WASSERMAN · KORNHEISER · COMBS

WKC

A LIMITED LIABILITY PARTNERSHIP
*RETIRED

I. GARY WASSERMAN
DEBORAH M. KORNHEISER*
CRAIG L. COMBS
PATRICIA M. JONES

7955 RAYTHEON ROAD
SAN DIEGO, CA 92111

TEL: 858/ 505-9500
FAX: 858/ 505-9023
WWW.WKC4LAW.COM

July 28, 2022

VIA EMAIL

San Diego LAFCO
c/o Erica Blom
erica.blom@sdcounty.ca.gov
lafco@sdcounty.ca.gov

Re: OBJECTION TO MAR VISTA REORGANIZATION
RO21-04

Dear LAFCO Commission Members and Staff:

I serve as general legal counsel to the Stonegate Maintenance Association (the "Association") formed to govern the Stonegate common interest development (the "Project") located in the unincorporated area of the County of San Diego adjacent to the City of Vista.

On behalf of the Board of Directors and Members of the Association, the Association OBJECTS to the Annexation/Reorganization of the Project into the City on the following bases:

1. The Association has polled its Membership and no owner or resident within the Project wants the Project to be annexed by the City. See the attached petition. The owners of Lots within the Project remain willing to pay an increased rate for sewer services rather than be annexed by the City.

2. No recorded notice of the existence of the Irrevocable Offer of Annexation was ever imparted in any way to any purchaser of a lot within the Project. The City's proposed annexation of the Project works an unfair and unwelcome surprise on the property owners within the Project.

The Association's Board of Directors, on behalf of its Members, urge the Commission to reject the proposed Mar Vista Annexation.

Respectfully Submitted,

WASSERMAN · KORNHEISER · COMBS LLP

Craig L. Combs
Attorney at law

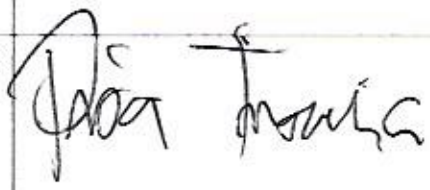
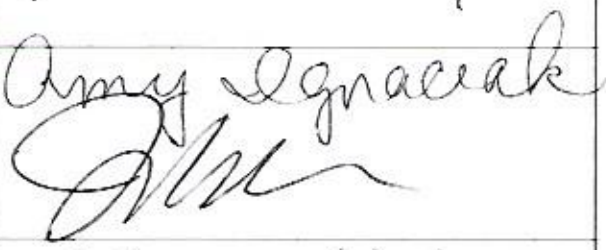
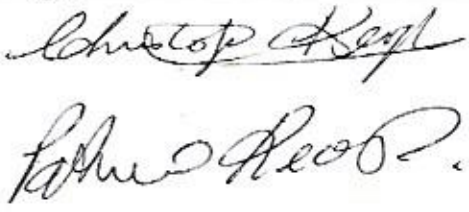
CLC/kv
Attachment: Petition of the Stonegate Maintenance Association Members
cc: Kristen Barnett, CMCA®, AMS® (kristen@premier4hoa.com)

Stonegate Maintenance Corporation

Mar Vista Annexation Opposition

Dated: 08/16/2021

Unit Account Lot	Unit Address	Name	Signature
1001 **1,001.00**	1010 Auburn Woods Drive	Daniel & Jamie Sledd	
1002 **1,002.00**	1011 Auburn Woods Drive	Danny C & Carolyn Ashcraft, Trustees	
1003 **1,003.00**	1022 Auburn Woods Drive	Grant C. & Victoria M. Albright	
1004 **1,004.00**	1023 Auburn Woods Drive	Geiger,Godfrey & Leonard	
1005 **1,005.00**	1035 Auburn Woods Drive	Patrick J Walsh III	
1006 **1,006.00**	1036 Auburn Woods Drive	Christopher L & Nora C. York	
1007 **1,007.01**	1047 Auburn Woods Drive	Brian Dante Trudel	

Unit Account Lot	Unit Address	Name	Signature
1008 1,008.00	1060 Auburn Woods Drive	Timothy & Stacey Pappas	
1009 1,009.00	612 California Oak Drive	Ronald B. Gorda Family Trust	
1010 1,010.00	613 California Oak Drive	Thomas E & Nancey J Reilly	
1011 1,011.00	624 California Oak Drive	Eula L Reed Living Trust	
1012 1,012.00	636 California Oak Drive	Shannon & Pisa Tinoisamoa	
1013 1,013.00	648 California Oak Drive	Jason & Amy Ignaciak	
1014 1,014.01	649 California Oak Drive	Christopher & Patricia Keogh	
1015 1,015.00	707 California Oak Drive	Micah & Beth Young	

Unit Account Lot	Unit Address	Name	Signature
1016 1,016.01	714 California Oak Drive	Steven Novak & Marsha Novak	
1017 1,017.00	719 California Oak Drive	Donald M. Cislo	
1018 1,018.00	726 California Oak Drive	Richard & Susan Berg	
1019 1,019.00	738 California Oak Drive	Mark Johnson	
1020 1,020.01	1007 Park Hill Place	Gabor & Nancy von Lugossy Trust	
1021 1,021.00	1008 Park Hill Place	Sowell Family Trust	
1022 1,022.01	1019 Park Hill Place	Timothy & Roxana Kennedy	
1023 1,023.00	1020 Park Hill Place	Steven & Nina Hofstadler	

Unit Account Lot	Unit Address	Name	Signature
1024 1,024.01	1031 Park Hill Place	Christos Karanikkis	
1025 1,025.00	1032 Park Hill Place	Richard Pence & Rosalie Rose	Richard Pence Rosalie E. Rose
1026 1,026.00	1043 Park Hill Place	Leonard & Aileen Druger	
1027 1,027.00	1044 Park Hill Place	David & Karen Zimmerman	Dave Zimmerman
1028 1,028.01	1055 Park Hill Place	Paula S. rock, Trustee of the Paula S. Brock Trust	Paula S. Brock
1029 1,029.01	1056 Park Hill Place	Adam S. Hoffman	
1030 1,030.00	1067 Park Hill Place	Julan Scott & Gregory L Tibb	
1031 1,031.00	1079 Park Hill Place	Tahir & Sadaf Ijaz	

Unit Account Lot	Unit Address	Name	Signature
1032 1,032.00	1080 Park Hill Place	Christiana Elaine Poynter	
1033 1,033.00	1091 Park Hill Place	Berry Revocable Trust	
1034 1,034.00	2050 Park Hill Place	Basso Family Trust	
1035 1,035.00	650 Red Plum Lane	Frank & Marla Klopp	
1036 1,036.00	651 Red Plum Lane	Scott Kuyper & Anne Murphey	

BARBARA A. FOOTE
914 MIRAMAR DRIVE
VISTA, CA 92081

July 25, 2022

Keene Simonds, Executive Office
San Diego County
Local Agency Formation Commission/LAFCO
2550 Fifth Avenue, Suite 725
San Diego, CA 92103-6624

RE: "Mar Vista Island Reorganization"
August 1, 2022, Monday 9:00AM Public Hearing

Dear Sir/Madam:

I am sending this letter to inform you of my strong disapproval of what is being referred to as the "Mar Vista Island Reorganization." And, the proposed annexation of 142 acres of owner occupied properties.
I have lived here since 1978 and know the area extremely well. I own one of these parcels and my son and I purchased another property in this "Island" in 2005. We love it here. I've raised all my children here. Every one of the 80+ property owners feels the same as I do.

In 2021 the City of Vista decided they wanted all of our properties, properties that are in NO way affected by their issue with the Stonegate Development and the City's issue with the Buena Sanitation District arrangement. We have no problem with the City annexing the Stonegate Development as that was part of the City's deal with the developer who created the Stonegate development. But the rest of us, 80+ property owners do not want to be annexed into the city. The City used this Stonegate/Wastewater service transfer project to somehow include our properties in this issue. Our properties need to be removed from this annexation proposal. All of our properties are on septic systems and, therefore not involved in any wastewater issues. There is NO benefit to any of our properties in being annexed by the City. Quite the opposite actually, any annexation of our properties will be to our detriment. We don't want any

lighting, street sweeping, insect spraying or other services provided within the City limits. We don't need any of that.

This whole issue has been handled with mostly NO transparency by the City so there is no trust on our side for what the ultimate goal of the City actually is. As your notice states, the City's IMMEDIATE purpose is the City's transfer of wastewater service, period. It has nothing to do with our properties! What is the City's REAL goal with regard to our properties? What is the City's lessor immediate purpose? What is actually behind this, motivating them? Once, again we are all in the dark. Originally, at least for a few decades the "Mar Vista Island" was made up of close to 200 acres. But, 3+ years ago, a huge parcel(corner of Mar Vista Drive & Buena Vista Dr.) was annexed into the City. This 50+ acre parcel was purchased by a developer after the death of the property owner. Subsequently, we have watched what has transpired once the development began. Just this development has changed the character of this community forever. And, once again, their philosophy seems to be, "Let' just build up every blank piece of land that we can find. The hell with the natural habitat, who cares about the wildlife or their habitat? Who cares about our rural communities and the people living there, about THEIR properties, about why they bought properties in this rural community? And, why should we care about the infrastructure, can the existing infrastructure handle what we're doing to this area? So what if it doesn't, not our problem.....

How did this project ever get through the Planning Department, let alone get passed by the City Council? Those of us property owners involved and affected by this figured the Director of Community Development & Engineering had played a fairly good game of chess with us. But, in retrospect, that's not it at all. Can't be a chess game if one of the players is blind & deaf.
And, we were. We knew nothing about what the Director of Community Development & Engineering was really after. We still don't!

This scheme has been nothing but a backroom deal. No transparency whatsoever! By allowing the new owner/developer of the 50 acre parcel @ Mar Vista & Buena Vista to be annexed, that action removed 50 acres from the "Mar Vista Island" and the "Island" then fell below the cap required for ALL previous annexation attempts. After that strategic action, it meant that none of the property owners in this "Island" were required to be polled individually about their approval or rejection of any annexation proposition.

And then there was Covid-19 and the restrictions involved in that. But, that too was in the City's best interests. The first notification we had was a notice postmarked June 10, 2021. I received mine on June 14, 2021. Some of my closest neighbors NEVER received one. This notice was concerning a public hearing to be held on June 22, 2021, only a week after I received my notice. And, a virtual meeting at that! A date SELECTED for ONE WEEK before in-person restrictions were lifted by the State. If they had delayed that planning commission hearing just one week, it would have been an in-person meeting and every property owner would have shown up. But, NO, it was virtual. How many property owners do you think were able to get setup and attend this virtual meeting? Three! What a turnout!

Since there was little to no opposition from the Director of Community Development & Planning's virtual hearing, it moved onto the City Council agenda. What a disappointing experience. We could tell right away that the Council members had been worked over and had already made up their minds, been convinced that this project was a real positive deal for the City. There was ten(10) times more effort put into the Council member's discussion concerning a ban on plastic straws & single use condiment containers than on what would be in the best interest of 80+ families properties, properties that most of these people had owned for decades, properties that represent some of the last vestiges of a rural environment in the City. Even more disconcerting was after the council meeting we found out that this plastics issue had been on their agenda three of four times previously. Now we know for certain that people, neighbors, community, property owners don't matter to the Community Development & Planning Dept., Engineering, or elected City officials.

This rural pocket consisting of all of our 80+ properties, not the Stonegate Development with the wastewater service transfer issue, represents one of the last rural, undeveloped areas with the zoning and uses that was our reasoning when we purchased these properties. We don't want that to change. Our only connection to any of this is that we are adjacent to this Stonegate Development.

This rural pocket of ours is also a habitat for countless species: owls, red-tailed hawks, cooper's hawks, vultures, coyotes, bobcats, raccoons, skunks, rabbits, opossums, gopher snakes, garter snakes and SO many types of birds, including hummingbirds, mockingbirds, finches, bats, doves and more. Who is going to stand up and protect these rare and treasured areas? When they're gone, they're gone. There will be no going back, no fix!

Just because you can, doesn't mean you should.

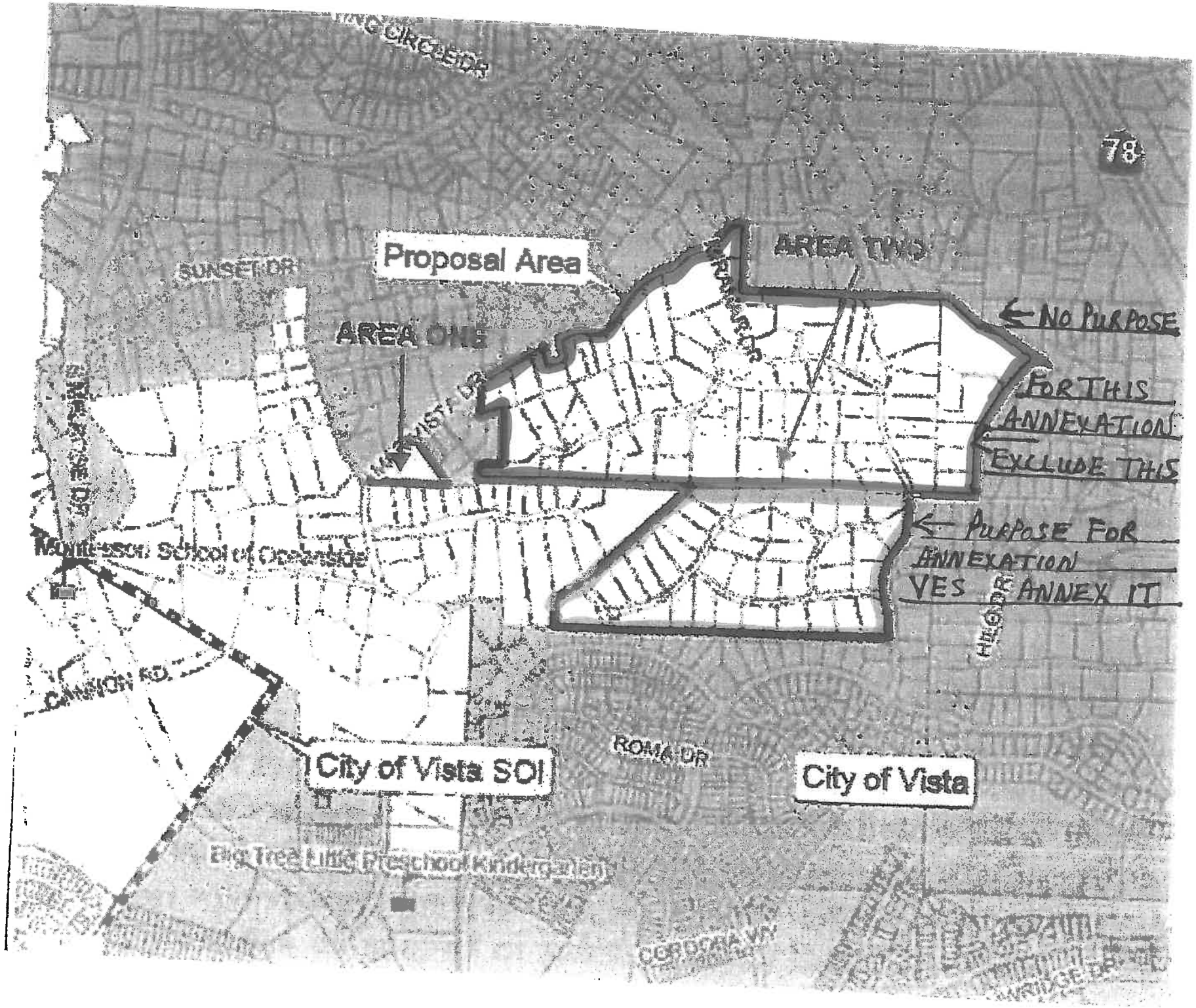
This commission should poll every property owner in this "Island" to see where they stand on this annexation. Not the Stonegate properties. They had a previous agreement with the City to be annexed. And, it's a continuation of the Shadowridge Development that it is adjacent to, it looks the same and has the same feel, sidewalks, city lighting, gated, small lots.....

Also, some or all of you should actually inspect this area so that you can see for yourself what this "Island" is and what the impact of this annexation would be on all of these 80+ affected properties.

Everyone always hopes that when it's time to act, time to take a stand, people will do the right thing. We sure hope you do the right thing, take the right action in this instance!

Sincerely,

Barbara Foote


78
Proposal Area
AREA TWO
AREA ONE
SUNSET DR
← NO PURPOSE FOR THIS ANNEXATION
EXCLUDE THIS
← PURPOSE FOR ANNEXATION
YES ANNEX IT
Montessori School of Oceanside
CANYON RD
City of Vista SOI
City of Vista
ROMA DR
Big Tree Little Preschool Kindergarten
CORDOBA VW

Blank for Photocopying

(DRAFT)

Attn: Executive Officer Keene Simonds

Re: RO21-04 "Mar Vista Island Reorganization"
Public Hearing Announcement published July 8, 2022

Dear Mr. Simonds,

During the December 6, 2021 meeting Erica Blom read into the record my follow-up to our previously expressed concern regarding the sufficiency of environmental documents covering the Mar Vista Island Reorganization.

At this meeting you responded to our concerns:

> *"Mr. Rall, if it's okay why don't we have staff contact you off-line to discuss **I believe the City of Vista has determined that the action is exempt from CEQA** -- meaning it's a project but it qualifies for an expedited review process. That said, we'd be happy to meet with you off-line to go over that with you."*

Unless I misunderstand the plain wording of the law, your comment that this determination has already been made by the City of Vista appears to be in conflict with CEQA §15096(a).

CEQA §15096(a) requires that the responsible agency (LAFCO) complies with CEQA by considering the EIR or negative declaration prepared by the lead agency and *by reaching **its own** conclusions on whether and how to approve the project involved.*

I am requesting that LAFCO not move forward on approval of this proposal until the environmental documents clearly and accurately reflect the environmental issues of concern which I have shared here, such that appropriate action is taken consistent with the provisions of CEQA in terms of the appropriate substitution of environmental mitigation measures.

I realize that this communication lengthy. The complexity of the issue follows from the already improperly deferred mitigation under CEQA. Justice deferred is fast approaching justice denied.

Two former supervisors at the County of San Diego Department of Environmental Health have concurred for the record that the environmental encroachment resulting from zoning violation described herein would almost certainly involve an active public nuisance if not for the extraordinary preventive methods we have taken to address the multiple County errors which led to this continuing public nuisance.

Background:

As you are aware, current zoning and proposed zoning is 1DU per acre.

In approving the 1982 lot split of TPM 16592, the County of San Diego approved a variance allowing substandard lot sizes in spite of the documented environmental concern of grading encroachment into our uphill hillside septic system and reserve area.

To secure this approval without an EIR, the County adopted a binding set of environmental mitigation measures for the newly created Parcels 2 and 3. These mitigation measures *mandate* that future development of Parcels 2 and 3 be performed "*on the original contour with no major cuts or fills*". These requirements remained critical to mitigate the recognized potential of grading encroachment into *both* the uphill leach field and reserve leach field locations on Parcel 1, due to the unusually close proposed proximity of hillside development and concern of the impact from *any* attempt at excavation for the approved building sites in those locations.

Between dates in 1995 and 1998 the Department of Environmental Health had the sole responsibility of Building Official, and was the sole decision-maker regarding approval of site grading.

Unfortunately, in the 1997 process of approving site development of Parcel 3, an insufficiently trained new trainee for the County Department of Environmental Health negligently set aside the above Conditions of Approval, in doing so *specifically committing the County to approval of arbitrary grading in spite of deviation from plan, and in spite of the resultant environmental encroachment*.

The trainee thereafter signed off a mandatory site inspection of grading without ever having visited the site, thereby authorizing development in an environmentally impacted area without consideration of feasible mitigation measures in advance of their destruction.

Although the issue was thereafter was caught by her supervisor, this training thereafter knowingly removed from an Official Notice of Corrections the Supervisors' stated requirement for confirmation and disclosure of the known major environmental encroachment, thereby approving the continuing maintenance of conflicting development. This approved development which shares the functional location of our septic system and continues to takes precedence over its use.

All of the above can be demonstrated from strictly County of San Diego records.

At issue:

County Counsel has communicated that with no permits pending, its hands are tied regarding enforcement "*until the next discretionary action*". Counsel has warned us that if in the interim effluent is to surface off-site on the face of the cut slope of the adjacent property and we were

unable to immediately resolve the issue, our home could be condemned. We have no means of monitoring the location of concern the other side of a fence on a neighboring property.

An active concern was recognized and reported by those property owners in 2008. The only solution available was to cap off our lower leach line and to maintain a reduced occupancy of our home until "the next discretionary action" triggers resolution.

This annexation proposal ***is*** the next discretionary action and is the appropriate trigger for resolution of this matter.

If LAFCO and the City choose to ignore the deferred compliance with CEQA, the existing conflicting development is reasonably expected to ultimately evolve into an active public nuisance affecting all downslope tributaries.

We are rightly concerned about what appears as LAFCO's unquestioned general acceptance of the City of Vista's claim to a CEQA exemption, with the City of Vista (through John Conley) having been timely provided with sufficient documentation identifying the existence of CEQA violations.

CEQA Compliance:

The City of Vista has opined:

> *"K. The proposed Annexation/Reorganization application is exempt from further review under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines section 15319.a (Annexations of Existing Facilities) because the project area, in its current state, comprises multiple private properties* ***developed to the density allowed by the current zoning and proposed zoning****, and no new development or extension of utility services is proposed."* (emphasis added)

It's important to note that the project area, in its current state, comprises multiple private properties which are developed to a ***density greater than that allowed by the current zoning and proposed zoning.***

Current zoning and proposed zoning is 1DU per acre. *Parcel 3 of PM 12408 is 0.87 acre, which would under normal circumstances limit the size of the development on that land. Instead, the property was overdeveloped The approved development shares the functional location of our uphill septic system, forcing a 60 foot setback to a system that is entirely within that 60 foot setback. so the project area, in its current state, does not comprise of properties being developed to the allowed density*

It is my understanding that LAFCO complies with CEQA by considering the EIR or negative declaration prepared by the City of Vista and **by reaching *its own* conclusions on whether and how to approve the project involved**. (§15096(a))

Note that your statement regarding the determination having already been made by the City of Vista is in conflict with this lawful requirement.

Review for Exemption:

CEQA **§15319(a) (Annexations of Existing Facilities and Lots for Exempt Facilities)** does indeed provide a categorical exemption for:

> *"…annexations to a city or special district of areas containing existing public or private structures **developed to the density allowed by the current zoning** or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities."* (emphasis added)

HOWEVER, CEQA **§15061 (Review for Exemption)** clarifies that this exemption *is only valid if it is not barred by one of the exceptions set forth in* **§ 15300.2:**

> "(2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2. "

Exclusion from Exemption:

§ 15300.2 (Exceptions) provides a list of exceptions to the use of the **§ 15319(a)** exemption.

§ 15300.2(c) very specifically excludes the use of a categorical exemption under the conditions of the *possibility of a significant effect* due to *unusual circumstances*:

> *(c) Significant Effect. A categorical exemption **shall not be used** for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to **unusual circumstances**.* (emphasis added)

The Supreme Court has ruled:

> *"A party invoking the exception may establish an unusual circumstance without evidence of an environmental effect, **by showing that the project has some feature that distinguishes it from others in the exempt class**, such as its **size** or **location**. In such a case, to render the exception applicable, **the party need only show a reasonable possibility of a significant effect due to that unusual circumstance**. Alternatively, under our reading of the guideline, a party may establish an unusual circumstance with evidence that the project will have a significant environmental effect. That evidence, if*

convincing, necessarily also establishes "a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." (Guidelines, § 15300.2, subd. (c).) (Berkeley Hillside, supra, p. 1105)...
In determining whether the environmental effects of a proposed project are unusual or typical, local agencies have discretion to consider conditions in the vicinity of the proposed project (Id. at p. 1119)

I have previously provided substantial evidence for the City of Vista and provided an overview for LAFCO showing that ***unusual circumstances*** do exist in regards to the proposed annexation, though I have not had the opportunity to clarify the unusual circumstances which do exist.

The continuation of cumulative adverse environmental effects will almost certainly result from allowing the unmitigated perpetual maintenance of zoning ordinance violations -- for no other reason than the desire for immediate convenience to defer consideration of appropriate CEQA mitigation measures.

I have provided a brief summary of these unusual circumstances as an attachment.

Resolution:

If not now, when would we otherwise expect attention to the unusual adopted circumstances and environmentally conflicting development?

Mr. Conley has clarified that the City is in a position to issue all further development approvals on properties which are supported by City sewer or for which the County Department of Environmental Health has approved on-site sewage disposal. **This leaves a significant gap in the enforcement process in that does not address deferred CEQA compliance through the substitution of mitigation measures, after having set aside the adopted conditions of approval so as to avoid performing an EIR.**

Mr. Conley has also communicated that the City maintains the discretion to enforce all violations of City codes. It's an **unusual circumstance**, however, that enforcement of the continuing code violations, outside of the mandatory CEQA mitigation process, will not resolve the environmental encroachment and associated deferred public nuisance. ***Alternative mitigation measures are required, and reasonably LAFCO should adopt these mitigation measures as Conditions of Approval.***

The situation as presented involves the *unusual circumstance* that the city is unable to enforce mandatory environmental mitigation damage resulting from noncompliance with binding adopted mitigation measures -- in spite of these being binding conditions of approval of further development with enforcement having been deferred to this next discretionary approval.

Should this annexation take place without attention to the insufficiently documented, environmentally encroaching, nonconforming approved development, the end result on a long

enough timeline will be an active public nuisance. This will be a direct result of the failure to appropriately substituted alternative environmental mitigation measures after a County trainee set aside adopted conditions of subdivision approval to accommodate her earlier error.

Unusual circumstances:

The City's justification for exemption cannot be sustained.

Through a cumulative set of *unusual circumstances,* not all properties within the area to be annexed have been developed in a manner consistent with density and zoning requirements:

1. In 1992 the County authorized a lot split of TPM16592/PM12408 which resulted in undeveloped hillside land of *less than an acre*. (i.e. Parcel 3 is 0.87 acre gross.) This is an unusual situation for 1 acre zoning -- and proves to be critical without requiring strict compliance during the development process.

2. Note that the City's proposed "A-1" zoning mandates a minimum lot area of 1 acre, so the existing development does not conform to *"the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive".* This must be taken into consideration.

3. Parcel 3 of PM12408 is bounded by a natural watercourse for the majority of its perimeter, requiring the unusual circumstances of a 50 foot septic setback to the watercourse rather than the typical 5 foot setback to property line. This creates the ***unusual circumstance*** of requiring development to be made in close proximity to an uphill septic system.

4. Parcel 3 is additionally at the end of an easement road, so an ***unusual circumstance*** exists in that when located at the terminal end of an easement road, the front yard can be designated as a side yard, allowing for the use of the 15 foot side yard setback for the front yard.

5. So there exists a cumulative set of unusual circumstances of worst-case scenarios:

    a. The nature of hillside properties on septic systems having heightened requirements for proper spacing to avoid adverse environmental effects.

    b. The unusual circumstance of the issuance of a variance for approval of a lot size which does not comply with the 1 acre zoning (0.87 ac vs the required

minimum 1.0 ac), creating the first of several limitations to conforming with the requirement for the proper spacing of development.

c. The unusual cumulative circumstance of significant required septic setbacks to a natural watercourse at the lower elevations (50ft setback vs. typical 5ft setback), creating further limitations to conforming with the requirement for proper spacing of development.

d. The unusual cumulative circumstance of the limited development area together with approval of a larger home with heightened septic requirements (5BR vs. 3BR), thereby necessarily requiring development at a higher elevation in close proximity to an active uphill septic system.

e. The unusual cumulative circumstance of approving a home much larger than originally proposed, thereby requiring a larger septic system, and thereby placing the building site in a location which potentially conflicts with the existing uphill septic system.

f. The unusual combination of significant setbacks to watercourses at the lower property boundary together with, thereby creating the risk of encroachment to the uphill septic system 20 feet away.

6. To address the recognized concern of environmental encroachment to an uphill septic system, the County Health Department adopted Conditions of Approval requiring Parcel 3 development to be "ON THE EXISTING CONTOUR WITH NO MAJOR CUTS OR FILLS"

7. Therefore the only protections provided for the recognized risk of encroachment to the uphill septic system on Parcel 1 are:

    a. The adopted **Conditions of Approval -- for which there is no compliance**.
    b. The requirements under the Zoning Ordinance limiting a change in the height or depth of 10% **without a variance -- for which there is no compliance**.

8. Unfortunately, development approval took place in 1997, during a window of time between 1995 [N.S. 8552] and 1998 at which the responsibilities of Building Official had been temporarily transferred to the Department of Environmental Health, without appropriate training having been provided.

9. The Department of Environmental Health had delegated the full responsibilities of the Building Official to a new trainee who had not received appropriate training.

10. As a result, this trainee inadvertently set aside all Conditions of Approval in regards to site grading, thereby pre-authorizing environmentally encroaching site grading.

11. The trainee thereafter signed off a mandatory grading inspection without having visited the site.

12. Further, this development cannot legitimately qualify as "legally nonconforming" as this development involves major environmental encroachment into an uphill active septic system and the septic reserve tile area -- as a result of an approved violation of conditions of subdivision approval which were adopted to allow subdivision approval under a mitigated negative declaration.

13. By its very definition this construction is considered unsafe and cannot lawfully be maintained without a zoning variance and CEQA mitigation.

14. This is not an issue that will go away by ignoring it. It makes no sense to pretend otherwise. On a long enough timeline this statutory public nuisance is reasonably expected to evolve into an active public nuisance unless substitute mitigation measures are adopted as required by law.

15. It's an unfortunate set of ***unusual circumstances*** that at the time this development was approved, the sole responsibility as "Building Official" responsible for grading compliance fell upon and untrained new trainee. (Without adequate training, the Department of Environmental Health temporarily held the responsibility of "Building Official" between 1995 and 1998, after which the responsibility was returned to the Department of Planning and Land Use.)

16. John Conley has communicated that the city's authority is limited to enforcement of violations of City codes. Enforcement, however, is impracticable as much of this development has received unmitigated County approval under the ***unusual circumstances*** of the County covering for an improperly trained trainee's error in pre-approving this encroachment.

17. County records reflect that the Conditions of Approval issued by this trainee were inconsistent with mandatory adopted conditions of subdivision approval recorded by reference on the parcel map. County records also show that this trainee signed off approval based upon a site inspection without having visited the site. As a result, the developer was just in compelling approval.

18. County records show that upon discovery by a supervisor of the inappropriate approval and resulting major encroachment, the project was then conditioned on an Official Notice of Corrections with the mandatory requirement for an environmental study which should have led to a Supplemental EIR and disclosure.

19. County records show that upon request for re-inspection the trainee simply redrafted the Official Notice of Corrections, in doing so removing the requirement for environmental review.

20. As a result the County has authorized subgrade hillside construction which shares the functional location of our active uphill septic system and takes precedence over its use with the threat of having our home condemned should we be unable to maintain the condition of an off-site slope which we have no means to monitor.

We are rightly concerned that unless the appropriate environmental document is secured and appropriate mitigation measures being undertaken, the City is in a position to continue approvals without due consideration to the deferred environmental mitigation requirements.

LAFCO's Responsibility:

Our general understanding of LAFCO's responsibility is as follows:

1. LAFCO is to "review and consider" the environmental document prepared by the Lead Agency (§15052)

2. LAFCO is required to adopt feasible mitigation measures within the agency's jurisdiction (§15041(b), §15096(g))

3. LAFCO has the authority deny approval in order to avoid significant adverse environmental impacts (§15042)

4. LAFCO has the authority to require changes in a project to lessen or avoid the direct or indirect effects of that part of the project which the agency will be called on to approve. (§15041(b))

5. If LAFCO believes that the environmental documents prepared by the City of Vista is not adequate for LAFCO's use, LAFCO is required to either:
   (1) Take the issue to court within 30 days after the City files a Notice of Determination;
   (2) Be deemed to have waived any objection to the adequacy of the EIR or negative declaration;
   (3) Prepare a subsequent EIR if permissible under Section 15162; or
   (4) Assume the lead agency role as provided in Section 15052(a)(3).

6. Prior to reaching a decision on the project, LAFCO must consider the environmental effects of the project as shown in the EIR or negative declaration. A subsequent or supplemental EIR can be prepared only as provided in Sections 15162 or 15163. (§15096(g))

7. LAFCO has responsibility for mitigating or avoiding the direct or indirect environmental effects of those parts of the project which it decides to approve.

8. When an EIR has been prepared for a project, LAFCO is not to approve the project as proposed if it finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant direct or indirect effect the project would have on the environment.

9. LAFCO is required to make the findings required by Section 15091 for each significant effect of the project and is required to make the findings in regards to a statement of overriding considerations, if necessary.

10. (i) Notice of Determination. The responsible agency should file a notice of determination in the same manner as a lead agency under Section 15075 or 15094 except that the responsible agency does not need to state that the EIR or negative declaration complies with CEQA. The responsible agency should state that it considered the EIR or negative declaration as prepared by a lead agency.
    Note: Authority cited: Section 21083, Public Resources Code. Reference: Sections 21165, 21080.1, 21080.3, 21080.4, 21082.1 and 21002.1(b) and (d), Public Resources Code.

11. With respect to a project which includes housing development, a lead or responsible agency shall not reduce the proposed number of housing units as a mitigation measure or alternative to lessen a particular significant effect on the environment if that agency determines that there is another feasible, specific mitigation measure or alternative that would provide a comparable lessening of the significant effect. (§15041(c)) Note: Authority cited: Section 21083, Public Resources Code. Reference: Sections 21002, 21002.1 and 21159.26, Public Resources Code; Golden Gate Bridge, Etc., District v. Muzzi(1978) 83 Cal. App. 3d 707; and Laurel Hills Homeowners Assn. v. City Council of City of Los Angeles(1978) 83 Cal.App.3d 515.

(DRAFT)

Bob Rall
1031 Marine View Drive
Vista, CA 92081
(760)945-3321

Blom, Erica

From: Mark Domurat <markdomurat@gmail.com>
Sent: Saturday, July 30, 2022 4:40 PM
To: Blom, Erica
Cc: Mark Domurat
Subject: [External] Meeting 8/1.2022 Team 6a refutal City of Vista proposal

Attachment available until Aug 29, 2022

To LAFCO Commissioner Meeting 8-1-2022 team 6a ,

The City of Vista Proposal to LAFCO "*Mar Vista Island Reorganization" | Annexation to the City of Vista with Concurrent Detachments from the Buena Sanitation District and Vista Fire Protection District and Related Sphere Action (RO21-04)*" submitted to LAFCO, the City of Vista proposal violates GOV § 56375.3 (b)(1).(2), 56375.3 (b) (3) (A)(B), 56375.3 (b)(4)(A)(B)(C), 56375.3 (b)(5)(6), GOV § 56001, GOV § 56033.5, GOV § 57000, GOV § 56064(a)(c)(d)(e)

Under the City of vista proposal they will take about 96.17 Ac of prime agricultural land a violation of the Law, in addition the City of Vista is trying to sectionalize an existing island to avoid protest proceedings two violations of the Gov. laws GOV § 56375.3 (b)(1).(2), 56375.3 (b) (3) (A)(B), 56375.3 (b)(4)(A)(B)(C), 56375.3 (b)(5)(6), GOV § 56001, GOV § 56033.5, GOV § 57000, GOV § 56064(a)(c)(d)(e).

Please see the attached document .

Thank you
Mark, Gregory,Norma Domurat
760 815 7982

Click to Download

1Vista Marvista Island Refutal.pdf
25.4 MB

FROM THE DESK OF

Domurat Family

July 29, 2022

Mar Vista , Miramar, Marine View, Hillside affected streets on prime Agricultural land A70, with septic systems none serviced by Buena Sewer.
Mark Domurat, Gregory Domurat, Norma Domurat.
810 Miramar Dr.
Vista CA 92081

To LAFCO Commissioner Meeting 8-1-2022 team 6a ,

The City of Vista Proposal to LAFCO "*Mar Vista Island Reorganization*" | *Annexation to the City of Vista with Concurrent Detachments from the Buena Sanitation District and Vista Fire Protection District and Related Sphere Action (RO21–04)*" submitted to LAFCO, the City of Vista proposal violates GOV § 56375.3 (b)(1).(2), 56375.3 (b)(3) (A)(B), 56375.3 (b)(4)(A)(B)(C), 56375.3 (b)(5)(6), GOV § 56001, GOV § 56033.5, GOV § 57000, GOV § 56064(a)(c)(d)(e)

Code, Government Code - GOV § 56375.3 for Island annexations reads as follows

"Current as of January 01, 2019
(a) In addition to those powers enumerated in Section 56375 , a commission shall approve, after notice and hearing, the change of organization or reorganization of a city, and waive protest proceedings pursuant to Part 4 (commencing with Section 57000) entirely, if all of the following are true:
(1) The change of organization or reorganization is initiated on or after January 1, 2000.

(2) The change of organization or reorganization is proposed by resolution adopted by the affected city.

(3) The commission finds that the territory contained in the change of organization or reorganization proposal meets all of the requirements set forth in subdivision (b).

(b) Subdivision (a) applies to territory that meets all of the following requirements:

(1) It does not exceed 150 acres in area, and that area constitutes the entire island.

(2) The territory constitutes an entire unincorporated island located within the limits of a city, or constitutes a reorganization containing a number of individual unincorporated islands.

(3) It is surrounded in either of the following ways:

(A) Surrounded, or substantially surrounded, by the city to which annexation is proposed or by the city and a county boundary or the Pacific Ocean.

NORDOMURAT@GMAIL.COM

(B) Surrounded by the city to which annexation is proposed and adjacent cities.

(4) It is substantially developed or developing. The finding required by this paragraph shall be based upon one or more factors, including, but not limited to, any of the following factors:

(A) The availability of public utility services.

(B) The presence of public improvements.

(C) The presence of physical improvements upon the parcel or parcels within the area.

(5) It is not prime agricultural land, as defined by Section 56064 .

(6) It will benefit from the change of organization or reorganization or is receiving benefits from the annexing city.

(7) This subdivision does not apply to any unincorporated island within a city that is a gated community where services are currently provided by a community services district.

(8) Notwithstanding any other law, at the option of either the city or the county, a separate property tax transfer agreement may be agreed to between a city and a county pursuant to Section 99 of the Revenue and Taxation Code regarding an annexation subject to this subdivision without affecting any existing master tax sharing agreement between the city and county.

(c) Notwithstanding any other provision of this subdivision, this subdivision shall not apply to all or any part of that portion of the development project area referenced in subdivision (e) of Section 33492.41 of the Health and Safety Code that as of January 1, 2000, meets all of the following requirements:

(1) Is unincorporated territory.

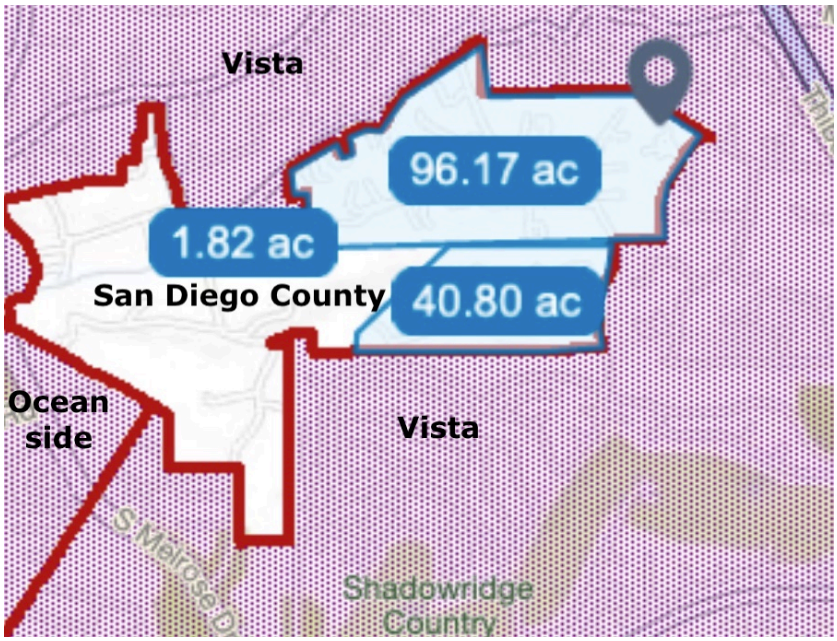
(2) Contains at least 100 acres.

(3) Is surrounded or substantially surrounded by incorporated territory.

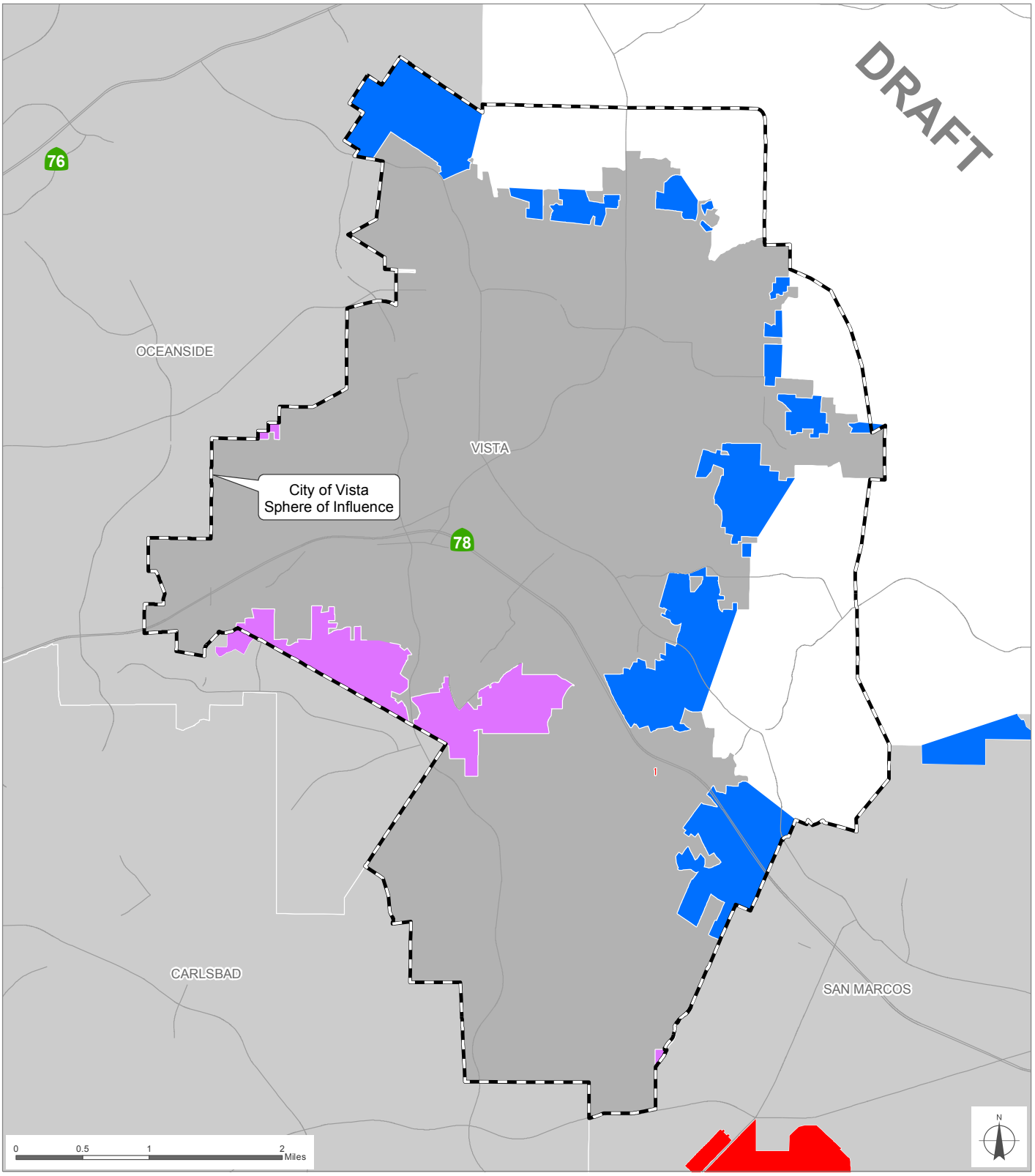
(4) Contains at least 100 acres zoned for commercial or industrial uses or is designated on the applicable county general plan for commercial or industrial uses.

(d) The Legislature finds and declares that the powers set forth in subdivision (a) for territory that meets all the specifications in subdivision (b) are consistent with the intent of promoting orderly growth and development pursuant to Section 56001 and facilitate the annexation of disadvantaged unincorporated communities, as defined in Section 56033.5 ."

Under the City of vista proposal they will take about 96.17 Ac of prime agricultural land a violation of the Law, in addition the City of Vista is trying to sectionalize an existing island to avoid protest proceedings two violations of the Gov. laws GOV § 56375.3 (b)(1).(2), 56375.3 (b) (3) (A)(B), 56375.3 (b)(4)(A)(B)(C), 56375.3 (b)(5)(6), GOV § 56001, GOV § 56033.5, GOV § 57000, GOV § 56064(a)(c)(d)(e).


Vista
96.17 ac
1.82 ac
San Diego County
40.80 ac
Ocean side
Vista
S Melrose Dr
Shadowridge Country

Unincorporated Islands Project: City of Vista



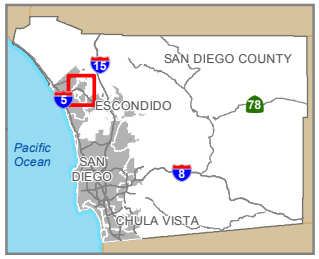
SAN DIEGO LAFCO | SanGIS We Have San Diego Covered!

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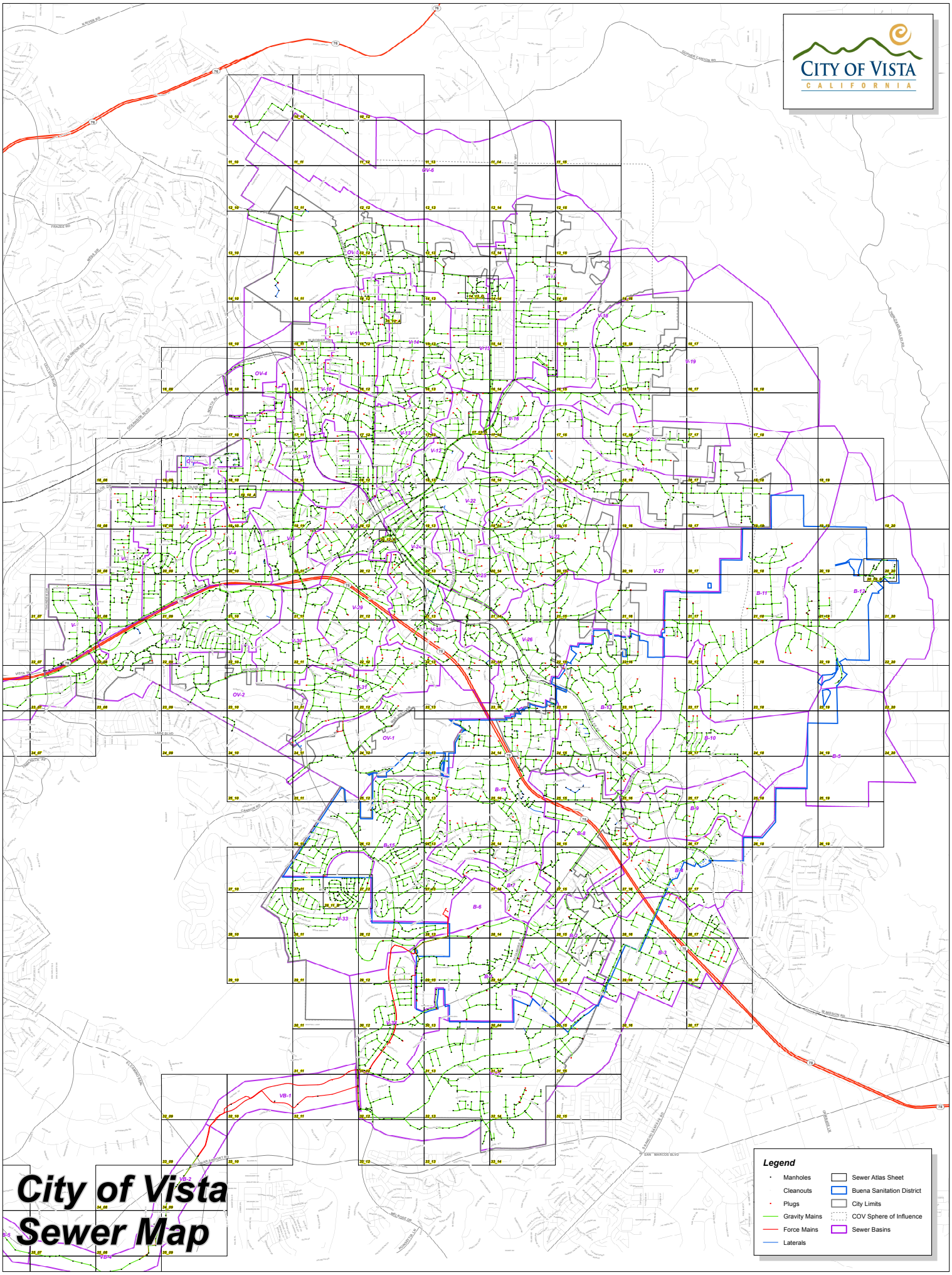
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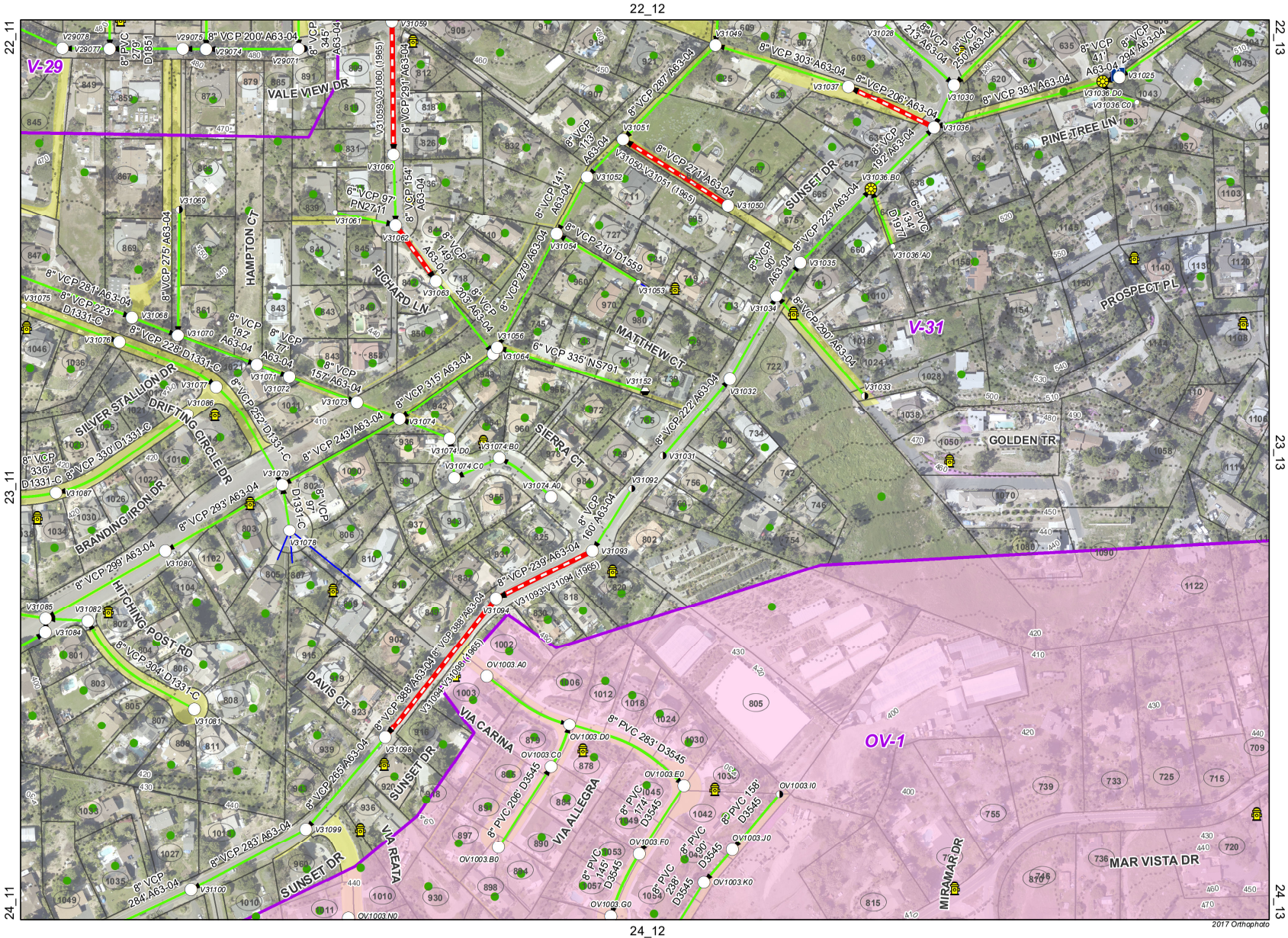
Created by Dieu Ngu -- 1/5/2018

- Unincorporated Islands Surrounded by a Single City (100%)
- Unincorporated Islands Partially Surrounded by Cities (51% +)
- Unincorporated Islands Surrounded by Multiple Cities (100%)



G:\GIS\PROJECTS\City Islands\2018 City Vista.mxd


CITY OF VISTA
CALIFORNIA
City of Vista
Sewer Map
Legend
Manholes
Cleanouts
Plugs
Gravity Mains
Force Mains
Laterals
Sewer Atlas Sheet
Buena Sanitation District
City Limits
COV Sphere of Influence
Sewer Basins



Sheet
23_12

CITY OF VISTA
CALIFORNIA

0 100 200 feet
1:2,400

Public
- Drop Manhole
- Standard
- Monitor
- Cleanout
- Plug

Private
- Drop Manhole
- Standard
- Cleanout
- Plug

Mains
- Gravity Main
- Siphon Main
- Trunk Line
- Drop Trunk Line
- Abandoned
- Force Main
- Excess Effluent
- Cured in Place Pipe Mains - Private/Other
- Laterals

Sewer Valves
- Air Vacuum
- Ball
- Blow Off
- Butterfly
- Check
- Cone
- Gate
- Plug
- Tapping
- Unknown

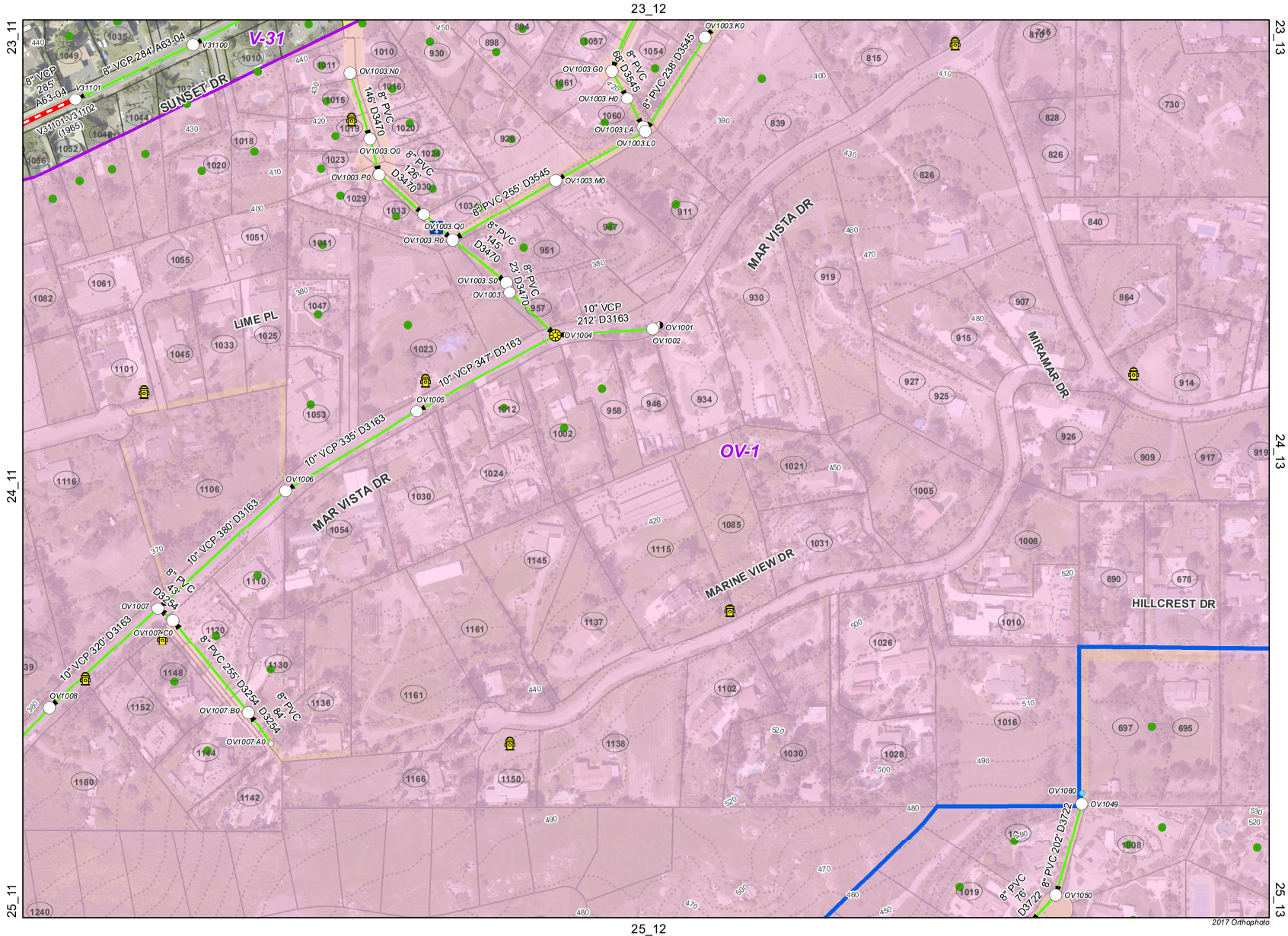
Sewer Fittings
- Bend
- Cap
- Coupling
- Cross
- Offset
- Reducer
- Riser
- Saddle
- Sleeve
- Tap
- Tee
- Weld
- Wye

Sewer Structures
- Grease Interceptor
- Grease Trap
- Junction Box
- Odor Control Station
- Plgging Station
- Pump
- Pump Station
- Sand and Oil Seperator
- Sluice Gate
- Treatment Plant
- Valve Box

- Sewer Permits
- Sewer Meters
- Sewer Easements
- Sewer Basins
- Buena Sanitation District
- City Limits
- Fire Hydrant
- Access Gates
- Flow Agreement
- Flow & Maintenance Agreement
- 10' Contours
- Parcels

Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Last Revised: 6/22/2021



Sheet

24_12

CITY OF VISTA
CALIFORNIA

0 100 200 feet

N

1:2,400

Public	Private
Drop Manhole	Drop Manhole
Standard	Standard
Monitor	
Cleanout	Cleanout
Plug	Plug

Mains

Gravity Main	Force Main
Siphon Main	Excess Effluent
Trunk Line	Cured in Place Pipe Mains - Private/Other
Drop Trunk Line	
Abandoned	Laterals

Sewer Valves

Air Vacuum	Cone
Ball	Gate
Blow Off	Plug
Butterfly	Tapping
Check	Unknown

Sewer Fittings

Bend	Riser
Cap	Saddle
Coupling	Sleeve
Cross	Tap
Offset	Tee
Reducer	Weld
	Wye

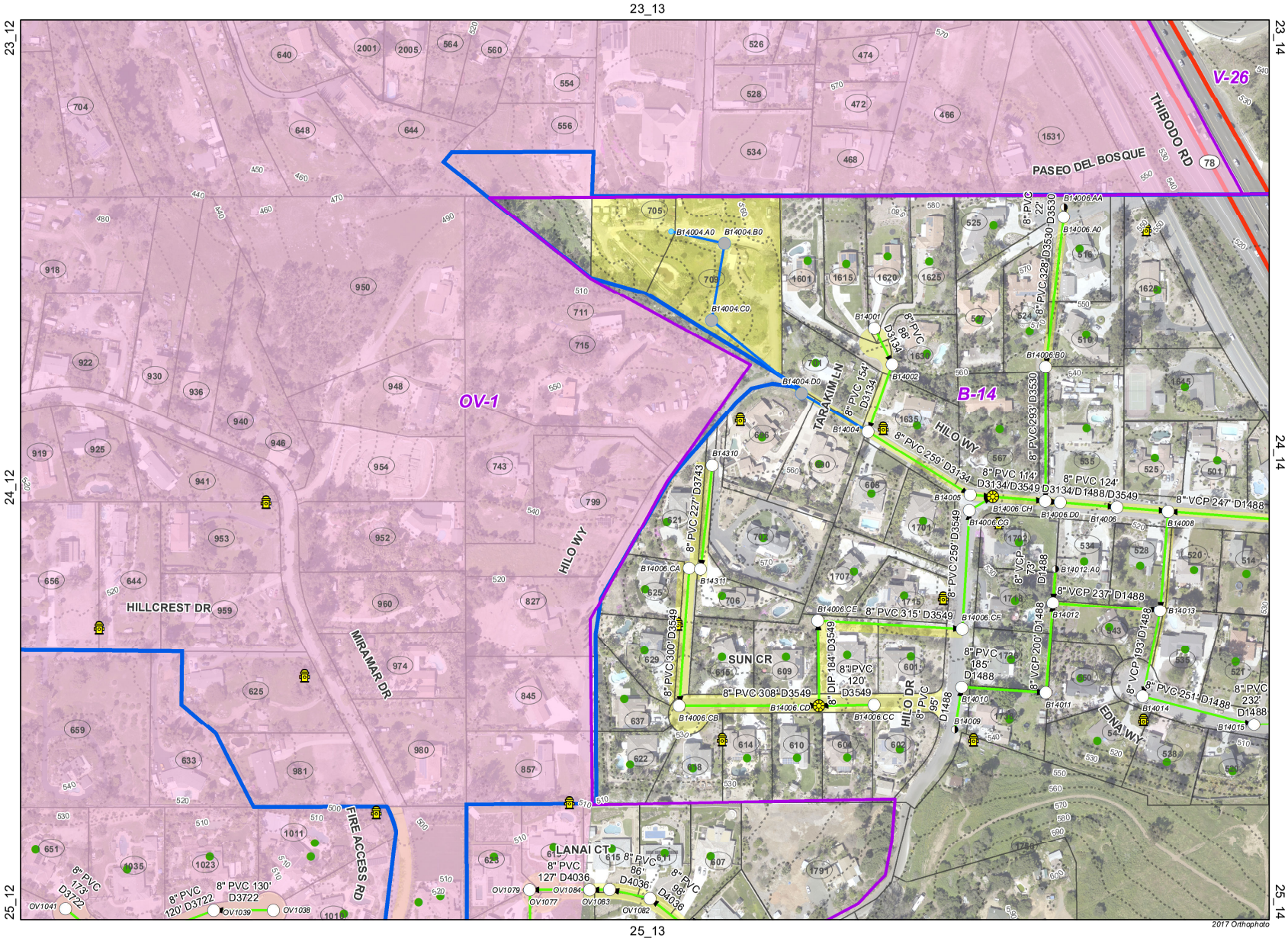
Sewer Structures

Grease Interceptor	Pump
Grease Trap	Pump Station
Junction Box	Sand and Oil Seperator
Odor Control Station	Sluice Gate
Plgging Station	Treatment Plant
	Valve Box

Sewer Permits	Fire Hydrant
Sewer Meters	Access Gates
Sewer Easements	Flow Agreement
Sewer Basins	Flow & Maintenance Agreement
Buena Sanitation District	10' Contours
City Limits	Parcels

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Last Revised: 6/22/2021



Sheet
24_13

CITY OF VISTA
CALIFORNIA

0 100 200 feet
1:2,400

Public
- Drop Manhole
- Standard
- Monitor
- Cleanout
- Plug

Private
- Drop Manhole
- Standard
- Cleanout
- Plug

Mains
- Gravity Main
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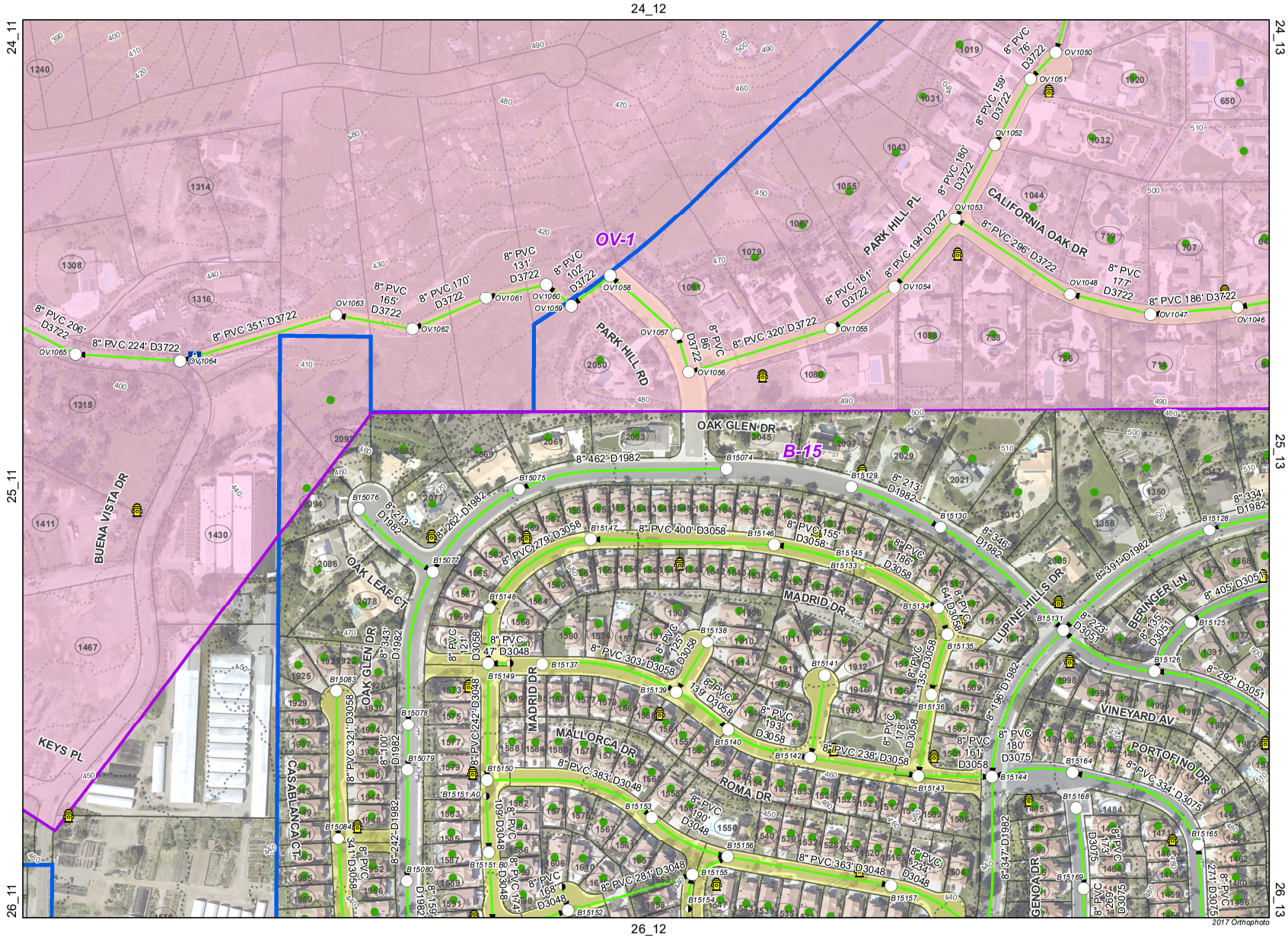
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- Grease Trap
- Junction Box
- Odor Control Station
- Plugging Station
- Pump
- Pump Station
- Sand and Oil Seperator
- Sluice Gate
- Treatment Plant
- Valve Box

- Sewer Permits
- Sewer Meters
- Sewer Easements
- Sewer Basins
- Buena Sanitation District
- City Limits
- Fire Hydrant
- Access Gates
- Flow Agreement
- Flow & Maintenance Agreement
- 10' Contours
- Parcels

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Last Revised: 6/22/2021



Sheet

25_12

CITY OF VISTA
CALIFORNIA

0 100 200 feet

1:2,400

Public / **Private**

- Drop Manhole / Drop Manhole
- Standard / Standard
- Monitor
- Cleanout / Cleanout
- Plug / Plug

Mains

- Gravity Main
- Force Main
- Siphon Main
- Excess Effluent
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Last Revised: 6/22/2021

AGRICULTURAL USE REGULATIONS

A70 LIMITED AGRICULTURAL USE REGULATIONS

2700 INTENT.

The provisions of Section 2700 through Section 2709 inclusive, shall be known as the A70 Limited Agricultural Use Regulations. The A70 Use Regulations are intended to create and preserve areas intended primarily for agricultural crop production. Additionally, a limited number of small farm animals may be kept and agricultural products raised on the premises may be processed. Typically, the A70 Use Regulations would be applied to areas throughout the County to protect moderate to high quality agricultural land.

2702 PERMITTED USES.

The following use types are permitted by the A70 Use Regulations:

a. Residential Use Types.

Family Residential

b. Civic Use Types.

Essential Services
Fire Protection Services (see Section 6905)

c. Agricultural Use Types.

Horticulture (all types)
Tree Crops
Row and Field Crops
Packing and Processing: Limited

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 7741 (N.S.) effective 3-28-90 (Urg. Ord.))
(Amended by Ord. No. 9422 (N.S.) adopted 1-9-02)
(Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)

2703 PERMITTED USES SUBJECT TO LIMITATIONS.

The following use types are permitted by the A70 Use Regulations subject to the applicable provisions of Section 2980. The number in quotes following the use type refers to the subsection of Section 2980 which applies.

a. Residential Use Types

Mobilehome Residential "18"

2703

b. Commercial Use Types

Animal Sales and Services: Veterinary (Large Animals) "6"
Animal Sales and Services: Veterinary (Small Animals) "6"
Recycling Collection Facility, Small "2"
Recycling Processing Facility, Wood and Green Materials "3"

c. Agricultural Use Types

Packing and Processing: Small Winery “22” (see Section 6910)
Packing and Processing: Boutique Winery “22” (see Section 6910)
Packing and Processing: Wholesale Limited Winery “22” (see Section 6910)
Packing and Processing: General “23” (see Section 6157)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5652 (N.S.) adopted 11-21-79)
(Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
(Amended by Ord. No. 6783 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 9940 (N.S.) adopted 6-18-08)
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
(Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

2704 USES SUBJECT TO A MINOR USE PERMIT.
The following use types are allowed by the A70 Use Regulations upon issuance of a Minor Use Permit.

a. Civic Use Types.

Law Enforcement Services
Minor Impact Utilities
Small Schools

b. Agricultural Use Types.

Farm Labor Camps

c. Commercial Use Types.

Cottage Industries "17" (see Section 6920)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)
(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)
(Amended by Ord. No. 7741 (N.S.) effective 3-28-90 (Urg. Ord.))
(Amended by Ord. No. 7768 (N.S.) adopted 6-13-90)
(Amended by Ord. No. 7964 (N.S.) adopted 8-14-91)
(Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)
(Amended by Ord. No. 8271 (N.S.) adopted 6-30-93)

(Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)

2705 USES SUBJECT TO A MAJOR USE PERMIT.
The following use types are permitted by the A70 Use Regulations upon issuance of a Major Use Permit.

a. Residential Use Types.

Group Residential

b. Civic Use Types.

Administrative Services
Ambulance Services
Child Care Center
Civic, Fraternal or Religious Assembly
Clinic Services
Community Recreation
Cultural Exhibits and Library Services
Group Care
Major Impact Services and Utilities
Parking Services
Postal Services

c. Commercial Use Types.

Agricultural and Horticultural Sales (all types)
Explosive Storage (see Section 6904)
Participant Sports and Recreation: Outdoor
Transient Habitation: Campground (see Section 6450)
Transient Habitation: Resort (see Section 6400)

d. Agricultural Use Types.

Agricultural Equipment Storage
Packing and Processing: Winery
Packing and Processing: Support

e. Extractive Use Types.

Mining and Processing (see Section 6550)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

COUNTY OF SAN DIEGO
PLANNING & DEVELOPMENT SERVICES
PROPERTY SUMMARY REPORT

GENERAL PARCEL INFORMATION	
APN:	183-013-01-00
ADDRESS:	810 MIRAMAR DR, VISTA
PARCEL AREA:	0.9
CENSUS TRACT:	199.04
DOMAIN:	County of San Diego
PLANNING AREA:	North County Metro
GENERAL PLAN DESIGNATION:	SEMI-RURAL RESIDENTIAL (SR-1)
EXPIRED PERMITS:	No
FLAGS:	No



AGENCY INFORMATION *For agency contact information refer to* PDS 804	
EXISTING SEWER:	No
FIRE DISTRICT:	VISTA FIRE PROT DIST
ELEMENTARY SCHOOL DISTRICT:	UNIFIED VISTA
HIGH SCHOOL DISTRICT:	
WATER DISTRICT:	VISTA IRRIGATION LAND
SANITATION DISTRICT:	

CONSTRUCTION DESIGN INFORMATION	
FIRE HAZARD SEVERITY ZONE:	Urban Unzoned *Refer to PDS 198 for fire resistive construction info. http://www.sdcounty.ca.gov/pds/docs/pds198.pdf*
CEC CLIMATE ZONE:	7 *Refer to PDS 409 for energy efficiency standards info. http://www.sdcounty.ca.gov/pds/docs/pds409.pdf*
CBC & CRC SEISMIC DESIGN CATEGORY:	CBC D, CRC D1
ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE:	

STORMWATER MANAGEMENT INFORMATION	
EXISTING STRUCTURAL BMP:	No *Refer to* Watershed Protection *website for more information*
PRIORITY DEVELOPMENT PROJECT	No
ENVIRONMENTALLY SENSITIVE AREA	No
HILLSIDE DEVELOPMENT	Yes

LAND DEVELOPMENT INFORMATION	
FLOOD:	NO
DRAINAGE DISTRICT:	N/A *Refer to the drainage fee ordinance for more information. Drainage fee ordinance; Spring Valley Drainage ordinance.*
COUNTY MAINTAINED ROAD:	Abuts County Maintained Road
REGIONAL CATEGORY:	Semi-Rural
TIF REGIONAL CATEGORY:	NONE

For information regarding Transportation Impact Fees (TIF) visit the TIF webpage. For an estimate of TIF or Drainage fees please refer to the DPW Impact Fee Calculator

LEGAL LOT	
LEGAL LOT STATUS:	

COUNTY OF SAN DIEGO
PLANNING & DEVELOPMENT SERVICES
PROPERTY SUMMARY REPORT

ZONING INFORMATION BLOCK

USE REGULATIONS:	A70	Limited Agriculture. Intended for crop or animal agriculture. Number of animals allowed are specified by animal regulations. *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *http://www.sdcounty.ca.gov/pds/zoning/z2000.pdf*
ANIMAL REGULATIONS:	M	*Please refer to Part Three of the zoning ordinance for information regarding animal regulations.http://www.sdcounty.ca.gov/pds/zoning/z3000.pdf*
DENSITY:	-	If "-"refer to general plan designation. *Refer to Part Four section 4100 of the zoning ordinance for density information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
LOT SIZE:	1AC	Minimum lot size. *Refer to Part Four Section 4200 of the zoning ordinance for Lot Size information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf* *Please note the County General Plan may be more restrictive for proposed subdivisions*
BUILDING TYPE:	C	Residential: Single Detached (1 dwelling unit per lot).Mixed Residential/Nonresidential: Limited nonresidentialNonresidential: Detached & Attached *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For additional information please refer to Part Four Section 4300 of the zoning ordinance.http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
MAX FLOOR AREA:	N/A	*Refer to Part Four Section 4400 of the zoning ordinance for Max Floor Area information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
FLOOR AREA RATIO:	N/A	*Refer to Part Four Section 4500 of the zoning ordinance for Floor Area Ratio information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
HEIGHT:	G	Maximum height (feet): 35 Maximum number of stories: 2 *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For additional information refer to Part Four Section 4600 of the zoning ordinance.http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
LOT COVERAGE:	N/A	*Refer to Part Four Section 4700 of the zoning ordinance for Lot Coverage information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
SETBACK:	C	FY: 60' ISY: 15' ESY: 35' RY: 25' **Please note there may be special setbacks for solar and fire code setback may be more restrictive.* *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For additional information refer to Part Four Section 4800 of the zoning ordinance.http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
OPEN SPACE:	N/A	*If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *Refer to Part Four Section 4900 of the zoning ordinance for Open Space information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
SPECIAL AREA REGULATIONS:	N/A	A "-" indicates no special area regulations. *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For specific information regarding Special Area Regulations refer to Part Five of the zoning ordinance.* *http://www.sdcounty.ca.gov/pds/zoning/z5000.pdf*

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COUNTY OF SAN DIEGO
PLANNING & DEVELOPMENT SERVICES
PROPERTY SUMMARY REPORT

GENERAL PARCEL INFORMATION	
APN:	183-014-01-00
ADDRESS:	826 MAR VISTA DR, VISTA
PARCEL AREA:	3.73
CENSUS TRACT:	199.04
DOMAIN:	County of San Diego
PLANNING AREA:	North County Metro
GENERAL PLAN DESIGNATION:	SEMI-RURAL RESIDENTIAL (SR-1)
EXPIRED PERMITS:	Yes
FLAGS:	No



AGENCY INFORMATION *For agency contact information refer to* PDS 804	
EXISTING SEWER:	No
FIRE DISTRICT:	VISTA FIRE PROT DIST
ELEMENTARY SCHOOL DISTRICT:	UNIFIED VISTA
HIGH SCHOOL DISTRICT:	
WATER DISTRICT:	VISTA IRRIGATION LAND
SANITATION DISTRICT:	

CONSTRUCTION DESIGN INFORMATION	
FIRE HAZARD SEVERITY ZONE:	Urban Unzoned *Refer to PDS 198 for fire resistive construction info. http://www.sdcounty.ca.gov/pds/docs/pds198.pdf*
CEC CLIMATE ZONE:	7 *Refer to PDS 409 for energy efficiency standards info. http://www.sdcounty.ca.gov/pds/docs/pds409.pdf*
CBC & CRC SEISMIC DESIGN CATEGORY:	CBC D, CRC D1
ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE:	

STORMWATER MANAGEMENT INFORMATION	
EXISTING STRUCTURAL BMP:	No *Refer to* Watershed Protection *website for more information*
PRIORITY DEVELOPMENT PROJECT	No
ENVIRONMENTALLY SENSITIVE AREA	No
HILLSIDE DEVELOPMENT	Yes

LAND DEVELOPMENT INFORMATION	
FLOOD:	NO
DRAINAGE DISTRICT:	N/A *Refer to the drainage fee ordinance for more information. Drainage fee ordinance; Spring Valley Drainage ordinance.*
COUNTY MAINTAINED ROAD:	Abuts County Maintained Road
REGIONAL CATEGORY:	Semi-Rural
TIF REGIONAL CATEGORY:	NONE

For information regarding Transportation Impact Fees (TIF) visit the TIF webpage. For an estimate of TIF or Drainage fees please refer to the DPW Impact Fee Calculator

LEGAL LOT	
LEGAL LOT STATUS:	

COUNTY OF SAN DIEGO
PLANNING & DEVELOPMENT SERVICES
PROPERTY SUMMARY REPORT

ZONING INFORMATION BLOCK

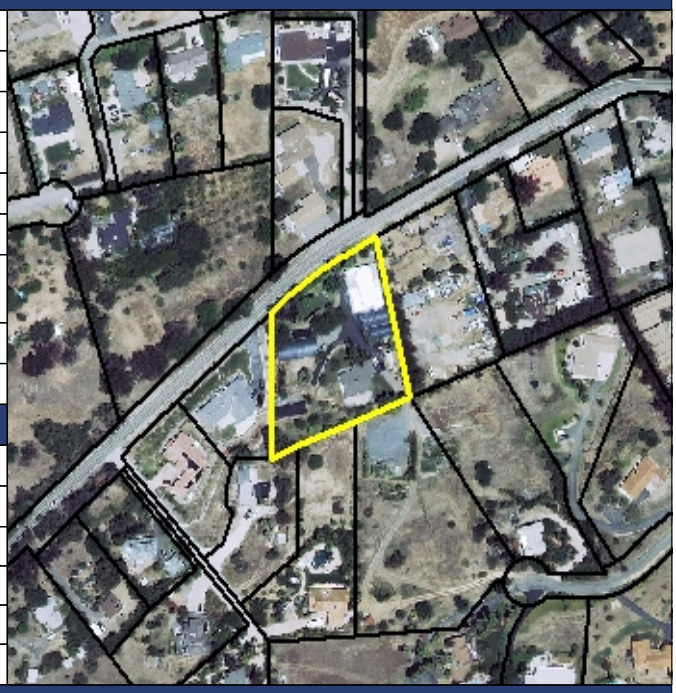
USE REGULATIONS:	A70	Limited Agriculture. Intended for crop or animal agriculture. Number of animals allowed are specified by animal regulations. *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *http://www.sdcounty.ca.gov/pds/zoning/z2000.pdf*
ANIMAL REGULATIONS:	M	*Please refer to Part Three of the zoning ordinance for information regarding animal regulations.http://www.sdcounty.ca.gov/pds/zoning/z3000.pdf*
DENSITY:	-	If "-"refer to general plan designation. *Refer to Part Four section 4100 of the zoning ordinance for density information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
LOT SIZE:	1AC	Minimum lot size. *Refer to Part Four Section 4200 of the zoning ordinance for Lot Size information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf* *Please note the County General Plan may be more restrictive for proposed subdivisions*
BUILDING TYPE:	C	Residential: Single Detached (1 dwelling unit per lot).Mixed Residential/Nonresidential: Limited nonresidentialNonresidential: Detached & Attached *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For additional information please refer to Part Four Section 4300 of the zoning ordinance.http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
MAX FLOOR AREA:	N/A	*Refer to Part Four Section 4400 of the zoning ordinance for Max Floor Area information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
FLOOR AREA RATIO:	N/A	*Refer to Part Four Section 4500 of the zoning ordinance for Floor Area Ratio information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
HEIGHT:	G	Maximum height (feet): 35 Maximum number of stories: 2 *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For additional information refer to Part Four Section 4600 of the zoning ordinance.http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
LOT COVERAGE:	N/A	*Refer to Part Four Section 4700 of the zoning ordinance for Lot Coverage information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
SETBACK:	C	FY: 60' ISY: 15' ESY: 35' RY: 25' **Please note there may be special setbacks for solar and fire code setback may be more restrictive.* *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For additional information refer to Part Four Section 4800 of the zoning ordinance.http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
OPEN SPACE:	N/A	*If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *Refer to Part Four Section 4900 of the zoning ordinance for Open Space information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
SPECIAL AREA REGULATIONS:	N/A	A "-" indicates no special area regulations. *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For specific information regarding Special Area Regulations refer to Part Five of the zoning ordinance.* *http://www.sdcounty.ca.gov/pds/zoning/z5000.pdf*

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COUNTY OF SAN DIEGO
PLANNING & DEVELOPMENT SERVICES
PROPERTY SUMMARY REPORT

GENERAL PARCEL INFORMATION	
APN:	183-082-01-00
ADDRESS:	1054 MAR VISTA DR, VISTA
PARCEL AREA:	1.48
CENSUS TRACT:	199.04
DOMAIN:	County of San Diego
PLANNING AREA:	North County Metro
GENERAL PLAN DESIGNATION:	SEMI-RURAL RESIDENTIAL (SR-1)
EXPIRED PERMITS:	No
FLAGS:	No



AGENCY INFORMATION *For agency contact information refer to* PDS 804	
EXISTING SEWER:	No
FIRE DISTRICT:	VISTA FIRE PROT DIST
ELEMENTARY SCHOOL DISTRICT:	UNIFIED VISTA
HIGH SCHOOL DISTRICT:	
WATER DISTRICT:	VISTA IRRIGATION LAND
SANITATION DISTRICT:	

CONSTRUCTION DESIGN INFORMATION	
FIRE HAZARD SEVERITY ZONE:	Urban Unzoned *Refer to PDS 198 for fire resistive construction info.* http://www.sdcounty.ca.gov/pds/docs/pds198.pdf
CEC CLIMATE ZONE:	7 *Refer to PDS 409 for energy efficiency standards info.* http://www.sdcounty.ca.gov/pds/docs/pds409.pdf
CBC & CRC SEISMIC DESIGN CATEGORY:	CBC D, CRC D1
ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE:	

STORMWATER MANAGEMENT INFORMATION	
EXISTING STRUCTURAL BMP:	No *Refer to* Watershed Protection *website for more information*
PRIORITY DEVELOPMENT PROJECT	No
ENVIRONMENTALLY SENSITIVE AREA	No
HILLSIDE DEVELOPMENT	No

LAND DEVELOPMENT INFORMATION	
FLOOD:	NO
DRAINAGE DISTRICT:	N/A *Refer to the drainage fee ordinance for more information.* Drainage fee ordinance; Spring Valley Drainage ordinance.
COUNTY MAINTAINED ROAD:	N/A
REGIONAL CATEGORY:	Semi-Rural
TIF REGIONAL CATEGORY:	NONE

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LEGAL LOT	
LEGAL LOT STATUS:	

COUNTY OF SAN DIEGO
PLANNING & DEVELOPMENT SERVICES
PROPERTY SUMMARY REPORT

ZONING INFORMATION BLOCK

USE REGULATIONS:	A70	Limited Agriculture. Intended for crop or animal agriculture. Number of animals allowed are specified by animal regulations. *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *http://www.sdcounty.ca.gov/pds/zoning/z2000.pdf*
ANIMAL REGULATIONS:	M	*Please refer to Part Three of the zoning ordinance for information regarding animal regulations.http://www.sdcounty.ca.gov/pds/zoning/z3000.pdf*
DENSITY:	-	If "-"refer to general plan designation. *Refer to Part Four section 4100 of the zoning ordinance for density information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
LOT SIZE:	1AC	Minimum lot size. *Refer to Part Four Section 4200 of the zoning ordinance for Lot Size information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf* *Please note the County General Plan may be more restrictive for proposed subdivisions*
BUILDING TYPE:	C	Residential: Single Detached (1 dwelling unit per lot).Mixed Residential/Nonresidential: Limited nonresidentialNonresidential: Detached & Attached *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For additional information please refer to Part Four Section 4300 of the zoning ordinance.http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
MAX FLOOR AREA:	N/A	*Refer to Part Four Section 4400 of the zoning ordinance for Max Floor Area information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
FLOOR AREA RATIO:	N/A	*Refer to Part Four Section 4500 of the zoning ordinance for Floor Area Ratio information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
HEIGHT:	G	Maximum height (feet): 35 Maximum number of stories: 2 *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For additional information refer to Part Four Section 4600 of the zoning ordinance.http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
LOT COVERAGE:	N/A	*Refer to Part Four Section 4700 of the zoning ordinance for Lot Coverage information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
SETBACK:	C	FY: 60' ISY: 15' ESY: 35' RY: 25' **Please note there may be special setbacks for solar and fire code setback may be more restrictive.* *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *For additional information refer to Part Four Section 4800 of the zoning ordinance.http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
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COUNTY OF SAN DIEGO
PLANNING & DEVELOPMENT SERVICES
PROPERTY SUMMARY REPORT

GENERAL PARCEL INFORMATION	
APN:	183-100-01-00
ADDRESS:	711 HILO WAY, VISTA
PARCEL AREA:	4.74
CENSUS TRACT:	199.04
DOMAIN:	County of San Diego
PLANNING AREA:	North County Metro
GENERAL PLAN DESIGNATION:	SEMI-RURAL RESIDENTIAL (SR-1)
EXPIRED PERMITS:	No
FLAGS:	Yes



AGENCY INFORMATION *For agency contact information refer to* PDS 804	
EXISTING SEWER:	No
FIRE DISTRICT:	VISTA FIRE PROT DIST
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HIGH SCHOOL DISTRICT:	
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SANITATION DISTRICT:	

CONSTRUCTION DESIGN INFORMATION	
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CBC & CRC SEISMIC DESIGN CATEGORY:	CBC D, CRC D1
ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE:	

STORMWATER MANAGEMENT INFORMATION	
EXISTING STRUCTURAL BMP:	No *Refer to* Watershed Protection *website for more information*
PRIORITY DEVELOPMENT PROJECT	No
ENVIRONMENTALLY SENSITIVE AREA	No
HILLSIDE DEVELOPMENT	Yes

LAND DEVELOPMENT INFORMATION	
FLOOD:	NO
DRAINAGE DISTRICT:	N/A *Refer to the drainage fee ordinance for more information.* Drainage fee ordinance; Spring Valley Drainage ordinance.
COUNTY MAINTAINED ROAD:	N/A
REGIONAL CATEGORY:	Semi-Rural
TIF REGIONAL CATEGORY:	NONE

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LEGAL LOT	
LEGAL LOT STATUS:	

COUNTY OF SAN DIEGO
PLANNING & DEVELOPMENT SERVICES
PROPERTY SUMMARY REPORT

ZONING INFORMATION BLOCK

USE REGULATIONS:	A70	Limited Agriculture. Intended for crop or animal agriculture. Number of animals allowed are specified by animal regulations. *If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *http://www.sdcounty.ca.gov/pds/zoning/z2000.pdf*
ANIMAL REGULATIONS:	L	*Please refer to Part Three of the zoning ordinance for information regarding animal regulations.http://www.sdcounty.ca.gov/pds/zoning/z3000.pdf*
DENSITY:	-	If "-"refer to general plan designation. *Refer to Part Four section 4100 of the zoning ordinance for density information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
LOT SIZE:	1AC	Minimum lot size. *Refer to Part Four Section 4200 of the zoning ordinance for Lot Size information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf* *Please note the County General Plan may be more restrictive for proposed subdivisions*
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OPEN SPACE:	N/A	*If there is more than one attribute associated with the parcel please refer to the zoning ordinance sections referenced below.* *Refer to Part Four Section 4900 of the zoning ordinance for Open Space information.* *http://www.sdcounty.ca.gov/pds/zoning/z4000.pdf*
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Blom, Erica

From: Gregory Domurat <gregorydomurat@gmail.com>
Sent: Saturday, July 30, 2022 5:14 PM
To: Blom, Erica
Subject: [External] Meeting 8/1.2022 Team 6a refutal City of Vista proposal

Hello LAFCO Commissioners,

The Proposal of the City of Vista does not benefit the agricultural community and will negatively impact the livelihood of many residents and community members on the streets of Mar Vista, Miramar, Hillcrest, and Marine View (which are all under the designation of A70) as well as violating several government laws, which include the following:

GOV § 56375.3 (b)(1).(2), 56375.3 (b) (3) (A)(B), 56375.3 (b)(4)(A)(B)(C), 56375.3 (b)(5)(6), GOV § 56001, GOV § 56033.5, GOV § 57000, GOV § 56064(a)(c)(d)(e)

Thank you for your consideration, and I hope you choose to stand for freedom.
Gregory Domurat