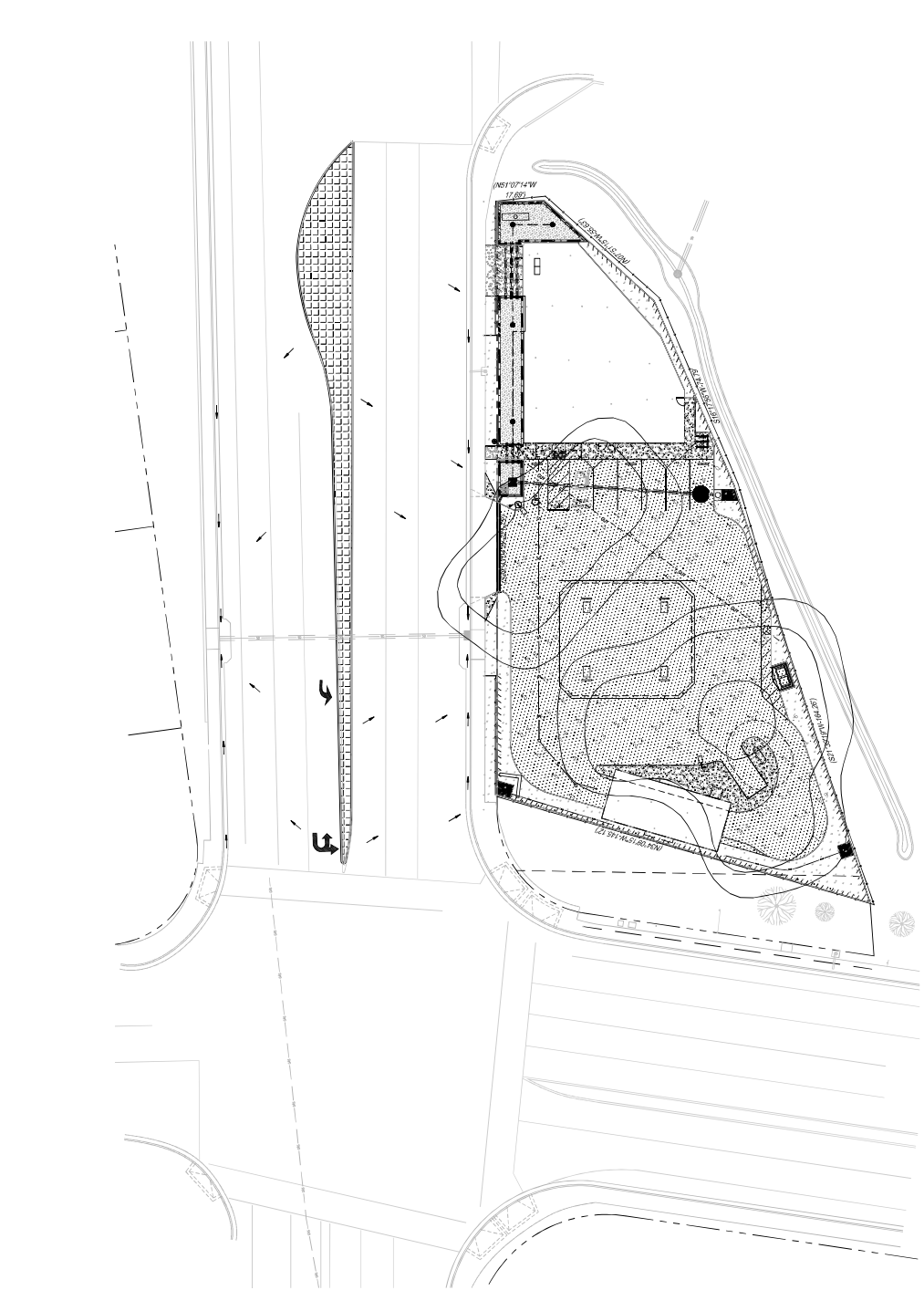
CONTROL TECHNOLOGY

CONTROLLED BY: []
CONTROLLED BY: []
CONTROLLED BY: []

INSTALLATION INSTRUCTIONS

1. Mounting height: 10'-0" (3.05m) to 12'-0" (3.66m)
2. Mounting height: 10'-0" (3.05m) to 12'-0" (3.66m)
3. Mounting height: 10'-0" (3.05m) to 12'-0" (3.66m)

ORDERING GUIDE	
MODEL	DESCRIPTION
1000	1000 WATT
2000	2000 WATT
3000	3000 WATT
4000	4000 WATT
5000	5000 WATT
6000	6000 WATT
7000	7000 WATT
8000	8000 WATT
9000	9000 WATT
10000	10000 WATT
12000	12000 WATT
15000	15000 WATT
20000	20000 WATT
25000	25000 WATT
30000	30000 WATT
35000	35000 WATT
40000	40000 WATT
45000	45000 WATT
50000	50000 WATT
55000	55000 WATT
60000	60000 WATT
65000	65000 WATT
70000	70000 WATT
75000	75000 WATT
80000	80000 WATT
85000	85000 WATT
90000	90000 WATT
95000	95000 WATT
100000	100000 WATT



PHOTOMETRIC SITE PLAN

SCALE 1/8" = 1'-0"

NOTE:

- FOR FURTHER POINTING HEIGHT: 10'-0" - 12'-0" A.F.F.
- ONLY THE 8' GRABBLE 0'-0" - 12'-0" A.F.F.
- GRABBLE FIXTURES NOT INCLUDED IN PHOTOMETRIC

CALCULATIONS HAVE BEEN PERFORMED ACCORDING TO IESNA'S LIGHTING HANDBOOK. ALL DIMENSIONS, REFLECTANCE, FIXTURE BEAM SPREAD, FIXTURE SPACING, FIXTURE MOUNTING HEIGHT, AND FIXTURE BEAM SPREAD ARE BASED ON THE DATA PROVIDED IN THE IESNA LIGHTING HANDBOOK. THE DATA PROVIDED IN THE IESNA LIGHTING HANDBOOK IS NOT GUARANTEED TO BE ACCURATE. CALCULATIONS ARE BASED ON ESTABLISHED STANDARDS AND PRACTICES. ALL DIMENSIONS, REFLECTANCE, FIXTURE BEAM SPREAD, FIXTURE SPACING, FIXTURE MOUNTING HEIGHT, AND FIXTURE BEAM SPREAD ARE BASED ON THE DATA PROVIDED IN THE IESNA LIGHTING HANDBOOK. THE DATA PROVIDED IN THE IESNA LIGHTING HANDBOOK IS NOT GUARANTEED TO BE ACCURATE. CALCULATIONS ARE BASED ON ESTABLISHED STANDARDS AND PRACTICES.

For design reference only - All calculations should be reviewed for accuracy by a qualified electrical engineer.



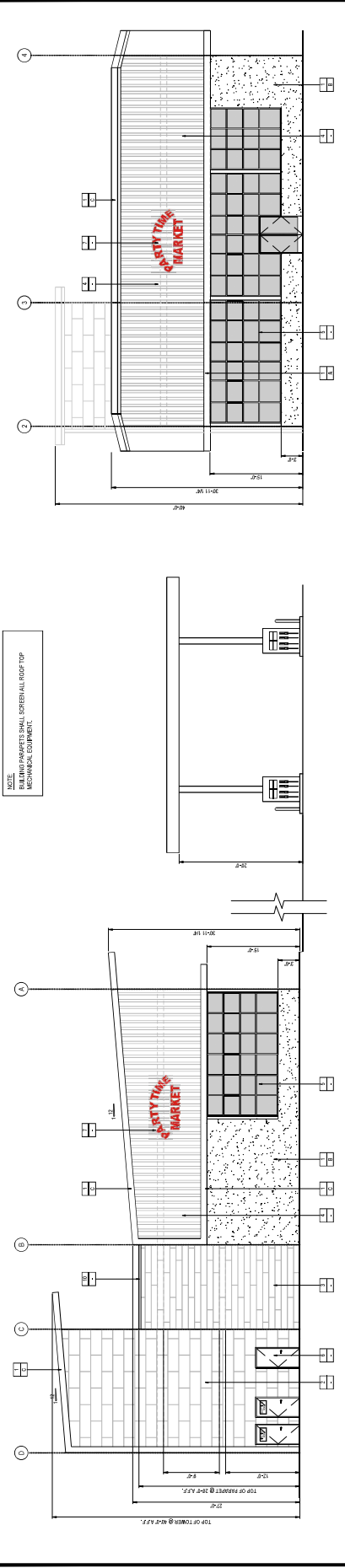
CLIENT
JOSEPH BRIKHO
245 HIGHLAND AVE.
NATIONAL CITY, CA 91950
P: (619) 738.7745
F: (619) 964.9705

PROJECT
NEC PARADISE VALLEY RD. & EKETLTON PL.
SHEPHERD WALKER 27
A PROPOSED COMMERCIAL DEVELOPMENT LOCATED AT:

REVISIONS
NO. DATE
BY
DESCRIPTION

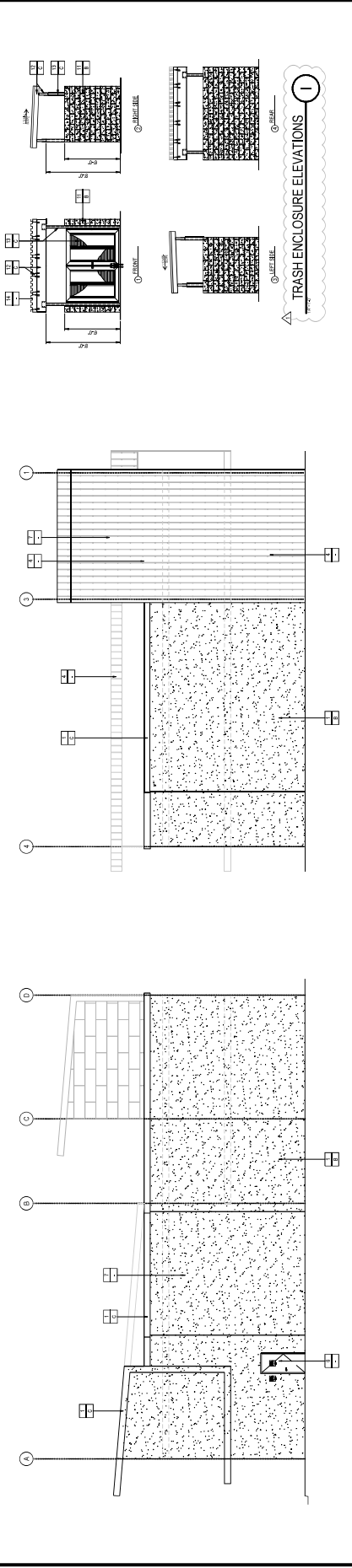
PROJECT NO. 27-01
PROJECT TITLE: SHEPHERD WALKER

SHEET TITLE
EXTERIOR ELEVATIONS
DESIGNED BY: MPA
DRAWN BY: MPA
DATE: 11/14/14
SCALE: 1/4" = 1'-0"



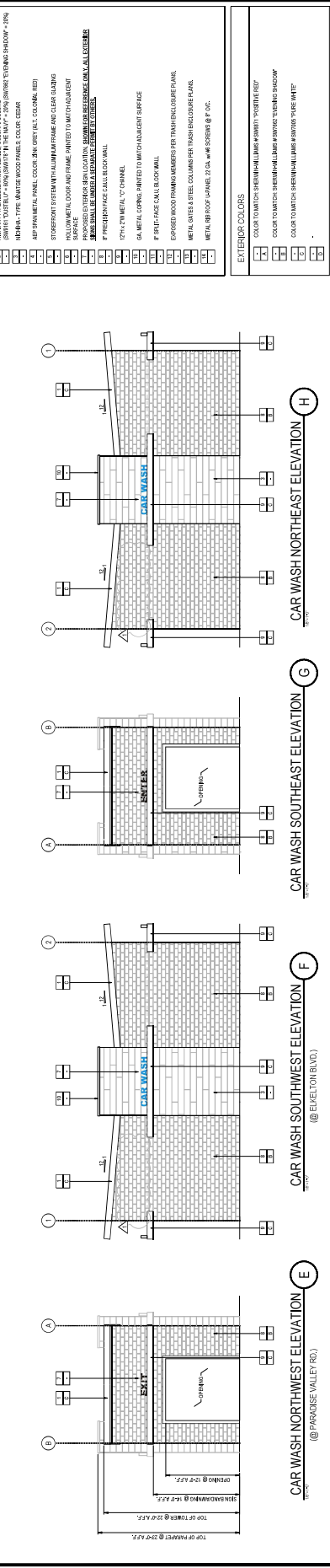
BLDG NORTHWEST ELEVATION (A)
(@ PARADISE VALLEY RD.)

BLDG SOUTHWEST ELEVATION (B)
(@ EKETLTON BLVD.)



BLDG NORTHEAST ELEVATION (D)

BLDG SOUTHEAST ELEVATION (C)



CAR WASH NORTHEAST ELEVATION (H)

CAR WASH SOUTHWEST ELEVATION (F)
(@ EKETLTON BLVD.)

CAR WASH NORTHWEST ELEVATION (E)
(@ PARADISE VALLEY RD.)

CAR WASH SOUTHEAST ELEVATION (G)

EXTERIOR MATERIALS

EXTERIOR CONCRETE PLASTER WITH SMOOTH FINISH
ADHESIVE TYPE ILLUMINATION STRIPS, COLOR: CLOUSE
CROSS TOOTH - 60% (DOWN TO THE MAX) - 30% BRITISH TYSING SHOW - 10%
ADHESIVE TYPE I BRICKWOOD PANEL, COLOR: CLEAR

APP. SPAN/PANEL COLOR: RIM GREY FALL COLOR (R20)
STORAGE/ST. EXTERIOR WITH ALUMINUM FRAME AND CLEAR GLAZING
POLYMER METAL DOOR AND FRAME - FINISHED TO MATCH FACED
SURFACE
FINISH - BRICKWOOD PANEL COLOR: RIM GREY FALL COLOR (R20)
SPRINKLER SHALL BE INSTALLED EXTERIOR TO ALL EXTERIOR

100% - 2" MIN. ALU. "C" CHANNEL
100% - 2" MIN. ALU. BLDG WALL
G. METAL CLADDING FINISHED TO MATCH FACED SURFACE
IF SP. FACE CALL BLDG WALL
EXPOSED WOOD FRAMING NUMBERS FOR TRASH ENCLOSURE FRAMES
METAL GATES & STEEL COL. AND HP. FOR TRASH ENCLOSURE FRAMES
METAL ROOF/PANEL 22 GA. # 400000188 P. 10C.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----

EXTERIOR COLORS

COLOR TO MATCH SHEPHERD WALKER 27-01 11/14/14
COLOR TO MATCH SHEPHERD WALKER 27-01 11/14/14
COLOR TO MATCH SHEPHERD WALKER 27-01 11/14/14

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----

TRASH ENCLOSURE ELEVATIONS

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----



SOUTHWEST ELEVATION
 (@ ELKELTON BLVD.)



NORTHWEST ELEVATION
 (@ ELKELTON BLVD.)

MFA ARCHITECTS, INC.
 2075 30th Street
 Suite 1000, Elkelton, CA 91704
 Tel: 618.226.0295
 Fax: 618.226.0257
 www.mfaarchitects.com
 info@mfaarchitects.com

CLIENT
JOSEPH BRIKHO
 245 HIGHLAND AVE.
 NATIONAL CITY, CA 91950
 P: (619) 738-7744
 F: (619) 944-9705

PROJECT
 A PROPOSED COMMERCIAL DEVELOPMENT LOCATED AT:
ELKELTON BLVD. @ ELKELTON BLVD.
 128

NO.	DATE	REVISIONS

POSITION: 2-D & 3-D MODEL
 DRAWING NO.: 128-01-01

SHEET TITLE

COLOR RENDERINGS

NO.	DATE	REVISIONS

DATE: 11/11/2024
 TIME: 10:00 AM
 SCALE: 1/8" = 1'-0"

A2.1



SOUTHEAST ELEVATION
 (@ ELMELTON BLVD.)



SOUTHWEST ELEVATION
 (@ PARADISE VALLEY RD. & ELMELTON BLVD.)

3750 38th Street
 Suite 100
 San Diego, CA 92121
 T: 619.226.0285
 F: 619.226.0257
 www.mfaarchitects.com

CLIENT
JOSEPH BRIKHO
 245 HIGHLAND AVE.
 NATIONAL CITY, CA 91950
 P: (619) 738-3744
 F: (619) 944-9705

PROJECT
 A PROPOSED COMMERCIAL DEVELOPMENT LOCATED AT:
PARADISE VALLEY RD. & ELMELTON PL.
 NATIONAL CITY, CA 91977

REVISIONS	
NO.	DATE

PROJECT NO. 245-14-001
 PROJECT TITLE: FUTURE DEVELOPMENT

SHEET TITLE

COLOR RENDERINGS

NO.	REVISION	DATE

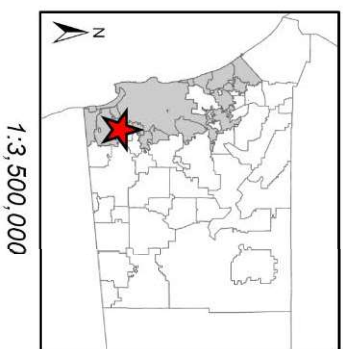
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 TIME: 10:00 AM
 SCALE: 1/8" = 1'-0"



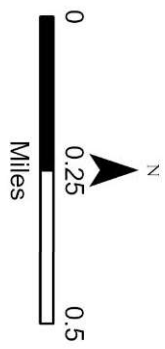
Paradise Valley Gas Station
PDS2019-ZAP-19-003

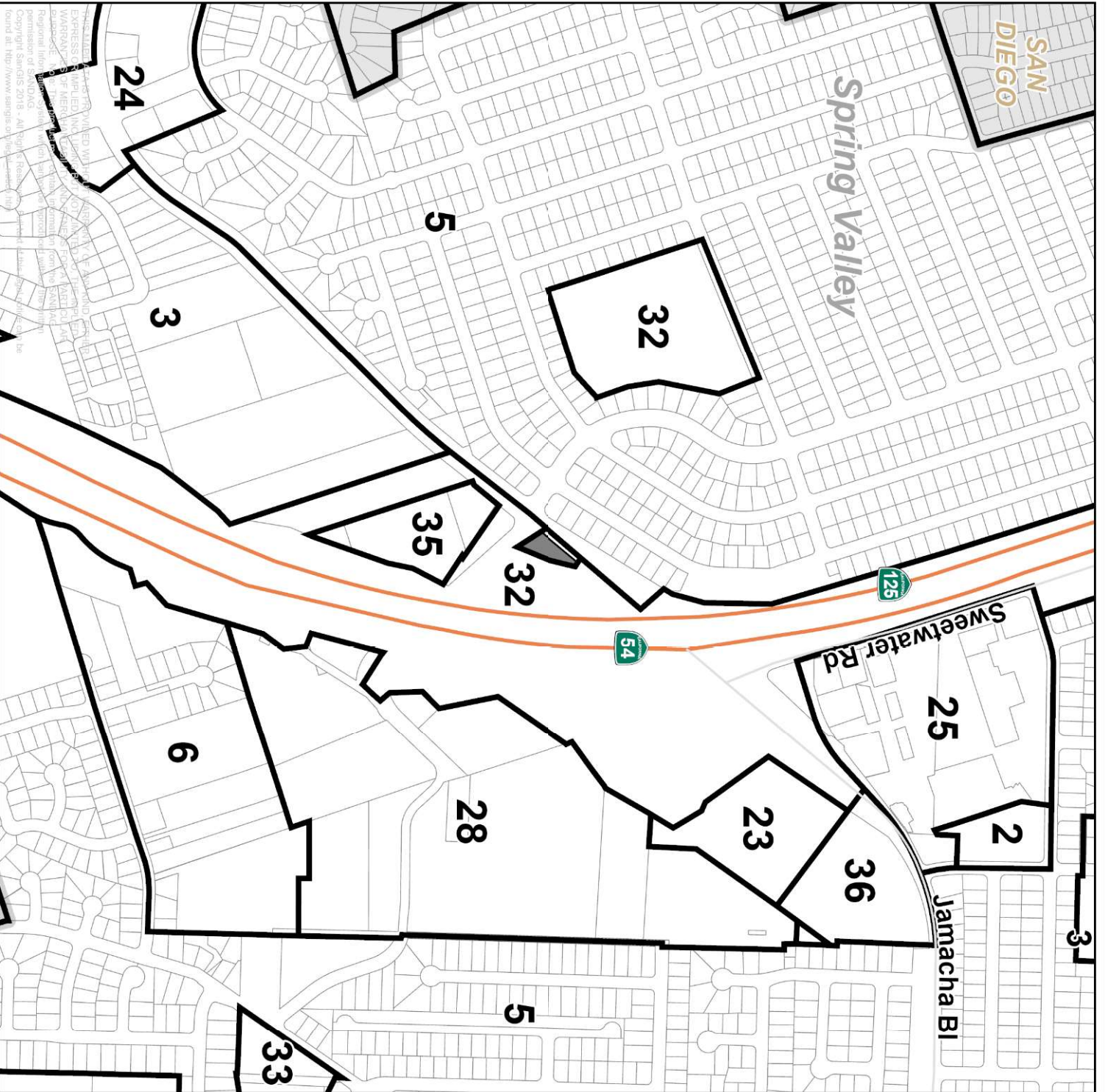
Vicinity Map

Spring Valley
 Community Plan Area



	Roads
	Site
	Parcels



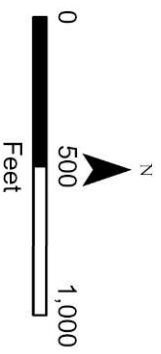
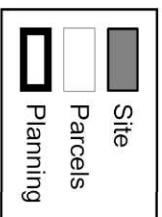


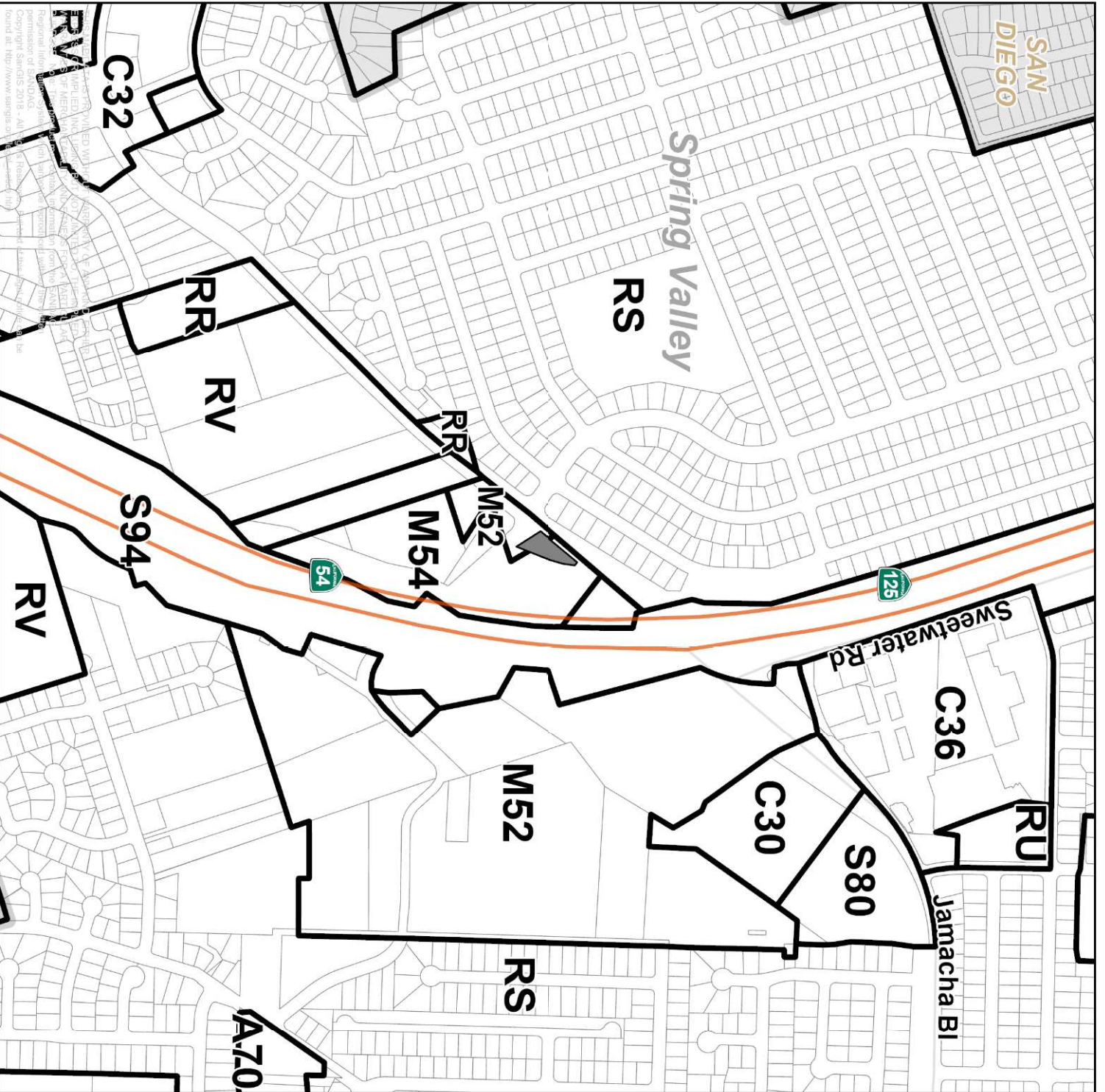
Paradise Valley Gas Station
 PDS2019-ZAP-19-003

General Plan

Spring Valley
Community Plan Area

- (2) Village Residential (VR-24)
- (3) Village Residential (VR-15)
- (5) Village Residential (VR-7.3)
- (6) Village Residential (VR-4.3)
- (23) Office Professional
- (24) Neighborhood Commercial
- (25) General Commercial
- (28) Limited Impact Industrial
- (32) Public/Semi-Public Facilities
- (33) Public Agency Lands
- (35) Medium Impact Industrial
- (36) Open Space (Recreation)





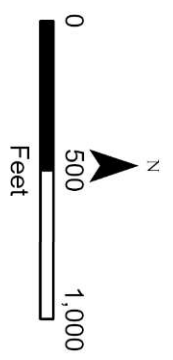
Paradise Valley Gas Station
 PDS2019-ZAP-19-003

Zoning

Spring Valley
 Community Plan Area

- A70 - Limited Agricultural
- C30 - Office Professional
- C31 - Residential-Office Professional
- C32 - Convenience Commercial
- C36 - General Commercial
- M52 - Limited Impact Industrial
- M54 - General Impact Industrial
- RR - Rural Residential
- RS - Single Family Residential
- RU - Urban Residential
- RV - Variable Family Residential
- S80 - Open Space
- S94 - Transportation/Utility Corridor

	Roads
	Site
	Parcels
	Zoning



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 found at: <http://www.sandag.org>

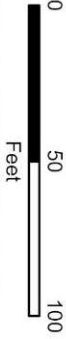
Paradise Valley Gas Station PDS2019-ZAP-19-003

Spring Valley Community Plan Area

Roads



Site



N

Feet



Date: 02/26/2023 Path: F:\env\2019-ZAP-19-003_062623\graphics\PackageMap\1208Map_Package.aprx



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Paradise Valley Gas Station
PDS2019-ZAP-19-003

Spring Valley Community Plan Area

Roads



Site



0 250 500
Feet

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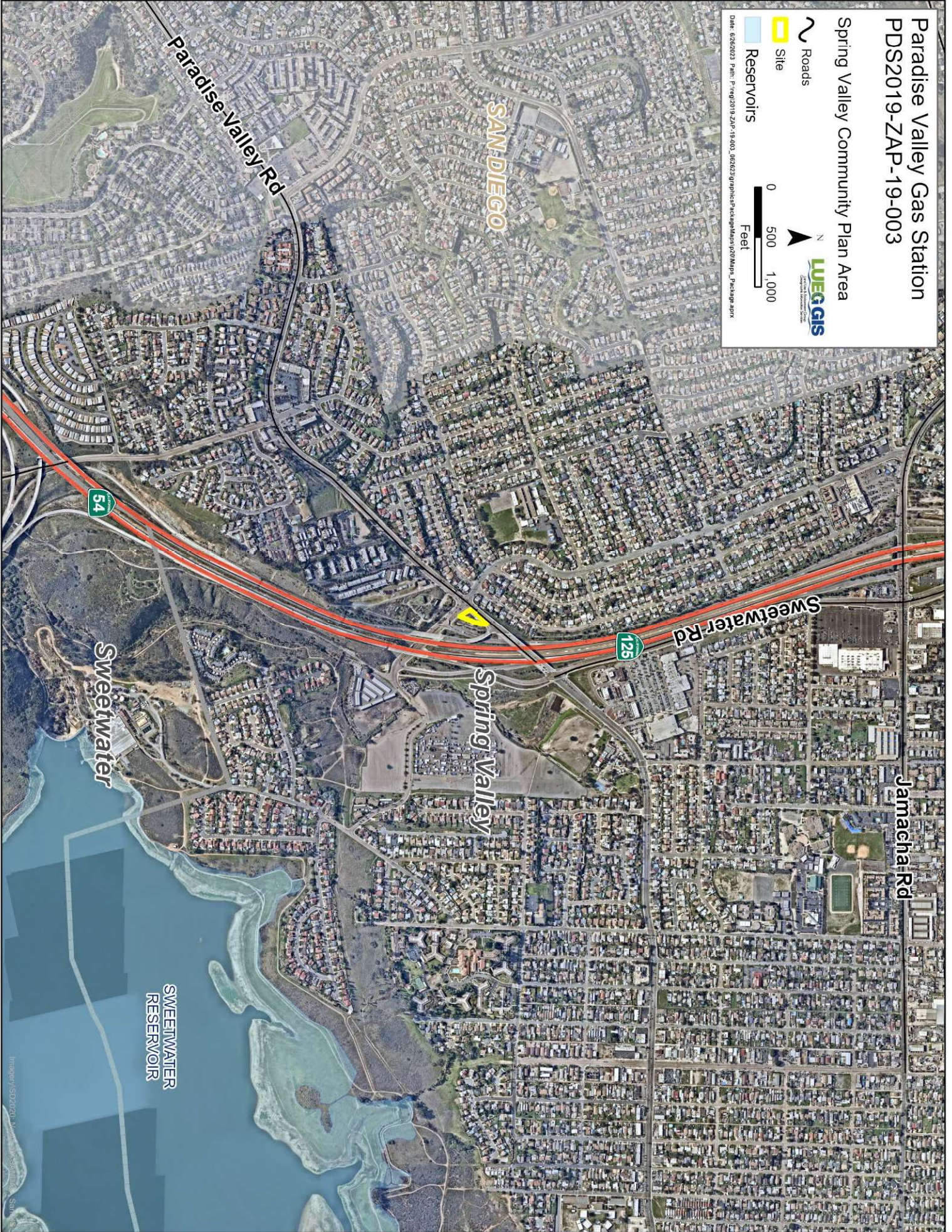
Paradise Valley Gas Station
PDS2019-ZAP-19-003

Spring Valley Community Plan Area

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- Roads
- Site
- Reservoirs

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Paradise Valley Gas Station PDS2019-ZAP-19-003

Spring Valley Community Plan Area

Roads



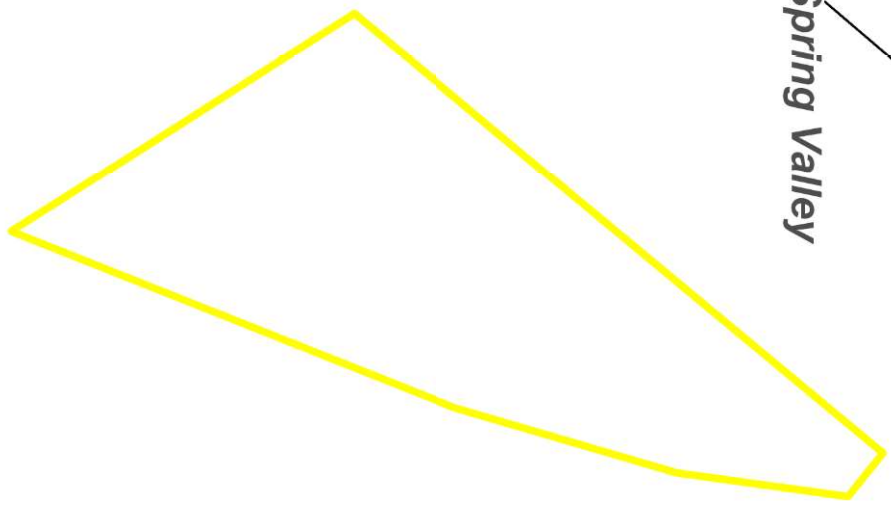
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Paradise-Valley Rd

Spring Valley



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Paradise Valley Gas Station PDS2019-ZAP-19-003

Spring Valley Community Plan Area

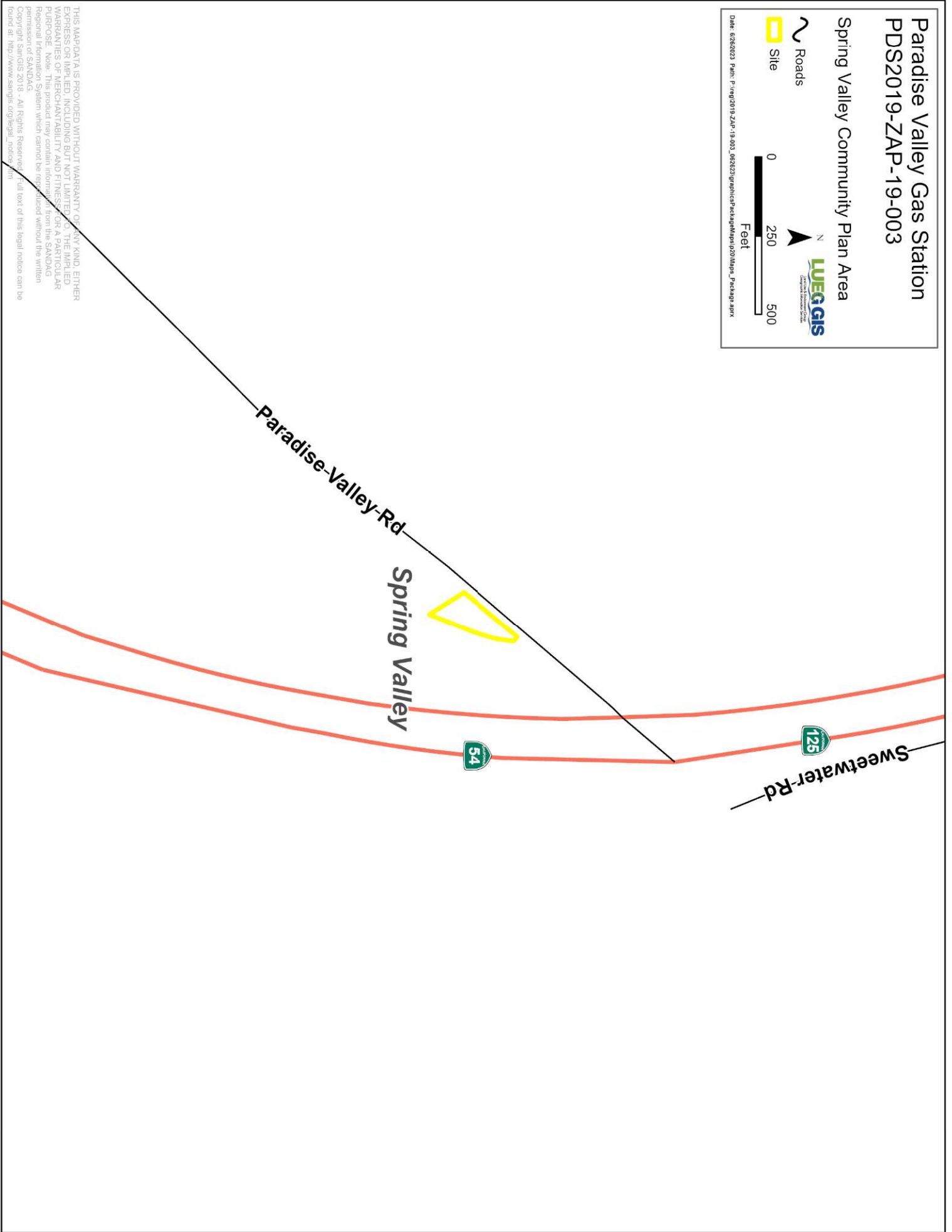
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Paradise Valley Gas Station PDS2019-ZAP-19-003

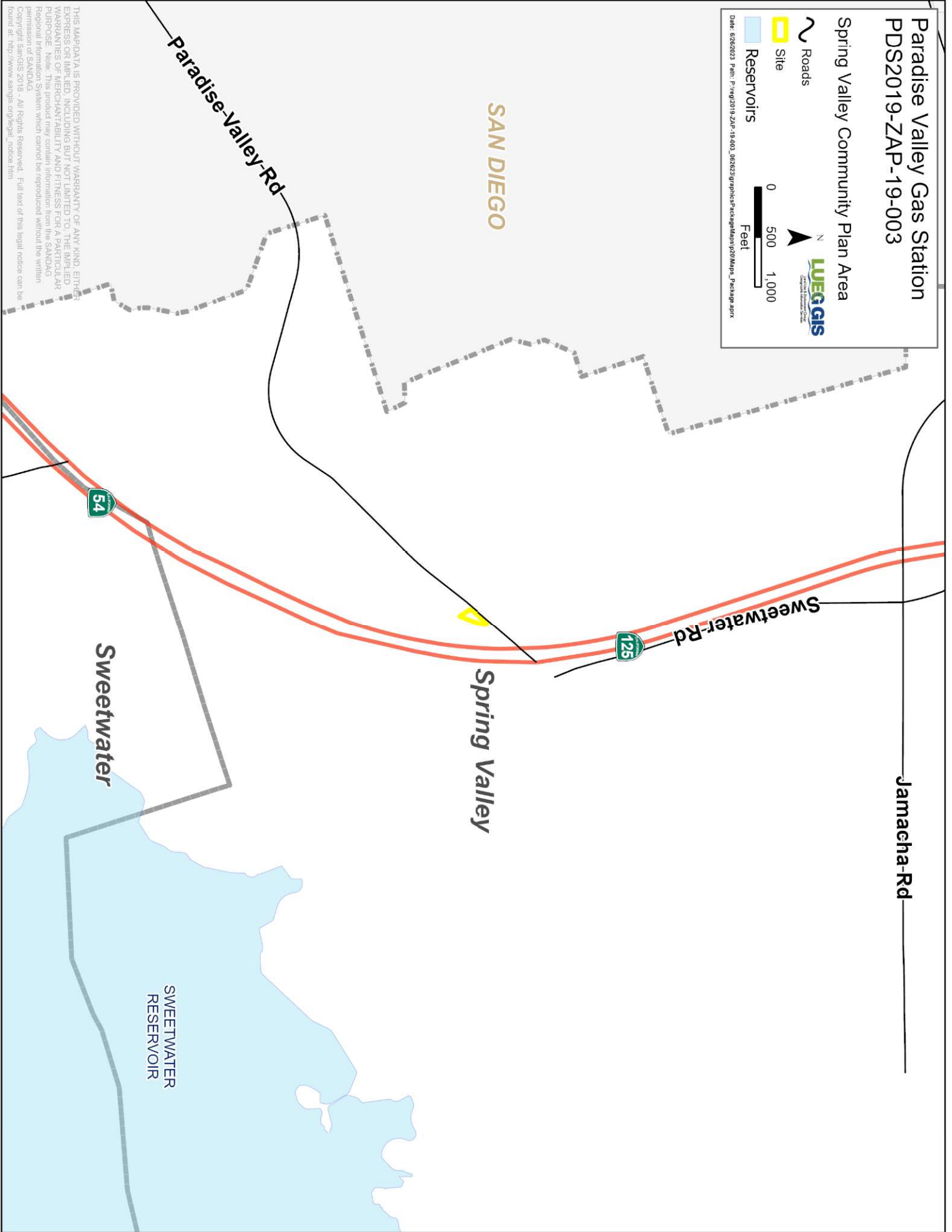
Spring Valley Community Plan Area

 Roads
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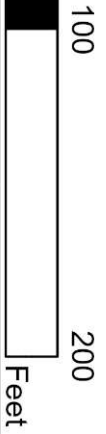
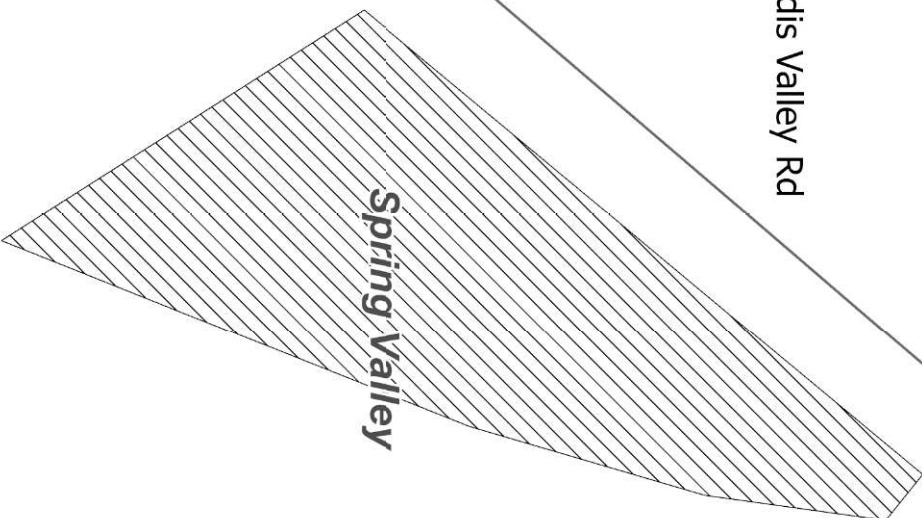


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Paradis Valley Rd

Spring Valley



**Attachment B – Form of Decision Approving
PDS2019-ZAP-19-003**



County of San Diego

DAHVIA LYNCH
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 505-6445 General • (858) 694-2705 Codes
(858) 565-5920 Building Services
www.SDCPDS.org

VINCE NICOLETTI
ASSISTANT DIRECTOR

November 16, 2023

PERMITTEE: B P I 1 E & P LLC
MINOR USE PERMIT: PDS2019-ZAP-19-003
E.R. NUMBER: PDS2020-ER-20-18-001
PROPERTY: 8565 PARADISE VALLEY ROAD. SPRING VALLEY, CA
APN(S): 584-160-52

DECISION OF THE ZONING ADMINISTRATOR

Grant Minor Use Permit ZAP-19-003 consisting of a one (1) sheet site plan, and a seven (7) sheet plot plan, conceptual landscape plan, elevations, and signage. This permit authorizes construction and operation of a gas station with four multi-product dispensers to serve up to eight vehicles simultaneously and a 2,318sf canopy. The project would also include a 3,559 square feet (sf) convenience store building with a mezzanine of 1,154sf, for a total of 4,713sf total, and an 855sf carwash tunnel, and eight (8) on-site vehicle parking spaces adjacent to the gas station.

The granting of this permit also approves the Preliminary Grading Plan consisting of one (1) sheet. In accordance with the [Section 87.207 of the County Grading Ordinance](#), Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading 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 \(Sec 87.701 et. al.\)](#).

MINOR USE PERMIT EXPIRATION: This Minor Use Permit shall expire on **November 16, 2025** at 4:00 p.m. (or such longer period as may be approved pursuant to Section 7376 of The Zoning Ordinance of the County of San Diego prior to said expiration date) unless construction or use in reliance on this Minor Use Permit has commenced prior to said expiration date.

.....

WAIVER(S) AND EXCEPTION(S): This use permit is hereby approved pursuant to the provisions of the San Diego County Zoning Ordinance, the County Public Road Standards and Private Road Standards, and all other required ordinances of the County of San Diego. The sole exceptions to the aforementioned are:

Allow a reduction in the required minimum separation distance between intersection centerlines for Non-Mobility Element roads entering into a County maintained Mobility Element Road to 185 feet instead of the required 300 feet per Standards Section 6.1.C.2 for the proposed driveway and Elkerton Place (Non-Mobility Element Road) entering into Paradise Valley Road (Mobility Element Road) pursuant to the Design Exception Request that was approved on September 22, 2022.

Allow the existing driveway opening width and waive the required maximum commercial driveway width in accordance with Standards Section 6.7.A and the San Diego Regional Standard Drawing G-16, from the required maximum thirty foot to 37.6-feet along Paradise Valley Road pursuant to the Design Exception Request that was approved on February 4, 2022.

Allow a waiver of the requirement for the undergrounding of one (1) proposed power pole and guy wire located on the parcel frontage along Paradise Valley Road pursuant to the Design Exception Request that was approved on February 1, 2022.

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

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

1. GEN#1–COST RECOVERY

INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, Zoning Counter, which shows that all fees and trust account deficits have been paid. No permit can be issued if there are deficit trust accounts. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall verify that all fees and trust account deficits have been paid.

2. GEN#2–RECORDATION OF DECISION

INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations

created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an 'all purpose acknowledgement' and return the original recordation form to PDS. **DOCUMENTATION:** Signed and notarized original recordation form. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.

3. ROADS#1–ENCROACHMENT PERMIT

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

4. ROADS#2–SIGHT DISTANCE

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

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

DOCUMENTATION: The applicant shall complete the certifications and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the approval of any plan, issuance of any

permit, and prior to occupancy or use of the premises in reliance of this permit, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

5. **ROADS#3–QUITCLAIM DEED FOR SLOPE EASEMENT TO COUNTY OF SAN DIEGO**

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

6. **STRMWTR#1–STORMWATER MAINTENANCE DOCUMENTATION**

INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410 (County Code Section 67.801 et. seq.), the maintenance agreements shall be completed. **DESCRIPTION OF REQUIREMENT:**

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

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

7. **LNDSCP#1–LANDSCAPE DOCUMENTATION PACKAGE**

INTENT: In order to provide adequate Landscaping that addresses screening, and to comply with Spring Valley Design Guidelines, a landscape plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Plans shall be prepared pursuant to the [COSD Water Efficient Landscape Design Manual](#) and the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), the COSD Grading Ordinance, the Spring Valley Design Guidelines, and the requirements of the B Designator. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

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

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the [Landscape Documentation Package Checklist](#) (PDS Form #404), and pay all applicable review fees. **TIMING:** Prior to approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, the Landscape Documentation Package shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Documentation Package for compliance with this condition.

8. NOISE#1–TEMPORARY NOISE IMPACTS [PDS, FEE X1].

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

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

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

9. PLN#1–PLAN CONFORMANCE

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

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

10. HAZ #1—SOIL TESTING AND REMEDIATION [PDS, FEE X 2]

INTENT: In order to remediate impacts associate with petroleum hydrocarbons in the soil, as identified in Phase I and Phase II Environmental Site Assessments (ESAs) prepared by Rincon and Associates, dated June 27, 2019 and June 4, 2020, or other contaminated soils discovered during grading or construction, remediation under the supervision of the Department of Environmental Health (DEH), [Site Assessment and Mitigation Program \(SAM\)](#) is required. The excavated soil should be stockpiled, tested, characterized for disposal and transported off-site to an appropriate disposal facility. **DESCRIPTION OF REQUIREMENT:** For soil testing, a signed, stamped addendum to the Phase II ESA shall be prepared by a Registered Engineer or Professional Geologist. The addendum shall include the following information or as modified by DEH:

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

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

- d. Enrollment in the DEH, Voluntary Assistance Program (VAP) is required. If contamination is found to be from an underground storage tank (UST) then enrollment in the Regional Water Quality Control Board (RWQCB), Underground Storage Tank (UST) Cleanup Program is required in lieu of enrollment in the VAP. All soil remediation shall be completed under supervision of the SAM/VAP or the RWQCB as required.

- e. All required grading work shall comply with the County of San Diego Grading Ordinance 87.101 et. al. If a grading permit is required for the remediation work, it shall be issued for the remediation work only.
- f. The presence, locations and quantities of septic system(s) shall be evaluated. If present, the septic tanks shall be removed under approval from the [DEH, LWQ].
- g. If the Director of PDS determines the remediation work will take an enormous amount of time that would be detrimental to ultimate project implementation, approval of other engineering plans and/or issuance of other project permits may be permitted as long as there is no risk of effects to public health and safety. Concurrence from the [DEH, SAM] or RWQCB is required, and the applicant shall enter into a secured agreement for the completion of the remediation work.

DOCUMENTATION: The applicant shall contract with a California Licensed Environmental Consultant to prepare the SMP and implement any required work plan for soil remediation. The applicant shall also enroll in the VAP or UST Cleanup Program and pay all applicable fees for review and completion of this requirement. Upon completion of the VAP or UST Cleanup Program, a "Closure Letter" from [DEH, SAM or the RWQCB] shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to approval of any grading and/or improvement plans, the applicant shall comply with this condition. **MONITORING:** The [DEH, SAM or RWQCB] shall oversee the progress of the remediation project. Upon Completion of the remediation project the [DEH, SAM or the RWQCB] shall issue a "Closure Letter" to the applicant. The [PDS, PPD] shall review the closure letter for compliance with this condition.

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

11. DEH#1–UNDERGROUND STORAGE TANKS

INTENT: In order to comply with the San Diego County Code of Regulatory Ordinances Title 6, Division 8, Chapter 10, the applicant shall obtain approval from the Department of Environmental Health for the installation and operation of Underground Storage Tanks.

DESCRIPTION OF REQUIREMENT: The applicant shall obtain approval from the Department of Environmental Health through applicable permits, documentation, and enrollment in programs for the installation of Underground Storage Tanks. Any applicable documentation and inspections following the installation of the Underground Storage Tanks shall be obtained and completed.

DOCUMENTATION: Applicable documentation and permits from the Department of Environmental Health shall be obtained for the installation of Underground Storage Tanks and the [PDS, LDR] or BPPR shall review the applicable documentation. Any applicable documentation and inspections following the installation of the Underground Storage Tanks shall be obtained and completed.

TIMING: Prior to the approval of any building permit and prior to occupancy or use of the premises in reliance of this permit, the applicant shall obtain approval from the Department of Environmental Health for the installation and operation of Underground Storage Tanks.

MONITORING: The [PDS, LDR] or BPPR shall review the applicable documentation and the Department of Environmental Health shall provide documentation of approval or any applicable permits as well as perform inspections if necessary.

12. BLD#1–LIGHTING COMPLIANCE

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

13. ROADS#4—ROAD IMPROVEMENTS

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

DESCRIPTION OF REQUIREMENT:

- a. Improve or agree to improve and provide security for **Paradise Valley Road** to **Elkelton Place** from centerline to the end of the project frontage:
 1. A San Diego Regional Standard Drawing (SDRSD) raised median per the approved use permit plan ZAP-19-003 and to the satisfaction of Department of Public Works director.
 2. A modified SDRSD driveway per the approved Design Exception dated February 4, 2022, per the approved use permit plan ZAP-19-003 and to the satisfaction of the Department of Public Works director.
- b. Submit traffic signal plans that include the following:
 1. Provide electrical drawings that show the removal of the no U-Turn.
 2. Removal of the right turn overlap phase onto **Paradise Valley Road** from **Elkelton Place**.
 3. Timing plans that accommodate the northbound left turn and eastbound right turn movements to the satisfaction of the Department of Public Works director and CALTRANS.
- c. After approval of the traffic signal plans, improve or agree to improve and provide security for the installation of the traffic signal modifications. All improvements shall be completed to the satisfaction of the Department of Public Works director.
- d. Install right turn only signs at the project driveway along **Paradise Valley Road** to the satisfaction of the Department of Public Works director.

All plans and improvements shall be completed pursuant to the County of San Diego Public Road Standards, the PDS Land Development Improvement Plan Checking Manual and the Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.

DOCUMENTATION: The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve **Paradise Valley Road** including the traffic signal modification.
- b. Provide Secured Agreements. The required security shall be in accordance with Section 7613 of the Zoning Ordinance.
- c. Pay all applicable inspection fees with [DPW, PDC].
- d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- e. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the **San Miguel Fire Protection District** and [PDS, LDR].
- f. Obtain a Construction Permit for any work within the County Road right-of-way. PDS Construction/Road right-of-way Permits Services Section should be contacted at (858) 694-3275 to coordinate departmental requirements. Also, before trimming, removing, or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove, plant or trim shrubs or trees from the Permit Services Section.

TIMING: Prior to the approval of any plan, 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.

14. ROADS#5–RELINQUISH ACCESS

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

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

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

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

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

15. NOISE#2. TEMPORARY CONSTRUCTION NOISE: [DPW, PDC].

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

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

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

16. PALEO-GR#1 PALEONTOLOGICAL MONITORING

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

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

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

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

17. GEN#3–INSPECTION FEE

Intent: In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the inspection fee at the [PDS, ZC] to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt showing that the inspection fee has been paid along with updated contact information [PDS, PCC]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, ZC] shall process an invoice and collect the fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

18. PLN#2–SITE PLAN IMPLEMENTATION

INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved PDS2019-ZAP-19-003 Minor Use Permit plot plan and the building plans. This includes, but is not limited to: improving all parking areas, driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly screened, required and approved signage is installed and located properly, and all temporary construction facilities have been removed from the site. **DOCUMENTATION:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Prior to any occupancy, final grading

release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **MONITORING:** The [PDS, BI] and [DPR TC, PP] shall inspect the site for compliance with the approved Building Plans.

19. AIR#1-CONSTRUCTION ARCHITECTURAL COATINGS

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

DESCRIPTION OF REQUIREMENT: The project shall comply with the following Air Quality measure:

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

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

20. STRMWTR#2-VERIFICATION OF STRUCTURAL BMPs

INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410 (County Code Section 67.801 et. seq.), verification of Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Complete a Structural BMP Verification Form as shown in Attachment 10 of the PDP SWQMP. **DOCUMENTATION:** The applicant shall process the Structural BMP Verification Forms *with* [DPW, PDCI] or [PDS, BLDG]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit;

execution of the Structural BMP Verification Form shall be completed. **MONITORING:** The [PDS, LDR] and [DPW, WPP] shall review the Structural BMP Verification Forms for consistency with the condition and County Standards.

21. STRMWTR#3-PROVISION OF STORMWATER DOCUMENTATION TO PROPERTY OWNER

INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410 (County Code Section 67.801 et. seq.), stormwater documentation shall be provided to property owner. **DESCRIPTION OF REQUIREMENT:** Demonstrate that copies of the following documents are provided to the property owner and initial occupants:

- a. A copy of the project's approved SWQMP (with attached Operation & Maintenance Plan).
- b. A copy of project's recorded Maintenance Notification Agreement and/or Stormwater Facilities Maintenance Agreement and/or Private Road Maintenance Agreement showing the Structural BMPs pertaining to the property.
- c. Sample copies of the following:

1. A Letter for Privately Owned Stormwater Treatment Control Best Management Practices Operation and Maintenance Verification.
2. One Operation and Maintenance Verification Form for each type of Private Treatment Control BMP.

DOCUMENTATION: The applicant shall submit a letter stating that the above documentation has been submitted to the property owner and initial occupants. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; provision of stormwater documents shall be completed. **MONITORING:** The [PDS, LDR] and [DPW, WPP] shall review the letter provided by the applicant for consistency with the condition and County Standards.

22. UTILITIES#1–PAVEMENT CUT POLICY

INTENT: In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project pavement treatment, and to comply with [County Policy RO-7](#) adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego Pavement Cut Policy and submit it to the [PDS LDR] for review. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, and prior to use of the property in reliance of this permit, the Acknowledgement of Department of Public Works Pavement Cut Policy shall be submitted for approval. **MONITORING:** [PDS, LDR] shall review the acknowledgement letter to determine compliance with the condition.

23. HAZ#2-HAZARDOUS MATERIALS BUSINESS PLAN (HMBP)

INTENT: To protect human health and the environment, a Hazardous Materials Business Plan (HMBP) serves the purpose of providing emergency response personnel and the public information about potential hazardous chemicals being stored at a business, while also ensuring that the business has a plan for emergencies and that their staff has proper training. **DESCRIPTION OF REQUIREMENT:** A HMBP consists of: Facility Information (contacts), Hazardous Materials Inventory & Site Map, and Emergency Response and Training Plan. The HMBP must be submitted online in the California Environmental Reporting System, and reviewed and approved by the Hazardous Materials Division (HMD) of the Department of Environmental Health (DEH) and a Unified Program Facility Permit (UPFP) will be issued to comply with California Health & Safety Code Ch 6.95, California Code of Regulations Title 19, and the San Diego County Code. **DOCUMENTATION:** The applicant shall begin by filling out a hazardous materials questionnaire in the local online portal. Once reviewed, HMD will provide the applicant with a stamped form that will let them know if the HMBP is required, or if they're exempt from that requirement. The stamped questionnaire serves as evidence from the county of San Diego, Department of Environmental Health, Hazardous Materials Division (DEH, HMD) to state that the appropriate DEH, State and/or Federal permits are being pursued

or that a Unified Program Facility Permit is not required. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the HMBP shall be prepared, submitted in CERS, and implemented. **MONITORING:** [DEH, HMD] shall verify and approve the HMBP for compliance with this condition and the business will need to annually certify this plan as well as comply with any other requirements that are part of the Unified Program. **CONTACT:** Email HazmatPlanCheck@sdcountry.ca.gov for more information or to inquire about the plan check process.

24. LNDSCP#2–CERTIFICATION OF INSTALLATION

INTENT: In order to provide adequate Landscaping that addresses, and to comply with the [COSD Water Efficient Landscape Design Manual](#), the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), the COSD Grading ordinance, the Spring Valley Design Guidelines, and the requirements of the B Designator, all landscaping shall be installed. **DESCRIPTION OF REQUIREMENT:** All of the landscaping shall be installed pursuant to the approved Landscape Documentation Package. This does not supersede any erosion control plantings that may be applied pursuant to [Section 87.417 and 87.418 of the County Grading Ordinance](#). These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the [PDS, LA, PCC] [DPR, TC, PP]. **DOCUMENTATION:** The applicant shall submit to the [PDS LA, PCC], a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed. **MONITORING:** The [PDS, LA] shall verify the landscape installation upon notification of occupancy or use of the property, and notify the [PDS, PCC] [DPR, TC, PP] of compliance with the approved Landscape Documentation Package.

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

25. PLN#3–ACCESSORY USES

INTENT: A Minor Deviation or Modification to a Site Plan is not required for any building, structure or projection listed in Section 4835 or any use listed in the Accessory Use Regulations, section 6150-6199 (or as otherwise referenced), provided the building, structure, or projection or use meets the specific accessory use setbacks in the Site Plan and meets all other conditions and restriction in the Site Plan. This condition is intended to comply with Zoning Ordinance Section 7175, ensuring the ability to allow for structures as detailed in this section without Minor Deviation or Modification. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s); should any accessory uses be proposed that do not meet the requirements as detailed in the Zoning Ordinance sections listed above, the property owner shall be responsible for obtaining all necessary permits. **DOCUMENTATION:** None. The property owner and permittee shall conform to the Zoning Ordinance requirements for Accessory Uses as detailed above and within the County Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall

apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

26. STRMWTR#4–SELF-VERIFICATION OPERATION AND MAINTENANCE LETTER

INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq., an operation and maintenance verification form for each Structural BMP shall be completed. **DESCRIPTION OF REQUIREMENT:** Every year the property owner shall receive from the County a BMP Verification Form to be completed for each privately owned Structural BMP. **DOCUMENTATION:** Every year the property owner shall file with the County the completed Structural BMP Verification Form stating the maintenance performed during the reporting period for each privately owned Structural BMP with *[DPW, WPP]*. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[DPW, WPP]* is responsible for compliance of this permit.

27. ROADS#6–SIGHT DISTANCE

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

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

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

Minor Use Permit associated activities shall comply with the one-hour average sound level limit property line requirement pursuant to the County Noise Ordinance, Section 36.404. **DOCUMENTATION:** The property owner(s) and applicant shall conform to the ongoing requirements of this condition. Failure to conform to this condition may result in disturbing, excessive or offensive noise interfering with a person's right to enjoy life and property and is detrimental to the public health and safety pursuant to the applicable sections of Chapter 4, therefore, may result in citations from the Code Compliance Division until the noise levels from the operations comply with the Noise Ordinance Section 36.404. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, CODES]* is responsible for enforcement of this permit.

29. PLN#4–SITE CONFORMANCE

INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The

project shall conform to the approved landscape plan(s), building plans, and plot plan(s). This includes, but is not limited to maintaining the following: improving all parking areas, driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly screened, required and approved signage is installed and located properly, and all temporary construction facilities have been removed from the site. Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

GRADING PLAN NOTES

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

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

PRIOR TO PRECONSTRUCTION MEETING

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

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

30. NOISE#3. TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

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

- g. Turn off equipment when not in use.

- h. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- i. Use equipment with effective mufflers
- j. Configure traffic pattern to minimize the use of back up movement and alarm. Minimize the use of back up alarm.
- k. Equipment staging areas should be placed at locations away farthest away from noise sensitive receivers as deemed feasible.
- l. Temporary construction equipment operations shall comply with the County Noise Ordinance Sections 36.408, 409, and 410.

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

31. PALEO-GR#1 PALEONTOLOGICAL MONITORING

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

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

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

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

32. AIR-GR#2- FUGITIVE DUST

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

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

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

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

33. PALEO-GR#2 PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to the ~~PDS2019-ZAP-19-003~~, and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Grading Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The Project Paleontologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:

- a. If no paleontological resources were discovered, submit a “No Fossils Found” letter from the grading contractor to the [PDS, PPD] stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
- b. If Paleontological Resources were encountered during grading, a letter shall be prepared stating that the field grading monitoring activities have been completed, and that resources have been encountered. The letter shall detail the anticipated time schedule for completion of the curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PPD] for review and approval. **TIMING:** Upon completion of all grading activities, and prior to Rough Grading Final Inspection ([Grading Ordinance SEC 87.421.a.2](#)), the letter report shall be completed. **MONITORING:** The [PDS, PPD] shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

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

34. AIR-GR#4- FUGITIVE DUST

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

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

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

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

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

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.

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.

SANITATION NOTICE: Prior to obtaining any building permit pursuant to this Site Plan, the applicant shall comply with the following:

COMMERCIAL WASTEWATER DISCHARGE PERMIT: Obtain a Commercial Wastewater Discharge Permit from the District for Gas Station/Retailer and Car Wash. The developer/owner

shall submit a written application to DPW, Wastewater Management, through Department of Planning and Development Services permit counter. For information, phone PDS, Land Development counter at 858-495-5717. If you have any questions, please contact me at (858) 694-2678 or e-mail at Dave.Williams@sdcounty.ca.gov or Carolina Delgado at (858) 694-2663 or e-mail at Carolina.Delgado@sdcounty.ca.gov.

MINOR USE PERMIT FINDINGS

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

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

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

The Project consists of the development of a gasoline service station, convenience store, and fully automated, enclosed carwash known as Paradise Valley Gas Station. The project site is located in an urbanized area of the Spring Valley community and is bordered by Paradise Valley Road to the west, Elkelton Place to the south, and State Route (SR-) 125 to the east. The site is a tapered quadrangle that is approximately 220 feet wide fronting Paradise Valley Road, 130 feet wide fronting Elkelton Place, 285 feet wide along the eastern site boundary, and 18 feet wide along the northern site boundary. The project site is currently vacant, undeveloped, and relatively flat, with lightly varied topography between 284 to 286 feet above sea level. Access to the project site is from a driveway located on Paradise Valley Road. The project would provide eight off-street parking spaces: six spaces would be standard parking spaces, one space would be designated as handicap parking, and one space would be designated van pool with the option of being converted to an electric vehicle (EV) charging space based on future needs. The gas station would also provide eight parking spaces by the eight pump stations under the canopy.

The community of Spring Valley is characterized as a heavily populated suburban environment primarily consisting of single-family residential homes and multi-family complexes. Development surrounding the project site consists of primarily residential uses and freeway. The project site is designated Industrial by the County's Zoning Ordinance and General Plan, which allow for industrial plants primarily engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products.

The proposed gas station and convenience store would operate 24 hours a day, seven days a week, the car wash will operate between 6 a.m. and 10 p.m., seven days a week. The eight pump stations would provide three grades of gasoline (regular, mid-range, and premium) and diesel. The project would include a gas station with four multi-product dispensers to serve up to eight vehicles simultaneously and a 2,318-sf canopy. The project would also include a 3,559-sf convenience store building with a mezzanine of 1,154-sf, for a total of 4,713-sf total, and an 855-sf carwash tunnel. The project would provide eight off-street parking spaces: six spaces would be standard parking spaces, one space would be designated as handicap parking, and one space would be designated van pool. The gas station would also provide eight parking spaces by the eight pump stations under the canopy.

Portions of the proposed 1,154sf mezzanine which include an office/storage room and a restroom that extend to a maximum height of 40-feet. The architecture of the convenience store building has been designed with parapets to screen all roof top mechanical equipment, which was incorporated into the project design in order to maintain consistency with the requirements of the Spring Valley Design Guidelines. The Project does not require a height exception because the convenience store is located on the portion of the property that is zoned for up to four stories with a maximum height of 60 feet. The project has been designed to be consistent with the Spring Valley Community Design Guidelines.

The coverage of the Project site with the proposed structures is comparable to surrounding properties. The proposed gas station canopy is 2,318 square feet, the convenience store is a total of 4,713 square feet, and the carwash is 855 square feet. Together these structures have a combined square footage of 7,886, and the entirety of the lot is 21,548 square feet, which equates to a Floor Area Ratio (FAR) of 0.36. This is below the maximum allowable FAR for the site, which is 0.50 for Medium Impact Industrial designations. The proposed lot coverage of the project would be compatible with surrounding lot coverage in the area.

The project does not have a residential component subject to density regulations.

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

Service availability forms have been provided by all applicable utilities and agencies for Fire, Sewer, Water, and Schools. The Project is proposed on a previously graded site in a developed part of Spring Valley and the existing road and utility infrastructure are located adjacent to the site. The surrounding area has primarily been built including nearby residences located north and west of the site. All required utilities are therefore available for the project. The San Diego County Sanitation District has required that a 200-foot extension of public sewer be incorporated into the project design to accommodate the on-site uses.

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

The Project is conditioned with a Hazardous Materials Business Plan (HMBP) provides emergency response personnel about potential hazardous chemicals being stored at a business, while also ensuring that the business has a plan for emergencies and that their staff has proper training.

The project has been reviewed for noise impacts and determined to be consistent with the County Noise Ordinance. The project, as designed, would not cause any substantial, demonstrable negative aesthetic effect to views from the surrounding area and roadways. In addition, the project would be in compliance with Spring Valley Community Design Guidelines and the Design Review Checklist for commercial developments, including landscaping and color scheme requirements, per consultation with the Spring Valley Community Design Group. The applicant also submitted a parking analysis which demonstrates that the project proposes adequate off-street parking for the proposed use. Therefore, the project would not

have a harmful effect on the neighborhood character. The project has also been reviewed for compliance with the County's Light Pollution Code.

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

The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash. The project would not have a direct impact related to a conflict with any plans, ordinances, or policies addressing the circulation system. Project trips, or average daily trips (ADTs), associated with construction is estimated to include between 5 and 20 ADT for workers. Given that construction worker trips would be temporary and would be dispersed along different routes based on the origin of the trips, construction worker commuting is not expected to have a significant effect on the capacity of the transportation system.

Operationally, the project is calculated to generate a net increase of 893 primary average daily trips (ADT) on Paradise Valley Road, which has an existing ADT of 24,104 and borders the single-family residences closest to the project site. This is a 4-percent increase in traffic on Paradise Valley Road. The project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including public transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and public transit. Pursuant to the County's adopted Transportation Study Guidelines, the project meets the CEQA VMT screening criteria for locally serving retail projects that are less than 50,000 sf and will not result in a significant VMT impact.

In addition, the project would include an off-site improvement to install a concrete-filled traffic median with a 6-inch-high curb located on the portion of Paradise Valley Road north of Elkerton Boulevard to the intersection of Paradise Valley Road and the SR-125 on-ramp. Implementation of the proposed concrete median would not interfere with the provision of public transit, bicycle, or pedestrian facilities, nor would it generate sufficient travel demand to increase demand for transit, pedestrian, or bicycle facilities. This median would prevent illegal left-hand turns into the gas station from Paradise Valley Road.

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

The gas station, convenience store, and carwash are suitable uses for the property, taking the General Plan and local context of land uses into consideration.

The surrounding area consists of residential development approximately 150 feet west of the project site and an outdoor sand and soil lot located to the south. The community of Spring Valley is characterized as a heavily populated suburban environment primarily consisting of single-family residential homes and multi-family complexes. The project site is designated Industrial by the County's Zoning

Ordinance and General Plan, which allow for industrial plants primarily engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products. The project site has a General Plan land use designation of Limited Industrial. The southern portion of the project site (fronting Elkelton Place, approximately 5,900 sf) has a zoning designation of M52 (Limited Impact Industrial Use), which permits commercial gasoline sales and automotive and equipment cleaning uses pursuant to limitations "12" and "8," respectively as noted in Section 2980 of the San Diego County Zoning Ordinance. Supplemental Limitation 8 requires that all operations, including the storage of materials and equipment, shall be entirely within an enclosed building. The carwash is an enclosed building. Supplemental Limitation 12 requires that there shall be no open storage of goods or materials, and all repair and lubrication services shall take place in an enclosed building. There are no repair services proposed as a part of this project and there will be no open storage of good or materials included as a part of the proposed plan. The northern portion of the project site (fronting Paradise Valley Road, approximately 15,600 sf) has a zoning designation of M54 (General Impact Industrial Use), which also permits commercial gasoline sales and automotive and equipment cleaning uses with no limitations. Both the M52 and M54 use regulations allow convenience retail operations under a minor use permit. The project has also been reviewed by all applicable utilities and agencies for Fire, Sewer, Water, and Schools and all utilities would serve the project.

The project also requires minimal grading and is relatively flat. The applicant has obtained approval of a driveway from the Department of Public Works for access, and all utilities are available to serve the proposed use. Finally, the property is surrounding by roads, which creates a buffer from other surrounding uses. Therefore, the site is suitable for the type and intensity of the proposed project.

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

None Identified.

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

The project is within the Village Regional Category, Medium Impact Industrial General Plan Land Use Designation and is within the Spring Valley Planning Area. The project complies with the General Plan because the project is consistent the goals and policies of the General Plan such as Goal S-11 (Controlled Hazardous Material Exposure) because the project has been conditioned to create a Hazardous Materials Business Plan (HMBP) to protect human health and the environment by providing emergency response personnel and the public information about potential hazardous chemicals being stored at a business, while also ensuring that the business has a plan for emergencies and that their staff has proper training. The project is consistent with Policy S-11.4 (Contaminated Lands) because the project has been conditioned with Soil Testing and Remediation which requires excavated soil to be stockpiled, tested, characterized for disposal and transported off-site to an appropriate disposal facility if petroleum hydrocarbons are discovered during grading or construction. The project is also consistent with Policy M-3.2 (Traffic Impact Mitigation) because it includes an off-site improvement to install a

concrete-filled traffic median with a 6-inch-high curb located on the portion of Paradise Valley Road north of Elkelton Boulevard to the intersection of Paradise Valley Road and the SR-125 on-ramp. The project is consistent with Policy LU-6.5 (Sustainable Stormwater Management) because the project has incorporated required stormwater management features consistent with the Best Management Practice Design Manual. In addition, the project is consistent with Policy LU-11.1 (Location and Connectivity) because the project site is located in an urbanized area of the Spring Valley community adjacent to the southbound SR-125 on-ramp with residential development approximately 150 feet west of the project site. Finally, the project is consistent with Policy LU-13.1 (Commitment of Water Supply) because it will obtain water service from the Otay Water District for the operations of the Project, who has agreed to provide service to the Project. The Project will not rely on groundwater or deplete groundwater resources in the area.

Furthermore, the project would be consistent with policies and goals outlined in the Spring Valley Community Plan. The project is consistent with Policy LU 1.1.1 which requires all new commercial/light or medium industrial construction to meet a series of requirements. The design of this project is in line with these requirements, which include setback conformance, accessibility, screening of mechanical equipment and trash enclosures, Light Ordinance compliance, floor area ratio, and signage design. The project also complies with Policy LU 1.1.2 which requires all commercial uses to have aesthetically pleasing and functionally adequate operations with appropriate off-street parking, internal circulation, setbacks and landscaping through application of the Site Plan review. The project would provide eight off-street parking spaces: six spaces would be standard parking spaces, one space would be designated as handicap parking, and one space would be designated van pool. The gas station would also provide eight parking spaces by the eight pump stations under the canopy. In addition to the median along Paradise Valley Road, the project would also include raising the existing guy wire supporting the existing power pole to 30 feet above the ground, running the existing guy wire above the project site. This improvement would ensure safe operations of proposed uses and vehicular circulation on the project site. The project also includes a conceptual landscape plan. Therefore, the proposed use and project are consistent with the San Diego County General Plan.

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

The project has been reviewed for compliance with CEQA, and an MND was prepared for the project. The MND found that the project, with incorporation of mitigation measures for air quality, hazards, noise, and paleontological resources would not cause any significant effects on the environment. Mitigation for all resources have been incorporated as conditions of approval.

.....
SITE PLAN FINDINGS

Pursuant to Section 7160 of The Zoning Ordinance, the following findings in support of the granting of the Site Plan 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 proposed development meets the intent and specific standards and criteria prescribed in Sections 5750, and 7150 of the Zoning Ordinance because the development is compatible with adjacent residential and freeway land uses, heavily populated suburban environment and meets the intent and specific standards prescribed in the Spring Valley Design Review Guidelines.

- (b) *General Plan. That the proposed development is compatible with the San Diego County General Plan; and*

The proposed development is compatible with the Spring Valley Community Plan because the proposed signage has been designed with appropriate aesthetic design that compliments the setting, as required for projects subject to the Spring Valley Design Guidelines. The Spring Valley Community Planning Group recommended approval of the project signage on April 12, 2023, with no conditions by a vote of 12-1-0-4 (12-Ayes, 1-No, 0- Abstain, and 4-Vacant/Absent). A summary of the Project’s General Plan consistency is included above in the Minor Use Permit findings.

- (c) *Waiver of Standards or Criteria. That any applicable standards or criteria waived by the Director pursuant to Section 7158.d 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 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

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.

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.

SANITATION NOTICE: Prior to obtaining any building permit pursuant to this Site Plan, the applicant shall comply with the following:

COMMERCIAL WASTEWATER DISCHARGE PERMIT: Obtain a Commercial Wastewater Discharge Permit from the District for Gas Station/Retailer and Car Wash. The developer/owner shall submit a written application to DPW, Wastewater Management, through Department of Planning and Development Services permit counter. For information, phone PDS, Land Development counter at 858-495-5717. If you have any questions, please contact me at (858) 694-2678 or e-mail at Dave.Williams@sdcounty.ca.gov or Carolina Delgado at (858) 694-2663 or e-mail at Carolina.Delgado@sdcounty.ca.gov.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
Department of Public Works (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU
Department of Environmental Health (DEH)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
Department of Parks and Recreation (DPR)			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
Department of General Service (DGS)			
Real Property Division	RP		

APPEAL PROCEDURE: Within ten calendar days after the date of this Decision of the Zoning Administrator, this decision may be appealed to the County Planning Commission in accordance with [Section 7366 of the County Zoning Ordinance](#). An appeal shall be filed with the Director of

Planning & Development Services or by mail 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 Zoning Administrator 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
DAHVIA LYNCH, DIRECTOR

By:

Michael Johnson, Group Planning Manager
Project Planning Division
Planning & Development Services

email cc:

Michael Johnson, Group Planning Manager, Project Planning, PDS
Jae Roland-Chase, Project Manager, Project Planning, PDS
Ed Sinsay, Team Leader, Land Development, PDS
Joseph Brikho, josephbrikho@yahoo.com

**Attachment
C-
Environmental
Documentation**



County of San Diego

DAHVIA LYNCH
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 505-6445 General • (858) 694-2705 Codes
(858) 565-5920 Building Services
www.SDCPDS.org

VINCE NICOLETTI
ASSISTANT DIRECTOR

MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Paradise Valley Gas Station

RECORD ID: PDS2019-ZAP-19-003

ENVIRONMENTAL LOG NO.: PDS2020-ER-20-18-001

This Document is Considered Draft Until it is Adopted by the Appropriate County of San Diego Decision-Making Body.

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for
 - c. Multiple Species Conservation Plan Findings of Conformance
 - d. Ordinance Compliance Checklist
1. California Environmental Quality Act Negative Declaration Findings:

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

2. Required Mitigation Measures:

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

BIO-1

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

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

DOCUMENTATION: The applicant shall submit the grading, improvement and building plans, which shall include the above reference condition notes. The condition notes shall be in addition to what is already approved on the Conceptual Grading and Improvement Plan, unless indicated in this condition that it is superseding. Changes to the final engineering plans that are not consistent with the conceptual plan may cause further environmental review.

TIMING: Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits) for any phase, the notes and items shall be placed on the plans. **MONITORING:** The [DPW, ESU, or PDS, BD for PDS Minor Grading and DPR, TC and PP for trail and park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final engineering plans. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

GEO-1**PALEONTOLOGICAL MONITORING**

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

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

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

GEO-2**PALEONTOLOGICAL MONITORING**

INTENT: In order to comply with the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** One of the following letters shall be performed upon completion of the grading activities that require monitoring:

- a. If no paleontological resources were discovered, submit a "No Fossils Found" letter from the grading contractor to PDS stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the [County of San Diego Guidelines for Determining Significance for Paleontological Resources](#).
- b. If paleontological resources were encountered during grading, a letter shall be prepared stating that the field grading monitoring activities have been completed, and that resources have been encountered. The letter shall detail

the anticipated time schedule for completion of the curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the letter report to PDS for review and approval. **TIMING:** Upon completion of all grading activities, and prior to Rough Grading Final Inspection ([Grading Ordinance SEC 87.421.a.2](#)), the letter report shall be completed. **MONITORING:** PDS shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDC] that the requirement is completed.

HAZ-1:

HAZARDOUS MATERIALS BUSINESS PLAN (HMBP)

INTENT: To protect human health and the environment, a Hazardous Materials Business Plan (HMBP) serves the purpose of providing emergency response personnel and the public information about potential hazardous chemicals being stored at a business, while also ensuring that the business has a plan for emergencies and that their staff has proper training. **DESCRIPTION OF REQUIREMENT:** A HMBP consists of: Facility Information (contacts), Hazardous Materials Inventory & Site Map, and Emergency Response and Training Plan. The HMBP must be submitted online in the California Environmental Reporting System, and reviewed and approved by the Hazardous Materials Division (HMD) of the Department of Environmental Health (DEH) and a Unified Program Facility Permit (UPFP) will be issued to comply with California Health & Safety Code Ch 6.95, California Code of Regulations Title 19, and the San Diego County Code. **DOCUMENTATION:** The applicant shall begin by filling out a hazardous materials questionnaire in the local online portal. Once reviewed, HMD will provide the applicant with a stamped form that will let them know if the HMBP is required, or if they're exempt from that requirement. The stamped questionnaire serves as evidence from the county of San Diego, Department of Environmental Health, Hazardous Materials Division (DEH, HMD) to state that the appropriate DEH, State and/or Federal permits are being pursued or that a Unified Program Facility Permit is not required. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the HMBP shall be prepared, submitted in CERS, and implemented. **MONITORING:** [DEH, HMD] shall verify and approve the HMBP for compliance with this condition and the business will need to annually certify this plan as well as comply with any other requirements that are part of the Unified Program. **CONTACT:** Email HazmatPlanCheck@sdcounty.ca.gov for more information or to inquire about the plan check process.

HAZ-2:

SOIL TESTING AND REMEDIATION [PDS, FEE X 2]

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

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

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

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

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

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

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

HAZ-3:**PLAN CONDITIONS NOTES [DPW, ESU] [PDS, BD] [DPR TC, PP] [GP, IP, MA]**

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

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

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

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

NOI-1:**NOISE#1–TEMPORARY NOISE IMPACTS**

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

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

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

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

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

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

1. GEN#1–COST RECOVERY

INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, Zoning Counter, which shows that all fees and trust account deficits have been paid. No permit can be issued if there are deficit trust accounts. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall verify that all fees and trust account deficits have been paid.

2. GEN#2–RECORDATION OF DECISION

INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights

and obligations created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an 'all purpose acknowledgement' and return the original recordation form to PDS. **DOCUMENTATION:** Signed and notarized original recordation form. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.

3. ROADS#1-ENCROACHMENT PERMIT

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

4. ROADS#4-SIGHT DISTANCE

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

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

DOCUMENTATION: The applicant shall complete the certifications and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

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

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

6. STRMWTR#1–STORMWATER MAINTENANCE DOCUMENTATION

INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410 (County Code Section 67.801 et. seq.), the maintenance agreements shall be completed. **DESCRIPTION OF REQUIREMENT:**

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

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

7. LNDSCP#1–LANDSCAPE DOCUMENTATION PACKAGE

INTENT: In order to provide adequate Landscaping that addresses screening, and to comply with Spring Valley Design Guidelines, a landscape plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Plans shall be prepared

pursuant to the [COSD Water Efficient Landscape Design Manual](#) and the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), the COSD Grading Ordinance, the Spring Valley Design Guidelines, and the requirements of the B Designator. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

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

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the [Landscape Documentation Package Checklist](#) (PDS Form #404), and pay all applicable review fees. **TIMING:** Prior to approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, the Landscape Documentation Package shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Documentation Package for compliance with this condition.

8. PLN#1–PLAN CONFORMANCE

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

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

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

9. DEH#1-UNDERGROUND STORAGE TANKS

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

10. BLD#1-LIGHTING COMPLIANCE

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

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

11. ROADS#3—ROAD IMPROVEMENTS

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

- A. Improve or agree to improve and provide security for Paradise Valley Road to Elkelton Place from centerline to the end of the project frontage:
1. A San Diego Regional Standard Drawing (SDRSD) raised median per the approved use permit plan ZAP-19-003 and to the satisfaction of Department of Public Works director.
 2. A modified SDRSD driveway per the approved Design Exception dated February 4, 2022, per the approved use permit plan ZAP-19-003 and to the satisfaction of the Department of Public Works director.
- B. Submit traffic signal plans that include the following:
1. Provide electrical drawings that show the removal of the no U-Turn.
 2. Removal of the right turn overlap phase onto **Paradise Valley Road** from **Elkelton Place**.
 3. Timing plans that accommodate the northbound left turn and eastbound right turn movements to the satisfaction of the Department of Public Works director and CALTRANS.
- C. After approval of the traffic signal plans, improve or agree to improve and provide security for the installation of the traffic signal modifications. All improvements shall be completed to the satisfaction of the Department of Public Works director.
- D. Install right turn only signs at the project driveway along **Paradise Valley Road** to the satisfaction of the Department of Public Works director.

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

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

DOCUMENTATION: The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve **Paradise Valley Road** including the traffic signal modification.
- b. Provide Secured Agreements. The required security shall be in accordance with Section 7613 of the Zoning Ordinance.
- c. Pay all applicable inspection fees with [DPW, PDC].
- d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- e. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the **San Miguel Fire Protection District** and [PDS, LDR].
- f. Obtain a Construction Permit for any work within the County Road right-of-way. PDS Construction/Road right-of-way Permits Services Section should be contacted at (858) 694-3275 to coordinate departmental requirements. Also, before trimming, removing, or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove, plant or trim shrubs or trees from the Permit Services Section.

TIMING: Prior to issuance of the building permit, and prior to use of the premises in reliance of this permit, the plans shall be approved and securities must be provided.

MONITORING: The [PDS, LDR] and [DPR, TC] shall review the plans for consistency with the condition and County Standards and Community Trails Master Plan. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS before any work can commence.

12. ROADS#2–RELINQUISH ACCESS

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

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

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

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

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

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

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

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

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

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

14. GEN#3—INSPECTION FEE

Intent: In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the inspection fee at the [PDS, ZC] to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt showing that the inspection fee has been paid along with updated contact information [PDS, PCC]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, ZC] shall process an invoice and collect the fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

15. PLN#2—SITE PLAN IMPLEMENTATION

INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved PDS2019-ZAP-19-003 Minor Use Permit plot plan and the building plans. This includes, but is not limited to: improving all parking areas, driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly screened, required and approved signage is installed and located properly, and all temporary construction facilities have been removed from the site. **DOCUMENTATION:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **MONITORING:** The [PDS, BI] and [DPR TC, PP] shall inspect the site for compliance with the approved Building Plans.

16. AIR#1-CONSTRUCTION ARCHITECTURAL COATINGS

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

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

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

17. STRMWTR#2—VERIFICATION OF STRUCTURAL BMPs

INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410 (County Code Section 67.801 et.

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

18. STRMWTR#3—PROVISION OF STORMWATER DOCUMENTATION TO PROPERTY OWNER

INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410 (County Code Section 67.801 et. seq.), stormwater documentation shall be provided to property owner. **DESCRIPTION OF REQUIREMENT:** Demonstrate that copies of the following documents are provided to the property owner and initial occupants:

- a. A copy of the project's approved SWQMP (with attached Operation & Maintenance Plan).
- b. A copy of project's recorded Maintenance Notification Agreement and/or Stormwater Facilities Maintenance Agreement and/or Private Road Maintenance Agreement showing the Structural BMPs pertaining to the property.
- c. Sample copies of the following:
 1. A Letter for Privately Owned Stormwater Treatment Control Best Management Practices Operation and Maintenance Verification.
 2. One Operation and Maintenance Verification Form for each type of Private Treatment Control BMP.

DOCUMENTATION: The applicant shall submit a letter stating that the above documentation has been submitted to the property owner and initial occupants. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; provision of stormwater documents shall be completed. **MONITORING:** The *[PDS, LDR]* and *[DPW, WPP]* shall review the letter provided by the applicant for consistency with the condition and County Standards.

19. UTILITIES#1—PAVEMENT CUT POLICY

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

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

20. LNDSCP#2—CERTIFICATION OF INSTALLATION

INTENT: In order to provide adequate Landscaping that addresses, and to comply with the [COSD Water Efficient Landscape Design Manual](#), the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), the COSD Grading ordinance, the Spring Valley Design Guidelines, and the requirements of the B Designator, all landscaping shall be installed. **DESCRIPTION OF REQUIREMENT:** All of the landscaping shall be installed pursuant to the approved Landscape Documentation Package. This does not supersede any erosion control plantings that may be applied pursuant to [Section 87.417 and 87.418 of the County Grading Ordinance](#). These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the [PDS, LA, PCC] [DPR, TC, PP]. **DOCUMENTATION:** The applicant shall submit to the [PDS LA, PCC], a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed. **MONITORING:** The [PDS, LA] shall verify the landscape installation upon notification of occupancy or use of the property, and notify the [PDS, PCC] [DPR, TC, PP] of compliance with the approved Landscape Documentation Package.

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

21. PLN#3—ACCESSORY USES

INTENT: A Minor Deviation or Modification to a Site Plan is not required for any building, structure or projection listed in Section 4835 or any use listed in the Accessory Use Regulations, section 6150-6199 (or as otherwise referenced), provided the building, structure, or projection or use meets the specific accessory use setbacks in the Site Plan and meets all other conditions and restriction in the Site Plan. This condition is intended to comply with Zoning Ordinance Section 7175, ensuring the ability to allow for structures as detailed in this section without Minor Deviation or Modification. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s); should

any accessory uses be proposed that do not meet the requirements as detailed in the Zoning Ordinance sections listed above, the property owner shall be responsible for obtaining all necessary permits. **DOCUMENTATION:** None. The property owner and permittee shall conform to the Zoning Ordinance requirements for Accessory Uses as detailed above and within the County Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

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

INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq., an operation and maintenance verification form for each Structural BMP shall be completed. **DESCRIPTION OF REQUIREMENT:** Every year the property owner shall receive from the County a BMP Verification Form to be completed for each privately owned Structural BMP. **DOCUMENTATION:** Every year the property owner shall file with the County the completed Structural BMP Verification Form stating the maintenance performed during the reporting period for each privately owned Structural BMP with [DPW, WPP]. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [DPW, WPP] is responsible for compliance of this permit.

23. ROADS#6—SIGHT DISTANCE

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

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

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

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

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

25. PLN#4—SITE CONFORMANCE

INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s). This includes, but is not limited to maintaining the following: improving all parking areas, driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly screened, required and approved signage is installed and located properly, and all temporary construction facilities have been removed from the site. Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

GRADING PLAN NOTES

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

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

PRIOR TO PRECONSTRUCTION MEETING

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

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

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

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

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

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

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

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

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

27. AIR-GR#2- FUGITIVE DUST

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

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

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

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

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

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

28. AIR-GR#4- FUGITIVE DUST

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

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

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

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

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
Department of Public Works (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU
Department of Environmental Health (DEH)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
Department of Parks and Recreation (DPR)			
Trails Coordinator	TC	Group Program Manager	GPM

Parks Planner	PP		
Department of General Service (DGS)			
Real Property Division	RP		

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

on _____

Michael Johnson, Group Program Manager
Project Planning Division



County of San Diego

DAHVIA LYNCH
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 505-6445 General • (858) 694-2705 Codes
(858) 565-5920 Building Services
www.SDCPDS.org

VINCE NICOLETTI
ASSISTANT DIRECTOR

August 24, 2023

CEQA Initial Study - Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G)

1. Title: Paradise Valley Gas Station
Project Number(s): PDS2019-ZAP-19-003, PDS2020-ER-20-18-001
2. Lead agency name and address:
County of San Diego, Planning & Development Services (PDS)
5510 Overland Avenue, Suite 310
San Diego, CA 92123-1239
3. a. Contact: Jae Roland-Chase, Land Use Environmental Planner
b. Phone number: (619) 380-3130
c. E-mail: Jae.Rolandchase@sdcounty.ca.gov
4. Project location:
0 Paradise Valley Road, Spring Valley, Spring Valley Community Planning Area, County of San Diego, CA 91977
Thomas Guide Coordinates: N/A
APN 584-160-52
5. Project Applicant name and address:
Joseph Brikho
BPI1E&P, LLC.
5494 Mission Center Road, San Diego, CA 92108
6. General Plan
Community Plan: Spring Valley
Land Use Designation: Limited Impact Industrial (I-1)
Density: N/A
Floor Area Ratio (FAR): N/A

PARADISE VALLEY GAS STATION
PDS2019-ZAP-19-003

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August 24, 2023

7. Zoning
 Use Regulation: Industrial
 Minimum Lot Size: N/A
 Special Area Regulation: N/A

8. Description of project:

The proposed project consists of development of a gasoline service station, convenience store, and fully automated, enclosed carwash on an approximately 0.5-acre (21,548-square-foot [-sf]) parcel in the community of Spring Valley in San Diego County.

Project Location and Setting

The project site is located in an urbanized area of the Spring Valley community and is bordered by Paradise Valley Road to the west, Elkelton Place to the south, and State Route (SR-) 125 to the east (Figure 1). The site is a tapered quadrangle that is approximately 220 feet wide fronting Paradise Valley Road, 130 feet wide fronting Elkelton Place, 285 feet wide along the eastern site boundary, and 18 feet wide along the northern site boundary. The southbound SR-125 on-ramp is located to the north of the project site and continues as an elevated ramp close to the eastern boundary of the project site (approximately 60 feet from the northeast corner of the site to 210 feet from the southeast corner of the site). The southbound SR-125 off-ramp is located approximately 90 feet to the east of the project site (from eastern site boundary to centerline) at ground level. The project site is currently vacant, undeveloped, and relatively flat, with lightly varied topography between 284 to 286 feet above sea level (Figure 2).

Project Components

The project would include a gas station with four multi-product dispensers to serve up to eight vehicles simultaneously and a 2,318-sf canopy. The project would also include a 3,555-sf convenience store building, an 855-sf carwash tunnel, and 8 on-site vehicle parking spaces adjacent to the gas station.

The proposed gas station would include four underground storage tanks (USTs), one for each of the three grades of gasoline (regular, mid-range, and premium) and diesel fuel to be dispensed during project operation. The four USTs would contain the following capacities:

- 6,000 gallons for diesel;
- 8,000 gallons for premium grade gasoline;
- 12,000 gallons for E85 flex fuel; and
- 16,000 gallons for regular grade gasoline.

The USTs would be located underground between the four multi-product dispensers and the proposed trash enclosure (located along the east project site boundary) (Figure 3). The project would include a Veeder-Root Carbon Canister Vapor Polisher (CCVP) system, which is an advanced system for managing vapor containment of USTs at gas

stations to emissions below California Air Resources Board (CARB) standards (Veeder-Root 2019). The CCVP would be mounted to the vent risers to be located next to the proposed trash enclosure. A Stage II vapor recovery system (balance system) would be used with the CCVP to ensure efficient capture of vehicle tank vapors during actual vehicle fueling activities.

Access and Circulation

Access to the project site is from a driveway located on Paradise Valley Road. The project would provide eight off-street parking spaces: six spaces would be standard parking spaces, one space would be designated as handicap parking, and one space would be designated van pool with the option of being converted to an electric vehicle (EV) charging space based on future needs. The gas station would also provide eight parking spaces by the eight pump stations under the canopy.

Off-Site Improvements

The project also includes an off-site improvement to install a concrete-filled traffic median with a 6-inch-high curb located on Paradise Valley Road on the portion of Paradise Valley Road north of Elkerton Boulevard to the intersection of Paradise Valley Road and the SR-125 on-ramp. The conceptual design estimates the median would require approximately 1,500 sf of stamped concrete fill and 700 sf of 6-inch-high curb bordering; the area of the conceptual median would be approximately 0.05 acres (2,200 sf). Installation of the median would not require soil excavation work; it is anticipated that the proposed median would be installed by scouring the pavement along Paradise Valley Boulevard and placing the concrete in place ("grind and overlay").

The project would also include raising the existing guy wire supporting the existing power pole to 30 feet above the ground, running the existing guy wire above the project site (up to 30 feet, aerial) to maintain wire tension, and connecting it to a new post located directly off-site in the undeveloped portion of the right-of-way that runs between the project site and existing sidewalk along Paradise Valley Road. The new post, proposed by San Diego Gas & Electric (SDG&E), would be located approximately 65 to 70 feet north from the center of the existing project site driveway. This improvement would ensure safe operations of proposed uses and vehicular circulation on the project site.

Construction

The proposed development would require site preparation and grading. An estimated 100 cubic yards (CY) of soil would be cut and recompacted on site. An additional estimated 550 CY of fill would be imported to the Project site. Project construction is estimated to take between six to seven months, starting in June 2024. Project opening is anticipated for early 2025.

Operation

The proposed gas station and convenience store would operate 24 hours a day, seven days a week, with a total of 10 employees (three working at any given time). The car wash

will operate between 6 a.m. and 10 p.m., seven days a week. The eight pump stations would provide three grades of gasoline (regular, mid-range, and premium) and diesel. Annual estimated gasoline throughput for the proposed gas station is 1 to 1.2 million gallons (850,000 to 1,050,000 gallons of gasoline and 100,000 to 150,000 gallons of diesel).

9. Surrounding land uses and setting:

The project site is located in the Spring Valley Community Plan area, with residential development approximately 150 feet west of the project site and an outdoor sand and soil lot located to the south. The community of Spring Valley is characterized as a heavily populated suburban environment primarily consisting of single-family residential homes with newer multi-family complexes increasing in the last 30 years. The project site is designated Industrial by the County’s Zoning Ordinance and General Plan, which allow for industrial plants primarily engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products. More specifically, the project site has a General Plan land use designation of Limited Industrial. The southern portion of the project site (fronting Elkelton Place, approximately 5,900 sf) has a zoning designation of M52 (Limited Impact Industrial Use), which permits commercial gasoline sales and automotive and equipment cleaning uses pursuant to limitations “12” and “8,” respectively as noted in Section 2980 of the San Diego County Zoning Ordinance. The northern portion of the project site (fronting Paradise Valley Road, approximately 15,600 sf) has a zoning designation of M54 (General Impact Industrial Use), which also permits commercial gasoline sales and automotive and equipment cleaning uses with no limitations. Both the M52 and M54 use regulations allow convenience retail operations under a minor use permit, which the project would require for the proposed convenience store. Surrounding properties to the north, west, and south are zoned Residential – Single and Residential – Variable. The properties to the east (across SR-126) are also zoned Industrial. Development surrounding the project site consists of primarily residential uses and freeway.

The proposed project site is within the South County Plan area of the County’s Multiple Species Conservation Program (MSCP). Projects that occur within this planning area must comply with the County’s Biological Mitigation Ordinance (BMO) and be consistent with the County’s Guidelines for Determining Significance for Biological Resources (County of San Diego 2010).

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

Permit Type/Action	Agency
General Construction Storm Water Permit	RWQCB
Waste Discharge Requirements Permit	RWQCB
Stormwater Pollution Prevention Plan	RWQCB
Fire District Approval	Spring Valley Fire Protection District

Note: RWQCB = Regional Water Quality Control Board

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1? If so, is there a plan that includes consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

YES

NO

Note: Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and to reduce the potential for delay and conflict in the environmental review process (see Public Resources Code §21080.3.2). Information is also available from the Native American Heritage Commission’s Sacred Lands File per Public Resources Code §5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code §21082.3(e) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a “Potentially Significant Impact” or a “Less Than Significant With Mitigation Incorporated,” as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Agriculture and Forestry Resources</u> | <input type="checkbox"/> <u>Air Quality</u> |
| <input checked="" type="checkbox"/> <u>Biological Resources</u> | <input type="checkbox"/> <u>Cultural Resources</u> | <input type="checkbox"/> <u>Energy</u> |
| <input checked="" type="checkbox"/> <u>Geology & Soils</u> | <input type="checkbox"/> <u>Greenhouse Gas Emissions</u> | <input checked="" type="checkbox"/> <u>Hazards & Haz. Materials</u> |
| <input type="checkbox"/> <u>Hydrology & Water Quality</u> | <input type="checkbox"/> <u>Land Use & Planning</u> | <input type="checkbox"/> <u>Mineral Resources</u> |
| <input checked="" type="checkbox"/> <u>Noise</u> | <input type="checkbox"/> <u>Population & Housing</u> | <input type="checkbox"/> <u>Public Services</u> |
| <input type="checkbox"/> <u>Recreation</u> | <input type="checkbox"/> <u>Transportation</u> | <input type="checkbox"/> <u>Tribal Cultural Resources</u> |
| <input type="checkbox"/> <u>Utilities & Service Systems</u> | <input type="checkbox"/> <u>Wildfire</u> | <input checked="" type="checkbox"/> <u>Mandatory Findings of Significance</u> |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- On the basis of this Initial Study, PDS finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- On the basis of this Initial Study, PDS finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- On the basis of this Initial Study, PDS finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

	August 24, 2023
Signature	Date
Jae Roland Chase	Land Use Environmental Planner
Printed Name	Title

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

PARADISE VALLEY GAS STATION
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August 24, 2023

I. AESTHETICS -- Except as provided in Public Resources Code §21099 -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation: A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands, but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups.

The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and also to individual visual resources.

Less than Significant Impact: As described in the General Plan Update (GPU) Environmental Impact Report (EIR; County of San Diego 2011), the County contains visual resources affording opportunities for scenic vistas in every community. Resource Conservation Areas (RCAs) are identified within the GPU EIR and are the closest that the County comes to specifically designating scenic vistas. Many public roads in the County currently have views of RCAs or expanses of natural resources that would have the potential to be considered scenic vistas. Numerous public trails are also available throughout the County. New development can often have the potential to obstruct, interrupt, or detract from a scenic vista.

The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash in the unincorporated community of Spring Valley. Surrounding land uses consist of primarily residential land use, with some industrial land use across SR-125 to the east. Several RCAs are located within one mile of the project site, including the Sweetwater River Floodplain (#77 of the Spring Valley Community Plan) approximately 0.7 mile to the southeast, Habitat for San Diego Variegated Dudleya (#99 of the Spring Valley Community Plan) less than 500 feet north of the project site, Habitat for San Diego Ambrosia (#100 of the Spring Valley Community Plan) located approximately 0.5 mile to the southwest, and Upper Sweetwater River (#109 of the Sweetwater Community Plan) located approximately 0.65 mile to the south. Due to the intervening SR-125 highway, structures, and topography, no impacts would occur to the Sweetwater River Floodplain or Upper Sweetwater River RCAs. Additionally, intervening topography, residences, and roadways preclude views of the project site from the Habitat for San Diego Variegated Dudleya and Habitat for San Diego Ambrosia RCAs. Given the urban environment surrounding the project site, the proposed project would not substantially degrade a scenic vista. Therefore, the project would have a less than significant effect on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic (Caltrans - California Scenic Highway Program). Generally, the area defined within a state scenic highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist’s line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the scenic highway.

Less than Significant Impact: The project site is not located near or visible within the composite viewshed of a State scenic highway and will not damage or remove visual resources within a State scenic highway. The project would be adjacent to SR-125, which is designated as a State scenic highway between its junctions with Interstate 8 and SR-94. However, the portion of the freeway adjacent to the project site is not designated as a State scenic highway and the portion that is State-designated is approximately 3.6 miles north of the project site. Additionally, SR-94, approximately 3.6 miles north, is listed as eligible for designation as a State Scenic Highway. These highways are also identified by the County in the Conservation Element of the General Plan as County Scenic Corridors. Due to distance, topography, and intervening structures, the project site is not visible from these highways. As such, the project site is not visible within the composite viewshed of a State scenic highway or County Scenic Corridor and will not damage or remove visual resources within a State scenic highway or County Scenic Corridor. Therefore, impacts would be less than significant.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: Visual character is the objective composition of the visible landscape within a viewshed. Visual character is based on the organization of the pattern elements line, form, color, and texture. Visual character is commonly discussed in terms of dominance, scale, diversity, and continuity. Visual quality is the viewer’s perception of the visual environment and varies based on exposure, sensitivity, and expectation of the viewers.

A Conceptual Landscape Approval and Conditions Memorandum was prepared by David Kahler, County Landscape Architect, dated December 24, 2020 (Appendix A). The following responses have incorporated the analysis from the report.

Less than Significant Impact: The Spring Valley Community Plan describes Spring Valley’s community character as a heavily populated suburban environment primarily consisting of single-family residential homes with newer multi-family complexes increasing in the last 30 years.

The project site is located in an urbanized area and is surrounded by single-family residences and SR-125. The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash, which is consistent with the Industrial land use and zoning designations for the project site. The project would be required to include preparation of Landscape Plans pursuant to the County’s Water Efficient Landscape Design Manual and Water Conservation in Landscaping Ordinance. The project would also be in conformance with the County’s Parking Design Manual, Grading Ordinance, the Spring Valley Design Guidelines, and the requirements of the B Designator, as described in the Conceptual Landscape Approval and Conditions Memorandum (Appendix A). Therefore, the project would not conflict with applicable zoning and other regulations governing scenic quality.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project is located within Zone B as identified by the San Diego County Light Pollution Code. Zone B is any area of the unincorporated County that is not within 15 miles from the Mount Palomar or Mount Laguna observatory. The project would not adversely affect nighttime views or astronomical observations because the project would conform to the County’s Light Pollution Code (Section 51.201-51.209). Therefore, the project would not create a significant new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area.

II. AGRICULTURE AND FORESTRY RESOURCES -- Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is not designated by the Farmland Mapping and Monitoring Program (FMMP) as Prime Farmland, Unique Farmland, or Farmland of Statewide

or local Importance. Therefore, the project would not convert an important farmland category designated by the FMMP to a non-agricultural use. Pursuant to the County’s Guidelines for Determining Significance for Agricultural Resources (Agricultural Guidelines), if a site is not an active agricultural operation, has not historically been used for agriculture, and is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide or local Importance, these lands should not be considered agricultural resources. Therefore, according to the Agricultural Guidelines, the project site is not considered an agricultural resource and there would be no impact.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is zoned Industrial. The Industrial land use allows for industrial plants primarily engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products. As described above in Section II(a), the project site is not considered an agricultural resource. In addition, the project site is not located within or within the vicinity of a Williamson Act Contract or agricultural preserve. Therefore, the project would not conflict with the existing zoning for agricultural use, or a Williamson Act Contract.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), or timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site does not contain forest land or timberland. The County of San Diego does not have any existing Timberland Production Zones. In addition, the project would be consistent with existing zoning, and a rezone of the property is not proposed. Therefore, project implementation would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland production zones.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site does not contain any forest lands as defined in Public Resources Code §12220(g); therefore, project implementation would not result in the loss or conversion of forest land to a non-forest use.

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use or conversion of forest land to non-forest use?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: As described above in Section II(a), the project has been determined to not meet the definition of an agricultural resource pursuant to the Agricultural Guidelines. In addition, the project is not under a Williamson Act Contract or agricultural preserve, nor is the project site located within the vicinity of a Williamson Act Contract or an Agricultural Preserve. Therefore, the project would not have significant adverse impacts related to the conversion of Important Farmland or other agricultural resource to a non-agricultural use. In addition, as described above in Section II(c) and (d), the project would not result in the loss of forest land or conversion of forest land to non-forest use.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: An Air Quality Report was prepared for the project by Rincon Consultants, Inc. (Rincon Consultants) dated March 2022 (see Appendix B). The following responses have incorporated the analysis from the report.

Less Than Significant Impact: There are currently no structures requiring demolition prior to construction of the project. Therefore, no demolition would occur as part of the project. The project would produce emissions during construction and operation of the proposed project, as described further in Section III(b).

The RAQS relies on information from CARB and San Diego Association of Governments (SANDAG), including population and projected growth in the County, and other source emissions from mobile and area to forecast future emissions. Based on these emissions, the

RAQS determines from strategies necessary for the reduction of stationary source emissions through regulatory controls. Mobile source emission projections and growth projections are based on population and vehicle trends and land use plans developed by the cities and the County. As such, projects that propose development consistent with the growth anticipated by the General Plan would be considered consistent with the RAQS. The project site has a General Plan land use designation of Limited Industrial. The southern portion of the project site (fronting Elkton Place, approximately 5,900 sf) has a zoning designation of M52 (Limited Impact Industrial Use), which permits commercial gasoline sales and automotive and equipment cleaning uses pursuant to limitations “12” and “8,” respectively as noted in Section 2980 of the San Diego County Zoning Ordinance. The northern portion of the project site (fronting Paradise Valley Road, approximately 15,600 sf) has a zoning designation of M54 (General Impact Industrial Use), which also permits commercial gasoline sales and automotive and equipment cleaning uses with no limitations. Both the M52 and M54 use regulations allow convenience retail operations under a minor use permit, which the project would require for the proposed convenience store. Therefore, no amendments to the County’s General Plan, the Spring Valley Community Plan, or County zoning would be required to accommodate the project. The project would conform to the applicable plans and therefore, the project’s impact on the RAQS and SIP would be less than significant.

Furthermore, as part of its attainment planning process, the San Diego Air Pollution Control District (APCD) proposes and adopts Rules and Regulations to control air pollutants to demonstrate further progress toward attainment as part of the RAQS and SIP. The project will also comply with any applicable rules and regulations that have been adopted as part of the RAQS and SIP by the San Diego APCD. Therefore, the project would not conflict with or obstruct the implementation of the RAQS or the SIP, and impacts would be less than significant.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: The San Diego APCD does not provide quantitative thresholds for determining the significance of construction or mobile source-related impacts. However, the San Diego APCD does specify Air Quality Impact Analysis (AQIA) trigger levels for new or modified stationary sources (APCD Rules 20.2 and 20.3). If these incremental levels for stationary sources are exceeded, an AQIA must be performed for the proposed new or modified source. Although these trigger levels do not generally apply to mobile sources or general land development projects, for comparative purposes these levels may be used to evaluate the increased emissions which would be discharged to the San Diego Air Basin from proposed land development projects. For projects whose stationary-source emissions are below these criteria, no AQIA is typically required, and project level emissions are presumed to be less than significant.

For CEQA purposes, these SLTs can be used to demonstrate that a project’s total emissions would not result in a significant impact to air quality. The daily SLTs are most appropriately used

for the standard construction and operational emissions. When project emissions have the potential to approach or exceed the SLTs listed below in Table 1, additional air quality modeling may need to be prepared to demonstrate that ground level concentrations resulting from project emissions (with background levels) will be below National and California Ambient Air Quality Standard (NAAQS and CAAQS, respectively).

APCD Rules 20.2 and 20.3 do not have AQIA thresholds for emissions of volatile organic compounds (VOCs) and PM_{2.5}. The use of the screening level for VOCs specified by the South Coast Air Quality Management District (SCAQMD), which generally has stricter emissions thresholds than San Diego's APCD, is recommended for evaluating projects in San Diego County. For PM_{2.5}, the EPA "Proposed Rule to Implement the Fine Particle National Ambient Air Quality Standards" published September 8, 2005, which quantifies significant emissions as 10 tons per year, will be used as the screening-level criteria as shown in Table 1 below:

Table 1. San Diego County Screening-Level Thresholds for Air Quality Impact Analysis

Pollutant	Total Emissions		
	Lbs. per Hour	Lbs. per Day	Tons per Year
Respirable Particulate Matter (PM ₁₀)	---	100	15
Fine Particulate Matter (PM _{2.5})	--- *	55	10*
Nitrogen Oxides (NO _x)	25	250	40
Sulfur Oxides (SO _x)	25	250	40
Carbon Monoxide (CO)	100	550	100
Lead	---	3.2	0.6
Volatile Organic Compounds (VOCs)	---	75**	13.7***

Notes: * EPA "Proposed Rule to Implement the Fine Particle National Ambient Air Quality Standards" published September 8, 2005. Also used by the SCAQMD.

** Threshold for VOCs based on the threshold of significance for VOCs from the SCAQMD for the Coachella Valley.

*** 13.7 Tons Per Year threshold based on 75 lbs/day multiplied by 365 days/year and divided by 2,000 lbs/ton.

Less Than Significant Impact: Currently, San Diego County is in "non-attainment" status for the NAAQS and CAAQS federal and state Ozone (O₃) and state Particulate Matter less than or equal to 10 microns and less than or equal to 2.5 microns (PM₁₀ and PM_{2.5}). O₃ is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) react in the presence of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of PM₁₀ in both urban and rural areas include the following: motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

The project would contribute to construction and operational sources of criteria pollutant air emissions. An analysis of estimated construction and operational emissions was completed using SCAQMD's California Emissions Estimator Model (CalEEMod). The construction schedule is based on default construction schedules included in CalEEMod. CalEEMod grading operations associated with the project would be subject to the County of San Diego Grading Ordinance and the San Diego APCD Rule 55, which requires the implementation of dust control measures (e.g., watering, application of surfactants, control of vehicle speeds, etc.) during grading activities. In addition, the Project would utilize low-VOC coatings in accordance with San

Diego APCD Rule 67.0.1 requirements. As shown in Table 2 below, construction-related air emissions associated with the project are estimated to be well below screening-level thresholds identified in Table 1 as established by the San Diego APCD. Therefore, the project would not result in substantial construction emissions such that any criteria pollutant air quality standard would be violated. Therefore, construction of the project would not result in a cumulatively considerable net increase of any criteria pollutant; impacts would be less than significant.

Table 2. Estimated Construction-Related Air Emissions

Pollutant	Project Emissions (Lbs. per Day)	Screening-Level Thresholds (Lbs. per Day)	Above Threshold?
Respirable Particulate Matter (PM ₁₀)	1.4	100	No
Fine Particulate Matter (PM _{2.5})	0.8	55	No
Nitrogen Oxides (NO _x)	9.1	250	No
Sulfur Oxides (SO _x)	0.1	250	No
Carbon Monoxide (CO)	8.3	550	No
Volatile Organic Compounds (VOCs)	14.3	75	No

Note: CalEEMod does not report on lead emissions and therefore, it is not included in this analysis.

The main operational impacts associated with the Project would be due to stationary source emissions from the fuel storage and dispensing and mobile emissions from vehicle trips to and from the project site. Project-specific trip generation rates were included in the CalEEMod analysis based on the traffic study completed for the project (see Section XVII, Transportation).

The project includes the installation of a vapor capture and control system, the Veeder-Root CCVP, to capture and hold excess gasoline vapors in the underground storage tanks and vehicle tanks (when fueling), as required by San Diego APCD Rules 61.3.1, 61.4, and 61.4.1. The CCVP system is a toxics best available control technology feature that would ensure fuel vapors are efficiently captured during vehicle fueling activities. Project operational emissions were estimated using CalEEMod (Table 3).

Table 3. Estimated Operational Air Emissions

Pollutant	Project Emissions (Lbs. per Day)	Screening-Level Thresholds (Lbs. per Day)	Above Threshold?
Respirable Particulate Matter (PM ₁₀)	4.0	100	No
Fine Particulate Matter (PM _{2.5})	1.1	55	No
Nitrogen Oxides (NO _x)	6.3	250	No
Sulfur Oxides (SO _x)	<0.1	250	No
Carbon Monoxide (CO)	15.3	550	No
Volatile Organic Compounds (VOCs)	4.9	75	No

Note: CalEEMod does not report on lead emissions and therefore, it is not included in this analysis.

As shown in Table 3, emissions generated during the operation of project would not exceed San Diego APCD screening level thresholds for criteria pollutants. Emissions associated with the proposed project remain below the County's screening-level thresholds for all pollutants. Because vehicular emissions decrease over time with phase-out of older vehicles and

implementation of increasingly stringent emission controls, future emissions would decrease. Therefore, project operation would not result in a cumulatively considerable net increase of any criteria pollutant. Air quality impacts would be less than significant, and no mitigation measures would be necessary.

c) Expose sensitive receptors to substantial pollutant concentrations?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Air quality regulators typically define sensitive receptors as schools (Preschool-12th Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The County of San Diego also considers residences as sensitive receptors since they house children and the elderly. The nearest sensitive receptors consist of existing residential development located approximately 150 feet west of the project site.

CO Hotspots

Elevated CO levels can occur at or near intersections that experience severe traffic congestion. A localized air quality impact is considered significant if the additional CO emissions resulting from the project create a “hotspot” where the California 1-hour standard of 20.0 ppm or the 8-hour standard of 9 ppm is exceeded. This can occur at severely congested intersections during cold winter temperatures. The last recorded maximum 8-hour average CO level for the San Diego Air Basin was in 2012 at 3.61 parts per million (ppm), which is well below the 9 ppm state and federal eight-hour standard (Appendix B). No monitoring stations located in the San Diego Air Basin have data for CO since 2012.

A CO hotspot analysis is required by the County if a proposed development would cause road intersections to operate at or below a LOS E with intersection peak-hour trips exceeding 3,000 trips. The traffic study prepared for the project studies six intersections in the vicinity of the project site, including the project driveway off of Paradise Valley Road (Urban Systems Associates, Inc. 2020). The project would add 893 daily trips (all project generated trips, including trucks), which include 71 AM peak hour and 80 PM peak hour trips. The additional traffic generated during project operation would not cause intersections in the vicinity of the project site to operate at or below LOS E (see Appendix B). The traffic study concluded that the proposed project would not result in any significant intersection impacts. Therefore, a CO hotspot analysis is not required for the proposed project and project-generated trips would not result in, or substantially contribute to, CO concentrations that exceed the eight-hour ambient air quality standards along area roadways and intersections.

Toxic Air Contaminants (TACs)

High-volume TAC generators that are listed as potential health risk sources include the operation of commercial diesel engines and truck stops, landfills and incinerators, and chemical

manufacturers (CARB 2005). The proposed project entails the construction and operation of a gas station with convenience store and carwash tunnel, which is identified in the *CARB Air Quality and Land Use Handbook* (2005) as a facility type that emits TACs, mainly benzene. Construction activities may also result in the generation of TACs. However, the construction period estimated for the project would be temporary and limited to approximately six to seven months.

Emissions resulting from the gasoline dispensing has the potential to result in TACs (e.g., benzene, hexane, MTBE, toluene, xylene) and have the potential to contribute to health risk in the project vicinity. It should be noted that standard regulatory controls would apply to the project in addition to any permits required that demonstrate appropriate operational controls. The California Air Pollution Control Officers Association (CAPCOA) *Gasoline Service Station Industrywide Risk Assessment Guidelines* (1997) provides a screening method to determine potential cancer risk as a function of million gallons of throughput and downwind distance from the gas station that has employed all toxics best available control technologies (i.e., the Veeder-Root CCVP system) as required by the SDAPCD (pursuant to Rules 61.3.1 and 61.4.1) and CARB. Based on these guidelines, 1.2 million gallons of throughput at a distance of 40 meters (130 feet) from the gas station would result in a cancer risk of 2.42 per million. It should be noted that subsequent to the CAPCOA guidelines being released, the Office of Environmental Health Hazard Assessment (OEHHA) published new (2015) risk assessment guidelines to account for potential early-life exposures. The 2015 OEHHA methodology results in risk estimates approximately 1.5 to 3 times higher than what would have previously been estimated. As such, to account for the 2015 OEHHA methodology, the risk per million gallons of throughput can conservatively be multiplied by 3, resulting in an estimated 7.3 risk per million, which is less than the threshold of 10 per million (Appendix B).

Lastly, mobile emissions during project operations would primarily be composed of passenger and light-duty vehicles (59.9 percent) and light trucks (18.1 percent) accessing the gas station and convenience store. Approximately 2.4 percent of the vehicles visiting the project site would be heavy trucks according to CalEEMod, which takes fuel and consumer goods delivery trucks into account. Delivery truck trips would be made to the project site based on a schedule, and additional heavy-duty trucks driven by project customers may occur as well. However, the project is designed to primarily serve customers in light autos and trucks. The project would not attract a large number of trips from large or heavy-duty vehicles that could generate mobile diesel emissions due to the passenger vehicle-serving nature of the proposed use. Therefore, construction and operation of the proposed gas station and convenience store would not generate significant amounts of TACs that would adversely impact sensitive receptors in the vicinity of the project site.

Furthermore, a gas station permit application with the San Diego APCD would be required for the proposed project. Such projects fall under a general health risk assessment (HRA) that is in place with the San Diego APCD and a project-specific HRA is not required since use categories such as gas stations are considered small footprint facilities with small zones of impact (OEHHA 2015). Following discretionary review, the project would be required to submit an application for permit through the San Diego APCD; neither project construction nor operation would begin until that permit has been reviewed and approved by San Diego APCD.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: SDAPCD Rule 51, commonly referred to as the public nuisance rule, prohibits emissions from any source whatsoever in such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to the public health or damage to property. The potential for an operation to result in odor complaints from a “considerable” number of persons in the area would be considered to be a significant, adverse odor impact.

According to the San Diego County Guidelines for Determining Significance for Air Quality, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project would involve the temporary use of diesel-powered construction equipment, which would generate exhaust that may be noticeable for short durations at adjacent properties. Project construction could result in minor amounts of odor compounds associated with diesel heavy equipment exhaust during construction and vehicle traffic idling or emissions during operations. Because the construction equipment would be operating at various locations throughout the construction site, and because any operation that would occur in the vicinity of existing receptors would be temporary, impacts associated with odors during construction are therefore not considered significant.

The project is not considered a source of objectionable odors from operations. The proposed operations of a gas station, convenience store, and carwash tunnel are not typically associated with objectionable odors, though odors from gasoline product could be noticeable in the immediate vicinity of the site. The project site vicinity is adjacent to the SR-125 on- and off-ramps (tapering 60 to 210 feet and approximately 90 feet to the east of the project site, respectively). The nearest sensitive receptors consist of existing residential development located approximately 150 feet west of the project site. It is unlikely that the odors from the proposed project would be distinguishable from existing sources, given the vehicle emissions associated with adjacent roadways and SR-125 in the vicinity of the project site. Odors generated from proposed uses would dissipate and be reduced with increasing distance from the project site. Furthermore, the project would include a Veeder-Root CCVP system with a Stage II vapor recovery system (balance system) to ensure efficient capture of UST and vehicle tank vapors during vehicle fueling activities as required by San Diego APCD Rule 61.4. Therefore, the project would not generate objectionable odors, and impacts would be less than significant.

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional

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plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input checked="" type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation: A Biological Resources Letter Report was prepared for the project by Rincon Consultants, dated June 2020 (Appendix C). Due to the limited biological resources on site, extensive surrounding development, and absence of native vegetation communities, wetlands, and sensitive species, a full Biological Resources Report was not warranted. The Biological Resources Letter Report consists of a literature review and results of a field reconnaissance survey conducted on June 18, 2019. The following responses have incorporated the analysis from the report.

Less than Significant with Mitigation Incorporated: The Biological Resources Letter Report prepared by Rincon Consultants, dated June 2020, determined that the project would not directly or through habitat modifications impact any federally or state endangered species, or any special-status wildlife or plant species, County list A, B, C or D plant species or County Group II wildlife species, and is not adjacent to any open space, or native vegetation communities. The project would not impact arroyo toad or golden eagle habitat.

The project site is previously disturbed and does not contain suitable habitat for special-status plant species. Therefore, potential direct impacts to special-status plant species are not expected. Additionally, the proposed project site is surrounded by disturbed and developed habitat areas similar to those found on site. Therefore, no potential indirect impacts such as run-off or introduction of invasive species to special-status plant species are expected.

Species protected under federal and state laws, including the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF) Section 3503, may nest on site. Under these laws, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Direct impacts to protected nesting birds could occur if vegetation removal happens during the bird nesting season (February 1 through August 31). If project activities are conducted during the bird nesting season, MM BIO-1 would require the project to avoid impacts to protected nesting birds. The project site is not expected to provide significant habitat for foraging raptors and does not include any trees suitable for raptor nesting, therefore, no impacts to raptors are anticipated.

No other special status wildlife species are expected to occur on site, therefore no direct or indirect impacts to biological resources are anticipated as the project site is located within a highly developed area not adjacent to any open spaces or other biological resource linkage areas. Therefore, the impact would be less than significant with mitigation incorporated.

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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

No Impact: The Biological Resource Letter Report prepared by Rincon Consultants, dated June 2020, determined that the project site is entirely disturbed and would not result in the loss of any special-status habitat, as defined by the South County MSCP. Potential indirect impacts related to dust, noise, and loss of foraging habitat are not expected since the project site does not support any federally or state endangered species, or any special-status wildlife or plant species, County list A, B, C or D plant species or County Group II wildlife species, and is not adjacent to any open space, or native vegetation communities. Therefore, no impact would occur to riparian habitat or other sensitive natural community from the proposed project.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

No Impact: Based on an analysis of the Biological Resource Letter Report prepared by Rincon Consultants, dated June 2020, it has been determined that the project site does not contain any jurisdictional waters or wetlands as defined by Section 404 of the Clean Water Act, including, but not limited to, marsh, vernal pool, stream, lake, river or water of the U.S., that could potentially be impacted through direct removal, filling, hydrological interruption, diversion or obstruction by the proposed development. One depression was noted during the survey; however, it does not occur in native soils, has no hydrophytic vegetation, and likely only holds water due to changes in the grade. No riparian habitat occurs onsite or in the project vicinity. The closest jurisdictional water is at Sweetwater Regional Park approximately 0.25 mile south of the site, which is separated from the project site by the SR-125 freeway (U.S. Fish and Wildlife Service 2019). Therefore, no impacts will occur to wetlands defined by Section 404 of the Clean Water Act and under the jurisdiction of the Army Corps of Engineers.

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d) Interfere substantially with the movement of any native resident or migratory Fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Based on the Biological Resource Letter Report prepared by Rincon Consultants, dated June 2020, it has been determined that the project site is adjacent to a residential community and SR-125. It is surrounded on all sides by development or disturbed areas and is not adjacent to any open space or native habitat areas. The site is not located in any known wildlife corridors, biological resource linkage areas, open area preserves, nursery sites, PAMA or other protected biological refuge. Additionally, no nursery sites were observed during the site visit and field survey. Based on the site assessment, the site does not have potential to provide connectivity to open space areas or support nursery sites. The project is not expected to impede the use of native wildlife nursery sites near the project site, or interfere substantially with the movement of a native resident, migratory fish or wildlife species, or with established native resident or migratory wildlife corridors. Therefore, impacts are less than significant.

e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

- | | |
|--|--|
| Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: The project site occurs within the boundaries of the County of San Diego (County) Final South County Plan for the South County MSCP (San Diego County 1998) within the Metro-Lakeside-Jamul segment. To demonstrate consistency with the South County MSCP, analysis of biological resources within the project site follows the County of San Diego Biological Mitigation Ordinance dated April 2, 2010 (County 2010a), County of San Diego Resource Protection Ordinance, Ordinance amended October 14, 2011 (County 2011), Report Format and Content Requirements for Biological Resources dated September 15, 2010 (County 2010b), and Guidelines for Determining Significance prepared by the Land Use and Environment Group dated 2010 (County 2010c).

Less Than Significant Impact: The project is consistent with the policies and guidelines defined in the County of San Diego Biological Mitigation Ordinance dated April 2, 2010, Report Format and Content Requirements for Biological Resources dated September 15, 2010, and Guidelines for Determining Significance prepared by the Land Use and Environment Group dated 2010. No South County MSCP designated sensitive wildlife, plants, habitats linkages, or large blocks of natural habitat occur within the project site or vicinity.

In addition, the proposed project would not preclude or prevent the preparation of the subregional Natural Communities Conservation Planning Process (NCCP), impact any amount of wetlands or sensitive habitat lands as outlined in the San Diego County Resource Protection Ordinance (RPO), or impact coastal sage scrub habitat. Therefore, impacts would be less than significant.

Mitigation Measures

BIO-1

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

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

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

engineering plans. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation: A Negative Cultural Resources Survey Report was prepared for the project by Red Tail Environmental, dated June 2020 (Appendix D). As part of the Cultural Resources Report prepared for the project, a records search and pedestrian field survey of the property were conducted. The following responses have incorporated the analysis from the report.

No Impact: The records search and field survey found no historical resources previously recorded within the 0.5-acre project site. Therefore, the project would not result in impacts to historical resources.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: As part of the Cultural Resources Report prepared for the project, a records search and pedestrian field survey of the property were conducted. The field survey was conducted by an archaeological field director, environmental archaeologist, and Kumayaay Native American Monitor. No cultural resources, artifacts, or features were observed during the survey effort. No bedrock was noted across the property. The Cultural Resources Report determined that the southeastern, southern, and western slopes outside of the project site must have been created between 1996 and 2002 during the construction of SR-125 and its associated surface street connections. Aerial imagery indicates that the project site and its immediate vicinity contained a structure and parking area from approximately 1964 until 1996, at which point the structure is visibly missing within later imagery, assumedly being removed during the construction of freeway offramps within the immediate area. Due to the disturbed context of the project area, the Cultural Resources Report determined that no cultural resources are present on the property and as such, did not recommend cultural resource monitoring during ground disturbing activities associated with the proposed project. Therefore, the project would not result in impacts to archaeological resources.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs, it has been determined that the project site is not likely to disturb any human remains because the project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. Therefore, no impact to human remains would occur.

VI. ENERGY -- Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash. The project would result in the use of energy resources during the construction phase. During construction, the project would require the use of heavy construction equipment that would be fueled by gas and diesel. However, the energy use would be temporary, limited, and cease upon completion of construction activities. Construction would be conducted in compliance with local, state, and federal regulations (e.g., United States Environmental Protection Agency [USEPA] and the CARB engine emission standards, which require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption, and limitations on engine idling times). Compliance with these regulations would minimize short-term energy demand during the project's grading to the extent feasible. In addition, all new construction would be required to comply with the energy code in effect at the time of construction, which ensures efficient building construction. The project would also be required to comply with Title 24 energy standards for energy efficiency. Project design features that would result in lower energy use include low-flow plumbing fixtures, a high-reflectivity cool roof, and landscaping with climate adapted plants that require little-to-no water. As such, the construction and operation of the project is not expected to result in the wasteful or inefficient use of energy, and impacts would be less than significant.

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b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Relevant plans that pertain to the efficient use of energy include the 2019 California Energy Efficiency Action Plan, which focuses on energy efficiency. As noted, construction activities would comply with local, state, and federal regulations (e.g., USEPA and CARB engine emissions standards, limitations on engine idling times). Compliance with these regulations would reduce short-term energy demand during the project's grading to the extent feasible and increase the project's energy efficiency. As described further in Section VIII, Greenhouse Gas Emissions, the project would not conflict with plans related to renewable energy, energy efficiency, and reducing GHG emissions, including the 2022 Scoping Plan and the 2021 Regional Plan. For example, the 2022 Scoping Plan Update identifies plans and regulations and strategies that are to be implemented at the State and project level that will reduce GHG emissions consistent with State policies. The project would be consistent with the plans and regulations and strategies identified in the 2022 Scoping Plan that call for reducing GHG emissions, achieving carbon neutrality, and electrification of existing and new buildings because the project would be required to comply with Title 24 energy standards for energy efficiency. Project design features that would result in lower energy use include low-flow plumbing fixtures, a high-reflectivity cool roof, and landscaping with climate adapted plants that require little-to-no water. The project applicant would provide an irrigation plan for the project site that demonstrates a 40 percent reduction in Maximum Applied Water Allowance (MAWA) for outdoor water use in the proposed landscaped areas. Consistent with the County Landscaping Ordinance, the project would incorporate climate adapted plants that require occasional, little, or no summer water. Project operations and waste management methods would be consistent with the County's Strategic Plan to Reduce Waste (2017) through the support of commercial composting programs to reduce organic waste and comply with established waste diversion requirements. Therefore, the project is consistent with the 2022 Scoping Plan. (See Section VIII, Greenhouse Gas Emissions, for further discussion and refer also to Table 1 in the Greenhouse Gas Memorandum prepared for the project by Rincon Consultants [Appendix E] for a full consistency analysis with the strategies and actions in the 2022 Scoping Plan.)

The 2021 Regional Plan is intended to reimagine the San Diego region with a transformative transportation system, a sustainable pattern of growth and development, and innovative demand and management strategies. The 2021 Regional Plan aims to reduce our reliance on the automobile as a primary mode of transportation and accessing destinations with shorter trips by providing safe, affordable, and convenient alternatives. Many of the strategies to achieve this are statewide or regional initiatives to be implemented by state or regional jurisdictions, and therefore would not apply at the project-level. In general, a gas station use is inherently not oriented for sustainable transportation uses such as transit and rail. The project does include one vanpool space that would allow a reduction in vehicle miles; in addition, the space could be converted into a future EV charging space. Additionally, the proposed gas station use is planned to satisfy existing vehicle transportation fuel demand. In the future as vehicle transportation

demands change, a use located in major transportation areas such as a gas station would be likely locations for alternative fuels such as electric charging or hydrogen fuel; in that scenario, the project site would assist the 2021 Regional Plan goal of healthy air and reduced GHG emissions. While there are plans to phase out fossil fuel vehicles, the demand for gasoline will exist for the foreseeable future; even with California’s 2035 mandate for 100 percent of vehicles sold to be electric, there would still be legacy gasoline vehicles or vehicles from out of state that would need gasoline. In addition, while the project currently would not provide EV services, the gas station and convenience store would be located in a convenient location for automobiles, and thus would be an ideal location to add EV services when the market demand and technology for such services reaches a critical mass. Therefore, the project would not conflict with or obstruct implementation of the 2021 Regional Plan. (See Section VIII, Greenhouse Gas Emissions, and the Greenhouse Gas Memorandum prepared for the project by Rincon Consultants [Appendix E] for further discussion of project consistency with the strategies in the 2021 Regional Plan.)

Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Project impacts would be less than significant.

VII. GEOLOGY AND SOILS -- Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: The County DPS received direction from Leanne Crow, County hydrogeologist, that a Geotechnical Evaluation is not required for the project.

According to the California Geological Survey, California Geomorphic Provinces, Note 361, the Project site is located within the Peninsular Ranges Geomorphic Province. The Peninsular Ranges are a series of ranges separated by northwest trending valleys, subparallel to faults branching from the San Andreas Fault. The trend of topography is similar to the Coast Ranges, but the geology is more similar to the Sierra Nevada, with granitic rock intruding the older metamorphic rocks. The Peninsular Ranges extend into lower California and are bounded on the east by the Colorado Desert. According to the current USGS Geologic Map, the project site is underlain by Mission Valley Formation from the middle Eocene Epoch, which is described as sedimentary bedrock units (Appendix F).

Less than Significant Impact: The project site is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 2007, Fault-Rupture Hazards Zones in California, or located within any other area with substantial evidence of a known fault. The nearest active fault to the site is the La Nacion fault

zone located approximately 2.2 miles west of the site. All earthwork for the project would be verified in the field by County Engineers and a licensed or registered civil engineer in the State of California. Additionally, contaminated soils would be removed from the project site (see Section IX, Hazards and Hazardous Materials), and MM HAZ-2 would require these soils to be replaced by compacted fill in layers to ensure the structural integrity of the gas station, convenience store, and carwash structures. Therefore, the potential for surface fault rupture at the project site to potentially cause a substantial adverse effect is considered to be low, and impacts would be less than significant.

ii. Strong seismic ground shaking?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash. Grading associated with the project would be required to conform to the grading requirements outlined in the County Grading, Clearing, and Watercourses Ordinance (Grading Ordinance) and be verified in the field by a licensed or registered Civil Engineer and inspected by County Grading Inspectors. In order to assure that the proposed buildings are adequately supported, a Soils Engineering Report is required as part of the Building Permit process. This Report would evaluate the strength of underlying soils and make recommendations on the design of building foundation systems. The Soils Engineering Report must demonstrate that a proposed building meets the structural stability standards required by the California Building Code. The Report must be approved by the County prior to the issuance of a Building Permit. Additionally, contaminated soils would be removed from the project site (see Section IX, Hazards and Hazardous Materials), and MM HAZ-2 would require these soils to be replaced by compacted fill in layers to ensure the structural integrity of the gas station, convenience store, and carwash structures. Therefore, the Grading Plan prepared by the registered Civil Engineer, compliance with the Grading Ordinance, the Soils Engineering Report, and MM HAZ-2 ensure the project would not result in a potentially significant impact from the exposure of people or structures to potential adverse effects from strong seismic ground shaking.

iii. Seismic-related ground failure, including liquefaction?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Liquefaction typically occurs when a site is located in a zone with seismic activity, onsite soils are cohesionless (such as sand or gravel), groundwater is encountered within 50 feet of the surface, and soil relative densities are less than about 70 percent. The project site is located within a "Potential Liquefaction Area" per the County GIS as

identified in the County Guidelines for Determining Significance for Geologic Hazards. However, contaminated soils would be removed from the project site and these soils would be replaced by compacted fill in layers in accordance with MM HAZ-2 (see Section IX, Hazards and Hazardous Materials) to ensure the structural integrity of the gas station, convenience store, and carwash structures. In addition, a Soils Engineering Report is required as part of the Building Permit process to assure that the proposed buildings are adequately supported. This Report would evaluate the strength of underlying soils and make recommendations on the design of building foundation systems. The Soils Engineering Report must demonstrate that a proposed building meets the structural stability standards required by the California Building Code. The Report must be approved by the County prior to the issuance of a Building Permit. Therefore, the potential for liquefaction and its associated adverse effects to impact the project is considered very low. Therefore, there will be a less than significant impact from the exposure of people or structures to adverse effects from a known area susceptible to ground failure, including liquefaction.

iv. Landslides?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is within a low/generally susceptible category "Landslide Susceptibility Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. Landslide Susceptibility Areas were developed based on landslide risk profiles included in the San Diego County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) (URS 2004). Landslide risk areas from the MJHMP were based on data including steep slopes (greater than 25 percent); soil series data (SANDAG based on U.S. Geologic Survey [USGS] 1970s series); soil-slip susceptibility from USGS; and Landslide Hazard Zone Maps (limited to the western portion of the County) developed by the California Department of Conservation, Division of Mines and Geology (DMG). Also included within Landslide Susceptibility Areas are gabbroic soils on slopes steeper than 15 percent in grade because these soils are slide prone. Therefore, the project would have a less than significant impact from the exposure of people or structures to potential adverse effects from landslides.

b) Result in substantial soil erosion or the loss of topsoil?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The entire project site consists of Olivenhain-Urban land complex (9 to 30 percent slopes). Construction of the project would include site grading and removal of contaminated soils, which have the potential to release sediment into downstream receiving waters. All soil remediation activities would occur in accordance with the County

Grading Ordinance and the Soil Management Plan required by MM HAZ-2. Additionally, the Standard Priority Development Plan (PDP) – Stormwater Quality Management Plan (SWQMP) prepared for the project by Howes Weiler Landy, dated December 19, 2022, includes identifies site-specific best management practices (BMPs) to control erosion, sediment, and other potential construction-related pollutants. By keeping soil stabilized using BMPs and with effective site management minimizing soil erosion the SWQMP specifications and guidelines demonstrates minimal to less than significant soil erosion shall occur during project grading.

The project would not result in substantial soil erosion or the loss of topsoil for the following reasons:

- The project would not result in unprotected erodible soils.
- The project is not located in a floodplain.
- A Standard PDP – SWQMP and Preliminary Drainage Report (December 19, 2022 and February 2023, respectively) have been prepared by Howes Weiler Landy for the project (see Section X, Hydrology and Water Quality).
- The project would be required to comply with the County’s Grading Ordinance [San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING)]. Compliance with these regulations would minimize the potential for water and wind erosion.

Due to these factors, it has been found that the project would not result in substantial soil erosion or the loss of topsoil, and impacts would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash. Grading associated with the project would be required to conform to the grading requirements outlined in the County Grading, Clearing, and Watercourses Ordinance (Grading Ordinance) and be verified in the field by a licensed or registered Civil Engineer and inspected by County Grading Inspectors. Additionally, contaminated soils would be removed from the project site (see Section IX, Hazards and Hazardous Materials), and MM HAZ-2 would require these soils to be replaced by compacted fill in layers to ensure the structural integrity of the gas station, convenience store, and carwash structures. In addition, a Soils Engineering Report is required as part of the Building Permit process to assure that the proposed buildings are adequately supported. This Report would evaluate the strength of underlying soils and make recommendations on the design of building foundation systems. The Soils Engineering Report must demonstrate that a proposed building

meets the structural stability standards required by the California Building Code. The Report must be approved by the County prior to the issuance of a Building Permit. Therefore, the Grading Plan prepared by the registered Civil Engineer and compliance with the Grading Ordinance and MM HAZ-2 ensure the project would not result in a potentially significant impact related to landslide, lateral spreading, subsidence, liquefaction, or collapse. Therefore, impacts would be less than significant. For further information regarding landslides, liquefaction, and lateral spreading, refer to Section VII(a)(iii) through (iv) listed above.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Based on the Preliminary Review of Resources by PDS, the project site is not located within a High Shrink Swell Zone, which would indicate expansive soils. Therefore, the project would not create a substantial risk to life or property and impacts would be less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not propose any septic tanks or alternative wastewater disposal systems because the project would include development of a gasoline service station, convenience store, and fully automated, enclosed carwash. Therefore, the project would have no impact related to the use of septic tanks or alternative wastewater disposal systems.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: San Diego County has a variety of geologic environments and geologic processes which generally occur in other parts of the state, country, and the world. However, some features stand out as being unique in one way or another within the boundaries of the County.

Less Than Significant With Mitigation Incorporated: The project site does not contain any unique geologic features that have been listed in the County's Guidelines for Determining Significance for Unique Geology Resources nor does the site support any known geologic characteristics that have the potential to support unique geologic features.

A review of the County's Paleontological Resources Maps and data on San Diego County's geologic formations indicates that the project is located on geological formations that potentially contain unique paleontological resources. Excavating into undisturbed ground beneath the soil horizons may cause a significant impact if unique paleontological resources are encountered. Since an impact to paleontological resources does not typically occur until the resource is disturbed, monitoring during excavation is the essential measure to mitigate potentially significant impacts to unique paleontological resources to a level below significance (MM GEO-1 and 2).

The project has a low potential for containing paleontological resources and will excavate the substratum and/or bedrock below the soil horizons.

With the implementation of mitigation requirements during project grading operations, potential impacts to paleontological resources will be less than significant. Furthermore, the project will not result in a cumulative impact to paleontological resources because other projects that require grading in sensitive paleontological resource areas will be required to have the appropriate level of paleontological monitoring and resource recovery. In addition, other projects that propose any amount of significant grading would be subject to the requirements for paleontological monitoring as required pursuant to the County's Grading Ordinance. Therefore, the project would not result in a significant direct, indirect, or cumulatively significant loss of paleontological resources.

Mitigation Measures

GEO-1 PALEONTOLOGICAL MONITORING

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

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

TIMING: The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDC] shall make sure that the grading

contractor is on-site performing the Monitoring duties of this condition. The [DPW, PDC] shall contact PDS if the grading contractor or applicant fails to comply with this condition.

GEO-2 PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** One of the following letters shall be performed upon completion of the grading activities that require monitoring:

- a. If no paleontological resources were discovered, submit a “No Fossils Found” letter from the grading contractor to PDS stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the [County of San Diego Guidelines for Determining Significance for Paleontological Resources](#).
- b. If paleontological resources were encountered during grading, a letter shall be prepared stating that the field grading monitoring activities have been completed, and that resources have been encountered. The letter shall detail the anticipated time schedule for completion of the curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the letter report to PDS for review and approval. **TIMING:** Upon completion of all grading activities, and prior to Rough Grading Final Inspection ([Grading Ordinance SEC 87.421.a.2](#)), the letter report shall be completed. **MONITORING:** PDS shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDC] that the requirement is completed.

VIII. GREENHOUSE GAS EMISSIONS -- Would the project

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Discussion/Explanation: A Greenhouse Gas Memorandum was prepared for the project by Rincon Consultants, dated May 10, 2023 (Appendix E). The following responses have incorporated the analysis from the report.

Greenhouse gas (GHG) emissions result in an increase in the earth's average surface temperature commonly referred to as global warming. This rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system, known as climate change. These changes are now broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels. GHGs include carbon dioxide, methane, halocarbons, and nitrous oxide, among others. Human induced GHG emissions are a result of energy production and consumption and personal vehicle use, among other sources.

Climate changes resulting from GHG emissions could produce an array of adverse environmental impacts including water supply shortages, severe drought, increased flooding, sea level rise, air pollution from increased formation of ground level ozone and particulate matter, ecosystem changes, increased wildfire risk, agricultural impacts, and ocean and terrestrial species impacts, among other adverse effects.

It should be noted that an individual project's GHG emissions would generally not result in direct impacts under CEQA, as the climate change issue is global in nature; however, an individual project could be found to contribute to a potentially significant cumulative impact.

CEQA Guidelines Section 15064.4 recommends that lead agencies quantify GHG emissions of projects and consider several other factors that may be used in the determination of significance of GHG emissions from a project, including the extent to which the project may increase or reduce GHG emissions; whether a project exceeds an applicable significance threshold; and the extent to which the project complies with regulations or requirements adopted to implement a plan for the reduction or mitigation of GHG emissions.

CEQA Guidelines Section 15064.4 does not establish a threshold of significance. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies or suggested by other experts, as long as any threshold chosen is supported by substantial evidence (see CEQA Guidelines Section 15064.7[c]). The CEQA Guidelines also clarify that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impact analysis (see CEQA Guidelines Section 15064.4[b]).

Per CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements that would avoid or substantially lessen the cumulative problem in the geographic area of the project. To qualify, such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. Examples of such programs include a "water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plans [and] plans or regulations for the reduction of GHG emissions." Therefore, a lead agency can make a finding of "less than significant" for GHG emissions if a project complies with adopted programs, plans, policies, and/or other regulatory strategies to reduce GHG emissions.

San Diego County has not adopted a numerical significance threshold for assessing impacts related to GHG emissions and has not formally adopted a local plan for reducing GHG emissions. Neither the San Diego APCD, Governor's Office of Planning and Research (OPR), CARB, CAPCOA, nor any other State or applicable regional agency has adopted a numerical significance threshold for assessing GHG emissions that is applicable to the project. Therefore, for this project the County has selected to analyze the significance of the project's GHG emissions impacts based upon consistency with plans and policies adopted for the purposes of reducing GHG emissions and mitigating the effects of climate change, including the CARB 2022 Scoping Plan and SANDAG's 2021 Regional Plan. The County has also quantified the project's GHG emissions for informational purposes.

Estimated GHG Emissions

The project would produce GHG emissions during construction operations from heavy construction equipment, truck traffic, and worker trips. The CalEEMod air quality modeling conducted for the project determined that construction of the project is estimated to generate a total of 75 metric tons (MT) of carbon dioxide equivalent (CO_{2e}). When amortized over a 30-year period¹, construction of the project would generate about 2.5 MT CO_{2e} per year.

Operation of the proposed gas station, convenience store, and carwash is estimated to generate a total of 828.5 MT CO_{2e}. When combined with the amortized construction emissions (2.5 MT CO_{2e} per year), the total annual emissions associated with the project would be approximately 831 MT CO_{2e}. This is provided for informational purposes only and is not used in the environmental impact analysis.

Less than Significant Impact: The significance of the project's GHG emissions impacts are analyzed below based upon consistency with plans and policies adopted for the purposes of reducing GHG emissions and mitigating the effects of climate change.

State Plans, Policies, and Strategies

In June 2005, the Governor of California signed Executive Order (EO) S-3-05. EO S-3-05 established the following statewide goals: GHG emissions should be reduced to 2000 levels by 2010, GHG emissions should be reduced to 1990 levels by 2020, and GHG emissions should be reduced to 80 percent below 1990 levels by 2050.

In 2006, the state passed the Global Warming Solutions Act of 2006, commonly referred to as Assembly Bill (AB) 32, which set the GHG emissions reduction goal for the State of California into law. The law requires that by 2020, state emissions must be reduced to 1990 levels by reducing GHG emissions from significant sources via regulation, market mechanisms, and other actions.

¹ Consistent with the industry standard and per SCAQMD guidance, total construction GHG emissions resulting from a project were amortized over 30 years and added to operational GHG emissions to account for their contribution to GHG emissions over the lifetime of the project.

SB 32 (enacted in 2016) set a new statewide GHG reduction target. More specifically, SB 32 codified a 2030 emissions reduction target that requires CARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030.

EO B-55-18 (September 2018) establishes a new statewide goal “to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter.” This executive order directs CARB to “work with relevant state agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.”

SB 375, passed in 2008, links transportation and land use planning with global warming. It requires CARB to set regional targets for the purpose of reducing GHG emissions from passenger vehicles. Under this law, if regions develop integrated land use, housing, and transportation plans that meet SB 375 targets, new projects in these regions can be relieved of certain review requirements under CEQA. SANDAG has prepared a Sustainable Communities Strategy for its Regional Transportation Plan, which are elements of the San Diego Forward: The Regional Plan. The strategy identifies how regional GHG reduction targets, as established by CARB, would be achieved through development patterns, transportation infrastructure investments, and/or transportation measures or policies that are determined to be feasible.

AB 1279 was passed in 2022 with a goal to achieve net zero greenhouse gas emissions no later than 2045, which is quantified as a reduction of anthropogenic emissions (i.e., emission from human activities) of 85 percent below 1990 levels no later than 2045. CARB adopted the 2022 Scoping Plan to achieve this state target.

The Greenhouse Gas Memorandum prepared for the project by Rincon Consultants, dated May 10, 2023 (Appendix E) presents an analysis of project consistency with applicable goals and policies established in CARB’s 2022 Scoping Plan and SANDAG’s 2021 Regional Plan. The 2022 Scoping Plan expands upon earlier plans to include the AB 1279 targets. The 2022 Scoping Plan Update identifies plans and regulations and strategies that are to be implemented at the State and project level that will reduce GHG emissions consistent with State policies. For example, many of the plans and regulations and strategies identified in the 2022 Scoping Plan call for reducing GHG emissions, achieving carbon neutrality, and electrification of existing and new buildings. The project would be consistent with these strategies because the project would be required to comply with Title 24 energy standards for energy efficiency. Project design features that would result in lower energy use include low-flow plumbing fixtures, and a high-reflectivity cool roof. While the project has a natural gas component, it would contribute its fair share to reducing GHG emissions from building decarbonization, because the project receives energy from SDG&E, which has to comply with state renewable energy portfolio targets, which includes receiving 60 percent renewable energy by 2030 and zero carbon sources by 2045. Furthermore, the three applications of natural gas in this project - providing hot water for the gas station and carwash, as well as powering appliances in the convenience store - have the potential to be easily converted to electric in the future without requiring significant construction activities. The project applicant would provide an irrigation plan for the project site that demonstrates a 40 percent reduction in Maximum Applied Water Allowance (MAWA) for outdoor water use in the proposed landscaped areas. Consistent with the County Landscaping Ordinance, the project would incorporate climate adapted plants that require occasional, little, or no summer water. Project operations and waste management methods would be consistent with the County’s Strategic Plan to Reduce Waste (2017) through the support of commercial

composting programs to reduce organic waste and comply with established waste diversion requirements. Therefore, the project is consistent with the 2022 Scoping Plan. Refer also to Table 1 in the Greenhouse Gas Memorandum prepared for the project by Rincon Consultants (Appendix E) for a full consistency analysis with the strategies and actions in the 2022 Scoping Plan.

The 2022 Scoping Plan also discusses how California encourages local jurisdictions to take ambitious, coordinated climate action at the community scale; action that is consistent with and supportive of the state's climate goals, which explores the role of local government action and CEQA in detail. These local actions are discussed in detail under Appendix D of the 2022 Scoping Plan. Appendix D identifies priority GHG reduction strategies for local governments under the following three priority areas:

- Transportation electrification
- VMT reduction
- Building decarbonization

Table 2 in the Greenhouse Gas Memorandum prepared for the project by Rincon Consultants (Appendix E) provides a full consistency analysis with the priority GHG reduction strategies for local governments in Appendix D of the 2022 Scoping Plan. As described therein, while the majority of the strategies are to be implemented by the County or local transportation agencies, the project would contribute its fair share of GHG reductions in relation to transportation electrification, VMT reduction, and building decarbonization. While the project is planned to satisfy existing vehicle transportation fuel demand, it does have VMT-reducing features to contribute its fair share, such as one vanpool space that would allow a reduction in vehicle miles, that would have the effect of reducing GHG emissions; in addition, the space could be converted into a future EV charging space. In the future as vehicle transportation demands change, a use located in major transportation areas such as a gas station would be likely locations for alternative fuels such as electric charging or hydrogen fuel; in that scenario, the project site would assist the 2021 Regional Plan goal of healthy air and reduced GHG emissions. The project would also be required to comply with Title 24 energy standards for energy efficiency. Project design features that would result in lower energy use include low-flow plumbing fixtures, and a high-reflectivity cool roof. Therefore, the project is consistent with Appendix D of the 2022 Scoping Plan.

SANDAG adopted the 2021 Regional Plan on December 10, 2021, which serves as the Regional Comprehensive Plan (RCP) and Sustainable Communities Strategy (SCS) for the region. The 2021 Regional Plan provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources. The plan is intended to reimagine the San Diego region with a transformative transportation system, a sustainable pattern of growth and development, and innovative demand and management strategies.

One of the main goals of the 2021 Regional Plan is for healthy air and reduced GHG emissions. According to the 2021 Regional Plan, reducing our reliance on the automobile as a primary mode of transportation requires that safe, affordable, and convenient alternatives are available. It also requires that people can access their jobs and other destinations by taking shorter trips. This can be achieved by focusing growth and development in the region's urbanized areas, where there are existing and planned transportation options. The 2021 Regional Plan reduces per

capita GHG emissions from cars and light-duty trucks to 20 percent below 2005 levels by 2035, exceeding the region's state-mandated target of 19 percent.

Many of the strategies to achieve this are statewide or regional initiatives to be implemented by state or regional jurisdictions, and therefore would not apply at the project-level. As the project consists of a gas station and convenience store with a limited number of employees, opportunities to reduce mobile sources of GHG emissions are generally limited. For example, measure that promote use of mass transit would be inherently inappropriate for the project. The project does include one vanpool space that would allow a reduction in vehicle miles, that would have the effect of reducing GHG emissions and creating more healthy air; in addition, the space could be converted into a future EV charging space. In general, a gas station use is inherently not oriented for sustainable transportation uses such as transit and rail. Additionally, the proposed gas station use is planned to satisfy existing vehicle transportation fuel demand. In the future as vehicle transportation demands change, a use located in major transportation areas such as a gas station would be likely locations for alternative fuels such as electric charging or hydrogen fuel; in that scenario, the project site would assist the 2021 Regional Plan goal of healthy air and reduced GHG emissions. While there are plans to phase out fossil fuel vehicles, the demand for gasoline will exist for the foreseeable future; even with California's 2035 mandate for 100 percent of vehicles sold to be electric, there would still be legacy gasoline vehicles or vehicles from out of state that would need gasoline. In addition, while the project currently would not provide EV services, the gas station and convenience store would be located in a convenient location for automobiles, and thus would be an ideal location to add EV services when the market demand and technology for such services reaches a critical mass. Therefore, the project would not conflict with or obstruct implementation of the 2021 Regional Plan.

County Plans, Policies, and Strategies

Through its goals, policies, and land use designations, the County's General Plan aims to reduce Countywide GHG emissions. The project is in accordance with relevant COS (Community Open Space)-14 Sustainable Land Development policies (COS-14.10 Use of low-emission construction vehicles for construction; COS-14.11 Native Vegetation will be replanted with similar genetic vegetative stock at a 3:1 ratio unless otherwise stated). These policies provide direction for individual development projects to reduce GHG emissions and help the County meet its GHG emission reduction targets. Furthermore, the project does not fall within an area where primary opportunities to reduce air quality pollutants and GHG emissions are in effect such as urbanized areas of the County where there are land use patterns that can best support the increased use of transit and pedestrian activities since most GHGs and air pollutants result from mobile source emissions (San Diego County General Plan, Conservation and Open Space Element).

Project design features that would result in reduced GHG emissions include low-flow plumbing fixtures, and a high-reflectivity cool roof. Additional GHG reductions would result from the project's incorporation of Title 24 energy standards. The site plan indicates landscaping along the frontage of Paradise Valley Boulevard and Elkelton Place, as well as minor strips of landscaping along the eastern project site boundary. The project applicant will provide an irrigation plan for the project site that demonstrates a 40 percent reduction in MAWA for outdoor water use in the proposed landscaped areas. Consistent with the County Landscaping

Ordinance, the project would incorporate climate adapted plants that require occasional, little, or no summer water, excluding edible vegetation and areas using recycled water.

All new construction would be required to comply with the energy code in effect at the time of construction, which ensures efficient building construction. Additional measures such as efficient water usage and efficient outdoor lighting would be employed by the project. The project's consistency with the policies discussed above would assist in meeting the County's contribution to GHG emissions reduction targets in California. As such, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Thus, the project would have a less than significant impact.

IX. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: The following technical studies have been prepared for the project:

- Phase I Environmental Site Assessment (ESA) prepared by Rincon Consultants, dated June 27, 2020 (Appendix F).
- Phase II ESA prepared by Rincon Consultants, dated June 4, 2020 (Appendix G).
- Environmental Site Assessment Report prepared by Nicolas Gustafson, County Hazards Specialist, dated January 4, 2021 (Appendix H).

The following responses have incorporated those analyses.

Less than Significant Impact: Project construction would involve the transport of gasoline and other petroleum-based products associated with construction equipment. These materials are considered hazardous as they could cause temporary localized soil and water contamination. Incidents of spills or other localized contamination could occur during refueling, operation of machinery, undetected fluid leaks, or mechanical failure. However, all storage, handling, and disposal of these materials are regulated by California Department of Toxic Substances Control, the USEPA, and the San Miguel Fire Protection District. All construction activities involving the transportation, usage, and disposal of hazardous materials would be subject to all applicable federal, state, and local requirements, which would reduce impacts associated with the use and handling of hazardous materials during construction to less than significant. Operationally, the project would involve the transport, use, and storage of gasoline and diesel fuel. However, the project will not result in a significant hazard to the public or environment because all storage, handling, transport, emission and disposal of hazardous substances will be in full compliance with local, State, and Federal regulations. California Government Code § 65850.2 requires that no final certificate of occupancy or its substantial equivalent be issued unless there is verification that the owner or authorized agent has met, or is meeting, the applicable requirements of the Health and Safety Code, Division 20, Chapter 6.95, Article 2, Section 25500-25520. Therefore,

the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant.

- b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant With Mitigation Incorporated: There is one school within 0.25-mile of the project site, Rancho Elementary School. The project site is located approximately 750 feet from the nearest corner of the school (the grass sports field). However, the project includes the installation of a vapor capture and control system, the Veeder-Root CCVP, to capture and hold excess gasoline vapors in the underground storage tanks and vehicle tanks (when fueling), as required by San Diego APCD Rules 61.3.1, 61.4, and 61.4.1. The CCVP system is a toxics best available control technology feature that would ensure fuel vapors are efficiently captured during vehicle fueling activities. Additionally, the transport and handling of minor amounts of hazardous materials during construction and operation would comply with all applicable federal, state, and local regulations that control hazardous material handling. Further, a Hazardous Materials Business Plan (HMBP) would be required under MM HAZ-1 to protect human health and the environment by providing emergency response personnel and the public information about potential hazardous chemicals being stored at a business, while also ensuring that the business has a plan for emergencies and that their staff has proper training. Therefore, the project will not have a substantial adverse effect on an existing or proposed school.

- c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant With Mitigation Incorporated: The Phase I ESA prepared by Rincon Consultants, dated June 27, 2019, determined that the site was previously used as a storage yard and has been listed on the Historical Underground Storage Tank (HISTUST) and San Diego County Hazardous Materials Management Division Database (HMMDD). Three USTs are known to have been placed on the site and there is no record of their removal. Additionally, properties adjacent to the site have been associated with the release of petroleum hydrocarbons. The Phase I ESA determined that the following recognized environmental conditions apply to the property:

1. Former onsite storage yard with USTs;
2. Former adjacent gasoline service station with USTs and a known release; and
3. Former adjacent, upgradient facility with USTs and a known release.

Given the findings of potential hazardous materials beneath the project site, a Phase II ESA was prepared by Rincon Consultants, dated June 4, 2020. The Phase II ESA determined that the following:

1. Evidence of the presence of USTs was not identified; however, evidence of their removal was also not identified.
2. Soil surveys detected concentrations of total petroleum hydrocarbons (TPH) as diesel (TPH-d) in exceedance of established Environmental Screening Levels (ESLs) and that additional hydrocarbon-impacted soils may be encountered.

In order to remediate TPH-d in the soil, as identified in Phase I and Phase II ESAs, or other contaminated soils discovered during grading or construction, remediation under the supervision of the County Department of Environmental Health (DEH), Site Assessment and Mitigation Program (SAM) would be required under MM HAZ-2. MM HAZ-2 would require that the excavated soil be stockpiled, tested, characterized for disposal, and transported off-site to an appropriate disposal facility. Additionally, MM HAZ-3 would require that the County PDS and DEH be notified if any USTs, septic tanks, wells, site debris, and/or contaminated soils are discovered on-site during grading or construction activities. With implementation of MM HAZ-2 and MM HAZ-3, the project would not create a significant hazard to the public or environment, and no impact would occur.

d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is not located within an Airport Influence Area, Airport Safety Zone, Avigation Easement, Overflight area, or a Federal Aviation Administration Height Notification Surface area. In addition, the proposed convenience store and carwash buildings would be one story. Therefore, the project does not propose construction of any structure which would constitute a safety hazard to aircraft and/or operations from an airport or heliport. The project would not constitute a safety hazard for people residing or working in the project area, and no impact would occur.

e) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

The following sections summarize the project’s consistency with applicable emergency response plans or emergency evacuation plans.

i. SAN DIEGO COUNTY OPERATIONAL AREA EMERGENCY PLAN AND MJHMP:

Less than Significant Impact: The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The MJHMP includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives, and actions for each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. The project would not interfere with either plan because it would not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out. Therefore, impacts would be less than significant.

ii. UNIFIED SAN DIEGO COUNTY EMERGENCY SERVICES ORGANIZATION AREA HAZARDOUS MATERIALS PLAN: OIL SPILL CONTINGENCIES ELEMENT

No Impact: The Oil Spill Contingency Element would not be interfered with because the project is not located along the coastal zone or coastline. Therefore, no impact would occur.

iii. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

No Impact: The Emergency Water Contingencies Annex and Energy Shortage Response Plan would not be interfered with because the project does not include the alteration of a major water or energy supply infrastructure, such as the California Aqueduct. Therefore, no impact would occur.

v. DAM EVACUATION PLAN

No Impacts: The Dam Evacuation Plan would not be interfered with because the project site is not located within the dam inundation zone for the Sweetwater dam (or any other dam) (California Department of Water Resources [DWR] Division of Safety of Dams 2023). In addition, no sensitive receptors, such as a hospital, day-care facility, school, etc., are proposed as part of

the project. Because the project would be located outside the Dam Inundation Zone, no impacts would occur.

f) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project is not located within the Wildland-Urban Interface Zone or a very high fire hazard severity zone (FHSZ). As such, the project is not required to prepare a Fire Protection Plan (FPP). The Building Plan for the project is required to be reviewed and approved by the County Fire Authority and as such, would comply with regulations relating to emergency access, water supply, and defensible space specified in the County Fire Code and Consolidated Fire Code (see Section XX, Wildfire). Based on review of the project by County staff, and through compliance with the County Fire Code and Consolidated Fire Code, impacts would be less than significant.

g) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident’s exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash in the unincorporated community of Spring Valley. No activities or uses are proposed that would allow water to stand for a period of 72 hours (3 days) or more (e.g., artificial lakes, agricultural irrigation ponds). Therefore, the project would not substantially increase current or future resident’s exposure to vectors, including mosquitoes, rats, or flies.

Mitigation Measures

HAZ-1:

HAZARDOUS MATERIALS BUSINESS PLAN (HMBP)

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

(contacts), Hazardous Materials Inventory & Site Map, and Emergency Response and Training Plan. The HMBP must be submitted online in the California Environmental Reporting System, and reviewed and approved by the Hazardous Materials Division (HMD) of the Department of Environmental Health (DEH) and a Unified Program Facility Permit (UPFP) will be issued to comply with California Health & Safety Code Ch 6.95, California Code of Regulations Title 19, and the San Diego County Code. **DOCUMENTATION:** The applicant shall begin by filling out a hazardous materials questionnaire in the local online portal. Once reviewed, HMD will provide the applicant with a stamped form that will let them know if the HMBP is required, or if they're exempt from that requirement. The stamped questionnaire serves as evidence from the county of San Diego, Department of Environmental Health, Hazardous Materials Division (DEH, HMD) to state that the appropriate DEH, State and/or Federal permits are being pursued or that a Unified Program Facility Permit is not required. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the HMBP shall be prepared, submitted in CERS, and implemented. **MONITORING:** [DEH, HMD] shall verify and approve the HMBP for compliance with this condition and the business will need to annually certify this plan as well as comply with any other requirements that are part of the Unified Program. **CONTACT:** Email HazmatPlanCheck@sdcounty.ca.gov for more information or to inquire about the plan check process.

HAZ-2:**SOIL TESTING AND REMEDIATION [PDS, FEE X 2]**

INTENT: In order to remediate impacts associate with petroleum hydrocarbons in the soil, as identified in Phase I and Phase II Environmental Site Assessments (ESAs) prepared by Rincon and Associates, dated June 27, 2019 and June 4, 2020, or other contaminated soils discovered during grading or construction, remediation under the supervision of the Department of Environmental Health (DEH), [Site Assessment and Mitigation Program \(SAM\)](#) is required. The excavated soil should be stockpiled, tested, characterized for disposal and transported off-site to an appropriate disposal facility. **DESCRIPTION OF REQUIREMENT:** For soil testing, a signed, stamped addendum to the Phase II ESA shall be prepared by a Registered Engineer or Professional Geologist. The addendum shall include the following information or as modified by DEH:

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

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

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

DOCUMENTATION: The applicant shall contract with a California Licensed Environmental Consultant to prepare the SMP and implement any required work plan for soil remediation. The applicant shall also enroll in the VAP or UST Cleanup Program and pay all applicable fees for review and completion of this requirement. Upon completion of the VAP or UST Cleanup Program, a "Closure Letter" from [DEH, SAM or the RWQCB] shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to approval of any grading and/or improvement plans, the applicant shall comply with this condition. **MONITORING:** The [DEH, SAM or RWQCB] shall oversee the progress of the remediation project. Upon Completion of the remediation project the [DEH, SAM or the RWQCB] shall issue a "Closure Letter" to the applicant. The [PDS, PPD] shall review the closure letter for compliance with this condition.

HAZ-3:**PLAN CONDITIONS NOTES [DPW, ESU] [PDS, BD] [DPR TC, PP] [GP, IP, MA]**

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

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

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

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

X. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: The following technical studies have been prepared for the project:

- PDP – SWQMP prepared by Howes Weiler Landy, dated December 19, 2022 (Appendix I).
- Preliminary Drainage Report prepared by Howes Weiler Landy, dated February 2023 (Appendix J).

The following responses have incorporated the analyses from these studies.

Less than Significant Impact: The proposed project is required to obtain a NPDES General Permit for Discharges of Storm Water Associated with Construction Activities. Minimum required construction BMPs would include vegetation stabilization planting, fiber rolls (straw wattles), stabilized construction entrance, materials management, and waste management. In addition, a Standard SWQMP dated December 19, 2022 has been prepared. The project proposes and would be required to implement the following site design measures and/or source control BMPs and/or permanent post-construction pollutant and hydromodification control BMPs to reduce potential pollutants to the maximum extent practicable from entering stormwater runoff: vegetation stabilization planting on disturbed slopes, bonded or stabilized fiber matrix, energy dissipater outlet protection for water velocity control, silt fencing, gravel and sand bags, storm

drain inlet protection, stabilized construction entrance, and measures to control materials management (including spill prevention and control) and waste management.

The project would be consistent with requirements of the County of San Diego BMP Design Manual, which is a design manual for compliance with local County of San Diego Watershed Protection Ordinance (Sections 67.801 et seq.) and regional Municipal Separate Storm Sewer System (MS4) Permit (Regional Water Quality Control Board [RWQCB], San Diego Region Order No. R9-2013-0001 as amended by R9-2015-0001 and R9-2015-0100) requirements for stormwater management.

Additionally, the PDP-SWQMP prepared for the project includes several long-term operational BMPs that would prevent degradation of surface or groundwater quality (e.g., prohibiting discharges to the storm drains, maintaining landscaping using minimal-to-no pesticides, sweeping paved areas regularly, etc.).

Given that the project would incrementally increase the area of impervious surfaces onsite, and includes long-term operational BMPs, the project would have less than significant impacts on water quality standards and discharge requirements, as well as degradation of surface and groundwater quality in general.

b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is located within the La Nacion 909.12 Hydrologic Area of the Sweetwater Hydrologic Unit in the San Diego Region. The nearest impaired waterbody as listed on the Clean Water Act Section 303(d) list are the Sweetwater Reservoir and Lower Sweetwater River, approximately 0.6 mile southeast of the project site. According to the Preliminary Drainage Report prepared for the project by Howes Weiler Landy, dated February 2023 (Appendix J), drainage from the project site is tributary to the Sweetwater Reservoir and Lower Sweetwater River. Specifically, flow leaves the site as sheet flow and enter an existing concrete swale, which runs parallel to the easterly property line, once flows enter the concrete swale they are collected by an underground storm drain system which conveys flow under SR-125 ultimately discharging in a creek located on the east side of SR-125, which flows in a south westerly direction and ultimately connecting to the Sweetwater river, approximately 0.25 miles west of the Sweetwater Reservoir. An existing curb inlet is located approximately 15 feet south of the existing driveway on Paradise Valley Road, flows are capture and immediately conveyed underground and routed to the same creek located on the east side of SR-125.

The Standard SWQMP prepared for the project includes design measures and source control BMPs such that potential pollutants would be reduced to the maximum extent practicable so as not to increase the level of pollutants in receiving waters and reduce impacts on stormwater

quality and hydromodification to less than significant levels during construction (e.g., vegetation stabilization planting, fiber rolls (straw wattles), stabilized construction entrance, materials and waste management, permeable surfaces, and biofiltration basins). The BMPs are consistent with the regional surface water and stormwater planning and permitting process that has been established to improve the overall water quality in County watersheds. As a result, the project would not contribute to a cumulative impact to an already impaired water body, as listed on the Clean Water Act Section 303(d). Regional surface water and stormwater permitting regulation for County of San Diego includes the following: RWQCB, San Diego Region Order No. R9-2013-0001 as amended by R9-2015-0001 and R9-2015-0100, San Diego Watershed Protection Ordinance (Sections 67.801 et seq.), and the County of San Diego BMP Design Manual. The stated purposes of these ordinances are to protect the health, safety, and general welfare of the County of San Diego residents; to protect water resources and to improve water quality; to ensure the use of management practices by the County and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state; to secure benefits from the use of stormwater as a resource; and to ensure the County is compliant with applicable state and federal laws. The Watershed Protection Ordinance has discharge prohibitions and requirements that vary depending on type of land use activity and location in the County. The project would be subject to the Watershed Protection Ordinance, which would require the preparation of a Stormwater Management Plan that details the project's pollutant discharge contribution to a given watershed and proposes BMPs or design measures to mitigate any impacts that may occur in the watershed.

Additionally, the PDP-SWQMP prepared for the project includes several long-term operational BMPs that would prevent degradation of surface or groundwater quality (e.g., prohibiting discharges to the storm drains, maintaining landscaping using minimal-to-no pesticides, dry sweeping the fueling area routinely, etc.). Therefore, construction and operational impacts to an impaired water body would be less than significant.

c) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The RWQCB has designated water quality objectives for waters of the San Diego Region to protect the existing and potential beneficial uses of each hydrologic unit. The project lies in the La Nacion 909.12 Hydrologic Area of the Sweetwater Hydrologic Unit that has the following existing beneficial uses for groundwater: industrial service supply, contact water recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat.

Potential sources of polluted runoff resulting from the project are discussed in the Standard SWQMP prepared for the project. The following site design measures and/or source control BMPs and/or permanent post construction pollutant and hydromodification control BMPs would be employed to reduce potential pollutants in runoff to the maximum extent practicable, such that the project would not cause or contribute to an exceedance of applicable surface or

groundwater receiving water quality objectives or degradation of beneficial uses: industrial service supply, contact water recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat.

In addition, the proposed BMPs are consistent with regional surface water, stormwater and groundwater planning and permitting process that has been established to improve the overall water quality in County watersheds. As a result, the project would not contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses. Refer to Section X(b), for more information on regional surface water and stormwater planning and permitting process.

d) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash. Limited water will be required during the construction phase for dust control and suppression and would be obtained from the Otay Water District. No groundwater would be used for any purposes during construction or operation phases of the project. In addition, the project would result in an incremental increase in impervious surfaces, which would not interfere with regional groundwater recharge, and would include landscaping bordering the paved surfaces which would allow for infiltration. The project would not involve regional diversion of water to another groundwater basin, or diversion or channelization of a stream course or waterway with impervious layers, such as concrete lining or culverts, for substantial distances (e.g., 0.25-mile). Therefore, impacts would be less than significant.

e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surface, in a manner which would:

(i) result in substantial erosion or siltration on- or offsite;

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project proposes to create new impervious surfaces consistent with a gas station, convenience store, and carwash, including rooftops, driveways, a gas station canopy, and parking areas. The project would include grading activities to level out

areas for new improvements, and the drainage patterns would be adjusted to allow for surface flows to be collected at the project site driveway on Paradise Valley Road via a trench drain. The project proposes installation of storm drain structures that would convey flows to the same pre-development discharge point. All runoff would sheet flow in a northerly direction and would be collected by a trench drain located along the project site driveway. Flows would then be conveyed via an 8-inch HDPE storm drain system to proposed bio-filtration facilities that would improve water quality and will help avoid flooding off-site by attenuating velocities and reducing peak flows. Treated flows would then be conveyed via a 12-inch PVC storm drain to a pump structure which would ultimately discharge flows through an onsite curb outlet located in a landscape area south of the parking stalls. Flows would eventually leave the site as surface flows before entering an existing Caltrans concrete ditch which is parallel to the southernly property line. These flows would ultimately comingle with the creek flows located on the east side of SR-125, and be directed to the Sweetwater River

The project would implement construction and operational BMPs to protect water quality as established in the PDP-SWQMP prepared for the project and described above in Section X(a). Several of these BMPs are intended to reduce erosion and siltation to the maximum extent feasible. In addition, as shown in Table 3 of the Preliminary Drainage Report prepared for the project by Howes Weiler Landy, dated February 2023 (Appendix J), the 100-year peak flow from the project site would be reduced from 0.98 cubic feet per second (cfs) to 1.03 cfs following development of the site. First flush runoff from the site would be treated in biofiltration basins. Drainage patterns and basin areas would not be substantially altered by the project as shown in Table 3 of the Preliminary Drainage Report. Therefore, the Project would not result in substantial erosion or siltation on- or offsite and impacts would be less than significant.

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Please refer to Section X(e)(i). The proposed Project would not significantly alter established drainage patterns or significantly increase the amount of runoff. As shown in Table 3 of the Preliminary Drainage Report prepared for the project by Howes Weiler Landy, dated February 2023 (Appendix J), the 100-year peak flow from the project site would be reduced from 0.98 cfs to 1.03 cfs following development of the site, and drainage patterns and basin areas would not be substantially altered. The project would result in an incremental increase in impervious surfaces and would include landscaping bordering the paved surfaces which would allow for infiltration. Given that the project site is only 0.5 acre and a portion of the project site would consist of pervious surfaces, the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. Impacts would be less than significant.

(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The Project would implement construction and operational BMPs to protect water quality as established in the PDP-SWQMP prepared for the Project and described above in Section X(a) and would have a less than significant impact with regard to substantial additional sources of polluted runoff. As described in Section X(e)(i) above, the project would not significantly alter established drainage patterns and would actually reduce the amount of runoff from the project site (i.e., the 100-year peak flow from the project site would be reduced from 0.98 cfs to 1.03 cfs in the developed condition). Therefore, the Project would have a less than significant impact with respect to creating or contributing runoff water that would exceed the capacity of existing or planned stormwater drainage system.

(iv) impede or redirect flood flows?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Please see Section X(e)(i) through (iii). The Preliminary Drainage Report prepared for the project by Howes Weiler Landy, dated February 2023 (Appendix J) demonstrates that the project would not impede or redirect flood flows. Therefore, the project would not impede or redirect flows. Impacts would be less than significant.

f) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project site is not located within a Dam Inundation Zone. The project site is also not located within Federal Emergency Management Agency (FEMA), County Floodplain, or County Floodway flood zones, or located within a tsunami or seiche inundation zone. Therefore, impacts would be less than significant.

g) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site would be in compliance with the San Diego Basin Water Quality Control Plan and is not located within a County Sustainable Groundwater Management Act or Groundwater Sustainability Plan basin area. See Section X(a) through (d). Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

XI. LAND USE AND PLANNING -- Would the project:

a) Physically divide an established community?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash in the unincorporated community of Spring Valley. The project does not propose the introduction of new major infrastructure that would physically divide an established community such as roadways, water supply systems, or utilities to the area. In addition, no new development is proposed that would have the potential to physically divide an established community. Therefore, the project is consistent with the use regulations in place and would not significantly disrupt or physically divide an established community. No impact would be occur.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash, which is consistent with the Industrial land use and zoning designations for the project site. The project does not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, impacts would be less than significant.

XII. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is not classified by the California Department of Conservation – Division of Mines and Geology as an area of “Potential Mineral Resource Significance.” The project site is surrounded by developed residential land uses which would be incompatible with future extraction of mineral resources on the project site. A future mining operation at the project site would create a significant impact to neighboring properties for issues such as noise, air quality, traffic, and possibly other impacts. Additionally, the project site is less than one acre in size. Therefore, implementation of the project would not result in the loss of availability of a known mineral resource that would be of value since the mineral resource extraction would not occur at the site due to incompatible land uses.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site is not located in a Mineral Resource Zone, nor is it located within 1,300 feet of such lands. Therefore, the project would not result in the loss of availability of locally important mineral resource(s). Therefore, no potentially significant loss of availability of a locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan, or other land use plan would occur as a result of this project.

XIII. NOISE -- Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: The following technical studies have been prepared for the project:

- Noise Report prepared by Rincon Consultants, dated June 2020 (Appendix K).

- Noise Conditions and Comments prepared by Souphalak Sakdarak, County Environmental Planner, dated August 8, 2023 (Appendix L). Ordinance Compliance Checklist

The following responses have incorporated those analyses.

Less than Significant With Mitigation Incorporated: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash on a 0.5-acre lot. The project also includes off-site road improvements on Paradise Valley Road.

The project would be consistent with the County of San Diego General Plan, Noise Ordinance, and other applicable noise standards with implementation of MM NOI-1:

General Plan – Noise Element

The County of San Diego General Plan, Noise Element, Tables N-1 and N-2 addresses noise sensitive areas and requires an acoustical study to be prepared for any use that may expose noise sensitive areas to noise in excess of a Community Noise Equivalent Level (CNEL) of 60 A-weighted decibels (dBA). Moreover, if the project is in excess of 60 dBA Community Noise Equivalent Level (CNEL) or 65 dBA CNEL, modifications must be made to the project to reduce noise levels. Noise sensitive areas include residences, hospitals, schools, libraries, or similar facilities as mentioned within Tables N-1 and N-2. Noise sensitive land uses (residences as close as approximately 110 feet to the north and west across Paradise Valley Road) exist in proximity to the project site.

The project site as well as surrounding adjacent parcels to the east, south, and southwest are zoned Limited and General Impact Industrial (M52 & M54, respectively), which are subject to the noise levels of 70 dBA anytime. The adjacent parcels to the northwest are zoned Single-Family Residential (RS), which is subject to the arithmetic mean noise level limits of 60 dBA daytime and 57.5 dBA nighttime.

In accordance with the County's commercial/retail land use category noise compatibility guidelines, a significant impact from traffic noise would occur to on-site project uses if exterior noise levels exceed 65 CNEL at an exterior use area and if interior noise levels exceed 50 CNEL. On-site noise would be primarily from traffic noise. Because the proposed project entails a gas station and carwash use, the project would not have exterior use areas provided for usable open space (e.g., park, balcony, patio, etc.), and therefore the project would not conflict with the County land use compatibility standards for exterior noise for a commercial/retail use. On-site noise levels from traffic at the project's interior areas would be 46 dBA equivalent noise level (L_{eq}), and would be within County land use compatibility standards for a commercial/retail use of 50 dBA Leq. Impacts would be less than significant.

In accordance with the County of San Diego's single-family residential land use category noise compatibility guidelines, a significant impact to off-site single-family residences from project-generated traffic noise would occur if residences are exposed to noise levels in excess of 60 CNEL for single-family residential uses or an increase of 10 CNEL or more over existing noise levels. If existing conditions approach or exceed County of San Diego standards, a direct impact to off-site uses would occur if the project more than doubles (i.e., increases by more than 3

CNEL) the existing noise level. The project would increase traffic by 893 ADT on Paradise Valley Road, which has an existing ADT of 24,104 and borders the single-family residences closest to the project site. Based on the project's 4-percent increase in traffic on Paradise Valley Road, the project's increase in off-site traffic noise levels would be imperceptible to the human ear and would not exceed the County of San Diego standard for allowable traffic noise increases; therefore, impacts would be less than significant.

Combined on-site operational noises from the automated carwash and Heating Ventilating Air Conditioning (HVAC) units would generate noise levels up to 57 dBA L_{eq} at the nearest single-family residential zone. Because the project site is in an industrial zone, the applicable nighttime noise limit would be the arithmetic mean between the noise limit for a residential zone and industrial zone, which is 57.5 dBA L_{eq} ; therefore, the project would not exceed the County of San Diego's daytime and nighttime noise standards at nearby single-family residences. Impacts would be less than significant.

Noise Ordinance

The project is also subject to the County Noise Ordinance which regulates temporary construction noise associated with the project, Sections 36.408 and 36.409. Section 36.409 of the County Noise Ordinance states that construction noise shall not exceed 75 dBA at the property line during an 8-hour period between 7 a.m. to 7 p.m. It is unlawful to operate construction equipment between 7 p.m. and 7 a.m. and no work shall be done on Sundays and Holidays, per Section 36.408.

The project proposes approximately 550 CY of earthwork and would not include pile driving or explosive blasting. Construction equipment associated with the proposed grading would include dozers, excavators, and loaders. The Noise Report evaluated the construction noise based on a conservative scenario by assuming that the loader and dozer would operate simultaneously at the edge of the project site's property line closest to nearby residential sensitive receptors (110 feet away). At that distance, if the loader and dozer were to operate simultaneously, associated noise levels would be 73 dBA L_{eq} and 75 L_{max} (i.e., highest root mean squared [RMS] sound pressure level). Therefore, the noise levels from these activities will not exceed an average sound level of 75 dBA for an 8-hour period. In addition, the project would be conditioned with "Good Practice Measures," to ensure compliance with the Noise Ordinance, Sections 36.408 and 36.409. Based on the results of the Noise Report, the noise levels generated from proposed construction activities are not anticipated to exceed the standards established in the County Noise Ordinance and therefore, would comply with the County Noise Ordinance, Sections 36.408 and 36.409.

Off-site construction activities would occur for the proposed concrete median on Paradise Valley Road, approximately 60 feet from the single-family residences to the west. The Noise Report determined that, at that distance, the concrete saw would generate a noise level of 81.0 dBA L_{eq} which exceeds the Noise Ordinance threshold of 75 dBA L_{eq} (8-hour). To mitigate the noise levels from off-site construction in compliance with the San Diego County the 75 dBA L_{eq} (8-hour) noise threshold, the project would incorporate MM NOI-1 as a condition of approval. MM NOI-1 contains several measures that may be implemented to reduce concrete saw noise impacts, such as by limiting the use of the concrete saw for no longer than 25 percent of an hour; temporary installation of a noise barrier to break the line of sight between occupied properties

and concrete saw; and/or placement of noise reduction enclosures in lieu of a barrier. Implementation of MM NOI-1 would ensure off-site construction noise impacts from use of a concrete saw would comply with the 75 dBA L_{eq} (8-hour) noise threshold, as a noise barrier or enclosure would reduce noise levels by approximately 9 dBA to 72 dBA L_{eq} (8-hour) or restricting concrete saw operation to 25 percent of an hour would result in a noise level of 75 dBA L_{eq} . Therefore, off-site construction noise impacts would be less than significant with mitigation.

The project's conformance to the County of San Diego General Plan and County of San Diego Noise Ordinance ensures the project will not create cumulatively considerable noise impacts, because the project will not exceed the local noise standards for noise sensitive areas; and the project will not exceed the applicable noise level limits at the property line or construction noise limits, derived from state regulation to address human health and quality of life concerns. Therefore, the project will not contribute to a cumulatively considerable exposure of persons or generation of noise levels in excess of standards established in the local general plan, noise ordinance, and applicable standards of other agencies.

b) Generation of excessive groundborne vibration or groundborne noise levels?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Operation of the proposed project would not include any substantial groundborne vibration or groundborne noise sources. Thus, construction activities have the greatest potential to generate ground-borne vibration affecting nearby receivers, especially during grading and excavation of the project site. The greatest vibratory source during construction would be a vibratory roller used during paving. Neither blasting nor pile driving would be required for construction of the proposed project. Construction vibration estimates are based on vibration levels reported by Caltrans and the FTA (Caltrans 2013, Federal Transit Administration 2018). The "Occasional Events" threshold of 0.010 inches per second RMS velocity is used since project construction would not require the use of impact devices or blasting activities, and groundborne vibration would be primarily generated by typical construction equipment that would be mobile and would not operate continuously at a single distance. The noise analysis assesses the potential for vibration generated by a large bulldozer, which would generate the highest levels of vibration of all the construction equipment on-site and is therefore most likely to be felt at nearby residences. The analysis also assumes the shortest distance from the property line of the project site to the nearest residential property line (110 feet) for a conservative analysis.

According to the Caltrans *Transportation and Construction Guidance Manual*, a large bulldozer generates a peak vibratory wave of 0.022 inches per second RMS velocity at a distance of 25 feet (Caltrans 2013). Damping occurs in the vibratory waves as they propagate through the soil, resulting in a reduced vibration velocity being felt at further distances. The estimated vibration velocity that would be experienced at the nearest residence, a distance of 110 feet, would be 0.004 inches per second RMS. The 0.010 inches per second RMS contour would lie 50 feet

away from where the bulldozer is operating, which is less than the distance from the property line of the project site to the nearest residential property line. Therefore, groundborne vibration generated from construction activities would have a less than significant impact to the nearby residences.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

No Impact: The project is not located within an Airport Influence Area, Airport Safety Zone, Avigation Easement, Overflight area, or a Federal Aviation Administration Height Notification Surface area. The closest airports are the John Nichol’s Field Airport, 8 miles to the southeast, and the Agua Caliente Airport, 9 miles to the northeast. Therefore, no impact would occur.

Mitigation Measures

NOI-1:

NOISE#1–TEMPORARY NOISE IMPACTS

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

- a. Option 1: Reduce the usage of the concrete saw to not be longer than 25 percent of an hour or approximately 15 minutes per hour and supply a statement and must be included in the grading plan. **OR**
- b. A temporary noise attenuation barrier shall be placed along Paradise Valley Road to break the line of sight between the occupied properties and concrete saw. The barrier shall be designed and placed to reduce construction noise that potentially will effect the adjacent residential use located 60 feet to the west of that roadway. The barrier shall be maintained for the duration of the construction activities that will create noise greater than 75 dB at the property line indicated above. The attenuation barrier shall comply with following requirements:

- i. The temporary construction noise barrier shall be 8-foot high with a minimum surface density of two pounds per square foot, consisting of masonry, wood, berm, plastic, fiberglass, steel or a combination of these material with no cracks or gaps through or below the wall. If wood is used, temporary barrier design shall be with a minimum thickness of 5/8-inch plywood, 5/8-inch oriented strand board, and hay bales.
- ii. Alternately, where placement of noise reduction enclosures are feasible, they may be used in lieu of a barrier. The enclosure shall be a minimum 10 feet wide by 10 feet long and of eight-foot height to block the line of sight from the pile head to the nearest residence and shall move along with the saw. A typical noise reduction enclosure frame shall be constructed of steel tubing and sound blankets. The sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70. The sound blankets shall be of sufficient length to extend from the top of the frame and drape on the ground or be sealed at the ground. The sound blankets shall have grommets along the top edge with exterior grade hooks, and loop fasteners along the vertical edges with overlapping seams, with a minimum overlap of 2 inches.

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

XIV. POPULATION AND HOUSING -- Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash in a primarily residential neighborhood. The project would not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population

growth in an area including, but not limited to the following: new or extended infrastructure or public facilities; new commercial or industrial facilities; large scale residential development; accelerated conversion of homes to commercial or multi-family use; or regulatory changes including General Plan amendments, specific plan amendments, zone reclassifications, sewer or water annexations; or San Diego County Local Agency Formation Commission (LAFCO) annexation actions. According to demographic and socioeconomic estimates provided by the SANDAG Data Surfer database, unincorporated San Diego County is forecast to increase the number of civilian jobs by 41 percent between 2012 (116,268 jobs) to 2050 (163,933 jobs; SANDAG 2013). The project is anticipated to provide a total of ten new employment opportunities and these positions are expected to be filled by those in the Spring Valley and neighboring communities. Project employment opportunities would account for 0.02 percent of the job growth forecast by SANDAG for the unincorporated County. Therefore, impacts would be less than significant.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project would not displace any existing people or housing because the project would not demolish any habitable structures and would be limited to construction and operation of a gasoline service station, convenience store, and carwash. Therefore, no impact would occur.

XV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for any of the public services:

- i. Fire protection?
- ii. Police protection?
- iii. Schools?
- iv. Parks?
- v. Other public facilities?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash in a primarily residential neighborhood. The project would not result in the need for significantly altered public services or facilities including, but not limited to, fire protection facilities, sheriff facilities, schools, or parks in order to maintain acceptable service ratios, response times, or other performance service ratios or objectives for any public services. Therefore, the project would not have an adverse physical effect on the environment because the project does not require new or significantly altered services or facilities to be constructed. Impacts would be less than significant.

XVI. RECREATION

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash in a primarily residential neighborhood. The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, no impact to recreational facilities would occur from the project.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impacts would occur from the project.

XVII. TRANSPORTATION -- Would the project:

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: The following technical studies have been prepared for the project:

- Traffic Study prepared by Urban Systems Associates, Inc., dated May 2, 2023 (Appendix M).
- Parking Evaluation prepared by Urban Systems Associates, Inc., dated May 2, 2023 (Appendix N).

The following responses have incorporated the analyses from these studies.

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash. The project would not have a direct impact related to a conflict with any plans, ordinances, or policies addressing the circulation system. Project trips, or average daily trips (ADTs), associated with construction is estimated to include between 5 and 20 ADT for workers. Given that construction worker trips would be temporary and would be dispersed along different routes based on the origin of the trips, construction worker commuting is not expected to have a significant effect on the capacity of the transportation system.

Operationally, the project is calculated to generate a net increase of 893 primary average daily trips (ADT) with 71 AM (36 In / 36 Out) peak hour trips and 80 PM (40 In / 40 Out) peak hour trips. The project would not generate substantial vehicle trips to the project site (see Section XVII[b] below). The project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including public transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and public transit. In addition, the project would include an off-site improvement to install a concrete-filled traffic median with a 6-inch-high curb located on the portion of Paradise Valley Road north of Elkelton Boulevard to the intersection of Paradise Valley Road and the SR-125 on-ramp. Implementation of the proposed concrete median would not interfere with the provision of public transit, bicycle, or pedestrian facilities, nor would it generate sufficient travel demand to increase demand for transit, pedestrian, or bicycle facilities. Therefore, the project would not conflict with policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

b) Would the project conflict or be consistent with CEQA Guidelines section 15064.3, subdivision (b)?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: Per CEQA Guidelines Section 15064.3, *Determining the Significance of Transportation Impacts*, land use projects should be evaluated based on vehicle miles traveled (VMT). In accordance with the County’s Draft 2022 Transportation Study Guidelines, the requirements to prepare a detailed transportation VMT analysis apply to all land development projects, except those that meet at least one of the screening criteria. A project that meets at least one of the screening criteria below would have a less than significant VMT impact due to project characteristics and/or location:

1. Projects Located in a VMT Efficient Area
2. Projects located in Infill Village Area (in Transit Opportunity Areas and Outside of High/Very High Fire Severity Areas)
3. Small Residential and Employment Projects
4. Locally Serving Retail Projects
5. Locally Serving Public Facilities
6. Redevelopment Projects with Lower Total VMT
7. Affordable Housing

The project meets the screening criterion 4 (Locally Serving Retail Projects), as described in further detail below.

Less than Significant Impact: CEQA Section 15064.3, *Determining the Significance of Transportation Impacts*, states that for many projects, a qualitative analysis of construction traffic may be appropriate. Since construction traffic is temporary and workers are either travelling to the project jobsite or another jobsite elsewhere, the impact on VMT is considered less than significant.

The project would develop a gasoline service station with a 2,318-sf canopy, a 4,713-sf convenience store, and an 855-sf fully automated, enclosed carwash. Pursuant to the County’s adopted Transportation Study Guidelines, the project meets the CEQA VMT screening criteria for locally serving retail projects that are less than 50,000 sf and will not result in a significant VMT impact. According to the SANDAG *Not So Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, gas stations with convenience stores generate only 21 percent of their total ADT as primary trips with the remaining trips being related to diverted or pass-by trips. The diverted or pass-by trips are typically generated by uses within the existing community. The nature of the use is intended to serve density in existing travel patterns associated with developed communities. The project requires a minimal number of employees to operate the use and their commutes will occur outside of typical commute hours. To the extent feasible, the project would encourage alternative transportation and carpooling programs for employees of the proposed use. Therefore, the project would result in less than significant impacts related to consistency with CEQA Guidelines section 15064.3, subdivision (b).

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project would not substantially increase driving hazards due to a geometric design feature or incompatible uses. The project would develop a gasoline service station, convenience store, and fully automated, enclosed carwash. Additionally, the project would include an off-site improvement to install a concrete-filled traffic median with a 6-inch-high curb located on the portion of Paradise Valley Road north of Elkerton Boulevard to the intersection of Paradise Valley Road and the SR-125 on-ramp. The proposed concrete median would not substantially increase hazards due to a geometric design feature or incompatible uses. Impacts would be less than significant.

d) Result in inadequate emergency access?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project would not generate traffic volumes that would impede emergency access. The County Fire Authority has reviewed the proposed plans and are required to comply with the County’s emergency access requirements per the San Diego County Fire Code and Consolidated Fire Code, including turning radius and maneuverability of large emergency vehicles such as fire trucks and ambulances. Therefore, the project would not result in inadequate emergency access, and impacts would be less than significant.

XVIII. TRIBAL CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code §21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of Historical Resources as defined in Public Resources Code §5020.1(k), or

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.

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- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: A record search request of the Sacred Lands File (SLF) held by the Native American Heritage Commission (NAHC) was made on May 24, 2019. The NAHC responded on June 10, 2019 that the record search of the Sacred Lands File was negative. The NAHC provided a list of 19 Native American individuals and organizations which may have additional information on the project area. Red Tail contacted the Native American groups and individuals provided by the NAHC, on June 11, 2019, to further investigate whether they have knowledge of Sacred Lands occurring within the project area. On June 12, 2019 Clint Linton, Director of Cultural Resources, Lipay Nation of Santa Ysabel, responded that he has no comments or concerns related to the project. On June 27, 2019, Ray Teran, Resources Management, Viejas Band of Kumeyaay Indians responded that the project site has cultural significance or ties to Viejas and they request a Kumeyaay Cultural Monitor to be on site during ground disturbing activities. As of August 22, 2019, no additional responses have been received (Appendix D).

Less than Significant Impact: Pursuant to AB 52, consultation was initiated with culturally affiliated tribes. The Viejas Band of Kumeyaay Indians requested a Kumeyaay Cultural Monitor to be on site during ground disturbing activities due to the cultural significance of the project site and ties to Viejas. No other tribes requested consultation.

Additionally, the Cultural Resources Report reported no archaeological resources or indications of potential subsurface cultural resources during the field survey. The Cultural Resources Report further determined that the project site has been extensively modified from SR-125 freeway off-ramp construction. The substantial previous ground disturbance suggests that subsurface contexts that promote the preservation of cultural resources are unlikely to exist within the project area. Due to the lack of identified archaeological deposits, negative Sacred Lands File record search, and the probable lack of conducive subsurface environments, the Cultural Resources Report did not recommend cultural resource monitoring during ground disturbing activities or additional archaeological work.

Nevertheless, a Kumeyaay Cultural Monitor would be on site during ground disturbing activities as requested by the Viejas Band of Kumeyaay Indians. Therefore the project would not result in a significant impact related to tribal cultural resources.

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash. The project is served by the Otay Water District and no new or expanded water or wastewater facilities are required for the project. Therefore, because the project would not require the construction of new or expanded facilities that could cause significant environmental effects, less than significant impacts would occur.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is served by the Otay Water District. Minimal water would be required during project construction for dust control and suppression. The industrial use type is integrated into the Otay Water District’s current and future water projections. Therefore, the project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.

- c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash. As such, the project would be served by the e City of San Diego’s Point Loma Wastewater Treatment Plant for wastewater treatment. The Point Loma Wastewater Treatment Plant currently has wastewater treatment capacity of 240 million gallons per day (gpd) and currently only treats 175 million gpd (City of San Diego 2023). Therefore, the Point Loma Wastewater Treatment Plant has capacity to serve the project, and the project would not interfere with any wastewater treatment providers service capacity. Impacts would be less than significant.

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

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- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash, which would result in limited long-term operational solid waste generation. There are five, permitted active landfills in San Diego County with remaining capacity, including Borrego Landfill (111,504 cubic yards [cy] remaining capacity), Otay Landfill (21,194,008 cy remaining capacity), West Miramar Sanitary Landfill (11,080,871 cy remaining capacity), Sycamore Landfill (113,972,637 cy remaining capacity), San Onofre Landfill (1,057,605 cy remaining capacity), and Las Pulgas Landfill (9,503,985 cy remaining capacity). Therefore, there is sufficient existing permitted solid waste capacity to accommodate the project’s solid waste disposal needs and the project would not impair the attainment of solid waste reduction goals, and impacts would be less than significant.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project includes development of a gasoline service station, convenience store, and fully automated, enclosed carwash, which would result in limited long-term operational solid waste generation. All solid waste facilities, including landfills, require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency, issues solid waste facility permits with concurrence from CalRecycle under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). The County requires recycling of 90 percent of inerts and 70 percent of all other materials from construction projects, per County Ordinance Section 68.508 through 68.518 (Diversion of Construction and Demolition Materials from Landfill Disposal). The project would be in compliance with County ordinances upon submission of a Construction and Demolition Debris Management Plan prior to the issuance of a building permit. Project operations and waste management methods would be consistent with the County’s Strategic Plan to Reduce Waste (2017) through the support of commercial composting programs to reduce organic waste and comply with established waste diversion requirements. The project would deposit all solid waste at a permitted solid waste facility, and therefore, would comply with federal, state, and local statutes and regulations related to solid waste.

XX. WILDFIRE -- If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation: The project site is not located within a high or very high FHSZ; therefore, the project is not required to prepare a FPP.

Less than Significant Impact: The project would be served by the San Miguel Fire Protection District Station 16, approximately 0.6 miles (driving distance) northeast of the project site. As described in Section IX(e), the project would not substantially impair an adopted emergency response plan or evacuation plan. The project would include construction and operation of a gasoline service station, convenience store, and fully automated, enclosed carwash, with no growth-inducing project components. Therefore, no substantial demand beyond current conditions is required for emergency response. Project access would be from a driveway along Paradise Valley Road. Project access would comply with County road standards (e.g., secondary access, road and street grade below 20 percent, paved streets with capacity to support up to 75,000 pounds, etc.). Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentration from a wildfire or the uncontrolled spread of a wildfire?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation: The current USGS topographic map indicates that the project site is at an elevation of approximately 280 feet above mean sea level with topography sloping down to the east. The surrounding topography consists of hills and valleys. There are interspersed homes throughout this area, including the more rugged areas to the northwest and southwest of the project site. Climate is characterized by generally mild winters, with the bulk of the annual precipitation (8-10 inches precipitation per year) falling between January and March, frequent periods of extended drought, and long dry and hot spring, summer and fall seasons, which dry out the native vegetation making the native vegetation species surrounding the project site very flammable. Regional wind patterns are dominated by onshore sea breezes during the day, and winds generally slow or reverse direction toward the sea at night. The project site is located approximately 7 miles inland from the inner harbor of San Diego Bay.

Less than Significant Impact: The project site is within a local responsibility area classified as "Urban Unzoned" and is not within an identified FHSZ. Given that the majority of the County is in the high and very high FHSZ, the County has implemented fire safety measures depending on specific factors, such as location, vegetation, etc. Homes near the project site and their compliance with fuel modification requirements lower the fire threat and risk to the proposed

project. It should also be noted that SR-125 adjacent to the east and south to the project site provide significant fire protection from the high and very high FHSZs east of the project site near Sweetwater Reservoir.

Structure ignitions from wildland fire fuels basically come from two sources of heat: convective firebrands (flying embers) and radiant heat. Convective firebrands, transferred during periods of high fire intensity and strong dry winds, have the capability of being transported over long (several hundred feet and up to several miles) distances. Construction requirements must meet all the current County Building Code and State of California Building Codes (Chapter 7A) requirements for construction in wildland areas. Ignition resistant building requirements found in the County Building Code (more restrictive than the California Building Code) will significantly reduce the threat of wildfire at the project site, especially the flying embers entering a structure, landing on a receptive fuel, and starting a new fire. For example, exterior walls of the enclosed carwash building would be constructed with one-hour fire resistant building materials and protected with two-inch nominal solid blocking between rafters at all roof overhangs and under the exterior wall covering. Portable fire extinguishers are required and shall be mounted on walls near exits with appropriate signage.

Convective heat will be minimized for the project by constructing all buildings with non-combustible roofing and non-combustible or standard fire-resistive building materials, per the San Miguel Fire Protection District requirements. By requiring all structures to be constructed of non-combustible roofing and building materials, the implementation of a defensible space around all structures adjacent to the fuels provides the most effective treatment for minimizing structure losses due to the projected flame lengths and associated radiant heat intensities.

The project does not propose any vegetation that would be considered flammable, and is required to meet applicable fire measures, such as fire apparatus access and access road requirements. To ensure the project does not exacerbate wildfire risks, the project would be required to include non-combustible roofing and non-combustible or standard fire-resistive building materials, per the San Miguel Fire Protection District requirements. Therefore, the project would not expose project occupants, such as employees, to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, and impacts would be less than significant.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project would include development of a gasoline service station, convenience store, and fully automated, enclosed carwash and does not propose any structures or additional infrastructure that would exacerbate fire risk. Development and operation of the proposed project would be required to comply with the County Fire Code and Consolidated Fire Code, and compliance with the San Miguel Fire Protection District's requirements.

Therefore, based on project coordination with County staff and compliance with the County’s and San Miguel Fire Protection District’s requirements, impacts associated with fire risk would be less than significant.

- d) Expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project would include development of a gasoline service station, convenience store, and fully automated, enclosed carwash, including associated grading and paving activities on-site. As described in Section X, Hydrology, the project site is not currently prone to flooding; therefore, the project site would not be prone to onsite flooding following construction of the project. In addition, contaminated soils would be removed from the project site (refer to Section IX, Hazards and Hazardous Materials), and MM HAZ-2 would require these soils to be replaced by compacted fill in layers to ensure the structural integrity of the gas station, convenience store, and carwash structures. Due to the aforementioned factors, the project site would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Impacts are less than significant.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: Per the instructions for evaluating environmental impacts in this Initial Study, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in sections IV and V of this form. In addition to project specific impacts, this evaluation considered the project’s potential for significant cumulative effects. As a result of this evaluation, the project was determined to have potential significant effects related to biological resources, geology and soils (paleontological resources), hazards and hazardous materials, and noise. However, mitigation

has been included that clearly reduces these effects to a level below significance. This mitigation includes:

- **Biological Resources:** A pre-construction nesting survey of vegetated areas adjacent to the site if removal of vegetation is scheduled to occur in the fall and winter (between September 1 and January 31), after fledging and before the initiation of the nesting season. A qualified County-approved biologist shall conduct no more than 14 days prior to the scheduled operations to determine the presence/absence of nesting raptors and/or other migratory birds, and buffers should be identified around present nests;
- **Paleontological Resources:** A paleontological monitoring program during grading activities conducted by a qualified paleontologist;
- **Hazards and Hazardous Materials:** A soil remediation program and preparation and implementation of a Hazardous Materials Business Plan for project operation; and
- **Noise:** Measures to reduce concrete saw noise impacts, such as by limiting the use of the concrete saw for no longer than 25 percent of an hour; temporary installation of a noise barrier to break the line of sight between occupied properties and concrete saw; and/or placement of noise reduction enclosures in lieu of a barrier.

As a result of this evaluation, there is no substantial evidence that, after mitigation, significant effects associated with this project would result. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: The following list of past, present, and future projects located within a 1-mile radius of the project were considered and evaluated as a part of this Initial Study:

PROJECT NAME	ADDRESS	PROJECT NUMBER	APN
Discount Tire CAS 12222 Spring Valley	No Address	PDS2021-STP-21-005	5845202700
McDonalds Spring Valley	8730 Jamacha Blvd, Spring Valley, CA 91977	PDS2021-STP-94-028W1	5845203000
CAL02872 Paradise Valley Road	8555 Paradise Valley Rd, Spring Valley, CA 91977	PDS2022-MUP-22-012	5861701500
Aleman Santiago TPM (SB9-2 Lot)	233 Arran Ave Main, Spring Valley, CA 91977	PDS2022-TPM-21309	5861905300

STP (3500) – Site Plan
 TM (3100) – Tentative Map
 MUP (3300) – Major Use Permit
 LDGRMJ – Major Grading permit
 ER – Environmental Record

Per the instructions for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each question in Sections I through XX of this form. In addition to project specific impacts, this evaluation considered the project’s potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there were determined to be potentially significant cumulative effects related to Biological Resources, Paleontological Resources, Hazards and Hazardous Materials, and Noise. However, mitigation has been included that reduces these cumulative effects to a level below significance, as detailed in Section XXI(a).

As a result of this evaluation, there is no substantial evidence that, after mitigation, there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input checked="" type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in Sections I. Aesthetics, III. Air Quality, VII. Geology and Soils, IX. Hazards and Hazardous Materials, X Hydrology and Water Quality, XIII. Noise, XIV. Population and Housing, and XVII. Transportation and Traffic. As a result of this evaluation, there were determined to be no potentially significant effects to human beings.

As a result of this evaluation, there is no substantial evidence that, after mitigation, there would be adverse effects to human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

XXI. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

- California Air Resources Board (CARB). 2005. Air Quality and Land Use Handbook: A Community Health Perspective. <https://www.arb.ca.gov/ch/handbook.pdf>.
- California Department of Transportation (Caltrans). 2013. Transportation and Construction Vibration Guidance Manual. http://www.dot.ca.gov/hq/env/noise/pub/TCVGM_Sep13_FINAL.pdf.
- California Department of Water Resources (DWR) Division of Safety and Dams. Dam Breach Inundation Map Web Publisher. https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2.
- City of San Diego. 2023. Point Loma Wastewater Treatment Plant. <https://www.sandiego.gov/public-utilities/customer-service/water-wastewater-facilities/point-loma>.
- David Kahler, County Landscape Architect. 2020. Conceptual Landscape Approval and Conditions Memorandum (Appendix A).
- Howes Weiler Landy. 2022. Priority Development Plan (PDP) – Stormwater Quality Management Plan (SWQMP) (Appendix I).
- Howes Weiler Landy. 2023. Preliminary Drainage Report (Appendix J).
- Federal Transit Administration. 2018. Transit Noise and Vibration Impact Assessment. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/researchinnovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf.
- Nicolas Gustafson, County Hazards Specialist. 2021. Environmental Site Assessment Report (Appendix H).
- Rincon Consultants, Inc. (Rincon Consultants). 2020. Phase I Environmental Site Assessment (ESA) (Appendix F).
- Red Tail Environmental. 2020. Negative Cultural Resources Survey Report (Appendix D).
- Rincon Consultants. 2020. Biological Resources Letter Report (Appendix C).
- Rincon Consultants. 2020. Noise Report (Appendix K).
- Rincon Consultants. 2020. Phase II ESA (Appendix G).
- Rincon Consultants. 2022. Air Quality Report (Appendix B).
- Rincon Consultants. 2023. Greenhouse Gas Memorandum (Appendix E).
- San Diego Association of Governments (SANDAG). 2013. Series 13 Regional Growth Forecast: San Diego County Unincorporated Area.

http://datasurfer.sandag.org/download/sandag_forecast_13_jurisdiction_unincorporated.pdf.

Souphalak Sakdarak, County Environmental Planner. 2023. Noise Conditions and Comments (Appendix L).

Urban Systems Associates, Inc. 2023. Traffic Impact Study (Appendix M).

Urban Systems Associates, Inc. 2023. Parking Evaluation (Appendix N).

U.S. Fish and Wildlife Service. 2019. National Wetland Inventory Wetland Mapper.
<https://www.fws.gov/wetlands/Data/Mapper.html>

Veeder-Root. 2019. Advanced Vapor Containment Management.
<https://www.veeder.com/us/automatic-tank-gauging-products/vapor-containment-management>.

All references to Federal, State and local regulation are available on the Internet. For Federal regulation refer to <http://www4.law.cornell.edu/uscode/>. For State regulation refer to www.leginfo.ca.gov. For County regulation refer to www.amlegal.com. All other references are available upon request.

**REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH
ORDINANCES/POLICIES**

**FOR PURPOSES OF CONSIDERATION OF
Paradise Valley Gas Station, PDS2019-ZAP-19-003, PDS2020-ER-20-18-001**

August 24, 2023

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES

NO

NOT APPLICABLE/EXEMPT

Discussion:

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES

NO

NOT APPLICABLE/EXEMPT

Discussion:

The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Multiple Species Conservation Program. The project conforms with the Multiple Species Conservation Program and the Biological Mitigation Ordinance as discussed in the MSCP Findings dated July 24, 2023.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES

NO

NOT APPLICABLE/EXEMPT

Discussion:

The project will obtain its water supply from the Otay Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers:

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

The project does not contain a floodway of floodplain fringe. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes:

The average slope for the property is less than 25 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. No sensitive habitat lands were identified on the site. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

The County of San Diego staff archaeologist/historian has inspected the property, analyzed records, and determined there are no archaeological/ historical sites. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO. A cultural study entitled “Negative Cultural Resources Survey Report Paradise Valley Gas Station Project, San Diego County, CA” was prepared for the project and identified no cultural resources on the parcel, was submitted in August of 2019.

V. STORMWATER ORDINANCE (WPO)- Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES NO NOT APPLICABLE

Discussion:

The projects Stormwater Quality Management Plan for Priority Development Projects has been found to be complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES NO NOT APPLICABLE

Discussion:

Staff has reviewed the Noise Report prepared by Rincon Consultants, Inc. and dated June 2020 for PDS2019-ZAP-19-003, Paradise Valley Gas Station and Mart. Staff determined that the documentation provided are considered accepted. The project is a Minor Use Permit for the construction of a gas station, convenience store, and car wash buildings on a 0.5 acre vacant lot. The main noise sources from this project are from the on-site traffic noise, mechanical units, and construction equipment. The project site as well as surrounding adjacent parcels to the east, south, and southwest are zoned Limited and General Impact Industrial (M52 & M54, respectively), which are subject to the noise levels of 70 dBA anytime. The adjacent parcels to the northwest are zoned Single-Family Residential (RS), which is subject to the arithmetic mean noise level limits of 60 dBA daytime and 57.5 dBA nighttime. The report evaluated the operational noise levels from the Heating Ventilating Air Conditioning units (HVAC) and car wash and demonstrated that the noise levels from those sources comply with the stringent noise levels of 57.5 dBA at the nearest property lines. Based on that information, the project is in compliance with the Noise Ordinance, Section 36.404 without Mitigation.

In addition, the project demonstrated compliance with the County’s General Plan Noise elements. The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element

State, and Federal noise control regulations. The project would increase traffic by 893 ADT on to Paradise Valley Road, which results in less than significant noise level increase to that roadway, therefore, complies to the County's Noise Elements standards.

The project is also subject to the County Noise Ordinance which regulates temporary construction noise associated with the project, Sections 36.408 and 36.409. Section 36.409 of the County Noise Ordinance states that construction noise shall not exceed 75 dBA at the property line during an eight-hour period between 7 a.m. to 7 p.m. It is unlawful to operate construction equipment between 7 pm and 7 am and no work shall be done on Sundays and Holidays, per Section 36.408. The project proposes approximately 550 cubic yards of earthwork. Construction equipment associated with the grading includes a dozers, excavators, and loaders. The report evaluated the construction noise based on a conservation scenario and have demonstrated that the noise levels from these activities will not exceed an average sound level of 75 dBA for an eight-hour period. Based on the report, construction equipment would be located as close as 110 feet to the residential properties. At that distance, if the loader and dozer were to operate simultaneously, the noise levels would be 73 dBA Leq and 75 Lmax. In addition, the project will be conditioned with a "Good Practice Measures," to ensure compliance with the Noise Ordinance, Sections 36.408 and 36.409. Based on the information provided, the noise level generated from the construction activities is not anticipated to exceed the standards and therefore compliance with the Noise Ordinance, Sections 36.408 and 36.409. Pile driving or explosive blasting is not proposed for this project.

Lastly, off-site improvements are required and would occur approximately 60 feet from the single-family residences to the west. Based on the noise report, at that distance the concrete saw would generate a noise level of 81.0 dBA Leq, which exceeds the Noise Ordinance threshold. The project will incorporate NOI-1 to mitigate the noise levels from off-site conceptual median construction to compliance with the San Diego County the 75 dBA Leq (8-hour) noise threshold, this will be made a condition of approval. Measures to comply with this threshold may include reducing the usage for an equipment and or incorporating a noise barrier. Based on this information, the project would comply with the Noise Ordinance. If new information is provided to prove and certify that the equipment being used is different then what was proposed in the noise report, then a new construction noise analysis maybe reviewed to the satisfaction of the 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 the barrier maybe approved if the construction activities will not create noise greater that 75 dB at the property line as indicated above.



County of San Diego, Planning & Development Services
Project Planning Division

TO: File
FROM: Jae Roland-Chase, Land Use/ Environmental Planner, Project Planning
SUBJECT: Response to Comments; Paradise Valley Gas Station, PDS2019-ZAP-19-003, ER PDS2020-ER-20-18-001
DATE: October 20, 2023

The following are staff's responses to comments received during the public review period for the Mitigated Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) dated August 24, 2023. The document was released for public review from August 24, 2023, through September 25, 2023, and seven comment letters were received during that time.

Response to comments received from San Diego Archaeological Society, September 10, 2023:

A-1 Commenter agrees that the project is unlikely to result in any significant impacts to cultural resources and that no further cultural resources actions are necessary when the project is implemented.

The comment is noted for the record.

Response to comments received from California Department of Transportation, September 25, 2023:

B-1 Traffic Impact Study - Commenter correctly notes that an incorrect site plan (Attachment 1) was included with the circulated document. Caltrans states they did not approve the attached site plan, which shows a new left turn lane or U-turn at the intersection of Paradise Valley Road and SR-125 Southbound entrance ramp. Caltrans further notes the correct/approved site plan is shown under Figure 2-2 under Section 2.1.5 "Site Plan and Proposed Project".

The comment is noted. The correct site plan is shown as Figure 2-2 under Section 2.1.5 and is in the project file.

B-2 Hydrology and Drainage Studies - Commenter states that they do not allow development projects to impact hydraulics within the State's Right-of-Way and will not allow modification(s) to existing drainage and/or increase in runoff to State facilities.

The comment is noted for the record.

- B-3 Complete Streets and Mobility Network - Commenter states they view all transportation improvements as opportunities to improve safety, access, and mobility for all travelers; and Caltrans is implementing Complete Streets and Climate Change policies into projects to meet multi-modal needs. Caltrans further states they look forward to working with San Diego County to evaluate complete streets projects; and maintaining bicycle, pedestrian, and public transit access during construction is important.

Comment is noted for the record. As described in Section XVII. Transportation, of the Draft Mitigated Negative Declaration (MND), the proposed project, including implementation of the proposed concrete median, would not interfere with the provision of public transit, bicycle, or pedestrian facilities.

Additionally, as described in Section VIII. Greenhouse Gas Emissions, while the project is planned to satisfy existing vehicle transportation fuel demand, it does have VMT-reducing features to contribute its fair share, such as one vanpool space that would allow a reduction in vehicle miles, that would have the effect of reducing GHG emissions; in addition, the space could be converted into a future EV charging space. In the future as vehicle transportation demands change, a use located in major transportation areas such as a gas station would be likely locations for alternative fuels such as electric charging or hydrogen fuel. The project would also comply with Title 24 energy standards for energy efficiency to reduce associated greenhouse gas emissions.

- B-4 Hauling/Traffic Control Plan – Commenter states a Traffic Control Plan is to be submitted to the Caltrans District 11; and the plan shall outline suggested detours to use during closures, including routes and signage.

Comment is noted for the record. Based on preliminary review conducted by County of San Diego staff, there is no nexus for the requirement of a Hauling/Traffic Control plan. San Diego County has applied conditions pertaining to encroachment permit(s) issuance from Caltrans and road improvements to the project (See Response to Comment 7 below).

- B-5 Noise – Commenter states that Caltrans is not responsible for existing or future traffic noise impacts associated with existing configuration of SR-125.

Comment is noted for the record.

- B-6 Glare – Commenter states that Caltrans expresses concerns over potential glare, including reflected sunlight and night light, affecting motorists traveling along SR-125. Commenter states that general information was provided to Caltrans and determined that potential impacts would be minimal. Commenter notes that Caltrans wants to ensure that all lighting within the project will be placed and/or shielded to not be hazardous to vehicles on SR-125.

Comment is noted for the record. As stated in Section I. Aesthetics, of the MND, the project would not adversely affect nighttime views because the project would conform to the County's Light Pollution Code (Section 51.201-51.209). The project would also include efficient outdoor lighting, which would further prevent light pollution outside of the project site.

- B-7 Environmental – Commenter states that Caltrans is a Responsible Agency under CEQA, and Caltrans has discretionary authority for issuance of permits for work required within the Caltrans Right-of-Way. Commenter states the permit process includes providing final environmental documents for the project, including identification and assessment of potential impacts and mitigations.

Comment is noted for the record. Caltrans is considered a Responsible Agency and was provided the Draft MND for the proposed project. The current comment letter was received as a result of the CEQA circulation process. The Draft MND identified and assessed potential impacts resulting from the project. The Draft MND determined “Less Than Significant” project impacts to all aspects under Transportation. The Draft MND does not recommend mitigation measures.

The following conditions have been added to the project to address Caltrans permit authority and Right-of-Way permit requirements:

ROADS#1-ENCROACHMENT PERMIT

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

ROADS#3 – ROAD IMPROVEMENTS

b. Submit traffic signal plans that include the following:

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

B-8 Mitigation - Commenter states that Caltrans endeavors to eliminate or reduce any direct and cumulative impacts to the State Highway network(s) to level of insignificance pursuant to CEQA and NEPA standards.

Comment is noted for the record. See response to “Comment 7 – Environmental” above. The Draft MND determined “Less Than Significant” project impacts to all aspects under Transportation. The project has complied with CEQA and is not subject to NEPA.

B-9 Right of Way - Commenter states that perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction. Commenter further states that Caltrans has discretionary authority for issuance of permits for work required within the Caltrans Right-of-Way. Commenter states the permit process includes providing final environmental documents for the project.

Comment is noted for the record. See response to “Comment 7 – Environmental” above. The encroachment permit conditions noted above have been added to the project to address Caltrans permit authority and Right-of-Way permit requirements. The project has complied with CEQA.

Attachment D – Environmental Findings

PARADISE VALLEY GAS STATION

**PDS2019-ZAP-19-003;
PDS2020-ER-20-18-001**

**ENVIRONMENTAL FINDINGS
November 16, 2023**

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

- 1) Find that the Zoning Administrator has reviewed and considered the information contained in the Mitigated Negative Declaration on file with Planning & Development Services as Environmental Review Number PDS2020-ER-20-18-001 before making its decision on the proposed project.
- 2) Adopt the Mitigation and Monitoring Program as incorporated into the project conditions of approval pursuant to CEQA Guidelines section 15074(d).
- 3) Find that the proposed project is consistent with the Resource Protection Ordinance (RPO) (County Code, Section 86.601 et seq.).
- 4) Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, Section 67.801 et seq.).
- 5) Find that the project is consistent with the Multiple Species Conservation Plan (MSCP), the County Subarea Plan and the Biological Mitigation Ordinance (County Code, section 86.501 et seq.) as explained in the MSCP Conformance Statement dated July 24, 2023 on file with Planning & Development Services as Environmental Review Number PDS2020-ER-20-18-001.

**MULTIPLE SPECIES CONSERVATION PROGRAM
CONFORMANCE STATEMENT**

**Paradise Valley Gas Station
PDS2019-ZAP-19-003, APN 584-160-52-00**

July 24, 2023

Summary

The project proposes to develop a gas station on a 0.5-acre parcel. The project site is located within the Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program (MSCP) Subarea Plan. The project is therefore required to conform to the MSCP and the Biological Mitigation Ordinance.

Statement of Fact

There are no sensitive habitats or species within the proposed project area. The site is entirely urban/ developed and does not support native vegetation. As a Tier IV habitat, no on-site preservation is required and impacts to urban/ developed do not require mitigation under the Biological Mitigation Ordinance. No impacts to wildlife corridors or linkages will occur as the project site does not support geological, topographic or habitat features that would function in a corridor capacity. Furthermore, the site is not classified as a Biological Resource Core Area as it is not within the Pre-Approved Mitigation Area, is not within or adjacent to a large block of undisturbed habitat, is not mapped as having high habitat value and does not support sensitive species. Given the current site conditions and the surrounding land uses, development of this project will not hinder the formation of a future preserve system.

Conclusion

After consideration of the above facts, the proposed project is found to be in conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance.

Attachment E – Public Documentation

County of San Diego
 Spring Valley Community Planning Group
 P.O. Box 1637, Spring Valley, CA 91979

Regular Meeting Minutes
 January 14, 2019; 7:00 p.m.

Meeting Location: Otay Water District Headquarters
 2554 Sweetwater Spring Boulevard, Spring Valley, CA 91978

E-mail: svpgchair@gmail.com; Facebook: [Spring Valley Planning Group](#)

A. Members

seat	Name	absent	seat	Name	absent
1	Elizabeth "Liz" Lavertu (Co-Chair)		9	Clifton Cunningham	
2	Lora Lowes (Co-Chair)		10	Chris Pearson	X
3	Jesse Robles		11	James "Jim" Custeau (Secretary)	X
4	Mark Kalsho		12	Adrian Caminos	X
5	Marilyn Wilkinson (Vice-Chair)		13	Edward Woodruff	
6	John Eugenio		14	Robert "Bob" Eble	
7	Scott Harris		15	Tim Snyder	
8	Scott Shaffer				

The meeting was called to order at 7:00 p.m.

B. Public Comment:

Brian Sesko, Chairman Lakeside Community Planning Group and candidate for San Diego County Board of Supervisor talked about his ideas for being the next supervisor including changing the Board of Supervisors meeting times to the evening, freezing supervisor salaries, and advertised a forum on January 15 with the county regarding the new community plan.

C. Action Items:

1. Site Plan Minor Use Permit / Variance PDS 2019-ZAP-19-003/PDS2019-ER-19-18-005/PDS2019-VAR-024-Proponent: Lynette Leighton; Presenter: Eble. Presentation provided by Ms. Leighton highlight the site plan details. Shaffer and Robles asked questions regarding impact from completed traffic study. Wilkinson credited the business owners for their diligence in planning considerations. Signs and ABC will be approved at a later time. Lucy Chavez, member of the public, asked questions regarding security due to homeless population near area.
 Motion: Recommend approval of a permit with a added traffic delineator
M/S: (Eble/Robles)
Vote: Aye (9); No (2 Shaffer, Robles); Abstain (1 Eugenio); Absent (3); Vacant (0)
Motion: Passes

2. Site Plan Waiver for APN 505-231-35-00 – Proponent: Orozco; Presenter: Lavertu. Request to install exterior exhaust pipes at the currently approved Caliber Collision project.
 Motion: Recommend approval of site plan waiver
M/S: (Lavertu/Eugenio)
Vote: Aye (11); No (0); Abstain (1 Eugenio); Absent (3); Vacant (0)
Motion: Passes

3. PDS2019-STP-97-050W3, moved to February meeting.

4. Site Plan Permit Exemption parcel 504-371-70-00B–Proponent: Jones; Presenter: Lavertu.

Request for a waiver for signage on Western Union. Woodruff raised concerns about significant sign, ABC, and other code violations occurring on that property. Members expressed displeasure in the disregard displayed by the owner.

Motion: Recommend to deny Site Plan Permit Exemption

M/S: (Lavertu/Eugenio)

Vote: Aye (12); No (0); Abstain (0); Absent (3); Vacant (0)

Motion: Passes

5. Discussion on homeless. Lavertu explained to members of the public measures that we have taken in providing Supervisor Jacob recommendations for the Board of Supervisors to consider. These include requesting shelter options (Alpha Project, purchasing property, etc.) due to legal decisions. We are an elected planning group and are awaiting their decision. Members of the public expressed their concern and frustration over the issue. They cited numerous health and sanitation issue. Lavertu and members discussed options and asked for more specific recommendations from the public.

D. Approval of Minutes of December 10, 2019 (moved to next meeting)

E. GROUP BUSINESS

1. Announcement: Lakeside Community Planning Group will have a meeting tomorrow regarding the new county community plan. The Otay Water sewage project has been completed. Members turn in training and form requirements. Ocampo three story home project is still pending with PDS. Woodruff announced the slate of officers for 2020: Chair-Liz Lavertu, Vice Chair-Scott Harris, Secretary-Jim Custeau, Historian-Bob Eble.

2. Reports: None

3. New projects: none

4. Next meeting: January 28, 2020

F. ADJOURNMENT: 8:45 PM



County of San Diego, Planning & Development Services
**COMMUNITY PLANNING OR SPONSOR
GROUP PROJECT RECOMMENDATION**
ZONING DIVISION

Record ID(s): PDS2019-ZAP-19-003

Project Name: Paradise Valley Gas Station and Mart

Planning/Sponsor Group: SPRING VALLEY

Results of Planning/Sponsor Group Review

Meeting Date: 1-14-20

A. Comments made by the group on the proposed project.

*majority liked the property use as a gas station
and convenience store*

B. **Advisory Vote:** The Group **Did** **Did Not** make a formal recommendation, approval or denial on the project at this time.

If a formal recommendation was made, please check the appropriate box below:

- MOTION:**
- Approve without conditions
 - Approve with recommended conditions
 - Deny
 - Continue

VOTE: 9 Yes 2 No 1 Abstain 3 Vacant/Absent

C. Recommended conditions of approval:

*+ want traffic delimiters to stop illegal
left hand turns into gas station.*

Reported by: Bob Eble Position: 14 Date: 1-14-20

Please email recommendations to BOTH EMAILS;
Project Manager listed in email (in this format): Firstname.Lastname@sdcounty.ca.gov and to
CommunityGroups.LUEG@sdcounty.ca.gov

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 565-5981 • (888) 267-8770

<http://www.sdcounty.ca.gov/pds>



County of San Diego
 Spring Valley Community Planning Group
 P.O. Box 1637, Spring Valley, CA 91979

Regular Meeting Minutes
 June 23, 2020; 7:00 p.m.

E-mail: svpgchair@gmail.com; Facebook: [Spring Valley Planning Group](#)

Due to ongoing COVID emergency, the meeting will be held virtually - Access Meeting Online:

Access Meeting Online

<https://meetingsamer12.webex.com/meetingsamer12/j.php?MTID=m3d5e9da23c835ba5af846bfd407dd7c8>

Access Meeting by Phone; Dial **+1-408-418-9388**

Meeting number (access code): **126 234 7428**

Meeting password: **SVCPG623**

Meeting password from phones: **78274623**

A. Members

seat	Name	absent	seat	Name	absent
1	Elizabeth "Liz" Lavertu (Chair)		9	Clifton Cunningham	X
2	Lora Lowes		10	Chris Pearson	
3	Jesse Robles		11	James "Jim" Custeau (Secretary)	
4	Mark Kalsho	Left at 7:28pm	12	Adrian Caminos	X
5	Marilyn Wilkinson		13	Edward Woodruff	
6	John Eugenio		14	Robert "Bob" Eble	
7	Scott Harris (Vice-Chair)		15	Tim Snyder	
8	Scott Shaffer				

The meeting was called to order at 7:00 p.m.

B. Public Communications: There was no public comment

C. Action Items:

- 1. Paradise Valley Gas Station and Mart; PDS 2019-ZAP-19-003, Request for Guy Wire for Power pole to remain. Presenter: Lowes; Proponent: Brikho;** the planning group approved this project earlier in the year. There is an issue regarding the guy wire supporting one of the SDG&E power poles which would be over the fueling area if it remained in its current location. This was deemed to be a fire hazard by San Miguel Fire District. The owner and SDG&E came up with a solution to move the guy wire so that it will be situated over the convenience store solving the issue. The fire dept has approved the new placement. It should be noted, the power poles and power lines are not on the property. The developer also informed the planning group that they are paying for a median on Jamacha Blvd to prevent traffic from crossing Jamacha Blvd in or out of the property.

Motion: Approve the movement of the guy wire over the project property as presented.

M/S: Eble/Harris

Vote: Aye (12); No (0); Abstain (1, Lavertu); Absent (2); Vacant (0)

Motion: Passes

2. Update – PLDO (Park Land Dedication Ordinance) Priority List; Marcus Lubich has taken over for Bill Saunier at County Parks and Recreation and has requested the list. Look at our 2020 list and adjust if needed. Request from Mt. Miguel HS to be considered for updates to their athletic facilities. Anthony Garcia, from Mt. Miguel HS, spoke requesting funds to purchase score boards for their athletic fields (baseball, softball, main football/soccer/track and field stadium). Total \$127,159, \$42,400 funded by funds from the school. He is asking for roughly \$42,386 from PLDL funds towards this project. There was a long discussion about what fees the district charges various groups to use the school's athletic fields. #2 is moved to number 1. Current #4 is eliminated and spend roughly \$42,400 for scoreboards at Mt. Miguel HS. Pearson asks that funds be set aside for the Dictionary Hill open spaces. Robles asked that we acquire new park lands, especially small parcels for community gardens. Custeau suggested removing the Monte Vista BB fields request for now until we have more information on what this would entail.

Motion: Postpone this action item to a future date.

M/S: Wilkinson/Lowes

Vote: Aye (10); No (2, Pearson, Lavertu); Abstain (0); Absent (3); Vacant (0)

Motion: Passes

D. Approval of Minutes of June 9, 2020 Meeting.

Motion: Approve minutes of June 9, 2020 meeting.

M/S: Eugenio/Shaffer

Vote: Aye (11); No (0); Abstain (1, Lavertu); Absent (3); Vacant (0)

Motion: Passes

E. GROUP BUSINESS

1. Announcements: Lavertu and Harris will be meeting with Rayne Hanke-Ledwith from the Institute for Public Strategies (IPS) – they do public health and policy work focused on alcohol and drug harm prevention in eastern San Diego County. Rayne wants to explore ways that planning groups might have a role in mitigating community harm.
2. Reports: None
3. New projects: No new projects
4. Next meeting: July 14, 2020

F. ADJOURNMENT: 8:20 PM

**County of San Diego
Spring Valley Community Planning Group
P.O. Box 1637, Spring Valley, CA 91979**

**Regular Meeting Minutes
TUESDAY, April 27, 2021 7:00 P.M.**

Join Meeting on-line:

<https://zoom.us/j/98078725267?pwd=WERWd29Nak9FVURJRXIITIZOZ05kUT09>

Meeting ID: 980 7872 5267

Passcode: 301157

Phone in: +1 669 900 6833 (same meeting ID and Passcode)

E-mail: JIMCUSTEAUSVCPG@COX.NET; Facebook: [Spring Valley Planning Group](#)

A. Members

seat	Name	absent	seat	Name	absent
1	Tiffany Gonzalez		9	Rod Gibbons	
2	Lora Lowes		10	Chris Pearson	
3	Jesse Robles	X	11	James "Jim" Custeau Chair	
4	Mark Kalsho		12	Victoria Abrenica	
5	Marilyn Wilkinson	X	13	Edward Woodruff	
6	John Eugenio		14	Robert "Bob" Eble	
7	Scott Harris	X	15	Tim Snyder Vice-Chair	
8	Scott Shaffer Secretary				

The meeting was called to order at 7:00 p.m.

B. Public Comment: Ms. Judy Strang spoke urging members of the Planning Group to speak during the next scheduled Board of Supervisors meeting regarding the licensing of Cannabis in San Diego County.

C. Action Items:

1. Discretionary Permit – PDS 2021-ABC-21-003; 613 La Presa Avenue; AM-PM Mini Mart – Jamacha Petroleum. This is an application for an ABC, type 20 license (beer and wine) sales. Presenter: Gibbons; Proponent: Chris Salem

Gibbons provided an overview of the project and displayed an image by Wilkinson illustrating the number of alcohol establishments in the area. Also, a letter from Sheriff Gore was displayed supporting the licensing. Melissa Ryan, California ABC, provided key statistics for the area including the business falls in a high crime censure track with 456% over the unincorporated area, the business does not fall in a over concentrated, and only one official protest was filed from the community. Salem offered his

background as a local resident and willingness to work with the planning group to improve the community. Lowes highlighted the high number of alcohol establishments in the area and spoke against approval of the license. Woodruff spoke against the license due to the proximity to the school. Custeau spoke out against the sale of individual bottle sales. Shaffer supported the licensing due to the owners background, limitation to beer & wine, and willingness to work with the community. Resident Jim Comeau spoke against the project due to the high number of alcohol sales in the area.

Motion: Approve the ABC License Application with the condition of no individual bottle sales

M/S:(Gibbons / Shaffer)

Vote: Aye (9); No (3 – Lowes, Pearson, Woodruff); Abstain (0); Absent (3); Vacant (0)

Motion: Passes

2. Signage for Gas Station, Mini-Mart and Car Wash; PDS2019-ZAP-19-003; 8565 Paradise Valley Road; APN: 584-160-52; Paradise Valley Gas Station and Mart; This building project was approved previously and is on this agenda only for signage approval; Presenters: Snyder & Eble; Proponent: Joseph Brikho

Snyder provided project overview. Custeau recommended that the pole sign have an opaque background vice the white lighting background. Lowes also recommended the monument signs also have an opaque background instead of white lighting. Lowes continued that the total signage was excessive, nearly a third over the allocated signage. Snyder mentioned that a significant amount of that signage came from state mandated signage. Resident Jim Comeau spoke against the amount of signage given the proximity to residential areas.

Motion: Approve the signage (with the exception of signs P & R) replacing white areas with no lighting.

M/S:(Snyder / Eble)

Vote: Aye (7); No (5 – Gonzalez, Lowes, Eugenio, Gibbons, Woodruff); Abstain (0); Absent (3); Vacant (0)

Motion: Fails

D. Presentation: (at 7:30 PM or immediately after first Action Item – second Action item will follow presentation)

San Diego County Planning & Development Services staff will share information (roughly 15 minutes) on the Land Use Compatibility Plan (Plan) of Naval Air Station North Island airport was adopted on 10/1/2020. The same Plan for San Diego International Airport was adopted on 4/3/2014. To achieve compliance with both Plans, County needs to update Section 5252 of Zoning Ordinance. In addition, County needs to add a C Designator to parcels under both Navy and International airports' Overflight Zones. Once the update is in place, future property owners within these areas will be notified at the time of sale that they are within the Airport Influence Area and to be aware of prospective effects of noise, vibration, particulate deposits, fuel fume odors, etc. associated with the legal operation of aircraft. Overflight is strictly a property owner notification, that applies only to newly constructed or established residential units. There will be no aviation easements or limitations on development. Presenter: Li Li, PhD – PDS, Advanced Planning Division staff

Lowes expressed her concern about the increased amount of air traffic creating noise in the community. Pearson asked if the new designation would increase home prices.

No action taken at this time

E. Approval of Minutes of April 13, 2021 meeting.

Motion: Approve the minutes of April 13, 23 2021 meeting as amended

M/S:(Eble / Pearson)

Vote: Aye (12); No (0); Abstain (0); Absent (3); Vacant (0)

Motion: Passes

F. GROUP BUSINESS

1. Announcement: None
2. Reports: Abrenica reported the Earth Day event went well as they replaced evasive plants with more native plants in the community.
3. New projects: Lowes, Eble, and Gibbon assigned new project near Dictionary Hill.
4. Next meeting: May 11, 2021

G. ADJOURNMENT: 9:10 PM

County of San Diego
 Spring Valley Community Planning Group
 P.O. Box 1637, Spring Valley, CA 91979

Regular Meeting Minutes
 TUESDAY, April 12, 2022, 7:00 P.M.

Join Meeting on-line:

<https://us06web.zoom.us/j/85107326350?pwd=Qkxvd24xaVZRWEEd1ZWJYdUNDdEhKUT09>

Meeting ID: 851 0732 6350

Passcode: 242768

Phone in: +1 669 900 6833 (same meeting ID and Passcode)

Chair: Tim Snyder E-mail: tsnydersvcpg@gmail.com; Facebook: [Spring Valley Planning Group](#)

A. Members

seat	Name	absent	seat	Name	absent
1	Tiffany Gonzalez Secretary		9	Rod Gibbons	
2	Lora Lowes		10	Chris Pearson	
3	Jesse Robles		11	James "Jim" Custeau	
4	Chris Pierce		12	Victoria Abrenica Vice-Chair	
5	Hoger "Roger" Saleh	X	13	Edward Woodruff	
6	John Eugenio		14	Robert "Bob" Eble	X
7	Scott Harris	X	15	Tim Snyder Chair	
8	Scott Shaffer				

The meeting was called to order at 7:00 p.m.

B. Public Comment:

Braulio Sanabria announced an event on April 19th regarding planning the future in Spring Valley with a guest speaker. Details for the event will be posted on the Spring Valley Community Alliance Facebook page.

Kathleen Lippitt spoke on attending the Fallbrook CPG meeting and a presentation on issues with hemp and marijuana farming.

Chris Pierce brought up the issue of speeding on Bancroft south of Troy Street.

Victoria Abrenica announced an event at Lamar Park to commemorate Earth Day, 4/23, including tree plantings and raptors on display.

C. Action Items:

Tiffany Gonzalez entered meeting at 7:19pm.

1. Eira Whitty, Land Use/Environmental Planner, County of San Diego, Parks and Recreation, will provide a presentation on the process of land acquisition for Parks and Recreation.

Goal for acquisition is 500 acres per year of a combination of developed parks and centers and preserve land. Whitty covered the basic criteria for land consideration such as less than 25% steep slope, access by road, and a vacant parcel. The property is then valued by an independent appraiser. Preserve land, such as the MSCP, must have community connectivity, accessibility, and value. If anyone knows of potential land to consider, email Whitty.

Pearson commented on the density of the Spring Valley population and that the area is “park deficient”. He asked if Calavo Park is still a go and Whitty commented that it is.

Abrenica commented on property possibly available on Kempton Street for maybe a community garden. Pierce asked if school water district lands are considered, but this has proven to be difficult to acquire. Kathleen Lippitt suggested using only local plants in park settings.

Chris Pearson exited the meeting at 7:30pm.

2. “B” Waiver Request, APN 505-640-01-00, 10225 Austin Drive, Spring Valley, CA

91978. Monument Sign and Wall Sign(s). Presenter is Lowes, proponent is Genie Jackson, Integrated Signs.

Lowes presented on the area for proposed signage and where prior landscaping and greenery have been pulled up to accommodate potential signs. Proposed sign is V-shaped versus the traditional single monument with a front and back.

Proponent Genie Jackson spoke about the property line and why the design of the monument sign is as it is. They have given Sharp rights to the monument sign and have necessitated a larger sign because of the shape of the hill and allowance for all tenants to have visibility on the sign.

Planning group members expressed that they would be in favor of the signage as-is but would like to see the full sign package as proposed, including current signs that are to be removed. Proponent was advised to relay information about concerns with approving signage at this time with the property now out of compliance with the major use permit.

Motion: Deny request for signage until proponent can provide landscaping plan in accordance with Spring Valley Design Review Guidelines to bring the location back into compliance with the Major Use Permit.

M/S: (Lowes/Shaffer)

Vote: Aye (11); No (0); Abstain (0); Absent (4); Vacant (0)

Motion: Passes

3. PDS2019-ZAP-19-003, Party Time Market, 8565 Paradise Valley Road, Spring Valley, CA 91977, APN: 584-160-52. Sign Package for the property. Presenter is Eble, Proponents are Joseph Brikho and Eddy Brikho.

Custeau reviewed how the project failed to pass when last presented due to concerns. The proponent addressed these concerns and have submitted a revised proposal.

Motion: Approve signage as presented.

M/S: (Custeau/Gonzalez)

Vote: Aye (10); No (Lowes-1); Abstain (0); Absent (4); Vacant (0)

Motion: Passes

4. Continuance of Teleconferencing Meeting Option Pursuant to Government Code Section

54953(e). The group will vote to continue meeting on-line for the next 30 days. Motion: Pursuant to Government Code section 54953(e)(3), a motion to find the legislative body has reconsidered the circumstances of the State of Emergency and state and local officials continue to recommend measures to promote social distancing. [This motion is intended to apply to all the legislative body subcommittees this legislative body has created.] Presenter: Snyder

Motion: Continue teleconferencing meeting option for the next 30 days.

M/S: (Lowes/Eugenio)

Vote: Aye (11); No (0); Abstain (0); Absent (4); Vacant (0)

Motion: Passes

D. Approval of Minutes of March 8, 2022 meeting.

Motion: Approve the minutes of March 8, 2022 meeting

M/S: (Shaffer/Pierce)

Vote: Aye (11); No (0); Abstain (0); Absent (4); Vacant (0)

Motion: Passes

E. GROUP BUSINESS

1. Announcements.

- a. As part of the County Adopt-a-Road program, the Spring Valley Community Alliance has officially adopted Bancroft Drive from Campo Road, south to Sweetwater Road and Tyler Street.

2. Reports:

- a. Chair: Snyder spoke that members should finish Ethics training and Form 700. Custeau emphasized the importance of completing these for liability purposes. Chair Snyder has a request for interview from a San Diego State University master's program student.
- b. CSA 128: Abrenica updated that Ildica Park is near completion for opening sometime in May. Spring Valley Earth Day is at Lamar County Park on April 23rd. San Diego County Parks will have a large bird of prey on site for event.
- c. TAC: Custeau is still representative to council for District 2. A meeting will be set soon with the County and CalTrans to coordinate improvement of traffic lights at Jamacha Road and 125 on ramps. There are plans to look at potential solutions for exit/entrance of Terrace Estates. Next meeting of TAC will take place April 22, 2022.
- d. Highway Cleanup: Eugenio updated on pending and recent cleanups. Members interested in participating in upcoming cleanups on April 23rd and April 30th can reach out to John to volunteer.

3. Assign projects: No new projects as of today. All current projects are assigned.

4. Next meeting: April 26, 2022

F. ADJOURNMENT: 9:48 PM



County of San Diego, Planning & Development Services
**COMMUNITY PLANNING OR SPONSOR
GROUP PROJECT RECOMMENDATION**
ZONING DIVISION

Record ID(s): PDS2019-ZAP-19-003

Project Name: Party Time Market (Signage Only)

Planning/Sponsor Group: Spring Valley

Results of Planning/Sponsor Group Review

Meeting Date: APRIL 12, 2022

NOTE: PLANS AS
APPROVED ARE
ATTACHED TO
THIS REPORTING
EMAIL.
HARD COPY OF
PLANS ARE
STAMPED
AND GIVEN
TO
PROPOSER
EMIL
SUBMISSION

A. Comments made by the group on the proposed project.

B. Advisory Vote: The Group Did Did Not make a formal recommendation, approval or denial on the project at this time.

If a formal recommendation was made, please check the appropriate box below:

- MOTION:
- Approve without conditions
 - Approve with recommended conditions
 - Deny
 - Continue

VOTE: 10 Yes 1 No 0 Abstain 4 Vacant/Absent

C. Recommended conditions of approval:

NONE

Reported by: JAMES CUSTEAD Position: MEMBER Date: 4/14/22

Please email recommendations to BOTH EMAILS;
Project Manager listed in email (in this format): Firstname.Lastname@sdcounty.ca.gov and to
CommunityGroups.LUEG@sdcounty.ca.gov

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 565-5981 • (888) 267-8770

<http://www.sdcounty.ca.gov/pds>



**Attachment F - Service
Availability Forms**



County of San Diego, Planning & Development Services
PROJECT FACILITY AVAILABILITY - FIRE
 ZONING DIVISION

Please type or use pen

Joseph Brikho, Eddy Brikho 619-654-3815 Owner's Name Phone <hr/> 245 Highland Ave Owner's Mailing Address Street <hr/> National City California 91950 City State Zip	ORG _____ ACCT _____ ACT _____ TASK _____ DATE _____ AMT \$ _____ DISTRICT CASHIER'S USE ONLY
--	---

F

SECTION 1. PROJECT DESCRIPTION	TO BE COMPLETED BY APPLICANT								
A. <input type="checkbox"/> Major Subdivision (TM) <input type="checkbox"/> Specific Plan or Specific Plan Amendment <input type="checkbox"/> Minor Subdivision (TPM) <input type="checkbox"/> Certificate of Compliance: _____ <input type="checkbox"/> Boundary Adjustment <input type="checkbox"/> Rezone (Reclassification) from _____ to _____ zone. <input type="checkbox"/> Major Use Permit (MUP), purpose: _____ <input type="checkbox"/> Time Extension... Case No. _____ <input type="checkbox"/> Expired Map... Case No. _____ <input checked="" type="checkbox"/> Other Minor Use Permit, Site Plan Permit, Variance Permit B. <input type="checkbox"/> Residential Total number of dwelling units _____ <input checked="" type="checkbox"/> Commercial Gross floor area <u>6,728 square feet</u> <input type="checkbox"/> Industrial Gross floor area _____ <input type="checkbox"/> Other Gross floor area _____ C. Total Project acreage <u>0.49</u> Total lots <u>1</u> Smallest proposed lot _____	Assessor's Parcel Number(s) (Add extra if necessary) <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">584-160-52-00</td> <td style="width:50%;"></td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table> Thomas Guide. Page <u>1291</u> Grid <u>A4</u> Paradise Valley Road and Elkilton Boulevard. Project address Street Spring Valley CPA (La Presa) 91977 Community Planning Area/Subregion Zip	584-160-52-00							
584-160-52-00									

OWNER/APPLICANT AGREES TO COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT.
 Applicant's Signature: _____ Date: 10-24-19
 Address: 256 Highland Avenue, National City California 91950 Phone: 619-726-7741 / 619-654-3815
 (On completion of above, present to the district that provides fire protection to complete Section 2 and 3 below.)

SECTION 2: FACILITY AVAILABILITY	TO BE COMPLETED BY DISTRICT
District Name: <u>SAN MIGUEL FIRE DISTRICT</u>	
Indicate the location and distance of the primary fire station that will serve the proposed project: <u>905 GILLESPIE PL. Spring Valley; STATION 10 CA, 91977</u>	
A. <input checked="" type="checkbox"/> Project is in the District and eligible for service. <input type="checkbox"/> Project is not in the District but is within its Sphere of Influence boundary, owner must apply for annexation. <input type="checkbox"/> Project is not in the District and not within its Sphere of Influence boundary. <input type="checkbox"/> Project is not located entirely within the District and a potential boundary issue exists with the _____ District. B. <input checked="" type="checkbox"/> Based on the capacity and capability of the District's existing and planned facilities, fire protection facilities are currently adequate or will be adequate to serve the proposed project. The expected emergency travel time to the proposed project is <u>TWO (2)</u> minutes. <input type="checkbox"/> Fire protection facilities are not expected to be adequate to serve the proposed development within the next five years. C. <input type="checkbox"/> District conditions are attached. Number of sheets attached: _____ <input checked="" type="checkbox"/> District will submit conditions at a later date.	

SECTION 3. FUELBREAK REQUIREMENTS	
Note: The fuelbreak requirements prescribed by the fire district for the proposed project do not authorize any clearing prior to project approval by Planning & Development Services.	
<input checked="" type="checkbox"/> Within the proposed project <u>100</u> feet of clearing will be required around all structures. <input type="checkbox"/> The proposed project is located in a hazardous wildland fire area, and additional fuelbreak requirements may apply. Environmental mitigation requirements should be coordinated with the fire district to ensure that these requirements will not pose fire hazards.	
This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.	
_____ Authorized Signature	ELIZABETH GLOMI 6196605352 10/20/19 Print Name and Title Phone Date

On completion of Section 2 and 3 by the District, applicant is to submit this form with application to:
 Planning & Development Services - Zoning Counter, 5510 Overland Ave, Suite 110, San Diego, CA 92120
SDC PDS RCVD 11-13-19



1 - 194

San Miguel Fire Protection District

2850 Via Orange Way
Spring Valley CA 91978
(619) 670-0500
www.smfire.org

INVOICE	SMG31949
Date	10/28/2019

Bill to:

Rincon Consultants Inc.
2215 Faraday Avenue, Ste A
Carlsbad CA 92008

Site Address:

Gas Station
Paradise Valley / Elkerton
Spring Valley CA 91977

Quantity	Item Number	Description	Unit Price	Ext. Price
1.0	1.1	Project Availability Form (Minor)	\$172.00	\$172.00

PAID
 OCT 29 2019
 BY: CK# 359 ~~108~~

Subtotal	\$172.00
Misc	\$0.00
Total	\$172.00

Make Checks Payable to: San Miguel Fire Protection District
Questions: Please Call 619 670-0500

A 10% late fee will be added to invoices not paid within 30 days with an additional 1% each month. Invoices over 90 days will be sent to collections.



County of San Diego, Planning & Development Services
PROJECT FACILITY AVAILABILITY - SEWER
 ZONING DIVISION

2019-34

Please type or use pen
 Eddy Brikho, Joseph Brikho 619-726-7741
 Owner's Name Phone
 245 Highland Avenue
 Owner's Mailing Address Street
 National City, California 91950
 City State Zip

ORG _____ DPWWWDPOSSAL **S**
 ACCT _____
 ACT _____
 TASK _____
 DATE _____ AMT \$ 15⁰⁰
 DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION

TO BE COMPLETED BY APPLICANT

- A. Major Subdivision (TM) Certificate of Compliance _____
 Minor Subdivision (TPM) Boundary Adjustment _____
 Specific Plan or Specific Plan Amendment _____
 Rezone (Reclassification) from _____ to _____ zone _____
 Major Use Permit (MUP), purpose: _____
 Time Extension... Case No. _____
 Expired Map... Case No. _____
 Other Minor Use Permit, Site Plan Permit (B Designator), Variance Permit _____
- B. Residential Total number of dwelling units _____
 Commercial Gross floor area 6,728 square feet _____
 Industrial Gross floor area _____
 Other Gross floor area _____
- C. Total Project acreage 0.49 Total lots 1 Smallest proposed lot _____
- D. Is the project proposing its own wastewater treatment plant? Yes No
 Is the project proposing the use of reclaimed water? Yes No

Assessor's Parcel Number(s)
 (Add extra if necessary)
 584-160-52-00

Thomas Guide Page 1291 Grid A4
 Paradise Valley Road and Elkton Boulevard
 Project address Street
 Spring Valley CPA (La Presa) 91977
 Community Planning Area/Subregion Zip

Owner/Applicant agrees to pay all necessary construction costs and dedicate all district required easements to extend service to the project.
OWNER/APPLICANT MUST COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT.

Applicant's Signature: [Signature] Date: 10-24-19
 Address: 256 Highland Avenue, National City California 91950 Phone 619-726-7741

(On completion of above, present to the district that provides sewer protection to complete Section 2 below.)

SECTION 2: FACILITY AVAILABILITY

TO BE COMPLETED BY DISTRICT

District name SD County Sanitation Service area SPRING VALLEY

- A. Project is in the District.
 Project is not in the District but is within its Sphere of Influence boundary, owner must apply for annexation.
 Project is not in the District and is not within its Sphere of Influence boundary.
 Project is not located entirely within the District and a potential boundary issue exists with the _____ District.
- B. Facilities to serve the project ARE ARE NOT reasonably expected to be available within the next 5 years based on the capital facility plans of the district. Explain in space below or on attached. Number of sheets attached _____
 Project will not be served for the following reason(s): _____
- C. District conditions are attached. Number of sheets attached: _____
 District has specific water reclamation conditions which are attached. Number of sheets attached: _____
 District will submit conditions at a later date.
- D. How far will the pipeline(s) have to be extended to serve the project? EXTEND PUBLIC SEWER 200±

This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.

Authorized Signature: [Signature] Print Name and Title: LOUI'S COUDE TECH III Phone: (619) 694-9660 Date: 10/16/19

THIS DOCUMENT IS NOT A COMMITMENT OF FACILITIES OR SERVICE BY THE DISTRICT On completion of Section 2 by the district, applicant is to submit this form with application to: Planning & Development Services, Zoning Counter, 5510 Overland Ave. Suite 110 San Diego, CA 92123





County of San Diego

Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123
Phone: 1-800-411-0017

Receipt #: 4119523
Date: 10/24/2019
Cashier: CTRIEU

Receipt

POS Transaction

From AKB PETROLEUM, INC
Purpose 584-160-52-00

Fee Information

Invoice Date	Invoice Number	Record Number	Fee Code	Description	Amount
10/24/2019	3039382		DPWWWDPPOS SAL	Sewer Availability Letter	\$15.00

Payment Information

Pymt Method	Reference #	Comments	Amount Paid
Check	1358	584-160-52-00	\$15.00

Amount Received: \$15.00

Change: \$0.00



County of San Diego, Planning & Development Services
PROJECT FACILITY AVAILABILITY - SCHOOL
ZONING DIVISION

Please type or use pen

(Two forms are needed if project is to be served by separate school districts)

Joseph Brikho, Eddy Brikho Owner's Name 619-654-3815 Phone <hr/> 245 Highland Avenue Owner's Mailing Address Street <hr/> National City, California 91950 City State Zip	ORG _____ ACCT _____ ACT _____ TASK _____ DATE _____ ELEMENTARY _____ HIGH SCHOOL _____ UNIFIED _____
--	--

Sc

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION **TO BE COMPLETED BY APPLICANT**

<p>A. LEGISLATIVE ACT</p> <input type="checkbox"/> Rezones changing Use Regulations or Development Regulations <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Specific Plan <input type="checkbox"/> Specific Plan Amendment <p>B. DEVELOPMENT PROJECT</p> <input type="checkbox"/> Rezones changing Special Area or Neighborhood Regulations <input type="checkbox"/> Major Subdivision (TM) <input type="checkbox"/> Minor Subdivision (TPM) <input type="checkbox"/> Boundary Adjustment <input type="checkbox"/> Major Use Permit (MUP), purpose: _____ <input type="checkbox"/> Time Extension... Case No. _____ <input type="checkbox"/> Expired Map... Case No. _____ <input checked="" type="checkbox"/> Other <u>Minor Use Permit, Site Plan Permit (B Designator), Variance Permit</u> <p>C. <input type="checkbox"/> Residential Total number of dwelling units _____ <input checked="" type="checkbox"/> Commercial Gross floor area <u>6,728</u> square feet <input type="checkbox"/> Industrial Gross floor area _____ <input type="checkbox"/> Other Gross floor area _____</p> <p>D. <input checked="" type="checkbox"/> Total Project acreage <u>0.49</u> Total number lots <u>1</u></p> <p>Applicant's Signature: <u>[Signature]</u> Date: <u>10-24-19</u></p> <p>Address: <u>256 Highland Avenue, National City California 91950</u> Phone: <u>619-726-7741/619-654-7815</u></p> <p style="font-size: 0.8em;">(On completion of above, present to the district that provides school protection to complete Section 2 below.)</p>	<p style="text-align: center;">Assessor's Parcel Number(s) (Add extra if necessary)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">584-160-52-00</td> <td style="width: 50%;"></td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table> <p>Thomas Guide Page <u>1291</u> Grid <u>A4</u> Paradise Valley Road and Elkelton Boulevard. Project address Street Spring Valley CPA (La Presa) 91977 Community Planning Area/Subregion Zip</p>	584-160-52-00							
584-160-52-00									

SECTION 2: FACILITY AVAILABILITY **TO BE COMPLETED BY DISTRICT**

<p>LA MESA SPRING VALLEY SCHOOL DIST. District Name:</p> <p>Indicate the location and distance of proposed schools of attendance.</p> Elementary: <u>RANCHO ELEMENTARY SCHOOL</u> miles: <u>.04</u> Junior/Middle: <u>STEAM ACADEMY</u> miles: <u>.09</u> High school: _____ miles: _____ <p><input type="checkbox"/> This project will result in the overcrowding of the <input type="checkbox"/> elementary <input type="checkbox"/> junior/school <input type="checkbox"/> high school. (Check) <input type="checkbox"/> Fees will be levied or land will be dedicated in accordance with Education Code Section 17620 prior to the issuance of building permits. <input checked="" type="checkbox"/> Project is located entirely within the district and is eligible for service. <input type="checkbox"/> The project is not located entirely within the district and a potential boundary issue may exist with the _____ school district.</p> <p><u>[Signature]</u> Tracey Baker Authorized Signature Print Name</p> <p>Accounting Technician (619) 668-5700 Print Title Phone</p>	<p>If not in a unified district, which elementary or high school district must also fill out a form?</p>
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On completion of Section 2 by the district, applicant is to submit this form with application to:
 Planning & Development Services, Zoning Counter, 5510 Overland Ave. Suite 110 San Diego, CA 92121

SDC PDS RCVD 11-13-19





County of San Diego, Planning & Development Services
PROJECT FACILITY AVAILABILITY - SCHOOL ZONING DIVISION

Please type or use pen

(Two forms are needed if project is to be served by separate school districts)

Joseph Brikho, Eddy Brikho 619-654-3815
 Owner's Name Phone

245 Highland Avenue
 Owner's Mailing Address Street

National City, California 91950
 City State Zip

ORG _____
 ACCT _____
 ACT _____
 TASK _____
 DATE _____

Sc
 ELEMENTARY _____
 HIGH SCHOOL _____
 UNIFIED _____

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION

TO BE COMPLETED BY APPLICANT

A. LEGISLATIVE ACT

Rezones changing Use Regulations or Development Regulations
 General Plan Amendment
 Specific Plan
 Specific Plan Amendment

B. DEVELOPMENT PROJECT

Rezones changing Special Area or Neighborhood Regulations
 Major Subdivision (TM)
 Minor Subdivision (TPM)
 Boundary Adjustment
 Major Use Permit (MUP), purpose: _____
 Time Extension... Case No. _____
 Expired Map... Case No. _____
 Other Minor Use Permit, Site Plan Permit (B Designator), Variance Permit

C. Residential Total number of dwelling units _____
 Commercial Gross floor area 6,728 square feet
 Industrial Gross floor area _____
 Other Gross floor area _____

D. Total Project acreage 0.49 Total number lots 1

Assessor's Parcel Number(s)
 (Add extra if necessary)

584-160-52-00	

Thomas Guide Page 1291 Grid A4
 Paradise Valley Road and Elkton Boulevard.
 Project address Street
 Spring Valley CPA (La Presa) 91977
 Community Planning Area/Subregion Zip

Applicant's Signature: [Signature] Date: 10-24-19
 Address: 256 Highland Avenue, National City California 91950 Phone: 619-726-7741/619-654-3815

(On completion of above, present to the district that provides school protection to complete Section 2 below.)

SECTION 2: FACILITY AVAILABILITY

TO BE COMPLETED BY DISTRICT

Grossmont Union H.S. District
 District Name: _____

If not in a unified district, which elementary or high school district must also fill out a form?

Indicate the location and distance of proposed schools of attendance.

Elementary: _____ miles: _____
 Junior/Middle: _____ miles: _____
 High school: Mount Miguel High School miles: _____

This project will result in the overcrowding of the elementary junior/school high school. **(Check)**
 Fees will be levied or land will be dedicated in accordance with Education Code Section 17620 prior to the issuance of building permits.
 Project is located entirely within the district and is eligible for service.
 The project is not located entirely within the district and a potential boundary issue may exist with the _____ school district.

[Signature] Rosa Russell
 Authorized Signature Print Name

10/24/19 619 644-8177
 Print Title Phone

SDC PDS RCVD 11-13-19
ZAP19-003

On completion of Section 2 by the district, applicant is to submit this form with application to:
 Planning & Development Services, Zoning Counter, 5510 Overland Ave. Suite 110 San Diego, CA 92121





County of San Diego, Planning & Development Services
PROJECT FACILITY AVAILABILITY - WATER
ZONING DIVISION

Please type or use pen

Joseph Brikho, Eddy Brikho 619-726-7741
Owner's Name Phone
245 Highland Ave 619-654-3815
Owner's Mailing Address Street
National City California 91950
City State Zip

ORG _____
ACCT _____
ACT _____
TASK _____
DATE _____

W

AMT \$ 75.00

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION

TO BE COMPLETED BY APPLICANT

- A. Major Subdivision (TM) Specific Plan or Specific Plan Amendment
 - Minor Subdivision (TPM) Certificate of Compliance: _____
 - Boundary Adjustment
 - Rezone (Reclassification) from _____ to _____ zone.
 - Major Use Permit (MUP), purpose: _____
 - Time Extension... Case No. _____
 - Expired Map... Case No. _____
 - Other: Minor Use Permit, Site Plan Permit (B Designator), Variance Permit
- B. Residential Total number of dwelling units _____
 - Commercial Gross floor area 6,728 square feet
 - Industrial Gross floor area _____
 - Other Gross floor area _____
- C. Total Project acreage 0.49 Total number of lots 1
- D. Is the project proposing the use of groundwater? Yes No
 - Is the project proposing the use of reclaimed water? Yes No

Assessor's Parcel Number(s)
(Add extra if necessary)

584-160-52-00	

Thomas Guide Page 1291 Grid A4
Paradise Valley Road and Elkeltou Boulevard.
Project address Street
Spring Valley CPA (La Presa) 91977
Community Planning Area/Subregion Zip

Owner/Applicant agrees to pay all necessary construction costs, dedicate all district required easements to extend service to the project and COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT.

Applicant's Signature: _____ Date: 10-24-19
Address: 256 Highland Avenue, National City California 91950 Phone: 619-726-7741 / 619-654-3815

(On completion of above, present to the district that provides water protection to complete Section 2 below.)

SECTION 2: FACILITY AVAILABILITY

TO BE COMPLETED BY DISTRICT

- District Name: OTAY WATER DISTRICT Service area: WATER I.D. 22
- A. Project is in the district.
 - Project is not in the district but is within its Sphere of Influence boundary, owner must apply for annexation.
 - Project is not in the district and is not within its Sphere of Influence boundary.
 - The project is not located entirely within the district and a potential boundary issue exists with the _____ District.
- B. Facilities to serve the project ARE ARE NOT reasonably expected to be available within the next 5 years based on the capital facility plans of the district. Explain in space below or on attached _____. (Number of sheets)
 - Project will not be served for the following reason(s): _____
- C. District conditions are attached. Number of sheets attached: _____
 - District has specific water reclamation conditions which are attached. Number of sheets attached: _____
 - District will submit conditions at a later date. PARCEL FRONTS 16-INCH
- D. How far will the pipeline(s) have to be extended to serve the project? POTABLE WATER MAIN ON ELKELTON BLVD.

This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.

Authorized Signature: _____ Print Name: VU TRAN
Print Title: PERMIT TECH. Phone: 619-070-2241 Date: 10/24/19

NOTE: THIS DOCUMENT IS NOT A COMMITMENT OF SERVICE OR FACILITIES BY THE DISTRICT
On completion of Section 2 and 3 by the District, applicant is to submit this form with application to:
Planning & Development Services - Zoning Counter, 5510 Overland Ave, Suite 110, San Diego, CA 92123

SDC PDS RCVD 11-13-19
ZAP19-003



THIS APPROVAL OF AVAILABILITY IS SUBJECT TO ALL OTAY WATER DISTRICT REQUIREMENTS IN EFFECT AT THE TIME OF APPLICATION FOR SERVICE.



Otay Water District
Otay Cashier
2554 Sweetwater Springs Blvd
Spring Valley, CA 91978
619 670-2222

001792-0005 Kristina 10/24/2019 09:31AM

MISC RECEIPTS

Payment Tran Code:
Availability Letter
(avltr)
Description: The Paradise
Valley Gas Station
Availability Letter
(avltr)
2018 Item: avltr 75.00

75.00

Subtotal 75.00
Total 75.00

CREDIT CARD 75.00

Visa *****5957
Ref=20191024093030820DGE
Auth=854159
Terminal ID=XXXXXXXXXX472
Trans ID=00000013629
Trans Type=Purchase
Entry Legend=CHIP READ
Entry Method=CONTACT
AC=C6860509D406D9AD
ATC=0005
AID=A000000031010
TVR=8080008000
TSI=6800
RESP CD=00
TRN REF #=309297594527995
VAL CODE=TRG6

Change due 0.00

Paid by: Eddy Brikho

Signature: _____

<http://www.otaywater.gov>
Thank you for your payment

**Attachment G -
Ownership Disclosure**



County of San Diego, Planning & Development Services
APPLICANT'S DISCLOSURE OF OWNERSHIP INTERESTS ON APPLICATION FOR ZONING PERMITS/ APPROVALS
ZONING DIVISION

Record ID(s) PDS 2019- ZAP-19-003

Assessor's Parcel Number(s) 584-160-52-00

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The application shall be signed by all owners of the property subject to the application or the authorized agent(s) of the owner(s), pursuant to Section 7017 of the Zoning Ordinance. **NOTE:** Attach additional pages if necessary.

A. List the names of all persons having any *ownership interest* in the property involved.

Joseph Brikho

Adeeb "Eddy" Brikho

Jim Jalal Brikho

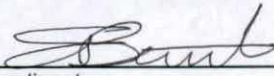
B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

Not Applicable

C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

Not Applicable

NOTE: Section 1127 of The Zoning Ordinance defines Person as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."


Signature of Applicant

Eddy Brikho
Print Name

11-7-19
Date

----- OFFICIAL USE ONLY -----
SDC PDS RCVD 11-13-19
ZAP19-003

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 565-5981 • (888) 267-8770
<http://www.sdcounty.ca.gov/pds>

