

DABBS TENTATIVE MAP; PDS2003-3100-5346, PDS2003-3910-03-02-067

This errata is submitted to the Planning Commission to make the following changes to the Resolution Approving PDS2003-3100-5346 (Attachment B), with additions shown in underline. A clean copy of the updated Resolution Approving PDS2003-3100-5346 is attached to this errata.

These changes to the Resolution Approving PDS2003-3100-5346 have been made following coordination with a neighboring property owner and in order to address their concerns.

33. PRIVATE ROAD IMPROVEMENTS: [PDS, LDR], [MA]

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#), a proposed on-site private road easement shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for the proposed on-site and off-site private road easement from Old Highway 395 westerly then northerly to the proposed cul-de-sac, to a graded width of thirty-four feet (34') and to an improved width of thirty feet (30') with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one to seven hundred fifty (101 – 750) trips shall apply. Reductions in the horizontal radii from the standard requirements 150 feet to 100 feet are allowed at the following stations: 3+08.89 to 4+32.12; 6+53.19 to 7+54.89; 10+45.54 to 11+38.02; and 12+29.98 to 13+89.28 along the proposed on-site private road easement serving the project. (See approved letter dated February 2, 2011).
- b. Improve or agree to improve and provide security for the proposed on-site private road easement identified on the tentative map as "Proposed Emergency Access/Egress Easement and Waterline Easement" from Aqueduct Road easterly to the proposed cul-de-sac, to a graded width of twenty feet (20') and to an improved width of sixteen feet (16') with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one to seven hundred fifty (101 – 750) trips shall apply. Hammerhead turnarounds, as shown on the tentative map shall be installed on both sides of the proposed gate. The above improvements shall be constructed to the satisfaction of the Director of Planning & Development Services and the Deer Springs Fire Protection District.
- c. The unnamed private road easement shall terminate with a cul-de-sac graded to a radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with asphalt concrete dike at thirty-six feet (36') from the radius point.
- d. If gated access is used, it shall be in accordance with San Diego County Design Standards DS-17, DS-18, and DS-19, to the satisfaction of the Director of Planning & Development Services and the Deer Springs Fire Protection District.
- e. A sign shall be placed at the intersection of the cul-de-sac of the proposed on-site private road easement from Old Highway 395 and the "Proposed Emergency Access/Egress Easement and Waterline Easement". The sign must be corrosion resistant, a minimum of 10" x 12" in size, on a post not less than five (5) feet in height from the ground surface, and must state the following:

“This Emergency Access/Egress Easement and Waterline Easement shall be used for emergency access and for Rainbow Municipal Water District access only”.

All plans and improvements shall be completed pursuant to the [County of San Diego Private Road Standards](#), and the PDS [Land Development Improvement Plan Checking Manual](#). The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

- e.f. Process and obtain approval of Improvement Plans to improve the listed private road easements above.
- f.g. Provide Secured agreements require posting security in accordance with [Subdivision Ordinance Sec. 81.408](#).
- g.h. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDCI].
- h.i. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

TIMING: Prior to the approval of the Final Map, plans, agreements, and securities shall be approved.

MONITORING: The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

38. PRIVATE ROAD MAINTENANCE AGREEMENT: [PDS, LDR] [MA].

INTENT: In order to ensure that the private roads approved with this subdivision are maintained, the applicant shall assume responsibility of the private roads. **DESCRIPTION OF REQUIREMENT:** A maintenance agreement shall be executed that indicates the following:

- a. Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of PDS.
- b. The Director of Planning and Development Services shall be notified as to the final disposition of title (ownership) to the unnamed private easement access road, and place a note on the Final Map as to the final title status of said road.
- c. Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- d. The sign at the intersection of the cul-de-sac of the proposed on-site private road easement from Old Highway 395 and the “Proposed Emergency Access/Egress Easement and Waterline Easement” shall be maintained in perpetuity.

DOCUMENTATION: The applicant shall sign the private road maintenance agreement to the satisfaction of the Director of PDS and indicate the ownership on the map as indicated above. **TIMING:**

Prior to the approval of the map, the agreement shall be executed and the ownership shall be indicated on the map. **MONITORING:** The [PDS, LDR] shall review the executed agreement and the map for compliance with this condition.

46. ACCESS RESTRICTION:

INTENT: To restrict primary access and provide for emergency access/egress and an easement for a Rainbow Municipal Water District waterline as requested by the Bonsall Community Planning Group.

DESCRIPTION OF REQUIREMENT: Show a one-foot (1') access restriction easement across the western boundary of the subdivision at the intersection of proposed twenty-foot (20') wide Emergency access/egress easement and Aqueduct Road in the vicinity of the common boundary of Lots 8 and 9. The access restriction would serve to limit access from the lots within the subdivision to emergency access only. It would also allow access for the Rainbow Municipal Water District as well.

DOCUMENTATION: The applicant shall show the one-foot (1') access restriction easement on the map to the satisfaction of the Director of Public Works. **TIMING:** Prior to the approval of the Final Map, the one-foot (1') access restriction easement shall be shown on the map to the satisfaction of the Director of Public Works. **MONITORING:** The [PDS, LDR] shall verify that the access restriction easement is indicated on the map.

December 11, 2015

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
TENTATIVE MAP NO. 5346)

WHEREAS, Tentative Map No. 5346 proposing the division of property located at east corner of Aquaduct Road and north of Via Urner Way and generally described as:

SW ¼ of the NW 1/4, T10S, R3W, SBBM, in the County of San Diego, State of California

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on November 21, 2003; and

WHEREAS, on December 11, 2015, the Planning Commission of the County of San Diego pursuant to [Section 81.304 of the San Diego County Subdivision Ordinance](#) held a duly advertised public hearing on said Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

WHEREAS, the Planning Commission of the County of San Diego has determined that the conditions hereinafter enumerated are necessary to ensure that the subdivision and the improvement thereof will comply with the Subdivision Map Act and conform to all ordinances, plans, rules, standards, and improvement and design requirements of San Diego County.

IT IS RESOLVED, DETERMINED, AND ORDERED, that based on the findings, said Tentative Map is hereby approved subject to the following conditions:

MAP EXPIRATION: The approval of this Tentative Map Expires Thirty-Six (36) Months after the date of the approval of this Resolution at 4:00 P.M. Unless, prior to that date, an application for a Time Extension has been filed as provided by [Section 81.308 of the County Subdivision Ordinance](#).

STANDARD CONDITIONS: The "[Standard Conditions \(1-29\) for Tentative Subdivision Maps](#)" approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk, as Resolution No. 00-199, shall be made conditions of this Tentative Map approval. Only the following exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized. **The following Standard Subdivision Conditions are here by waived:**

- (1) Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification allows the use of high pressure sodium (HPS) vapor light sources at the project site if

desired or required. HPS vapor light sources are only prohibited within a 15 mile radius of Palomar or Mount Laguna observatories pursuant to direction from the Board of Supervisors [statement of proceedings of 1-29-03].

- (2) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (3) Standard Condition 19(e): Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (4) Standard Condition 27: Said condition states that the Final Map shall include the entire area shown on the Tentative Map and shall not be filed as units or groups of units. The Final Map for this Tentative Map may be filed in units.

PRELIMINARY GRADING PLAN: The approval of this Tentative Map here by adopts the Preliminary Grading and Improvement Plan consisting of one sheet pursuant to [Section 81.303 of the County Subdivision Ordinance](#). In accordance with the [Section 87.207 of the County Grading Ordinance](#), Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to [County of San Diego Grading Ordinance \(Sec 87.701 et. al.\)](#)

APPROVAL OF MAP: THE FOLLOWING SPECIFIC CONDITIONS SHALL BE COMPLIED WITH BEFORE A MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER: (and where specifically, indicated, conditions shall also be complied with prior to the approval and issuance of grading or other permits as specified):

1-29. The “Standard Conditions (1-29) for Tentative Subdivision Maps” approved by the Board of Supervisors on June 16, 2000, with the exception of those “Standard Conditions” waived above.

30. COST RECOVERY: [PDS, DEH, DPR], [MA, GP, IP]

INTENT: In order to comply with [Section 362 of Article XX of the San Diego County Administrative Code](#), Schedule B.5 existing deficit accounts associated with processing this map shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this map. **DOCUMENTATION:** The applicant shall provide a receipt to Planning & Development Services, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No map can be issued if there are deficit

deposit accounts. **TIMING:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, all fees and discretionary deposit accounts shall be paid. **MONITORING:** The PDS Zoning Counter shall review the receipts and verify that all PDS, DEH, and DPR deposit accounts have been paid.

- 31. GRADING PLAN CONFORMANCE: [DPW, ESU] [DPR, TC PP] [GP, IP, MA]**
INTENT: In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall conform to the approved Conceptual Grading and Development Plan. **DESCRIPTION OF REQUIREMENT:** The grading and or improvement plans shall conform to the approved Conceptual Grading Plan, which includes all of the following mitigation measures: archaeological monitoring. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the notes and items shall be placed on the plans as required. **MONITORING:** The [PDS, PP, or PDS, BD for PDS Minor Grading, [DPR, TC for trails and PP for park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.
- 32. PUBLIC ROAD IMPROVEMENTS: [PDS, LDR], [DPR, TC] [MA]**
INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#) and the Community Trails Master Plan, Old Highway 395 shall be improved. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve and provide security for Old Highway 395.
- a. Restripe Old Highway 395 from Via Urner Way northerly to approximately 300 feet north of the proposed private road easement. Restripe the road to provide 11 feet wide for each travel lane, 11 feet in width for a left turn lane and minimum 5 feet for bike lanes.

All plans and improvements shall be completed pursuant to the [County of San Diego Public Road Standards](#), the DPW [Land Development Improvement Plan Checking Manual](#) and the Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

- b. Process and obtain approval of Striping Plans to improve Old Highway 395.
- c. Provide Secured agreements require posting security in accordance with [Subdivision Ordinance Sec. 81.408](#)

- d. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- e. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

TIMING: Prior to the approval of the map the plans, agreements, and securities shall be approved. **MONITORING:** The [PDS, LDR] and [DPR, TC, PP] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

33. PRIVATE ROAD IMPROVEMENTS: [PDS, LDR], [MA]

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#), a proposed on-site private road easement shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for the proposed on-site and off-site private road easement from Old Highway 395 westerly then northerly to the proposed cul-de-sac, to a graded width of thirty-four feet (34') and to an improved width of thirty feet (30') with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one to seven hundred fifty (101 – 750) trips shall apply. Reductions in the horizontal radii from the standard requirements 150 feet to 100 feet are allowed at the following stations: 3+08.89 to 4+32.12; 6+53.19 to 7+54.89; 10+45.54 to 11+38.02; and 12+29.98 to 13+89.28 along the proposed on-site private road easement serving the project. (See approved letter dated February 2, 2011).
- b. Improve or agree to improve and provide security for the proposed on-site private road easement identified on the tentative map as "Proposed Emergency Access/Egress Easement and Waterline Easement" from Aqueduct Road easterly to the proposed cul-de-sac, to a graded width of twenty feet (20') and to an improved width of sixteen feet (16') with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one to seven hundred fifty (101 – 750) trips shall apply. Hammerhead turnarounds, as shown on the tentative map shall be installed on both sides of the proposed gate. The above improvements shall be constructed to the satisfaction of the Director of Planning & Development Services and the Deer Springs Fire Protection District.

- c. The unnamed private road easement shall terminate with a cul-de-sac graded to a radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with asphalt concrete dike at thirty-six feet (36') from the radius point.
- d. If gated access is used, it shall be in accordance with San Diego County Design Standards DS-17, DS-18, and DS-19, to the satisfaction of the Director of Planning & Development Services and the Deer Springs Fire Protection District.
- e. A sign shall be placed at the intersection of the cul-de-sac of the proposed on-site private road easement from Old Highway 395 and the "Proposed Emergency Access/Egress Easement and Waterline Easement". The sign must be corrosion resistant, a minimum of 10" x 12" in size, on a post not less than five (5) feet in height from the ground surface, and must state the following:

"This Emergency Access/Egress Easement and Waterline Easement shall be used for emergency access and for Rainbow Municipal Water District access only".

All plans and improvements shall be completed pursuant to the [County of San Diego Private Road Standards](#), and the PDS [Land Development Improvement Plan Checking Manual](#). The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

- f. Process and obtain approval of Improvement Plans to improve the listed private road easements above.
- g. Provide Secured agreements require posting security in accordance with [Subdivision Ordinance Sec. 81.408](#).
- h. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDCI].
- i. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

TIMING: Prior to the approval of the Final Map, plans, agreements, and securities shall be approved. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of

the plans [*PDS, LDR*] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

34. PAVEMENT CUT POLICY: [PDS, LDR] [GP, IP, MA]

INTENT: In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego, Department of PDS, Pavement Cut Policy to the satisfaction of the Department of Planning and Development Services (PDS), and submit it to the [*PDS LDR*] for review. **TIMING:** Prior to the approval improvement plans and the approval of the Map, letters shall be submitted for approval. **MONITORING:** The [*PDS, LDR*] shall review the signed letters.

35. SIGHT DISTANCE: [PDS, LDR] [MA]

INTENT: In order to comply with the Design Standards of Section 6.1.E, of the [County of San Diego Public Road Standards](#), an unobstructed view for safety while exiting the property and accessing a public road from the site, and unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:** Have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide a certified signed statement that: "Physically, there is minimum unobstructed sight distance in both directions along Old Highway 395 from the proposed off-site private road easement, based upon prevailing traffic speed of Old Highway 395, per Section 6.1.E of the County of San Diego Public Road Standards (approved March 2012). For southerly direction, the line of sight fall within the existing right-of-way and a clear space easement is not required. For northerly direction, the line of sight fall within the private property and a clear space easement is required."

DOCUMENTATION: The applicant shall complete the certifications and submit them to the [*PDS, LDR*] for review. **TIMING:** Prior to the approval of the Final Map, sight distance shall be verified. **MONITORING:** The [*PDS, LDR*] shall verify the sight distance certifications.

36. CLEAR SPACE EASEMENT MARKERS: [PDS, LDR] [MA]

INTENT: In order to promote orderly development necessary for public health and safety of the area, and to comply with the [County of San Diego Public Road Standards](#) and [San Diego Regional Standards Drawing](#), a clear space easement

markers for an unobstructed view for safety while exiting the property and accessing a public road from the site shall be installed. **DESCRIPTION OF REQUIREMENT:**

- a. Show clear space easement on the Non-Title sheet of the Map.
- b. Install the clear space easement markers per DS-16 to the satisfaction of Director of Planning and Development Services.

DOCUMENTATION: The applicant shall have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide a signed statement that the clear space easement markers have been installed per DS-16 along with pictures, and plan. Show the clear space easement on the Non-Title Sheet and submit them to the [*PDS, LDR*] for review. **TIMING:** Prior to the approval of the Parcel Map, the clear space easement markers, and clear space easement on the Non-Title Sheet shall be verified. **MONITORING:** The [*PDS, LDR*] shall verify the clear space easement markers certifications and clear space easement on the Non-Title Sheet.

37. STORMWATER FACILITIES MAINTENANCE AGREEMENTS: [PDS, LDR], [MA]

INTENT: In order to promote orderly development and to comply with the [County Flood Damage Prevention Ordinance \(Title 8, Division 11\)](#), [County Watershed Protection Ordinance \(WPO\) No.10096, County Code Section 67.801 et. seq.](#), the maintenance agreements shall be completed. **DESCRIPTION OF REQUIREMENT:**

- a. The private storm drain system shall be maintained by a maintenance mechanism such as a homeowners association or other private entity to the satisfaction of the Director of PDS.
- b. Establish a maintenance agreement / mechanism (to include easements) to assure maintenance of the Category 2 post-construction best management practices (BMP's). Provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of PDS.

DOCUMENTATION: The applicant shall process the agreement forms with [*PDS, LDR*] and pay the deposit and applicable review fees. **TIMING:** Prior to the approval of the map, execution of the agreements and securities shall be completed. **MONITORING:** The [*PDS, LDR*] shall review the agreements/mechanisms for consistency with the condition and County Standards.

38. PRIVATE ROAD MAINTENANCE AGREEMENT: [PDS, LDR] [MA].

INTENT: In order to ensure that the private roads approved with this subdivision are maintained, the applicant shall assume responsibility of the private roads.

DESCRIPTION OF REQUIREMENT: A maintenance agreement shall be executed that indicates the following:

- a. Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of PDS.
- b. The Director of Planning and Development Services shall be notified as to the final disposition of title (ownership) to the unnamed private easement access road, and place a note on the Final Map as to the final title status of said road.
- c. Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- d. The sign at the intersection of the cul-de-sac of the proposed on-site private road easement from Old Highway 395 and the "Proposed Emergency Access/Egress Easement and Waterline Easement" shall be maintained in perpetuity.

DOCUMENTATION: The applicant shall sign the private road maintenance agreement to the satisfaction of the Director of PDS and indicate the ownership on the map as indicated above. **TIMING:** Prior to the approval of the map, the agreement shall be executed and the ownership shall be indicated on the map.

MONITORING: The [PDS, LDR] shall review the executed agreement and the map for compliance with this condition.

39. ONE FOOT ACCESS DEDICATION: [PDS, LDR] [MA].

INTENT: In order to limit access from the proposed subdivision an offer of dedication shall be granted to the County. **DESCRIPTION OF REQUIREMENT:** A one-foot (1') wide strip shall be offered for dedication along the westerly property lines of proposed Lots 6, 7, 8, and 9 (Aqueduct Road). The one-foot (1') wide strip shall be made a portion of the adjacent lots and designated as "Reserved For Future Street" with access rights relinquished.

DOCUMENTATION: The applicant shall show the one (1') dedication for future relinquishment on the Map. **TIMING:** Prior to the approval of the Map, this requirement shall be completed. **MONITORING:** The County of San Diego, Director of Planning and Development Services shall recommend that the Board of Supervisors accept the one foot (1') offer of dedication with rights for future relinquishment. The dedication shall be reserved for future streets and access rights.

40. REMAND RELINQUISHED ACCESS: [PDS, LDR] [MA].

INTENT: In order to ensure that only the subdivision's accesses comply with the [County Subdivision Ordinance Section 81.1106](#), the previously relinquished access shall be remanded. **DESCRIPTION OF REQUIREMENT:** Access rights onto Old Highway 395 shall be obtained by remanding of previous relinquishment of access rights onto Old Highway 395 to accommodate a minimum 40 feet private road easement. **DOCUMENTATION:** The applicant shall obtain a remandment of previously relinquishment of access rights onto Old Highway 395 for the proposed private road easement. **TIMING:** Prior to the approval of the Map, this requirement shall be completed and shown on the Map. **MONITORING:** The [PDS, LDR] shall review the approved remandment and the map for compliance with this condition.

41. EROSION CONTROL: [PDS, LDR] [PDS, PDCI] [MA, IP, GP].

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10096](#) and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Management Plan (SWMP) and Stormwater Protection Plan (SWPP) including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to [Subdivision Ordinance 81.408](#), for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304\(e\)](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of PDS authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of PDS to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of PDS by the date agreed.

DOCUMENTATION: The applicant shall provide the letter of agreement and any additional security and or cash deposit to the [PDS, LDR] for approval with the final submittal of all grading and improvement plans for the subdivision and required improvements as indicated above. **TIMING:** Prior to approval of the map for all phases, and the approval of any plan and the issuance of any permit,

the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of these conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. The [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforcement the required stormwater and rosin control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

42. HYDROMODIFICATION NOTE: [PDS, LDR] [MA]

INTENT: In order to acknowledge future processing requirements for projects which were deemed complete, pursuant to [Subdivision Map Act Section 66474.2](#), prior to January 8, 2011, a note shall be placed on the parcel map. This project has provided acknowledgement from the owner and professional that hydromodification needs have been reviewed, based on the project's technical studies, and can be accommodated on the project. Furthermore the acknowledgement states that hydromodification requirements will be complied with prior to development of the lots and that any changes that result from implementing hydromodification requirements may require changes to the project design or processing a revision. **DESCRIPTION OF REQUIREMENT:** The following note shall be shown as the first note in the Non-Title sheet of the parcel map and labeled "Hydromodification Note".

“Approval of a parcel map does not guarantee that subsequent governmental permits and approvals needed to develop the property can be issued based on laws, regulations or standards in place at the time the subdivision was approved. Changes in the law, regulations or standards that occur or become effective prior to the time development permits are sought can adversely impact the ability to develop a subdivision. In some instances, it may be necessary to redesign or remap a subdivision to address these changes, which can be a costly and time consuming process.”

Without limiting the generality of the foregoing, it is specifically noted that starting on January 8, 2011 updated storm water requirements required by the California Regional Water Quality Control Board, San Diego Region, became applicable to priority development projects in the County pursuant to Regional Board Order No. R9-2007-0001, NPDES No. CAS0108758. Subdivisions in process prior to this date may not have been designed to address these new requirements. In order to issue grading, building and other development permits, it may be necessary to address these new requirements even if such considerations were not required to approve the parcel map. ”

DOCUMENTATION: The applicant shall add the Hydromodification Note on the Non-Title sheet of the parcel map as indicated above. **TIMING:** Prior to the approval of the parcel map, the note shall be shown on the parcel

map. **MONITORING:** The *[PDS, LDR]* shall verify that the note has been added to the parcel map pursuant to this condition.

- 43. STRMWTR#1 - STORMWATER FACILITIES MAINTENANCE AGREEMENTS:**
INTENT: In order to promote orderly development and to comply with the [County Flood Damage Prevention Ordinance \(County Code Title 8, Division 11\)](#), and [County Watershed Protection Ordinance \(WPO\) C \(County Code Section 67.801 et. seq.\)](#), the maintenance agreements shall be completed.
DESCRIPTION OF REQUIREMENT:

- a. The private storm drain system shall be maintained by a maintenance mechanism such as a homeowners association or other private entity to the satisfaction of the Director of Planning & Development Services.

DOCUMENTATION: The applicant shall process the agreement forms with *[PDS, LDR]* and pay the deposit and applicable review fees. **TIMING:** Prior to the approval of the Final Map, execution of the agreements and securities shall be completed. **MONITORING:** The *[PDS, LDR]* shall review the agreements / mechanisms for consistency with the condition and County Standards.

- 44. STRMWTR#2 – STORMWATER NOTE:**
INTENT: In order to acknowledge future processing requirements for projects which were deemed complete pursuant to Subdivision Map Act Section 66474.2 prior to the implementation date of the County BMP Design Manual, a note shall be placed on the map. **DESCRIPTION OF REQUIREMENT:** The following note shall be shown as the first note in the Non-Title sheet of the map and labeled “Storm Water Note”.

“Approval of a map does not guarantee that subsequent governmental permits and approvals needed to develop the property can be issued based on laws, regulations or standards in place at the time the subdivision was approved. Changes in the law, regulations or standards that occur or become effective prior to the time development permits are sought can adversely impact the ability to develop a subdivision. In some instances, it may be necessary to redesign or remap a subdivision to address these changes, which can be a costly and time consuming process.

Without limiting the generality of the foregoing, it is specifically noted that starting on the implementation date of the County BMP Design Manual, updated storm water requirements implemented by the California Regional Water Quality Control Board, San Diego Region, became applicable to priority development projects in the County pursuant to Regional Board Order No. R9-2013-0001, NPDES No. CAS0109266. Subdivisions in process prior to this implementation date may not have been designed to address these requirements which may include updated Hydromodification criteria, and avoidance of critical coarse sediment yield areas or implementation of mitigation measures. In order to issue grading, building, and other development permits, it may be necessary to

address these new requirements even if such considerations were not required to approve the map.”

DOCUMENTATION: The applicant shall add the Storm Water Note on the Non-Title sheet of the map as indicated above. **TIMING:** Prior to the approval of the map, the note shall be shown on the map. **MONITORING:** The [PDS, LDR] shall verify that the note has been added to the map pursuant to this condition.

45. STRMWTR#3 - EROSION CONTROL:

INTENT: In order to comply with all applicable stormwater regulations, the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance \(County Code section 67.801 et seq.\)](#) and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Management Plan (SWMP) and Stormwater Protection Plan (SWPP) including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to [Subdivision Ordinance Section 81.408](#), for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304\(e\)](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Planning & Development Services authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Planning & Development Services to unilaterally withdraw any part or all of the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Planning & Development Services by the date agreed.

DOCUMENTATION: The applicant shall provide the agreement and any additional security and or cash deposit to the [PDS, LDR] for approval with the final submittal of all grading and improvement plans for the subdivision and required improvements as indicated above. **TIMING:** Prior to approval of the map for all phases, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of these conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction

and grading plans. The [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforcement the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

46. ACCESS RESTRICTION:

INTENT: To restrict primary access and provide for emergency access/egress and an easement for a Rainbow Municipal Water District waterline as requested by the Bonsall Community Planning Group. **DESCRIPTION OF REQUIREMENT:** Show a one-foot (1') access restriction easement across the western boundary of the subdivision at the intersection of proposed twenty-foot (20') wide Emergency access/egress easement and Aqueduct Road in the vicinity of the common boundary of Lots 8 and 9. The access restriction would serve to limit access from the lots within the subdivision to emergency access only. It would also allow access for the Rainbow Municipal Water District as well. **DOCUMENTATION:** The applicant shall show the one-foot (1') access restriction easement on the map to the satisfaction of the Director of Public Works. **TIMING:** Prior to the approval of the Final Map, the one-foot (1') access restriction easement shall be shown on the map to the satisfaction of the Director of Public Works. **MONITORING:** The [PDS, LDR] shall verify that the access restriction easement is indicated on the map.

47. LBZ EASEMENT: [PDS, PCC, LDR] [DGS, RP][MA, GP, IP] [PDS, FEEX 2]

INTENT: In order to protect sensitive biological resources, a Limited Building Zone Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego a Limited Building Zone Easement as shown on the approved Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

- a. Decking, fences, and similar facilities.
- b. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.

DOCUMENTATION: The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review - OR - The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of the map or on the map and prior to

the approval of any plan and issuance of any permit, the easements shall be recorded. **MONITORING:** For recordation on the map, the [PDS, LDR] shall route the Final Map to [PDS, PCC] for approval prior to map recordation OR for recordation by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] and [DPR GPM] for preapproval. The [PDS, PCC] shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition - OR - if recorded on the map, the [PDS LDR] shall satisfy the condition after map recordation.

48. OFF-SITE MITIGATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE X2] [DPR, GPM]

INTENT: In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource, off-site mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 3.5 acres of Diegan coastal sage scrub, located in North San Diego County as indicated below.

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

2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

49. ARCHAEOLOGICAL GRADING MONITORING: [PDS, PCC] [DPW, ESU] [MA, GP, IP] [PDS, FEE X 2] INTENT: In order to mitigate for potential impacts to undiscovered buried archaeological resources on the project site, a grading monitoring program and potential data recovery program shall be implemented pursuant to the [County of San Diego Guidelines for Determining Significance for Cultural Resources](#) and [CEQA Section 15064.5 an 15064.7](#). **DESCRIPTION OF REQUIREMENT:** A County approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities, and shall sample fill materials to confirm that the fill soils are clean of cultural resources. The following shall be completed:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the [County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources](#), and this map. The contract provided to the County shall include an agreement that the grading monitoring will be completed, and a [Memorandum of Understanding \(MOU\)](#) between the Project Archaeologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide evidence that a Native American of the appropriate tribal affiliation has also been contracted to perform Native American Grading Monitoring for the project.
- c. The cost of the monitoring shall be added to grading bonds or bonded separately with PDS.

DOCUMENTATION: The applicant shall provide a copy of the Grading Monitoring Contract, cost estimate, and [MOU](#) to the [PDS, PCC]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to the approval of the map for PDS2003-3100-5346, and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **MONITORING:** The [PDS, PCC] shall review the contract, [MOU](#) and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, LDR], for inclusion in the grading bond cost estimate, and grading bonds. [PDS, LDR] shall add the cost of the monitoring to the grading bond costs, and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

50. CULTURAL RESOURCES REPORT: [PDS, PCC] [UO, FG] [PDS, FEE X2]. INTENT: In order to ensure that Grading Monitoring occurred during the grading phase of the project, a final report shall be prepared. **DESCRIPTION OF**

REQUIREMENT: A final Grading Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all prehistoric cultural resources collected during the grading monitoring program have been repatriated to an appropriate Luiseno tribe. Evidence shall be in the form of a letter from the Luiseno tribe receiving the artifacts that the materials have been received.

or

Evidence that all prehistoric cultural material have been curated at a San Diego curation facility or culturally affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to an appropriate curation facility in San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Historic materials shall be curated at a San Diego curation facility as identified above and shall not be repatriated or curated with a Tribal curation facility. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- d. If no cultural resources are discovered, a brief letter to that effect must be submitted stating that the grading monitoring activities have been completed. Daily Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant's archaeologist shall prepare the final report and submit it to the [PDS, PCC] for approval. **TIMING:** Prior to any occupancy or final grading release, the final report shall be prepared. **MONITORING:** The [PDS, PCC] shall review the final report for compliance this condition and the

report format guidelines. Upon acceptance of the report, [PDS, PCC] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PCC] shall inform [PDS, FISCAL] to release the bond back to the applicant.

51. NOISE RESTRICTION EASEMENT: [DPLU, BPPR] [DPLU, PCC] [MA] [DPLU, FEE X 4] INTENT: In order to reduce the exposure to noise levels in excess of standards established by the [County of San Diego General Plan Noise Element \(Policy 4.b\)](#), and the [County of San Diego CEQA Noise Guidelines for Determining Significance](#), a noise restriction easement shall be placed on the entire areas of Lots 1, 2, 3 and 4 to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **DESCRIPTION OF REQUIREMENT:** A Noise Restriction Easement as indicated on the approved Tentative Map, shall be granted on the map. The said easement shall include and shall comply with the following:

- a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 60dB for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by [the General Plan Noise Element \(Policy 4.b\)](#).
 - i. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for a Rural Collector roadway for Old Highway 395 , which is its designated General Plan Circulation Element buildout roadway classification.
- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced above.
- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.
- d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures,

into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [DPLU, BD] for review and approval before the building permits can be issued. To the satisfaction of the [DPLU, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

DOCUMENTATION: The applicant shall indicate the noise restriction easement on the map as indicated on the tentative map. **TIMING:** Prior to the approval of the map for Lots 1, 2, 3, and 4, the requirements of this condition shall be completed. **MONITORING:** The [DPW, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

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

- 52. ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PC] [PDS, FEE X2] INTENT:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2003-3100-5346, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved 'Project Archaeologist,' Native American Monitor, and the PDS Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements and shall sample fill soils (import and onsite) to make the determination that fill is clean of cultural resources. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist and Native American attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDC] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Cultural Resource Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Archeologist.

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

- 53. ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PDS, FEE X2] INTENT:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2003-3100-5346, and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for](#)

[Archeological and Historic Resources](#) , Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the following requirements during grading:

- a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Luiseno Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Luiseno Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist.
- b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist, or the Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Luiseno Native American monitor, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist in consultation with the Luiseno Native American monitor and approved by the Staff Archaeologist, then carried out using professional archaeological methods. The Research Design and Data Recovery Program shall include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites pursuant to CEQA §21083.2(g) as the preferred option, (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible, and (3) data recovery for non-unique cultural resources.
- c. If any human remains are discovered, the Project Archaeologist shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. Upon conclusion of the Coroner's determination, the human remains are to remain in place ("in situ") and any analysis shall be conducted on site in the presence of a Luiseno Native American monitor.

If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Project Archaeologist in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed.

- d. The Project Archaeologist and Luiseno Native American monitor shall sample the fill soils (import and onsite) to confirm that they are clean of cultural resources.

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

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

54. **ARCHAEOLOGICAL MONITORING:** [PDS, PCC] [RG, BP] [PDS, FEE]. **INTENT:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2003-3100-5346, and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the grading activities that require monitoring:

- a. If **no archaeological resources** are encountered during grading, then submit a final Negative Monitoring Report substantiating that grading activities are completed and no cultural resources were encountered. Monitoring logs showing the date and time that the monitor was on site must be included in the Negative Monitoring Report.
- b. If archaeological resources were encountered during grading, the Project Archaeologist shall provide a Monitoring Report stating that the field grading monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation phase of the monitoring.

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

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

55. ARCHAEOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE]. INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2003-3100-5346, and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during grading. The report shall include the following:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all prehistoric cultural resources collected during the grading monitoring program has been repatriated to an appropriate Luiseno tribe. Evidence shall be in the form of a letter from the Luiseno tribe receiving the artifacts that the materials have been received.

or

Evidence that all prehistoric cultural material has been curated at a San Diego curation facility or culturally affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to an appropriate curation facility in San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Historic materials shall be curated at a San Diego curation facility as identified above, and shall not be repatriated or curated with a Tribal curation facility. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- d. If no cultural resources are discovered, a brief letter to that effect must be submitted stating that the grading monitoring activities have been completed. Daily Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant shall submit the report to the [PDS, PCC] for review and approval. **TIMING:** Prior to the occupancy of any structure or use of the premises in reliance of PDS2003-3100-5346, and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)), the final report shall be completed. **MONITORING:** The [PDS, PCC] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

IT IS FURTHER RESOLVED, THEREFORE, that the Planning Commission of the County of San Diego hereby makes the following findings as supported by the minutes, maps, exhibits, and documentation of said Tentative Map all of which are herein incorporated by reference:

1. The Tentative Map is consistent with all elements of the San Diego County General Plan and with the Semi-Rural Residential SR-4 Land Use Designation of the Bonsall Community Plan because it proposes a single-family residential use type at a density of 1 dwelling units per 4 acres and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
2. The Tentative Map is consistent with The Zoning Ordinance because it proposes a single-family residential use type with a minimum net lot size of 3.5 acres in the in the A70 (Limited Agriculture) Use Regulation;
3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the Bonsall Community Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;
4. The site is physically suitable for the proposed residential type of development because the slope is moderate and minimal grading is needed to provide

appropriately sized residential pads which do not require setback variances or impact sensitive resources.;

5. The site is physically suitable for the proposed density of development because the site is located along a public road, in close proximity to the freeway and a fire station, with existing water lines in the road adjacent to the site;
6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of CEQA Section 15183 findings dated July 24, 2014;
8. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and

The division and development of the property in the manner set forth on the approved Tentative Map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement;

9. The discharge of sewage waste from the subdivision into the individual private subsurface septic system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and
11. Determinations and findings pursuant to the California Environmental Quality Act, the Resource Protection Ordinance, and the Watershed Protection, Stormwater Management, and Discharge Control Ordinance have been made by the Planning Commission.

WAIVER(S) AND EXCEPTION(S): This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the:

WAIVERS AND EXCEPTIONS: This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the County Subdivision Ordinance, County Public Road and Private Road Standards:

County Public and Private Road Standards to permit:

- (1) County Private Road Standards, Section 3.1.C. requires a minimum 150 feet horizontal radius for the private road easement serving 101 ADT to 750 ADT. The Department of Planning and Development Services (PDS) has received and supported a request to allow a reduction in the horizontal radius from the standard requirements to 100 feet at the following stations: 3+08.89 to 4+32.12; 6+53.19 to 7+54.89; 10+45.54 to 11+38.02; and 12+29.98 to 13+89.28 along the proposed on-site private road easement serving the project. (See approved letter dated February 2, 2011).
- (2) Public Road Standards, Section 4.4, Table 2A requires a minimum twelve-foot (12') wide for each travel lane. The Department of Planning and Development Services has received and supported a request to reduce the lane width from 12 feet to 11 feet for each travel lane and the proposed left turn lane along Old Highway 395, in the vicinity of the entrance for TM 5346. (See approved letter dated March 23, 2012).

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

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

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

Section 21081(b) further states:

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

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

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

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

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

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

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

The conditions of approval required to mitigate or avoid significant impacts on the environment are listed below and constitute the MMRP for this project:

Conditions 46 through 54

MAP PROCESSING REQUIREMENTS: The parcel map shall comply with the following processing requirements pursuant to the [Sections 81.801 through 81.811 of the Subdivision Ordinance](#) and the [Subdivision Final Map Processing Manual](#).

- The Final map shall show an accurate and detailed vicinity map.
- The Basis of Bearings for the Final Map shall comply with [Section 81.506 of the Subdivision Ordinance](#).
- Prior to the approval of the Final Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Final Map report from a qualified title insurance company.
- The following notes shall appear on the Final Map:

- All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by [Section 81.401\(m\) of the Subdivision Ordinance](#).
- At the time of recordation of the Final Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
- The public and private easement roads serving this project shall be named. The responsible party shall contact the Street Address Section of Planning & Development Services (858-694-3797) to discuss the road naming requirements for the development. Naming of the roads is necessary for the health and safety of present and future residents.
- Certification by the Department of Environmental Health with respect to sewage disposal shall be shown on the Final Map.
- The Zoning regulations require that each parcel shall contain a minimum net area of 2 acres and the Semi- Rural 4 (SR-4) Designation of the General Plan and each parcel shall contain a minimum gross area of 4 acres. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative Map is determined by the Department of Public Works to be below the zoning minimum, it becomes the responsibility of the subdivider to meet zoning requirements by lot redesign, or other applicable technique. The subdivider shall comply with the zoning area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.

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

STORMWATER ORDINANCE COMPLIANCE: In order to comply with all applicable stormwater regulations, the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control ([County Code section 67.801 et seq.](#)) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This requirement includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. The owner of projects that involve areas of one acre or greater shall, during construction, keep the Storm Water Pollution Prevention

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

LOW IMPACT DEVELOPMENT NOTICE: On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning January 25, 2008. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf.

<http://www.sandiegocounty.gov/content/sdc/dpw/watersheds/susmp/lid.html>

The County has prepared a LID Handbook as a source for LID information, and it is to be utilized by County staff and outside consultants for implementing LID in our region. See link above.

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact Planning & Development Services, Construction/Road Right-of-Way Permits Services Section at (858) 694-3275 to coordinate departmental requirements. In addition, before trimming, removing or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit from the Permit Services Section to remove, plant or trim shrubs or trees.

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

EXCAVATION PERMIT REQUIRED: An excavation permit from the County Department of Planning & Development Services is required for undergrounding and/or relocation of utilities within the County right-of-way.

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance (County Code section 77.201 et seq.). The TIF shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [DPW, Land Development Counter] and provide a copy of the receipt to the [PDS, Building Division Technician] at time of permit issuance.

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

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

NOTICE: - The project was found to be "Exempt" from the California Environmental Quality Act (CEQA), therefore no fee is required.

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

NOTICE: Time Extension requests cannot be processed without updated project information including new Department of Environmental Health certification of septic systems. Since Department of Environmental Health review may take several months, applicants anticipating the need for Time Extensions for their projects are advised to submit applications for septic certification to the Department of Environmental Health several months prior to the expiration of their Tentative Maps.

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

APPEAL PROCEDURE: Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with [Section 81.307 of the Subdivision Ordinance](#) and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the appellant body and/or the Board of Supervisors within TEN CALENDAR DAYS of the date of this Resolution AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. No Final Map shall be approved, no grading permit issues, and no building permits for model homes or other temporary uses as permitted by Section 6116 of the Zoning Ordinance shall be issued pursuant to said Tentative Map until after the expiration of the 10th day following adoption of this Resolution, or if an appeal is taken, until the appeal board has sustained the determination of this advisory body. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of adoption of this Resolution.

ON MOTION of Commissioner _____, seconded by Commissioner _____, this Resolution is passed and approved by the Planning Commission of the County of San Diego, State of California, at a regular meeting held on this 11th day of December 2015, in Planning & Development Services Conference Center Hearing Room, 5520 Overland Avenue, San Diego, California, by the following vote:

AYES:

NOES:

ABSENT:

DPL/WP 001-TM (06/29/09)

cc: Piro Engineering, Gary Piro, 930 Boardwalk, Suite D, San Marcos, CA 92078
Donald and Debra Dabbs, P.O. Box 966, Bonsall, CA 92003

email cc:

Ed Sinsay, Team Leader, Land Development/Engineering, PDS
Ashley Smith, Project Manager, Planning & Development Services