The County of San Diego

Planning Commission Hearing Report

Date:	January 22, 2015	**Case/File No.:**	PDS2005-3200-20951
Place:	County Conference Center 5520 Overland Avenue San Diego, CA 92123	**Project:**	Appeal of a Director's Decision
Time:	9:00 a.m.	**Location:**	Pine Valley Road and Top of the Pines Lane
Agenda Item:	#2	**General Plan:**	Village Residential (VR-2)
Appeal Status:	Appealable to the Board of Supervisors	**Zoning:**	Rural Residential (RR)
Applicant/Owner:	Kappa Surveying/One Pac Company	**Community:**	Pine Valley
Environmental:	CEQA §15183	**APNs:**	410-030-17

A. EXECUTIVE SUMMARY

1. Requested Actions

This is a request for the Planning Commission to evaluate an Appeal of a Director's Decision, and take the following actions:

a. Deny the Appeal by the Pine Valley Community Planning Group.

b. Adopt the Final Notice of Action approving the Tentative Parcel Map No. 20951 (Attachment B).

2. Key Requirements for Requested Actions

a. Is the project consistent with the vision, goals, and polices of the General Plan?

b. Does the project comply with the policies set forth under the Central Mountain Subregional Plan?

c. Is the project consistent with the County's Zoning Ordinance?

d. Is the project consistent with the County's Subdivision Ordinance?

e. Is the project consistent with other applicable County regulations?

B. REPORT SUMMARY

The purpose of this staff report is to provide the Planning Commission with the information necessary to consider an appeal of a Director's Decision pursuant to Section 81.615 [Appeal to the Planning Commission] of the County of San Diego Subdivision Ordinance.

On October 14, 2015, an appeal was filed by the Pine Valley Community Planning Group seeking to overturn the Director's Decision to approve the Top of the Pines Tentative Parcel Map (TPM) No. 3200-20951 – four residential lots.

The Pine Valley Community Planning Group contends that the Top of the Pines TPM should not be permitted and to support their position they make the following claims:

The TPM does not comply with the General Plan and Central Mountain Subregional Plan.

The TPM negatively impacts the community character of Pine Valley.

Each of the points made have been thoroughly analyzed and discussed in the Analysis and Discussion section of this report. It is the Director's determination that the TPM is consistent with the General Plan, the Central Mountain Subregional Plan and the existing community character of Pine Valley. The TPM was also determined to have a less than significant impact on visual resources. The Director recommends the denial of the appeal.

C. DEVELOPMENT PROPOSAL

1. Project Description

The Top of the Pines TPM consists of the subdivision of a 17.4-acre parcel into four residential lots, as shown in Figure 1. The proposed residential lots range from 4.1 acres and 4.9 acres in size. The site would be served by individual septic systems and water would be provided by individual groundwater wells.

Earthwork is expected to consist of a balanced cut and fill of 10,220 cubic yards of material. Access to the project would be provided by Top of the Pines Lane connecting to Pine Valley Road. The General Plan Land Use Designation is Village Residential (VR-2), which authorizes two dwelling units per acre. Zoning for the site is Rural Residential (RR) which permits a minimum lot size of 0.5 acres.

Please refer to Attachment A – Planning Documentation, to view the TPM and Preliminary Grading Plan.

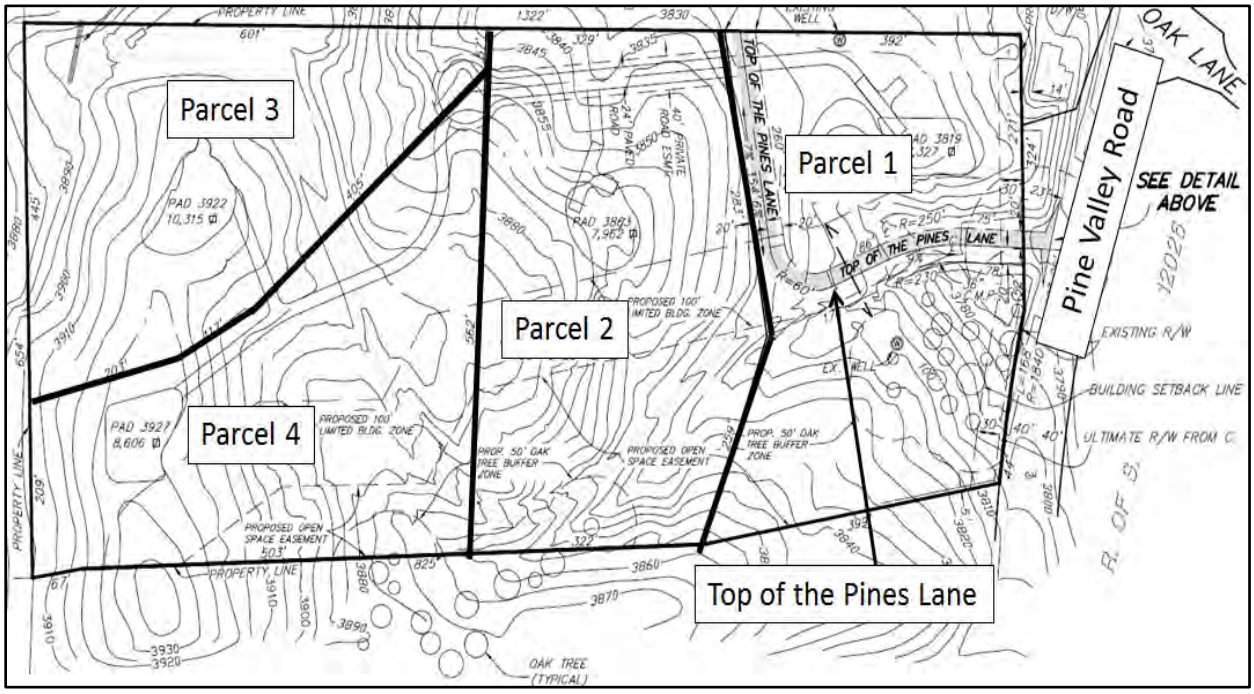


Figure 1 – Tentative Parcel Map

2. Subject Property and Surrounding Land Uses

The site is located north of Interstate 8 (I-8) and directly west of Pine Valley Road in the Central Mountain Subregional Plan Area. The site is comprised of vacant land. An existing dirt road bisects the property (see Figures 2 and 3).

Surrounding land uses consist primarily of single-family homes and agriculture (Figure 4). See Table C-1 for a summary of the surrounding designations and land uses. The surrounding residential development consists of predominantly smaller lot sizes compared to the proposed development. A majority of the lots in the surrounding area range from 0.5 acre to 2 acres.

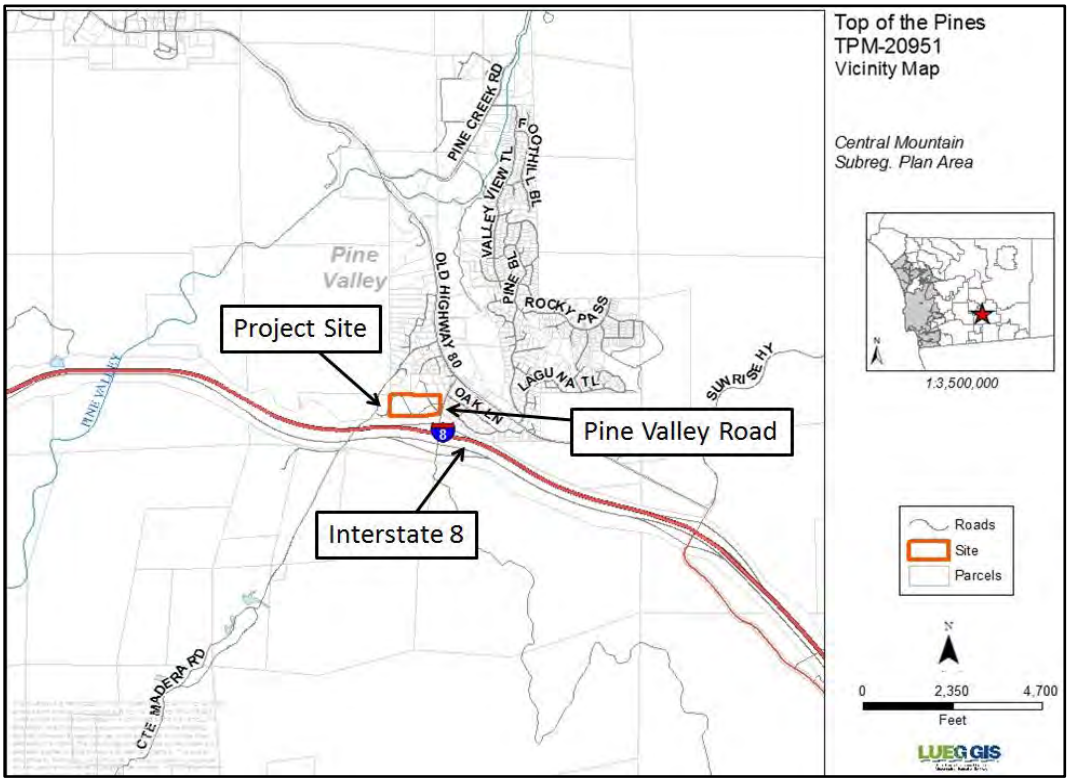


Figure 2 – Vicinity Map

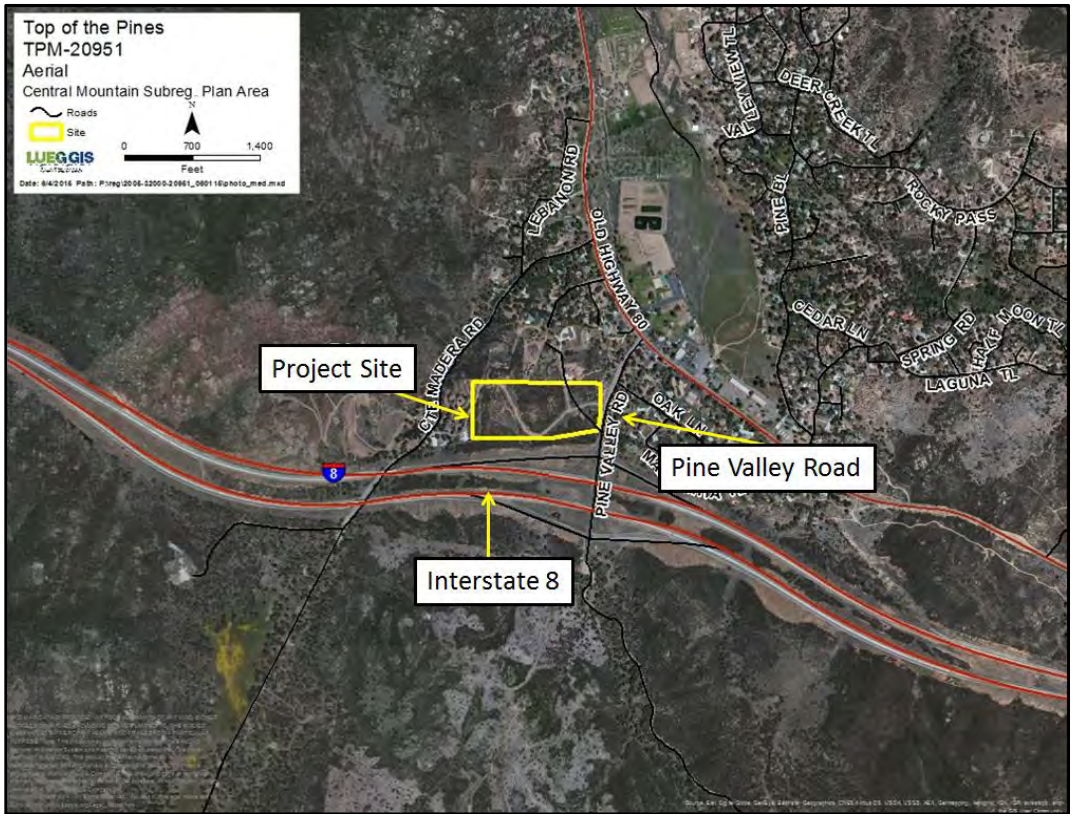


Figure 3 – Aerial Photo

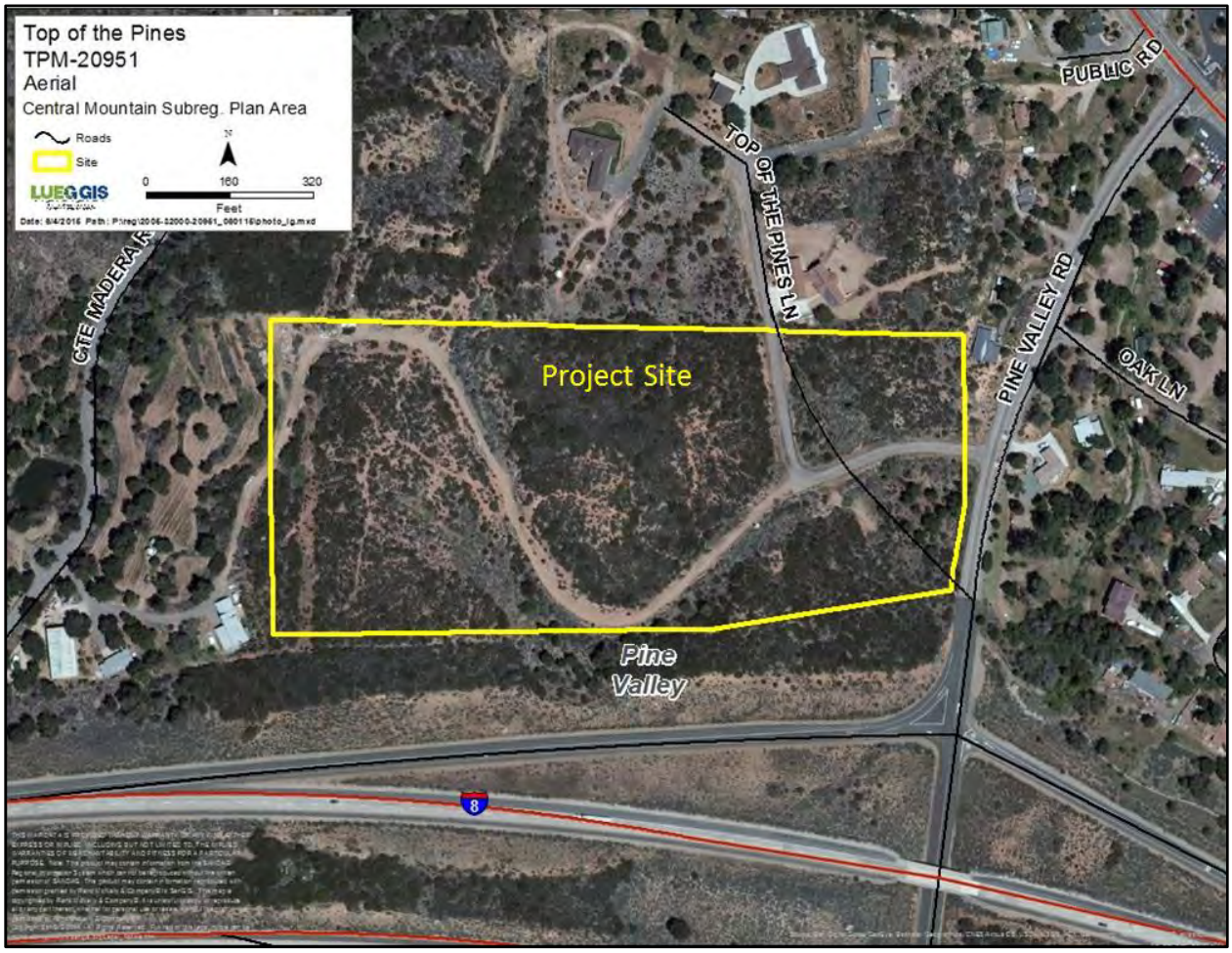


Figure 4 – Project Site

Table C-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
North	Village Residential (VR-2)	RS	Top of the Pines Lane	Residential
East	Village Residential (VR-2)/ Rural Commercial	RS, C31, C34, C36, RC	Pine Valley Road	Residential, Commercial
South	Public/Semi-Public Facilities	S94	Interstate 8	Public Facilities
West	Public Agency Lands/ Rural Lands (RL-80)	A70, S80	--	Open Space, Agriculture

D. ANALYSIS AND DISCUSSION

1. Analysis of the Appeal

Planning & Development Services (PDS) staff reviewed and analyzed the concerns provided in a letter from the Pine Valley Community Planning Group dated October 17, 2011. The concerns raised in the letter provide the reasons for the Appeal Application dated October 14, 2015 (Attachment E). The Appeal Application does not elaborate or provide additional concerns from the Pine Valley Planning Group. Therefore, the analysis of the appeal utilizes the information provided from the letter dated October 17, 2011. Concerns were grouped into the following main points:

a. General Plan and Central Mountain Subregional Plan Conformity

   i) Density Requirements

   ii) Scenic Highways

b. Community Character Impacts

   i) Ridgeline Development

   ii) Excessive Grading

Each of these points are analyzed thoroughly and discussed in this section of the Hearing Report.

General Plan Density

The Pine Valley Planning Group expressed concerns that the density proposed by this project is not consistent with the General Plan Density Requirements.

The General Plan Land Use designation for the subject parcel is Village Residential (VR-2) which authorizes a maximum of two dwelling units per acre, or in this case, 34 residences. Zoning for the subject site is Rural Residential (RR) with a minimum parcel size of 0.5 acres, or in this case, 34 lots. The proposed project consists of a subdivision of approximately 17 acres into four lots, averaging approximately four acres. Each four-acre lot would exceed the minimum parcel size required by the Zoning Ordinance. Additionally, each lot would support one single-family dwelling unit which is below the maximum density allowed in the General Plan Land Use Designation of two dwelling units per acre. Therefore the project, as proposed, is below the maximum density permitted under the General Plan.

Visual Impacts to a Scenic Highway

The letter from the Pine Valley Planning Group references goals from the Central Mountain Subregional Plan relating to the preservation of Scenic Highway Corridors. The letter indicates that the proposed development would significantly impact views from Old Highway 80 and I-8 both of which are designated as part of the County Scenic Highway System in the General Plan.

The project is located south of Old Highway 80 and north of I-8 (Figure 5). Due to the topography and vegetation of the subject site and surrounding area, the site is not visible from Old Highway 80 (Figure 6).

Figure 5 – Scenic Highways

Figure 6 – View from Old Highway 80

As depicted in Figure 7, the pad locations of Parcels 1 and 2 will not be visible from I-8 due to the surrounding topography. Dwelling units located Parcels 3 and 4 may be partially visible from I-8 but would be buffered by the natural topography of the surrounding area. The pads for the proposed parcels would conform to the natural topography to the maximum extent possible.

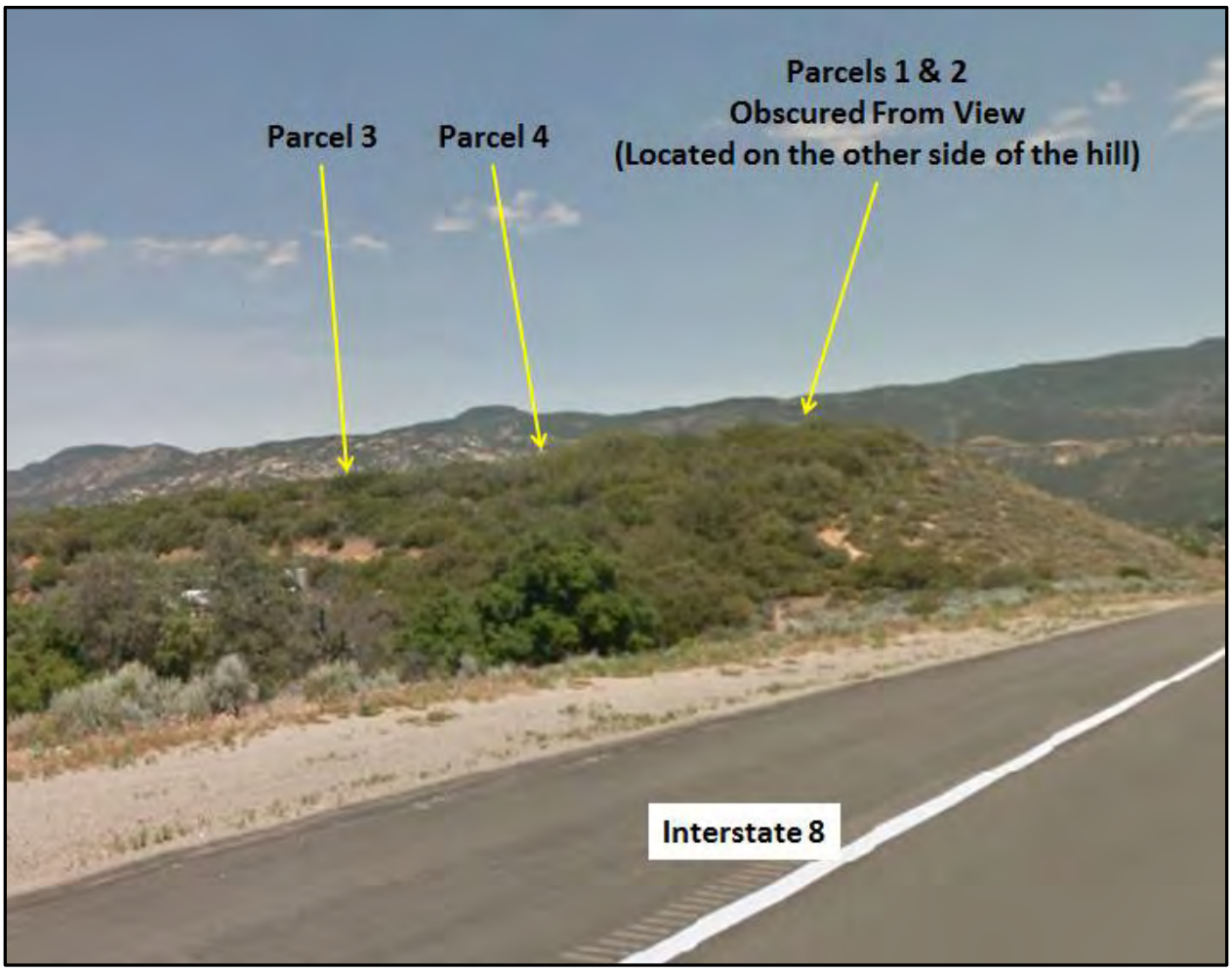


Figure 7 – View from Interstate 8

In addition the southern portion of the site will be dedicated as open space. The open space is accompanied with a 100-foot wide Limited Building Zone (LBZ). The open space and LBZ provide buffers that will be retained in natural vegetation (Figure 8). The proposed project would be compatible with the existing community character because the surrounding area consists of residential structures, many of which are visible from I-8. Due to the undulating topography of the project site and surrounding area; the buffers that will be retained between the residences and I-8; and the distance from the project site to I-8, the project would not have a significant visual impact to Scenic Highways.

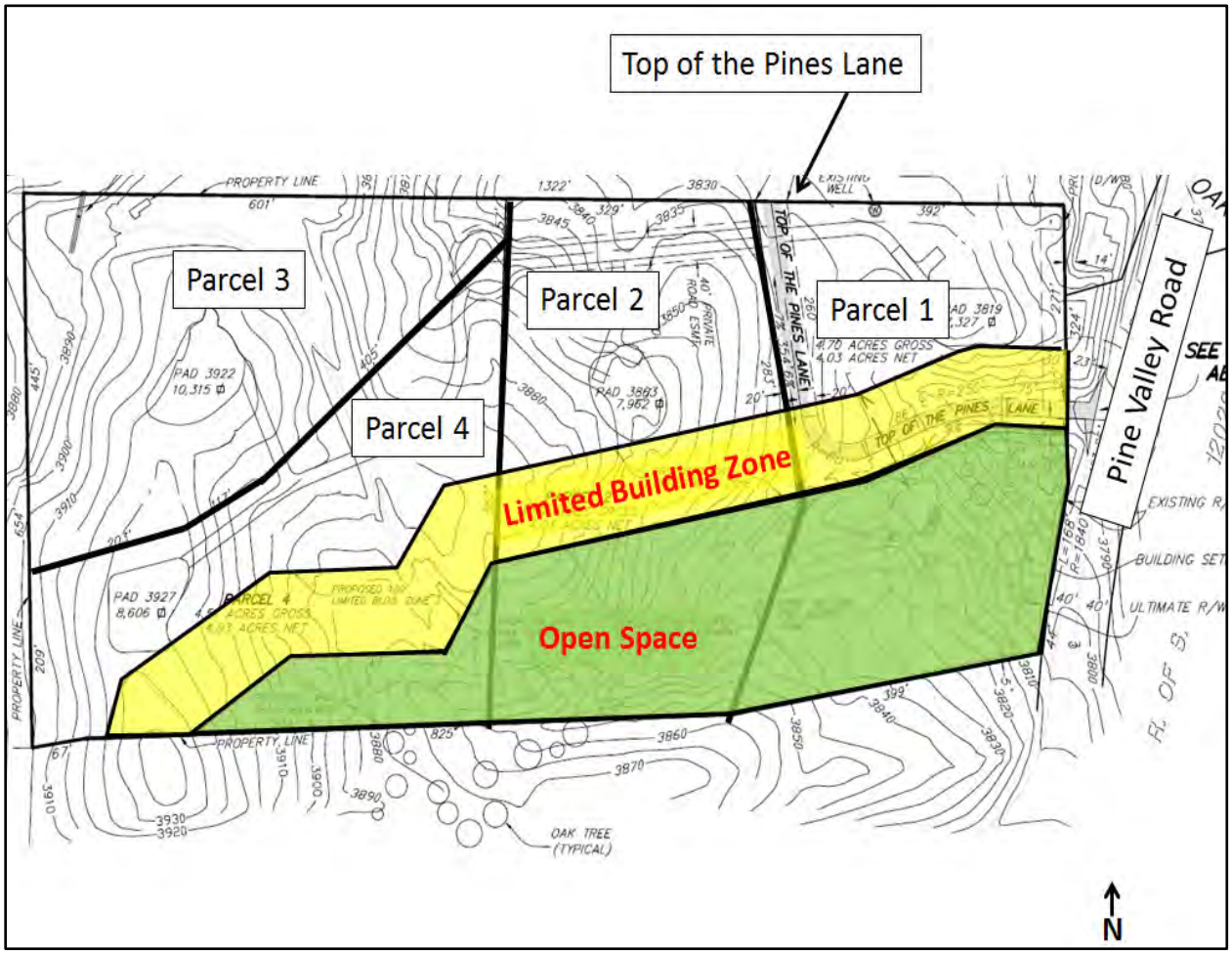


Figure 8 – Open Space and LBZ

Ridgeline Development

The letter from the Pine Valley Planning Group indicates that the proposed project is located on a ridgeline. The letter references goals and policies from the Central Mountain Subregional Plan that prohibit development upon ridgelines.

The Zoning Ordinance defines a ridgeline as "the plateau or maximum elevation which extends along the top of Steep Slope Lands. A Ridgeline may increase or decrease in elevation as it extends along the top of Steep Slope Lands." The subject parcel is not considered a ridgeline.

Pursuant to Section 86.602(p) the Resource Protection Ordinance defines Steep Slope Lands as "all lands having a slope with natural gradient of 25% or greater and a minimum rise of 50 feet, unless said land has been substantially disturbed by previous legal grading. The minimum rise shall be measured vertically from the toe of slope to the top of slope within the project boundary."

The Steep Slope Analysis, included in Attachment A, demonstrates that the project does not contain Steep Slope Lands, as defined by the Resource Protection Ordinance. The locations of the proposed pads are not on the plateau of Steep Slope Lands. Even though the site is located on a maximum elevation of the hilltop, it is not located along the top of Steep Slope Lands.

Figure 9 –Site Location

As portrayed in Figure 9, the project site is located on a hilltop. The mountain ranges located in the background are indicative of ridgelines. Therefore, as depicted in Figure 9 and by definition, this site does not constitute Ridgeline Development.

Excessive Grading

The letter from the Pine Valley Planning Group states that the proposed project would require excessive grading. The letter references goals and policies from the Central Mountain Subregional Plan that limit grading by requiring development conform to the natural terrain as much as possible and prohibit severe grading.

Due to the existing topography on-site, grading is required for the proposed pads and road. Eliminating grading for Parcels 1 and 2 would result in the need for significant retaining walls which would not be compatible with community character and would be more visible from I-8. In addition,

pads located on Parcels 3 and 4 will follow the natural contour of the topography to the greatest extent possible and would require minimal grading. 10,000 cubic yards of grading on a 17-acre site equals roughly 2,500 cubic yards of material per proposed lot. The grading of 2,500 cubic yards of material on 4-acre lots is not considered excessive. In addition, grading has been limited to the proposed building pads and the roadway. The Preliminary Grading Plan, located in Attachment A, is consistent with the Grading Ordinance and the Central Mountain Subregional Plan.

2. 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
LU-1.9 Achievement of Planned Densities Recognizing that the General Plan was created with the concept that subdivisions will be able to achieve densities shown on the Land Use Map, planned densities are intended to be achieved through the subdivision process except in cases where regulations or site specific characteristics render such densities infeasible.	The site is subject to General Plan Land Use Designation VR-2, which allows a maximum density of two dwelling units per acre. The site specific slope characteristics render the maximum density infeasible. In addition, the Groundwater Ordinance requires groundwater dependent parcels be a minimum of four acres in size. Therefore, the proposed four lots conform to the allowed General Plan density for the site.
LU-2.8 Mitigation of Development Impacts Require measures that minimize significant impacts to surrounding areas from uses or operations that cause excessive noise, vibrations, dust, odor, aesthetic impairment and/or are detrimental to human health and safety.	The project is designed to minimize significant impacts to surrounding areas. The project proposes a residential subdivision and would not introduce a new use that would create or cause excessive noise or vibrations. The project's grading will be required to comply with the County's Grading Ordinance which requires that appropriate measures are taken during site grading to minimize dust impacts. The project is a residential project and therefore would not result in odors or ongoing dust impacts. The grading proposed for the site has been minimized to the extent feasible to avoid any aesthetic impairment and to be consistent with the surrounding development.

General Plan Policy	Explanation of Project Conformance
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.	The project incorporates LID techniques, as detailed in the Stormwater Management Plan (SWMP) prepared for this project, including the installation of a bio-retention area, which is consistent with the County's LID Handbook.
LU-6.9 Development Conformance with Topography Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominate physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent practicable.	The project site does not contain any steep slopes per the Resource Protection Ordinance. The applicant has designed the pads to utilize the flattest areas of each proposed parcel, thereby reducing the amount of grading while preserving the natural topography to the maximum extent practicable.
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.	The project site was analyzed for hazardous materials and airport hazards. Neither potential hazard was found to be CEQA significant. The property does not possess evidence of recognized toxins associated with past agricultural uses. Additionally, building construction features will reflect the requirements of the County Building Code.
LU-13.2 Commitment of Water Supply Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.	The project will be served by groundwater wells. A site specific well analysis and a cumulative groundwater study were prepared indicating that there are adequate groundwater resources.
LU-14.2 Wastewater Disposal Require that development provide for the adequate disposal of wastewater concurrent with the development and that the infrastructure is designed and sized appropriately to meet reasonably expected demands.	The project wastewater disposal will be handled via individual septic systems. The project has been conditioned to obtain approval of the design and installation of those systems by the County Department of Environmental Health (DEH).

General Plan Policy	Explanation of Project Conformance
COS-4.1 Water Conservation Require development to reduce the waste of potable water through use of efficient technologies and conservation efforts that minimize the County's dependence on imported water and conserve groundwater resources.	The project would be required to comply with San Diego County's *Water Conservation in Landscaping Ordinance* and the County of San Diego *Water Efficient Landscape Design Manual,* which includes water conservation requirements and water efficient landscaping. These policies are enforced at the building permit phase.
COS-14.3 Sustainable Development Require design of residential subdivisions and nonresidential development through "green" and sustainable land development practices to conserve energy, water, open space, and natural resources.	The project has been designed using sustainable land development practices, including the installation of bio-retention basins to treat stormwater runoff.
S-3.6 Fire Protection Measures Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire.	The project has been reviewed and approved by the County Fire Authority and Pine Valley Fire Protection District. The project meets County of San Diego and Pine Valley Fire Protection District requirements.
S-6.4 Fire Protection Services for Development Require that new development demonstrate that fire services can be provided that meets the minimum travel times identified in Table S-1 (Travel Time Standards from Closest Fire Station).	The maximum travel time based on the Regional Category VR-2 is five minutes. The project demonstrates a response time of 1.5 minutes based on Form 399F. The form and the preliminary grading plan were reviewed and approved by the County Fire Authority and Pine Valley Fire Protection District.

3. Central Mountain Subregional Plan Consistency

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

Table D-2: Central Mountain Subregional Plan Conformance

Central Mountain Subregional Plan Policy	Explanation of Project Conformance
Community Character 4. Open space easements should be placed over all significant stands of native vegetation, as identified in the environmental analysis.	Biological resources were evaluated in a Biological Resources Report prepared by TEC, Inc. on August 2011. The project will preserve 4.6 acres of on-site habitat, including native vegetation, through a dedicated open space easement.
Community Character 8. Grading shall be strictly limited so that structures conform to the natural terrain.	The project will minimize grading by locating the building pads on the flattest areas of the property. In addition, grading is limited to the private drive and building pads. Grading will consist of approximately 10,200 cubic yards of material, or approximately 2,550 cubic yards per building pad.
Community Character 12. Preserve the rural character by not requiring urban-scale improvements, such as sidewalks, curbs, gutters, and street lighting, where the public health, safety, and welfare is not endangered.	The private drive will not require street lighting, sidewalks, curbs or gutters in order to preserve the rural character of Pine Valley.
Land Use 3. Require development to identify adequate groundwater resources in compliance with Land Use Element Policy LU-8.2 and require all projects proposing a significant increase in water consumption to submit a water study before such a project is approved. A water study must show, without doubt, that sufficient water will be available for the expected life of the proposed project and that water quality and neighboring properties will not be negatively affected.	A site-specific Residential Well Test Report prepared by Peterson Environmental Services, Inc. and a cumulative groundwater analysis prepared by the County of San Diego indicate that adequate groundwater resources are available to serve the project.
Land Use 9. No development shall be permitted on significant or prominent mountain tops, ridgelines, or summits.	The project is not located on a significant/prominent mountain top, ridgeline or summit as defined by the County of San Diego Resource Protection Ordinance and Zoning Ordinance.

Central Mountain Subregional Plan Policy	Explanation of Project Conformance
Land Use 10. In order to preserve the natural terrain, extensive, unsightly, or severe grading for development, both private and public, shall be prohibited.	The project will minimize grading by locating the building pads on the flattest areas of the property. In addition, grading is limited to the private drive and building pads. Grading will consist of approximately 10,200 cubic yards of material, or approximately 2,550 cubic yards per lot. Lastly, all slopes with be revegetated to adequately blend into the surrounding area.
Residential 9. Grading and brushing shall be strictly limited to building pads, access roads, and fuel breaks as required by the responsible fire protection district or as recommended by a professional forester to promote the health of the forest.	Grading is limited to building pads and access roads. Brushing is limited to fuel breaks as recommended by the County Fire Authority and the Pine Valley Fire Protection District.
Residential 10. Residential development should not be allowed unless adequate facilities can serve and protect the proposed number of structures.	Adequate services can serve the project as indicated by the will serve letters submitted by the applicant. Fire services will be provided by the Pine Valley Fire Protection District, sewer will be provided by on-site septic and water will be provided by on-site groundwater wells.
Scenic Highways 2.c. Require development along Interstate 8 to site and design structures and parking areas in a way that does not detract from the scenic vistas viewed by the highway traveler. Wherever possible, structures and parking areas should be integrated into the natural setting to minimize visual impacts.	The project would not significantly impact the scenic setting of the area. The proposed access road is located to the north of the site to minimize views from the I-8. Parcels 1 and 2 are not visible from the I-8. Parcels 3 and 4 are set back from viewsheds visible from I-8. A dedicated open space located in the southern portion of the lot would provide natural buffering that would match the surrounding character.
Scenic Highways 2.f. Water tanks in Scenic Corridors shall not be obtrusive; they should be painted National Forest colors, and/or landscaped with drought tolerant plants native to the Central Mountain area.	Water tanks will not be required until the time that homes are constructed and are not required as part of the current action. At the time water tanks are required they would comply with the height requirements of the Zoning Ordinance.

4. Zoning Ordinance Consistency

The proposed project complies with all applicable zoning requirements of the Rural Residential (RR) 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:	RR	Yes
Animal Regulation:	J	Yes
Density:	-	N/A
Lot Size:	0.5 Acre	Yes
Building Type:	C	Yes
Height:	G	Yes
Lot Coverage:	-	N/A
Setback:	C	Yes
Open Space:	-	N/A
Special Area Regulations:	-	N/A

Development Standard	Proposed/Provided	Complies?
Section 2180 of the Zoning Ordinance describes the permitted uses in the Rural Residential (RR) Use Regulations.	The proposed project complies with the RR Use Regulations.	Yes ☒ No ☐
Section 4200 of the Zoning Ordinance describes the required minimum lot size.	The proposed project would comply with the minimum lot size.	Yes ☒ No ☐
Section 4800 of the Zoning Ordinance requires a setback of 60 feet in the front yard, 15 feet in the interior side yard, 35 feet in the exterior side yard and 25 feet for rear yard setback.	The proposed lots have been designed to contain building pads that are large enough for a single-family dwelling to be constructed without encroaching into the required setbacks.	Yes ☒ No ☐

5. Subdivision Ordinance Consistency

The project has been reviewed for compliance with the Subdivision Ordinance. The project is consistent with the requirements for subdivisions in terms of design (Section 81.401 and 81.701), dedication and access (Section 81.702) 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.

6. Applicable County Regulations

Table D-4: Applicable Regulations

County Regulation Policy	Explanation of Project Conformance
1 Resource Protection Ordinance (RPO)	The project complies with the RPO. There are no RPO Wetlands, RPO Sensitive Habitat Lands, or RPO steep slope lands. The property was surveyed and no historical or cultural sites were found; however, grading monitoring will be required to protect potential on-site cultural resources.
2 Noise Ordinance	The project would not generate potentially significant noise levels which exceed the allowable limits of the County Noise Element or Noise Ordinance. In addition, the project is conditioned to dedicate a noise restriction easement on Parcel 4 in order to ensure that the project will comply with the County Noise Element and Noise Ordinance.
3 County Consolidated Fire Code	The project has been reviewed by the County Fire Authority and the Pine Valley Fire Protection District. It has been found that the project, as conditioned, complies with the County Consolidated Fire Code.

7. California Environmental Quality Act (CEQA) Compliance

The project has been reviewed for compliance with CEQA and the project qualified for an Exemption from additional environmental review pursuant to CEQA Guidelines §15183. CEQA §15183 provides an exemption from additional environmental review for projects that are consistent with the development density established by the General Plan for which an EIR was certified. For the proposed project, the planning level document is the General Plan Updated EIR, certified by the Board of Supervisors August 2011. Additional environmental review is only for project-specific significant effects which are peculiar to the project or its site. A public hearing was held on June 25, 2015. The Zoning Administrator made a finding that the mitigation measures identified in the General Plan Update Environmental Impact Report (EIR) will be undertaken for the proposed minor subdivision. Attachment C includes the Zoning Administrator Hearing Report, which includes a "Statement of Reasons for Exemption" and details the analysis of environmental effects staff determined were not discussed in the prior EIR. Details of these mitigation measures can be found in the Form of Decision (Attachment B).

E. COMMUNITY PLANNING GROUP

A letter was received on October 17, 2011 from the Pine Valley Community Planning Group (Attachment E) which describes the main concerns from the group. The concerns described in the letter were considered and accommodated by relocating the proposed roadway to the northern portion of the site and by repositioning the location of the pads. This accommodation reduced the amount of grading necessary by approximately 1,250 cubic yards of material and minimized views of the proposed pads and roadway from I-8.

On August 11, 2015, the Pine Valley Community Planning Group voted 8-0-0-5 (Ayes: 8, Noes: 0, Abstain: 0, Absent: 5) to recommend denial of this TPM. The Pine Valley Community Planning Group submitted the Appeal to the Preliminary Notice of Approval on October 14, 2015 (Attachment E). This staff report analyzes and addresses the concerns associated with the letter and subsequent appeal.

F. PUBLIC INPUT

Comment letters were received during the CEQA Public Disclosure period. Changes were made to the CEQA §15183 Exemptions Checklist (Attachment D) to address the concerns and requests from the comment letters received. For more information regarding the issues that were raised and resolved during the CEQA Public Disclosure period please refer to the Zoning Administrator Hearing Report in Attachment C.

G. RECOMMENDATIONS

Staff recommends that the Planning Commission:

a. Deny the Appeal by the Pine Valley Community Planning Group.

b. Adopt the Final Notice of Action approving the Tentative Parcel Map No. 3200-20951 (Attachment B).

Report Prepared By:	***Report Approved By:***
Benjamin Mills, Project Manager	Mark Wardlaw, Director
858-495-5234	858-694-2962
Benjamin.Mills@sdcounty.ca.gov	Mark.Wardlaw@sdcounty.ca.gov

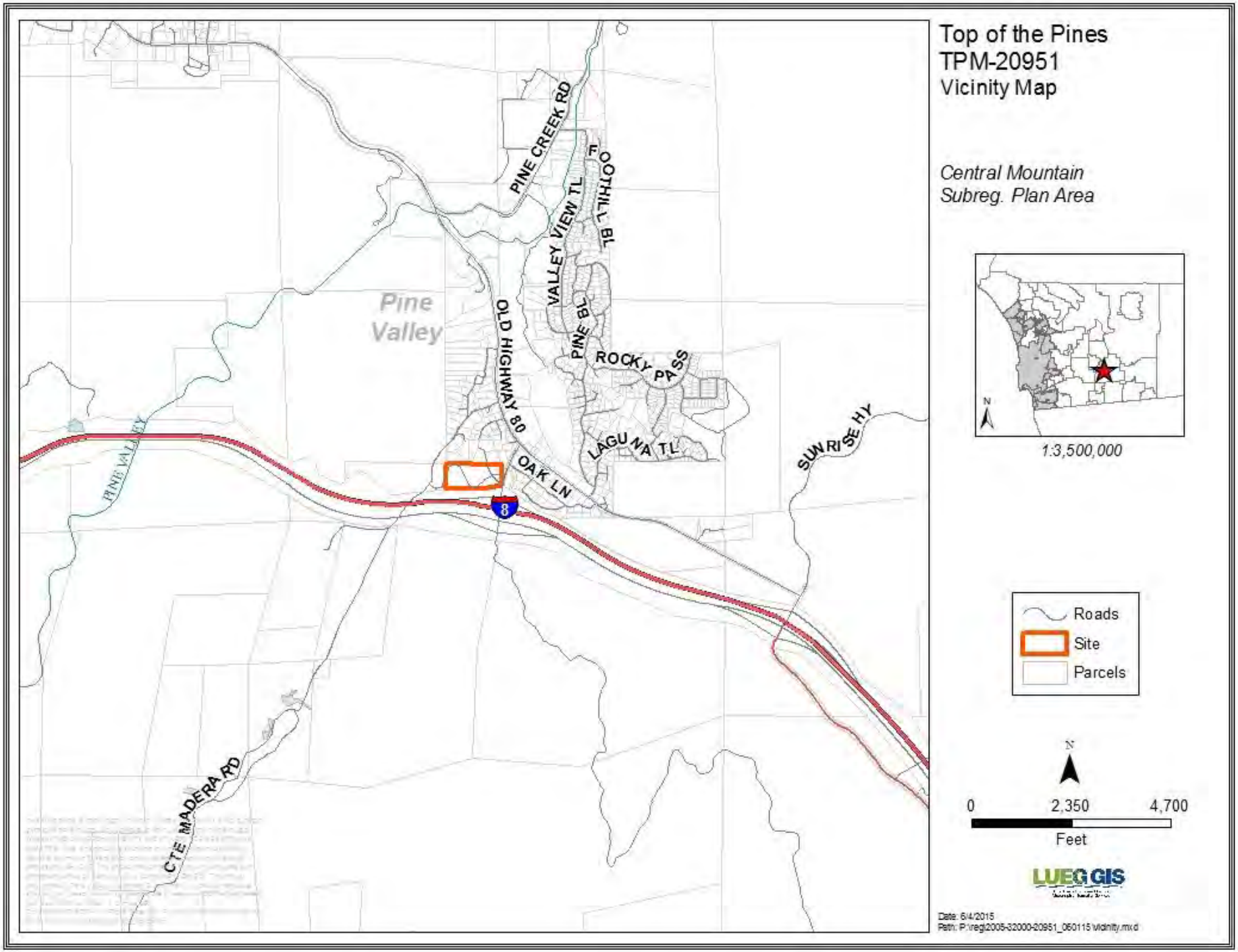
AUTHORIZED REPRESENTATIVE: _____

MARK WARDLAW, DIRECTOR

ATTACHMENTS:

Attachment A – Planning Documentation
Attachment B – Final Notice of Action approving the Tentative Parcel Map No. 3200-20951
Attachment C – Zoning Administrator Hearing Report
Attachment D – Environmental Documentation
Attachment E – Public Documentation
Attachment F – Ownership Disclosure

Attachment A – Planning Documentation


Top of the Pines
TPM-20951
Vicinity Map
Central Mountain
Subreg. Plan Area
1:3,500,000
N
Pine Valley
PINE CREEK RD
FOOTHILL BL
VALLEY VIEW TL
PINE BL
ROCKY PASS
OLD HIGHWAY 80
LAGUNA TL
OAK LN
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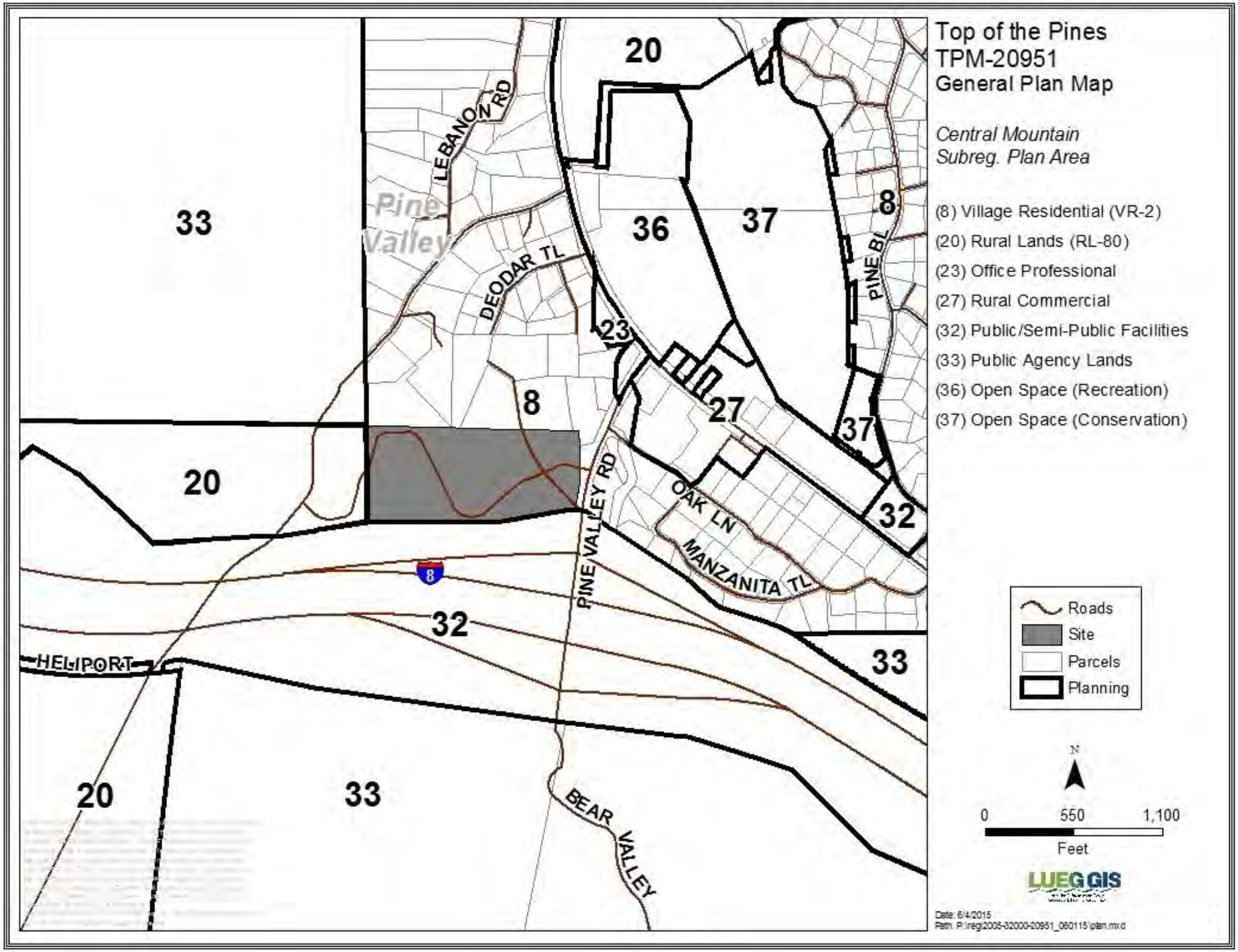
Top of the Pines
TPM-20951
General Plan Map
Central Mountain
Subreg. Plan Area
(8) Village Residential (VR-2)
(20) Rural Lands (RL-80)
(23) Office Professional
(27) Rural Commercial
(32) Public/Semi-Public Facilities
(33) Public Agency Lands
(36) Open Space (Recreation)
(37) Open Space (Conservation)
Roads
Site
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Planning
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LEBANON RD
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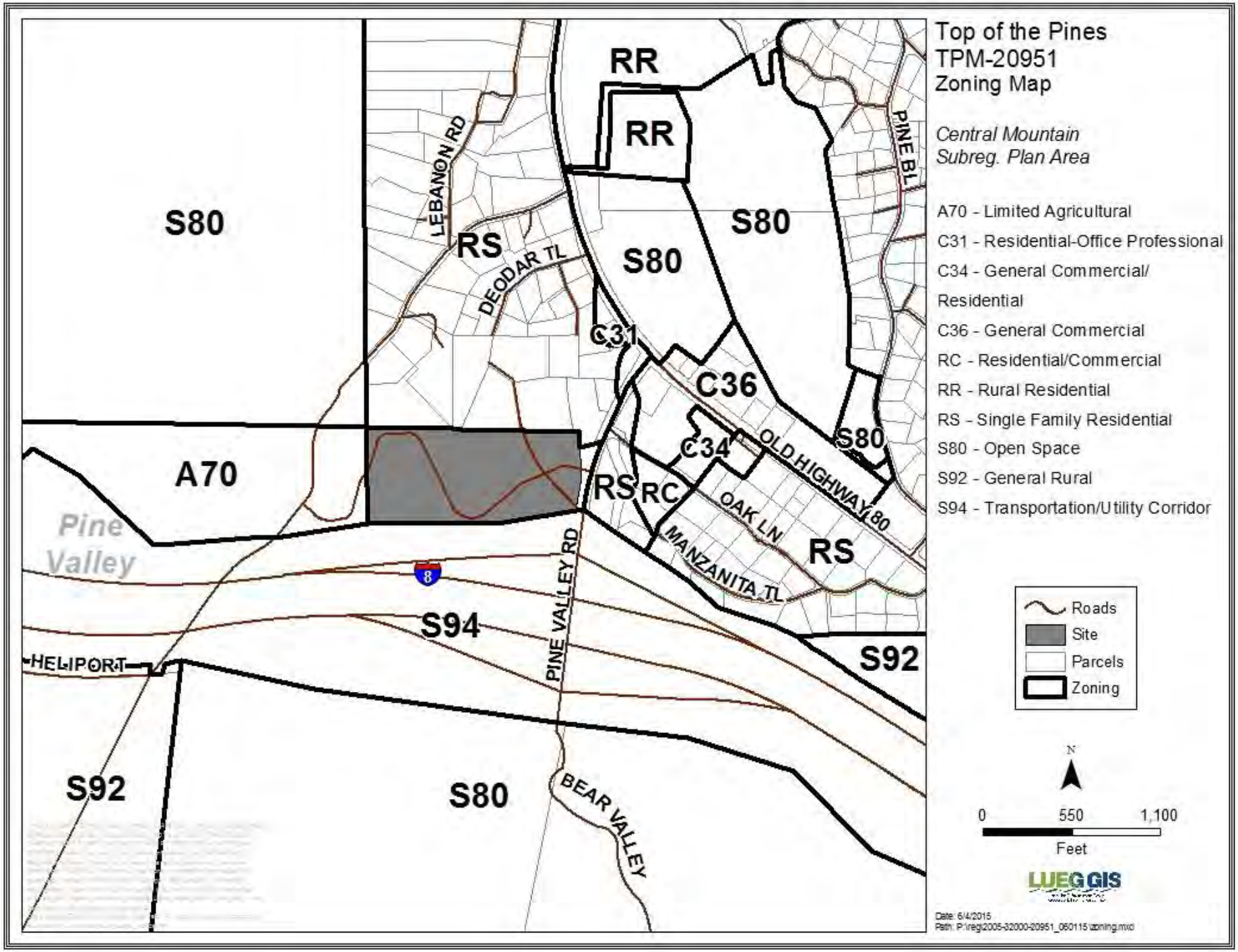
Top of the Pines
TPM-20951
Zoning Map
Central Mountain
Subreg. Plan Area
A70 - Limited Agricultural
C31 - Residential-Office Professional
C34 - General Commercial/
Residential
C36 - General Commercial
RC - Residential/Commercial
RR - Rural Residential
RS - Single Family Residential
S80 - Open Space
S92 - General Rural
S94 - Transportation/Utility Corridor
Roads
Site
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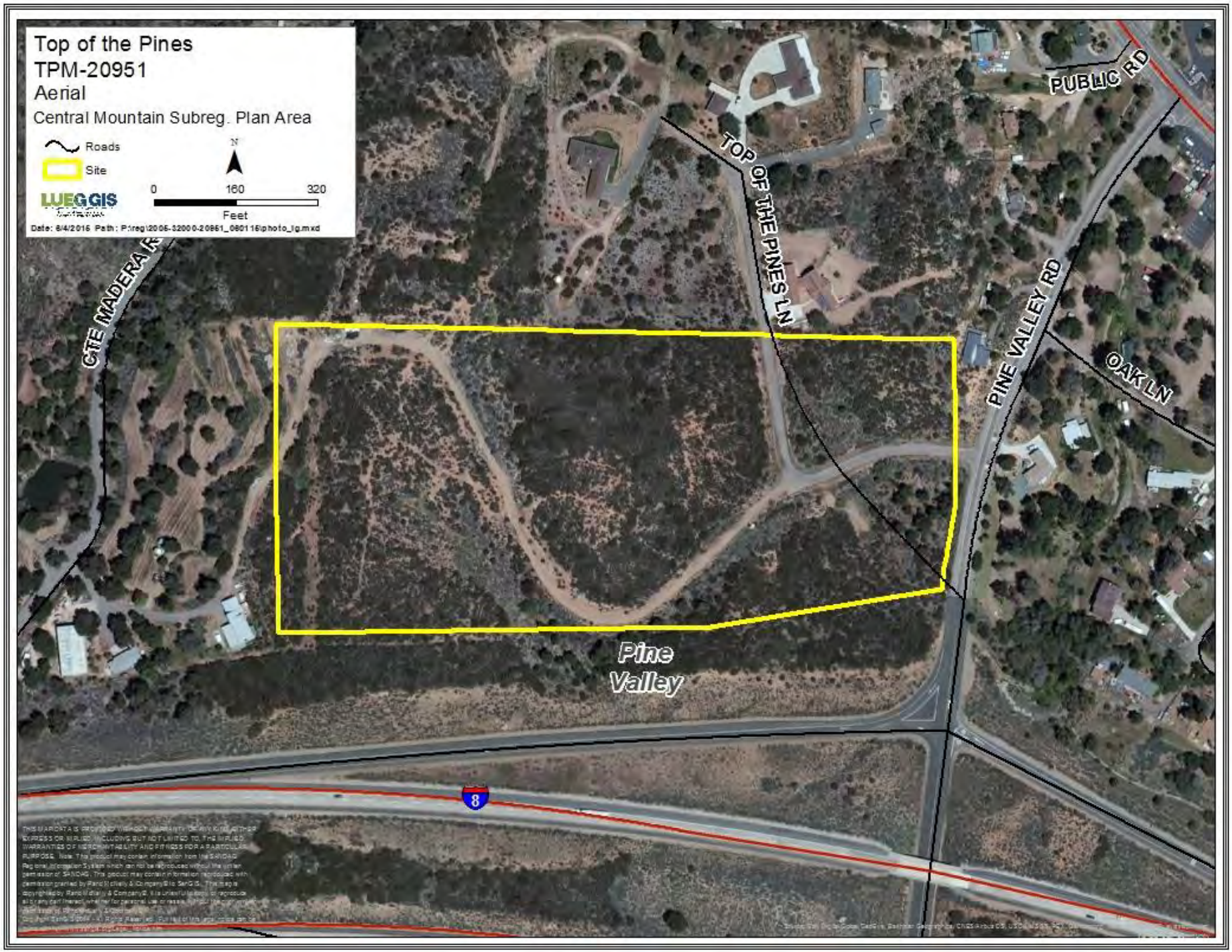
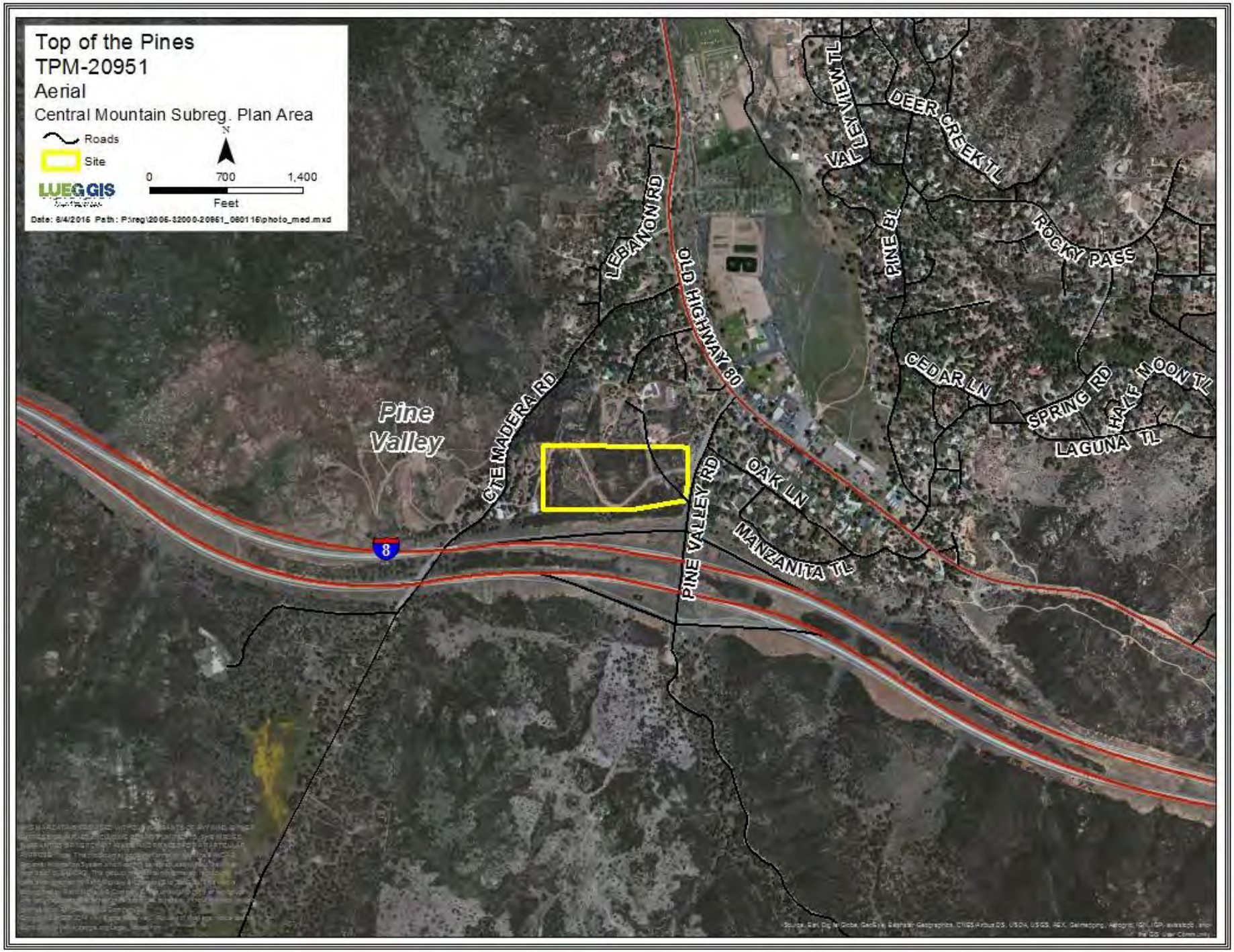
DEODAR TL
PINE BL
OLD HIGHWAY 80
OAK LN
MANZANITA TL
PINE VALLEY RD
BEAR VALLEY
HELIPORT
Pine
Valley
8


Top of the Pines
TPM-20951
Aerial
Central Mountain Subreg. Plan Area
Roads
Site
N
0
160
320
Feet
LUEGGIS
Date: 8/4/2016 Path: P:\reg\2005-32000-20951_080116\photo_lg.mxd
CTE MADERA R
TOP OF THE PINES LN
PUBLIC RD
PINE VALLEY RD
OAK LN
Pine Valley
8


Top of the Pines
TPM-20951
Aerial
Central Mountain Subreg. Plan Area
Roads
Site
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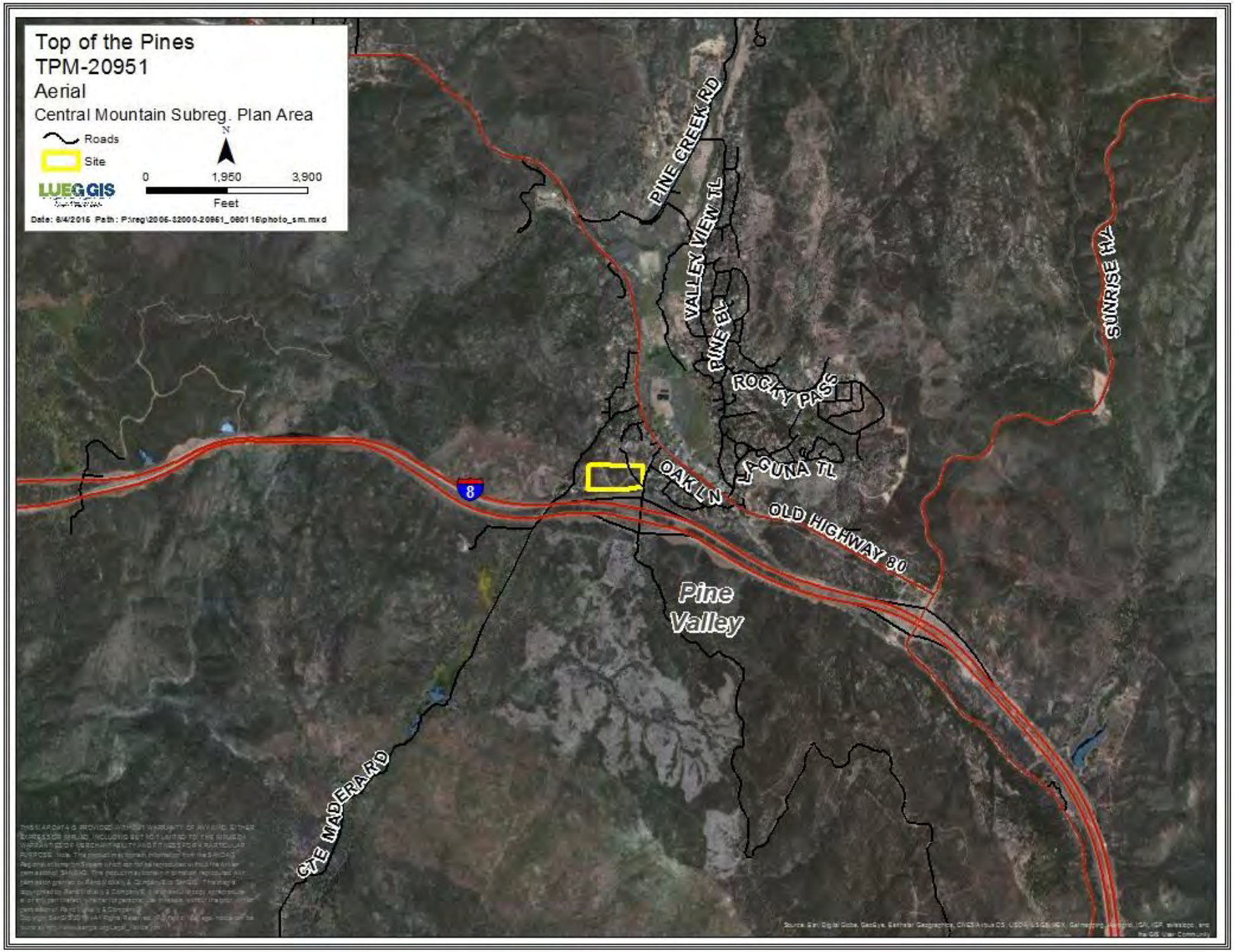
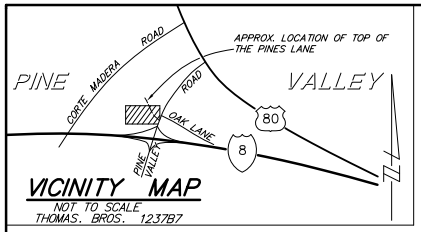
0
700
1,400
Feet
LUEG GIS
Date: 8/4/2016 Path: P:\reg\2005-32000-20951_080116\photo_med.mxd
Pine Valley
CTE MADERA RD
LEBANON RD
OLD HIGHWAY 80
PINE VALLEY RD
OAK LN
MANZANITA TL
VALLEY VIEW TL
DEER CREEK TL
PINE BL
ROCKY PASS
CEDAR LN
SPRING RD
HALF MOON TL
LAGUNA TL
8


Top of the Pines
TPM-20951
Aerial
Central Mountain Subreg. Plan Area
Roads
Site
N
0
1,950
3,900
Feet
LUEG GIS
Date: 8/4/2016 Path: P:\reg\2005-32000-20951_080116\photo_sm.mxd
PINE CREEK RD
VALLEY VIEW TL
PINE BL
ROCKY PASS
LAGUNA TL
OAK LN
OLD HIGHWAY 80
SUNRISE HY
8
Pine Valley
CYE MADERA RD

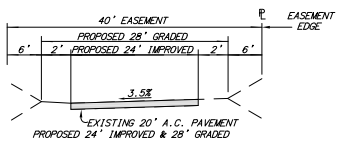
H.D.P.M. NO. VPM – 211

TENTATIVE PARCEL MAP



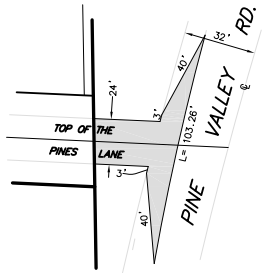
VICINITY MAP

NOT TO SCALE
THOMAS. BROS. 1237B7



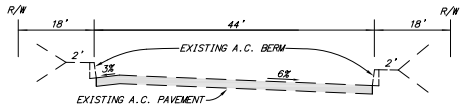
TOP OF THE PINES LANE

NOT TO SCALE



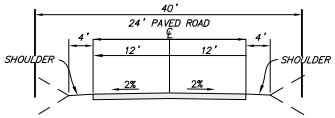
DETAIL

NTS



PINE VALLEY ROAD

NOT TO SCALE



PROPOSED EASEMENT ROAD PRIVATE DRIVE

NOT TO SCALE

LAND DIVISION STATEMENT

I HEREBY CERTIFY THAT I AM THE RECORD OWNER, AS SHOWN ON THE LATEST EQUALIZED COUNTY ASSESSMENT, OF THE PROPERTY SHOWN ON THE TENTATIVE PARCEL MAP. ALL OF MY CONTIGUOUS OWNERSHIP WITHIN AND BEYOND THE BOUNDARIES OF THE TENTATIVE PARCEL MAP IS SHOWN. THE BASIS OF CREATION OF THE LOTS IN MY OWNERSHIP (E.G. PARCEL MAP, FINAL MAP, CERTIFICATE OF COMPLIANCE, RECORDED DEED BEFORE 2/01/72) IS INDICATED ON THE TENTATIVE PARCEL MAP . I UNDERSTAND THAT PROPERTY IS CONSIDERED AS CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS OR RAILROADS RIGHTS-OF-WAY. "FREEWAY" AS DEFINED IN SECTION 23.5 OF THE STREETS AND HIGHWAYS CODE, SHALL NOT BE CONSIDERED

I FURTHER CERTIFY THAT I WILL NOT, BY THIS APPLICATION, CREATE OR CAUSE TO BE CREATED, OR WILL NOT HAVE PARTICIPATED IN THE CREATION OF MORE THAN FOUR PARCELS ON CONTINGUOUS PROPERTY UNLESS SUCH CONTINGUOUS PARCELS WERE CREATED BY MAJOR SUBDIVISION. FOR PURPOSES OF THIS CERTIFICATION, THE TERM "PARTICIPATED" MEANS HAVING COOPERATED WITH OR ACTED IN A PLANNING, COORDINATING OR DECISION-MAKING CAPACITY IN ANY FORMAL OR INFORMAL ASSOCIATION OR PARTNERSHIP FOR THE PURPOSE OF DIVIDING REAL

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

SIGNATURE 5-19-09

NAME ONE PAC COMPANY
A NEVADA CORPORATION

ADDRESS 2727 N. CENTRAL AVENUE
PHOENIX, AZ. 85004

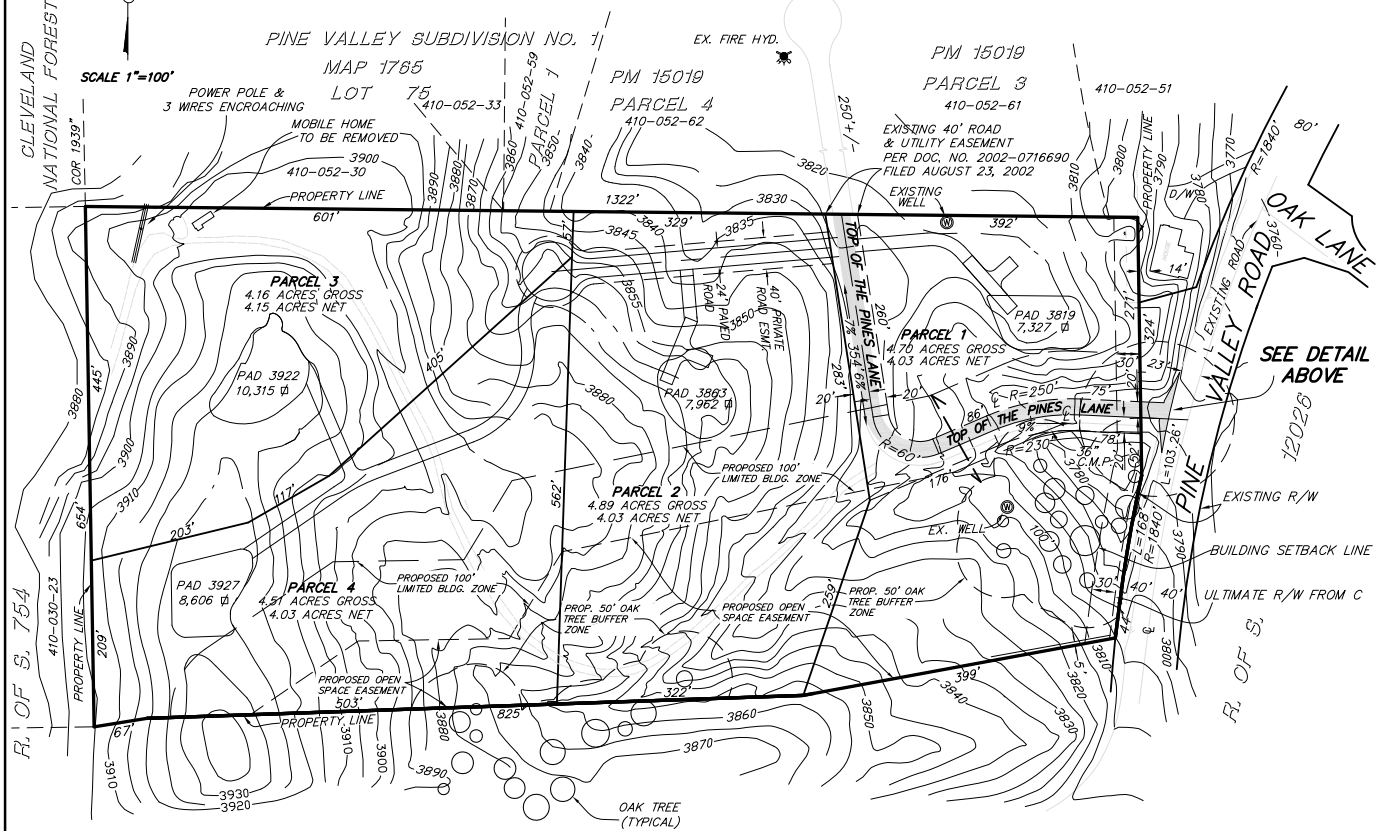
TELEPHONE (602) 263-6502

NOTES

1. COMPLETE TAX ASSESSOR'S NUMBER IS: 410-030-17
2. ABBREVIATED LEGAL DESCRIPTION OF THE LAND SHOWN ON THE TENTATIVE PARCEL MAP: POR. SE 1/4 OF SW 1/4 AND SW 1/4 OF SE 1/4, SEC 35, T 15 S, R 4 E
3. COMMUNITY PLAN/REGIONAL CATEGORY: 1/CT
4. COMMUNITY/SUBREGIONAL PLAN AREA: CENTRAL MOUNTAIN
5. LAND USE DESIGNATION(S): VR-2
6. EXISTING ZONING: RR

USE REGULATIONS		RR
	ANIMAL REGS.	J
DEVELOPMENT REGULATION	DENSITY	–
	LOT SIZE	0.5 AC
	BUILDING TYPE	C
	MAX. FLOOR AREA	–
	FLOOR AREA RATIO	–
	HEIGHT	G
	COVERAGE	–
	SETBACK	C
	OPEN SPACE	–
SPECIAL AREA REGS.		–

7. ASSOCIATED PERMITS: NONE
8. STATUS OF EXISTING LEGAL ACCESS TO SUBJECT PROPERTY FROM A PUBLICLY MANTAINED ROAD, (I.E., RECORDED EASEMENT, UNRECORDED EASEMENT - IDENTIFY AND SPECIFY WIDTH.): PINE VALLEY ROAD (44')
9. WATER SOURCE/DISTRICT: WELLS:
10. SEWER DISTRICT: SEPTIC:
11. FIRE DISTRICT: PINE VALLEY FIRE PROTECTION DISTRICT
12. SCHOOL DISTRICT: MOUNTAIN EMPIRE ELEMENTARY SCHOOL DISTRICT
MOUNTAIN EMPIRE JUNIOR AND SENIOR HIGH SCHOOL DISTRICT
13. SOLAR STATEMENT : THIS IS A SOLAR SUBDIVISION AS REQUIRED BY SECTION 81. 401(N), ORDINANCE. ALL LOTS HAVE AT LEASE 100 SQ. FT. OF UNOBSTRUCTED SUNLIGHT ON THE BUILDABLE PORTION OF THE LOT.
14. SOURCE OF TOPOGRAPHY: AERIAL TOPOGRAPHY DATED MARCH 24, 2004, PROVIDED BY DAVID J. MAC ARTHUR RCE 12502
15. TAX RATE AREA: 91050
16. GENERAL PLAN: VILLAGE RESIDENTIAL (VR-2)



NOTE:

1. 17,000 ⌀ DISTURBED AREA EACH PARCEL TYP.

EASEMENT:

1. NOISE RESTRICTION EASEMENT OVER THE ENTIRE AREA OF PARCEL 4.

ALLEN R. A. TURNER LS 7844
KAPPA SURVEYING, INC.
8707 LA MESA BOULEVARD
LA MESA, CALIFORNIA 91942
TELEPHONE (619) 465-8948

LICENSED LAND SURVEYOR ALLEN R. A. TURNER III EXP. DEC 31 16 NO. 7844 STATE OF CALIFORNIA

HEALTH DEPARTMENT CERTIFICATE

PARCELS 1, 2, 3 AND 4 SHALL HAVE A LAYOUT OF THE SEWAGE DISPOSAL SYSTEM APPROVED BY THE SAN DIEGO DEPARTMENT OF PUBLIC HEALTH PRIOR TO THE APPROVAL OF A BUILDING PERMIT AND/OR ISSUANCE OF A SEPTIC TANK PERMIT. CUTS AND FILLS FOR DRIVEWAYS SHALL BE MADE PRIOR TO APPROVAL OF THE LAYOUTS. AN ADDITONAL EXPANSION AREA OF 100% OF THE INITIAL TILE LINE AREA SHALL BE PROVIDED FOR POTENTIAL EXPANSION IN THE EVENT OF FAILURE BY GRAVITY FLOW.

EACH PARCEL IS APPROVED FOR A STANDARD SEPTIC TANK CONNECTED TO 480 FEET OF TILE DRAIN FIELD TO SERVE A THREE-BEDROOM DWELLING: PROVIDED THE ORIGINAL SOIL IS NOT DISTURBED IN ANY WAY, SUCH AS CUTTING, FILLING OR RIPPING. THIS DOES NOT CONSTITUTE APPROVAL FOR COMMERICIAL ESTABLISHMENTS.

WATER TO BE SUPPLIED BY PINE VALLEY MUTUAL WATER DISTRICT OR BY INDIVIDUAL WELL.

SCOTT ROSCRANS , EHS III

JOB NO. 1237B7-144705-TOP OF THE PINES
DWG. NO. PR:\NewRPL2 TPM.dwg

RPL.3 TPM 20951

PRELIMINARY GRADING PLAN FOR:
TOP OF THE PINE

GRADING PLAN NOTES:

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

(BIOLOGICAL RESOURCES)
1. RESOURCE AVOIDANCE: [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2].
Intent: In order to avoid impacts to nesting migratory birds, which is a sensitive biological resource pursuant to the Migratory Bird Treaty Act, shall be implemented. Description of Requirement: There shall be no brushing, clearing and/or grading such that none will allowed on the project site during the breeding season of migratory birds. The breeding season is defined as occurring between February 15th and August 31st. The Director of Planning and Land Use [DPLU, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, provided that no active nests are present in the vicinity of the brushing, clearing or grading. Documentation: The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. Timing: Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. Monitoring: The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [DPLU, PCC] is received. The [DPLU, PCC] shall review the concurrence letter."

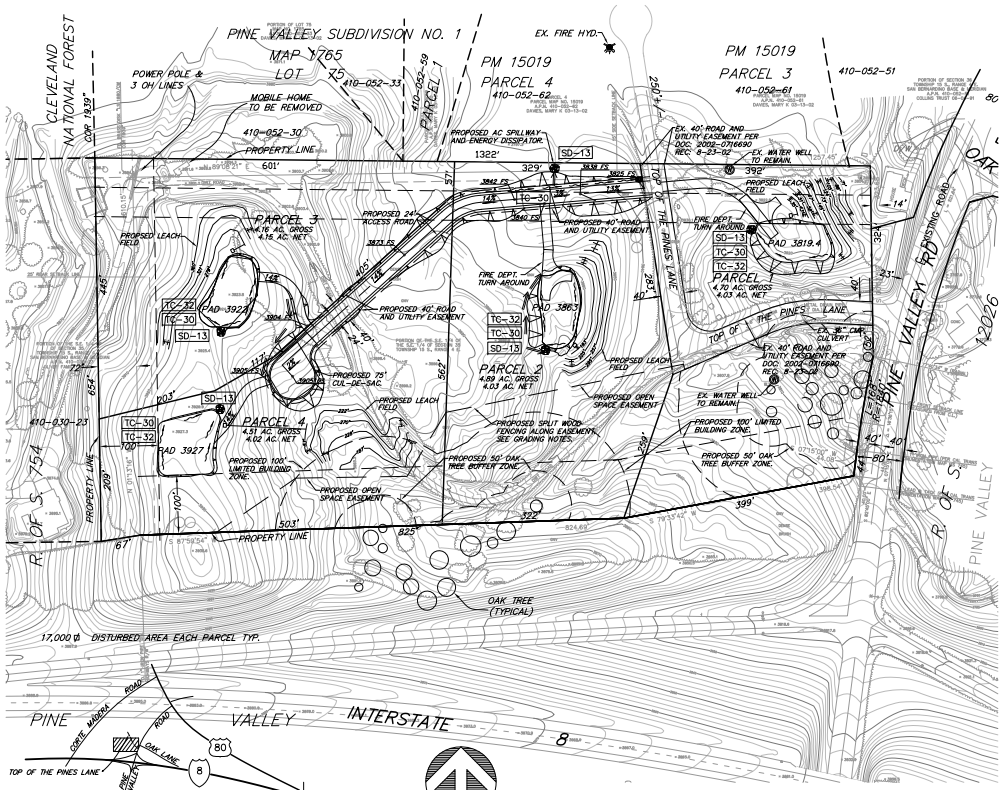
(CULTURAL RESOURCES)
2. ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [PC] [DPLU, FEE X2] Intent: In order to comply with Mitigation Monitoring and Reporting Program, a Cultural Resource Survey and Grading Monitoring Program shall be implemented. Description of Requirement: The County approved Project Archaeologist,? Native American Monitor, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the survey and grading monitoring program. The Project Archaeologist and Native American Monitor shall conduct a preliminary survey of the parcel(s) and monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The survey and grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources. Documentation: The applicant shall have the contracted Project Archeologist and Native American attend the preconstruction meeting to explain the survey and monitoring requirements. Timing: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. Monitoring: The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference to coordinate the Cultural Resource Monitoring requirements of this condition. The [DPLU, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Archeologist.
DURING CONSTRUCTION: (The following actions shall occur throughout the duration of the grading construction).

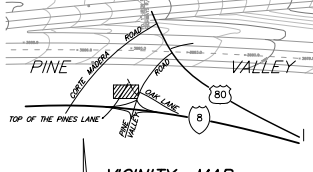
(CULTURAL RESOURCES)
3. ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [DPLU, FEE X2] Intent: In order to comply with Mitigation Monitoring and Reporting Program and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources , Cultural Resource Grading Monitoring Program shall be implemented. Description of Requirement: The Project Archaeologist and Native American Monitor shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the following requirements during grading:
a. "During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist."
b. "In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the DPLU Staff Archaeologist. The Project Archaeologist, in consultation with the Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the DPLU Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods."
c. "If any human bones are discovered, the Project Archaeologist shall contact the County Coroner. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Project Archaeologist in order to determine proper treatment and disposition of the remains."
d. "The Project Archaeologist shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the Notice to Proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction."
Documentation: The applicant shall implement the grading monitoring program pursuant to this condition. Timing: The following actions shall occur throughout the duration of the grading construction. Monitoring: The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the Monitoring duties of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the Project Archeologist or applicant fails to comply with this condition.
ROUGH GRADING: (Prior to rough grading approval and issuance of any building permit).

(CULTURAL RESOURCES)
4. ARCHAEOLOGICAL MONITORING: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources, a Grading Monitoring Program shall be implemented. Description of Requirement: The Project Archaeologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:
a. If no archaeological resources are encountered during the survey and grading, then submit a final Negative letter report substantiating the grading activities and substantiating that grading did The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources. Monitoring logs showing the date and time that the monitor was on site.
b. If archaeological resources were encountered during grading, the Project Archaeologist shall provide a letter stating that the field grading monitoring activities have been completed, and that resources have been encountered. The letter shall detail the anticipated time schedule for completion of the duration phase of the monitoring.
Documentation: The applicant shall submit the letter report to the [DPLU, PCC] for review and approval. Timing: Upon completion of all grading activities, and prior to Rough Grading final Inspection (Grading Ordinance SEC 87.421.a.2), the letter report shall be completed. Monitoring: The [DPLU, PCC] shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.
FINAL GRADING RELEASE: (Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).

(BIOLOGICAL RESOURCES)
5. OPEN SPACE FENCING: [DPLU, PCC] [DPW, PDCI] [FG, UO] [DPLU, FEE]. Intent: In order to comply with Condition XXXX pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for TPM 20951 RPL2, the permanent fencing shall be installed. Description of Requirement: The permanent fences shall be placed along the open space boundary of Parcels 1, 2, and 4 as shown on these plans and the Approved Conceptual Grading and Development Plan for TPM 20951 RPL2.
a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
Documentation: The applicant shall install the fencing and provide the documentation photos and certification statement to the [DPLU, PCC]. Timing: Prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3) the fencing shall be installed. Monitoring: The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

6. "EASEMENT AVOIDANCE: [DPLU, PCC] [DPW, PDCI] [DPLU, FEE]. Intent: In order to protect sensitive resources, pursuant to County Grading Ordinance Section 87.112 the open space easements shall be avoided. Description of Requirement: The easement indicated on this plan is for the protection of sensitive environmental resources coast live oak woodland, big sagebrush scrub, and granitic northern mixed chaparral habitat and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. It is unlawful to grade or clear within an open space easement, any disturbance shall constitute a violation of the County Grading Ordinance Section 87.112 and will result in enforcement action and restoration. The only exception(s) to this prohibition are:
a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use, Parks and Recreation or the Director of Public Works.





VICINITY MAP
NOT TO SCALE
THOMAS. BROS. 1237B7

SCALE: 1"= 100'
0 50 100 200 300

PERMANENT BMP LEGEND

VEGETATED/COBBLE SWALE	TC-30
BIO RETENTION AREA	TC-32
OUTLET PROTECTION	SD-13

LEGEND

ITEM	STD. DWG NO.	SYMBOL
PROPOSED:		
PROPERTY BOUNDARY	–	
PROPOSED LOT LINES	–	
PROPOSED CUT SLOPE	–	
PROPOSED FILL SLOPE	–	
PROPOSED EASEMENTS	–	
LEACH LINES	–	
SPOT ELEVATION	–	29.40 FG
PCC BROW DITCH	D-75	
DRAINAGE DIRECTION	–	
PROPOSED GRASS/COBBLE SWALE		
ENERGY DISSIPATERS	D-40	
EXISTING:		
EXIST. WATER MAIN	–	
EXIST. EASEMENTS	–	
EXIST. CURB AND GUTTER	–	
EXISTING GRADE CONTOURS	–	235
EXIST SPOT ELEV	–	(423.5)
STREET LIGHT	–	
EXIST. FH	–	

SITE ADDRESS
XXXX PINE VALLEY ROAD
PINE VALLEY, CA 91935
APN 410-030-17

LEGAL DESCRIPTION
PORTION OF SE QUARTER OF SW QUARTER ADN SW QUARTER OF THE SE QUARTER OF SECTION 35, TOWNSHIP 15 S, RANGE 4 E, SAN BERNADINO MERIDIAN, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

SITE AREA
TOTAL SITE AREA (GROSS): (826,440 SF) (18.97 AC)
NET SITE AREA: (817,680 SF) (18.77 AC)

COORDINATE INDEX
1880-6245 NAD83
206-1803 LAMBERT

OWNERS NAME
ONE PAC COMPANY
A NAVADA CORPORATION
2727 N. CENTRAL AVENUE
PHOENIX, CA 91935
TEL: (602) 263-6502

NUMBER OF LOTS
THE NUMBER OF EXISTING LOTS = 1
THE NUMBER OF PROPOSED LOTS = 4

SOIL CONDITION
EXISTING UNDEVELOPED SITE

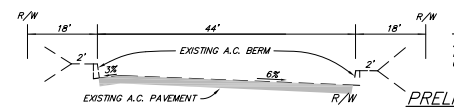
TOPOGRAPHY SOURCE
THE SURVEY WAS PREPARED BY PHOTOGRAMMETRIC PROCESS UTILIZING AERIAL PHOGRAPHY DATED MARCH 24, 2004.

MONUMENTATION AND MAPPING
ALL PROPERTY CORNERS WILL BE SET AND A LOT CONSOLIDATION PARCEL MAP WILL BE FILED. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE LOT CONSOLIDATION PARCEL MAP.

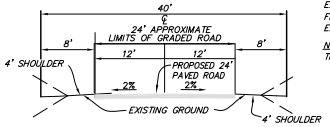
GRADING PLAN NOTES CONT.:

b. Use and maintenance of one well on Parcel 2 in the location shown on Tentative Parcel Map 20951 RPL2.
Documentation: The applicant shall provide a letter statement to the [DPLU, PCC] stating that all Sensitive Resource Easements were avoided during the grading construction, and that no impacts or encroachment into the open space occurred. Timing: Prior to Final Grading Release the letter verifying the easements were not disturbed shall be submitted. Monitoring: The [DPW, PDCI] shall not allow any grading, clearing or encroachment into the open space easement."

(CULTURAL RESOURCES)
7. ARCHAEOLOGICAL MONITORING: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources, a Grading Monitoring Program shall be implemented. Description of Requirement: The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during grading. The report shall include the following:
a. Department of Parks and Recreation Primary and Archaeological Site forms.
b. Evidence that all cultural resources collected during the grading monitoring program have been submitted to a San Diego duration facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a
letter from the curation facility stating that archaeological materials have been received and that all fees have been paid.
c. If no cultural resources were discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Archaeologist.
Documentation: The applicant shall submit the letter report to the [DPLU, PCC] for review and approval. Timing: Prior to the occupancy of any structure or use of the premises in reliance of the Parcel Map, and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the final report shall be completed. Monitoring: The [DPLU, PCC] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.



PINE VALLEY ROAD
NOT TO SCALE



PROPOSED EASEMENT ROAD
NOT TO SCALE

PRELIMINARY GRADING PLAN NOTE:
THIS PLAN IS PROVIDED TO ALLOW FOR FULL AND ADEQUATE DISCRETIONARY REVIEW OF A PROPOSED DEVELOPMENT PROJECT. THE PROPERTY OWNER ACKNOWLEDGES THAT ACCEPTANCE OR APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN APPROVAL TO PERFORM ANY GRADING SHOWN HEREON, AND AGREES TO OBTAIN VALID GRADING PERMISSIONS BEFORE COMMENCING SUCH ACTIVITY.

GRADING:
EXCAVATE: 10,220 C.Y.
FILL: 10,220 C.Y.
EXPORT/IMPORT: 0 C.Y.

NOTE:
THE PROPOSED SLOPE RATIO FOR ALL CUTS IS 1.5:1 AND FILLS 2:1.

ENGINEER OF WORK

REGISTERED PROFESSIONAL ENGINEER
THOMAS P. FITZMAURICE
NO.55553
EXP. 12/31/10
CIVIL
STATE OF CALIFORNIA

THOMAS P. FITZMAURICE
R.C.E. NO. 55553
EXP. 12-31-10

DATE

2 - 28

SLOPE ANALYSIS & DENSITY

SLOPE DENSITY TOP OF THE PINES

I = CONTOUR INTERVAL
L = TOTAL LENGTH OF CONTOUR
A = AREA (ACRES)
S = SLOPE DENSITY (%)

$$\frac{I \times L \times 100'}{A \times 43560} = S$$

PROJECT TOTAL

5 = CONTOUR INTERVAL
30689 = TOTAL LENGTH OF CONTOUR
16.77 = AREA (ACRES)
21.0% = SLOPE DENSITY (%)

RPO

Color	Range Beg.	Range End	Percent	Area
	0.00	15.00	33.0	241749.33
	15.00	25.00	41.8	306364.69
	25.00	50.00	23.5	171893.43
	50.00	100.00	1.7	12824.78

RPO CALCULATIONS–DENSITY FORMULA

0–15% SLOPE	5.5498 AC/1.0 AC	=	5.5498 AC
15–25% SLOPE	5.9865 AC/2.0 AC	=	2.9933 AC
25% PLUS SLOPE	4.2405 AC/4.0 AC	=	1.0601 AC

TOTAL= 9.60 LOTS OR DWELLING UNITS ALLOWED
= 10 LOT MAXIMUM

PARCEL 1

5 = CONTOUR INTERVAL
7531 = TOTAL LENGTH OF CONTOUR
4.076 = AREA (ACRES)
21.2% = SLOPE DENSITY (%)

PARCEL 2

5 = CONTOUR INTERVAL
9552 = TOTAL LENGTH OF CONTOUR
4.443 = AREA (ACRES)
24.6% = SLOPE DENSITY (%)

PARCEL 3

5 = CONTOUR INTERVAL
7372 = TOTAL LENGTH OF CONTOUR
4.123 = AREA (ACRES)
20.5% = SLOPE DENSITY (%)

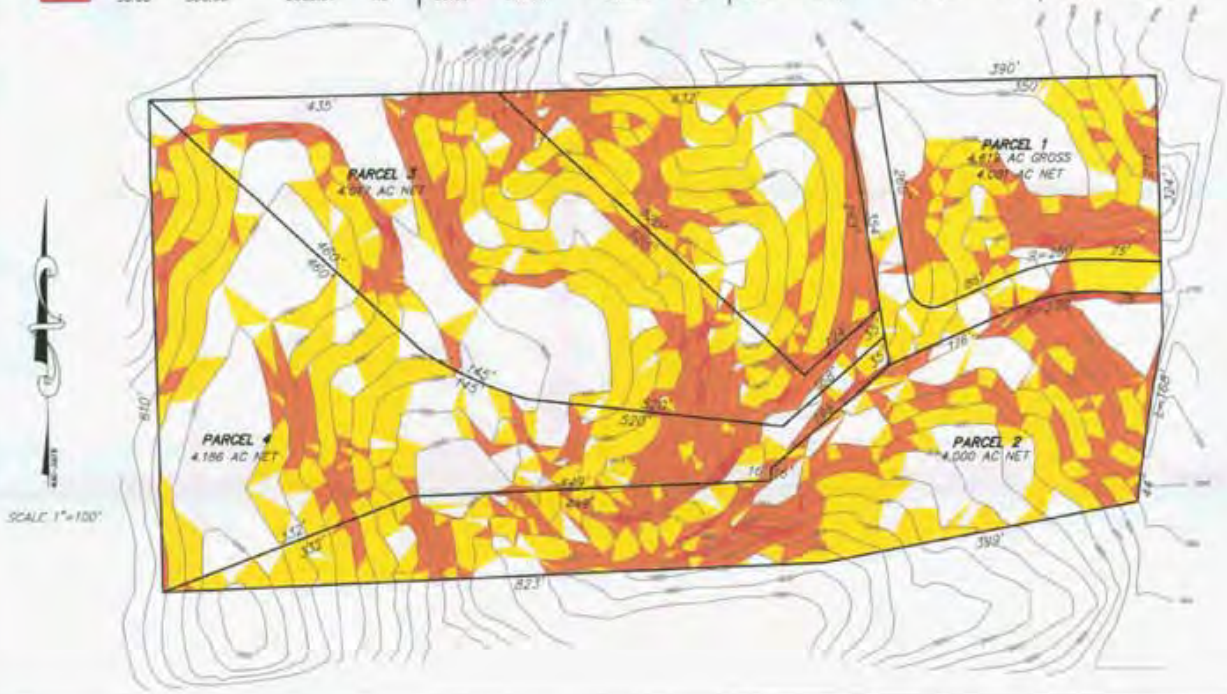
PARCEL 4

5 = CONTOUR INTERVAL
6234 = TOTAL LENGTH OF CONTOUR
4.182 = AREA (ACRES)
17.1% = SLOPE DENSITY (%)

SLOPE ANALYSIS TOP OF THE PINES

LEGEND

	PARCEL 1				PARCEL 2				PARCEL 3				PARCEL 4			
	Beg.	End	Area	Percent	Beg.	End	Area	Percent	Beg.	End	Area	Percent	Beg.	End	Area	Percent
	0.00	15.00	56216.63	27.9	0.00	15.00	43395.46	24.9	0.00	15.00	69292.21	39.6	0.00	15.00	72845.03	39.9
	15.00	25.00	95482.52	47.5	15.00	25.00	70107.53	40.2	15.00	25.00	64014.24	36.6	15.00	25.00	76760.40	42.1
	25.00	50.00	46936.26	23.3	25.00	50.00	55647.86	31.9	25.00	50.00	38140.02	21.8	25.00	50.00	31169.29	17.1
	50.00	500.00	2583.67	1.3	50.00	500.00	5093.65	2.9	50.00	500.00	3562.60	2.0	50.00	500.00	1584.86	0.9



KAPPA Surveying, Inc.

8707 La Mesa Blvd
La Mesa, Calif. 91941

(619) 465-6948
FAX(619) 465-6410

09/12/07

Allen E. A. Turner III PLS — DATE

JOB NO. 12787-144705- TOP OF PINES
DWG. NO. PRJ\144705\SLOPE ANALYSIS 4

Attachment B – Final Notice of Action approving the Tentative Parcel Map No. 3200-20951

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)
Peder Norby
Leon Brooks
Douglas Barnhart
David Pallinger
Michael Seiler

January 22, 2016

One Pac Company
2727 N. Central Avenue
Phoenix, AZ 85004

FINAL NOTICE OF APPROVAL -- TENTATIVE PARCEL MAP NO. 3200-20951 (TPM)

Your Tentative Parcel Map is conditionally approved by the Director of Planning & Development Services pursuant to the Division of Land Ordinance and said Tentative Parcel Map is on file in the office of the Director of Planning & Development Services.

Within ten calendar days after the date of the Final Notice of Decision, the decision may be appealed to the Planning Commission in accordance with Section 81.615 of the Subdivision Ordinance and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the Secretary of the Planning Commission within TEN CALENDAR DAYS of the date of this notice AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business.

A Parcel Map pursuant to this Tentative Parcel Map must be filed within 36 months from the date of this Final Notice or from the date of action on an appeal of this Final Notice, unless an application for a time extension and the required fee are received prior to that date. The Director or, on appeal, the Board of Supervisors, may grant a time extension as provided by Section 81.617 of the County Subdivision Ordinance.

This Tentative Parcel Map is approved subject to the attached conditions of approval, which must be complied with before a Parcel Map thereof is approved by the County Department of Public Works and filed with the County Recorder of San Diego County.
No parcel shown on the approved Tentative Parcel Map shall be leased, sold, conveyed, or transferred, unless and until a Parcel Map is approved by the County Department of Public Works and has been filed in the office of the County Recorder.

TENTATIVE PARCEL MAP NO. 3200-20951

THE PLANNING COMMISSION HAS DETERMINED AND ORDERED that based on the findings attached herein, Tentative Parcel Map 3200-20951 (TPM) is hereby approved subject to the following conditions and requirements:

MAP EXPIRATION: The approval of this Tentative Parcel Map Expires Thirty-Six (36) Months after the date of issuance of the Final Notice of Approval at 4:00 P.M. Unless, prior to that date, an application for a Time Extension has been filed as provided by Section 81.617 of the County Subdivision Ordinance.

PRELIMINARY GRADING PLAN: The approval of this Tentative Parcel Map hereby approves the Preliminary Grading dated September 27, 2012 consisting of one sheet (Attached Herein as Exhibit A) pursuant to Section 81.605 of the County Subdivision Ordinance. In accordance with the Section 87.207 of the County Grading Ordinance, Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to County of San Diego Grading Ordinance (Sec 87.701 et. al.).

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

1. **GEN#1-COST RECOVERY**
   INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, Zoning Counter, which shows that all fees and trust account deficits have been paid. No permit can be issued if there are deficit trust accounts. **TIMING:** Prior to the approval of the map and prior to the issuance of any permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall verify that all fees and trust account deficits have been paid.

2. GEN#2-GRADING PLAN CONFORMANCE

INTENT: In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall conform to the approved Conceptual Grading and Development Plan. **DESCRIPTION OF REQUIREMENT:** The grading and or improvement plans shall conform to the approved Conceptual Grading Plan, which includes all of the following mitigation measures: grading monitoring, biological open space, limited building zone, open space fencing. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the notes and items shall be placed on the plans as required. **MONITORING:** The *[DPW, ESU, or PDS, BD* for PDS Minor Grading, DPR, TC for trails and PP for park improvements*]* shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

3. ROADS#1-SIGHT DISTANCE

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

a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is _____feet of unobstructed intersectional sight distance in both directions from the proposed driveway along Pine Valley Road in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of_____as described in Table 5 based on a speed of_____, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."

b. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

c. The engineer or surveyor shall further certify that: "The sight distance of adjacent driveways and street openings will not be adversely affected by this project."

DOCUMENTATION: The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is minimum unobstructed sight distance as detailed above, and submit them to the [*PDS, LDR*] for review. **TIMING:** Prior to the approval of the map the sight distance shall be verified. **MONITORING:** The [*PDS, LDR*] shall verify the sight distance certifications.

4. FIRE#1-FIRE TURNOUT EASEMENT

Intent: In order to provide the appropriate fire turnarounds pursuant to the Pine Valley Fire Protection District Standards and to comply with the County Subdivision Ordinance Section 81.702 the easement(s) shall be provided. **Description of Requirement:** The Parcel Map shall show a thirty-eight foot (38') minimum radius cul-de-sac located at the end of an onsite private road easement, serving Parcel 2, 3 and 4, to the satisfaction of the Pine Valley Fire Protection District and the County of San Diego, Director of Planning & Development Services. **Documentation:** The applicant shall show the easement on the parcel map. **Timing:** Prior to approval of the map, the easement shall be indicated on the parcel map. **Monitoring:** The [PDS, LDD] shall review the parcel map to ensure that the fire turnout easement is indicated pursuant to this condition.

5. ROADS#2-PRIVATE ROAD EASEMENT

INTENT: In order to promote orderly development and to comply with the County Subdivision Ordinance Section 81.402 the easement(s) shall be provided. **DESCRIPTION OF REQUIREMENT:**

a. The Parcel Map shall show a minimum forty-foot (40') wide existing private road easement, Top of the Pines Lane from northwest corner of Parcel 1 southerly thence easterly to Pine Valley Road.

b. The Parcel Map shall show a minimum forty-foot (40') wide proposed private road easement serving Parcel 2, 3 and 4 from the proposed cul-de-sac easterly to Top of the Pines Lane.

c. The proposed private easement road shall intersect Top of the Pines Lane within twenty degrees (20º) of perpendicular.

Documentation: The applicant shall show the easements on the parcel map. **Timing:** Prior to approval of the map, the easements shall be indicated on the parcel map. **Monitoring:** The [PDS, LDR] shall review the parcel map to ensure that the fire turnout easement is indicated pursuant to this condition.

6. ROADS#3-PRIVATE ROAD STANDARDS

Intent: In order to promote orderly development, pursuant to the County Subdivision Ordinance Sec. 81.703, and to comply with the County Standards for Private Streets and Community Trails Master Plan, the private road standards shall be shown on the map. **Description of Requirement:** Provide road standard for the private road easements as indicated below.

a. The centerline horizontal radii shall be a minimum of sixty-feet (60') for the private road easement, Top of the Pines Lane.

b. The centerline horizontal radii shall be a minimum of one hundred-feet (100') for the proposed onsite private road easement serving Parcel 2, 3 and 4.

The road shall also meet all other Sections of the County Standards for Private Streets and Community Trails Master Plan **Documentation:** The applicant shall show the centerline horizontal radii on the parcel map. **Timing:** Prior to the approval of the map, the condition shall be completed. **Monitoring:** The [PDS, LDR] [DPR, TC, PP] shall review the plans in compliance with this condition.

7. ROADS#4-ANNEX TO LIGHTING DISTRICT

INTENT: In order to promote orderly development and to comply with the Street Lighting Requirements of the County Subdivision Ordinance Sec. 81.707 and 81.708 the property shall transfer into the lighting district. **DESCRIPTION OF REQUIREMENT:** Allow the transfer of the property subject of this permit into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer. **DOCUMENTATION:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [*PDS, LDR*]. **TIMING:** Prior to approval of the map, the fee shall be paid. **MONITORING:** The [*PDS, LDR*] *shall* calculate the fee pursuant to this condition and provide a receipt of payment for the applicant.

8. ROADS#5-PRIVATE ROAD MAINTENANCE AGREEMENT

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

a. Maintenance shall be provided through a private road maintenance agreement.

b. The Director of Planning & Development Services shall be notified as to the final disposition of title (ownership) to existing and proposed onsite private road easements, and place a note on the Parcel Map as to the final title status of said roads.

c. Access to each lot shall be provided by private road easement not less than forty feet (40') wide.

Documentation: The applicant shall sign the private road maintenance agreement to the satisfaction of the Director of Public Works and the Director of Planning & Development Services and indicate the ownership on the map as indicated above. **Timing:** Prior to the approval of the map, the agreement shall be executed and the ownership shall be indicated on the map. **Monitoring:** The *[PDS, LDR]* shall review the executed agreement and the map for compliance with this condition.

9. UTILITIES#1-UTILITY CONCURRENCE LETTERS

Intent: In order to provide adequate notice to the serving utility companies that the private road improvements are going to possible affect their utilities, letters of concurrence shall be provided. **Description of requirement:** Where private easement roads are not being dedicated, or where each of the proposed parcels is not on a public street, letters shall be obtained from each serving utility company. The letters shall state that the arrangements are satisfactory to the utility for which the parcels being created serve. No letter will be required from the following: SBC/Pacific Bell. **Documentation:** The applicant shall obtain the letters and submit them to the [*PDS, LDR*] for review and approval. **Timing:** Prior to the approval improvement plans and the approval of the map, the letters shall be submitted for approval. **Monitoring:** The *[PDS, LDR]* shall review the signed letters.

10. UTILITIES#2-UTILITY CONCURRENCE LETTERS

Intent: In order to inform the local public entities and utility companies that the parcel map is going to be approved by the County and to comply with Section 66436 of the Government Code, letters of concurrence for signature of on the map shall be provided. **Description of requirement:** A certification from each public utility and each public entity owning easements within the proposed land division shall be provided to the County. **Documentation:** The applicant shall obtain the letters, which state that, the following public entities have received a copy of the proposed Parcel Map, and that they object or do not object to the filing of the Map without their signature. The applicant shall submit the letters to the [*PDS, LDR*] for review and approval. **Timing:** Prior to the approval improvement plans and the approval of the map, the letters shall be submitted for approval. **Monitoring:** The *[PDS, LDR]* shall review the signed letters.

11. ROADS#6-COVENANT OF IMPROVEMENTS

Intent: In order to allow the deferment of the private improvements required by Subdivision Ordinance Sec. 81.707, a covenant of improvements shall be executed and recorded if the private improvements listed in this decision are not completed before approval of the tentative parcel map. **Description of requirement:** The applicant shall complete all of the private improvements or

execute a Covenant of improvements pursuant to the County Subdivision Ordinance Section 81.708. An improvement plan and cost estimate shall be prepared for the private improvements and the estimated costs of the improvements shall be included in the Covenant. The Covenant shall be recorded and noted on the parcel map.

a. Said Covenant shall be titled, "Covenant of Improvement Requirement, a Building Permit Prohibition." No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to County Subdivision Ordinance Section 81.713, except a grading or construction permit and or permit to install utilizes within a the private easement may be issued.

Documentation: The applicant shall prepare the improvement plans; provide a cost estimate as indicated below:

b. Improvement Plans with sufficient detail shall be prepared for the purposes of providing the required estimate of cost for the private improvements. The covenant shall note the estimate of cost to install and/or construct any deferred improvements. The estimate of costs shall be based upon the approved improvement plans.

c. The plans shall include a signed statement by the private engineer-of-work which states, "The plans are sufficient for the purpose of providing the required estimate of the cost for the private easement roads, private facilities, and any other private improvements deemed necessary pursuant to the County Subdivision Ordinance Section 81.707."

d. The estimate shall have the engineer's signature and stamp on the front page along with a statement that reads, "The estimate of the approximate costs as of the date the estimate was prepared for the private improvements required by the final notice of approval and the County of San Diego Private Road Standards."

The applicant shall prepare the map with the covenant. The Covenant shall be placed on the face of the parcel map, and recorded with the map. **Timing:** Prior to the approval of the map, the plans and the cost estimate shall be prepared and approved. **Monitoring:** The *[PDS, LDR]* shall verify that the cost estimate's validity, and that the plans can be approved, but shall stamped, "Not approved for construction," pursuant to this condition. The [PDS, LDR] Map Processing shall verify that the covenant is recorded on the map.

12. ROADS#7-PRIVATE ROAD IMPROVEMENTS (COVENANT):

Intent: In order to promote orderly development necessary for public health and safety of the area, and to comply with the Subdivision Ordinance Sec. 81.706 through 81.707 and 81.709.1, the required private improvements shall be completed or deferred. **Description of Requirement:** Complete private road improvements as indicated below:

a. The existing onsite private easement road, Top of the Pines Lane from northwest corner of Parcel 1 southerly thence easterly to Pine Valley Road, shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete. Where conforming to vertical and horizontal design criteria of current County Private Road Standards, the existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. 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.

b. The proposed onsite private road easement, severing Parcel 2, 3 and 4 from the proposed cul-de-sac easterly to Top of the Pines Lane, shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply.

c. The proposed onsite private road easement, serving Parcel 2, 3 and 4 shall terminate with a cul-de-sac graded to a radius of thirty-eight feet (38') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base to the to the satisfaction of the Pine Valley Fire Protection District.

d. Asphalt concrete surfacing material shall be hand-raked and compacted 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.

e. In the event these improvements are deferred, the subdivider shall execute such documents as deemed necessary by the County of San Diego, Director of Public Works and the Director of Planning & Development Services, indemnifying the County from liability arising from the improvement of any off-site easement. This indemnification shall also be noted on the map.

f. The County of San Diego, Department of Public Works and the Director of Planning & Development Services, shall be notified before any private road construction. Copies of the blueline plans shall be submitted and an inspection deposit shall be posted.

g. The structural section, both new and existing, for the private roads shall be approved by the County of San Diego, Department of Public Works Materials Laboratory, before construction activities commence pursuant to Section 3.2/3.11 of the San Diego County Standards for Private Roads. This applies only where grades exceed 8% asphalt concrete pavement is to be widened out required by the Pine Valley Fire Protection District.

h. The existing private road easement, Top of the Pines Lane and proposed on-site private easement road, shall have an unobstructed vertical clearance of thirteen feet, six inches (13' 6") to the satisfaction of the Pine Valley Fire Protection District. [FIRE]

Documentation: The applicant shall complete the following:

i. Process and obtain approval of the grading or Improvement Plans to improve the proposed on-site private easement road and Top of the Pines Lane, and provide the cost estimate. All plans and improvements shall be completed pursuant to the County of San Diego Private Road Standards and the DPW Land Development Improvement Plan Checking Manual.

j. The improvements shall be completed and a secured agreement shall be executed pursuant to Subdivision Ordinance Sec. 81.706.1 through 81.707, for the required improvements, or execute a covenant of improvements to defer the requirements until after the map is recorded.

Timing: Prior to approval of the map, this requirement shall be completed or a recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works and the Director of Planning & Development Services pursuant to County Subdivision Ordinance Section 81.709.2, except a grading or construction permit and or permit to install utilizes within a the private easement may be issued. **Monitoring:** The [*DPW, LDR*] shall review the plans for constancy with the condition and County Standards. Upon approval of the plans and cost estimate *[DPW, LDR]* shall have this condition placed in the covenant of improvements and recorded with the map.

13. IMPROVEMENT CERTIFICATION: (DEFERRED)

Intent: In order ensure that the proposed work on the private road easement stays within the private road easement, and to comply with Private Road Standards and Subdivision Ordinance a letter of certification shall be provided. **Description of Requirement:** Provide letters of certification that proves the following improvements have been completed.

a. The private easement road, Top of the Pines Lane including all slopes, from northwest corner of Parcel 1 southerly thence easterly to Pine Valley Road shall be constructed entirely within the easement, including drainage structures, for the benefit of the land division. If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or a letter of permission shall be obtained and an engineer or surveyor shall further certify that letter(s) of permission have been obtained for work outside of the easement limits.

b. The proposed onsite private easement road serving Parcel 2, 3 and 4 including all slopes and cul-de-sac, from the proposed cul-de-sac easterly to Top Of The Pines Lane shall be constructed entirely within the easement, including drainage structures, for the benefit of the land division. If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or a letter of permission shall be obtained and an engineer or surveyor shall further certify that letter(s) of permission have been obtained for work outside of the easement limits.

Documentation: The applicant shall have a Registered Civil Engineer or a Licensed Land Surveyor provide a signed statement, which certifies that the improvements were constructed entirely within the easement, including drainage structures, for the benefit of the land division pursuant to this condition. **Timing:** Prior to approval of the map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works and the Director of Planning & Development Services pursuant to County Subdivision Ordinance Section 81.709.2, except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall verify that this requirement has been placed in the Covenant of improvements for the map. Upon completion of the improvements, the [DPW, LDR] shall verify the accuracy of the certification letter pursuant to this condition.

14. BIO#1-BIOLOGICAL EASEMENT:

Intent: In order to protect sensitive biological resources, pursuant to CEQA, a biological open space easement shall be granted over the southern portion of the property. **Description of Requirement:** Grant to the County of San Diego as shown on the Approved Tentative Parcel Map TPM 20951. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exceptions to this prohibition are:

a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Development Services, Parks and Recreation or the Director of Public Works.

b. Use and maintenance of the existing well on Parcel 1 in the location shown on Tentative Parcel Map 20951.

Documentation: The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the *[DGS, RP]*, and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to *[PDS, PCC]* for approval. **Timing:** Prior to the approval of the map and issuance of any permit, the easements shall be executed and recorded. **Monitoring:** The *[DGS, RP]* shall prepare and approve the easement documents and send them to *[PDS, PCC] and [DPR TC, GPM]* for preapproval. The *[PDS, PCC]* shall preapprove the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements *[DGS, RP]* shall forward a copy of the recorded documents to *[PDS, PCC]* for satisfaction of the condition.

15. BIO#2-LBZ EASEMENT:

Intent: In order to protect sensitive biological resources, pursuant to CEQA, a Limited Building Zone Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area. **Description of Requirement:** Grant to the County of San Diego a Limited Building Zone Easement as shown on the approved Tentative Parcel Map TPM 20951. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

a. Decking, fences, and similar facilities.

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

Documentation: The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the *[DGS, RP]*, and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to *[PDS, PCC]* for approval. **Timing:** Prior to the approval of the map and issuance of any permit, the easements shall be recorded. **Monitoring:** The *[DGS, RP]* shall prepare and approve the easement documents and send them to *[PDS, PCC]* for pre approval. The *[PDS, PCC]* shall preapprove the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements *[DGS, RP]* shall forward a copy of the recorded documents to *[PDS, PCC]* for satisfaction of the condition.

16. BIO#3-OFF-SITE MITIGATION:

Intent: In order to mitigate for the impacts to big sagebrush scrub, which is a sensitive biological resource pursuant to CEQA, offsite mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 1.38 acres of big sagebrush scrub or like-functioning habitat, located in East San Diego County as indicated below.

a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in East San Diego County as indicated below:

1. The type of habitat and the location of the proposed mitigation should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.

2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

c. **Option 3**: Purchase land in-holdings of 1.38 acres of big sagebrush scrub habitat or like-functioning habitat within the Cleveland National Forest or Anza Borrego State Park, or a parcel of like functioning habitat approved prior to purchase by the Director of Department of Planning and Development Services.

1. If an in-holding is purchased, the lands will either (1) Be transferred to a government agency charged with conservation of natural resources via fee title (with demonstration of long term management capabilities), or (2) Dedicated in a conservation open space easement to the County and the land will be managed through an approved Resource Management Plan to the satisfaction of the Director of Planning and Development Services.

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

17. BIO#4-OFF-SITE MITIGATION

Intent: In order to mitigate for the impacts to chaparral, which is a sensitive biological resource pursuant to CEQA, offsite mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 2.26 acres of chaparral habitat, located in East San Diego County as indicated below.

a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in East San Diego County as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.

2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS. The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

d. **Option 3:** Purchase land in-holdings of 2.26 acres of chaparral habitat within the Cleveland National Forest or Anza Borrego State Park, or a parcel of like functioning habitat approved prior to purchase by the Director of Department of Planning and Development Services.

1. If an in-holding is purchased, the lands will either (1) Be transferred to a government agency charged with conservation of natural resources via fee title (with demonstration of long term management capabilities), or (2) Dedicated in a conservation open space easement to the County and the land will be managed through an approved Resource Management Plan to the satisfaction of the Director of Planning and Development Services.

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

18. BIO#5-OPEN SPACE FENCING:

Intent: In order to protect the proposed open space easement from entry, and disturbance, permanent fencing shall be installed. **Description of Requirement:** Open space fencing shall be placed along the biological open space boundary as indicated on the Conceptual Grading and Development Plan. The fencing design shall consist of split rail or three wire strand and shall be no more than 4 feet in height. **Documentation:** The applicant shall install the fencing or walls as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space fencing has been installed. **Timing** Prior to the approval of the map and issuance of any permit, the fencing or walls shall be placed. **Monitoring:** The *[PDS, PCC]* shall review the photos and statement for compliance with this condition.

19. CULT#1- ARCHAEOLOGICAL MONITORING

INTENT: In order to mitigate for potential impacts to undiscovered buried archaeological resources, an Archaeological Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA). **DESCRIPTION OF REQUIREMENT:** A County Approved Archaeologist known as the "Project Archaeologist," shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:

a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.

b. The Project Archeologist shall provide evidence that a Kumeyaay Native American has been contracted to perform Native American Monitoring for the project.

c. The cost of the monitoring shall be added to the grading bonds or bonded separately.

DOCUMENTATION: The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to *[PPD]*. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to the approval of the map and

issuance of any permit, the contract shall be provided. **MONITORING:** *[PPD]* shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to *[PPD]* for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

20. NOISE#1-NOISE RESTRICTION EASEMENT: [PDS, BPPR] [PDS, PCC] [MA] [PDS, FEE X 1] Intent: In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), and the County of San Diego CEQA Noise Guidelines for Determining Significance, a noise restriction easement shall be placed on the parcel to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **Description of requirement:** A Noise Restriction Easement as indicated on the approved Tentative Parcel Map 20951, shall be granted on the map. The said easement shall include and shall comply with the following:

a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 60dB for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by the General Plan Noise Element (Policy 4.b).

   Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for a freeway for Interstate 8, which is its designated General Plan Circulation Element buildout roadway classification.

b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced above.

c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.

d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures,

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

Documentation: The applicant shall indicate the noise restriction easement on the map as indicated on the tentative parcel map. **Timing**: Prior to the approval of the map and issuance of any permit, the contract shall be provided. **Monitoring:** The [*DPW, LDR*] shall verify that the easement is indicated on the map, and that the map details the language above.

GRADING PLAN NOTES:

PRE-CONSTRUCTION GRADING AND/OR IMPROVEMENTS: *(Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

1. CULT#GR-1 ARCHAELOGICAL MONITORING – PRECONSTRUCTION MEETING [PDS, FEE X2]
INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and Kumeyaay Native American Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and Kumeyaay Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist and Kumeyaay Native American attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The *[DPW, PDCI]* shall attend the preconstruction conference and confirm the attendance of the approved Project Archaeologist.

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

2. CULT#GR-2 ARCHAEOLOGICAL MONITORING – DURING CONSTRUCTION [PDS, FEE X2]
INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist

and Kumeyaay Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Kumeyaay Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor.

b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist or the Kumeyaay Native American monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Kumeyaay Native American Monitor, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. Isolates and clearly non-significant deposits shall be minimally documented in the field. Should the isolates and/or non-significant deposits not be collected by the Project Archaeologist, then the Kumeyaay Native American monitor may collect the cultural material for transfer to a Tribal Curation facility or repatriation program. A Research Design and Data Recovery Program (Program) is required to mitigate impacts to identified significant cultural resources. The Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in coordination with the Kumeyaay Native American Monitor. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall include (1) reasonable efforts to preserve (avoidance) “unique” cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

c. If any human remains are discovered, the Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the

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

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

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

3. CULT#GR-3 ARCHAEOLOGICAL MONITORING – ROUGH GRADING [PDS, FEE]

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

a. If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the Kumeyaay Native American Monitor must be included in the Negative Monitoring Report.

b. If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation and/or repatriation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the Archaeological Monitoring Report to the *[PPD]* for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center and the culturally-affiliated Tribe. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** The *[PPD]* shall review the report or field monitoring memo for compliance with the project MMRP, and inform *[DPW, PDCI]* that the requirement is completed.

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

4. CULT#GR-4 ARCHAEOLOGICAL MONITORING – FINAL GRADING [PDS, FEE]

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

a. Department of Parks and Recreation Primary and Archaeological Site forms.

b. Daily Monitoring Logs

c. Evidence that all cultural materials have been curated and/or repatriated as follows:

(1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

(2) Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility. The collections and

associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant's archaeologist shall prepare the final report and submit it to the *[PPD]* for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and the culturally-affiliated Tribe. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** The *[PPD]* shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, *[PPD]* shall inform *[PDS, LDR]* and *[DPW, PDCI]*, that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then *[PPD]* shall inform *[PDS or DPW FISCAL]* to release the bond back to the applicant.

5. CULT#GR-5 CULTURAL RESOURCES REPORT [PDS, FEE X2]

INTENT: In order to ensure that the Archaeological Monitoring occurred during the earth-disturbing activities, a final report shall be prepared. **DESCRIPTION OF REQUIREMENT:** A final Archaeological Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

a. DPR Primary and Archaeological Site forms.

b. Daily Monitoring Logs

c. Evidence that all cultural materials collected during the survey, testing, and archaeological monitoring program have been curated and/or repatriated as follows:

(1) All prehistoric cultural materials shall be curated at a San Diego curation facility or a culturally affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Tribal curation facility and shall be accompanied by payment of the fees

necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

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

If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the grading monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant's archaeologist shall prepare the final report and submit it to the *[PPD]* for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and the culturally-affiliated Tribe. **TIMING:** Prior to final grading release, the final report shall be prepared. **MONITORING:** The *[PPD]* shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, *[PPD]* shall inform *[PPD]* and *[PPD]*, that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then *[PPD]* shall inform *[PDS or DPW FISCAL]* to release the bond back to the applicant.

TENTATIVE PARCEL MAP FINDINGS: The Director of Planning & Development Services finds that:

1. The Tentative Parcel Map is consistent with all Elements of the San Diego County General Plan and with the Land Use Designation Village Residential (VR-2) because it proposes a residential use type at a density of less than two dwelling units per acre; and

2. The Tentative Parcel Map is consistent with The Zoning Ordinance because it proposes a residential use type that complies with the minimum net parcel size of 0.5 acre in the Rural Residential (RR) Use Regulation; and

3. The design and improvements of the proposed subdivision are consistent with all Elements of the San Diego County General Plan and with the Central Mountain Subregional Plan and comply with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code; and

4. The site is physically suitable for the proposed residential type of development because the site can accommodate appropriately sized residential pads which do not require setback variances; and

5. The site is physically suitable for the proposed density of development because required services and utilities are available to serve the proposed use; and

6. The design of the subdivision or the type of improvements will not cause public health problems because adequate water supply and sewage disposal services are available, per Department of Environmental Health Certification No. VPM 211; and

7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat based upon the findings of Notice of Exemption and the 15183 Statement of Reasons dated June 25, 2015; and

8. The design of the subdivision or the type of improvements does 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

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

10. Because adequate facility services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and

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

6. Reduction of a horizontal radius curve from 100-foot to 60-foot for the private road easement, Top of the Pines Lane.

MITIGATION MONITORING OR REPORTING PROGRAM (MMRP): Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Monitoring or Reporting Program for any project approved with the adoption of a Mitigated Negative Declaration or with the certification of an Environmental Impact Report, for which changes in the project are required in order to avoid significant impacts. Section 21081.6(a)(1) states, in part:

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

Section 21081(b) further states:

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

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

Intent: An explanation of why the mitigation measure (MM) was imposed on the project.
Description: A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.
Documentation: A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.
Timing: The specific project milestone (point in progress) when the specific required actions are required to implemented.
Monitoring: This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

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

Conditions: 14, 15, 16, 17, 18

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

☐ The parcel map shall show an accurate and detailed vicinity map.

☐ The Basis of Bearings for the Parcel Map shall comply with Sections 81.811 and 81.506 of the Subdivision Ordinance.

☐ The following notes shall appear on the Parcel Map:

- ☐ All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.

- ☐ At the time of recordation of the Parcel Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.

- ☐ Prior to the approval of the Parcel Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Parcel Map report from a qualified title insurance company.

- ☐ The public and private easement roads serving this project shall be named. The responsible party shall contact the Street Address Section of Planning & Development Services (858-694-3797) to discuss the road naming requirements for the development. Naming of the roads is necessary for the health and safety of present and future residents.

- ☐ The Zoning regulations require that each parcel shall contain a minimum net area of .5 acres. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative Parcel Map is determined by the Department of Public Works to be below the zoning minimum, it becomes the responsibility of the subdivider to meet zoning requirements by lot redesign, or other applicable technique. The subdivider shall comply with the zoning area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.

- ☐ Certification by the Department of Environmental Health with respect to water supply and sewage disposal shall be shown on the Parcel Map. [PDS]

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

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 10096 and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: 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* d*esign shall be in compliance with the new Municipal Permit regulations*. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):

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

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

The County has 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.

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities exceed 200 cubic yards of excavation or eight feet (8') of cut/fill per criteria of Section 87.201 of the County Code.

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit for any and all work within the County road right-of-way. Contact DPW Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate departmental requirements. In addition, before trimming, removing or planting trees or

shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.

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

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

NOISE ORDINANCE COMPLIANCE: In order to comply with the County Noise Ordinance 36.401 et seq. and the Noise Standards pursuant to the General Plan Noise Element (Table N-1 & N-2), the property and all of its uses shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. No loudspeakers, sound amplification systems, and project related noise sources shall produce noise levels in violation of the County Noise Ordinance.The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any away, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

NOTICE: The subject property contains wetlands, a lake, a stream, and/or waters of the U.S. which may be subject to regulation by State and/or federal agencies, including, but not limited to, the Regional Water Quality Control Board, U.S. Army Corps of Engineers and the California Department of Fish and Game. It is the applicant's responsibility to consult with each agency to determine if a permit, agreement or other approval is required and to obtain all necessary permits, agreements or approvals before commencing any activity which could impact the wetlands, lake, stream, and/or waters of the U.S. on the subject property. The agency contact information is provided below.

U.S. Army Corps of Engineers: 6010 Hidden Valley Rd, Suite 105, Carlsbad, CA 92011-4219; (858) 674-5386; http://www.usace.army.mil/

Regional Water Quality Control Board: 9174 Sky Park Court, Suite 100, San Diego, CA 92123-4340; (858) 467-2952; http://www.waterboards.ca.gov/sandiego/

California Department of Fish and Game: 3883 Ruffin Rd., San Diego, CA 92123; (858) 467-4201; http://www.dfg.ca.gov/

NOTICE : The subject property contains habitat which may be used for nesting by migratory birds. Any grading, brushing or clearing conducted during the migratory bird breeding season, February 1 – August 31, has a potential to impact nesting or breeding birds in violation of the Migratory Bird Treaty Act. The applicant may submit evidence that nesting or breeding migratory birds will not be affected by the grading, brushing or clearing to these agencies: California Department of Fish and Game, 3883 Ruffin Rd., San Diego, CA 92123, (858) 467-4201, http://www.dfg.ca.gov/; and United States Fish and Wildlife Service, 6010 Hidden Valley Rd, Carlsbad, CA 92011-4219, (760) 431-9440, http://www.fws.gov/.

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

NOTICE: In accordance with State CEQA Guidelines section 15183, the project was found to be exempt from further environmental review for the reasons stated in the Notice of Exemption dated June 25, 2015 because the project is consistent with the General Plan for which an environmental impact report dated August 2011 on file with Planning & Development Services as Environmental Review Number 02-ZA-001.

NOTICE: In accordance with State CEQA Guidelines section 15183(e)2, the Zoning Administrator, at a duly noticed public hearing on June 25, 2015, found that feasible mitigation measures identified in the General Plan Update EIR will be undertaken.

NOTICE: The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of issuance of the Final Notice of Decision.

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

NOTICE: TIME EXTENSION REQUESTS CANNOT BE PROCESSED WITHOUT UPDATED PROJECT INFORMATION INCLUDING NEW DEPARTMENT OF ENVIRONMENTAL HEALTH CERTIFICATION OF SEPTIC SYSTEMS. SINCE DEPARTMENT OF ENVIRONMENTAL HEALTH REVIEW MAY TAKE SEVERAL MONTHS, APPLICANTS ANTICIPATING THE NEED FOR TIME EXTENSIONS FOR

THEIR PROJECTS ARE ADVISED TO SUBMIT APPLICATIONS FOR SEPTIC CERTIFICATION TO THE DEPARTMENT OF ENVIRONMENTAL HEALTH SEVERAL MONTHS PRIOR TO THE EXPIRATION OF THEIR TENTATIVE PARCEL MAP.

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

APPEAL PROCEDURE: Within ten calendar days after the date of the Final Notice of Decision, the decision may be appealed to the Board of Supervisors in accordance with Section 81.615 of the Subdivision Ordinance and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the Secretary of the Board of Supervisors within TEN CALENDAR DAYS of the date of this notice AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business.

If you have any questions regarding this matter, please contact Benjamin Mills at (858) 495-5234 or via email at benjamin.mills@sdcounty.ca.gov

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES
MARK WARDLAW, SECRETARY

BY:

Cara Lacey, Chief
Project Planning Division

cc: One Pac Company, Randy Lopez, 2727 N. Central Avenue, Phoenix, AZ 85004
Kappa Surveying Inc., 8707 La Mesa Blvd., La Mesa, CA 91941
Thomas Fitzmaurice, Fitzmaurice Consulting-Civil Engineering, 1666 Garnet Avenue, Suite 410, San Diego, CA 92109
Pine Valley Fire Protection District, P.O. Box 130, Pine Valley, CA 91962
Pine Valley Community Planning Group, P.O. Box 67, Pine Valley, CA 91962
Jacob Armstrong, CalTrans, M.S. 240
Map Processing Section, Department of Public Works, M.S. O336
Traffic Section, Department of Public Works, M.S. O338
Special Districts, Department of Public Works, M.S. O346

email cc:

David Sibbet, Planning Manager, Department of Planning and Development Services, Project Planning Division
Ed Sinsay, Team Leader, Department of Planning and Development Services, Land Development Division

Attachment C – Zoning Administrator Hearing Report

The County of San Diego

Zoning Administrator Hearing Report

Date:	June 25, 2015	**Case/File No.:**	PDS2005-3200-20951; PDS2005-3910-05-15-002 (ER)
Place:	County Conference Center 5520 Overland Avenue San Diego, CA 92123	**Project:**	CEQA Guidelines Section 15183
Time:	8:30 a.m.	**Location:**	Pine Valley Road and Top of the Pines Lane
Agenda Item:	#1	**General Plan:**	Village Residential (VR-2)
Appeal Status:	N/A	**Zoning:**	Rural Residential (RR)
Applicant/Owner:	Kappa Surveying/One Pac Company	**Community:**	Pine Valley
Environmental:	CEQA 15183	**APNs:**	410-030-17

A. EXECUTIVE SUMMARY

1. Requested Actions

This is a request for the Zoning Administrator to make a finding that the mitigation measures identified in the General Plan Update Environmental Impact Report (GPU EIR) will be undertaken for a proposed minor subdivision to divide a 17.4 acre Parcel into four residential lots pursuant to California Environmental Quality Act (CEQA) Guidelines §15183(e)(2). The General Plan Land Use Designation for the subject site is Village Residential (VR-2) allowing two dwelling units per acre and the zoning for the site is Rural Residential (RR) which allows a minimum lot size of 0.5 acres. The proposed project conforms to the requirements of the General Plan and zoning for the site. The Zoning Administrator should determine if required findings can be made, and if so, make the following recommendation to the Director of Planning & Development Services:

a. To adopt the environmental findings included in Attachment B, which includes a finding that the project is exempt from further environmental review pursuant to Section 15183 of CEQA.

2. Key Requirements for Requested Actions

a. The project is consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified.

b. There are no project specific effects which are peculiar to the project or its site.

c. There are no project specific impacts which the GPU EIR failed to analyze as significant effects.

d. There are no potentially significant off-site and/or cumulative impacts which the GPU EIR failed to evaluate.

e. There is no substantial new information which results in more severe impacts than anticipated by the GPU EIR.

B. BACKGROUND

CEQA Guidelines Section 15183 allows a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan or general plan policies for which an EIR was certified. Section 15183 specifies that examination of environmental effects shall be limited to those effects that:

(1) Are peculiar to the project or the parcel on which the project would be located, and were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,

(2) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or

(3) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

CEQA Guidelines §15183(e)(2) further requires the lead agency to make a finding at a public hearing when significant impacts are identified that could be mitigated by undertaking mitigation measures previously identified in the EIR on the planning and zoning action.

In accordance with CEQA Guidelines §15183, the project was evaluated to examine whether additional environmental review might be necessary for the reasons stated in §15183. As discussed in the attached Statement of Reasons for Exemption from Additional Environmental Review and 15183 Checklist dated May 26, 2015, the project qualifies for an exemption from further environmental review.

The approval or denial of the proposed Site Plan is a subsequent and separate decision made by the Director of Planning & Development Services.

C. PROJECT INFORMATION

1. Project Description

The project is a Tentative Parcel Map (TPM) for the subdivision of a 17.4 acre parcel into four residential lots. Access to the site is provided by Top of the Pines Lane. Water and sewer will be provided by groundwater wells and individual on-site septic systems. The project will result in a balanced cut and fill of 10,220 cubic yards of material. Mitigation measures are necessary to address impacts to biological resources. The project site is located east of the intersection of Pine Valley Road and Top of the Pines Lane within the Central Mountain Subregional Plan Area in the community of Pine Valley. The General Plan Land Use Designation is Village Residential (VR-2) which authorizes two dwelling units per acre. Zoning for the site is Rural Residential (RR) which permits a minimum lot size of 0.5 acres.

Project Analysis

a. Biological Resources - Biological resources on the project site were evaluated in a Biological Resources Report prepared by TEC, Inc. on August 2011. The site contains 0.5 acres of open coast live oak woodland, 1.3 acres of big sagebrush scrub, 15.6 acres of granitic northern mixed chaparral and 0.9 acres disturbed/developed lands. No sensitive wildlife species were observed and only one sensitive plant species was observed, the Palomar monkeyflower (Minulus diffuses).

   As considered by the GPU EIR, project impacts to sensitive habitat and/or species will be mitigated through ordinance compliance and through the implementation of the following mitigation measures: preservation of 4.6 acres of on-site habitat, open space fencing and off-site purchase of 3.6 acres of big sagebrush scrub and granitic northern mixed chaparral. Impacts to nesting birds shall be avoided through breeding avoidance between February 15th and August 31st. The GPU EIR identified these mitigation measures as Bio 1.5, Bio 1.6 and Bio 1.7.

   Therefore, ordinance compliance combined with the mitigation measures establishes that the impact is less than significant with mitigation. Please refer to Section 4 Biological Resources of the attached 15183 Findings for additional information regarding biological resources.

b. Cultural Resources – Cultural resources on the project site were evaluated in a Cultural Survey Report prepared by County Staff Archeologist Martin Rosen on June 6, 2014. Based on an analysis of records and a survey of the property, it has been determined that there are no cultural resources present on site. Please refer to Section 5 Cultural Resources of the attached 15183 Findings for additional information regarding cultural resources.

c. Noise – The project is subject to the County of San Diego Noise Element and Noise Ordinance. Based on a Noise Analysis, prepared by Dudek, dated March 9, 2009, a noise restriction easement on parcel four will ensure that the project does not expose the site to noise levels that exceed the County of San Diego Noise Element or the Noise Ordinance.

d. Groundwater – The project is groundwater dependent with no access to imported water. The minor subdivision will obtain water from on-site groundwater wells. A site-specific Residential Well Test Report prepared by Peterson Environmental Services, Inc. dated March 30, 2009, indicated that adequate groundwater resources are available to serve the project. As required

by the County Groundwater Ordinance, acreage of each proposed lot is in compliance with the minimum requirement of four gross acres for groundwater dependent parcels.

e. Hydrology and Water Quality – The project will require a NPDES General Permit for Discharges of Storm Water Associated with Construction Activities. The project applicant has provided a Stormwater Management Plan (SWMP) dated May 23, 2011 by Fitzmaurice Consulting – Civil Engineering, which demonstrates that the project will comply with all requirements of the WPO. The project will be required to implement site design measures, source control BMPs, and/or treatment control BMPs to reduce potential pollutants to the maximum extent practicable. These measures will enable the project to meet waste discharge requirements as required by the San Diego Municipal Permit, as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP). The SWMP is a living document to be updated to reflect any changes during the project final plan review and construction throughout the life of the project in perpetuity. Due to these factors, it has been found that the entire project including construction activities, private road improvements and single family grading will not result in significantly increased erosion or sedimentation potential and will not alter drainage patterns of the site from point of entry or point of exit. With further development of each parcel any single family dwellings proposed will be subject to providing a separate SWMP at building permit.

   An upland drainage is located along the southern boundary of the property within the oak woodland and is considered an Army Corp of Engineers and California Department of Fish and Wildlife jurisdictional waters. This drainage feature will be located entirely within the proposed open space easement and is not a part of the impact footprint proposed by the subdivision of this property. Therefore, the project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act

f. Transportation and Traffic – The project will result in approximately 48 Average Daily Trips (ADT). However, the project will not conflict with any established performance measures because the project trips do not exceed the 200 ADT thresholds established by County guidelines. In addition, the project would not conflict with policies related to non-motorized travel such as mass transit, pedestrian or bicycle facilities. The project's 48 ADT will not result in any direct traffic impacts. The project's trips will be distributed onto Mobility Element roadways in the County which currently or are projected to operate at inadequate levels of service. The County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. The Transportation Impact Fee (TIF) program creates a mechanism to proportionally fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. These project trips contribute to a potential significant cumulative impact and mitigation is required. The potential growth represented by this project was included in the growth projections upon which the TIF program is based. By ensuring TIF funds are spent for the specific roadway improvements identified in the TIF Program, the CEQA mitigation requirement is satisfied. Therefore, payment of the TIF, which will be required at issuance of building permits will mitigate potential cumulative traffic impacts to less than significant. The project would not result in any unmitigated significant impacts to

the County's transportation/traffic network; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

D. PUBLIC INPUT

Comment letters were received during the CEQA Public Disclosure period.

The United States Fish and Wildlife Service recommended an additional habitat assessment in order to ensure there would be no impacts to the Quino checkerspot butterfly. Site specific field surveys were conducted as noted in the Biological Resource Report, dated August 2011, no Quino checkerspot butterflies were identified. The biological resource report concluded that the project site does not provide a suitable habitat for the species and it is found that additional surveys are not necessary.

The Pine Valley Community Planning Group expressed concerns regarding impacts to visual resources, groundwater and grading.

The Endangered Habitats League expressed concerns regarding impacts to biological resources, specifically regarding site design and configuration.

Courtney Ann Coyle, Attorney at Law, on behalf of Carmen Lucas and the Kwaaymii Laguna Band of Indians, expressed concerns regarding impacts to resources particularly cultural resources. A cultural survey of the site was requested.

The San Diego County Archaeological Society, Inc. expressed concerns to potential impacts to cultural resources and requested a cultural survey of the site.

A cultural resources survey was conducted by County staff archeologist Martin Rosen on June 6, 2014. The cultural resource survey concluded that the site does not contain significant cultural or archeological resources.

Changes have been made to the 15183 Exemptions Checklist to address the concerns and requests that were received during public disclosure.

E. RECOMMENDATIONS

Find pursuant to CEQA Guidelines section 15183(e)(2) that feasible mitigation measures identified in the GPU EIR will be undertaken.

Report Prepared By:	***Report Approved By:***
Benjamin Mills, Project Manager	Mark Wardlaw, Director
858-495-5234	858-694-2962
benjamin.mills@sdcounty.ca.gov	mark.wardlaw@sdcounty.ca.gov

AUTHORIZED REPRESENTATIVE: _____

MARK WARDLAW, DIRECTOR

Attachment D – 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

Statement of Reasons for Exemption from Additional Environmental Review and 15183 Checklist

Pursuant to CEQA Guidelines §15183

Date*:*	May 26, 2015
Project Title*:*	Top of the Pines Tentative Parcel Map (4 lots)
Record ID:	3200-20951 (TPM), 3910-05-15-002 (ER)
Plan Area:	Central Mountain (Pine Valley)
GP Designation:	Village Residential (VR-2)
Density:	2 du/acre
Zoning:	RR (Rural Residential)
Min. Lot Size:	0.5 acre
Special Area Reg.:	N/A
Lot Size:	17.41 acres
Applicant:	One Pac Company, Carlos Vizcarra- (602) 263-6502
Staff Contact:	Benjamin Mills - (858) 495-5234 Benjamin.Mills@sdcounty.ca.gov

Project Description

The project is a minor subdivision to divide a 17.41-acre property into four residential lots. The project site is located near the intersection of Pine Valley Road and Top of the Pines Lane in the Central Mountain Subregional Plan Area. Access to the site would be provided by Top of the Pines Lane. Water and Sewer would be provided by groundwater wells and individual onsite septic systems. Earthwork would consist of the balanced cut and fill of 10,220 cubic yards of material.

The project site is subject to the Village General Plan Regional Category and Village Residential (VR-2) Land Use Designation which authorizes two dwelling units per acre. Zoning for the site is RR (Rural Residential) with a minimum lot size of 0.5 acres. The project is consistent with density and lot size requirements of the General Plan and Zoning Ordinance.

Overview

California Public Resources Code section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 provide an exemption from additional environmental review for projects that are consistent with the development density established by community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: (1) Are

peculiar to the project or the parcel on which the project would be located, and were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent, (2) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or (3) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

General Plan Update Program EIR

The County of San Diego General Plan Update (GPU) establishes a blueprint for future land development in the unincorporated County that meets community desires and balances the environmental protection goals with the need for housing, agriculture, infrastructure, and economic vitality. The GPU applies to all of the unincorporated portions of San Diego County and directs population growth and plans for infrastructure needs, development, and resource protection. The GPU included adoption of new General Plan elements, which set the goals and policies that guide future development. It also included a corresponding land use map, a County Road Network map, updates to Community and Subregional Plans, an Implementation Plan, and other implementing policies and ordinances. The GPU focuses population growth in the western areas of the County where infrastructure and services are available in order to reduce the potential for growth in the eastern areas. The objectives of this population distribution strategy are to: 1) facilitate efficient, orderly growth by containing development within areas potentially served by the San Diego County Water Authority (SDCWA) or other existing infrastructure; 2) protect natural resources through the reduction of population capacity in sensitive areas; and 3) retain or enhance the character of communities within the unincorporated County. The SDCWA service area covers approximately the western one third of the unincorporated County. The SDWCA boundary generally represents where water and wastewater infrastructure currently exist. This area is more developed than the eastern areas of the unincorporated County, and would accommodate more growth under the GPU.

The GPU EIR was certified in conjunction with adoption of the GPU on August 3, 2011. The GPU EIR comprehensively evaluated environmental impacts that would result from Plan implementation, including information related to existing site conditions, analyses of the types and magnitude of project-level and cumulative environmental impacts, and feasible mitigation measures that could reduce or avoid environmental impacts.

Summary of Findings

The Top of the Pines Tentative Parcel Map (3200-20951) is consistent with the analysis performed for the GPU EIR. Further, the GPU EIR adequately anticipated the impacts of the proposed project and identified applicable mitigation measures necessary to reduce project specific impacts. The project implements these mitigation measures see http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS_Aug2011/EIR/FEIR_7.00_-_Mitigation_Measures2011.pdf for complete list of GPU Mitigation Measures.

A comprehensive environmental evaluation has been completed for the project as documented in the attached §15183 Exemption Checklist. This evaluation concludes that the project qualifies for an exemption from additional environmental review because it is consistent with the development density and use characteristics established by the County of San Diego General Plan, as analyzed by the San Diego County General Plan Update Final Program EIR (GPU EIR, ER #02-ZA-001, SCH #2002111067), and all required findings can be made.

15183 Statement of Reasons

In accordance with CEQA Guidelines §15183, the project qualifies for an exemption because the following findings can be made:

1. **The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.**
   The project is a Tentative Parcel Map that would subdivide a 17.41-acre property into four residential lots, which is consistent with the Village Residential (VR-2) development density established by the General Plan and the certified GPU EIR.

2. **There are no project specific effects which are peculiar to the project or its site, and which the GPU EIR Failed to analyze as significant effects.**
   The subject property is no different than other properties in the surrounding area, and there are no project specific effects which are peculiar to the project or its site. The project site is located in an area developed with similarly sized, estate residential lots with associated accessory uses. The property does not support any peculiar environmental features, and the project would not result in any peculiar effects. Technical studies were conducted in order to ensure that the project will not have any peculiar project specific effects.

   In addition, as explained further in the 15183 Checklist, all project impacts were adequately analyzed by the GPU EIR. The project could result in potentially significant impacts to biological resources and cultural resources. However, applicable mitigation measures specified within the GPU EIR have been made conditions of approval for this project.

3. **There are no potentially significant off-site and/or cumulative impacts which the GPU EIR failed to evaluate.**
   The proposed project is consistent with the density and use characteristics of the development considered by the GPU EIR and would represent a small part of the growth that was forecast for build-out of the General Plan. The GPU EIR considered the incremental impacts of the proposed project, and as explained further in the 15183 Exemption Checklist below, no potentially significant off-site or cumulative impacts have been identified which were not previously evaluated.

4. **There is no substantial new information which results in more severe impacts than anticipated by the GPU EIR.**
   As explained in the 15183 exemption checklist, no new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the GPU EIR.

5. **The project will undertake feasible mitigation measures specified in the GPU EIR.**
   As explained in the 15183 exemption checklist, the project will undertake feasible mitigation measures specified in the GPU EIR. These GPU EIR mitigation measures will be undertaken through project design, compliance with regulations and ordinances, or through the project's conditions of approval which can be found in the Decision document of the Final Tentative Parcel Map.

Signature	Date
Benjamin Mills	**Project Manager**
Printed Name	Title

CEQA Guidelines §15183 Exemption Checklist

Overview

This checklist provides an analysis of potential environmental impacts resulting from the proposed project. Following the format of CEQA Guidelines Appendix G, environmental effects are evaluated to determine if the project would result in a potentially significant impact triggering additional review under Guidelines section 15183.

- Items checked "Significant Project Impact" indicates that the project could result in a significant effect which either requires mitigation to be reduced to a less than significant level or which has a significant, unmitigated impact.

- Items checked "Impact not identified by GPU EIR" indicates the project would result in a project specific significant impact (peculiar off-site or cumulative that was not identified in the GPU EIR.

- Items checked "Substantial New Information" indicates that there is new information which leads to a determination that a project impact is more severe than what had been anticipated by the GPU EIR.

A project does not qualify for a §15183 exemption if it is determined that it would result in: 1) a peculiar impact that was not identified as a significant impact under the GPU EIR; 2) a more severe impact due to new information; or 3) a potentially significant off-site impact or cumulative impact not discussed in the GPU EIR.

A summary of staff's analysis of each potential environmental effect is provided below the checklist for each subject area. A list of references, significance guidelines, and technical studies used to support the analysis is attached in Appendix A. Appendix B contains a list of GPU EIR mitigation measures.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
1. AESTHETICS – Would the Project:			
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐

Discussion

1(a) The site is visible from public roads and trails; however, due to intervening topography and vegetation, the project will not have a substantial adverse effect upon a scenic vista and will be adequately screened from scenic highways.

1(b) The property is located within the viewshed of Interstate 8 and Old Highway 80 which are scenic highways. The project site has the potential to be visible from Interstate 8; however, there is an intervening undulation in the topography from the interstate to the project site that provides natural buffering. Additionally the southern portion of the project site will be dedicated as open space, thus providing an additional natural buffer. Although the project site is located near highway Old Highway 80, due to intervening topography and vegetation, the project site is not visible from viewsheds along the highway. The project is compatible with the existing visual environment in terms of visual character and quality for the following reasons: the project site is surrounded by residential development on similarly sized lots to the north and east. The project site does not support any significant scenic resources that would be lost or modified through development of the property.

1(c) The project would be consistent with existing community character. The project site is located in an area characterized by single family residential uses. The addition of four new residential lots would not substantially degrade the visual quality of the site or its surroundings.

1(d) Residential lighting would be required to conform with the County's Light Pollution Code to prevent spillover onto adjacent properties and minimize impacts to dark skies.

Conclusion

As discussed previously, the project would not result in any significant impacts to aesthetics; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
2. Agriculture/Forestry Resources – Would the Project:			
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to a non-agricultural use?	☐	☐	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?	☐	☐	☐
d) Result in the loss of forest land, conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?	☐	☐	☐
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use?	☐	☐	☐

Discussion

2(a) The project and surrounding properties do not support any Farmland of Local Importance, Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

2(b) The project site is not located within or adjacent to a Williamson Act contract. The project site is located adjacent to agriculturally zoned land but would not result in a conflict with the agricultural zoning.

2(c) The project site including offsite improvements do not contain forest lands or timberland. The County of San Diego does not have any existing Timberland Production Zones. In addition, the project is consistent with existing zoning and a rezone of the property is not proposed. Therefore, project implementation would not conflict with existing zoning for, or cause rezoning of, forest land, timberland or timberland production zones.

2(d) The project site including any offsite improvements do not contain any forest lands as defined in Public Resources Code section 12220(g), therefore project implementation would not result in the loss or conversion of forest land to a non-forest use. The site supports eucalyptus trees but they will not be impacted by the project. In addition, the project is not located in the vicinity of offsite forest resources.

2(e) The project site is not located near any important farmlands but is located adjacent to an active agricultural production areas (grapes). This project would not result in the conversion of Important Farmland or other agricultural resources.

Conclusion
As discussed previously, the project would not result in any significant impacts to agricultural resources; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
3. Air Quality – Would the Project:			
a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?	☐	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐

Discussion

3(a) The project proposes development that was anticipated and considered by SANDAG growth projections used in development of the RAQS and SIP. As such, the project would not conflict with either the RAQS or the SIP. In addition, the operational emissions from the project are below screening levels, and will not violate any ambient air quality standards.

3(b) Grading operations associated with the construction of the project would be subject to the Grading Ordinance, which requires the implementation of dust control measures. Emissions from the construction phase would be minimal, temporary and localized, resulting in pollutant emissions below the screening level criteria established by County air quality guidelines for determining significance. In addition, the vehicle trips generated from the project will result in approximately 48 Average Daily Trips (ADTs). According to the Bay Area Air Quality Management District CEQA Guidelines for Assessing the Air Quality Impacts of Projects and Plans, projects that generate less than 2,000 ADT are below the screening-level criteria established by the guidelines for criteria pollutants.

3(c) The project would contribute PM10, NOx, and VOCs emissions from construction/grading activities; however, the incremental increase would not exceed established screening thresholds (see question 3(b above)).

3(d) The project will introduce additional residential homes which are considered new sensitive receptors; however, the project site is not located within a quarter-mile of any identified point source of significant emissions. Similarly, the project does not propose uses or activities that would result in exposure of these sensitive receptors to significant pollutant concentrations and will not place sensitive receptors near any carbon monoxide hotspots.

3(e) The project could produce objectionable odors during construction and operation; however, these substances, if present at all, would only be in trace amounts (less than 1 µg/m3).

Conclusion
As discussed previously, the project would not result in any significant impacts to air quality; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
4. Biological Resources – Would the Project:			
a) Have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐
e) Conflict with the provisions of any adopted Habitat	☐	☐	☐

Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

Discussion

4(a) Based on an analysis of the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, site photos, and a Biological Resources Report prepared by TEC, Inc. dated August, 2011 the project site contains 0.45 acres of open coast live oak woodland, 1.26 acres of big sagebrush scrub, 15.62 acres of granitic northern mixed chaparral and 0.94 acres disturbed/developed lands. No sensitive wildlife species were observed and only one sensitive plant species was observed, Palomar monkeyflower (*Mimulus diffuses*).

The project impacts to sensitive habitat and/or species will be mitigated through ordinance compliance and through implementation of the following mitigation measures: preservation of 4.62 acres of on-site habitat, open space fencing, off-site purchase of 3.64 acres of big sagebrush scrub and granitic northern mixed chaparral. The project would implement breeding season avoidance which would prevent brushing, clearing, and/or grading between February 15th and August 31st. The GPU EIR identified these mitigation measures as Bio 1.5, Bio 1.6 and Bio 1.7.

4(b) Based on an analysis of the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, site photos, and a Biological Resources Report dated August 2011, prepared by TEC Inc., it has been determined that the site supports sensitive habitat, namely, open coast live oak woodland, big sagebrush scrub and granitic northern mixed chaparral lands. As detailed in response a) above, direct and indirect impacts to sensitive natural communities identified in the RPO, NCCP, Fish and Game Code, and Endangered Species Act are mitigated through implementation of offsite habitat purchases.

As considered by the GPU EIR, project impacts to sensitive habitat and/or species will be mitigated through ordinance compliance and through implementation of the following mitigation measures: preservation of 4.62 acres of on-site habitat, open space fencing, off-site purchase of 3.64 acres of big sagebrush scrub and granitic northern mixed chaparral and breeding season avoidance to prevent brushing, clearing, and/or grading between February 15th and August 31st. The GPU EIR identified these mitigation measures as Bio 1.5, Bio 1.6 and Bio 1.7.

4(c) An upland drainage is located along the southern boundary of the property within the oak woodland and is considered an Army Corp of Engineers and California Department of Fish and Wildlife jurisdictional waters. This drainage feature will be located entirely within the proposed open space easement and is not a part of the impact footprint proposed by the subdivision of this property. Therefore, the project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

4(d) The project is located north of Interstate 8 and south of rural residential development within the Community of Pine Valley. A southern drainage feature in association with the onsite oak woodland habitat will be placed in open space and may be used locally for wildlife seeking cover, foraging for food, or as a nursery site. This drainage feature, however, is bordered by Interstate 8 to the south and Pine Valley Road to the east. The

proximity to Interstate 8 and to other development in Pine Valley limits the site's potential for conservation value as a wildlife corridor and/or linkage. The entire area/vicinity is located within Cleveland National Forest, including an undeveloped area to the west that is privately owned and may be subject to future development. Four parcels that would ultimately accommodate single family homes are proposed. Development will be limited to single family residential uses on land with limited conservation value. Combined with the proposed open space easement and offsite acquisition of land, the project will avoid and mitigate for impacts associated with the development of this property.

4(e) The project is consistent with the MSCP, Biological Mitigation Ordinance, and Resource Protection Ordinance (RPO) because off-site mitigation will be required to compensate for the loss of significant habitat.

Refer to the attached Ordinance Compliance Checklist for further information on consistency with any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan, including, Habitat Management Plans (HMP), Special Area Management Plans (SAMP), or any other local policies or ordinances that protect biological resources including the Multiple Species Conservation Program (MSCP), Biological Mitigation Ordinance, Resource Protection Ordinance (RPO), Habitat Loss Permit (HLP).

Conclusion
The project could result in potentially significant impacts to biological resources; however, further environmental analysis is not required because:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. Feasible mitigation measures contained within the GPU EIR will be applied to the project.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
5. Cultural Resources – Would the Project:			
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	☐	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	☐	☐
c) Directly or indirectly destroy a unique geologic feature?	☐	☐	☐
d) Directly or indirectly destroy a unique paleontological resource or site?	☐	☐	☐

e) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐

Discussion

5(a) Based on an analysis of the County's Geographic Information System (GIS) records, site photos, records of the property and a Cultural Resources Survey conducted by County Staff Archaeologist Martin Rosen on June 6, 2014, it has been determined that there are no impacts to historical resources none are found within the project site.

5(b) Based on an analysis of the County's Geographic Information System (GIS) records, site photos, records of the property and a Cultural Resources Survey conducted by County Staff Archaeologist Martin Rosen on June 6, 2014, it has been determined that the site does not contain any archeological resources.

5(c) The site does not contain any unique geologic features that have been listed in the County's Guidelines for Determining Significance for Unique Geology Resources nor does the site support any known geologic characteristics that have the potential to support unique geologic features.

5(d) A review of the paleontological maps provided by the San Diego Museum of Natural History indicates that the project is not located on geological formations that contain significant paleontological resources. The geological formations that underlie the project have a low probability of containing paleontological resources.

5(e) Based on an analysis of the County's Geographic Information System (GIS) records, site photos, records of the property and a Cultural Resources Survey conducted by County Staff Archaeologist Martin Rosen on June 6, 2014, it has been determined that the site does not contain formal cemetery or any archaeological resources that might contain interred human remains.

Conclusion

The project could result in potentially significant impacts to cultural resources; however, further environmental analysis is not required because:

1. No peculiar impacts to the project or its site have been identified.

2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.

3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.

4. Feasible mitigation measures contained within the GPU EIR will be applied to the project.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
6. Geology and Soils – Would the Project:			
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, liquefaction, and/or landslides?	☐	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐

Discussion

6(a)(i) The project is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997, Fault-Rupture Hazards Zones in California, or located within any other area with substantial evidence of a known fault.

6(a)(ii) To ensure the structural integrity of all buildings and structures, the project must conform to the Seismic Requirements as outlined within the California Building Code. Compliance with the California Building Code and the County Building Code will ensure that the project will not result in a significant impact.

6(a)(iii) The project site is not within a “Potential Liquefaction Area” as identified in the County Guidelines for Determining Significance for Geologic Hazards. In addition, the site is not underlain by poor artificial fill or located within a floodplain.

6(a)(iv) The site is not located within a “Landslide Susceptibility Area” as identified in the County Guidelines for Determining Significance for Geologic Hazards.

6(b) According to the Soil Survey of San Diego County, the soils on-site are identified as BbG, Bancas stony loam (30 to 65 percent slopes) that has a soil erodibility rating of severe. However, the project will not result in substantial soil erosion or the loss of topsoil because the project will be required to comply with the Watershed Protection Ordinance (WPO) and Grading Ordinance which will ensure that the project would not result in any unprotected erodible soils, will not alter existing drainage patters, and will

not develop steep slopes. Additionally, the project will be required to implement Best Management Practices (BMPs) to prevent fugitive sediment.

6(c) The project is not located on or near geological formations that are unstable or would potentially become unstable as a result of the project.

6(d) The project is underlain by BbG, Bancas stony loam (30 to 65 percent slopes), which is considered to be an expansive soil as defined within Table 18-I-B of the Uniform Building Code (1994). However, the project will not result in a significant impact because compliance with the Building Code and implementation of standard engineering techniques will ensure structural safety.

6(e) The project proposes to discharge domestic waste to on-site wastewater systems (OSWS), also known as septic systems. The project involves four individual septic systems located on the property. Discharged wastewater must conform to the Regional Water Quality Control Board's (RWQCB) applicable standards, including the Regional Basin Plan and the California Water Code. California Water Code Section 13282 allows RWQCBs to authorize a local public agency to issue permits for OSWS "to ensure that systems are adequately designed, located, sized, spaced, constructed and maintained." The RWQCBs with jurisdiction over San Diego County have authorized the County of San Diego, Department of Environmental Health (DEH) to issue certain OSWS permits throughout the County and within the incorporated cities. DEH has reviewed the OSWS lay-out for the project pursuant to DEH, Land and Water Quality Division's, "On-site Wastewater Systems: Permitting Process and Design Criteria." DEH approved the project's OSWS on March 21, 2012. Therefore, the project has soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems as determined by the authorized, local public agency. In addition, the project will comply with the San Diego County Code of Regulatory Ordinances, Title 6, Div. 8, Chap. 3, Septic Tanks and Seepage Pits.

Conclusion
As discussed previously, the project would not result in any significant impacts to/from geology/soils; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
7. Greenhouse Gas Emissions – Would the Project:			
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐

Discussion
7(a) The project would produce GHG emissions through construction activities, vehicle trips, and residential fuel combustion. However, the project falls below the screening criteria that were developed to identify project types and sizes that would have less-than-

cumulatively considerable GHG emissions. Screening thresholds have been published by the California Air Pollution Control Officers Association (CAPCOA) for determining the need for additional analysis and mitigation for GHG-related impacts under CEQA. The annual 900 metric ton carbon dioxide equivalent (MT CO2e) screening level referenced in the 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. A project including retail space of 11,000 square feet or general commercial office space of 35,000 square feet would produce 900 metric tons. The project includes only a minor subdivision to divide a 17.41-acre property into four residential lots. For projects of this size, it is presumed that the construction and operational GHG emissions will not exceed 900 MT CO2e per year, and there would be a less-than cumulatively considerable impact.

7(b) The County has numerous goals and policies in the County General Plan that address greenhouse gas reductions. Implementation of these measures will ensure that the County can achieve an emissions reduction target consistent with the state-mandated reduction target of Assembly Bill 32, the Global Warming Solutions Act. Through compliance with the General Plan and State green building requirements, the project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gas emissions.

Conclusion
As discussed previously, the project would not result in any significant impacts to greenhouse gas emissions; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
8. Hazards and Hazardous Materials – Would the Project:			
a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐
b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐
c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the	☐	☐	☐

public or the environment?			
d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐
e) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐
g)Expose 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?	☐	☐	☐
h) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?	☐	☐	☐

Discussion

8(a) The project will not create a significant hazard to the public or the environment because it does not propose the storage, use, transport, emission, or disposal of Hazardous Substances, nor are Hazardous Substances proposed or currently in use in the immediate vicinity. In addition, the project does not propose to demolish any existing structures onsite which could produce a hazard related to the release of asbestos, lead based paint or other hazardous materials.

8(b) The project is not located within one-quarter mile of an existing or proposed school.

8(c) Based on a site visit and a comprehensive review of regulatory databases (see attached Hazards/Hazardous Materials references), the project site has not been subject to a release of hazardous substances. Additionally, the project does not propose structures for human occupancy or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill, is not located on or within 250 feet of the boundary of a parcel identified as containing burn ash (from the historic burning of trash), and is not on or within 1,000 feet of a Formerly Used Defense Site.

8(d) The proposed project is not located within an Airport Land Use Compatibility Plan (ALUCP), an Airport Influence Area, or a Federal Aviation Administration Height Notification Surface. Also, the project does not propose construction of any structure equal to or greater than 150 feet in height, constituting a safety hazard to aircraft and/or operation from an airport or heliport.

8(e) The proposed project is not within one mile of a private airstrip.

8(f)(i) OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN: The project will not interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

8(f)(ii) SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN: The property is not within the San Onofre emergency planning zone.

8(f)(iii) OIL SPILL CONTINGENCY ELEMENT: The project is not located along the coastal zone.

8(f)(iv) EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN: The project would not alter major water or energy supply infrastructure which could interfere with the plan.

8(f)(v) DAM EVACUATION PLAN: The project is not located within a dam inundation zone.

8(g) The proposed project is adjacent to wildlands that have the potential to support wildland fires. However, the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because the project will comply with the regulations relating to emergency access, water supply, and defensible space specified in the Consolidated Fire Code, as shown on the approved Fire Protection Plan prepared for the project by Kappa Surveying, (September 7, 2012). Also, a Fire Service Availability Letter dated March 16, 2005 has been received from the Pine Valley Fire Protection District which indicates the expected emergency travel time to the project site to be 1.5 minutes which is within the 5 maximum travel time allowed by the County Public Facilities Element.

8(h) The project does not involve or support uses that would allow water to stand for a period of 72 hours or more (e.g. artificial lakes, agricultural ponds). Also, the project does not involve or support uses that will produce or collect animal waste, such as equestrian facilities, agricultural operations (chicken coops, dairies etc.), solid waste facility or other similar uses. Moreover, based on a site visit conducted by County staff, there are none of these uses on adjacent properties.

Conclusion

As discussed previously, the project would not result in any significant impacts to/from hazards/hazardous materials; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
9. Hydrology and Water Quality – Would the Project:			
a) Violate any waste discharge requirements?	☐	☐	☐
b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?	☐	☐	☐
c) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	☐	☐	☐
d) 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 (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐
e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐
f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐
g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?	☐	☐	☐
h) Provide substantial additional sources of polluted runoff?	☐	☐	☐
i) Place housing 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?	☐	☐	☐
j) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐
k) Expose people or structures to a significant risk of loss,	☐	☐	☐

injury or death involving flooding?

l) Expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam?	☐	☐	☐
m) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐

Discussion

9(a) The project will require a NPDES General Permit for Discharges of Storm Water Associated with Construction Activities. The project applicant has provided a Stormwater Management Plan (SWMP) which demonstrates that the project will comply with all requirements of the WPO. The project will be required to implement site design measures, source control BMPs, and/or treatment control BMPs to reduce potential pollutants to the maximum extent practicable. These measures will enable the project to meet waste discharge requirements as required by the San Diego Municipal Permit, as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP).

9(b) The project lies in the 911.14 Pine Valley hydrologic subarea, within the Tijuana River hydrologic unit. According to the Clean Water Act Section 303(d) list, a portion of this watershed is impaired for eutrophication, coliform bacteria, organic enrichment/low dissolved oxygen, pesticides, solids, synthetic organics, trace elements, and trash; Tijuana River Estuary is impaired for eutrophication, coliform bacteria, lead, nickel, pesticides, thallium, trash; and the Pacific Ocean at the Tijuana River mouth is impaired for coliform bacteria.. Constituents of concern in the watershed include coliform bacteria, nutrients, sediment, lowered dissolve oxygen, and trace metals. The project could contribute to release of these pollutants; however, the project will comply with the WPO and implement site design measures, source control BMPs, and treatment control BMPs to prevent a significant increase of pollutants to receiving waters.

9(c) As stated in responses 9(a) and 9(b) above, implementation of BMPs and compliance with required ordinances will ensure that project impacts are less than significant.

9(d) The project will obtain water from on-site groundwater wells and is groundwater dependent with no access to imported water. The subdivision will total four residential lots with a groundwater consumption of approximately two acre-feet per year. A site-specific Residential Well Test Report prepared by Peterson Environmental Services, Inc. dated March 30, 2009, on file with the Department of Planning and Development Services as Environmental Review Number 05-15-002, indicates that adequate groundwater resources are available to serve the project without interfering substantially with the production rate of nearby wells. As required by the County Groundwater Ordinance, acreage of each proposed lot is in compliance with the minimum parcel size requirement of four gross acres. In addition, a 34-year cumulative water balance of the project's tributary watershed was conducted by PDS dated June 18, 2009. The water balance results indicate that groundwater resources are adequate when taking past projects, current projects, and probable future projects into account. Therefore, the project and project's basin when developed with probable future projects will have sufficient water supplies available.

9(e) The proposed project is a minor subdivision to divide a 17.41-acre property into four residential lots. As outlined in the Storm water Management Plan (SWMP) dated May 23, 2011 and prepared by Fitzmaurice Consulting- Civil Engineering, the project will implement the following site design measures, source control, and/or treatment control BMP's to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff: Bioretention basins & rip-raps. These measures will control erosion and sedimentation and satisfy waste discharge requirements as required by PDS for New Development and Redevelopment Component of the San Diego Municipal Permit (SDRWQCB Order No. R9-2007-0001), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP). The SWMP specifies and describes the implementation process of all BMP's that will address equipment operation and materials management, prevent the erosion process from occurring, and prevent sedimentation in any onsite and downstream drainage swales. The Department of Public Works will ensure that the Plan is implemented as proposed. Due to these factors, it has been found that the project will not result in significantly increased erosion or sedimentation potential and will not alter any drainage patterns of the site or area on or off-site. In addition, because erosion and sedimentation will be controlled within the boundaries of the project, the project will not contribute to a cumulatively considerable impact. For further information on soil erosion refer to VI., Geology and Soils, Question b.

9(f) The proposed project will not significantly alter established drainage patterns or significantly increase the amount of runoff for the following reasons, drainage will be conveyed to either natural drainage channels or approved drainage facilities. Therefore, the project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site. Moreover, the project will not contribute to a cumulatively considerable alteration or a drainage pattern or increase in the rate or amount of runoff, because the project will not substantially increase water surface elevation or runoff exiting the site, as detailed above.

9(g) The project does not propose to create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems.

9(h) The project has the potential to generate pollutants; however, site design measures, source control BMPs, and treatment control BMPs will be employed such that potential pollutants will be reduced to the maximum extent practicable.

9(i) No FEMA mapped floodplains, County-mapped floodplains or drainages with a watershed greater than 25 acres were identified on the project site or off-site improvement locations.

9(j) No 100-year flood hazard areas were identified on the project site or offsite improvement locations.

9(k) The proposed buildings lies outside any identified special flood hazard area. Therefore, the project will not expose people to a significant risk of loss, injury or death involving flooding.

9(l) The project site lies outside a mapped dam inundation area for a major dam/reservoir within San Diego County. In addition, the project is not located immediately downstream of a minor dam that could potentially flood the property.

9(m)(i) SEICHE: The project site is not located along the shoreline of a lake or reservoir.

9(m)(ii) TSUNAMI: The project site is not located in a tsunami hazard zone.

9(m)(iii) MUDFLOW: Mudflow is type of landslide. See response to question 6(a)(iv).

Conclusion
As discussed previously, the project would not result in any significant impacts to/from hydrology/water quality; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
10. Land Use and Planning – Would the Project:			
a) Physically divide an established community?	☐	☐	☐
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐

Discussion
10(a) The project does not propose the introduction of new infrastructure such as major roadways, water supply systems, or utilities to the area.

10(b) The project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, including policies of the General Plan and Community Plan.

Conclusion
As discussed previously, the project would not result in any significant impacts to land use/planning; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
11. Mineral Resources – Would the Project:			
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐

11(a) The lands within the project site have not been classified by the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997); but the site is underlain by alluvial deposits. However, the project site is surrounded by rural commercial and residential development which is incompatible to future extraction of mineral resources on the project site. A future mining operation at the project site would likely create a significant impact to neighboring properties for issues such as noise, air quality, traffic, and possibly other impacts. Therefore, the project will not result in the loss of a known mineral resource because the resource has already been lost due to incompatible land uses.

11(b) The project site is not located in an Extractive Use Zone (S-82), nor does it have an Impact Sensitive Land Use Designation (24) with an Extractive Land Use Overlay (25).

Conclusion
As discussed previously, the project would not result in any significant impacts to mineral resources; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
12. Noise – Would the Project:			
a) 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?	☐	☐	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐

Discussion

12(a) The project consists of the subdivision of four residential lots. Based on a Noise Analysis prepared by Dudek and dated March 9, 2009, due to the elevation and topography of Parcel Four, second floor noises will exceed the maximum noise limits. A dedication of a Noise Restriction Easement on Parcel Four will ensure that the project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable standards for the following reasons:

General Plan – Noise Element: Tables N1 and N2 addresses noise sensitive areas and requires projects to comply with a Community Noise Equivalent Level (CNEL) of 60 decibels (dBA). Projects which could produce noise in excess of 60 dB(A) are required to incorporate design measures or mitigation as necessary to comply with the Noise Element. Based on a review of the County's noise contour maps, the project is not expected to expose existing or planned noise sensitive areas to noise in excess of 60 dB(A).

Based on a Noise Analysis prepared by Dudek and dated March 9, 2009, project implementation will not expose existing or planned noise sensitive areas to road, airport, heliport, railroad, industrial or other noise in excess of the CNEL 60 dB(A). Based on the noise report, ground level noise sensitive areas are anticipated to experience future traffic noise levels ranging from 58 dBA CNEL to 59 dBA CNEL. Due to the existing intervening topography between the proposed parcels and both Interstate 8 and Pine Valley Road, ground level noise levels will be as high as 59 dBA CNEL at Parcels One, Three and Four. No mitigation is necessary to ground floor noise sensitive receptor. Second floor noise levels will exceed the County 60 dBA CNEL noise level threshold to as high as 63 dBA CNEL at Parcel Four. The project has been conditioned to provide a noise restriction easement on Parcel Four. Therefore, due to existing project site topography and dedication of a noise restriction easement will ensure the project will comply with County of San Diego General Plan Noise Element.

Noise Ordinance – Section 36.404
Based on a Noise Analysis prepared by Dudek and dated March 9, 2009 non-transportation noise generated by the project is not expected to exceed the standards of the County of San Diego Noise Ordinance (Section 36.404) at or beyond the project's property line. The site is zoned RR that has a one-hour average daytime sound limit of 50dBA. The project's noise levels at the adjoining properties will not exceed County Noise Standards.

Noise Ordinance – Section 36.409
Based on a Noise Analysis prepared by Dudek and dated March 9, 2009 the project will not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36.409). Construction operations will occur only during permitted hours of operation pursuant to Section 36.409. Also, it is not anticipated that the project will operate construction equipment in excess of an average sound level of 75dB between the hours of 7 A.M. and 7 P.M.

Finally, the project's conformance to the County of San Diego General Plan (Noise Element, Policy 4b) and County of San Diego Noise Ordinance (Section 36.404 and 36.409) ensures the project will not create cumulatively considerable noise impacts, because the project will not exceed the local noise standards for noise sensitive areas; and the project will not exceed the applicable noise level limits at the property line or

construction noise limits, derived from State regulation to address human health and quality of life concerns. Therefore, the project will not contribute to a cumulatively considerable exposure of persons or generation of noise levels in excess of standards established in the local general plan, noise ordinance, and applicable standards of other agencies.

12(b) The project proposes residences where low ambient vibration is essential for interior operation and/or sleeping conditions. However, the facilities are typically setback more than 50 feet from any County Circulation Element (CE) roadway using rubber-tired vehicles with projected groundborne noise or vibration contours of 38 VdB or less; any property line for parcels zoned industrial or extractive use; or any permitted extractive uses. A setback of 50 feet from the roadway centerline for heavy-duty truck activities would insure that these proposed uses or operations do not have any chance of being impacted significantly by groundborne vibration or groundborne noise levels (Harris, Miller Miller and Hanson Inc., *Transit Noise and Vibration Impact Assessment* 1995, Rudy Hendriks, *Transportation Related Earthborne Vibrations* 2002). This setback insures that this project site will not be affected by any future projects that may support sources of groundborne vibration or groundborne noise related to the adjacent roadways.

Also, the project does not propose any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels and impact vibration sensitive uses in the surrounding area.

Therefore, the project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels on a project or cumulative level.

12(c) As indicated in the response listed under Section 12(a), the project would not expose existing or planned noise sensitive areas in the vicinity to a substantial permanent increase in noise levels that exceed the allowable limits of any applicable noise standards. Also, the project is not expected to expose existing or planned noise sensitive areas to noise 10 dB CNEL over existing ambient noise levels.

12(d) The project does not involve any operational uses that may create substantial temporary or periodic increases in ambient noise levels in the project vicinity. Also, general construction noise is not expected to exceed the construction noise limits of the Noise Ordinance. Construction operations will occur only during permitted hours of operation. Also, the project will not operate construction equipment in excess of 75 dB for more than 8 hours during a 24 hour period.

12(e) The project is not located within an Airport Land Use Compatibility Plan (ALUCP) for airports or within two miles of a public airport or public use airport.

12(f) The project is not located within a one-mile vicinity of a private airstrip.

Conclusion

As discussed previously, the project would not result in any significant impacts to/from noise; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
13. Population and Housing – Would the Project:			
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐

Discussion

13(a) The project will not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area.

13(b) The project will not displace existing housing since the site is currently vacant.

13(c) The proposed project will not displace a substantial number of people since the site is currently vacant.

Conclusion

As discussed previously, the project would not result in any significant impacts to populations/housing; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
14. Public Services – Would the Project:			
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios for fire protection, police protection, schools, parks, or other public facilities?	☐	☐	☐

Discussion

14(a) Based on the project's service availability forms, the project would not result in the need for significantly altered services or facilities.

Conclusion
As discussed previously, the project would not result in any significant impacts to public services; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
15. Recreation – Would the Project:			
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐

Discussion
15(a) The project would incrementally increase the use of existing parks and other recreational facilities; however, the project will be required to pay fees or dedicate land for local parks pursuant to the Park Land Dedication Ordinance.

15(b) The project does not include trails and/or pathways.

Conclusion
As discussed previously, the project would not result in any significant impacts to recreation; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
16. Transportation and Traffic – Would the Project:			
a) Conflict with an applicable plan, ordinance or policy establishing measures of the effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?	☐	☐	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that	☐	☐	☐

results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐
e) Result in inadequate emergency access?	☐	☐	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐

Discussion

16(a) The project will result in approximately 48 ADT. Access to the site is provided by Top of the Pines Lane. The project will not conflict with any established performance measures because the project trips do not exceed the thresholds established by County guidelines. In addition, the project would not conflict with policies related to non-motorized travel such as mass transit, pedestrian or bicycle facilities.

16(b) The additional 48 ADTs from the project do not exceed the 2400 trips (or 200 peak hour trips) required for study under the region's Congestion Management Program as developed by SANDAG.

16(c) The proposed project is located outside of an Airport Influence Area and is not located within two miles of a public or public use airport.

16(d) The proposed project will not alter traffic patterns, roadway design, place incompatible uses (e.g., farm equipment) on existing roadways, or create curves, slopes or walls which would impede adequate sight distance on a road.

16(e) The Pine Valley Fire Protection District and the San Diego County Fire Authority have reviewed the project and its Fire Protection Plan and have determined that there is adequate emergency fire access.

16(f) The project will not result in the construction of any road improvements or new road design features that would interfere with the provision of public transit, bicycle or pedestrian facilities. In addition, the project does not generate sufficient travel demand to increase demand for transit, pedestrian or bicycle facilities.

Conclusion

As discussed previously, the project would not result in any significant impacts to transportation/traffic; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

Conclusion

As discussed previously, the project would not result in any significant impacts to transportation/traffic; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
17. Utilities and Service Systems – Would the Project:			
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐
e) 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?	☐	☐	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐

Discussion

17(a) The project proposes to discharge wastewater to on-site wastewater systems (OSWS), also known as septic systems. The project involves two septic systems. Discharged wastewater must conform to the Regional Water Quality Control Board's (RWQCB) applicable standards, including the Regional Basin Plan and the California Water Code. California Water Code Section 13282 allows RWQCBs to authorize a local public agency to issue permits for OSWS "to ensure that systems are adequately designed, located, sized, spaced, constructed and maintained." The RWQCBs with jurisdiction over San Diego County have authorized the County of San Diego, Department of Environmental Health (DEH) to issue certain OSWS permits throughout the County and within the incorporated cities. DEH has reviewed the OSWS lay-out for the project pursuant to DEH, Land and Water Quality Division's, "On-site Wastewater Systems: Permitting Process and Design Criteria." DEH approved the project's OSWS on March 21, 2012. Therefore, the project is consistent with the wastewater treatment requirements of the RWQCB as determined by the authorized, local public agency.

17(b) The project does not involve new water and wastewater pipeline extensions.

17 (c) The project involves new storm water drainage facilities. However, these facilities will not result in additional adverse physical effects beyond those already identified in other sections of this environmental analysis.

17(d) The project will obtain water from on-site groundwater wells. A site-specific Residential Well Test Report prepared by Peterson Environmental Services, Inc. dated March 30, 2009, on file with the Department of Planning and Development Services as Environmental Review Number 05-15-002, indicates that adequate groundwater resources are available to serve the project without interfering substantially with the production rate of nearby wells. As required by the County Groundwater Ordinance, acreage of each proposed lot is in compliance with the minimum parcel size requirement of 4 gross acres. In addition, a 34-year cumulative water balance of the project's tributary watershed was conducted by PDS dated June 18, 2009. The water balance results indicate that groundwater resources are adequate when taking past projects, current projects, and probable future projects into account. Therefore, the project and project's basin when developed with probable future projects will have sufficient water supplies available.

17(e) The proposed project will rely completely on an on-site wastewater system (septic system); therefore, the project will not interfere with any wastewater treatment provider's service capacity.

17(f) All solid waste facilities, including landfills require solid waste facility permits to operate. There are five, permitted active landfills in San Diego County with remaining capacity to adequately serve the project.

17(g) The project will deposit all solid waste at a permitted solid waste facility.

Conclusion

As discussed previously, the project would not result in any significant impacts to utilities and service systems; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

Attachments:

Appendix A – References

Appendix B – Summary of Determinations and Mitigation within the Final Environmental Impact Report, County of San Diego General Plan Update, SCH # 2002111067

Appendix A

The following is a list of project specific technical studies used to support the analysis of each potential environmental effect:

Dudek, (March 9, 2009), Noise Assessment

TEC, Inc., (August, 2011), Biological Resources Report

County of San Diego, (June 6, 2014), Cultural Resources Survey Report

Peterson Environmental Services, (March 30, 2009), Well Testing Report

Fitzmaurice Consulting-Civil Engineering, (May 23, 2011), Major SWMP

Kappa Surveying, Inc., Fire Protection Plan Exhibit

For a complete list of technical studies, references, and significance guidelines used to support the analysis of the General Plan Update Final Certified Program EIR, dated August 3, 2011, please visit the County's website at:

http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS_Aug2011/EIR/FEIR_5.00_-_References_2011.pdf

Appendix B

A Summary of Determinations and Mitigation within the Final Environmental Impact Report, County of San Diego General Plan Update, SCH # 2002111067 is available on the Planning and Development Services website at:
http://www.sdcounty.ca.gov/pds/gpupdate/GPU_FEIR_Summary_15183_Reference.pdf

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
Top of the Pines TPM; PDS2005-3200-20951;
ER 05-15-002

May 26, 2015

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

YES	NO	NOT APPLICABLE/EXEMPT
☐	☐	☒

Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, a Biological Resource Report, dated August 2011 and prepared by TEC Inc., concluded that the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

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

YES	NO	NOT APPLICABLE/EXEMPT
☐	☐	☒

Discussion:

The proposed project and any off-site improvements related to the proposed project are 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
☒	☐	☐

Discussion:

As identified within Section 67.722.A (Residential Density Controls) of the San Diego County Groundwater Ordinance, all parcels for single-family dwellings must be a

minimum of 4 gross acres. The project's smallest lot is 4.16 gross acres, which is in compliance with the Groundwater Ordinance Residential Density Controls.

As identified within Section 67.722.C (Well Tests) of the San Diego County Groundwater Ordinance, the project conducted one required residential well test which passed the residential well test requirements as defined in Section 67.703.

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

	YES	NO	NOT APPLICABLE/EXEMPT
The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	☒	☐	☐
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	☒	☐	☐
The Steep Slope section (Section 86.604(e))?	☒	☐	☐
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	☒	☐	☐
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	☒	☐	☐

Discussion:

Wetland and Wetland Buffers:
The site contains wetlands, which if disturbed would result in a significant impact. The entire area of wetland and wetland buffer will be placed in an open space easement prior to issuance of improvement or grading plans or prior to recordation of the Parcel Map, whichever comes first. There will be no net loss of wetlands and therefore no significant impact will occur. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:
The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes:
Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:
Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. No sensitive habitat lands were identified on the site as determined on a site visit conducted by County staff on December 12, 2007. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:
The property has been surveyed by a County Staff Archaeologist/historian, Martin Rosen. A Cultural Resource Report dated June 6, 2014, determined that the property does not contain any archaeological/ historical sites. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

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

YES	NO	NOT APPLICABLE
☐	☐	☐

Discussion:

The project Storm Water Management Plan has been reviewed and is found to be complete and in compliance with the WPO.

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

YES	NO	NOT APPLICABLE
☒	☐	☐

Discussion:

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.

Project consists of the subdivision of four residential lots. Previous comments have been addressed including the sound modeling of Interstate 8 and the addition of second story receptors. Based on the noise report prepared by Dudek dated March 9, 2009, ground level noise sensitive areas are anticipated to experience future traffic noise levels ranging from 58 dBA CNEL to 59 dBA CNEL. Due to the existing intervening topography between the proposed parcels and both Interstate 8 and Pine Valley Road, ground level noise levels will be as high as 59 dBA CNEL at Parcels One, Three and

Four. No mitigation is necessary to ground floor noise sensitive receptor. Second floor noise levels will exceed the County 60 dBA CNEL noise level threshold to as high as 63 dBA CNEL at Parcel Four. Staff requires a noise restriction easement to Parcel Four. Therefore, due to existing project site topography and dedication of a noise restriction easement will ensure the project will comply with County noise standards.

Attachment E – Public Documentation

APPEAL APPLICATION
ZONING DIVISION

APPEAL TO:

- ○ Board of Supervisors
- ● Planning Commission
- ☒ Administrative Appeal (Requires Deposit & PDS-346)

FOR OFFICIAL USE ONLY

Thomas Guide Map | Code ____ | Fee N/A | Record ID 3200-20951

Community Plan Area Pine Valley

General Plan Designation VR-2 | Zone Rural Residential (RR)

APPELLANT FILL IN BELOW THIS LINE, THIS SIDE ONLY – PLEASE PRINT OR TYPE

Site Address (Number, Street, City, Zip): TOP OF THE PINES TPM-3200-20951

Assessor's Parcel Number:

Appellant's Name (Last, First, Middle): DENHAM VERN R

Mailing Address (Number, Street): PO BOX 67

City, Zip: PINE VALLEY CA 91962

Telephone: 619-473-8579

Owner's Name (Last, First, Middle): ONG PAC COMPANY

Mailing Address (Number, Street): 2027 N CENTRAL AVE

City, Zip: PHOENIX ARIZONA 85004

Telephone:

REQUEST: Clearly define all items requested in the appeal. Submit plans if necessary, to illustrate request.

THIS IS AN APPEAL OF THE TOP OF THE PINES SUB-DIVISION FROM THE PINE VALLEY PLANNING GROUP

JUSTIFICATION: Attach additional sheets if necessary.

ADDITIONALY INFO NOT AVAILABLE AT THE TIME OF OUR MEETING

Vern Denham — Signature of Appellant

CHAIR - PVPG OCT 14-2015 — If Company Officer – indicate Company Name and function (Please print)

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http://www.sdcounty.ca.gov/pds

10-14-15;03:07PM;From:PineValleyLibrary To:18586942485 ;6194739638 # 1/ 1

County of San Diego

Pine Valley Planning Group

Devon Muto, Chief
Advance Planning,
Department of Planning And Land Use
520 Ruffin Road, Suite B
San Diego, California 92123-1666

October 17, 2011

Subject: Preliminary Review of Proposed 4 Lot Sub-Division Map, TPM 20591-RPL 3

Mr. Muto,

On Tuesday October 11, 2011, The Pine Valley Planning Group met in a regularly scheduled session and on the Agenda was a Preliminary Review of the above referenced proposed 4 lot Sub- Division Map.

Following a presentation by Rick Turner of KAPPA Surveying on behalf of the property owner, the members of the Planning Group expressed a number of absolute reservations about yet another project that seeks to build *yet another* group of single family homes in the rural backcountry in the Pine Valley Planning Group area.

To begin with, we do not understand why the County even brings this project forward. It is our understanding that it is not "pipelined" and therefore is not a "by right "project." The Board of Supervisors voted recently on August 3, 2011 to adopt the General Plan Update. This property is located in the geographical area that falls in the "one dwelling unit per 80 acres" under the Environmentally Superior Map.

1 (cont.)

Reviewing the Property Specific Requests submitted during the General Plan Update hearings, we do not find this parcel among those seeking special zoning exceptions not available to other property owners. To treat this property to a higher density than that afforded other similarly situated parcels undermines the intent of the Environmentally Superior Map

Leaving this aside, the Planning Group expressed a number of site specific concerns that finds a preliminary subdivision map design presented that undermines the very Central Mountain Sub Regional Plan and attacks the Community Character element of our Community Plan.

As clearly stated in the Central Mountain Sub regional Plan, the County has specific Goals established to preserve the Back Country and specific policies delineated to carry out these goals.

2

We respectfully direct your attention to the Circulation element of the above referenced Plan and to page 35 where it states quite clearly:

"All future development on lands visible from scenic view corridors must be designed, landscaped, graded, sized and setback in a manner that maintains harmony with the natural scenic setting".

3

Also an express **GOAL** of the **Visual Resources** section as clearly stated in **Policies** at page 30, (3) is:

"Development along scenic roads and highways should be designed so as not to detract from the appearance of open spaces"

4

In addition the identical intent is made in the Residential Findings section and specific Policies at page 64 A 2

"Whenever possible, structures shall be designed to tuck into the natural hillside and conform to the natural contours of the land. NO PORTION of any structures will be permitted ON OR ABOVE THE RIDGELINE."

5

In addition on page 88 in **Scenic Highways and Visual Resources findings** supporting the **GOALS** it is clearly stated as follows:

" It is intended that all developments on lands visible from the aforementioned roads be designed, landscaped, graded, sized and setback in a manner that maintains harmony with the scenic setting."

As presented by Mr. Turner, this project accomplishes none of the above. From setting the proposed houses on slabs to excessive grading of slopes averaging twenty one percent (21%), far in excess of the county's own guidelines of fifteen percent (15%), this project undermines the Community Character Policies A8, page 55 where

"Grading shall be strictly limited so that structures conform to the natural terrain."

6

By no stretch of the imagination can the grading or sitting of these proposed houses satisfy the requirement that grading be strictly limited to conforming to the natural terrain. These proposed sites are on de facto ridges that have been flattened to accommodate pads.

7

In addition we draw your attention to the Land Use Policies, A (9) and A (10) that "**prohibits severe grading** " for development, both private and public.

This issue is further exacerbated by the proposed use of pads which is in direct contravention of the County's own Policies as stated on page 90 in the Scenic Preservation Findings Policies G and H, to wit:

"Residential structures on 15 per cent slope or more should use wood framed floor systems along with no pad grading, where possible. Every effort should be made tohave the structure conform to the natural slope"

8

The defacto placement of these houses on existing ridges and ridge saddles violates an express policy of the County that addresses the most pervasive problem facing the Pine Valley Planning area.....the threat of fire.

9 Again, we are in a water sensitive area as made clear by the County Water Study. Drilling one or 4 wells to serve 4 more houses only intensifies the water draw down.

To make matters worse in so far as consistency with the Central Mountain Sub regional Plan, the issue of individual and unsightly water tanks protruding above the ridges is raised by the intent to have 4 individually owned homes each with a water tank.

10 As this is a view shed corridor, we respectfully direct your attention to page 90, (F)) of the Plan,

"Water tanks in Scenic Corridors shall not be obtrusive....."

It is apparent that there is little to no way that these 4 water tanks can be made to be "unobtrusive"

For the above stated reasons the Pine Valley Planning Group respectfully requests that the Department of Planning and Land Use revisit this proposed Subdivision Lot Map and kindly provide the Planning Group with another review.

In addition, as we discussed with the County Planners when they visited with a few members of the Planning group on site some months back, Code Enforcement needs to compel the property owner to remove the tons of garbage including a bobtail trailer, destroyed campers, couches etc that litter the property, provide cover for vermin and denigrate the community of Pine Valley.

Finally we commend Mr. Turner of Kappa Engineering for his presentation and forthright consideration of our concerns and look forward to hearing from the Department of Planning and Land Use as it addresses the issues above.

Sincerely,

Warren Larkin

Warren Larkin
Vice Chair
Pine Valley Planning Group

cc: Supervisor Dianne Jacob,
Mark Slovick. Project Planner

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

July 2, 2015

Pine Valley Community Planning Group
Vern Denham, Chair
P.O. Box 67
Pine Valley, CA 91962

Dear Mr. Denham,

Thank you for your participation with the June 25, 2015 Zoning Administrator hearing in regards to CEQA Guidelines Section 15183 for the Top of the Pines Tentative Parcel Map. During the hearing specific concerns were raised by the Pine Valley Community Planning Group. The limited decision that was made at the Zoning Administrator hearing may not have adequately addressed your concerns. In order to hopefully better answer your concerns, staff would like to take the opportunity to relay some information on these issues.

The Pine Valley Community Planning Group raised specific concerns regarding impacts to wildlife, aesthetics, and groundwater. In addition there was a comment concerning the General Plan Designation of the project parcel.

Wildlife

A County approved biological consultant conducted a Biological Resource Report for the project parcel. The biological consultant conducted site specific field surveys in order to take inventory and assess any wildlife species that may be present on the site. No rare, threatened, or endangered species were documented. The report concluded that the site is not essential to local or regional populations of any sensitive species, and is not situated along obvious corridors for wildlife movement.

Aesthetics

As discussed at the Zoning Administrator hearing, two of the parcels, parcels three and four, would be visible from Interstate 8 (I-8). The rolling topography of the project parcel and surrounding area provides a natural buffer from the project site and viewsheds from I-8. The southern portion of the parcel would be dedicated as open space and a limited building zone, which would provide additional buffering.

Groundwater

The project obtains water from on-site groundwater wells and is groundwater dependent with no access to imported water. The project was analyzed and meets the requirements of the County's Groundwater Ordinance. A residential well test report concluded that adequate groundwater resources are available to serve the project. In addition, a Cumulative Water Balance was conducted and concluded that there are adequate groundwater resources for the proposed project and surrounding uses.

General Plan Designation

The General Plan Designation for the project is Village Residential (VR-2) which authorizes two dwelling units per acre, pursuant to August 3, 2011 when the General Plan was adopted. The Designation of the parcel is not RL-80, as was mentioned at the Zoning Administrator hearing report.

Staff hopes that this letter better addresses the concerns that were brought up and we thank you for your participation at the Zoning Administrator hearing. If you would like to discuss a specific concern in more detail please feel free to contact us.

Staff would also like to inform you that the Final Notice of Approval for Tentative Parcel Map No. 3200-20951 is expected to be issued July 6, 2015.

If you have any questions regarding this letter or the associated project, please feel free to contact me, Benjamin Mills, at (858) 495-5234 or benjamin.mills@sdcounty.ca.gov.

Sincerely,

Benjamin Mills, Project Manager, PDS

CC: John Vega, Kappa Surveying Inc., 8707 La Mesa Boulevard, La Mesa, CA 91941

County of San Diego, Planning & Development Services

COMMUNITY PLANNING OR SPONSOR GROUP PROJECT RECOMMENDATION

ZONING DIVISION

Record ID(s): 3200-20951 TPM

Project Name: TOP OF THE PINES

Planning/Sponsor Group: PINE VALLEY PLANNING GROUP

Results of Planning/Sponsor Group Review

Meeting Date: AUG 11, 2015

A. Comments made by the group on the proposed project.

B. Advisory Vote: The Group ☒ **Did** ☐ **Did Not** make a formal recommendation, approval or denial on the project at this time.

If a formal recommendation was made, please check the appropriate box below:

MOTION:

- ☐ Approve without conditions
- ☐ Approve with recommended conditions
- ☒ Deny
- ☐ Continue

VOTE: 8 **Yes** 0 **No** 0 **Abstain** 5 **Vacant/Absent**

C. Recommended conditions of approval:

Reported by: VERN DENHAM Position: CHAIR Date: 8-11-15

Please email recommendations to BOTH EMAILS;
Project Manager listed in email (in this format): Firstname.Lastname@sdcounty.ca.gov **and to** CommunityGroups.LUEG@sdcounty.ca.gov

Attachment F – Ownership Disclosure

VPM 211 $630.00 3-1-06

KIVA # 3200

KIVA PF ECT # 05-0046067

01 18 092066 07/07/05 08:57AM
00 TRUST FUND DEPOSITS $1,760.00
Auth: WN8198
: TPM20951
00 TRUST FUND DEPOSITS $2,720.00
Work Auth: WN8198
REF: ENV05-15-002
4900 TRUST FUND DEPOSITS $4,080.00
Work Auth: DPW
REF: TPM20951

COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE
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DISCRETIONARY PROJECT APPLICATION

Case Numbers	DPLU	DPW	DEH	PARKS	OTHER
TPM 20951	1760 F/D 4900	4080 D	F/D	D	F/D
	F/D	D	F/D	D	F/D
	F/D	D	F/D	D	F/D
	F/D	D	F/D	D	F/D
ENV # 05-15-002	2720 D 4900				
WN # 8198	4480 D 4900				
	4480 +	4080. +	+	+	= 8560
	DPLU	DPW	DEH	PARKS/OTHER	TOTAL

DEPARTMENT USE ONLY

Have you had a pre-application conference? YES [ ] NO [X] If yes, Planner's name: _____

Is this project the subject of a code violation? YES [ ] NO [X] If yes, provide copy of Violation Notice.

Financial responsibility: Owner [X] Applicant [ ] Engineer [ ] Taxpayer ID# or SSN _____

Owner Name One Pac Company Phone (602) 263-6502

Address 2727 N. Central Avenue

City Phoenix State AZ Zip 85004

Owner's E-mail Address _____ Owner's Fax Number (602) 277-1026

Applicant Name same (If different from owner.) Phone (____) _____

Address _____

City _____ State _____ Zip _____

Applicant's E-mail Address _____ Applicant's Fax Number (____) _____

Engineer Name Kappa Surveying Inc. Phone (619) 465-8948

Address 8707 La Mesa Blvd.

City La Mesa State CA Zip 91941

Engineer's E-mail Address kappasurvey@cox.net Engineer's Fax Number (619) 465-8948

Project Contact Person Rick Turner Phone (619) 465-8948

Address 8707 La Mesa Blvd.

City La Mesa State CA Zip 91941

Project Name Top Of The Pines Lane

Project Address & Nearest Cross Street Corner of Pine Valley Rd. & Oak Lane

Assessor's Parcel No. 410-030-17

I declare under penalty of perjury under the laws of the State of California that the statements made as part of this application are true and correct. I hereby agree to provide the idemnification as required by Chapter 2 of Division 6 of Title 8 of the San Diego County Code.

Carlos Vizcarra

Signature of owner or Authorized Agent. If Agent signs, attach Letter of Authorization

Carlos Vizcarra, President

Print or type Signator's Name

SDC DPLU RCVD 04-27-06

TPM20951

DPLU# 346 (11/9/04)

MV 7/7/05 8:40 Am

FOR DEPARTMENT USE ONLY

	Existing	Proposed
General Plan Designation	CT	
Regional Category	1	

For Administrative Permits and Use Permits
Describe use: TPM 4 lot Split

ZONE			
USE REGULATIONS		RR.25	
NEIGHBORHOOD REGULATIONS/Animal		J	
DEVELOPMENT REGULATIONS	Density	.25	
	Lot Size	4AC	
	Building Type	C	
	Maximum Floor Area	-	
	Floor Area Ratio	-	
	Height	G	
	Lot Coverage	-	
	Setback	C	
	Open Space	-	
SPECIAL AREA REGULATIONS		-	

Thomas Bros 1237 B7 Tax Rate Area 91050

Total Acres 17.41 No. of lots 1

Planning Group Pine Valley Supervisor District 2

Community Plan Central mtn.

Related Cases? YES ☒ NO ☐ If yes, list case number(s) TPM

Linked Cases? ☐ ☒ If yes, list case number(s)

Is the project in a Specific Plan? YES ☐ NO ☒ If yes, name Plan

Is the project within 1/2 mile of a regional park? YES ☐ NO ☒

Is the project within 1 mile of an airport? ☐ ☒

Is the project within 1 mile of a highway? ☒ ☐ 8

Is the project within 1 mile of a city? ☐ ☒ If yes, name City

Is the project within a city sphere of influence? ☐ ☒ If yes, name City

Is the project proposed for septic ☒ or sewer? ☐

Is the project subject to the County Groundwater Ordinance? YES ☐ NO ☒

Fire Pine Valley FDP.

FOR PLANNER ASSIGNMENT, PLEASE CALL (858) 694-3292 mvenable 6/16/05
Technician Initials Date

Technician's comments: