



The County of San Diego

Planning Commission Hearing Report

Date:	January 22, 2016	Case/File No.:	PDS2014-TM-5364R, PDS2014- ER-04-02-009A
Place:	County Conference Center 5520 Overland Avenue San Diego, CA 92123	Project:	Daniels Gray Rabbit Hollow Revised Map
Time:	9:00 a.m.	Location:	2045 Green Canyon Road
Agenda Item:	#1	General Plan:	SR-1 (Semi-Rural)
Appeal Status:	Appealable to the Board of Supervisors	Zoning:	A70 (Limited Agricultural)
Applicant/Owner:	Dave Lowen/Geoffrey Daniels	Community:	Fallbrook Community Planning Group
Environmental:	Reliance on a previously Adopted Mitigated Negative Declaration Pursuant to CEQA § 15162	APN:	106-200-85

A. EXECUTIVE SUMMARY

1. Requested Actions

This is a request for the Planning Commission to evaluate the proposed project, which is a Revised Tentative Map, determine if the required findings can be made, and, if so, take the following actions:

- a. Adopt the Environmental Findings included in Attachment F, which include a finding that the previously adopted MND is adequate for the proposed project pursuant to the California Environmental Quality Act (CEQA) Guidelines §15162.
- b. Adopt the Final Notice of Action approving Revised Tentative Map 5364R, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State Law and County of San Diego Regulations (Attachment C).

2. Key Requirements for Requested Actions

- a. Is the proposed project consistent with the vision, goals, and polices of the General Plan?
- b. Does the project comply with the policies set forth under the Fallbrook Community Plan?
- c. Is the proposed project consistent with the County's Zoning Ordinance?
- d. Is the proposed project consistent with the County's Subdivision Ordinance?
- e. Is the project consistent with other applicable County regulations?
- f. Does the project comply with the California Environmental Quality Act (CEQA)?

B. REPORT SUMMARY

The purpose of this staff report is to provide the Planning Commission with the information necessary to consider the proposed Revised Tentative Map and Conditions of Approval.

The applicant proposes a Revised Map to the Daniels Gray Rabbit Hollow project. The proposed Tentative Revised Map would remove the following conditions: dedicate the right-of-way on Green Canyon Road, improve the western portion of Green Canyon Road with pavement and a decomposed granite pathway, and remove the existing barn on Lot 4. Based on staff's analysis, it is Planning & Development Services' (PDS) position that the required findings can be made and the PDS recommends approval of the Revised Map, with the conditions noted in the attached Final Notice of Action and Form of Decision (Attachment C and D, respectively).

C. DEVELOPMENT PROPOSAL

1. Project Description

The project is a Revised Tentative Map to remove the improvement conditions of Green Canyon Road. The applicant had originally agreed to the conditions, which were approved by the Planning Commission on May 22, 2009. The improvements were not a mitigation measure, nor a requirement to address impacts, but conditions were added because the applicant was willing to construct the improvements at that time. The Revised Tentative Map also proposes to delete the condition which would require the existing barn to be removed prior to recordation of the Final Map.

2. Subject Property and Surrounding Land Uses

The site is located immediately to the west of Green Canyon Road and south of Tourmaline Lane, in the Fallbrook Plan area, within the unincorporated San Diego County, as shown in Figure 1. The site is characterized by relatively flat terrain that gets steeper toward the center of the property. The majority of the vegetation on site and in the vicinity consists of citrus groves and a single-family residence, a guest house, accessory structures and a barn (Figure 3).

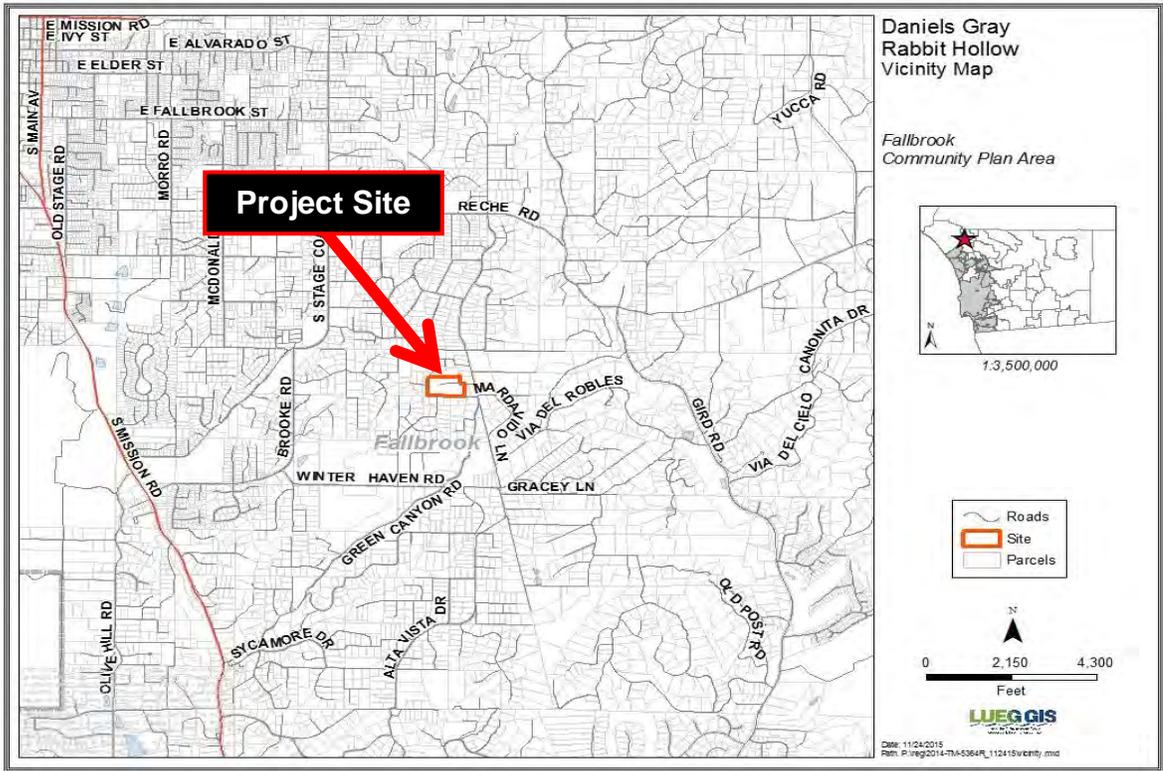


Figure 1- Vicinity Map



Figure 2- Aerial Map of Project Site

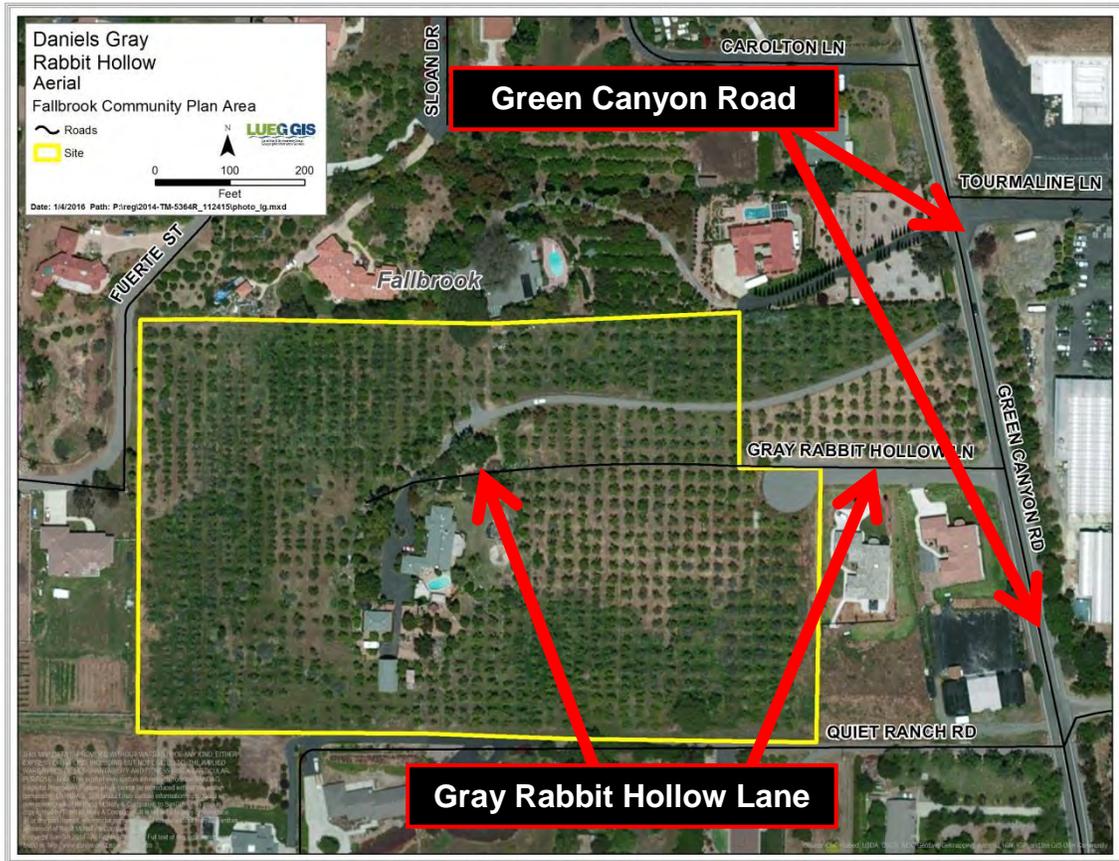


Figure 3 - Aerial Map of Project Site

Table C-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
North	Semi-Rural (SR-1); Village Residential (VR-2)	A70	Carolton Lane, Fuerte Street	Residential, Light Agriculture
East	Semi-Rural (SR-1, SR-2)	A70	Green Canyon Road, Tourmaline Lane, Mardavido Lane	Agricultural, Residential, Light Agriculture
South	Semi-Rural (SR-1)	A70	Westview Road, McCormac Road	Residential, Light Agriculture
West	Semi-Rural (SR-1)	A70, RR	Cam de Nog, Avenida de Nog	Residential, Light Agriculture

D. ANALYSIS AND DISCUSSION

The project has been reviewed to ensure it remains in conformance with all the relevant ordinances and guidelines, including, but not limited to, the San Diego County General Plan, the Fallbrook Community Plan, the Subdivision Ordinance, the Zoning Ordinance, and CEQA Guidelines. A detailed discussion of the project analysis and consistency with applicable codes, policies, and ordinances follow:

1. Project Site History

a. Entitlement

The Daniels Gray Rabbit Hollow (PDS2004-3100-5364) Tentative Map was approved on consent by the Planning Commission on May 22, 2009. The project is located east of Green Canyon Road and south of Tourmaline Lane, in the Fallbrook Planning area. The Tentative Map allowed for a subdivision of 11.2 acres into 10 residential lots. An existing single-family residence would be retained on proposed Lot 5, and an existing barn located on proposed Lot 4 would be removed. A Final Map has not been recorded, and no improvements have been completed since the original approval.

b. Revised Tentative Map Regulations

Subdivision Ordinance Section 81.310 allows an applicant to apply for a Revised Tentative Map, provided that it generally conforms to the street and lot pattern on the previously approved Tentative Map. The proposed Revised Tentative Map will conform to the previously approved project, as the private road and lot configuration are not changing design or location. Revised Tentative Maps may be filed within 36 months after the approval date, or within the specified time extension period, if a time extension has been granted. The project is consistent with the County's Subdivision Ordinance, which is detailed in Section E.1.a of this report.

2. Project Analysis

a. Green Canyon Road

The applicant proposes to remove the improvement conditions to Green Canyon Road. The original project was conditioned to dedicate and improve this road along the project frontage. The previous condition for the Tentative Map required the project to improve its one-half width of 30 feet and to pave 20 feet with asphalt concrete pavement with a concrete curb, gutter, and sidewalk, as well as a nine and one-half foot wide walkway/pathway. While there is no requirement per the Subdivision Ordinance to perform frontage improvements, the request was made by County staff to the applicant. This request was partially based on the sight distance condition from Gray Rabbit Hollow Lane to Green Canyon Road. In addition, at the time of the original Tentative Map application, the applicant owned the land which fronted Green Canyon Road, which allowed the applicant to perform said improvements. The applicant agreed, and the Tentative Map was conditioned and approved as such.

The new proposal would remove the conditioned improvements along Green Canyon Road, as there is no requirement per the Subdivision Ordinance to improve a right-of-way without a direct connection to traffic impacts. The Tentative Map would generate an estimated 120 trips per day, which would not have a significant traffic impact on Green Canyon Road and therefore would not warrant improvements. Furthermore, the applicant sold the lots which fronted Green Canyon Road and cannot dedicate the land as it is no longer in his ownership. It was determined by the Land Development Division of PDS and the Department of Public Works (DPW), that the revisions would not adversely impact the surrounding property owners or the community character/visual impact of the original approval. Removal of existing landscaping for sight distance from Gray Rabbit Hollow Lane to Green Canyon Road would still be required for safety purposes.

b. On-Site Barn

The applicant proposes to keep the existing barn on site. The original condition of approval required that the barn would be removed prior to recordation of the map, since it would be located on a separate lot as the existing main residence. An accessory building (e.g., a barn) is not allowed to be on a parcel without a main structure. However, if there is an active principal use on the property (e.g., agricultural operation), and the structure (e.g., barn) is associated with the principal use, the structure may remain (Zoning Ordinance Section 6152). The applicant therefore requested to be allowed to keep the barn, and PDS determined that this proposal would be acceptable, because there will be a new principal use on the lot with the existing barn.

3. General Plan Consistency

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

Table D-1: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
<p>LU-6.5 Sustainable Stormwater Management Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development (LID) techniques and a combination of site design, source control, and stormwater best management practices, where applicable and consistent with the County's LID Handbook.</p>	<p>The project incorporates LID techniques, as explained in the Stormwater Management Plan (SWMP). The applicant proposes LID design techniques, such as the installation of bioretention areas.</p>
<p>LU-6.6 Integration of Natural Features into Project Design Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.</p>	<p>The removal of improvements along Green Canyon Road would reduce the visual and noise impacts of the originally approved project. However, the revised conditions would still require adequate sight distance to traffic exiting onto Green Canyon Road from Gray Rabbit Hollow Lane.</p>

General Plan Policy	Explanation of Project Conformance
<p>LU-6.9 Development Conformance with Topography Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominant physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent practicable.</p>	<p>The reduced improvements along Green Canyon Drive would allow the road improvement to follow the natural topography of the surrounding area of Green Canyon Drive.</p>
<p>LU-6.10 Protection from Hazards Require that development be located and designed to protect property and residents from the risks of natural and man-induced hazards.</p>	<p>The project has been amended to retain the existing barn. However, if the barn were to be removed in the future, the applicant would be required to perform proper remediation as a part of the demolition permit.</p>

4. Community Plan Consistency

The proposed project is consistent with the following relevant Fallbrook Community Plan goals, policies, and actions as described in Table D-2.

Table D-2: Community Plan Conformance

Community Plan Policy	Explanation of Project Conformance
<p>Policy CM 2.1.1 - Discourage concrete curbs, gutters, and sidewalks in the rural and agricultural portions of the planning area.</p>	<p>The original project would have included an asphalt concrete berm along the eastern portion of Green Canyon Road, as well as a decomposed granite trail, curb, gutter and sidewalk. The Revised Tentative Map would not require dedication or improvement of Green Canyon Road.</p>
<p>Policy CM 2.1.2 - Design local roads with maximum emphasis on scenic beauty by following natural contours and avoiding extensive grading to the greatest possible extent. Parkways should be developed according to Fallbrook Community right-of-way development standards.</p>	<p>Gray Rabbit Hollow Lane is not being revised, and the original design allows the road to follow the natural topography of the surrounding area, which slopes up toward the center of the property. Additionally, the deleted improvements would remove the requirement for a new AC curb along the eastern side of Green Canyon Road.</p>

5. Zoning Ordinance Consistency

The proposed project complies with all applicable zoning requirements of the A70 zone with the incorporation of conditions of approval. The Planning Commission should consider whether the included conditions of approval ensure compatibility of the proposed project with the surrounding properties and overall community character.

Table D-3: Zoning Ordinance Development Regulations

CURRENT ZONING REGULATIONS		CONSISTENT?
Use Regulation:	A70	Yes
Animal Regulation:	L	Yes
Density:	N/A	N/A
Lot Size:	1 AC	Yes
Building Type:	C	Yes
Height:	G	Yes
Lot Coverage:	N/A	N/A
Setback:	C	Yes
Open Space:	N/A	N/A
Special Area Regulations:	C	Yes

6. Subdivision Ordinance Consistency

The project has been reviewed for compliance with the Subdivision Ordinance. The project is consistent with the requirements for major subdivisions in terms of design (Section 81.401), dedication and access (Section 81.402), and improvements (Sections 81.403 and 81.404). The project includes requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with the Subdivision Map Act and the Subdivision Ordinance.

Section 81.315(a)(1) requires that the map generally conform to the street and lot pattern on the previously approved Tentative Map. While the improvement conditions are requested to be removed along Green Canyon Road, the street and lot pattern included on the previously approved Tentative Map would remain the same. Additionally, no change is proposed to the lot layout or lot size.

The Revised Tentative Map was filed on November 7, 2014. Section 81.315(b) requires a Revised Tentative Map be filed within 36 months after the approval or conditional approval of the original Tentative Map, or, if an extension of time has been granted, within the extended period. The last time extension was automatically granted on July 11, 2013 and extends the expiration date of this project to May 22, 2016. The project is consistent with the County of San Diego Subdivision Ordinance since the Revised Tentative Map was filed during the specified time extension period.

7. Applicable County Regulations

Table D-4: Applicable Regulations

County Regulation Policy	Explanation of Project Conformance
County Consolidated Fire Code	All proposed changes comply with all applicable requirements of the Consolidated Fire Code, including a minimum paved width of at least 24' for all private roads within the subdivision. The project would improve internal circulation and access; thereby, increasing emergency access to the project site.
County Public Road Standards	All proposed changes comply with the minimum design standards and requirements for public and private roads.

8. California Environmental Quality Act (CEQA) Compliance

The project has been reviewed in compliance with the California Environmental Quality Act (CEQA). An Addendum dated October 26, 2015, to the previously approved Mitigated Negative Declaration (Log No.04-02-009), was prepared and is on file with PDS as Environmental Review Number PDS2014-ER-04-02-009A. The project, as designed or changed, would not cause any significant effects on the environment that are more significant or extensive than what was analyzed in the 2007 Mitigated Negative Declaration, as previously reported to the Planning Commission on May 22, 2009.

E. COMMUNITY PLANNING GROUP

Staff notified the Fallbrook Community Planning Group (CPG) regarding the revised map to determine when the item could be placed on the CPG's agenda. The Fallbrook CPG replied that in accordance with Board of Supervisors Policy I-1, since the changes to the map were not significant, the group would not rehear the item. Please see the attached email in Attachment G, Public Documentation.

F. PUBLIC INPUT

Comments from a few neighbors were received as a result of the public notices sent at the time of the Revised Tentative Map application submittal, during processing of the permit, or at the Community Planning Group meeting. Their concern was that by removing the improvement conditions along Green Canyon Road, the sight distance issue for drivers entering onto Green Canyon Road from Gray Rabbit Hollow Lane would not be resolved. The neighbors noted the landscaping along the frontage of Green Canyon Road results in a sight distance issue, and possible risk to drivers entering the road. Staff explained to neighbors who contacted County staff that the sight distance certification from Gray Rabbit Hollow onto Green Canyon Road would remain a condition of the Revised Tentative Map, and is required to be certified prior to occupancy. One neighbor stated they were satisfied with the conditioning, while there was no response from the other.

G. RECOMMENDATIONS

Staff recommends that the Planning Commission:

- a. Adopt the Environmental Findings included in Attachment F, which includes a finding that the previously adopted Mitigated Negative Declaration is adequate for the proposed project.
- b. Adopt the Final Notice of Action Approving a Revised Map for TM 5364R, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State Law and County of San Diego Regulations (Attachment C).

Report Prepared By:

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marisa.smith@sdcounty.ca.gov

Report Approved By:

Mark Wardlaw, Director
858-694-2962
mark.wardlaw@sdcounty.ca.gov

AUTHORIZED REPRESENTATIVE:



MARK WARDLAW, DIRECTOR

ATTACHMENTS:

- Attachment A – Planning Documentation
- Attachment B – Original Tentative Map
- Attachment C – Final Notice of Action Approving PDS2014-TM-5364R
- Attachment D – Original Resolution for TM-5364
- Attachment E – Environmental Documentation
- Attachment F – Environmental Findings
- Attachment G – Public Documentation
- Attachment H – Ownership Disclosure

Attachment A – Planning Documentation

COUNTY OF SAN DIEGO TRACT No. 5364-1

SHEET 1 OF 1 SHEETS

PRELIMINARY TITLE REPORT FOR THIS LAND DIVISION FURNISHED BY CHICAGO TITLE INSURANCE COMPANY, ORDER NO. 930016066-U50.
 BEING A SUBDIVISION OF A PORTION OF LOTS 1 AND 2 IN THE SUBDIVISION OF TRACT "D" OF PARTITION OF RANCHO MONSERATE, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 821, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 25, 1896.
 FOR A COMPLETE METES AND BOUNDS DESCRIPTION OF THE BOUNDARY OF THIS SUBDIVISION, SEE TITLE COMPANY DESCRIPTION AND REPORT ON FILE IN THE OFFICE OF THE PUBLIC WORKS DIRECTOR, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

SLOPE ANALYSIS:		LOT 1:	LOT 2:	LOT 3:	LOT 4:	LOT 5:	LOT 6:	LOT 7:	LOT 8:	LOT 9:	LOT 10:
PERCENT OF SLOPE OVER 25%:	0%	12.87%	12.22%	10.95%	10.60%	9.97%	12.78%	8.38%	8.92%	8.15%	14.11%
AVERAGE SLOPE OF PROPERTY:	9.70%										
AREA OVER 25% SLOPE:	0.00										

OWNER-SUBDIVIDER:

GEOFFREY & PATRICIA DANIELS
 185 FARM TO MARKET CT.
 WHITEFISH, MT 59937
 (406) 257-6005

BY: *Geoffrey Daniels* GEOFFREY DANIELS, OWNER
Patricia Daniels PATRICIA DANIELS, OWNER

CONTIGUOUS OWNERSHIP DECLARATION: NONE

ENGINEER:
 ACAL ENGINEERING & SURVEYING, INC.
 145 N. MELROSE DRIVE, SUITE 200
 VISTA, CA 92083
 (760) 724-7674

Prepared By:
 ACAL Engineering & Surveying, Inc.
 Professional Engineers and Land Surveyors
 145 N. Melrose Drive, Suite 200
 Vista, Ca. 92083
 Phone: (760) 724-7674
 FAX: (760) 724-0940

BY: *David H. Lowen* DAVID H. LOWEN, RCE 31915

DATE: 05-20-15



ASSESSOR'S PARCEL NO.: 106-200-85

TAX RATE AREA: 75006

LEGAL DESCRIPTION:
 THAT PORTION OF LOTS 1 & 2 IN THE SUBDIVISION OF TRACT "D" OF A PORTION OF RANCHO MONSERATE PER MAP NO. 821 MORE PARTICULARLY DESCRIBED AS FOLLOWS: PARCELS A, B, C & D OF DIVISION OF LAND PLAT No. 106-220-3, DATED 01/11/72, EXCEPTING THEREFROM PARCELS A, B & C AS SHOWN ON BOUNDARY ADJUSTMENT No. B/C03-0212. SEE ALSO RECORD OF SURVEY MAP No. 20495.

ACREAGE: 10.73 ACRES GROSS
 10.73 ACRES NET

NUMBER OF LOTS: 10 TOTAL MINIMUM LOT SIZE: 1 ACRE NET

ZONING: A 70

REGIONAL CATEGORY: SEMI-RURAL

GENERAL PLAN: SR-1

SETBACKS:
 FRONT: 60' TO C/L
 SIDE: 15' TO P/L
 REAR: 25' TO P/L
 DUAL FRONTAGE: 35' TO C/L

ANIMAL REGULATIONS	L
DENSITY	---
LOT SIZE	1 AC
BUILDING TYPE	C
MAXIMUM FLOOR AREA	---
FLOOR AREA RATIO	---
HEIGHT	G
COVERAGE	---
SETBACK	C
OPEN SPACES	---
SPECIAL AREA REGULATIONS	C

TOPOGRAPHY: 1986 COUNTY ORTHOPHOTO, COORD. INDEX 430-1701

GRADING STATEMENT: NO GRADING PROPOSED - LOT SALES ONLY
 GRADING SHOWN FOR INFORMATIONAL/CQA PURPOSES ONLY

WATER: FALLBROOK PUBLIC UTILITY DISTRICT

SEWER: SEPTIC

FIRE: NORTH COUNTY FIRE PROTECTION DISTRICT

MARDAVIDO PLACE

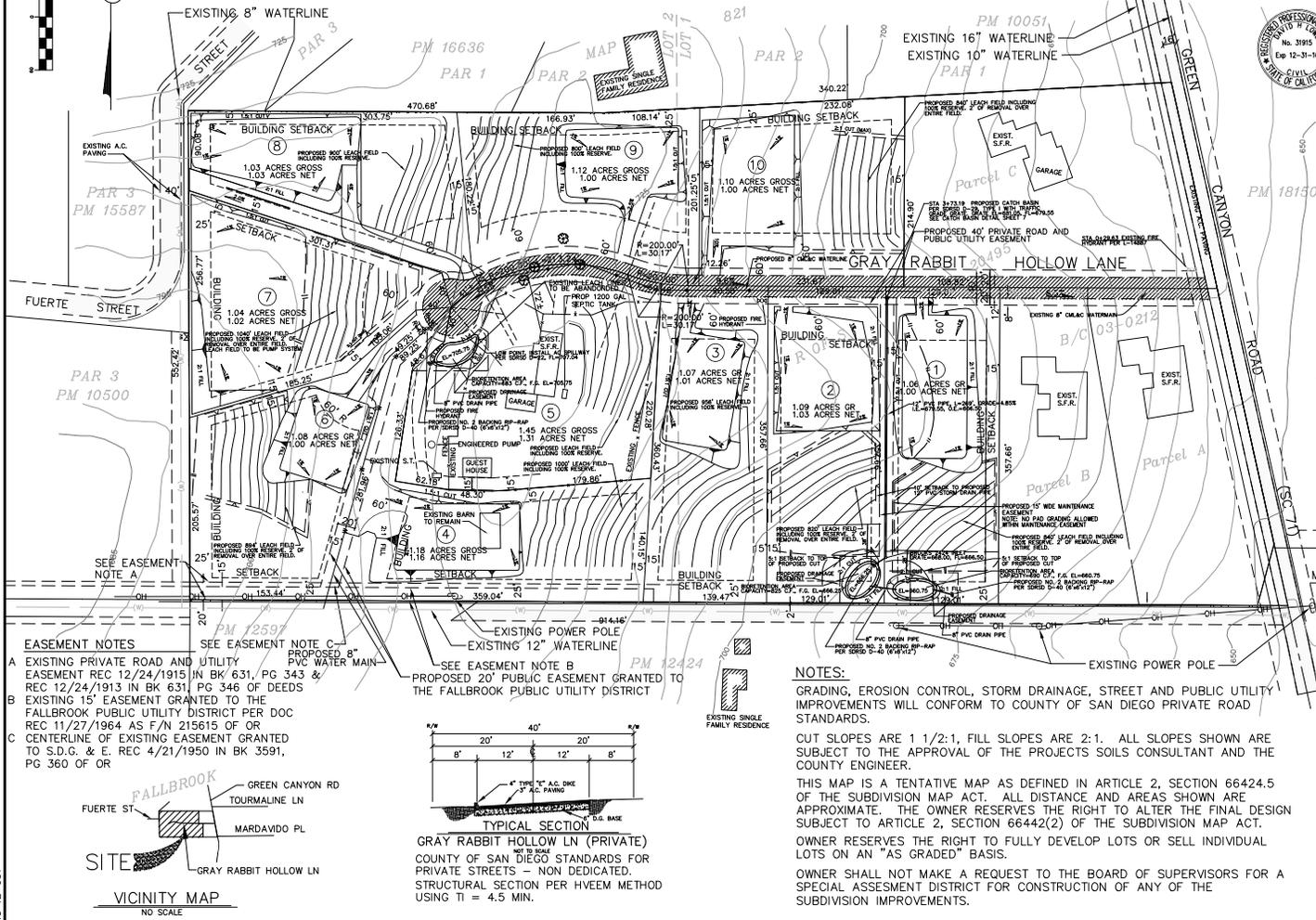
SCHOOL: FALLBROOK UNION ELEMENTARY & HIGH SCHOOL DISTRICTS

STREET LIGHTING: S.D.G.&E.
 DEVELOPER TO COMPLY WITH THE REQUIREMENTS SPECIFIED IN COUNTY STANDARDS.

SOLAR ACCESS: THIS IS A SOLAR SUBDIVISION AS REQUIRED BY SECTION 81.40(n), SUBDIVISION ORDINANCE. ALL LOTS HAVE AT LEAST 100 SQ. FT. OF UNOBSTRUCTED ACCESS TO SUNLIGHT ON THE BUILDABLE PORTION OF THE LOT

PARK FEES: OWNER SHALL PROVIDE PARK FEES IN LIEU OF IMPROVEMENTS AS PROVIDED IN THE PARK LAND DEDICATION ORDINANCE.

DEPARTMENT OF HEALTH SERVICES CERTIFICATION:



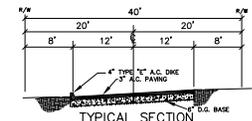
NOTES:

GRADING, EROSION CONTROL, STORM DRAINAGE, STREET AND PUBLIC UTILITY IMPROVEMENTS WILL CONFORM TO COUNTY OF SAN DIEGO PRIVATE ROAD STANDARDS.

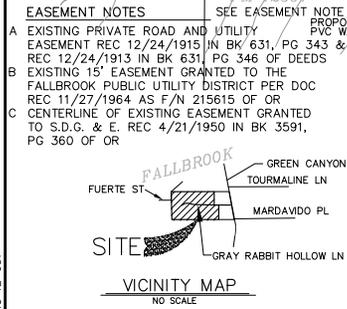
CUT SLOPES ARE 1 1/2:1, FILL SLOPES ARE 2:1. ALL SLOPES SHOWN ARE SUBJECT TO THE APPROVAL OF THE PROJECTS SOILS CONSULTANT AND THE COUNTY ENGINEER.

THIS MAP IS A TENTATIVE MAP AS DEFINED IN ARTICLE 2, SECTION 66424.5 OF THE SUBDIVISION MAP ACT. ALL DISTANCE AND AREAS SHOWN ARE APPROXIMATE. THE OWNER RESERVES THE RIGHT TO ALTER THE FINAL DESIGN SUBJECT TO ARTICLE 2, SECTION 66442(2) OF THE SUBDIVISION MAP ACT. OWNER RESERVES THE RIGHT TO FULLY DEVELOP LOTS OR SELL INDIVIDUAL LOTS ON AN "AS GRADED" BASIS.

OWNER SHALL NOT MAKE A REQUEST TO THE BOARD OF SUPERVISORS FOR A SPECIAL ASSESSMENT DISTRICT FOR CONSTRUCTION OF ANY OF THE SUBDIVISION IMPROVEMENTS.



GRAY RABBIT HOLLOW LN (PRIVATE)
 COUNTY OF SAN DIEGO STANDARDS FOR PRIVATE STREETS - NON DEDICATED.
 STRUCTURAL SECTION PER HVEEM METHOD USING TI = 4.5 MIN.



ACAL ENGINEERING AND SURVEYING, INC.
 MO 12-951

DANIELS REVISED TM rev00 10/04/14 rev03 07/08/15
 rev01 02/12/15 rev04 07/20/15
 rev02 05/28/15

SDC PDS RCVD 07-23-15
 TM5364R

PDS2014-TM-5364R
 PDS2014-ER-04-02-009A

1-12

Daniels Gray Rabbit Hollow Vicinity Map

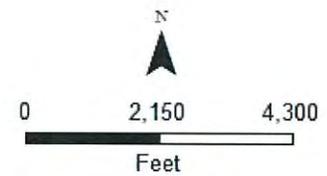
Fallbrook
Community Plan Area



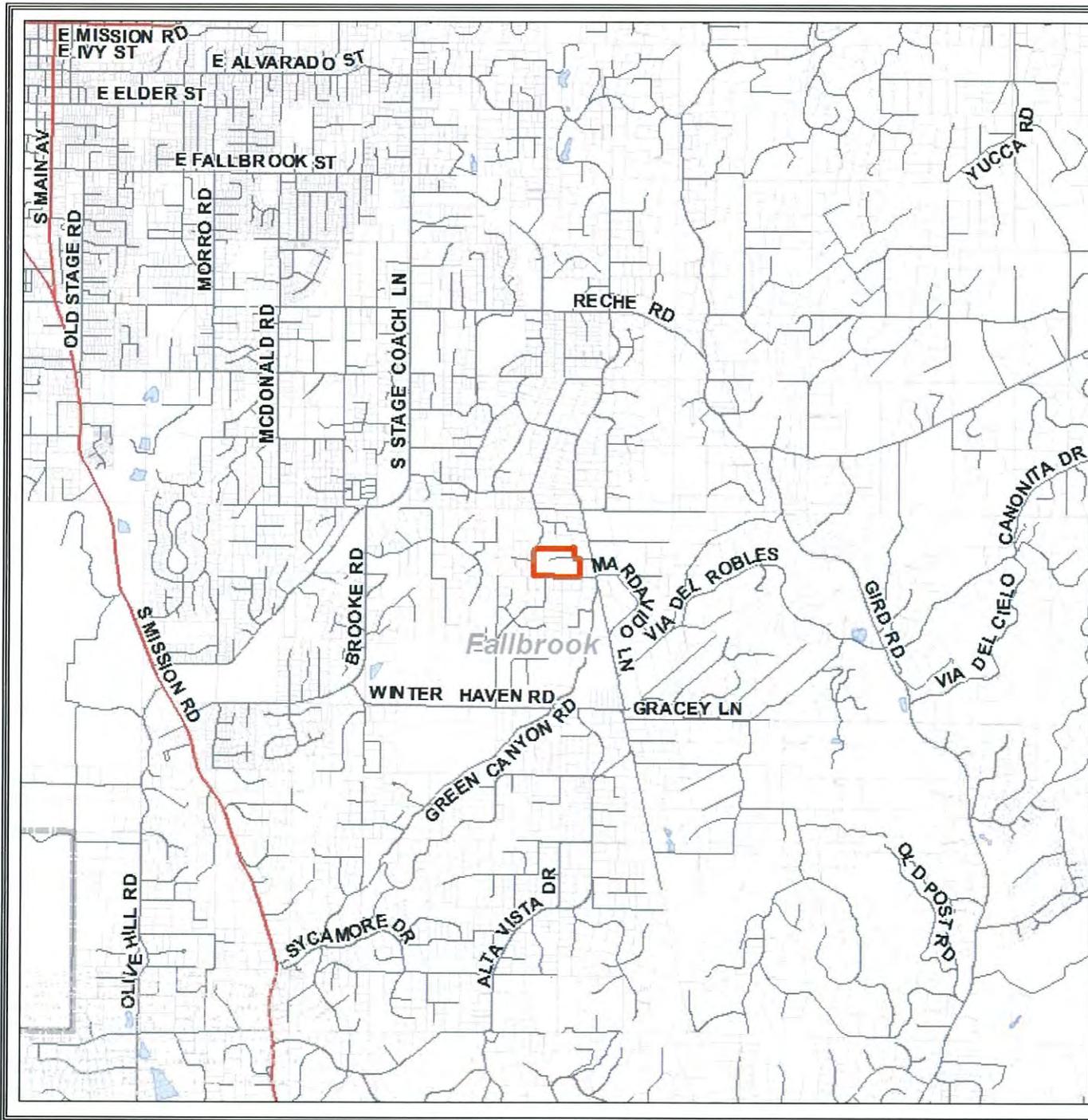
1:3,500,000

Legend:

- Roads
- Site
- Parcels



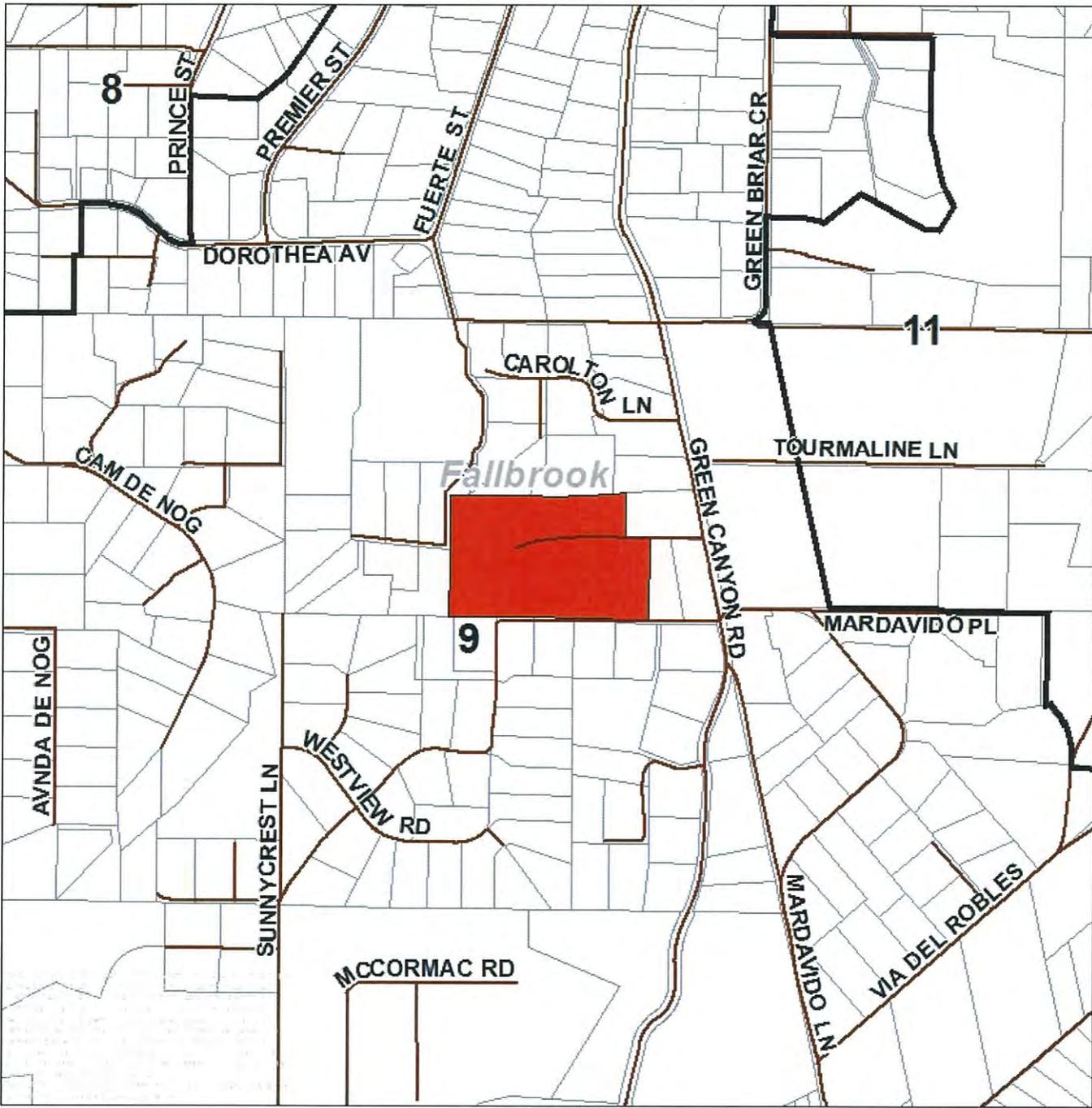
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Daniels Gray
Rabbit Hollow
General Plan Map

Fallbrook
Community Plan Area

- (8) Village Residential (VR-2)
- (9) Semi-Rural Residential (SR-1)
- (11) Semi-Rural Residential (SR-2)



- Roads
- Site
- Parcels
- Planning

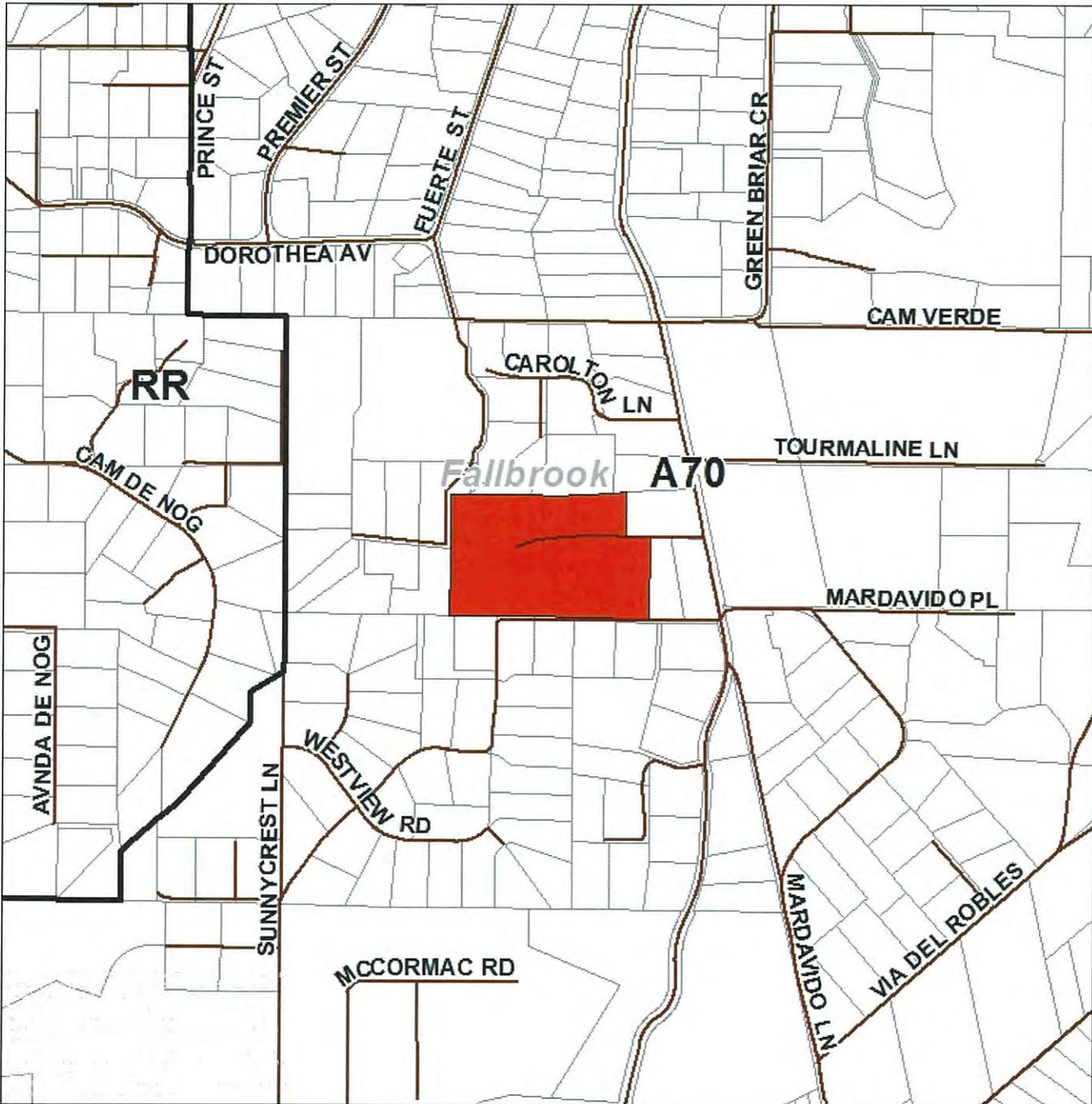


Date: 11/24/2015
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Daniels Gray Rabbit Hollow Zoning Map

Fallbrook
Community Plan Area

A70 - Limited Agricultural
RR - Rural Residential



- Roads
- Site
- Parcels
- Zoning



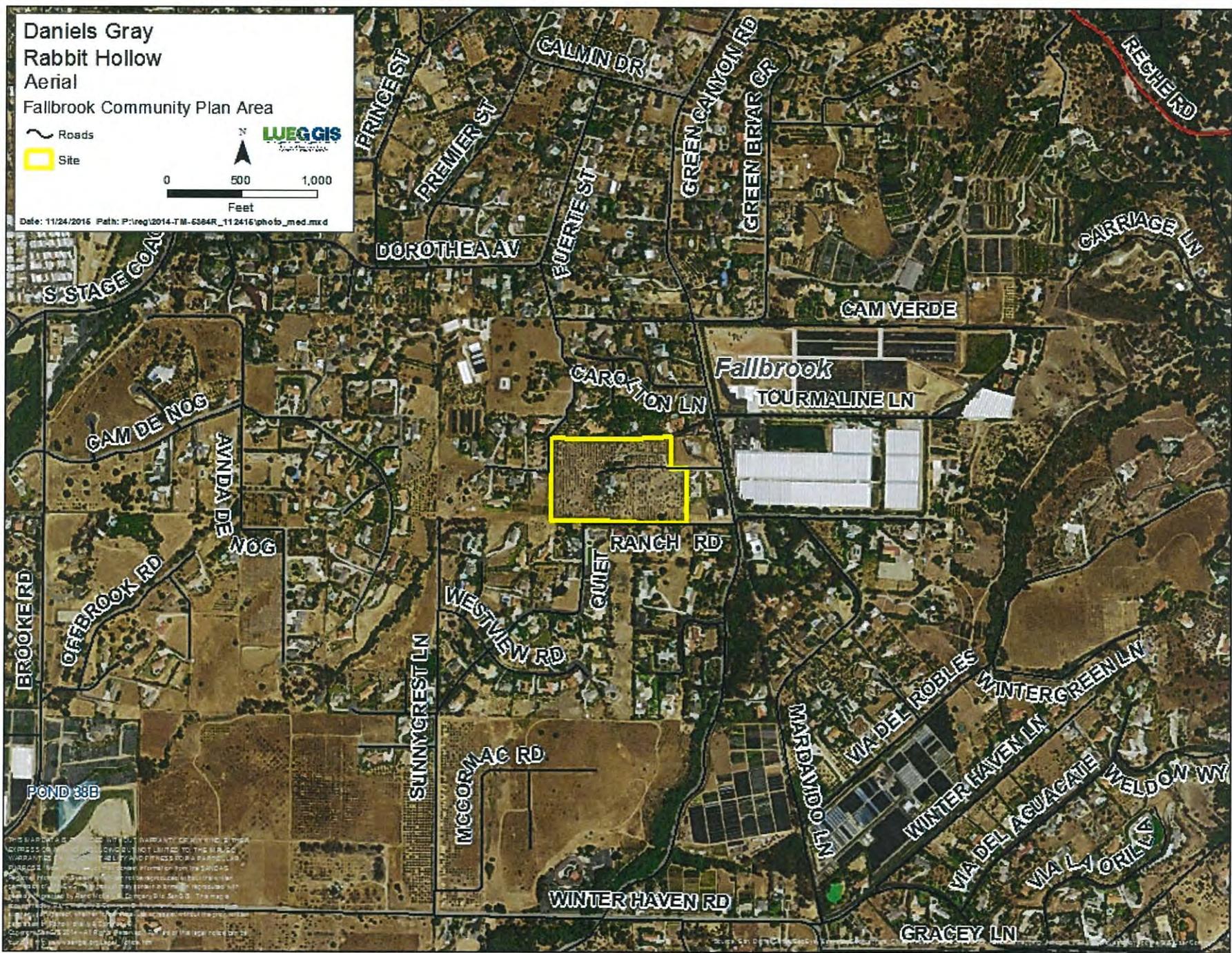
LUEGGIS
LAND USE ENGINEERING & GIS

Date: 11/24/2015
Plan: P:\reg2014-TM-5364R_112415\zoning.mxd

Daniels Gray
Rabbit Hollow
Aerial
Fallbrook Community Plan Area



Date: 11/24/2016 Path: P:\reg\2014-TM-6384R_112416\photo_med.mxd



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Attachment B – Original TM

COUNTY OF SAN DIEGO TRACT No. 5364-1

SHEET 1 OF 1 SHEETS

PRELIMINARY TITLE REPORT FOR THIS LAND DIVISION FURNISHED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, ORDER NO. 1080615-7.

BEING A SUBDIVISION OF A PORTION OF LOTS 1 AND 2 IN THE SUBDIVISION OF TRACT "D" OF PARTITION OF RANCHO MONSERATE, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 821, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 25, 1896.

FOR A COMPLETE METES AND BOUNDS DESCRIPTION OF THE BOUNDARY OF THIS SUBDIVISION, SEE TITLE COMPANY DESCRIPTION AND REPORT ON FILE IN THE OFFICE OF THE PUBLIC WORKS DIRECTOR, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

SLOPE ANALYSIS:

PERCENT OF SLOPE OVER 25%:	0%	LOT 1:	12.87%	LOT 6:	12.78%
AVERAGE SLOPE OF PROPERTY:	9.70%	LOT 2:	12.22%	LOT 7:	8.38%
AREA OVER 25% SLOPE:	0.00	LOT 3:	10.95%	LOT 8:	8.92%
		LOT 4:	10.60%	LOT 9:	8.15%
		LOT 5:	9.97%	LOT 10:	14.11%

OWNER-SUBDIVIDER:

GEOFFREY & PATRICIA DANIELS
185 FARM TO MARKET CT.
WHITEFISH, MT 59937
(406) 257-6005

BY: *Geoffrey Daniels* GEOFFREY DANIELS, OWNER
BY: *Patricia Daniels* PATRICIA DANIELS, OWNER

CONTIGUOUS OWNERSHIP DECLARATION: SEE BOUNDARY ADJUSTMENT PLAT No. B/C 03-0212

ENGINEER:
ACAL ENGINEERING & SURVEYING, INC.
145 N. MELROSE DRIVE, SUITE 200
VISTA, CA 92083
(760) 724-7674

Prepared By:
ACAL Engineering & Surveying, Inc.
Professional Engineers and Land Surveyors
145 N. Melrose Drive, Suite 200
Vista, Ca. 92083
Phone: (760) 724-7674
Fax: (760) 724-0940

BY: *David H. Lowen*
DAVID H. LOWEN, REG-31915

DATE: 12-23-08



ASSESSOR'S PARCEL NO.: 106-200-85

TAX RATE AREA: 75006

LEGAL DESCRIPTION:

THAT PORTION OF LOTS 1 & 2 IN THE SUBDIVISION OF TRACT "D" OF A PORTION OF RANCHO MONSERATE PER MAP NO. 821 MORE PARTICULARLY DESCRIBED AS FOLLOWS: PARCELS A, B, C & D OF DIVISION OF LAND PLAT No. 106-220-3, DATED 01/11/72, EXCEPTING THEREFROM PARCELS A, B & C AS SHOWN ON BOUNDARY ADJUSTMENT No. B/C03-0212.

ACREAGE: 11.22 ACRES GROSS
11.22 ACRES NET

NUMBER OF LOTS: 10 TOTAL MINIMUM LOT SIZE: 1 ACRE NET

ZONING: A 70

REGIONAL CATEGORIES: CRDA

GENERAL PLAN: 2

SETBACKS:

FRONT: 60' TO C/L
SIDE: 15' TO P/L
REAR: 25' TO P/L
DUAL FRONTAGE: 35' TO C/L

SPECIAL AREA REG USE REGULATIONS	A 70
NEIGHBORHOOD REGULATIONS	L
DENSITY	1
LOT SIZE	1 AC
BUILDING TYPE	C
MAXIMUM FLOOR AREA	---
FLOOR AREA RATIO	---
HEIGHT	C
COVERAGE	---
SETBACK	C
OPEN SPACES	---
SPECIAL AREA REGULATIONS	---

TOPOGRAPHY: 1986 COUNTY ORTHOPHOTO, COORD. INDEX 430-1701

GRADING STATEMENT: GRADING AS SHOWN

WATER: FALLBROOK PUBLIC UTILITY DISTRICT

SEWER: SEPTIC

FIRE: NORTH COUNTY FIRE PROTECTION DISTRICT

MARDAVIDO PLACE

SCHOOL: FALLBROOK UNION ELEMENTARY & HIGH SCHOOL DISTRICTS

STREET LIGHTING: S.D.C.&E.
DEVELOPER TO COMPLY WITH THE REQUIREMENTS SPECIFIED IN COUNTY STANDARDS.

SOLAR ACCESS: THIS IS A SOLAR SUBDIVISION AS REQUIRED BY SECTION 81.40(n), SUBDIVISION ORDINANCE. ALL LOTS HAVE AT LEAST 100 SQ FT. OF UNOBSTRUCTED ACCESS TO SUNLIGHT ON THE BUILDABLE PORTION OF THE LOT

PARK FEES: OWNER SHALL PROVIDE PARK FEES IN LIEU OF IMPROVEMENTS AS PROVIDED IN THE PARK LAND DEDICATION ORDINANCE.

DEPARTMENT OF HEALTH SERVICES CERTIFICATION:

The following application

Tentative Map No. 5261

Tentative Parcel Map No. _____

Preliminary Grading Plan No. _____

Site Plan No. _____

Plat Plan No. _____

Other No. _____

Was approved on: May 22, 2009 by _____

The "Seal of Planning and Land Use" _____

The State Planning Commission _____

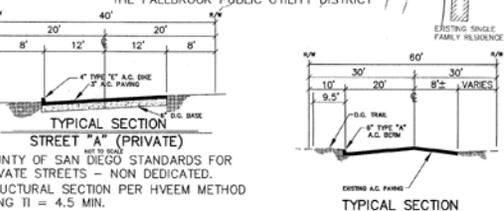
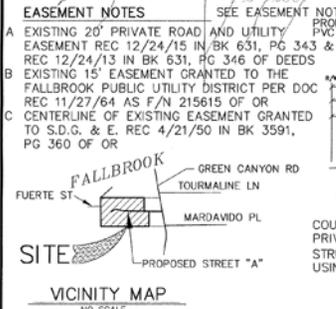
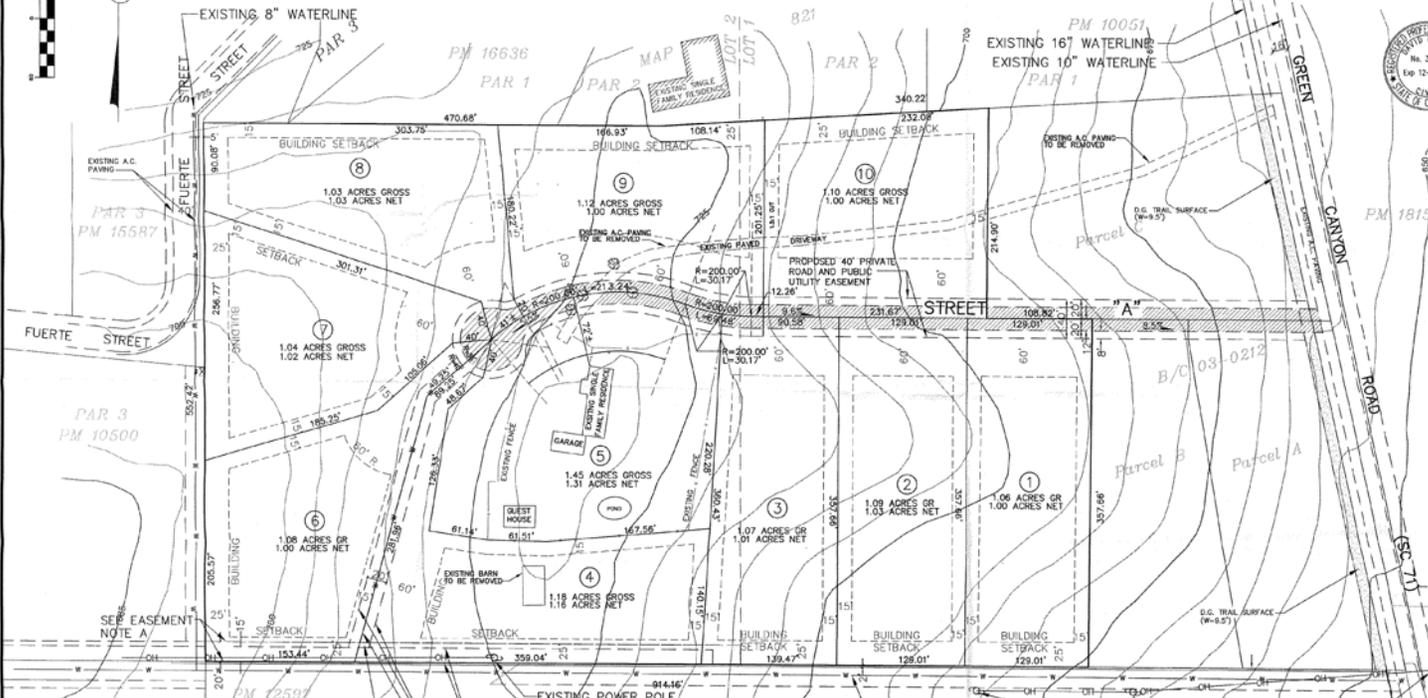
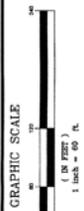
The State Board of Supervisors _____

BY: *Don R. Chiles* _____

Name: _____ Title: _____



DANIELS TM rev13 04/17/09



NOTES:

GRADING, EROSION CONTROL, STORM DRAINAGE, STREET AND PUBLIC UTILITY IMPROVEMENTS WILL CONFORM TO COUNTY OF SAN DIEGO PRIVATE ROAD STANDARDS.

CUT SLOPES ARE 1 1/2:1, FILL SLOPES ARE 2:1. ALL SLOPES SHOWN ARE SUBJECT TO THE APPROVAL OF THE PROJECTS SOILS CONSULTANT AND THE COUNTY ENGINEER.

THIS MAP IS A TENTATIVE MAP AS DEFINED IN ARTICLE 2, SECTION 66424.5 OF THE SUBDIVISION MAP ACT. ALL DISTANCE AND AREAS SHOWN ARE APPROXIMATE. THE OWNER RESERVES THE RIGHT TO ALTER THE FINAL DESIGN SUBJECT TO ARTICLE 2, SECTION 66442(2) OF THE SUBDIVISION MAP ACT.

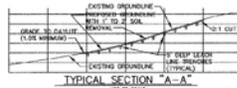
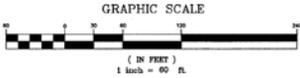
OWNER RESERVES THE RIGHT TO FULLY DEVELOPE LOTS OR SELL INDIVIDUAL LOTS ON AN "AS GRADED" BASIS.

OWNER SHALL NOT MAKE A REQUEST TO THE BOARD OF SUPERVISORS FOR A SPECIAL ASSESSMENT DISTRICT FOR CONSTRUCTION OF ANY OF THE SUBDIVISION IMPROVEMENTS.

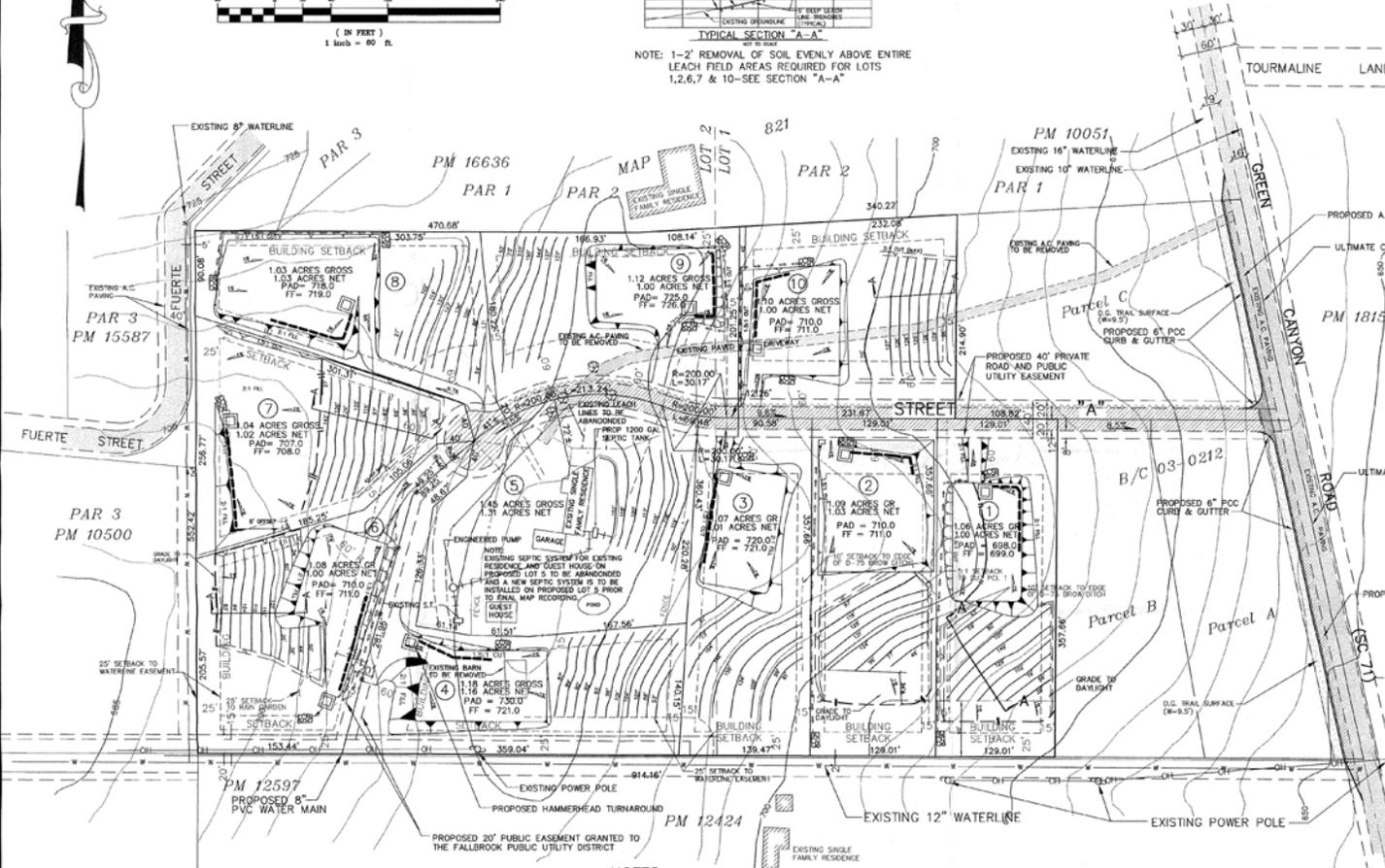
1-19

PRELIMINARY/CONCEPTUAL GRADING PLAN FOR TM 5364-1

SHEET 1 OF 1 SHEETS



NOTE: 1'-2" REMOVAL OF SOIL EVENLY ABOVE ENTIRE LEACH FIELD AREAS REQUIRED FOR LOTS 1, 2, 6, 7 & 10--SEE SECTION "A-A"



OWNER-SUBDIVIDER:

GEOFFREY & PATRICIA DANIELS
185 FARM TO MARKET ROAD
WHITEFISH, MT 59937
(406) 257-6005

ASSESSOR'S PARCEL NO.: 106-200-85

LEGAL DESCRIPTION:

THAT PORTION OF LOTS 1 & 2 IN THE SUBDIVISION OF TRACT "D" OF A PORTION OF RANCHO MONSERATE PER MAP NO. 821 MORE PARTICULARLY DESCRIBED AS FOLLOWS: PARCELS A, B, C & D OF DIVISION OF LAND PLAT No. 106-220-3, DATED 01/11/72, EXCEPTING THEREFROM PARCELS A, B & C AS SHOWN ON BOUNDARY ADJUSTMENT No. B/003-0212.

ACREAGE: 11.22 ACRES GROSS
11.22 ACRES NET

TOPOGRAPHY: 1986 COUNTY ORTHOPHOTO, COORD. INDEX 430-1701

ENGINEER:

Prepared By:

ACAL ENGINEERING & SURVEYING, Inc.
145 N. MELROSE DRIVE, SUITE 200
VISTA, CA 92083
(760) 724-7674

ACAL Engineering & Surveying, Inc.
Professional Engineers and Land Surveyors
145 N. Melrose Drive, Suite 200
Vista, Ca. 92083
Phone: (760) 724-7674
Fax: (760) 724-0940

BY: DAVID H. LOWEN, RCE, No. 1045

DATE: 12/23/08



LEGEND - TREATMENT CONTROL BMP'S:

- PROPOSED 1 1/2:1 CUT
- PROPOSED 2:1 FILL
- DIRECTION OF DRAINAGE (1% MIN)
- PCC LINED BROW DITCH
- INFILTRATIVE VEGETATED SWALE
- RAIN GARDEN
- RIP-RAP ENERGY DISSIPATOR
- PARKWAY BUFFER STRIP
- EXISTING A.C. PAVING
- PROPOSED A.C. PAVING
- PROPOSED 6" PCC CURB & GUTTER
- PROPOSED D.G. SURFACING

NOTES:

- 1) GRADING, EROSION CONTROL, STORM DRAINAGE, STREET AND PUBLIC UTILITY IMPROVEMENTS WILL CONFORM TO COUNTY OF SAN DIEGO PRIVATE ROAD STANDARDS.
- 2) CUT SLOPES ARE 1 1/2:1, FILL SLOPES ARE 2:1. ALL SLOPES SHOWN ARE SUBJECT TO THE APPROVAL OF THE PROJECTS SOILS CONSULTANT AND THE COUNTY ENGINEER.
- 3) NO LOT GRADING IS PROPOSED. GRADING SHOWN HEREON IS FOR CEQA REVIEW ONLY. STANDARD CONDITION 19 (a-e) FOR TENTATIVE MAPS TO BE WAIVED.

GRADING QUANTITIES:

CUT: 9000 C.Y. EXPORT: -0- C.Y.
FILL: 9000 C.Y. IMPORT: -0- C.Y.

The following applications:

- Tentative Map No. 5864
- Tentative Parcel Map No. _____
- Preliminary Grading Plan No. _____
- Site Plan No. _____
- Plat Plan No. _____
- Check No. _____

Was approved on May 22, 2009 by _____

The County of Planning and Land Use
The State of California
The San Diego Planning Commission
The San Diego County Board of Supervisors

BY: David H. Lowen, Chief
Name Title

1-20

**Attachment C – Final Notice of Action approving
PDS2014-TM-5364R**



MARK WARDLAW
Director

DARREN GRETLER
Assistant Director

County of San Diego
PLANNING & DEVELOPMENT SERVICES

5510 OVERLAND AVENUE, SUITE 110, SAN DIEGO, CALIFORNIA 92123
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcounty.ca.gov/pds

COMMISSIONERS

Bryan Woods (Chairman)
Michael Beck (Vice Chairman)
Douglas Barnhart
Leon Brooks
Peder Norby
David Pallinger
Michael Seiler

January 22, 2015

REFERENCE: TENTATIVE MAP SUBDIVISION PDS2014-TM-5364R

REVISED MAP

NOTICE OF ACTION OF
THE PLANNING COMMISSION APPROVING A REVISED MAP
FOR TENTATIVE MAP PDS2014-TM-5364R

On the above date, the Planning Commission adopted this decision approving a Revised Map for the above referenced Tentative Map.

PLEASE NOTE THAT THE ONLY CHANGES (AMENDMENTS) HEREBY AUTHORIZED ARE AS FOLLOWS AND THAT ALL OTHER CONDITIONS REMAIN AS ORIGINALLY ADOPTED. [Strikeout indicates deletion, underline indicates addition.]

Remove Condition C.2.a:

2. Specific Conditions:

- a. ~~Improve or agree to improve and provide security for Green Canyon Road (SC 71), a Circulation Element Light Collector, along the easterly boundary of Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one half graded width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and nine and one-half feet (9.5') wide Class II walkway/pathway with face of curb at twenty feet (20') from centerline. The centerline of Green Canyon Road shall be realigned as necessary to conform to County Public Light Collector Road Standards, with traffic striping, with traffic control, and with taper transitions constructed to meet existing improvements. All the foregoing shall be to the satisfaction of the Director of Public Works.~~

Revise Condition C.2.b – e as follows:

- b. Improve or agree to improve and provide security for the private road easement road, Street 'A' Gray Rabbit Hollow Lane, from Green Canyon Road improvements westerly to access driveways to Lots 6 and 7 to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike where necessary to control drainage. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply. All of the above shall be to the satisfaction of the Director of Public Works Planning & Development Services (PDS).
- c. Hand-rake and compact asphalt concrete surfacing material to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Planning & Development Services (PDS) Public Works.
- d. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "There is _____ feet of unobstructed intersectional sight distance in the both directions along **Green Canyon Road** from the existing private road easement, Gray Rabbit Hollow Lane in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. This sight distance exceeds the required intersectional Sight Distance requirements of _____ feet as described in Table 5 based on a speed of _____ mph, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."
~~"Physically, there is a minimum adequate unobstructed sight distance in both directions along Green Canyon Road from the proposed private easement road, Street A serving the project, for the prevailing operating speed of traffic on Green Canyon Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)".~~ If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. These certifications shall be to the satisfaction of the Director of Planning & Development Services (PDS) Public Works.

- e. ~~Terminate Street A~~ Gray Rabbit Hollow Lane at Lots 4, 5, 6, and 7 and 8 intersection 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 with the face of dike at thirty-six feet (36') from the radius point to the satisfaction of the North County Fire Protection District and the Director of Planning & Development Services (PDS) ~~Public Works~~.

Remove Condition C.2.f:

- f. ~~If guarded access is used along Street A, improve it in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works. Gates installed across Street 'A' and emergency access road to conform to NCFPD standards for electric gates, to include opticom strobe sensor, exit loop detectors, battery backup, and Knox key switch. Gate across emergency access road must be an electric gate, to conform to same standards as noted above.~~

Revise Condition C.2.g as follows:

- g. ~~Posting and red stripe road for "No-Parking" for less than thirty-six feet feet (36') improved width to the satisfaction of the North County Fire Protection District. Show this information on the Final Map as "Non Title Information".~~

Revise the Section titled "Access/Flood Control" to "Drainage and Flood Control."

Remove Condition C.4.a:

4. Specific Conditions:

- a. ~~On site and Off site drainage easements shall be provided to the satisfaction of the Director of Public Works.~~

Revise Condition C.5.b as follows:

5. Specific Conditions:

- b. Comply with applicable storm water regulations at all times. 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, Storm water Management, and Discharge Control Ordinance (Ordinance No. 10096 9926) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning storm water runoff. This requirement shall be to the satisfaction of the Director of Public Works.

Revise Condition C.9.a as follows:

9. Specific Conditions:

- a. No lot shall contain a net area of less than one acre. [~~DPLUPDS - Regulatory Project Planning Division~~]

Remove Condition C.9.b:

- ~~b. Prior to approval of a Final Map, the subdivider shall provide evidence that the "existing barn to be removed" on parcel 4 of the Tentative Map has been removed to the satisfaction of the Director of Public Works.~~

Remove Conditions C.11.a, b, c (2), d:

11. Specific Conditions:

- ~~a. Prior to approval of the Final Map, cause to be granted that portion of Green Canyon Road (SC 71), a Circulation Element Light Collector, which lies within the boundary of the related Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one-half width of thirty feet (30') each side of centerline in accordance with Public Light Collector Road Standards, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.~~
- ~~b. Contact the Department of Public Works to determine the desired location of the centerline for Green Canyon Road (SC 71), which is shown on the Circulation Element of the County General Plan as a Light Collector. The following shall be shown on the Final Map:~~
- ~~(1) The centerline location as approved by the Department of Public Works.~~

- c. Because private roads are approved as a condition of this subdivision, the following shall apply:
 - ~~(2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Final Map as to the final title status of said roads.~~
- d. ~~If the private roads are separate lots, they shall have lot numbers consecutive with the other lot numbers.~~

Revise Condition C.11.g and h as follows:

- g. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.844507).
- h. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.844507 and 81.506(j)).

Remove Standard Condition A(3):

- ~~(1) Standard Condition 12: Said condition pertains to projects with dedicated trail easements. The proposed pathway along Green Canyon Road is within the road right-of-way and will not be dedicated.~~

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:

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 1 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.

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.sdcounty.ca.gov/PDS/docs/LID-Handbook.pdf>

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

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance number 77.201 – 77.223. The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [PDS, LD Counter] and provide a copy of the receipt to the [PDS, BD] at time of permit issuance.

NOTICE: 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.

- 7 -

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 22nd day of January 2016, in Planning & Development Services Conference Center Hearing Room, 5520 Overland Avenue, San Diego, California, by the following vote:

AYES:

NOES:

ABSENT:

[NOTE: Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with Section 81.310 of the Subdivision Ordinance to the appellant body and/or the Board of Supervisors. 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.]

cc:

email cc:

Ken Brazell, Project Manager, Planning & Development Services, Land Development
David Sibbet, Planning Manager, Planning & Development Services
Fallbrook Community Planning Group

Attachment D – Original Resolution for TM-5364

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
TENTATIVE MAP NO. 5364)

WHEREAS, Tentative Map No. 5364 proposing the division of property located at 2045 Green Canyon Road, Fallbrook and generally described as:

That portion of lots 1 and 2 in the subdivision of tract "D" of a portion of Rancho Monserate per Map No. 821 more particularly described as follows: Parcels A, B, C & D of Division of Land Plat No. 106-220-3, dated 01/11/72, excepting therefrom parcels A, B, and C as shown on Boundary Adjustment No. B/C 03-0212

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on April 21, 2009; and

WHEREAS, on May 22, 2009, the Planning Commission of the County of San Diego pursuant to Section 81.307 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, 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, the Fallbrook Community Plan, and the (2) Residential Land Use Designation of the Fallbrook Community Plan because it proposes a residential use type at a density of 1 dwelling unit per gross acre, which is consistent with the maximum density permitted by the (2) Residential designation;
2. The Tentative Map is consistent with The Zoning Ordinance because it proposes a residential use type with a minimum net lot size of 1 acre in the A70 (Limited Agriculture) Use Regulation;

TM 5364

- 2 -

3. The design and improvements of the proposed subdivision 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 residential type of development because the site is generally flat 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 it has access to Green Canyon Road, is served with water by the Fallbrook Public Utility District, and can accommodate individual septic systems on each lot;
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 a Mitigated Negative Declaration dated February 10, 2009;
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 sewer 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;

TM 5364

- 3 -

11. It is hereby found that the use or development permitted by the application is consistent with the provisions of the Resource Protection Ordinance; and
12. It is hereby found that the project proposed by the application has prepared plans and documentation demonstrating compliance with the provisions of the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance.

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

- A. The approval of this Tentative Map expires 36 months from the date of this resolution, unless prior to that date an application for a Time Extension has been filed and is subsequently approved as provided by Section 81.308 of the County Subdivision Ordinance

PLEASE NOTE: Condition compliance, preparation of grading and improvement plans and final mapping may take a year or more to complete. Applicants are advised to begin this process at least one year prior to expiration of this Tentative Map.

PLEASE NOTE: 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.

- B. The "Standard Conditions 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 those exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized.
- C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to issuance of grading or other permits as specified):

PLANS AND SPECIFICATIONS

Street Improvements

TM 5364

- 4 -

1. Standard Conditions 1 through 10.
2. Specific Conditions:
 - a. Improve or agree to improve and provide security for Green Canyon Road (SC 71), a Circulation Element Light Collector, along the easterly boundary of Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one-half graded width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and nine and one-half feet (9.5') wide Class II walkway/pathway with face of curb at twenty feet (20') from centerline. The centerline of Green Canyon Road shall be realigned as necessary to conform to County Public Light Collector Road Standards, with traffic striping, with traffic control, and with taper transitions constructed to meet existing improvements. All the foregoing shall be to the satisfaction of the Director of Public Works.
 - b. Improve or agree to improve and provide security for the private easement road, Street 'A', from Green Canyon Road improvements westerly to access driveways to Lots 6 and 7 to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike where necessary to control drainage. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply. All of the above shall be to the satisfaction of the Director of Public Works.
 - c. Hand-rake and compact asphalt concrete surfacing material to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
 - d. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "Physically, there is a minimum adequate unobstructed sight distance in both directions along Green Canyon Road from the proposed private easement road, Street A serving the project, for the prevailing operating speed of traffic on Green Canyon Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space

TM 5364

- 5 -

easement is not required. These certifications shall be to the satisfaction of the Director of Public Works.

- e. Terminate Street A at Lots 6 and 7 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 with the face of dike at thirty-six feet (36') from the radius point to the satisfaction of the North County Fire Protection District and the Director of Public Works.
- f. If guarded access is used along Street A, improve it in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works. Gates installed across Street 'A' and emergency access road to conform to NCFPD standards for electric gates, to include opticom strobe sensor, exit loop detectors, battery backup, and Knox key switch. Gate across emergency access road must be an electric gate, to conform to same standards as noted above.
- g. Posting and red stripe road less than thirty-six foot (36') improved width to the satisfaction of the North County Fire Protection District. Show this information on the Final Map as "Non Title Information".

Access/Flood Control

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:
 - a. On-site and Off-site drainage easements shall be provided to the satisfaction of the Director of Public Works.
 - b. Comply with applicable storm water regulations at all times. 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, Storm water Management, and Discharge Control Ordinance (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning storm water runoff. This requirement shall be to the satisfaction of the Director of Public Works.

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- c. It is determined that the project includes category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.

FAIR HOUSING

- 5. Standard Condition 20.

SANITATION

- 6. Standard Condition 22.
- 7. Specific Conditions:
 - a. Prior to recordation of a Final Map, the subdivider shall provide evidence that the existing septic system serving the existing home and guest house on parcel 5 of the Tentative Map has been abandoned and a new septic system has been installed to the satisfaction of the Director of Environmental Health.

FIRE PROTECTION AND WATER SUPPLY

- 8. Standard Conditions 23.1 and 23.2.

PLANNING AND ZONING ADMINISTRATION

- 9. Specific Conditions:
 - a. No lot shall contain a net area of less than one acre. [DPLU - Regulatory Planning Division]
 - b. Prior to approval of a Final Map, the subdivider shall provide evidence that the "existing barn to be removed" on parcel 4 of the Tentative Map has been removed to the satisfaction of the Director of Public Works.

DEVELOPMENT IMPACT FEES

- 10. Specific Conditions:

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- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
- b. Deposit with the County Department of Public Works \$220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

Streets and Dedication

11. Specific Conditions:

- a. Prior to approval of the Final Map, cause to be granted that portion of Green Canyon Road (SC 71), a Circulation Element Light Collector, which lies within the boundary of the related Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one-half width of thirty feet (30') each side of centerline in accordance with Public Light Collector Road Standards, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- b. Contact the Department of Public Works to determine the desired location of the centerline for Green Canyon Road (SC 71), which is shown on the Circulation Element of the County General Plan as a Light Collector. The following shall be shown on the Final Map:
 - (1) The centerline location as approved by the Department of Public Works.
- c. Because private roads are approved as a condition of this subdivision, the following shall apply:
 - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.

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- (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Final Map as to the final title status of said roads.
 - (3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- d. If the private roads are separate lots, they shall have lot numbers consecutive with the other lot numbers.
 - e. Road widths less than thirty-six foot (36') improved width will require posting and red striping to the satisfaction of the North County Fire Protection District. This information shall be shown on the Final Map as "Non Title Information".
 - f. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
 - g. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
 - h. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

MISCELLANEOUS

12. Standard Conditions 25-29.

WAIVER AND EXCEPTIONS

Said 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:

A. Standard Condition(s) for Tentative Maps:

- (1) Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification requires use of high pressure sodium (HPS) vapor light source unless within 15 miles radius of Palomar or Mount Laguna observatories (in which case fixtures shall use a low pressure sodium vapor light source) 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 12: Said condition pertains to projects with dedicated trail easements. The proposed pathway along Green Canyon Road is within the road right-of-way and will not be dedicated.
- (4) Standard Conditions 19 (a-e): Said conditions pertain to projects for which lot grading is required. No grading plan is required because no lot grading is proposed.
- (5) Standard Condition 21: Said condition pertains to projects that propose to be served by a public sewer system. This project will use private subsurface sewage disposal systems.
- (6) Standard Condition 23.3: Said condition pertains to satisfying requirements of the California Department of Forestry and Fire Protection. This project is located within the boundaries of the North County Fire Protection District.
- (7) Standard Condition 24: This condition pertains to projects located outside the boundaries of a fire protection agency. This project is located within the boundaries of the North County Fire Protection District.

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- (8) Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

Miscellaneous

The following shall be the Mitigation Monitoring or Reporting Program for TM 5364, Daniels Tentative Map.

Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Reporting or Monitoring Program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The Mitigation Monitoring Program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

A. Subsequent Project Permits

Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:

Payment of the TIF will be required prior to building permit on each lot.

NOTICE - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on May 22, 2009.

NOTICE: Low Impact Development (LID) requirements apply to all priority projects as of March 25, 2008. These requirements can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

<http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc>

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The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. You can access the Handbook at the following DPLU web address:

<http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf>

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 must be implemented beginning March 25, 2008. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

<http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc>

All priority projects must minimize directly connected impervious areas and promote biofiltration. Section 67.812 includes the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements: Disconnect impervious surfaces, Design impervious surfaces to drain into properly designed pervious areas, Use pervious surfaces wherever appropriate, Implement site design BMPs. The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

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: - Fish and Game Fees have been paid in the amount of \$1,993.00 for the review of the Mitigated Negative Declaration, Receipt number 365206 dated 1/12/09.

ON MOTION of Commissioner Brooks, seconded by Commissioner Pallinger, 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 22nd day of May 2009,

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in the Department of Planning and Land Use Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California, by the following vote:

AYES: 6 - Brooks, Day, Norby, Pallinger, Riess, Woods

NOES: 0 - None

ABSENT: 1 - Beck

[NOTE: 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 to the appellant body and/or the Board of Supervisors. 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.]

DPL/WP 001-TM (06/13/08)

Attachment E – Environmental Documentation



County of San Diego

MARK WARDLAW
DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcounty.ca.gov/pds

DARREN GRETLER
ASSISTANT DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

AN ADDENDUM TO THE PREVIOUSLY APPROVED MITIGATED NEGATIVE DECLARATION FOR DANIELS GRAY RABBIT HOLLOW TENTATIVE MAP (TM-5364) FOR PURPOSES OF CONSIDERATION OF THE DANIELS GRAY RABBIT HOLLOW REVISED MAP; PDS2014-TM-5364R; PDS2014-ER-04-02-009A

January 22, 2016

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously adopted MND may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for the preparation of subsequent or supplemental MND have occurred.

Discussion:

There are some changes and additions, which need to be included in an Addendum to the previously adopted MND to accurately cover the new project. The additions are underlined and deletions are struck out. The changes and additions consist of the following:

1. To the Project Name add: DANIELS GRAY RABBIT HOLLOW REVISED MAP
2. To the Project Number(s) add: PDS2014-TM-5364R; PDS2014-ER-04-02-009A
3. To the first paragraph add as indicated: "The MND for this project is comprised of this form along with the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated January 22, 2016 which includes the following forms attached."
 - A. An Addendum to the previously approved MND with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated January 22, 2106.
 - B. An Ordinance Compliance Checklist dated January 22, 2016.
 - C. An updated Major Stormwater Management Plan (Major SWMP) prepared by Chang Consultants, dated August 24, 2015.
 - D. An updated Major CEQA Drainage Study prepared by Chang Consultants, dated July 17, 2015.



County of San Diego

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October 26, 2015

Environmental Review Update Checklist Form For projects with Previously Approved Environmental Documents

FOR PURPOSES OF CONSIDERATION OF Daniels Gray Rabbit Hollow Revised Map, PDS2014-TM-5364R

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously ***adopted ND or previously certified EIR***:

A ND for Daniels Tentative Map, PDS2004-3100-5364, was adopted by the Planning Commission on May 22, 2009. The adopted ND found the project would have potentially significant effects to traffic that were clearly mitigated. The potentially significant effect that was clearly mitigated consisted of the following: cumulative impact from the addition of 120 average daily trips, mitigated by the payment of TIF.

2. Lead agency name and address:

County of San Diego, Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123

- a. Contact Beth Ehsan, Project Manager
- b. Phone number: (858) 694-3103
- c. E-mail: Beth.Ehsan@sdcounty.ca.gov

3. Project applicant's name and address:

Geoffrey Daniels, 185 Farm to Market Ct. Whitefish, Montana 59937

4. Summary of the activities authorized by present permit/entitlement application(s):

The project is a Revised Tentative Map to subdivide 11.22 gross acres into 10 parcels ranging in size from 1.00 to 1.31 net acres for single family residences. The project site is located at 2045 Green Canyon Road in the Fallbrook Community Planning Group, within unincorporated San Diego County. The site is subject to the General Plan Regional Category Semi-Rural, Land Use Designation SR-1. Zoning for the site is A-70 with a 1-acre minimum lot size. The site contains an existing single-family residence that would be retained. Access would be provided by Gray Rabbit Hollow Lane, a private road connecting to Green Canyon Road. The project would be served by individual septic systems on each lot and imported water from the Fallbrook Public Utility District. Approximately a 1,000 foot extension of water utilities will be required by the project. This is a lot sales project with no grading proposed.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES NO

If yes, describe ALL differences.

Because the lots fronting on Green Canyon Road are no longer owned by the subdivider, the project will no longer be conditioned to dedicate right of way on Green Canyon Road. For the same reason, the project will no longer be conditioned to widen Green Canyon Road on the west side by ten feet of AC pavement and add a 9.5-foot DG pathway. In addition, the project is now proposed as a lot sales project, meaning that rather than the developer grading the whole site, the lots will be sold as is and graded by the future owners. Finally, the project will not be conditioned to remove the existing barn on lot 4, since the barn is accessory to the existing agricultural use (orchard).

6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

- NONE
- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology & Soils
- Greenhouse Gas Emissions
- Hazards & Haz Materials
- Hydrology & Water Quality
- Land Use & Planning
- Mineral Resources
- Noise
- Population & Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities & Service Systems
- Mandatory Findings of Significance

PDS2014-TM-5364R

DETERMINATION:

On the basis of this analysis, Planning & Development Services has determined that:

- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or previously certified EIR is adequate upon completion of an ADDENDUM.
- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

Maria L. J. for Beth Ehsan
Signature

10.26.15
Date

Beth Ehsan
Printed Name

Project Manager
Title

INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

I. AESTHETICS – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES NO

II. AGRICULTURE AND FORESTRY RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agriculture or forestry resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, conflicts with existing zoning for agricultural use or Williamson Act contract, or conversion of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

YES NO

III. AIR QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES NO

VII. GREENHOUSE GAS EMISSIONS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects related to environmental effects associated with greenhouse gas emissions or compliance with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions?

YES

NO

Since the previous ND was adopted, the State CEQA Guidelines were amended (March 2010) to require that the potential environmental effects of greenhouse gas emissions be addressed in CEQA documents.

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

Senate Bill 375 (SB 375), passed in 2008, links transportation and land use planning with global warming. It requires the California Air Resources Board (ARB) to set regional targets for the purpose of reducing greenhouse gas emissions from passenger vehicles. Under this law, if regions develop integrated land use, housing and transportation plans that meet SB 375 targets, new projects in these regions can be relieved of certain review requirements under CEQA. Regional targets have been developed and SANDAG has prepared the region's Sustainable Communities Strategy (SCS) which is a new element of the 2050 Regional Transportation Plan (RTP). The strategy identifies how regional greenhouse gas reduction targets, as established by the ARB, will be achieved through development patterns, transportation infrastructure investments, and/or transportation measures or policies that are determined to be feasible.

To implement State mandates to address climate change in local land use planning, local land use jurisdictions are generally preparing GHG emission inventories and reduction plans and incorporating climate change policies into local General Plans to ensure development is guided by a land use plan that reduces GHG emissions. The County of San Diego's General Plan, adopted in 2011, incorporates various climate change goals and policies. These policies provide direction for individual development projects to reduce GHG emissions and help the County meet its GHG emission reduction targets.

The County has prepared a Recommended Approach to Addressing Climate Change in CEQA Documents for addressing climate change in CEQA documents. The annual 900 metric ton carbon dioxide equivalent (MTCO_{2e}) screening level referenced in the California Air Pollution Control Officers Association (CAPCOA) white paper (<http://www.capcoa.org/wp-content/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf>) is being used by the County as a conservative criterion for determining the size of projects that would require further analysis and mitigation with regard to climate change. The CAPCOA white paper reports that the 900 metric ton screening level would capture more than 90% of development projects, allowing for mitigation towards achieving the State's GHG reduction goals. CAPCOA also

reports that a single family residential development that proposes 50 units or more would be expected to generate more than 900 metric tons of GHGs per year. Since the proposed project is below this screening criterion, emissions are expected to be less than 900 metric tons annually. GHG emissions associated with the proposed project are considered less than significant.

Furthermore, projects that generate less than 900 MTCO₂e per year of GHG will also participate in emission reductions because air emissions including GHGs are under the purview of the California Air Resources Board (CARB) (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. As a result, even the emissions that result from projects that produce less than 900 MTCO₂e per year of GHG will be subject to emission reductions.

Therefore, it is determined that the project would result in less than cumulatively considerable impacts associated with GHG emissions and no mitigation is required.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES

NO

IX. HYDROLOGY AND WATER QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act ; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing

drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES NO

A Stormwater Management Plan (SWMP) was prepared for the project by Wayne Chang dated August 24, 2015. The SMWP was reviewed and determined to comply with current stormwater regulations.

X. LAND USE AND PLANNING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

YES NO

XI. MINERAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES NO

XII. NOISE -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES NO

XIII. POPULATION AND HOUSING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES NO

XIV. PUBLIC SERVICES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES NO

XV. RECREATION -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES NO

XVI. TRANSPORTATION/TRAFFIC -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

YES NO

XVII. UTILITIES AND SERVICE SYSTEMS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES NO

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE: Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

YES NO

Attachments

- Previous environmental documentation
- Addendum to the previously adopted Negative Declaration
- Extended Initial Studies

**XVIII. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW
UPDATE CHECKLIST FORM**

California Department of Fish and Wildlife. Fish and Wildlife Code, Section 1600 *et. seq.*

California Environmental Quality Act, CEQA Guidelines

California Environmental Quality Act. 2001. California Code of Regulations, Title 14, Chapter 3, Section 15382.

California Integrated Waste Management Board, Title 14, Natural Resources, Division 7

California Integrated Waste Management Board, Title 27, Environmental Protection, Division 2, Solid Waste

California Public Resources Code, CPRC, Sections 40000-41956

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego Zoning Ordinance (Agricultural Use Regulation, Sections 2700-2720)

County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO) (Ordinance Nos. 9424 and 9426, County Codes §§ 67801 *et seq.*)

Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resource Protection

Order No. 2001-01, NPDES No. CAS 0108758, California Regional Water Quality Control Board, San Diego Region

Ordinance 8334, An Ordinance to amend the San Diego County Code of Regulatory Ordinances relating to Flood Damage Prevention, Adopted by the Board of Supervisors on 12/7/93

Public Resources Code Sections 4290 and 4291

San Diego County Light Pollution Code (San Diego County Code Section 59.101)

The Importance of Imperviousness from *Watershed Protection Techniques* Vol. 1, No. 3 - Fall 1994 by Tom Schueler Center for Watershed Protection

The Resource Conservation and Recovery Act (RCRA), 1976

Uniform Fire Code, Article 9 and Appendix II-A, Section 16

Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality Control Board, San Diego Region



ERIC GIBSON
DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1686
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcounty.ca.gov/dplu

MITIGATED NEGATIVE DECLARATION

February 10, 2009

Project Name: Daniels Tentative Map

Project Number(s): TM 5364, ER# 04-02-009

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

- a. Initial Study Form
- b. Attached extended studies for Grading, Hydrology, Agriculture, Archaeology, Traffic, and Stormwater Management

1. California Environmental Quality Act Mitigated Negative Declaration Findings:

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

2. Required Mitigation Measures:

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

TRANSPORTATION: The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

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

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

The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to issuance of grading or other permits as specified):

PLANS AND SPECIFICATIONSStreet Improvements

1. Standard Conditions 1 through 10.
2. Specific Conditions:
 - a. Improve or agree to improve and provide security for Green Canyon Road (SC 71), a Circulation Element Light Collector, along the easterly boundary of Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one-half graded width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and nine and one-half feet (9.5') wide Class II walkway/pathway with face of curb at twenty feet (20') from centerline. The centerline of Green Canyon Road shall be realigned as necessary to conform to County Public Light Collector Road Standards, with traffic striping, with traffic control, and with taper transitions constructed to meet existing improvements. All the foregoing shall be to the satisfaction of the Director of Public Works.

- b. Improve or agree to improve and provide security for the private easement road, Street 'A', from Green Canyon Road improvements westerly to access driveways to Lots 6 and 7 to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike where necessary to control drainage. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply. All of the above shall be to the satisfaction of the Director of Public Works.
- c. Hand-rake and compact asphalt concrete surfacing material to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- d. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "Physically, there is a minimum adequate unobstructed sight distance in both directions along Green Canyon Road from the proposed private easement road, Street A serving the project, for the prevailing operating speed of traffic on Green Canyon Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. These certifications shall be to the satisfaction of the Director of Public Works.
- e. Terminate Street A at Lots 6 and 7 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 with the face of dike at thirty-six feet (36') from the radius point to the satisfaction of the North County Fire Protection District and the Director of Public Works.
- f. If guarded access is used along Street A, improve it in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works. Gates installed across Street 'A' and emergency access road to conform to NCFPD standards for electric gates, to include opticom strobe sensor, exit loop detectors, battery backup, and Knox key switch. Gate across emergency access road must be an electric gate, to conform

to same standards as noted above.

- g. Posting and red stripe road less than thirty-six foot (36') improved width to the satisfaction of the North County Fire Protection District. Show this information on the Final Map as "Non Title Information".

Access/Flood Control

3. Standard Conditions 13 through 18.
4. Specific Conditions:
 - a. On-site and Off-site drainage easements shall be provided to the satisfaction of the Director of Public Works.
 - b. Comply with applicable storm water regulations at all times. 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, Storm water Management, and Discharge Control Ordinance (Ordinance No. 9424, Ordinance No. 9426, and Ordinance No. 9518) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning storm water runoff. This requirement shall be to the satisfaction of the Director of Public Works.
 - c. It is determined that the project includes category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.

FAIR HOUSING

5. Standard Condition 20.

SANITATION

6. Standard Condition 22.

7. Specific Conditions:

- a. Prior to recordation of a Final Map, the subdivider shall provide evidence that the existing septic system serving the existing home and guest house on parcel 5 of the Tentative Map has been abandoned and a new septic system has been installed to the satisfaction of the Director of Environmental Health.

FIRE PROTECTION AND WATER SUPPLY

8. Standard Conditions 23.1 and 23.2.

PLANNING AND ZONING ADMINISTRATION

9. Specific Conditions:

- a. No lot shall contain a net area of less than one acre. [DPLU - Regulatory Planning Division]
- b. Prior to approval of a Final Map, the subdivider shall provide evidence that the "existing barn to be removed" on parcel 4 of the Tentative Map has been removed to the satisfaction of the Director of Public Works.

DEVELOPMENT IMPACT FEES

10. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
- b. Deposit with the County Department of Public Works \$220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

Streets and Dedication

11. Specific Conditions:

- a. Prior to approval of the Final Map, cause to be granted that portion of Green Canyon Road (SC 71), a Circulation Element Light Collector, which lies within the boundary of the related Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one-half width of thirty feet (30') each side of centerline in accordance with Public Light Collector Road Standards, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- b. Contact the Department of Public Works to determine the desired location of the centerline for Green Canyon Road (SC 71), which is shown on the Circulation Element of the County General Plan as a Light Collector. The following shall be shown on the Final Map:
 - (1) The centerline location as approved by the Department of Public Works.
- c. Because private roads are approved as a condition of this subdivision, the following shall apply:
 - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
 - (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Final Map as to the final title status of said roads.
 - (3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- d. If the private roads are separate lots, they shall have lot numbers consecutive with the other lot numbers.
- e. Road widths less than thirty-six foot (36') improved width will require posting and red striping to the satisfaction of the North County Fire Protection District. This information shall be shown on the Final Map as "Non Title Information".
- f. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the

owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.

- g. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- h. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

MISCELLANEOUS

12. Standard Conditions 25-29.

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

Planning Commission

on May 22, 2009



Brian Baca, Chief
Project Planning Division

BB:BE:be

**REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH
ORDINANCES/POLICIES**

**FOR PURPOSES OF CONSIDERATION OF
Daniels Gray Rabbit Hollow Revised Map, PDS2014-TM-5364R**

October 2, 2014

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES NO NOT APPLICABLE/EXEMPT

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES NO NOT APPLICABLE/EXEMPT

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES NO NOT APPLICABLE/EXEMPT

The project will obtain its water supply from the Fallbrook Public Utilities District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance? YES NO NOT APPLICABLE/EXEMPT

The Floodways and Floodplain Fringe section YES NO NOT APPLICABLE/EXEMPT

(Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers:

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

Floodways and Floodplain Fringe:

This project is not located in a Floodway or Floodplain.

Steep Slopes: The average slope for the property is 9.70 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. The project is in conformance with the RPO.

Sensitive Habitats: No sensitive habitat lands were identified on the site as determined during a site visit conducted by Bobbie Stephenson on September 14, 2007. Therefore, the proposed project complies with Section 86.604(f) of the Resource Protection Ordinance.

Significant Prehistoric and Historic Sites:

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs, and a survey by County of San Diego staff archaeologist, Gail Wright, on May 26, 2004, it has been determined that the project site does not contain any archaeological resources.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES	NO	NOT APPLICABLE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Stormwater Management Plan prepared for the project by Wayne Chang dated August 24, 2015 is substantially complete and complies with the WPO requirements.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

NO

NOT APPLICABLE

Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Transportation (traffic, railroad, aircraft) noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)=60 decibels (dB) limit because review of the project indicates that the project is not in close proximity to a railroad and/or airport. Additionally, the County of San Diego GIS noise model does not indicate that the project would be subject to potential excessive noise levels from circulation element roads either now or at General Plan buildout.

Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance.

Attachment F – Environmental Findings

ENVIRONMENTAL FINDINGS

Daniels Gray Rabbit Hollow Revised Tentative Map
PDS2014-TM-5364R, PDS2014-ER-04-02-009A

January 22, 2016

- 1) Find that the Mitigated Negative Declaration (MND) dated February 10, 2009 on file with Planning & Development Services an Environmental Review Number Log No. 04-02-009 was completed in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Planning Commission has reviewed and considered the information contained therein and the Addendum thereto dated January 22, 2016 on file with PDS as Environmental Review Number Log No. 04-02-009A before approving the project; and
- 2) Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously adopted MND dated February 10, 2009, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was adopted as explained in the Environmental Review Update Checklist dated January 22, 2016.
- 3) Find that the proposed project is consistent with the Resource Protection Ordinance (County Code, section 86.601 et seq.).
- 4) Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, section 67.801 et seq.).

Attachment G – Public Documentation

Smith, Marisa

From: Jim & Barbara Russell <russellfarms@roadrunner.com>
Sent: Thursday, December 11, 2014 3:51 PM
To: Ehsan, Beth; fcpG Anne Burdick; fcpG Bill McCarty; fcpG Design Review; fcpG Donna Gebhart; fcpG Eileen Delaney; fcpG Ike Perez; fcpG Jack Wood; fcpG Jackie Heyneman; fcpG Jean Dooley; fcpG Jerry Ferrell; fcpG Lee J. DeMeo; fcpG Paul Schaden; fcpG Ron Miller; fcpG Roy Moosa; Harrington, Thomas G
Subject: Fwd: Scoping letter for Daniels Grey Rabbit Hollow TM 5364R
Attachments: PDS2014-TM-5364R-PDS-PLN-Scoping Letter.pdf; Attached Message Part

[Thanks Beth. The changes you have describer appear to be minor so the FCPG will not be placing this item on our agenda. We approved this TM at our Dec 2008 meeting and in accordance with BOS policy l-1 we can only rehear a project that we have approved if there are significant changes to it. Thanks again. Keep up the good work. Jim]

----- Original Message -----

Subject:Scoping letter for Daniels Grey Rabbit Hollow TM 5364R
Date:Thu, 11 Dec 2014 21:46:08 +0000
From:Ehsan, Beth <Beth.Ehsan@sdcounty.ca.gov>
To:'David Lowen' <dave.acal@sbcglobal.net>
CC:Brazell, Kenneth J <Kenneth.Brazell@sdcounty.ca.gov>, Hoang, Susan <Susan.Hoang@sdcounty.ca.gov>, Sibbet, David <David.Sibbet@sdcounty.ca.gov>, Jim & Barbara Russell <russellfarms@roadrunner.com>, 'jdunning@nctd.org' (<jdunning@nctd.org>) <jdunning@nctd.org>

Good Afternoon,
Please see attached for the subject letter. Let me know if you have any questions.
Thanks,

Beth Ehsan
Land Use/Environmental Planner
COUNTY OF SAN DIEGO Planning & Development Services
5510 Overland Ave. Suite 310, San Diego, CA 92123
858-694-3103
<http://www.sandiegocounty.gov/pds/index.html>

Hello again,
Sorry I didn't get back to you sooner. There are only two changes proposed with the Revised Map. One is to eliminate right-of-way dedication along Green Canyon Road, since the applicant doesn't own those parcels. The other is to keep the barn on parcel 4.
Is this project on your agenda for next week?
Thanks,
Beth

Beth Ehsan
Planning & Development Services
858-694-3103

From: Ehsan, Beth
Sent: Monday, November 10, 2014 8:26 AM
To: 'Jim & Barbara Russell'; Yzaguirre, Lauren; Harrington, Thomas G
Subject: RE: PDS2014-TM-5364R Tentative Map- Revision

Hi Jim,
So far it doesn't appear that anything has changed with this map – I need to call the applicant and find out why they applied for a Revised Map.
Thanks,
Beth

Beth Ehsan
Planning & Development Services
858-694-3103

From: Jim & Barbara Russell [<mailto:russellfarms@roadrunner.com>]
Sent: Saturday, November 08, 2014 8:25 AM
To: Yzaguirre, Lauren; Ehsan, Beth; Harrington, Thomas G
Subject: Re: PDS2014-TM-5364R Tentative Map- Revision

Beth. Please tell us what has changed with this map. Thanks. Jim

Tom. What was our last action with this map? Thanks. Jim

On 11/7/2014 1:12 PM, Yzaguirre, Lauren wrote:

Attached are documents pertaining to a Discretionary Permit for Tentative Map- Revision **PDS2014-TM-5364R**. Only the Chair of the DRB, CSG, ARB, and/or CPG will receive copies of the plot plan through regular mail within the next few days.
If you have any questions or comments please contact: Beth Ehsan at 858 694-3103 or email Beth.Ehsan@sdcounty.ca.gov

Thank you,

Lauren Yzaguirre

Student Worker
Planning & Development Services
5510 Overland Avenue
San Diego, CA 92123

All forms from Planning & Development Services (PDS) are available online. If you would like to review any Zoning forms, or any Building Permit submittal requirements, or review an approved Plot Plans or discretionary permit submittal requirements, please open the link below and follow the instructions;

[PDS Handouts Are Available Online](#)

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4765 / Virus Database: 4189/8530 - Release Date: 11/07/14

Attachment H – Ownership Disclosure



County of San Diego, Planning & Development Services
**APPLICANT'S DISCLOSURE OF
OWNERSHIP INTERESTS ON
APPLICATION FOR ZONING PERMITS/
APPROVALS**
ZONING DIVISION

Record ID(s) TM 5364R

Assessor's Parcel Number(s) 106-200-85

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The application shall be signed by all owners of the property subject to the application or the authorized agent(s) of the owner(s), pursuant to Section 7017 of the Zoning Ordinance. **NOTE:** Attach additional pages if necessary.

A. List the names of all persons having any *ownership interest* in the property involved.

GEOFFREY P. & PATRICIA DANIELS

B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

NOTE: Section 1127 of The Zoning Ordinance defines Person as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

Signature of Applicant

DAVID H. LOWEN, AUTH. AGENT

Print Name

10/01/2014

Date

--- OFFICIAL USE ONLY ---
**SDC PDS RCVD 11-07-14
TM5364R**