

TO: Mayor and Councilmembers  
Marlene Best, City Manager  
Shawn Hagerty, City Attorney

FROM: Annette Ortiz, CMC, City Clerk

DATE: June 12, 2024

**SUBJ: Updated Council Meeting Materials – June 12, 2024**

**PUBLIC HEARING:**

- (13) **Public Hearing for a Conditional Use Permit (P2022-9) for a Drive-Through Only Coffee Shop on a 0.39-Acre Vacant Lot at 8606 Cuyamaca Street (APN 384-311-38-00) in the General Commercial (GC) Zone and Finding the Project Exempt from the California Environmental Quality Act (“CEQA”) Pursuant to CEQA Guidelines Section 15303 (Applicant: 2525 Ramona, LLC). (Planning and Building – Sawa)**

The attached Resolution replaces the one previously provided with the Agenda packet. The highlighted sections below reflect the changes made. Added text is shown in underline; deleted text is shown in strikethrough:

**Condition F.14:**

- b. Traffic Mitigation Fees: \$14,678.71 (estimated based on a fee rate of \$ 9,721.00/1000 square feet of building area). Traffic mitigation fees are calculated in accordance with SMC §12.30.190 and the City’s Fee Schedule and, in this case, are the result of the total square footage of structures divided by 1,000 and multiplied by the fee rate (dollars per 1,000 square foot unit) for the respective land uses. (SMC §12.30.190(C)). These traffic fees will mitigate the impacts of the number of trips resulting from this Project. These fees are necessary to improve the City’s roadway circulation system. The City Council therefore finds that there is a nexus between the impacts of the Project and the mitigation provided through the traffic fees. The amount of these drainage traffic fees is also correlated with the impacts of the Project. The City Council therefore finds that there is a rough proportionality between the impacts of the Project and the mitigation provided through the traffic fees.
- c. Traffic Signal Fees: \$2,367.68 (estimated based on a fee rate of \$1,568.00/1000 square feet of building area). Traffic signal fees are calculated in accordance with SMC §12.30.180 and the City’s Fee Schedule and, in this case, are the result of the total square footage of structures divided by 1,000 and multiplied by the fee rate (dollars per 1,000 square foot unit) for the respective land uses. (SMC §12.30.180(C)). These traffic signal fees will mitigate the impacts of new traffic signal users directly resulting from this Project and will fund improvements and upgrades to the City’s traffic signal system. The City Council therefore finds that there is a nexus between the impacts of the Project and the mitigation provided through the traffic signal fees. The amount of these drainage traffic signal fees is also correlated with the impacts of the Project. The City Council therefore finds that there is a rough proportionality between the impacts of the Project and the mitigation provided through the traffic signal fees.

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT (P2022-9) FOR A DRIVE THROUGH ONLY COFFEE SHOP ON A 0.39-ACRE VACANT LOT AT 8606 CUYAMACA STREET (APN 384-311-38-00) IN THE GENERAL COMMERCIAL (GC) ZONE AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15303.**

**APPLICANT: 2525 RAMONA LLC.**

**WHEREAS**, the Santee Municipal Code (SMC) 13.12.030 requires a Conditional Use Permit for restaurants with drive-through service development in the General Commercial (GC) Zone; and

**WHEREAS**, on April 25, 2024, 2525 Ramona LLC submitted a complete application for P2022-9 to construct a 1,294 square foot drive through only coffee shop located at 8606 Cuyamaca Street (APN 384-311-38) in the GC Zone (Project); and

**WHEREAS**, the Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning classification and regulations; and

**WHEREAS**, the Project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15303, Class 3 of the CEQA Guidelines (New Construction or Conversion of Small Structures), because the project consists of constructing a commercial building less than 2,500 square feet in floor area for use as a drive-through only coffee shop that does not involve the use of significant amounts of hazardous substances. Through review of the Project and Project site, none of the exceptions to the Class 3 exemption found in CEQA Guidelines Section 15300.2 apply to the project; and

**WHEREAS**, the Project is located within Airport Influence Area 1, Safety Zone 2, of the Gillespie Field Airport Land Use Compatibility Plan (ALUCP) and on December 7, 2022, the Federal Aviation Administration determined that the Project, as designed, presented no hazard to air navigation, and the Airport Land Use Commission (ALUC) determined that the Project is conditionally consistent with the ALUCP pursuant to the ALUC determination letter dated February 3, 2023; and

**WHEREAS**, the City has adopted a Capital Improvement Plan (CIP) for Fiscal Years 2022-2026 in accordance with Government Code section 66002 that identifies the public infrastructure services and facilities the City provides, maintains, and improves, such as roads, sidewalks, traffic circulation, water drainage, utilities, and parks in the interest of the public's health, safety, and welfare ("Public Facility or "Public Facilities"); and

**WHEREAS**, the Mitigation Fee Act (Gov. Code sections 66000-66025) authorizes the City to impose fees as a condition of issuing a building permit to offset/ help fund the impacts of new construction of Public Facilities when the purpose and use of the fee is reasonably related to the type of development project and to the need for the Public Facility (Gov. Code section 66001(a)); and

## RESOLUTION NO.

**WHEREAS**, in 2019, the City adopted a comprehensive Development Impact Fees and Dedication Ordinance, Ordinance 565, which was amended by Ordinance 612 in 2023, to require the Director of Finance to annually prepare and make available to the public a report that, among other things, demonstrates the relationship between development impact fees and the City's determination and use of such fees consistent with the Mitigation Fee Act; and

**WHEREAS**, Resolution 097-2023 recognizes that new development requires the construction of capital improvements such as drainage improvements, traffic improvements, traffic signals, public park facilities, community facilities and other public improvements, public services and community amenities. The resolution provides the current City of Santee Development Impact Fee Report, and makes findings related to the purpose and use of the City's impact fees, how the fees relate to a development project and impact on Public Facilities, and how the individual fees are calculated; and

**WHEREAS**, the Project calls for new construction that will both benefit from and burden various Public Facilities, specifically drainage, traffic, and traffic signal facilities, based on the demand generated by the Project for those facilities. As a result, the Project is subject to the assessment of development impact fees based on the Project's commercial use classification and size and measured by the its proportional contribution to the cost of capital improvements to specific Public Facilities; and

**WHEREAS**, it is in the interest of the public's health, safety and welfare for the Project to pay the costs of constructing the Public Facilities that are reasonably related to the impacts of the Project; and

**WHEREAS**, the Project is not subject to Measure N as the Project is not a General Plan amendment, Planned Development Area, or new Specific Planning Area, nor would it increase the residential density permitted by law, make changes to the General Plan Residential Land Use categories that would intensify use, make changes to the land use designation of any parcel in a manner that intensifies use, nor make changes to slope criteria, minimum parcel sizes, or lot averaging provisions of the General Plan that would permit increased density or intensity of use; and

**WHEREAS**, the Planning & Building Department scheduled P2022-9 for public hearing on June 12, 2024; and

**WHEREAS**, on June 12, 2024, the City Council held a duly advertised public hearing on P2022-9; and

**WHEREAS**, the City Council considered the Staff Report, the CEQA Exemption, all recommendations by staff, public testimony, and all other relevant information contained in the administrative record regarding the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee, California that, after considering the evidence presented at the public hearing, the City Council hereby finds as follows:

## RESOLUTION NO.

**SECTION 1:** On June 12, 2024, the City Council authorized filing a CEQA Notice of Exemption after determining the project exempt from CEQA pursuant to Section 15303, Class 3 of the CEQA Guidelines (New Construction or Conversion of Small Structures) because the project consists of constructing a commercial building less than 2,500 square feet in floor area for use as a coffee shop that does not involve the use of significant amounts of hazardous substances. Through review of the project and project site, none of the exceptions to the Class 3 exemption found in CEQA Guidelines Section 15300.2 apply to the project. No further environmental review is required for the City to adopt this Resolution.

**SECTION 2:** The following circumstances, required by SMC Section 13.06.030(E)(1)-(4) to be met prior to the issuance of a Conditional Use Permit, are found to apply for the reasons stated:

A. *That the proposed use is in accord with the General Plan, the objectives of the zoning ordinance, and the purposes of the district in which the site is located*

The proposed use complies with the Santee General Plan, the objectives of the Development Code, and the purpose of the district in which the site is located. The site is located in the GC zone district, which is intended primarily for a range of retail and service activities, but also allows restaurants with drive-through services with Conditional Use Permit approval.

B. *That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*

The proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity because:

1. The building is separated from surrounding uses by a block wall, landscaping, and a driveway; and
2. The building is set back from both Prospect Avenue and Cuyamaca Street to the extent feasible and all setbacks and unused areas will be landscaped; and
3. On-site circulation, queue design, and operational procedures will ensure drive-through traffic can be adequately contained on the subject property; and
4. Site development includes an access driveway from Prospect Avenue and a drive-through facility design that avoids traffic backup onto adjoining roadways as substantiated by a corresponding queuing analysis; and
5. Noise from construction and operational activities will not be detrimental to

## RESOLUTION NO.

surrounding properties as conditions of approval, herein, require construction activities to not be conducted before 7:00 a.m. or after 7:00 p.m. on Mondays through Saturdays and at any time on Sundays and holidays.

- C. *That the proposed use complies with each of the applicable provisions of the zoning ordinance.*

The proposed use complies with each of the applicable provisions of the SMC including building setbacks, landscaping, and lighting. The drive-through coffee shop use is permitted in the GC zone with approval of a Conditional Use Permit and the buildings, parking, parking lot lighting and site landscaping have been designed to be consistent with the design criteria outlined with SMC. All proposed private improvements necessary for the project will meet the City's Public Works standards.

- D. *Regarding all properties designated as general commercial, neighborhood commercial or office professional: Development and redevelopment shall be comprehensively designed, entitled and developed whenever it is determined by the City that the permitting of incremental construction and uses may significantly inhibit or otherwise be detrimental to fulfilling the economic and development potential of the site. Any development review permit, conditional use permit or minor conditional use permit which is not consistent with this policy shall be denied.*

The project site is located in the GC zone and the proposed development has been comprehensively designed with carefully placed buildings, parking areas, landscaping and other site improvements that adequately reflect surrounding uses and site conditions.

**SECTION 3:** P2022-9 is hereby approved subject to the following conditions:

- A. **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, the applicant shall complete the following to the satisfaction of the applicable Department.**
1. Following project approval, the applicant shall schedule with the City Project Planner a post approval meeting to discuss the project's conditions of approval, timing of design and construction, and implementation of the project conditions. The meeting shall be scheduled prior to any plan submittals. The applicant should include their project design team including the project architect, their design engineer, and their landscape architect. (Planning)
  2. Minor or Major Revisions to the Conditional Use Permit, such as changes to the building elevations, site design, or landscape design, shall be approved by the Planning & Building Director, unless in the Planning &

## RESOLUTION NO.

Building Director's judgment, a Major Revision should be reviewed by the City Council. (Planning)

3. The applicant shall include provisions in their design contract with their design consultants that following approval by the City, all construction drawings or technical reports accepted by the City, exclusive of architectural building plans, shall become the property of the City. Once accepted, these plans may be freely used, copied or distributed by the City to the public or other agencies, as the City may deem appropriate. A letter of acknowledgment of this requirement from each design consultant is required at the time of plan submittal. This letter shall be in a format acceptable to the Director of Engineering. (Engineering)
4. To coordinate with the City Geographic Information System, horizontal and vertical control for all construction drawings, grading plans, landscape plans, street improvement plans, plot plans, etc., shall be obtained from Record of Survey (ROS) 11252. All plans, exclusive of building plans, shall be prepared at an engineering scale of 1"=20' unless otherwise approved by the project engineer. (Engineering)
5. Starting with the first plan check submittal, all plan sets shall be submitted concurrently to Padre Dam Municipal Water District for review and approval. The City does not coordinate the review process with Padre Dam, this is the responsibility of the design engineer and the landscape architect. Failure to properly coordinate this review may result in a delay in the issuance of permits required for construction. It is incumbent upon the applicant to oversee the plan submittals of their design consultants. (Engineering)
6. The project shall be compliance with the adopted California Building Standards Code at the time of building permit application and shall be subject to expirations for plan review per SMC Section 11.04.030 (Building)
7. All building permits shall expire per the California Building Code (CBC) Section 105. (Building)
8. All construction shall be in substantial conformance with the project plans approved on June 12, 2024 and as amended by this Resolution. (All Departments)
9. The applicant shall comply with all applicable requirements of the SMC, Land Development Manual, and Public Works Standards of the City of Santee. (All Departments)
10. The applicant shall obtain building permits, as necessary, for the proposed work in compliance with all applicable SMC sections, Uniform Building Code, CBC, Uniform Plumbing Code, National Electric Code, Uniform Mechanical Code, Public Works Standards of the City of Santee, and all requirements of the Fire Department. (All Departments)

## RESOLUTION NO.

**B. IMPROVEMENT PLAN: Prior to approval of any improvement plans, the applicant shall complete the following to the satisfaction of the applicable Department.**

1. **Street Improvement Plans** shall be submitted to the Engineering Department for review and acceptance. Prior to the start of construction of any improvements, public or private, within the limits of the public right-of-way, the applicant shall have plans accepted, agreements executed, securities posted, and an encroachment permit issued. All improvements shall be installed in accordance with City standards and at the applicant's cost unless otherwise indicated. The following improvements are conditioned as part of this development:
  - a. Construct a 36-foot-wide commercial driveway on Prospect Avenue per City of Santee Standards. The driveway design shall be per the City of Santee Public Works Standard Drawing PW-38 and to the satisfaction of the City Engineer.
  - b. Dedicate right-of-way along the property frontage of Cuyamaca Street to prime arterial standards (63-foot right-of-way to centerline). Abandon the existing driveway and replace it with a new concrete curb, gutter and sidewalk. Remove and replace failed or inadequate curb, gutter, sidewalk, landscaping and street pavement to the satisfaction of the City Engineer.
  - c. Widen Prospect Avenue to collector street standards (64 feet curb to curb/84-foot right-of-way). Show curb, gutter, sidewalks, street lighting, fire hydrants and pedestrian ramps at curbs. Provide a transition with the existing improvements located west of the project site. Transition shall be to the satisfaction of the City Engineer.
  - d. The applicant shall request the vacation of excess right-of-way along Prospect Avenue such that the paved width from the centerline is 32 feet, and the dimension to the property line from the centerline is 42 feet. The centerline to be used shall match that found on City of Santee drawing number 86-101 and identified as "Ultimate St. CL".
  - e. The intersection of Prospect Avenue and Cuyamaca Street shall be constructed with a 40-foot radius curb return, modified consistent with the civil preliminary Grading plan sheet 2 of 2 dated 02/05/2024. The alignment shall be to the satisfaction of the City Engineer and be located at the ultimate building out. The applicant shall relocate existing obstructions as necessary to provide compliance with the Americans with Disabilities Act.
  - f. Street Improvement plans shall be one hundred percent (100%) complete at the time of plan check submittal, be prepared in accordance with City guidelines and the requirements set forth herein and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. The applicant shall make an electronic submittal via the City of Santee Permitting and

## RESOLUTION NO.

Licensing Portal. The items to be submitted include but are not limited to the following:

1. 100 percent complete improvement plans.
2. Estimate for the cost of construction.
3. Resolution of Approval approving the project.

In addition to the above electronic submittal requirements, one hard copy of the full-sized improvement plans shall be provided to the project engineer. Plan check and inspection fees shall be paid in accordance with the City Fee Schedule. The amount due will be determined by staff after the initial intake. To begin the review process, fees must be paid in full. (Engineering)

2. The project shall modify the traffic signal to the satisfaction of the City Traffic Engineer. The improvement plans shall include a sheet/detail of modifications. The plans shall at minimum show the location of the new or relocated pole and correctly identify all traffic signal pull boxes and the traffic signal controller cabinet. (Traffic)
3. The project shall modify the striping on Prospect Ave to better align with striping on Prospect Ave east of Cuyamaca St. (Traffic)
4. The project shall modify the curb, gutter and pedestrian ramp on the northwest corner of Prospect Ave at Cuyamaca St to have a 40-foot radius on the Cuyamaca St side and a 30 foot radius on the Prospect Ave side. The new right-of-way shall be a minimum of 10 feet from face of curb. (Traffic)
5. The project shall widen Prospect Ave to the ultimate width of 32 feet from roadway centerline and install curb, gutter and sidewalk along its frontage. (Traffic)

**C. GRADING PERMIT: Prior to approval of any grading plans and issuance of any grading permits, the applicant shall complete the following to the satisfaction of the applicable Department.**

1. Landscape plans shall be certified by a licensed landscape architect for compliance with the Landscape and Irrigation Regulations set forth in SMC Chapter 13.36 and the California Model Water Efficient Landscape Ordinance. (Planning)
2. The following shall be incorporated into the project plans: "Control of Construction Hours. Construction activities occurring as part of the project shall be subject to the limitations and requirements of SMC Section 5.04.090 which states that construction activities may occur between 7:00 a.m. and 7:00 p.m. Mondays through Saturdays. No construction activities



## RESOLUTION NO.

shall be permitted outside of these hours or on Sundays and holidays.”  
(Planning)

3. **Precise Grading Plans** shall be submitted to the Engineering Department for review and acceptance.
  - a. Horizontal and vertical control for all plans shall be obtained from ROS 11252 and shall be prepared at an engineering scale of 1"=20' unless otherwise approved by the City project engineer.
  - b. All recommended measures identified in the approved geotechnical study shall be incorporated into the project design and construction.
  - c. Grading plans shall include preliminary recommendations for all pavement design sections within the project limits. The pavement structural section shall be designed based on the "R" value method using a minimum traffic index of 5.0 for on-site improvements, 8.0 for the widening of Prospect Avenue and 9.0 for work on Cuyamaca Street. Minimum concrete section shall be 5 1/2 inches plain cement concrete (PCC) over compacted, non-expansive soil. Mix design shall be a minimum class 520-C-2500. R-value test data and design calculations shall be submitted for approval to the Engineering Department a minimum of seven days prior to placement of paving. The pavement design report shall conform to City of Santee Form 435 – PAVEMENT DESIGN AND R-VALUE TEST SUBMITTAL PROCEDURES.
  - d. Grading plans shall be one hundred percent (100%) complete at the time of plan check submittal, be prepared in accordance with City guidelines and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. The applicant shall make an electronic submittal via the City of Santee Permitting and Licensing Portal. The items to be submitted include but are not limited to the following:
    1. 100 percent complete Grading, landscape, and irrigation plans.
    2. A completed grading permit submittal.
    3. Estimate for the cost of construction.
    4. Drainage Study specified here within.
    5. Storm Water Quality Management Plan (SWQMP) specified here within.
    6. Operation & Maintenance (O&M) plan specified here within.
    7. Geotechnical Study specified here within.
    8. Letters of permission from any adjoining property owners if grading is proposed off-site. Letters shall be in a form acceptable to the City.

## RESOLUTION NO.

9. Letters of acknowledgment signed and sealed, from each design consultant acknowledging City ownership of all construction drawings following City approval as specified here within.
10. Resolution of Approval approving the project.

In addition to the above electronic submittal requirements, one hard copy of the above-mentioned full-sized plans, documents and reports shall be provided to the project engineer. Plan check and inspection fees shall be paid in accordance with the City Fee Schedule. The amount due will be determined by staff after the initial intake. To begin the review process, fees must be paid in full. (Engineering)

4. Provide a geotechnical study prepared in accordance with the Santee General Plan. All recommended measures identified in the approved study shall be incorporated into the project design. The Geotechnical/Seismic Hazard Study for the Safety Element of the Santee General Plan which details, in Table A-1, study criteria necessary to conform to the General Plan requirements, can be accessed from the City's website.
  - a. The geotechnical report shall analyze any proposed infiltration techniques (trenches, basins, dry wells, permeable pavements with underground reservoir for infiltration) for any potential adverse geotechnical concerns. Geotechnical conditions such as: slope stability, expansive soils, compressible soils, seepage, groundwater depth, and loss of foundation or pavement subgrade strength should be addressed, and mitigation measures provided. (Engineering)
5. Provide a drainage study prepared by a registered Civil Engineer, with demonstrated expertise in drainage analysis and experience in fluvial geomorphology and water resources management. Storm drainage shall be designed to adequately convey storm water runoff without damage or flooding of surrounding properties or degradation of water quality.
  - a. The drainage study shall identify and calculate storm water runoff quantities expected from the site and upstream of the site and verify the adequacy of all on-site or off-site facilities necessary to discharge this runoff. The drainage system design shall be capable of collecting and conveying all surface water originating within the site, and surface water that may flow onto the site from upstream lands, and shall be in accordance with the latest adopted Master Drainage Plan, the requirements of the City of Santee Public Works Standards, including analysis of the 10-year, 50-year and 100-year frequency storms, and be based on full development of upstream areas.
  - b. The drainage study shall compute rainfall runoff characteristics from the project area including, at a minimum, peak flow rate, flow velocity,

## RESOLUTION NO.

runoff volume, time of concentration, and retention volume. These characteristics shall be developed for the 10-year, 50-year and 100-year frequency six-hour storm during critical hydrologic conditions for soil and vegetative cover. Storm events shall be developed using isopluvial maps and in accordance with the San Diego County Hydrology Manual. (Engineering)

6. Provide a SWQMP prepared in accordance with the City of Santee Storm Water Ordinance and in accordance with the City of Santee Best Management Practices (BMP) Design Manual dated February 2016. The SWQMP must include BMPs to address water quality and hydromodification. An O&M Plan describing maintenance requirements and costs for BMP maintenance and provision of maintenance verification shall be provided.

The SWQMP shall include the following:

- a. Develop and implement appropriate BMPs to ensure that the project does not increase pollutant loads from the site. A combination of respective storm water BMPs, including Site Design, Source Control, and Structural Treatment Control shall be implemented in accordance with the approved SWQMP.
- b. The project design shall incorporate Low Impact Development (LID) and site design BMPs to minimize directly connected impervious areas and to promote infiltration using LID techniques as outlined in the County of San Diego's LID handbook. Parking areas shall be designed to drain to landscape areas. Private roads shall be designed to drain to vegetated swales or landscaped areas.
- c. The site shall comply with full trash capture requirements by providing completely enclosed trash and recycling enclosures and fitting all storm drain inlets with a State certified grate/screen or trash rack. Said devices must be designed to capture debris of 5 mm or greater, while preventing flooding potential. In addition, any adjacent public storm drain inlet structure to which the site discharges must also be retrofitted with trash capture devices. The device which shall be used for public inlets is the Advanced Drainage System (ADS) FlexStorm Connector Pipe Screen system or approved equal.
- d. All inlets must be labeled with concrete stamp or equivalent - stating, "No Dumping - Drains to River". If work is performed on a public inlet, the public inlet must be labeled with the following standard specification: Public storm drain inlet markers shall be 4-inch diameter, stainless steel, natural embossed, inlet marker as manufactured by Almetek Industries or approved equal. Marker shall contain/state "No Dumping" with "Fish w/ Wave" symbol and "Drains to Waterways" legend. Marker shall contain 2-inch-long x ¼-

## RESOLUTION NO.

inch diameter threaded rod and shall be installed flush and wet-set in top of inlet, centered on width of inlet opening.

- e. Down spouts and heating, ventilation, and air conditioning (HVAC) systems are not permitted to be connected to any storm drain conveyance system. All non-storm water discharges must either drain to landscaped areas or be plumbed to the sewer.
  - f. Fire suppression systems must be designed to be able to discharge to a sewer clean out for all maintenance and testing activities, or otherwise captured and contained on-site.
  - g. California native/drought-tolerant plants shall be used to the maximum extent feasible to minimize the need for irrigation. Where irrigation is necessary, then the system shall be designed and installed to prevent overspray or irrigation runoff during normal operations and during a break in the line.
  - h. The final project submittal shall include a standalone O&M Plan in accordance with the City of Santee BMP Design Manual. (Engineering)
7. Submit a current preliminary title report (dated within six months of plan submittal) and all documents listed in the title report. Copies of recorded documents must be clear and legible copies of the original recorded document. (Engineering)
8. The underground water supply piping that feeds the automatic fire sprinkler system is required to be flushed of dirt and debris prior to connecting with the overhead portion of the automatic fire sprinkler system. The underground piping cannot be flushed into the storm drain system. This must be done into an on-site retention basin, or other approved means. This water discharge shall be planned for as a part of the on-site storm water pollution prevention plan. Please contact the Fire Department regarding other approved methods of flushing this underground system. Separate plans shall be submitted to the Fire Department for Underground Fire lines. (Fire)
- D. ROUGH GRADING: Prior to any grading or site preparation activities the applicant shall complete the following to the satisfaction of the applicable Department.**
- 1. Prior to the start of ground-disturbing activities, the applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology (U.S. Department of the Interior 2012). The applicant shall also retain a Native American monitor of Kumeyaay decent. (Planning)

## RESOLUTION NO.

2. Prior to the start of ground-disturbing activities, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of archaeological resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The applicant shall ensure that construction personnel attend the training and sign an attendance acknowledgement form. The applicant shall retain documentation demonstrating attendance. (Planning)
3. Following issuance of a grading permit the applicant shall complete rough grading in accordance with the approved grading plans and the recommendations of the project's geotechnical engineer. (Engineering)

**E. DURING GRADING: During any grading, site preparation or construction activities, the applicant shall complete the following conditions to the satisfaction of the applicable Department:**

1. The qualified archaeologist, or an archaeological monitor (working under the direct supervision of the qualified archaeologist), shall observe all initial ground-disturbing activities, including but not limited to brush clearance, vegetation removal, grubbing, grading, and excavation. The qualified archaeologist, in coordination with the applicant and the City, may reduce or discontinue monitoring if it is determined by the qualified archaeologist that the possibility of encountering buried archaeological deposits is low based on observations of soil stratigraphy or other factors. Archaeological monitoring shall be conducted by an archaeologist familiar with the types of archaeological resources that could be encountered within the project site. The archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of a discovery until the qualified archaeologist has evaluated the discovery and determined appropriate treatment (as prescribed below). The archaeological monitor shall keep daily logs detailing the types of activities and soils observed, and any discoveries. After monitoring has been completed, the qualified archaeologist shall prepare a monitoring report that details the results of monitoring. The report shall be submitted to the City and any Native American groups who request a copy. A copy of the final report shall be filed at the South Coastal Information Center. (Planning)
2. The Native American monitor shall be present for any pre-construction meeting and for all ground-disturbing activities associated with the project. Should any cultural or tribal cultural resources be discovered, no further grading shall occur in the area of the discovery until the Planning & Building Director or designee, with concurrence from the Native American monitor, are satisfied that treatment of the resource has occurred. In the event that a unique archaeological resource or tribal cultural resource is discovered, and in accordance with Public Resources Code Section 21083.2(b)(1), (2), and (4), the resource shall be moved and buried in an open space area

## RESOLUTION NO.

identified by the Native American monitor, which will not be subject to further grading activity, erosion, flooding, or any other ground disturbance that has the potential to expose the resource. No identification of the resource shall be made; however, the applicant shall plot the new location of the resource on a map showing latitudinal and longitudinal coordinates and provide that map to the Native American Heritage Commission (NAHC) for inclusion in the Sacred Lands File. Disposition of the resources shall be at the discretion of the City of Santee, but in accordance with the foregoing. (Planning)

3. In the event of the unanticipated discovery of archaeological materials, all work shall immediately cease in the area (within 100 feet) of the discovery until it can be evaluated by the qualified archaeologist in consultation with the Native American monitor. Construction shall not resume until the qualified archaeologist has conferred with the applicant and the City on the significance of the resource. (Planning)
4. If it is determined that the discovered archaeological resource constitutes a historical resource or a unique archaeological resource, avoidance and preservation in place is preferred. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible option available, a Cultural Resources Treatment Plan shall be prepared and implemented by the qualified archaeologist in consultation with the applicant and the City that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource. The qualified archaeologist and the City shall consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those which are scientifically important, are considered. (Planning)
5. If human remains are encountered, all work shall halt in the vicinity (within 100 feet) of the discovery and the San Diego County Coroner will be contacted in accordance with Public Resources Code (PRC) Section 5097.98 and Health and Safety Code Section 7050.5. The applicant and the City will also be notified. If the County Coroner determines that the remains are Native American, the NAHC will be notified in accordance with Health and Safety Code Section 7050.5, subdivision (c), and PRC Section 5097.98 (as amended by Assembly Bill 2641). The NAHC will designate a Most Likely Descendant (MLD) for the remains per PRC Section 5097.98. The MLD shall complete the inspection of the site within 48 hours of being granted access and shall provide recommendations for the treatment of the remains. Until the landowner has conferred with the MLD, the applicant will ensure that the immediate vicinity where the discovery occurred is not disturbed by further activity, is adequately protected according to generally accepted cultural or archaeological standards or practices. (Planning)

## RESOLUTION NO.

6. The construction contractor shall use construction equipment powered by California Air Resources Board certified Tier 4, or newer, engines and haul trucks that conform to current U.S. Environmental Protection Agency truck standards. (Planning)
7. The on-site construction superintendent shall ensure implementation of standard BMPs as required by the San Diego Air pollution Control District Rule 55, Fugitive Dust Control. (Planning)
8. The on-site construction superintendent shall ensure implementation of applicable California Department of Resources Recycling and Recovery (CalRecycle) Sustainable (Green) Building Program Measures. (Planning)
9. Construction equipment with a manufacturer's noise rating of 85 dBALMAX or greater, may only operate at a specific location for 10 consecutive workdays. If work involving such equipment involves more than 10 consecutive workdays, a notice must be provided to all property owners and residents within 300 feet of the site no later than 10 days before the start of construction. A sign legible at a distance of 50 ft shall also be posted at the construction site. All notices and the signs must be approved by the City and shall indicate the dates and durations of construction activities, as well as provide a telephone number for the noise disturbance coordinator. (Planning)
10. A noise disturbance coordinator shall be established. The noise disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler) and shall be required to implement reasonable measures to reduce noise levels. (Planning)
11. The applicant shall comply at all times with the following work hour requirements:
  - a. No site work, building construction, or related activities, including equipment mobilization will be permitted to start on the project prior to 7:00 am and all work for the day shall be completed by 7:00 pm, no exceptions.
  - b. No work is permitted on Sundays or City Holidays.
  - c. No deliveries, including equipment drop off and pick-up, shall be made to the project except between the hours of 8:00 am and 6:00 pm, Monday through Saturday, excluding Sundays and City Holidays. Deliveries of emergency supplies or equipment necessary to secure the site or protect the public are permitted.
  - d. If the applicant fails or is unable to enforce compliance with their contractors, subcontractors and material suppliers regarding the

## RESOLUTION NO.

specified work hours, additional reduction of work hours may be imposed by the Engineering Department. (Engineering)

In addition to the above the applicant shall erect one or more signs stating the work hour restrictions. Signs shall be installed as may be required, in the vicinity of the project construction trailer if a job site trailer is used, or at such other locations as may be deemed appropriate by the Engineering Department. The sign shall be a minimum of 24-inch x 36 inch and shall be weather proofed. The sign content shall be provided by the Engineering Department. (Engineering)

12. Trench work when required within City streets shall be completed within two weeks of the initial start date, including placement of the final trench patch. Trench plates or temporary pavement placement shall be installed at the end of each workday. Advance warning signs on lighted barricades notifying the public of trench plates and/or uneven pavement shall be placed and maintained until permanent pavement repairs are made. The maximum length of time including weekends and holidays that trench plates may remain on the street is 72 hours after which temporary or permanent asphalt paving shall be placed. (Engineering)
13. Vehicle access on Mission Gorge Road, Cuyamaca Street, Olive Lane, Town Center Parkway, Carlton Hills Boulevard, Woodside Avenue, and Riverview Parkway shall be maintained at all times and all work shall be done at night unless otherwise approved by the Director of Engineering. When day work is permitted, work hours shall be from 8:30 am to 3:30 pm, including set up and break down of traffic control. No day work will be permitted during the holiday season, defined as beginning the Saturday before Thanksgiving Day and shall extend through New Year's Day, unless otherwise approved by the Director of Engineering. (Engineering)

**F. BUILDING PERMIT: Prior to approval of any building plan and the issuance of any building permit, the applicant shall complete the following to the satisfaction of the applicable Department.**

1. An avigation easement for aircraft noise and height is required to be recorded with the San Diego County Recorder pursuant to the Gillespie Field Airport Land Use Compatibility Plan and the San Diego County Airport Land Commission's Consistency Determination Letter dated February 3, 2023. A copy of the recorded avigation easement must be provided prior to issuance of any building permit. (Planning)
2. The building must be sound attenuated to a 50 decibel Community Noise Equivalent Level (dB CNEL) interior noise level pursuant to the Gillespie Field Airport Land Use Compatibility Plan and the San Diego County Airport Land Commission's Consistency Determination Letter dated February 3, 2023. (Planning)



## RESOLUTION NO.

3. A solar permit must be submitted and approved showing a system with a generating capacity of at least 1.5 watts of energy per square foot of building area. (Building)
4. A decorative iron fence, or similar style fence or wall, shall be installed along the western property line in replace of the existing chain link fence. (Planning)
5. Trash receptacles shall be enclosed by a solid six-foot-high decorative block or stucco wall with view obstructing metal gates painted to match the proposed building. A solid-covered roof and mesh screens shall also be provided for the trash enclosure, subject to approval of the Planning & Building Director. (Planning)
6. Any proposed site walls shall be constructed of split-faced block or similar decorative material. (Planning)
7. All new signs shall be approved separately through a Sign Permit subject to the requirements of SMC Chapter 13.32. (Planning)
8. Any equipment, whether on the roof, on the side of a building, or on the ground, shall be screened from view. The method of screening shall be architecturally integrated with the building design in terms of material, color, shape and size. All elevations submitted for building plan check shall show the method of screening of any proposed rooftop mechanical equipment. (Planning)
9. Parking lot lights shall not exceed 15 feet in overall height from finished grade and shall be fully-shielded so as not to cause glare on adjacent properties. (Planning)
10. Following completion of the rough grading and prior to issuance of any building permits, the applicant shall provide three originals of the pad compaction certification from the geotechnical engineer and three originals of the pad elevation certification from the project civil engineer to the City project engineer. (Engineering)
11. Applicant shall ensure that all property corners are properly monumented. If corners have been lost or do not exist, corners shall be set, and a ROS filed prior to issuance of a building permit. (Engineering)
12. A Storm Water Facilities Maintenance Agreement accepting responsibility for all structural BMP maintenance, repair and replacement as outlined in said O&M plan binding on the land throughout the life of the project will be required prior to issuance of building permit. (Engineering)
13. Applicant consents to the annexation of the property under development to

## RESOLUTION NO.

the Santee Roadway Lighting District and agrees to waive any public notice and hearing of the transfer. The applicant shall pay the necessary annexation costs and upon installation of any streetlights required for the development, pay the necessary streetlight energizing and temporary operating costs. (Engineering)

14. The applicant shall pay all development impact fees in effect at the time of issuance of building permits and as determined to apply the Project. At present, the fees are estimated to be as follows:
  - a. Drainage Fees: \$23,687.06 (estimated based on \$ 1,452.00/1000 square feet of increased impermeable area). Drainage fees are calculated in accordance with SMC §12.30.160 and the City's Fee Schedule and, in this case, are the result of the total square footage, divided by 1,000, of impermeable surface to be constructed, including but not limited to, roof area, parking lots, driveways, patios, streets, and sidewalk and the fee rate (dollars per 1,000 square foot unit) for the respective land uses. (SMC §12.30.160(C)). These drainage fees will mitigate the impacts directly resulting from this Project, which drains directly into the City's existing stormwater system. Those fees are necessary to repair and rehabilitate the City's master storm drain facilities. The City Council therefore finds that there is a nexus between the impacts of the Project and the mitigation provided through the drainage fees. The amount of these drainage fees is also correlated with the impacts of the Project. The City Council therefore finds that there is a rough proportionality between the impacts of the Project and the mitigation provided through the drainage fees.
  - b. Traffic Mitigation Fees: \$14,678.71 (estimated based on a fee rate of \$ 9,721.00/1000 square feet of building area). Traffic mitigation fees are calculated in accordance with SMC §12.30.190 and the City's Fee Schedule and, in this case, are the result of the total square footage of structures divided by 1,000 and multiplied by the fee rate (dollars per 1,000 square foot unit) for the respective land uses. (SMC §12.30.190(C)). These traffic fees will mitigate the impacts of the number of trips resulting from this Project. These fees are necessary to improve the City's roadway circulation system. The City Council therefore finds that there is a nexus between the impacts of the Project and the mitigation provided through the traffic fees. The amount of these traffic fees is also correlated with the impacts of the Project. The City Council therefore finds that there is a rough proportionality between the impacts of the Project and the mitigation provided through the traffic fees.
  - c. Traffic Signal Fees: \$2,367.68 (estimated based on a fee rate of \$1,568.00/1000 square feet of building area). Traffic signal fees are calculated in accordance with SMC §12.30.180 and the City's Fee Schedule and, in this case, are the result of the total square footage

## RESOLUTION NO.

of structures divided by 1,000 and multiplied by the fee rate (dollars per 1,000 square foot unit) for the respective land uses. (SMC §12.30.180(C)). These traffic signal fees will mitigate the impacts of new traffic signal users directly resulting from this Project and will fund improvements and upgrades to the City's traffic signal system. The City Council therefore finds that there is a nexus between the impacts of the Project and the mitigation provided through the traffic signal fees. The amount of these traffic signal fees is also correlated with the impacts of the Project. The City Council therefore finds that there is a rough proportionality between the impacts of the Project and the mitigation provided through the traffic signal fees.

- d. Impact fees are calculated in accordance with the City's Fee Schedule and fee ordinances in effect at the time the building permits are issued. The applicant shall provide certification of the final site and building areas by their engineer of work to be approved by the Director of Engineering for use in calculating the final fee amounts. Fees shall be adjusted on an annual basis in accordance with the Municipal Code. (Engineering)

**G. OCCUPANCY: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit the applicant shall complete the following to the satisfaction of the applicable Department.**

1. The applicant shall install a permanently anchored bicycle rack at an accessible location near the main entrance to the building, as shown on the building permit plans. (Planning)
2. The project shall utilize high-efficiency equipment and fixtures consistent with the current California Green Building Standards Code and Title 24 of the California Code of Regulations. (Planning)
3. The project shall comply with SMC Chapters 9.02 and 9.04 that pertain to solid waste management and demolition and construction debris recycling. (Planning)
4. In conformance with San Diego Air Pollution Control District's (SDAPCD) Rule 67.0.1, Architectural Coatings, the project shall use low volatile organic compound (VOC) paints. (Planning)
5. A bond, equal to the cost of full landscape installation, shall be required and shall not be released for a minimum of one year until said landscaping is demonstrated to be fully viable. (Planning)
6. Provide two print copies and a digital copy of both the final approved SWQMP and the O&M. (Engineering)
7. Submit a print and digital copy of the BMP Certification package. The BMP certification package includes but is not limited to: 'wet' signed and stamped

## RESOLUTION NO.

certification form(s), all BMP related product receipts and materials delivery receipts, an inspection and installation log sheet, and photographs to document each stage of BMP installation. (Engineering)

8. Prior to issuance of occupancy, an executed contract must be in place with a qualified storm water service provider and a copy of the SWQMP provided to the consultant and the property manager. (Engineering)
9. Replace failed or inadequate pavement to the centerline and/or sidewalk adjacent to the site on Cuyamaca Street and Prospect Avenue to the satisfaction of the Director of Engineering. (Engineering)
10. Applicant shall place all new utilities required to serve the project underground. No overhead facilities or extension of overhead facilities is permitted. In addition, the applicant shall underground any existing overhead facilities on-site and underground any overhead facilities adjacent to the project to the satisfaction of the Director of Engineering. Adjacent facilities are defined as existing overhead facilities in the abutting half street and may include extension of the undergrounding to either side of the project to the nearest existing utility pole. (Engineering)
11. The applicant shall dedicate right-of-way along Cuyamaca Street adjacent to the site such that the ultimate right-of-way width to centerline is 63 feet. Additional right-of-way may be required as necessary to provide adequate transition to match existing improvements. (Engineering)
12. The applicant shall dedicate and or vacate right-of-way adjacent to the site along Prospect Avenue such the width conforms to collector street standards (64 feet curb to curb/84 feet right-of-way). (Engineering)
13. The applicant shall dedicate a visibility clear space easement at the North-West corner of the intersection of Cuyamaca Street and Prospect Avenue. (Engineering)
14. Plant all new trees in and within 10 feet of the public right-of-way with root control barriers. (Engineering)
15. Construct all improvements within the public right-of-way and improvements as shown on the approved precise grading plans. Improvements shall be completed to the satisfaction of the Director of Engineering. (Engineering)
16. Address numbers shall be placed near the roofline of each structure visible from the street. Numbers shall be block style, 12 inch in height, black in color (or other approved color), in contrast with their background. Address numbers shall also be illuminated for nighttime visibility. A Potter, "SASH-120" Horn/Strobe (or equivalent) shall be located below each address

## RESOLUTION NO.

placement for indication of fire sprinkler activation. Exact location and color of address numbers shall be approved by the Fire Department prior to installation. (Fire)

17. The buildings are required to be constructed with an approved automatic fire sprinkler system installed by a licensed fire sprinkler contractor. Separate plans are required to be submitted to the Fire Department for approval prior to installation. If the fire sprinkler system has 20 or more sprinkler heads, the sprinkler system is required to be monitored by an approved central station monitoring company. A Potter, "SASH-120" Horn/Strobe (or equivalent) shall be located below each address placement for indication of fire sprinkler activation. (Fire)
18. A manual and/or automatic fire alarm system is required for the building. Separate plans shall be submitted to the Fire Department for any fire alarm system(s) or devices for approval prior to installation. The fire alarm control panel or a remote keypad for the system shall be located in the "Fire Riser Room". Plans & documentations for the fire alarm system shall include, manufacturer cut sheets for all fire alarm devices, California State Fire Marshal Listing sheets for all appropriate devices, plans showing locations of all devices, line diagram & point to point diagram of the alarm system and complete battery & voltage drop calculations for the system monitoring of the sprinkler system, the control valves on the device shall be monitored for tamper of the valves. (Fire)
19. Knox Box key safes for emergency access of Fire Department personnel are required for the buildings. Knox Boxes shall be installed at the front entrance of the restaurants. Knox Box applications may be obtained from the Fire Department. (Fire)
20. Santee has adopted the use of Knox Fire Department Connection (FDC) Plugs for FDC hose connections to the automatic fire sprinkler systems. These plugs ensure that the FDC's will be clear of obstructions and allow for the proper Fire Department use of automatic fire sprinkler systems. Knox Plugs can be ordered online directly from the Knox Company at [Knoxbox.com](http://Knoxbox.com). Order FDC Plugs for use in the City of Santee. Order model #3043 (two per building if using Siamese connection). Contact the Santee Fire Department if assistance is needed in ordering. (Fire)
21. A minimum of one, 2A10BC fire extinguisher shall be located every 75 feet of travel distance throughout the building. Exact extinguisher location to be determined by the Fire Department prior to installation. (Fire)
22. The cooking areas are required to be protected by hood and duct fire protection systems. Separate plans are required to be submitted to the Fire Department for approval prior to installation. Exact locations of manual pull station(s) and "K" rated fire extinguishers are to be determined by the Fire Department prior to installation. (Fire)

## RESOLUTION NO.

23. Provide permanent engraved, carved or embossed signs indicating "Occupant Load" (and the number of people allowed in the room or area) for each restaurant. The signs shall be a minimum of 8 inch x 10 inch, with 3 inch block letters/numbers. Exact design, occupant load number and sign placement shall be approved by the Fire Department prior to installation. (Fire)
24. One or more fire hydrants are required for your project. These hydrants shall have two, 2 ½ inch ports and one, 4-inch port, with a minimum fire flow of 3000 gallons per minute for 3 hours. Hydrants shall be of all bronze construction, painted "fire hydrant yellow" and be installed per Padre Dam Water District requirements. The exact location of required hydrants is to be determined by the Fire Marshal prior to installation. All underground utilities including fire mains, fire hydrants and fire service underground devices shall be installed and approved prior to the delivery of construction materials. (Fire)
25. Each building or address (equipped with an automatic fire sprinkler system) shall have a walk-in, enclosed, fire sprinkler riser room accessible from the outside of the building or address. The exact size and location of the riser room shall be approved by the Fire Department prior to construction. This room shall contain the fire sprinkler riser(s) for the building/address, pressure gauges for the system, applicable valves, sprinkler head box, "test and drain" inspectors test valve and any diagrams or documentation for the fire protection systems. These rooms shall have exterior locking hardware and a Knox box shall be located at an approved location near the room for easy Fire Department access. The room shall be provided with lighting on the emergency circuit or have battery backup power. The exterior side of the riser room door shall have labeling or signage approved by the fire code official indicating "FIRE RISER ROOM". (Fire)
26. At the time of mid-construction, or Rough Fire Inspections, a GIS shape file or geo-referenced TIFF file of the site-plan shall be provided electronically or on digital media to the Fire Department for emergency response mapping. If neither of the two are available, a PDF shall be provided. The site plan shall show all fire access roadways/driveways, buildings, address numbers, fire hydrants, fire sprinkler connections, and other details as required. Please contact the Fire Department for exact details to be submitted for your project. (Fire)

**H. POST-OCCUPANCY: After certificate of occupancy, final grading release, or use of the premises in reliance of this permit, the applicant shall complete the following to the satisfaction of the applicable Department.**

1. All groundcover installed pursuant to an approved landscape plan shall provide one-hundred percent coverage within nine months of planting or

## RESOLUTION NO.

additional landscaping, to be approved by the City, shall be required in order to meet this standard. (Planning)

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

1. The site shall remain in substantial conformance with the approved plans and shall be maintained including:
  - a. Maintaining all approved parking and driveway areas;
  - b. Continual maintenance of all landscape areas on-site and between the property line and the curb. All landscaped areas shall be kept free from weeds and debris and maintained in a healthy, growing condition, and shall receive regular pruning, fertilizing, mowing and trimming. Any damaged, dead, diseased or decaying plant material shall be replaced within thirty days from the date of damage;
  - c. A visibility clearance area shall be maintained in which nothing shall be erected, placed, planted, or allowed to grow exceeding three and a half feet in height as outlined on the plans;
  - d. Maintaining all approved lighting, walls, fencing, mechanical screening and signage

Failure to conform to the approved plot plans is an unlawful use of land and will result in enforcement action pursuant to SMC Chapter 1.10. The Code Compliance Division is responsible for the enforcement of this permit. (Planning)

2. Any approval such as an approved site plan, grading plan, landscape plan, or development review plan, shall run with the land/applicant/owner/operator and shall continue to be valid upon a change of ownership of the site or structure to which it applies. (Planning)

**SECTION 4:** The applicant shall defend, indemnify, and hold harmless the City of Santee and its officers, employees, and agents from any claim, action, or proceeding against the City and/or its officers, employees or agents to attack or set aside, void, or annul the approval of the City of Santee concerning this Conditional Use Permit, or any action relating to or arising out of its approval.

**SECTION 5:** The terms and conditions of P2022-9 shall be binding upon the permittee and all persons, firms, and corporations having an interest in the property subject to this Conditional Use Permit and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

**SECTION 6:** The approval of P2022-9 expires on June 12, 2027 at 5:00 p.m. except where substantial use has commenced prior to its expiration. If use of the development has not commenced within the three-year period, said expiration date may be extended

**RESOLUTION NO.**

pursuant to a request for time extension approved by the Planning & Building Director (SMC Section 13.04.090). The request must be received 60 days prior to the original expiration date.

**SECTION 7:** Pursuant to Government Code Section 66020, the 90-day approval period in which the applicant may protest the imposition of any fees, dedications, reservations, or exactions imposed pursuant to this approval, shall begin on June 12, 2024.

**SECTION 8:** The City of Santee hereby notifies the applicant that State Law (SB1535) authorizes the County Clerk to collect a documentary handling fee for the processing of CEQA documents. In order to comply with State Law, the applicant should remit to the City of Santee Planning & Building Department, within two (2) working days of the date of this approval a certified check payable to the "San Diego County Clerk" in the amount of \$ 50.00. The City of Santee shall file the Notice of Exemption with the San Diego County Clerk upon receipt of the certified check. Failure to remit the required fee in full within the time specified above will result in a delay of the start of the thirty-five (35) day statute of limitations on court challenges to the approval under CEQA.

**Section 9:** SMC Chapter 1.08 provides for the issuance of Administrative citations for Municipal Code violations. Should non-compliance with said terms and conditions of this Conditional Use Permit or any violation of the Municipal Code that includes the City's Storm Water Ordinance, the City has the right to issue administrative citations containing an assessment of civil fines for each violation and collect administrative fines for violations.

**SECTION 10:** The documents and materials that constitute the record of proceedings on which these findings have been based are located with the City Clerk at the City of Santee City Clerk's office at 10601 Magnolia Avenue, Building #3, Santee, CA 92071.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 12<sup>th</sup> day of June 2024, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

\_\_\_\_\_  
**JOHN W. MINTO, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**ANNETTE ORTIZ, CMC, CITY CLERK**