



The County of San Diego

Planning Commission Hearing Report

Date:	March 11, 2016	Case/File No.:	Lone Oak Tentative Map and Major Use Permit, PDS2014-TM-5585, PDS2014-MUP-14-017; ER 14-08-006
Place:	County Conference Center 5520 Overland Avenue San Diego, CA 92123	Project:	Planned Residential Development
Time:	9:00 a.m.	Location:	Northeast corner of Lone Oak Road and Buena Creek Road
Agenda Item:	#2	General Plan:	Village Residential (VR2)
Appeal Status:	Appealable to the Board of Supervisors	Zoning:	RR/A70
Applicant/Owner:	Marc Perlman/ GH2, LLC	Community:	North County Metro
Environmental:	CEQA §15183 Exemption	APNs:	181-162-06, 184-080-01

A. EXECUTIVE SUMMARY

1. Requested Actions

This is a request for the Planning Commission to evaluate a proposed Tentative Map (TM) and Major Use Permit (MUP) for 24 lot planned residential development, determine if the required findings can be made, and if so, take the following actions:

- a. Adopt the Environmental Findings included in Attachment F, which includes a finding that the project is exempt from further environmental review pursuant to Section 15183 of the California Environmental Quality Act (CEQA) Guidelines.
- b. Grant Major Use Permit (PDS2014-MUP-14-017) with the requirements and conditions set forth in the Major Use Permit (Attachment D).
- c. Adopt the Resolution of Approval for Tentative Map (PDS2014-TM-5585), which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment C).

2. Key Requirements for Requested Actions

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

B. REPORT SUMMARY

The purpose of this staff report is to provide the Planning Commission with the information necessary to consider the proposed TM and MUP, conditions of approval and findings, and environmental findings prepared in accordance with CEQA.

The applicant proposes to subdivide 14.15 acres into 24 residential lots. Based on staff's analysis, it is the position of Planning and Development Services (PDS) that the required findings can be made. PDS recommends approval of the TM and MUP for a Planned Residential Development, with the conditions noted in the attached Resolution and Form of Decision.

C. DEVELOPMENT PROPOSAL

1. Project Description

The project is a TM and MUP for a planned residential development to subdivide a 14.15-acre property into 24 residential lots ranging from 8,509 to 17,863 square feet. In addition, the TM proposes a total of six non-buildable lots including private road easements, water quality detention basins, and a 3.1-acre open space easement. Figure 1 indicates the proposed lot layout.



Figure 1: Proposed Site Layout

The MUP is a Planned Residential Development pursuant to Section 6600 of the San Diego County Zoning Ordinance to allow lot sizes of less than 0.5 of an acre. This section allows for MUPs to propose lot sizes less than the minimum required by zoning as long as the project does not exceed the density allowed by the County of San Diego General Plan and the project complies with the requirements of Section 6600 of the Zoning Ordinance. The General Plan allows 28 homes on this property, but constraints including existing road easements and biological wetland setbacks have limited this project to 24 homes. The clustered design would reduce grading and preserve the existing onsite drainage feature and oak woodland along Buena Creek.

The MUP also establishes setbacks for the project. The project maintains the setbacks required by current zoning to the perimeter property lines and proposes interior lot setbacks of eight feet and front yard setbacks from interior streets of 35 feet. These reduced interior setbacks allow the project to cluster development in the central portion of the site, create a larger setback from Buena Creek and oak woodland area and provide a larger setback from the exterior property lines. Pursuant to Section 6600, 25 percent of the project net acreage (3.1 acres) would be placed into open space.

The MUP also regulates the design and location of the proposed houses. The proposed houses range in size from approximately 3,400 square feet to 3,800 square feet and include both one and

two story models. Height would range from approximately 20 feet for the one-story models and 29 feet for the two-story models. These houses would be painted earth tone colors to match the surroundings based on one of 11 different color schemes (see Figures 6.a and 6.b). The project has been conditioned to ensure the finished product matches one of the proposed color schemes and that no abutting houses use the same color scheme (Condition 11 of the MUP).

Access to the site would be provided by a gated private road connecting to Lone Oak Road and to Cleveland Trail, which is a private road. In order to comply with Fire District requirements, the Subdivision Ordinance and Public Road Standards, improvements are proposed to Cleveland Trail and Lone Oak Road. For Cleveland Trail, the project proposes to widen the road from Buena Creek Road to Lone Oak road to 24 feet in order to comply with Fire District requirements and the Subdivision Ordinance from Buena Creek Road to the proposed private road easement. The applicant is also requesting to leave an existing 20 foot wide dip section in the road as detailed in Section D.5 (Subdivision Ordinance Consistency) and Table D.4 (Subdivision Ordinance/Design Standard Modifications/Exceptions) of this report.

For Lone Oak Road, the applicant proposes improvements from the intersection of Buena Creek Road along the project frontage to the end of the property. In order to comply with the Public Road Standards, the project proposes to widen this road to 28 feet and also include a 5 1/2 foot wide decomposed granite pathway. The project also proposes another internal trail that would lead from Lone Oak Road to Cleveland Trail and a decomposed granite pathway along Lone Oak Road.

Water for the project would be provided by the Vista Irrigation District, sewer would be provided by the Buena Sanitation District and fire protection would be provided by the Vista Fire Protection District. The project would also be served by the Vista Unified School District. Earthwork would consist of approximately 73,850 cubic yards of cut and fill. Landscaping in conformance with the preliminary landscape plan is also proposed. This landscaping includes 24 to 36-inch box trees as well as shrubs. A photosimulation of the project after construction is included in Figure 2.

Please refer to Attachment A – Planning Documentation, to view the complete Tentative Map, Preliminary Grading Plan, Preliminary Landscape Plan, and elevations.



Figure 2: Photosimulation

2. Subject Property and Surrounding Land Uses

The site is 14.15 acres and is located at the eastern intersection of Buena Creek Road and Lone Oak Road and south of Cleveland Trail, within the North County Metropolitan Subregional Plan Area (See Figure 3). The western portion of the property contains the Buena Creek oak woodland. The central and eastern portions of the project are mostly disturbed and currently contain a single-family dwelling and storage building (See Figure 4). The site is relatively flat and slopes gently upward to the east.

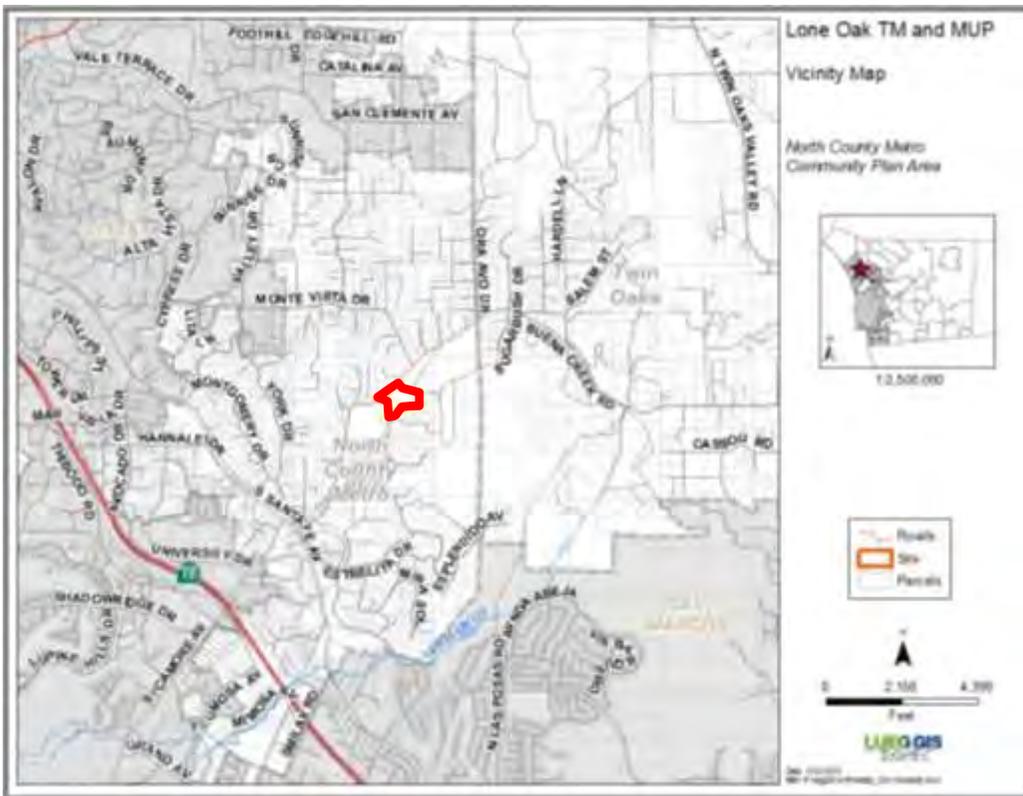


Figure 3: Vicinity Map



Figure 4: View of Project Site

As shown on Figure 5, surrounding land uses primarily consist of single-family homes and vacant land. Residential uses and native vegetation are located directly east of the site. The Sugarbush TM (PDS-2004-3100-5295) is also located approximately 400 feet to the east. This TM was approved by the Board of Supervisors on October 13, 2010 and consists of 45 dwelling units with a minimum lot size of 0.5 acre on a 115.5 acre site. This applicant has already obtained a grading permit and is anticipated to be placed on a Board of Supervisors agenda within the next several months for consideration of the Final Map.

Single-family dwellings and Lone Oak Road are located to the south of the project site. The Sprinter Station is also located approximately 4,000 feet to the south of the site (see figure 5).

To the west of the site, the majority of the parcels are developed with single-family dwellings. Buena Creek and Buena Creek Road are also located to the west. Land uses north of the project site primarily consist of residential uses and vacant land. Cleveland Trail is located directly to the north.

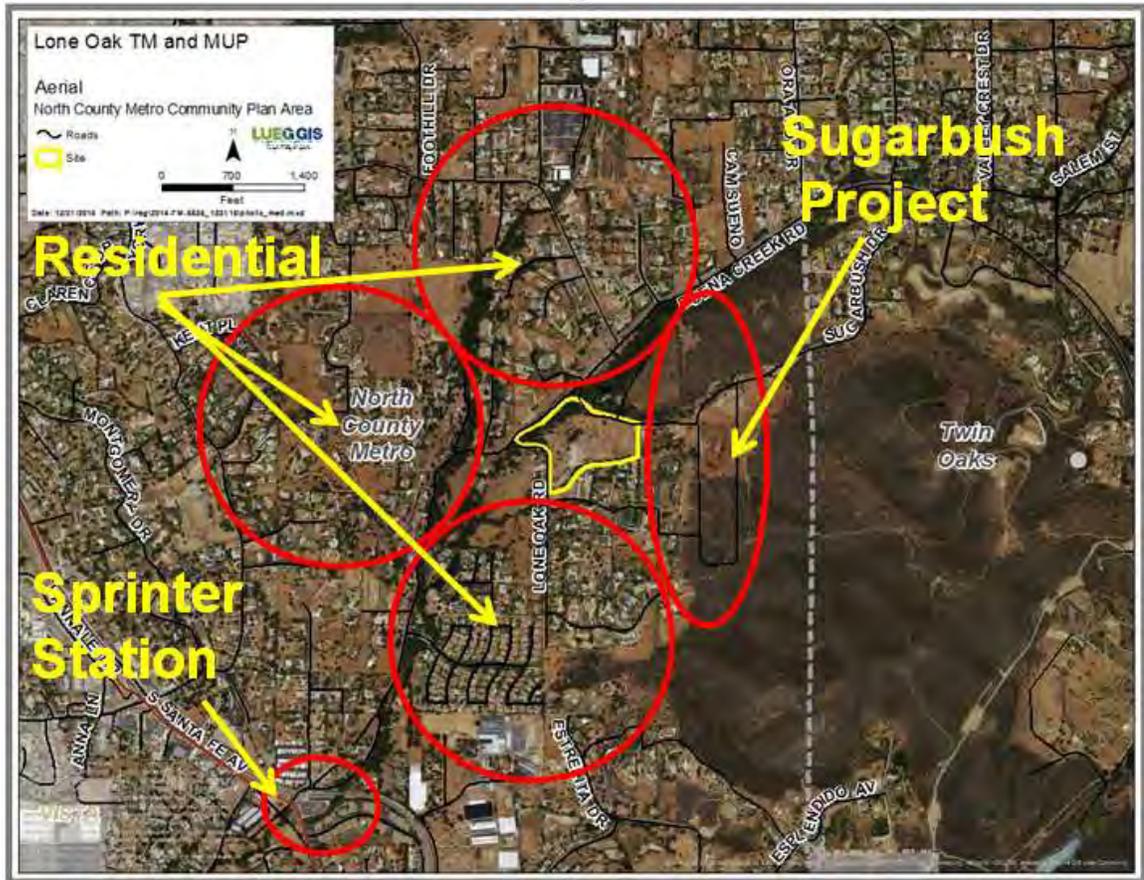


Figure 5: Surrounding Land Uses

Table C-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
North	Village Residential (VR-2)	Rural Residential (RR)	Buena Creek Road/Cleveland Trail	Single Family Residential and vacant land
East	Village Residential (VR-2)	Limited Agriculture (A70)	N/A	Single Family Residential, Sugarbush Project
South	Village Residential (VR-2)	Rural Residential (RR)	Lone Oak Lane	Single Family Residential
West	Village Residential (VR-2)	Rural Residential (RR)	Lone Oak Road	Single Family Residential

D. ANALYSIS AND DISCUSSION

The project has been reviewed to ensure it conforms to all relevant ordinances and guidelines, including the San Diego County General Plan, North County Metropolitan Subregional Plan, the Zoning Ordinance, and CEQA Guidelines. Six main concerns were raised by the Twin Oaks Sponsor Group, surrounding neighbors, the San Diego County Archaeological Society, San Luis Rey Band of Mission Indians and Department of Fish and Wildlife. These concerns were community character, traffic, fire hazards and fire evacuation, CEQA conformance, biology and archaeology. Below is a description of concerns raised, as well as a summary of how each item has been analyzed and addressed. A detailed discussion of the project analysis and consistency with applicable codes, policies and ordinances is also provided below.

1. Project Analysis

Community Character

During processing of the project, several concerns were raised that the project and proposed lot sizes would not be consistent with the surrounding area. The project proposes 24 lots on approximately 14.15 acres. To determine if the project would be consistent with the surrounding area and MUP findings, staff reviewed surrounding land uses, the size of existing structures and lots in the surrounding area and design features of the project. Additionally, a Land Use Consistency Analysis and visual simulations were prepared to analyze the proposed project in relation to the surrounding area. The visual simulations can be found in Attachment B.

The current zoning for the property requires a 0.5-acre minimum lot size. Lot sizes below the minimum lot size required by zoning are allowed pursuant to Section 6600 of the Zoning Ordinance with approval of a MUP for a planned development. Proposed lots range from 0.2 to 0.42-acre in size with a 3.1-acre open space lot. While surrounding land uses are also zoned for a minimum lot size of 0.5 acres, the Land Use Consistency Analysis determined that abutting properties range in size from 0.3 to 29.4. Within ½ mile perimeter of the project, there are parcels that range in size from 0.1 to 46.8 acres. A survey of the surrounding development patterns within a one-half mile

radius of the project site shows that approximately 637 parcels currently exist or have approved tentative maps. Of this total, 204 parcels, (32 percent) or nearly one-third, are less than one half acre, while the remaining approximately two-thirds (or 433 lots), are one-half acre or larger. Therefore, the staff recommendation determined that the project has been designed to propose lots sizes consistent with the surrounding area.

In addition to requiring that MUP findings be met, section 6618.a states “*a planned development shall be designed and developed in a manner compatible with and complementary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.*”

After review, PDS finds that the project complies with this requirement because the project proposes a residential use similar to that found in the surrounding area and the applicant has included numerous design measures to buffer the project from the abutting property and ensure the project is consistent with the surrounding community character. These design measures include:

1. In order to meet the planned development requirements for open space, the project is proposing to maintain the western 3.1 acres of the site in open space. This open space would create a large buffer along the western perimeter and creates a visual barrier between the proposed houses and Buena Creek Road.
2. The applicant proposes reduced interior setbacks to cluster houses within the central portion of the project and create larger exterior setbacks and buffers. These reduced interior setbacks also allow the project to maintain more of the western portion of the project in open space.
3. The applicant proposes an earth tone six foot tall solid block wall along the eastern property line to separate the proposed project from the abutting lots to the south.
4. The project includes a landscape plan consisting of numerous 24-inch to 36-inch box trees including Strawberry tree, Brisbane box, Soughter Magnolia, Fern Pine, Western Redbud, Crape Myrtle, California Sycamore, Coast Live Oak, and African Sumac. The landscape plan also proposes dwarf coyote brush, Myoporum, California Meadow Sedge, Manzanita, Berkeley Sedge, Elijah Bule Fescue, and Cassa Blue. This landscaping would be planted on all proposed slopes and the perimeter of the project and has been reviewed and conditioned to comply with the County of San Diego Landscaping Ordinance and the Water Efficient Landscape Design Manual. Figure 6 includes a photosimulation of this landscaping along Lone Oak Road.
5. The proposed houses have been designed to match the surrounding area and structures in height, size and color. The elevations also include earth tone colors. A total of 11 different color schemes are proposed and the project has been conditioned to ensure that no color scheme is used twice in a row. The proposed height will range from 20 to 29 feet, which is consistent with the surrounding houses (see Figure 6.a and 6.b). Condition 11 of the MUP requires that photographs be submitted prior to occupancy indicating that the houses have been painted to match the approved color scheme.

6. Proposed houses would be separated from Lone Oak Road by nonresidential lots. The only lots that abut Lone Oak Road would contain the Biological Open Space, landscaping, distension basins, and a project entrance (See Figure 2).
7. Houses abutting the southern property line would be limited to one story. This one story height limit would reduce the scale and bulk of the project and reduce views from Lone Oak Road (See Figure 2 and 7.a). Condition 16 of the MUP limits lots along the southern property line to one story.
8. Grading has been set back from the southern property line to preserve a strand of existing trees and create a larger setback to abutting lots.
9. The applicant has proposed to accommodate the additional right of way and road improvements for Lone Oak Road on the project side of the road in order to prevent impacts from road widening on the opposite side of Lone Oak Road and to prevent existing landscaping and fences along the neighboring lots be removed for road improvements.

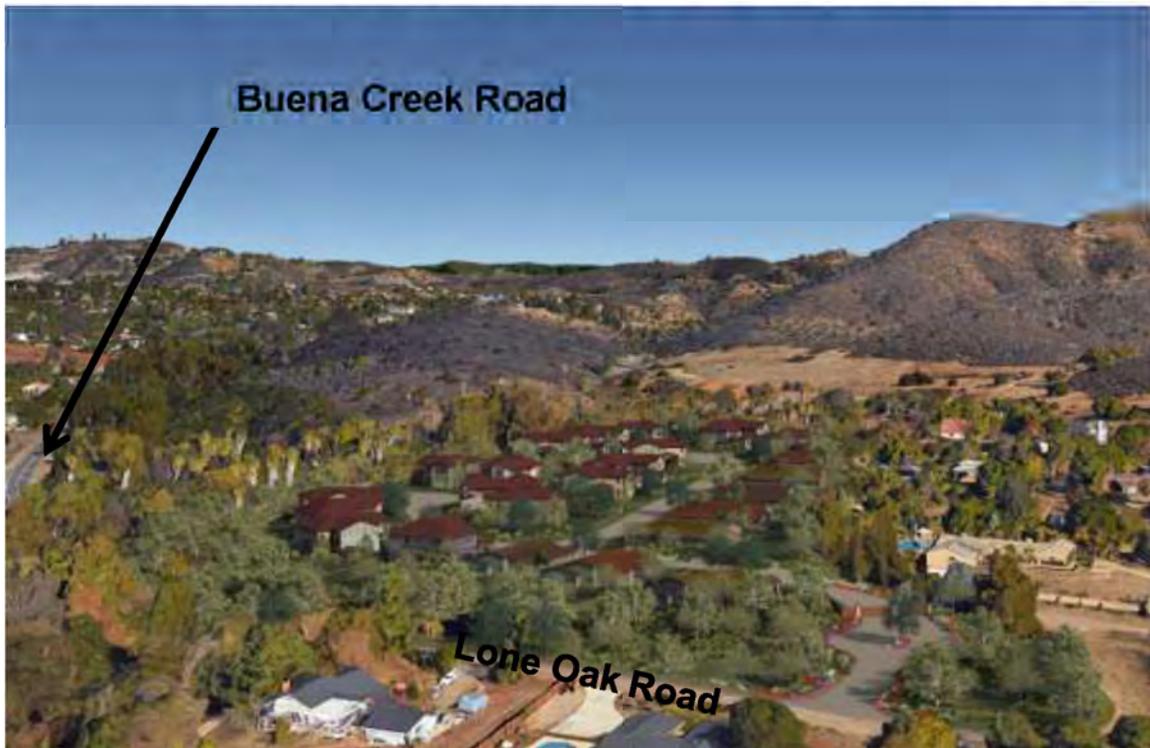


Figure 6: Landscaping along Lone Oak Road



Figure 7.a: Proposed Elevation



Figure 7.b: Proposed Elevation

Section 6618.b also requires planned developments to be planned in relation to natural features. Section 6618.b states “A planned development shall relate harmoniously to the topography of its site, make suitable provision for preservation of water courses, wooded areas, rough terrain and

similar natural features and areas, and shall otherwise be so designed as to use such natural features and amenities to best advantage.”

The proposed lots have been clustered towards the flatter portions of the site, within the central and eastern areas. The project is consistent with these requirements because the project proposes to place Buena Creek and the majority of the Oak Woodland within an open space easement that totals 25 percent of the projects net acreage. All proposed development has been set back from this wetland and clustered in areas which have already largely been disturbed. In addition, the project has been designed to maintain the majority of the mature trees located along the southern border. Development has been planned with minimal grading to be in harmony with the topography of the site. The steeper portions of the project are located along Buena Creek and would be avoided. In addition, the grading has been designed to be pulled back from the surrounding roads and property lines and occur within the central portions of the site.

In summary, the Land Use Consistency Analysis and photosimulations indicate that the project would be consistent with the surrounding community character. The proposed residential use and lot size are consistent with that found in the surrounding area. Additional design measures including landscaping, architectural style, and buffers have been included to ensure that the project would be consistent with community character.

Traffic Study/Buena Creek Road

During review, concerns were raised that the project's Traffic Impact Study (TIS) dated February 2015 and completed by KOA Corporation was inadequate and that the project would have direct and cumulative impacts on Buena Creek Road, that Buena Creek Road cannot support large trucks and that additional road improvements should be required. Buena Creek Road currently operates as a 2-lane community collector with no median. Per the County General Plan, the ultimate classification of Buena Creek Road is a 4.1 B Major Road with intermittent turn lanes. This designation includes an ultimate buildout of four lanes. Figure 8 below indicates Buena Creek Road in relation to the proposed project and other roads in the area. PDS has reviewed these concerns and found that direct impacts and cumulative impacts were properly analyzed and has added additional conditions to address concerns. A detailed discussion is provided below:

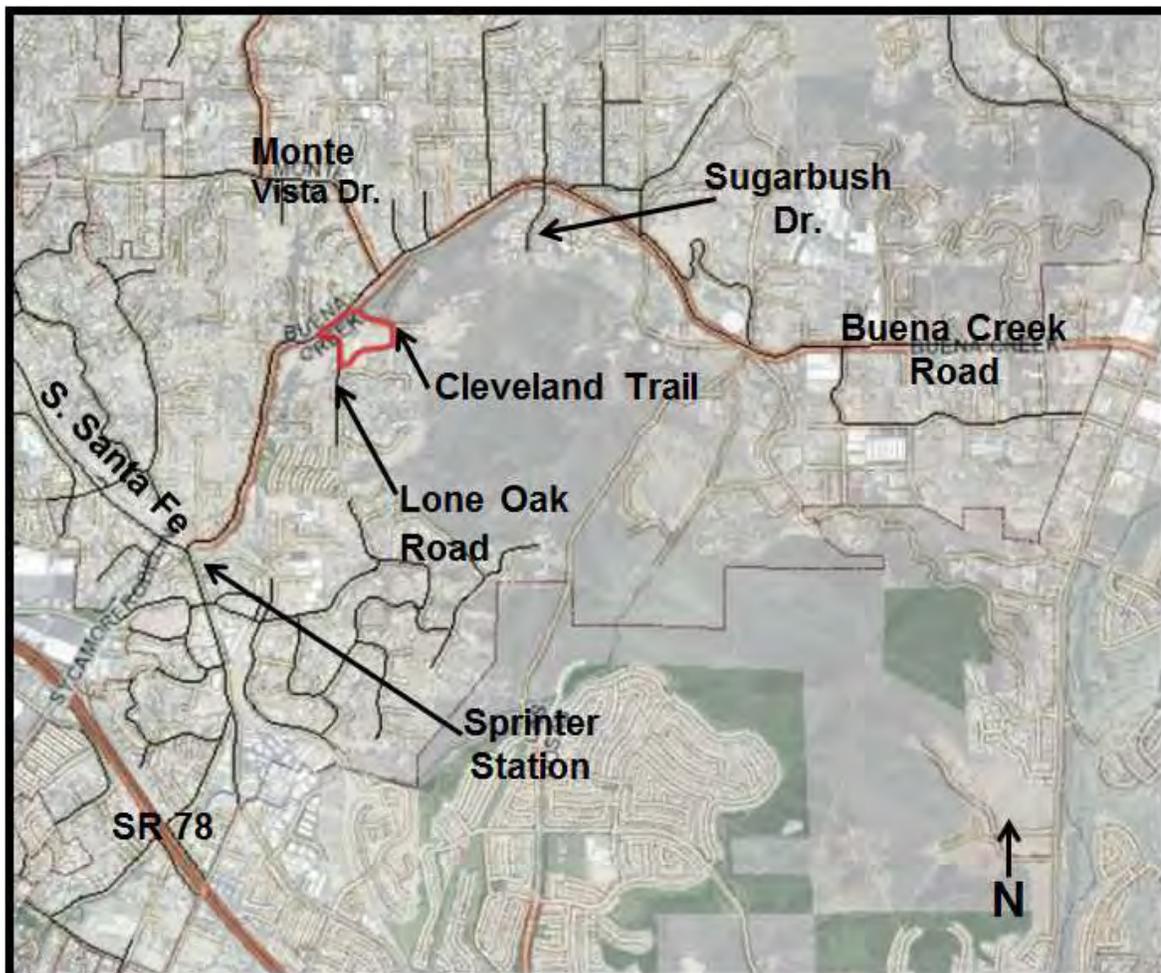


Figure 8: Surrounding Road Network

a. Direct Impacts

Concerns were raised during public disclosure that the project would have direct impacts on Buena Creek Road and would impact several intersections along Buena Creek Road. In addition, several comments stated that Buena Creek Road currently operates at a level of service (LOS) F.

In response to these concerns, PDS completed a site visit, analyzed Buena Creek Road and the existing sprinter station and re-reviewed the project TIS. Based on this analysis, it determined that the TIS was completed in compliance with CEQA and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Transportation and Traffic. As detailed in the TIS and summarized in Table D-1 below, the project would add a total of 240 average daily trips (ADT) onto Buena Creek Road and would not have any direct impacts on the road. Buena Creek Road currently operates at a level of service (LOS) D with 10,274 ADT south of Lone Oak Road and 9,214 ADT north of Lone Oak Road. The TIS documented that the project would add 132 ADT to and from the south of Lone Oak Road and 108 to and from the north of Lone Oak Road. With these added trips, the project would still operate at a LOS D. Since the road would still operate at an LOS D, the

project would not have any direct impacts along Buena Creek Road. This is consistent with General Plan Policy M-2.1, which says to “require development projects to provide associated road improvements necessary to achieve a level of service “D” or higher...” Based on this, there is no nexus to require road improvements to Buena Creek Road. Even though there are no direct impacts, the project would still grant an irrevocable offer of dedication along the project frontage of Buena Creek Road adequate to build the road to the General Plan classification for a four lane road with a total right of way width of 110 feet. Road improvements along the projects frontage were not required because the project would not have a direct impact onto Buena Creek Road.

Table D-1: Existing and Proposed ADT on Buena Creek Road

	South of Lone Oak	North of Lone Oak	Level of Service
Existing ADT	10,274	9,214	LOS D
Proposed Total ADT	10,406	9,322	LOS D

The project does not directly access Buena Creek Road and instead has been designed to utilize existing connections at Lone Oak Road and Cleveland Trail. The TIS also reviewed possible impacts to these roads and at the intersection of these roads with Buena Creek Road. These two roads currently operate at LOS C or better. Based on the TIS analysis, the project would not result in a direct impact to either intersection based on the project generated traffic during the morning or evening peak traffic periods with the addition of the proposed turn lanes on Lone Oak Road. The project would generate 19 trips during morning peak hour (about 1 extra trip every 3 minutes) and 24 trips during evening peak hour (about 1 extra trip every 2.5 minutes). Due to the low amount of ADT generated by the project, additional intersection improvements or additional analysis at other intersections was not required.

b. Road Improvements

Concerns were also raised during processing that additional road improvements should be required to Buena Creek Road, Lone Oak Road, and Cleveland Trail. These concerns included that improvements along Buena Creek Road should be required, that existing curves in the road should be corrected before the project is approved and that existing culvert crossings along Lone Oak Road and Buena Creek Road cannot support increased trips or construction traffic.

Since the project does not have a direct impact on Buena Creek Road, no road improvements to Buena Creek Road are proposed. However, the project would still grant an IOD to the County for ultimate improvement of the road to its currently General Plan classification. In addition, as discussed under Section C.1 of this report, the project does propose improvements to Lone Oak Road and Cleveland Trail to comply with the County Road Standards and fire district requirements.

Additionally, PDS and DPW reviewed the project and the existing conditions along Buena Creek Road and completed multiple site visits. The existing curves in the road are not located along the project frontage. To address several concerns in the past, DPW has made

numerous improvements to the road. These improvements include placing flashing lights, large signs and reducing the speed limit along several portions of the road (See Figure 9). DPW has also recently installed “keep clear” intersection signs and intersection striping at Buena Creek Road and Lone Oak Road (see Figure 10). The intersection of Buena Creek Road and Monte Vista Drive has also been placed on the Signal Priority List to improve in the County. Additionally, last year DPW placed an overlay of asphalt concrete on Buena Creek Road from Monte Vista Drive to Hollyberry Drive. DPW recently evaluated this pavement condition and determined that it was in good condition.



Figure 9: Buena Creek Road Signs



Figure 10: Buena Creek Road and Lone Oak Road Intersection

To address potential concerns with the existing culvert crossings on Lone Oak Road and Cleveland Trail, the project has also been conditioned to provide a certification indicating that they will be able to support 75,000 pounds, consistent with the County Fire Code. The condition requires certification from an engineer prior to approval of any permit. If a deficiency is found, corrective measures would be required prior to approval of any permit. Figure 11 below indicates the existing culvert crossing along Lone Oak Road.



Figure 11: Culvert Crossing along Lone Oak Road

DPW and PDS staff attended six Twin Oaks Sponsor Group meetings to discuss this project and their concerns with Buena Creek Road during the processing of this project, including on January 21, 2015, February 18, 2015, March 18, 2015, September 16, 2015, January 20, 2016 and February 17, 2016. While Buena Creek Road is not included in the current five year DPW capital improvement plan, DPW continues to review and address community concerns where possible and seeks funding through all available sources for improvements, including federal, state, and local grants. PDS and DPW has also suggested that the Twin Oaks Sponsor Group place Buena Creek Road on their Community Sponsor Group Top 10 Priority Capital Improvement Project List. DPW considers this list when formulating what project will potentially be placed on the next 5-year plan.

c. Cumulative Impacts

Cumulative impacts were also reviewed and addressed. Based on the TIS, cumulative impacts would be addressed through payment of the County Transportation Impact Fee (TIF) program. The TIF provides a mechanism for mitigating the cumulative impacts within the unincorporated area. TIF fees are deposited into local Community Planning Area accounts, regional accounts, and regional freeway ramp accounts. TIF funds are only used to pay for improvements to roadway facilities identified for inclusion in the TIF program, which includes both County roads and Caltrans highway facilities. TIF funds collected for a specific local or regional area must be spent in the same area.

This project is located within the North TIF region and North County Metro Community Planning Area. The current TIF rate that each home would pay when building permits are pulled would be \$4,008. This is divided into component parts as follows: 1) \$2,310 for the SANDAG Regional Transportation Congestion Impact Program. These funds must be used on a designated network of Regional Arterials System Roads. Within the North County Metro area, this includes South Santa Fe Avenue as a TIF facility; 2) The State Route and Ramp fund receives \$374; 3) The Local (North County Metro) fund is allocated \$91; and 4) The North Regional area receives \$1,233. In total, the TIF for this project would equate to \$96,192.

Buena Creek Road is not included in the list of TIF facilities. Gas tax, grants, TransNet, and other funding sources are the source of revenue to fund any future expansion of Buena Creek Road to its ultimate classification of a 4-lane major road. Buena Creek Road is not included in the list of TIF facilities because the program evaluation reports determined that external growth was the cause for expansion and therefore the cost was not placed on new development. Programmatically, when a project evaluates its cumulative impacts, payment of the TIF is the project's fair share contribution towards mitigating local and regional cumulative impacts even though not all roads receive TIF money because TIF funds are used to improve the overall road network. By ensuring TIF funds are spent for the specific roadway improvements identified in the TIF program, the CEQA mitigation requirement is satisfied.

d. Trucks using Buena Creek Road

Concerns were raised regarding construction trucks using Buena Creek Road. Buena Creek Road is a mobility element road, which provides a framework for balanced, multi-modal transportation system for the movement of people and goods throughout the County. Based on this, Buena Creek Road does not have restrictions on trucks using the road. Additionally, PDS and DPW did not identify any issues with construction trucks traveling along Buena Creek Road. However, to help ensure that construction traffic does not become problematic, PDS has included a condition to require a Haul Route Plan that would require that the applicant provide a plan to analyze construction traffic prior to issuance of a grading permit. If any issues were identified, additional conditions would be added to better regulate construction traffic, restrict the construction route or to restrict the size of truck used during construction.

Fire Hazards and Fire Evacuation

During public disclosure, concerns were raised that the project is located in a high fire severity zone and that an Evacuation Plan should be required. PDS reviewed these concerns and worked with the County Fire Authority and Vista Fire Protection District. Because the project is located within a very high fire severity zone, a Fire Protection Plan (FPP) was required to address project access, fire clearing, construction guidelines, and other design requirements of the project. As part of the Fire Protection Plan, the project is required to implement enhanced ignition resistive fire and building codes that address this location's fire environment. Construction would include enhanced ignition-resistant features, automatic interior sprinklers, appropriate fire flow and water capacity, roads, and supporting infrastructure and fuel modification areas consistent with the County Consolidated Fire Code and County Building Code.

It was determined that a fire Evacuation Plan is not required for this project by the Fire District because it is designed with increased building standards. Additionally, the project complies with all applicable access requirements (including road width, capacity, secondary access, and dead end road length) and access has been reviewed and accepted by the Vista Fire Protection District and County Fire Authority. The FPP completed for the project addresses evacuation through the “ready, set, go” evacuation model. Any required evacuation would be coordinated using the County’s communication system and would be coordinated with the Office of Emergency Services, fire agencies, and law enforcement based on the specific circumstances of the incident.

CEQA Conformance

Concerns were also raised that the CEQA Guidelines Section 15183 should not have been used for the project and that an Environmental Impact Report (EIR) should have been prepared. California Public Resources Code section 21083.3 and CEQA Guidelines Section 15183 do not require from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an 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.

The General Plan Update EIR (GPU EIR) for the County’s current General Plan was certified on August 3, 2011. As discussed in Attachment E, the project complies with the 15183 requirements. The project proposes 24 residential lots where the General Plan Designation allows 28 residential lots. 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. In addition, there is no substantial new information which results in more severe impacts than anticipated by the GPU EIR. Finally the project would implement mitigation measures specified in the GPU EIR. The applicant was required to prepare the same type of technical studies that would have been required if the project did not qualify for this exemption.

Biology

During review, comments were also made that the applicant should not be able to mitigate in an offsite mitigation bank that is several miles away from the project, that additional mitigation should be required for areas considered impacted and that the project would have an adverse effect on wildlife. PDS reviewed these comments and determined that the existing impacted areas were related to the existing house, accessory structures, and previous agricultural uses. As discussed in the project’s Biological Resources Letter Report dated February 2015 and prepared by Dudek, these impacts are from existing uses or previous uses and are not related to this project.

To address biological impacts to areas disturbed by this project, the project has been conditioned to provide for both onsite and offsite mitigation. The majority of the proposed impacts would occur within non-native and/or disturbed/developed habitat and the project has been designed to be located in the least environmentally sensitive portion of the property. Impacts to sensitive habitats include 0.17 acre of non-native grassland, 0.10 acre of coast live oak woodland (within road right-of-way), and 0.03 acre of disturbed southern live oak riparian forest (within road right-of-way), as well as 0.31 acre of oak root zone within disturbed and developed habitat. Impacts to non-native grassland would be mitigated through preservation of 0.20 acres of non-native grassland within the project site. Impacts to oak habitat would be mitigated through purchase of 1.32 acres of oak woodland habitat within the Daley Ranch Conservation Bank (located approximately 8 miles east of

the project site), as well as onsite preservation of 0.30 acre of coast live oak woodland and 1.77 acres of southern live oak riparian forest. The purchase of mitigation credits within the Daley Ranch Conservation Bank to mitigate for impacts was determined to be consistent with the definition of mitigation established in Section 15370 of the CEQA, which includes “compensating for the impact by replacing or providing substitute resources or environments.” Also, the project is located within the approved Daley Ranch credit area and contains the same type of habitat.

Concerns were also raised that the project would have an adverse effect on wildlife and the ecosystem. Several examples of species commenters were concerned with were owls, hawks, golden eagles, and monarch butterfly. While the project Biological Resources Report identified that there was a moderate potential for 21 wildlife species to occur in this area and a high potential for two wildlife species (turkey vulture and yellow warbler) to occur in this area, none were observed onsite during biological resources surveys conducted for the project. Additionally, the wildlife species that were identified as having a moderate or high potential to occur on site would primarily be associated with habitat that would not be impacted by the project. No direct impacts to these wildlife species are anticipated.

To address any potential indirect impact, the project has been conditioned to grant an open space easement to protect the onsite wetland and wetland buffer and grant a limited building zone to ensure fire clearing does not impact the open space. In addition, the project would be conditioned to require biological monitoring during grading and construction to ensure that all biological mitigation measures are implemented (Condition GP#2, GP#3 and GP#6 of the MUP).

Archaeology

During public disclosure, several comments were received requesting changes to the archeological conditions for the project. Requested changes included requiring a Luiseno Native American Monitor, to require repatriation of historic materials that are determined to be tribal cultural resources, to require any fill soils be cleaned of any cultural resources, and to require that all cultural reports for the project be provided to the San Luis Rey Band of Mission Indians. PDS has updated the archeological conditions to incorporate these requested changes (Conditions 15 and GP#9 – GP#12 of the MUP).

2. General Plan Consistency

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

Table D-2: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
<p>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.</p>	<p>The site is subject to General Plan Land Use Designation VR-2, which allows a maximum density of 2 units per acre, or 28 lots. The proposed TM would result in a maximum of 24 lots. A MUP for a Planned Residential Development is proposed to preserve the western portion of the property and to cluster development in the central and eastern portions of the property and to allow the TM to better achieve the planned density for the project. The development would utilize approximately 85% of the planned density.</p>
<p>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.</p>	<p>The project is designed to minimize impacts to surrounding areas. The project proposes a residential subdivision and would not introduce a new use to the area or create or cause excessive noise or vibrations. The design of the project would utilize Best Management Plans to reduce dust and odor. Open space, large setbacks and landscape buffers have also been proposed to retain the surrounding community character and shield views of the project. A Noise Analysis was prepared for the project from an approved CEQA Consultant that determined that project would comply with the San Diego County Noise Ordinance and Noise Element of the San Diego County General Plan.</p>
<p>LU-6.3 Conservation-Oriented Project Design. Support conservation-oriented project design. This can be achieved with mechanisms such as, but not limited to, Specific Plans, lot area averaging, and reductions in lot size with corresponding requirements for preserved open space (Planned Residential Developments). Projects that rely on lot size reductions should incorporate specific design techniques, perimeter lot sizes, or buffers, to achieve compatibility with community character. [See applicable community plan for possible relevant policies.]</p>	<p>The project proposes a MUP for a Planned Residential Development to allow lots to be clustered within the central and eastern portions of the property and allow preservation of 3.1 acres (25% of the projects net acreage) of Oak Woodland and the Buena Creek within open space. To ensure compatibility with community character, the project has incorporated various design measures. These measures include proposing single story houses along the southern boundary, proposing houses which match the size of the surrounding houses, incorporating landscaping, preserving an existing strand of mature trees along the southern property line, and a large open space easement along the eastern property line.</p>

General Plan Policy	Explanation of Project Conformance
<p>LU-6.5 Sustainable Stormwater Management. Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development (LID) techniques and a combination of site design, source control, and stormwater best management practices, where applicable and consistent with the County’s LID Handbook.</p>	<p>The project prepared a Stormwater Management Plan (SWMP) which incorporates LID techniques. This SWMP has been reviewed and approved by PDS and complies with all applicable stormwater requirements. The project has been found to comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance.</p>
<p>LU-6.6 - Integration of Natural Features into Project Design. Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.</p>	<p>The project has been designed to avoid the majority of the onsite trees. The project proposes a 3.1-acre open space easement to protect the existing Oak Woodland. In addition, the grading plan has been designed to avoid an existing strand of mature trees along the southern property line. The site does not support large rock formations.</p>
<p>LU-6.9 Development Conformance with Topography. Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominant physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent practicable.</p>	<p>The proposed grading plan has been designed to conform to the natural topography. The proposed grading plan avoids Buena Creek along the western boundary and has been designed to be set back from the southern property line in order to maintain an existing mature strand of trees. In addition, the project has been found to comply with all applicable stormwater requirements.</p>
<p>LU-9.11 Integration of Natural Features in Villages. Require the protection and integration of natural features, such as unique topography or streambeds, into Village projects.</p>	<p>The project proposes to preserve Buena Creek, which is located along the western boundary of the property in open space. A limited building zone easement is also proposed to ensure that fire clearing does not impact this area.</p>
<p>LU-9.12 Achieving Planned Densities in Villages. In villages, encourage future residential development to achieve planned densities through multi-family, mixed use, and small-lot single-family projects that are compatible with the community character.</p>	<p>The General Plan designation of the property is Village Residential 2. The project proposes a MUP for a PRD to cluster lots within the central and eastern portions of the project and to preserve the existing oak woodland and creek along the western boundary and proposes design measures to ensure the project is consistent with the surrounding community character. The clustered design allows the project to propose a project that would utilize approximately 85% of the planned density (24 lots are proposed and the General Plan Designation allows for 28 lots). Design measures include proposing single story houses along the southern boundary, proposing houses which match the size of the surrounding houses, incorporating landscaping, preserving an existing</p>

General Plan Policy	Explanation of Project Conformance
	strand of mature trees along the southern property line, and a large open space easement along the eastern property line.
<p>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.</p>	The project is located within the Vista Irrigation District. A Project Facility Availability Form has been provided which indicates that water service is available for the project.
<p>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.</p>	The project is located within the Buena Sanitation District. A Project Facility Availability Form has been provided that indicates that sewer service is available.
<p>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.</p>	The project is 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. The preliminary landscape plan prepared for the project has been found to comply with these ordinances.
<p>M-2.1 Level of Service Criteria. Require development projects to provide associated road improvements necessary to achieve a level of service of "D" or higher on all Mobility Element roads except for those where a failing level of service has been accepted by the County pursuant to the criteria specifically identified in the accompanying text box (Criteria for Accepting a Road Classification with Level of Service E/F). When development is proposed on roads where a failing level of service has been accepted, require feasible mitigation in the form of road improvements or a fair share contribution to a road improvement program, consistent with the Mobility Element road network.</p>	The project fronts Buena Creek Road, which is a Mobility Element Road. A TIS was completed and determined that the project did not have any direct impacts on Buena Creek Road. Buena Creek Road currently operates at LOS D with an existing 10,274 ADT south of Lone Oak Road and 9,214 north of Lone Oak Road. With this project, Buena Creek Road would still operate at LOS D with an estimated 10,406 ADT south of Lone Oak Road and 9,322 ADT north of Lone Oak Road.

General Plan Policy	Explanation of Project Conformance
<p>M-2.2 Access to Mobility Element Designated Roads. Minimize direct access points to Mobility Element roads from driveways and other non-through roads to maintain the capacity and improve traffic operations.</p>	<p>The project is consistent with this policy because no new driveway or new road connections are proposed onto Buena Creek Road. The project would utilize the existing connections at Cleveland Trail and Lone Oak Road to access Buena Creek Road.</p>
<p>M-2.3 Environmentally Sensitive Road Design. Locate and design public and private roads to minimize impacts to significant biological and other environmental and visual resources. Avoid road alignments through floodplains to minimize impacts on floodplain habitats and limit the need for constructing flood control measures. Design new roads to maintain wildlife movement and retrofit existing roads for that purpose. Utilize fencing to reduce road kill and to direct animals to under crossings.</p>	<p>The project proposes improvements to both Lone Oak Road and Cleveland Trail. These road improvements have been designed to avoid impacts to the creek within the western portion of the property. Improvements to Lone Oak Road have also been designed to be accommodated within the project to avoid impacts to the neighboring lots and landscaping along the southern side of the project.</p>
<p>M-3.1 Public Road Rights-of-Way. Require development to dedicate right-of-way for public roads and other transportation routes identified in the Mobility Element roadway network (see Mobility Element Network Appendix), Community Plans, or Road Master Plans. Require the provision of sufficient right-of-way width, as specified in the County Public Road Standards and Community Trails Master Plan, to adequately accommodate all users, including transit riders, pedestrians, bicyclists, and equestrians.</p>	<p>The project is consistent with this policy because the project proposes to dedicate additional right of way for Lone Oak Road and Buena Creek Road. Buena Creek Road is classified as a Major Road 4.1B, which would require a total of 110 feet of right-of-way. The project proposes its half width dedication of a total of 55 feet.</p>
<p>M-3.2 Traffic Impact Mitigation. Require development to contribute its fair share toward financing transportation facilities, including mitigating the associated direct and cumulative traffic impacts caused by their project on both the local and regional road networks. Transportation facilities include road networks and related transit, pedestrian and bicycle facilities, and equestrian.</p>	<p>The TIS for the project did not identify any direct impacts along Buena Creek Road or Cleveland Trail. One impact was identified at the intersection of Lone Oak Road and Buena Creek Road. To reduce impacts to less than significant, the project proposes to install a turn lane at the Buena Creek/Lone Oak intersection. In addition, improvements are proposed to both Lone Oak Road and Cleveland Trail to bring the roads up to public and private road standards and to comply with Fire District requirements. To address potential cumulative impacts, the project proposes to pay the TIF. While the project boundary does</p>

General Plan Policy	Explanation of Project Conformance
	not include any planned trails, a D.G. pathway is proposed along Lone Oak Road and a private trail is proposed along the proposed open space easement.
<p>M-3.3 Multiple Ingress and Egress. Require development to provide multiple ingress/egress routes in conformance with State law and local regulations.</p>	<p>The project is consistent with this policy because it proposes two access points. The project includes an access point onto Lone Oak Road and Cleveland Trail.</p>
<p>M-6.2 Existing Rail Line Use. Support the use of existing rail lines for freight, public transit, and tourism.</p>	<p>The project is consistent with this policy because the proposed development is in close proximity to the Buena Creek Sprinter station, which is located approximately 4,000 feet to the south.</p>
<p>S-3.1 Defensible Development. Require development to be located, designed, and constructed to provide adequate defensibility and minimize the risk of structural loss and life safety resulting from wildland fires.</p>	<p>The address fire safety, a FPP was prepared by a County approved CEQA consultant and was accepted by both the Vista Fire Protection District and the County Fire Authority. The project would be constructed to the ignition resistant code requirements of the 2013 California Fire and Building (Chapter 7A) Codes as amended by the VFPD (Ordinance No. 2013-23). Construction would include enhanced ignition resistant features, automatic interior sprinklers, appropriate fire flow and water capacity, roads, and supporting infrastructure, and fuel modification areas, as well as measures above and beyond the requirements where they are expected to compensate for modified fuel management areas. The project complies with applicable access requirements (including road width, capacity, secondary access, and dead end road length).</p>
<p>S-3.4 Service Availability. Plan for development where fire and emergency services are available or planned.</p>	<p>The project Fire Service Availability form was completed by the Vista Fire Protection District. The form indicates that the property is within the district and available for service. The response time is three minutes.</p>
<p>S-3.5 Access Roads. Require development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently.</p>	<p>The project proposes two access points: one onto Lone Oak Road and one onto Cleveland Trail. The Vista Fire Project District and County Fire Authority have reviewed the project and determined that it does not exceed the maximum dead end road length.</p>

General Plan Policy	Explanation of Project Conformance
<p>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.</p>	<p>The project has been reviewed and approved by the County Fire Marshal and Vista FPD. A Fire Protection Plan was prepared for the project and was accepted. The project complies with applicable requirements, including access requirements (road width, capacity, secondary access, and dead end road length).</p>
<p>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).</p>	<p>The maximum travel time based on the Regional Category (Village) is five minutes. The project demonstrates a response time of 3 minutes and therefore complies with this requirement.</p>
<p>N-1.2 Noise Management Strategies. Require the following strategies as higher priorities than construction of conventional noise barriers where noise abatement is necessary:</p> <ul style="list-style-type: none"> • Avoid placement of noise sensitive uses within noisy areas • Increase setbacks between noise generators and noise sensitive uses • Orient buildings such that the noise sensitive portions of a project are shielded from noise sources • Use sound-attenuating architectural design and building features • Employ technologies when appropriate that reduce noise generation (i.e. alternative pavement materials on roadways) 	<p>A noise analysis was completed for the project by a County approved CEQA consultant. The noise analysis demonstrated that the project complies with the Noise Element and Noise Ordinance. The project has been designed to propose large setbacks from Buena Creek Road. As a result, noise barriers are not required.</p>

3. Subregional Plan Consistency

The proposed project is consistent with the following relevant North County Metro Community Plan goals, policies, and actions as described in Table D-3.

Table D-3: Subregional Plan Conformance

Subregional Plan Policy	Explanation of Project Conformance
<p>Goal 2 – Accommodate Urban Development In Appropriate Areas</p>	<p>The project is consistent with this goal because the proposed development is located within the Village Residential 2 General Plan Category. Based on this General Plan Category, the site is planned for 28 dwelling units and the project proposes 24. In addition, all necessary services such as school, water, sewer, and fire are available to service the project site. Finally, the site has access to Lone Oak Road and Cleveland Trail which would provide access to Buena Creek Road.</p>
<p>Goal 4 – Protect Environmental Resources</p>	<p>The project is consistent with this policy because it proposes to conserve over 25 percent of the site in open space. Among other things, this open space easement will protect the Buena Creek and the surrounding wetland as well as the Oak Woodland located within the western portion of the site. The majority of the remainder of the site has been previously impacted by agricultural and residential uses.</p>
<p>Land Use Policy 13 - Improve Sewer Service Within the Urban Area. The need for sewer service will expand greatly as growth continues, particularly within the County Water Authority (CWA) boundary.</p>	<p>The project is consistent with this policy because it has received a sewer availability form from the Buena Sanitation District, which indicates that sewer service is available for the project.</p>

4. Zoning Ordinance Consistency

The proposed project complies with all applicable zoning requirements of the A70 and RR zones 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-4: Zoning Ordinance Development Regulations

CURRENT ZONING REGULATIONS		CONSISTENT?
Use Regulation:	RR/A70	Yes/Yes
Animal Regulation:	J/M	Yes/Yes
Density:	-	N/A
Lot Size:	0.5	Yes. With approval of a MUP
Building Type:	C	Yes
Height:	G	Yes
Lot Coverage:	-	N/A
Setback:	G/C	Yes/Yes. With approval of a MUP
Open Space:	-	N/A
Special Area Regulations:	-	N/A

Development Standard	Proposed/Provided	Complies?
Section 6648.b requires 400 square feet of usable open space per lot for Planned Developments in the VR General Plan Designation.	The project is consistent with this requirement because each lot contains a back yard which is over 400 square feet.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 6648.c requires 25 percent of the project area be placed in Conservation/Group Open Space for Planned Developments in the VR General Plan Designation	The project proposes 3.1-acres of open space. This is 25-percent of the net site area.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4600 of the Zoning Ordinance set the maximum height requirements. This parcel has a "G" height designator, which requires that structures be no more than 35 feet in height.	All proposed structures will be less than 35-feet in height. The proposed houses will be a maximum of 29-feet tall.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4800 of the Zoning Ordinance sets the minimum setback requirements. The parcel contains a "G" and "C" setback designator. The "C" setback designator requires a 60-foot front yard setback (from centerline), a 15-foot interior side yard setback, 35-foot exterior side yard setback, and 25-foot rear yard setback. The "G" setback designator requires	Pursuant to the Zoning Ordinance, PRDs are required to meet the required setbacks from the exterior boundary of the site. The project can request a reduction for interior setbacks. The project complies with these requirements because it meets all required setbacks from the exterior boundary. Proposed interior setbacks are a 15 foot	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Upon approval of a MUP.

Development Standard	Proposed/Provided	Complies?
a 50-foot front yard setback (from centerline), a 10-foot interior side yard setback, 35-foot exterior side yard setback, and 40-foot rear yard setback.	front yard setback, an 8 foot interior side yard setback, an exterior side yard setback of 35-feet and a rear yard setback ranging from 25-40 feet.	
Section 7358 of the Zoning Ordinance requires that findings be made for the Major Use Permit. Among other things, these findings required 1) neighborhood compatibility; 2) harmony in scale, bulk and coverage; and 3) consistency with the General Plan	The project has been found to be compatible with the surrounding community character due to the similarity with the proposed use and structures to the surrounding uses and structures (as explained in Section D.1). As previously demonstrated in section D.2 of this report, the project has been found to be consistent with the San Diego County General Plan. A complete analysis of the MUP Findings can be found in the MUP Decision (Attachment D)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Upon approval on a MUP.

5. Subdivision Ordinance Consistency

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

The applicant has requested exceptions to Section 4.2 and Table five of the Public Road Standards and Section 81.402(b)(3) and 81.404(a)(7) of the Subdivision Ordinance to modify improvement requirements to Cleveland Trail, allow stopping sight distance to be used at the intersection of Buena Creek Road and Lone Oak Road, and a partial waiver request to not require undergrounding of existing utilities along the western portion of the project and within the proposed open space easement. In summary, PDS staff supports the waiver requests to Cleveland Trail because it would serve as a secondary access to the project, the Vista Fire Protection District supported the waiver request and the same waiver was granted for the Sugarbush project. The partial waiver of undergrounding utilities was supported because the poles are either in the wetland area or would require additional poles be added. Finally, the sight distance exception request to allow for stopping sight distance to be used in place of corner sight distance was supported because the intersection is existing, adequate stopping sight distance of 260 feet is currently available, and a clear space easement could not be obtained from a neighboring lot.

Table D-5 summarizes the exceptions/modifications that are requested.

Table D-5: Subdivision Ordinance/Design Standard Modifications/Exceptions

Subdivision Ordinance/Design Standard	Rationale for Exception/Modification
<p>Section 81.404 (a)(7) of the Subdivision Ordinance. This Section requires undergrounding all new and existing utility distribution facilities within the boundaries of any new subdivision or within any half road abutting a new subdivision.</p>	<p>A partial exception was requested to waive the undergrounding of existing utilities within the proposed open space easement and along Lone Oak Road. This waiver request was supported because undergrounding these poles would either require a new pole or would require work within the proposed open space easement and wetland area. In addition, all other existing and new utilities installed as part of this project would still be undergrounded. The poles requested to be maintained were also found to be set back an adequate distance from the edge of Buena Creek Road and Lone Oak Road and any existing utility pole adjacent to the roads would have object markers installed on them. PDS and DPW both reviewed and accepted this request.</p>
<p>Table 5 of the Public Road Standards. This Section requires that all intersections comply with intersectional sight distance.</p>	<p>The applicant is requesting a design exception to allow the use of stopping sight distance rather than corner sight distance looking at the west intersection of Lone Oak Road and Buena Creek Road as provided for by AASHTO A Policy on Design of Highways and Streets. This exception has been reviewed and accepted by both DPW and PDS Staff because it was found that this modification would not adversely affect the safety and flow of traffic in this area. In addition, it was found that the required 260 feet was available for stopping sight distance and the applicant was unable to obtain clear space easements required for corner sight distance at this intersection. All other intersections would be required to comply with the standard corner sight distance.</p>
<p>Section 4.2 of the Public Road Standards. This Section requires that that Cleveland Trail be improved to a paved width of 24 feet.</p>	<p>The applicant requests to reduce the private road improvements of Cleveland Trail in the vicinity of the existing Buena Creek crossing dip section from 24 feet to 20 feet. This modification would allow Cleveland Trail to maintain it current width along an existing dip section only in the location where the road crosses the creek. After review, it was determined that this exception request could be supported because it was approved by the Vista Fire District and it was determined that the request</p>

Subdivision Ordinance/Design Standard	Rationale for Exception/Modification
	would not adversely impact the safety or flow of traffic in the area. Cleveland Trail serves as a secondary access for the project and the main entrance would take access from Lone Oak Road. Additionally, this request would allow the applicant to avoid potential wetland impacts in this area. Finally, the same exception was granted to the Sugarbush project, which also uses the private road as secondary access.
<p>Section 81.402(b)(3) of the Subdivision Ordinance. This section requires on-site or off-site private road easements be at least 40 feet wide.</p>	<p>The applicant proposes an exception to reduce the required easement width from 40 feet to 30 feet along Cleveland Trail (from Buena Creek Road to Lone Oak Road). This request was made by the applicant because granting an additional 10 feet of easement would potentially impact the wetland area located within the western portion of Cleveland Trail. After review, PDS determined that this exception request could be supported because the required 24-foot improvement could be accommodated within the existing 30-foot easement. In addition, all lots of the subdivision would still be served by a minimum forty-foot easement and Cleveland Trail serves as a secondary access. It was determined that the request for a modification would not adversely affect the safety and flow of traffic in this area.</p>

6. Applicable County Regulations

Table D-4: Applicable Regulations

County Regulation Policy	Explanation of Project Conformance
1 Resource Protection Ordinance (RPO)	<p>The project complies with the RPO because it would not impact any wetlands, floodplains/floodways, steep slopes, or sensitive habitat lands. Archaeological monitoring is proposed to ensure archaeological resources are not impacted. Biological monitoring is also required. Therefore, it has been found that the proposed project complies with the RPO.</p>
2 Noise Ordinance	<p>A Noise analysis was prepared by a County approved noise specialist. The noise analysis indicates conformance with the Noise Ordinance.</p>

County Regulation Policy	Explanation of Project Conformance
3 County Fire Code	The project completed a FPP which demonstrates compliance with the County Fire Code. This FPP was reviewed and accepted by the County Fire Authority and Vista Fire Protection District. The project has been conditioned to comply with this FPP for the life of the project.
4 Multiple Species Conservation Program (MSCP)	The project is located outside of an approved MSCP Subarea Plan, thus it is not subject to the adopted South County Subarea Plan or the Biological Mitigation Ordinance. The project is within the Draft North County MSCP, but is not identified as Pre-Approved Mitigation Area (PAMA) in the draft plan.
5 Watershed Protection Ordinance (WPO)	A Stormwater Management Plan has been prepared for the project and found to be in compliance with the WPO. The project is conditioned to remain in compliance with the WPO.

7. California Environmental Quality Act (CEQA) Compliance

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and the project qualifies for an Exemption from Additional Environmental Review pursuant to CEQA Guidelines Section 15183 (Attachments E & F). CEQA Guidelines Section 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 on August 3, 2011. Attachment E includes the “Statement of Reasons for Exemption” which details the analysis of environmental effects. The project level environmental resource area analysis includes technical studies for Agriculture, Air Quality, Archaeological, Biological, Fire Protection, Land Use Consistency, Traffic, Noise, and a Phase 1 and Phase 2 Environmental Site Assessment. County staff found that the project would not cause any significant effects on the environment. Details of project mitigation measures can be found in the Resolution and Form of Decision (Attachments C and D).

E. COMMUNITY PLANNING GROUP

The site is not represented by a Community Planning or Sponsor Group. However, the project is approximately 1,730 feet to the west of the Twin Oaks Valley Community Sponsor Group boundary. The Twin Oaks Sponsor Group has requested in the past that their boundary be enlarged to cover additional area, including this project. This request is currently being reviewed by the PDS Advanced Planning Division and would require approval from the Board of Supervisors pursuant to policy I-1. While the project is not currently within the Sponsor Group’s boundaries, they did request to review the project on February 18, 2015 and September 16, 2015. In addition, PDS staff visited the Sponsor

Group on February 17, 2016 to provide additional information, answer additional questions on the project and discuss their request to expand their group boundaries.

On February 18, 2015, the applicant presented the project to the Twin Oaks Valley Community Sponsor Group. The group did not make a recommendation during this meeting but voiced concerns regarding existing and proposed traffic on Buena Creek Road, fire safety, and fire evacuation. The group requested that the applicant present the project again during public review of the project's environmental document.

On September 16, 2015, the applicant presented the project to the Twin Oaks Valley Sponsor Group for a second time. During this meeting, concerns were voiced including traffic impacts, community character, fire evacuation, and deficiencies on Buena Creek Road. Responses to these concerns can be found in Section D.1 of this report.

PDS staff also requested that the project be placed on the Twin Oaks Sponsor Group agenda for February 17, 2016 and provided a response to the group's concerns. However, the project was not placed on the agenda.

The Community Sponsor Group meeting minutes can be found in Attachment H.

F. PUBLIC INPUT

Comments were received from 28 individuals and four groups during the CEQA Section 15183 public disclosure period between September 3, 2015 and October 2, 2015. The comments can be found in Attachment G. As discussed herein, staff has worked with the commenters and stakeholders to resolve the outstanding issues where possible. Staff has also prepared conditions of approval and design changes to respond to the concerns raised.

G. RECOMMENDATIONS

Staff recommends that the Planning Commission:

- a. Adopt the Environmental Findings included in Attachment F, which includes a finding that the project is exempt from further environmental review pursuant to Section 15183 of the California Environmental Quality Act (CEQA) Guidelines.
- b. Grant Major Use Permit (PDS2014-MUP-14-017) with the requirements and conditions set forth in the Major Use Permit Form of Decision (Attachment D).
- c. Adopt the Resolution of Approval for Tentative Map (PDS2014-TM-5585), which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment C).

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AUTHORIZED REPRESENTATIVE:



MARK WARDLAW, DIRECTOR

ATTACHMENTS:

Attachment A – Planning Documentation

Attachment B – Photosimulations

Attachment C – Resolution Approving PDS2014-TM-5585

Attachment D – Form of Decision Approving PDS2014-MUP-14-017

Attachment E – Environmental Documentation

Attachment F – Environmental Findings

Attachment G – Public Documentation

Attachment H – Sponsor Group Minutes

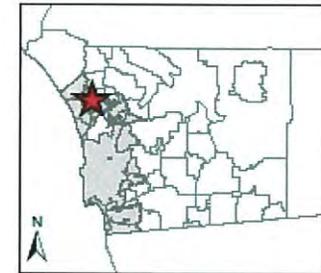
Attachment I – Ownership Disclosure

Attachment A – Planning Documentation

Lone Oak TM and MUP

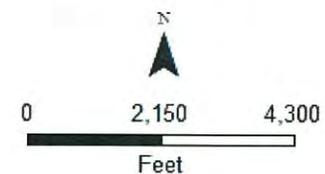
Vicinity Map

North County Metro
Community Plan Area

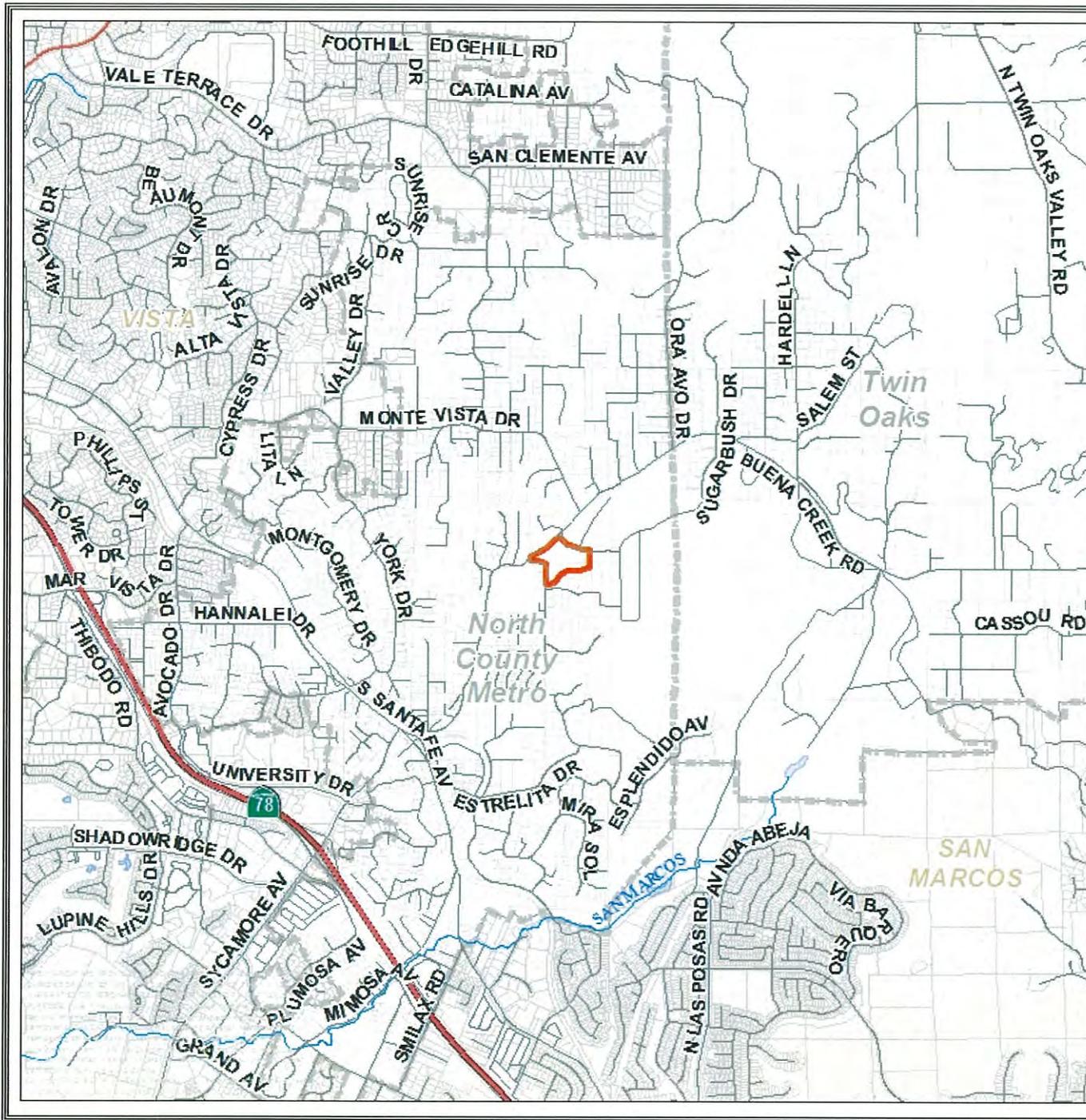


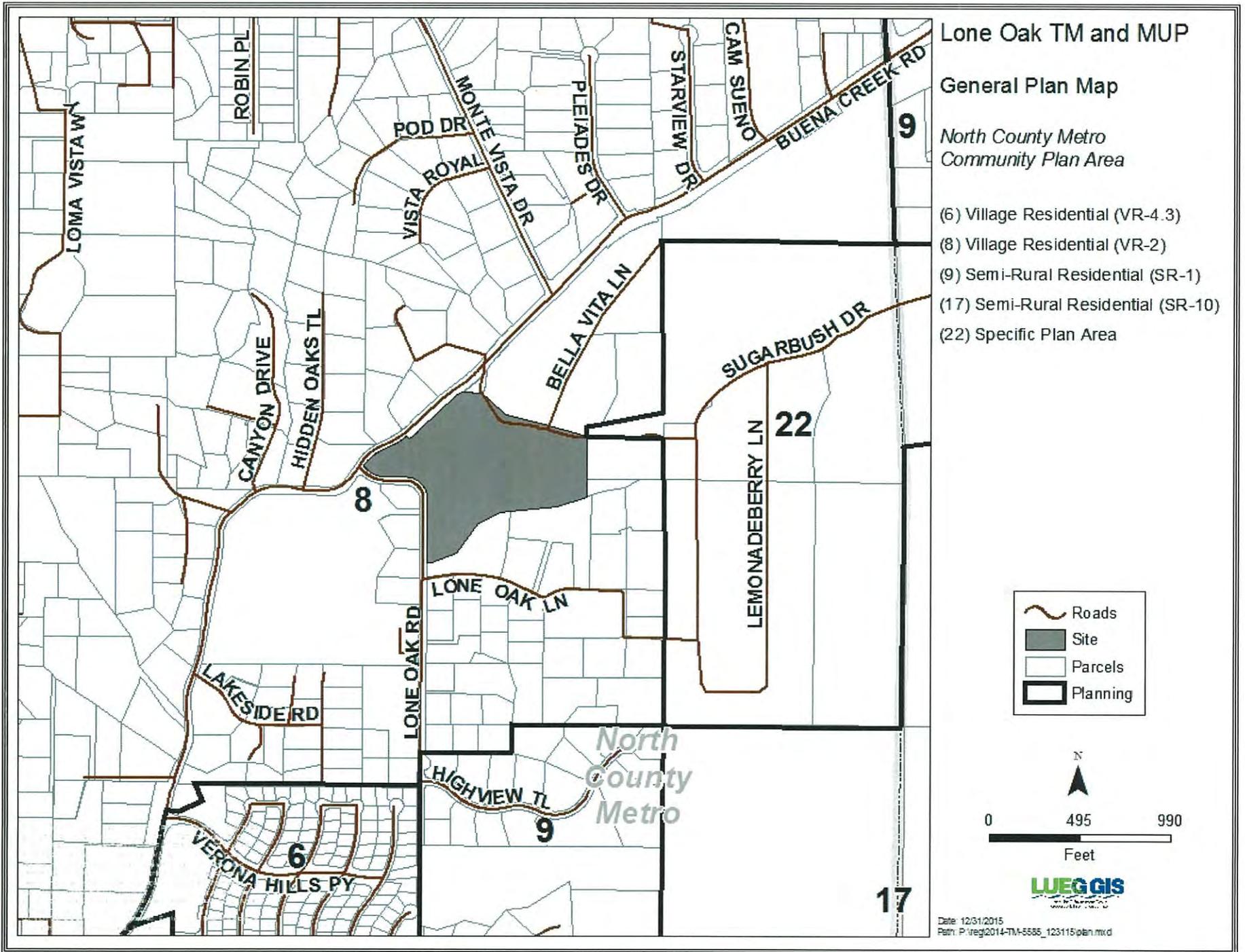
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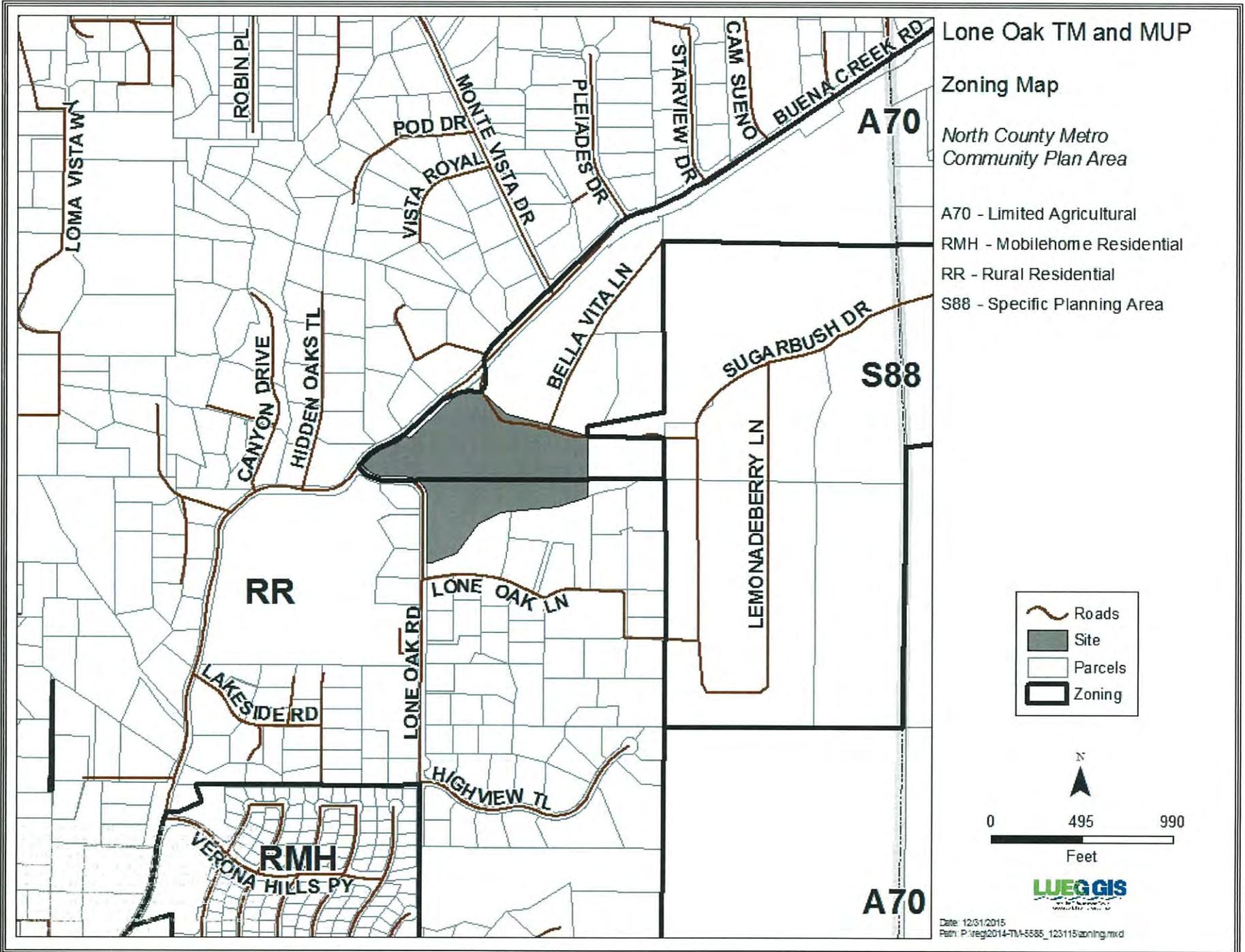
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Lone Oak TM and MUP

Aerial
North County Metro Community Plan Area

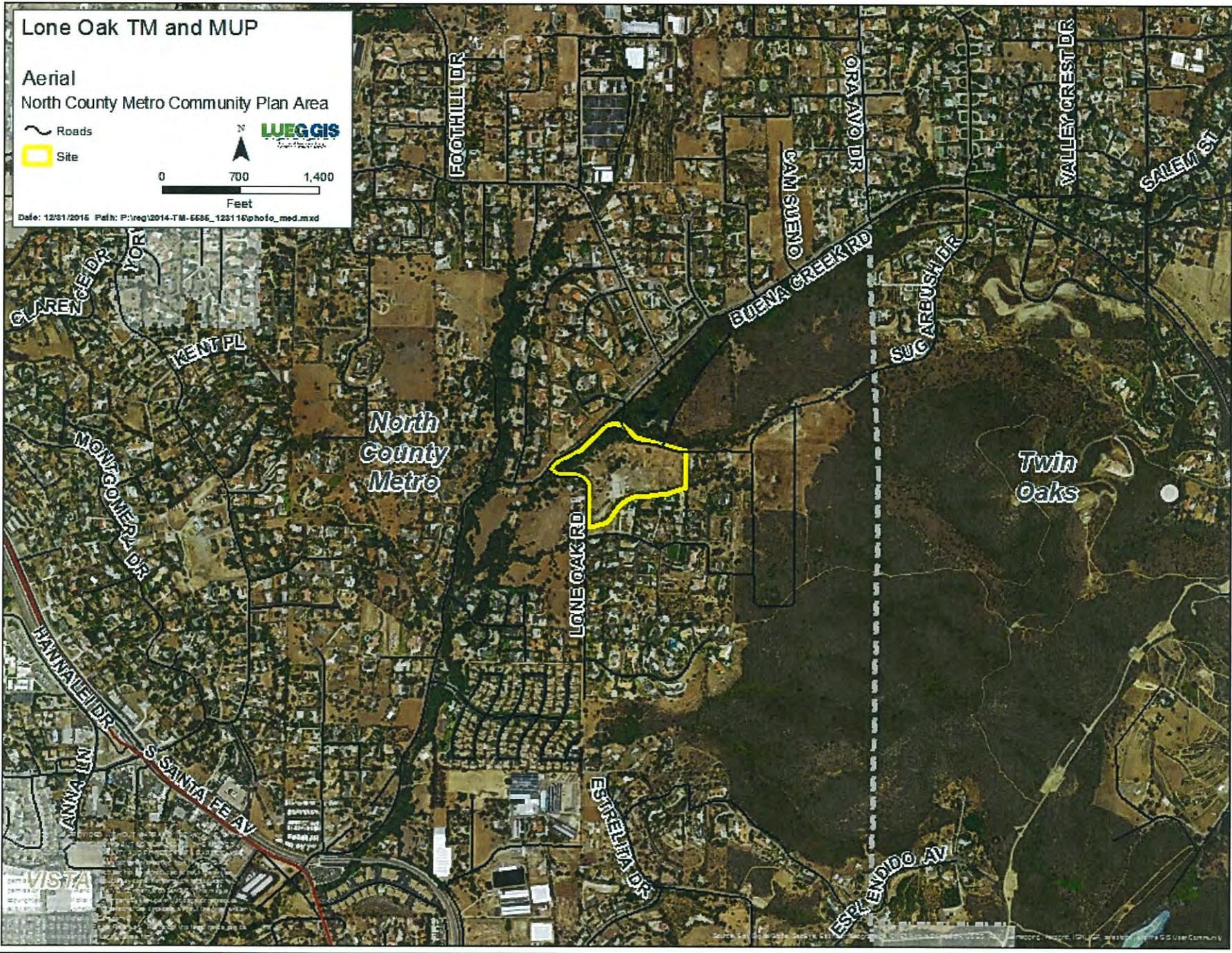
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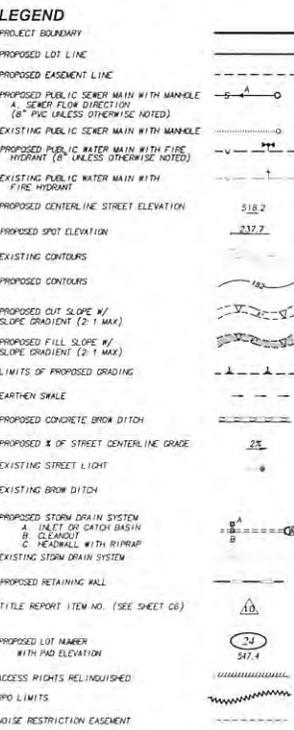
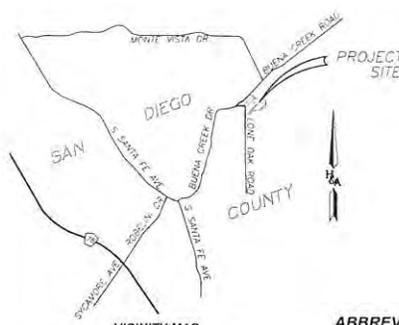
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Feet

Date: 12/31/2015 Path: P:\reg\2014-TM-6636_123115\photo_med.mxd



County Of San Diego Tract TM # 5585 (RPL 1)

LONE OAK RANCH



ABBREVIATIONS

- FP FLOOD PLAIN
- VC VERTICAL CURVE
- MH MANHOLE
- RSP REINFORCED CONCRETE PIPE
- SD STORM DRAIN
- NTS NOT TO SCALE
- ELEV ELEVATION
- FL FLOW LINE
- TOP OF WALL
- FS FINISH SURFACE
- STD. STANDARD
- S SEWER
- W WATER
- RW RECLAIMED WATER
- IE INVERT ELEVATION
- R/W RIGHT OF WAY
- PL PROPERTY LINE
- GB GRADE BREAK
- PI POINT OF INTERSECTION (V.C.)
- FF FINISH FLOOR ELEVATION
- PAO PAD ELEVATION
- SP GROSS SQ. FT.
- P.O.C. POINT OF CONNECTION

PROPOSED LOT DATA

LOT #	GROSS LOT AREA (SF)	NET LOT AREA (SF)	PAD ELEVATION
1	11,396	11,396	542.0
2	10,418	10,418	543.0
3	10,514	10,514	545.8
4	11,793	11,793	546.9
5	18,154	18,154	546.8
6	9,858	9,858	547.1
7	17,863	17,863	549.0
8	10,853	10,853	550.5
9	9,683	9,683	549.5
10	9,625	9,625	549.5
11	11,200	11,200	547.5
12	8,509	8,509	549.0
13	8,387	8,387	552.4
14	9,315	9,315	556.7
16	10,738	10,738	561.8
18	10,704	10,704	562.0
17	11,680	11,680	562.4
18	16,192	16,192	561.7
19	16,140	16,140	561.3
20	16,142	16,142	558.3
21	14,297	14,297	553.8
22	13,925	13,925	549.1
23	12,989	12,989	547.2
24	14,680	14,680	548.8
RES. SUBTOTAL SF	294,361	292,778	
RES. SUBTOTAL AC	6.76	6.72	
RES. MIN. SF	8,337	8,337	
RES. MAX. SF	18,154	18,154	
RES. AVG. SF	12,265	12,199	
25 (SPRINT)	60,912	INTERNAL PRIVATE ST	
26 (CLEVELAND TRAIL)	20,389	HOA OPEN SPACE	
27 (BUENA CREEK RD (POR))	20,859	EXISTING ST	
28 (BUENA CREEK RD (POR))	19,829	PROPOSED DEDICATION	
29 (LONE OAK RD (POR))	14,203	EXISTING ST	
30 (LONE OAK RD (POR))	14,489	PROPOSED DEDICATION	
STREET SF SUBTOTAL	149,691		
STREET AC SUBTOTAL	3.44		
27 (HOA LOT)	2,157	HOA OPEN SPACE	
28 (HOA BASIN LOT)	17,838	WRV QUAL BASIN LOT	
29 (HOA BASIN LOT)	17,445	WRV QUAL BASIN LOT	
30 (HOA CATCH BASIN LOT)	134,339	HOA OPEN SPACE	
OS SUBTOTAL SF	172,176		
OS SUBTOTAL AC	3.95		
TOTAL SF	616,228		
TOTAL AC	14.15		



POWER POLE NOTE

TYPE L (CA) UTILITY POLE OBJECT MARKERS SHALL BE INSTALLED ON EXISTING AND RELOCATED POWER POLES ALONG EXISTING LONE OAK ROAD AND SHALL BE VISIBLE AT NIGHT IN THE FORM OF THREE YELLOW RETROREFLECTIVE BALLS (PER FIG. 20-13(CA) OF THE 2014 CA MUTCD).

SPECIAL ASSESSMENT ACT STATEMENT

A REQUEST TO THE BOARD OF SUPERVISORS FOR PERMISSION TO INITIATE PROCEEDINGS UNDER THE SPECIAL ASSESSMENT ACT FOR CONSTRUCTION OF ANY SUBDIVISION IMPROVEMENTS IS NOT BEING MADE AT THIS TIME.

PARK LAND DEDICATION STATEMENT

PURSUANT TO CHAPTER 1 OF DIVISION 10 OF TITLE 8 OF THE SAN DIEGO COUNTY CODE, THE SUBDIVIDER SHALL PAY PARK IN LIEU FEES.

SOLAR ACCESS STATEMENT

THIS IS A SOLAR SUBDIVISION AS REQUIRED BY SECTION 81.401 (4) OF THE COUNTY OF SAN DIEGO SUBDIVISION ORDINANCE. ALL RESIDENTIAL UNITS WITHIN THIS SUBDIVISION SHALL HAVE A MINIMUM OF 100 SQUARE FEET OF UNOBSTRUCTED SOLAR ACCESS FOR EACH FUTURE DWELLING UNIT ALLOWED BY THIS SUBDIVISION.

LEGAL DESCRIPTION

SEE SHEET 6 FOR FULL LEGAL DESCRIPTION

EASEMENT LEGEND

SEE SHEET 6 FOR EASEMENT AND TITLE INFORMATION - TITLE INFORMATION IS BASED ON PRELIMINARY TITLE REPORT PREPARED BY CHICAGO TITLE COMPANY AS ORDER NO. 00013489-896-450 DATED JANUARY 26, 2015.

PUBLIC UTILITIES AND DISTRICTS

- GAS & ELECTRIC.....SAN DIEGO GAS & ELECTRIC CO.
- WATER.....VISTA IRRIGATION DISTRICT
- SCHOOL.....BUENA SANITATION DISTRICT
- POLICE.....COUNTY SHERIFFS DEPARTMENT
- SCHOOLS.....VISTA UNIFIED SCHOOL DISTRICT
- FIRE.....VISTA FIRE PROTECTION DISTRICT

EARTHWORK / GRADING QUANTITIES

TOTAL RAW EARTHWORK VOLUME
 AMOUNT OF CUT: 29,110 CUBIC YARDS
 AMOUNT OF FILL: 26,822 CUBIC YARDS
 TOTAL REEMBARK GRADING VOLUME
 AMOUNT OF CUT: 23,850 CUBIC YARDS
 AMOUNT OF FILL: 23,850 CUBIC YARDS
 TOTAL CORRECTIVE GRADING VOLUME WILL BALANCE AT FINAL ENGINEERING.
 FOR TECHNICAL INFORMATION PROVIDED BY GEOTECH. INC.
 1. EARTHWORK QUANTITIES BASED ON ADJUSTMENT MADE TO EARTHWORK TAKEOFF DATED 6/24/15.

EXISTING ZONING

APN NO.	USE REGULATIONS	184-080-01/181-162-06
ANIMAL REGS	RR/A70	
DENSITY	-/-	
LOT SIZE	0.5 AC/0.5 AC	
BUILDING TYPE	C/C	
MAX FLOOR AREA	-/-	
FLOOR AREA RATIO	-/-	
HEIGHT	G/G	
LOT COVERAGE	-/-	
SETBACK	C/C	
OPEN SPACE	-/-	
SPECIAL AREA REGULATIONS	-/-	

SHEET INDEX

- CIVIL SHT. C1: TITLE SHEET
- CIVIL SHT. C2: DETAILS / EXEMPTION REQUESTS
- CIVIL SHT. C3: PROJECT DESIGN
- CIVIL SHT. C4: EXISTING TOPOGRAPHY & BOUNDARY
- CIVIL SHT. C5: RECORD BOUNDARY & ENCUMBRANCES
- CIVIL SHT. C6: SITE PLAN PLOTTING DESIGN
- CIVIL SHT. C7: SITE PLAN PLOTTING DESIGN
- CIVIL SHT. C8: FIRE HYDRANTS & STREET LIGHTS

GENERAL NOTES

- TOTAL EXISTING GROSS SITE AREA - 14.15 ACRES
 TOTAL NET SITE AREA - 12.58 ACRES
 (1.4 GROSS SITE AREA MINUS BUENA CREEK RD. & LONE OAK RD. = 1.57 AC)
- TOTAL NUMBER OF LOTS: 30
 RESIDENTIAL LOTS: 24
 PVT. ST. & ACCESS LOTS (LOTS 25 & 26): 2
 HOA OS LOTS (LOTS 27, 28, 29 & 30): 4
 AVERAGE NET LOT SIZE: APPROX. 12,205 SF
 MINIMUM NET LOT SIZE: APPROX. 8,337 SF
- TOTAL NUMBER OF RESIDENTIAL UNITS: 24 SINGLE FAMILY
- ASSESSOR'S PARCEL NUMBERS: 184-080-01 & 181-162-06
- EXISTING GENERAL PLAN REGIONAL CATEGORY: VILLAGE
- EXISTING GENERAL PLAN LAND USE DESIGNATION: VR19 (VILLAGE RESIDENTIAL 2)
- EXISTING/PROPOSED ZONING: PARCEL 184-080-01 ZONED RR (RURAL RESIDENTIAL) PARCEL 181-162-06 ZONED A70 (LIMITED AGRICULTURE) SEE ZONING BOOK THIS SHEET
- GROSS DENSITY: 1.7 DU/AC (24 DU'S/14.15 AC.)
 NET DENSITY: 1.9 DU/AC (24 DU'S/12.58 AC.)
- EXISTING USE: SINGLE FAMILY RESIDENCE AND STORAGE SHEEDS
- PROPOSED USE: SINGLE FAMILY RESIDENTIAL
- TAX RATE AREA: 90038
- THOMAS BROTHERS COORDINATES: 1108 02
- COMMUNITY PLANNING AREA/SUBREGION: NORTH COUNTY METRO
- CONSERVATION OPEN SPACE: 258 ± SUM OF OS LOTS 27 & 30 DIVIDED BY TOTAL NET SITE AREA (* SUM OF LOTS 27 & 30 = 136,964 SF / TOTAL NET SITE AREA = 547,849 SF)

GENERAL DESIGN NOTES

- NO PUBLIC STREETS ARE PROPOSED WITH THIS PROJECT.
- A PROPOSED PRIVATE ROAD MAINTENANCE AGREEMENT MODIFIED TO INCORPORATE A PRIVATE DRAINAGE MAINTENANCE AGREEMENT PER SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES SECTION 81-402(C)(1) & SECTION 81-703(C)(1) TO INCLUDE THE FOLLOWING:
 - A. ROAD MAINTENANCE-OIGITE FOR PVT. OS: A & PVT. DR. B
 - B. DRAINAGE MAINTENANCE-ALL COMMON DRAINAGE STRUCTURES MUTUALLY BENEFITTING THE PROPOSED 30 LOTS.
- ALL PROPOSED UTILITIES SHALL BE UNDERGROUND. EASEMENTS SHALL BE PROVIDED AND/OR REMOVED AS NECESSARY PER THE APPROPRIATE DISTRICTS.
- CONTOUR INTERVALS: 1 & 5 FEET.
- MANUFACTURED SLOPE RATIOS SHALL BE VARIABLE (2:1 MAX).
- FINISHED GRADES ARE APPROXIMATE ONLY AND SUBJECT TO CHANGE AT FINAL ENGINEERING AND SHALL BE CONSISTENT WITH THE COUNTY'S SUBSTANTIAL COMPLIANCE GUIDELINES.
- PRELIMINARY GEOTECHNICAL INVESTIGATION INFORMATION WAS OBTAINED FROM THE PRELIMINARY GEOTECHNICAL REPORT PREPARED BY ADVANCED GEOTECHNICAL SOLUTIONS, INC. DATED 02-11-14 (REVISED 09-23-14), REPORT # 1309-08-9-2.
- ALL BROW DITCHES SHALL BE SIZED AND BUILT PER THE APPROVED FINAL GRADING PLAN & HYDROLOGY REPORT.
- STREET DESIGN, LANDSCAPING AND FIRE HYDRANTS SHALL CONFORM TO THE COUNTY DESIGN STANDARDS AND AS REQUIRED BY THE COUNTY ENGINEER.
- THE SUBDIVIDER/DEVELOPER SHALL PROVIDE AND INSTALL APPROVED STREET LIGHT STANDARDS AND FIXTURES IN THE TYPE AND NUMBER APPROVED BY THE COUNTY OF SAN DIEGO AND THE PUBLIC WORKS DEPARTMENT.
- PURSUANT TO CHAPTER 1 OF DIVISION 10 OF TITLE 8 OF THE SAN DIEGO COUNTY CODE, THE SUBDIVIDER SHALL PAY PARK IN-LIEU FEES IF NECESSARY.
- AUTOMATIC SPRINKLERS SHALL BE INSTALLED IN ALL OCCUPANCIES.
- ALL EXISTING UTILITIES TO BE PLACED UNDERGROUND PER SUBDIVISION ORDINANCE SECTION 81-404(A)(7). UNLESS UNDERGROUNDING WAIVED PER REQUEST NOTED ON SHEET C2, C3.

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 MAP, ALL OF MY CONTIGUOUS OWNERSHIP WITHIN AND BEYOND THE BOUNDARIES OF THE TENTATIVE MAP IS SHOWN. I UNDERSTAND THAT PROPERTY IS CONSIDERED AS CONTIGUOUS EVEN IF SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS OR RAILROAD RIGHTS-OF-WAY. FIREWAYS AS DEFINED IN SECT. 23.5 OF THE STREETS AND HIGHWAYS CODE, SHALL NOT BE CONSIDERED AS ROADS AND STREETS. I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED THIS 10TH DAY OF OCTOBER, 2015, AT SAN DIEGO COUNTY, CALIFORNIA.

OWNER
 D2, LLC
 A CALIFORNIA LIMITED LIABILITY COMPANY
 1530 INDUSTRIAL AVENUE
 ESCONTO, CA, 92029
 (760) 745-1776

SUBDIVIDER
 MARKER LONE OAK, LLC
 427 SOUTH CEDROS AVENUE, SUITE 201
 SOLANA BEACH, CA
 (656) 755-1500

DAN PAUL, REPRESENTATIVE DATE: 10-10-15
 MARK PERLMAN DATE: 10-10-15

APN: 184-080-01/181-162-06
 REGISTRATION EXPIRES ON: 12/31/15
 DATE: 10/10/15

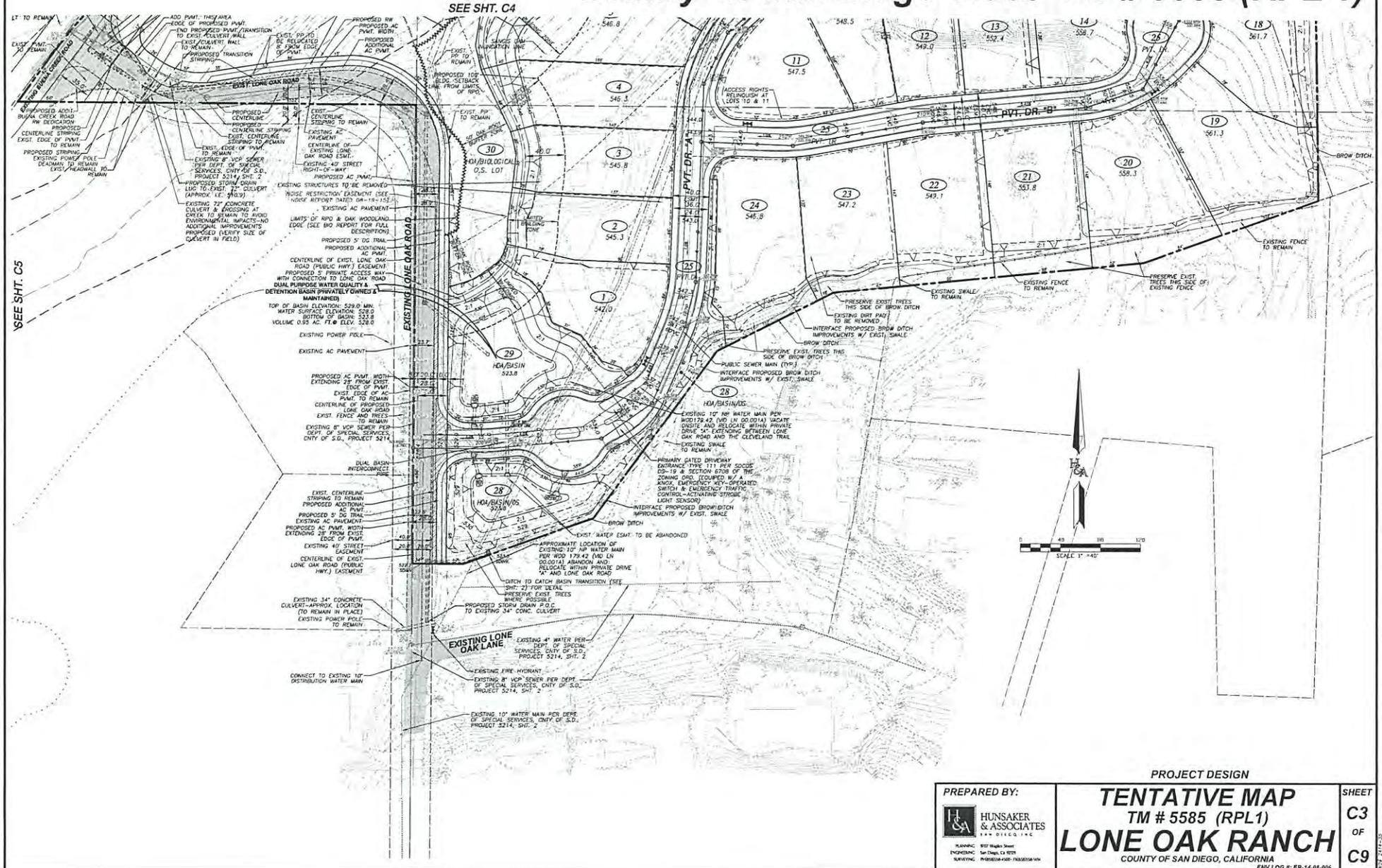
PREPARED BY:	NO. REVISIONS	DATE	BY
1	SUBMITTAL	04/11/14	H&A
2	RESUBMITTAL	10/16/14	H&A
3	RESUBMITTAL	02/19/15	H&A
4	REVISIONS PER MEETING 04/10/15	04/10/15	H&A
5	FINAL REVISIONS/SUBMITTAL	05/08/15	H&A
6	SUBMITTAL - PC HEARING	08/20/15	H&A
7			
8			

TENTATIVE MAP
TM # 5585 (RPL 1)
LONE OAK RANCH
 COUNTY OF SAN DIEGO, CALIFORNIA
 ENV LOG #: ER-14-08-006

2-42

C1
 C9

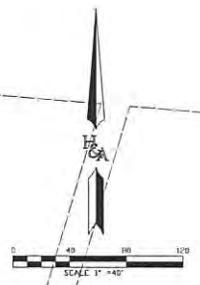
County Of San Diego Tract TM # 5585 (RPL 1)



SEE SHT. C5

SEE SHT. C4

2 - 44



PROJECT DESIGN

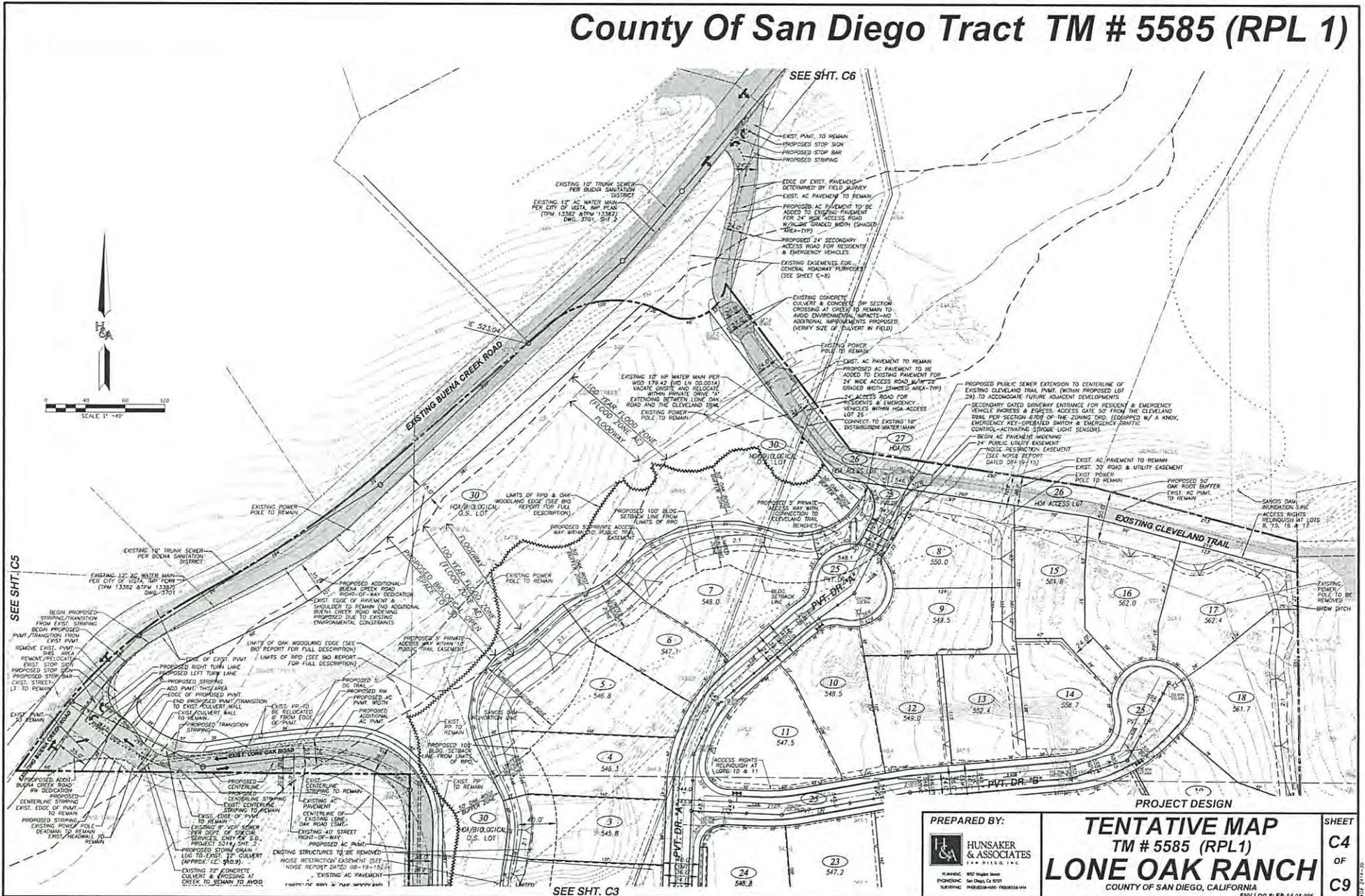
PREPARED BY:
 **HUNSAKER & ASSOCIATES**
 INC.
 PLANNING ENGINEERING SURVEYING
 8927 Miramar Street
 San Diego, CA 92126
 PHONE: 619-591-7333 FAX: 619-591-7334

TENTATIVE MAP
 TM # 5585 (RPL1)
LONE OAK RANCH
 COUNTY OF SAN DIEGO, CALIFORNIA
 ENV LOG # ER-14-08-006

SHEET
C3
 OF
C9

THIS MAP/PLAN WAS PREPARED BY THE ENGINEER/PLANNER/SURVEYOR SIGNING THEREON AND IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF HUNSAKER & ASSOCIATES, INC.

County Of San Diego Tract TM # 5585 (RPL 1)



2 - 45

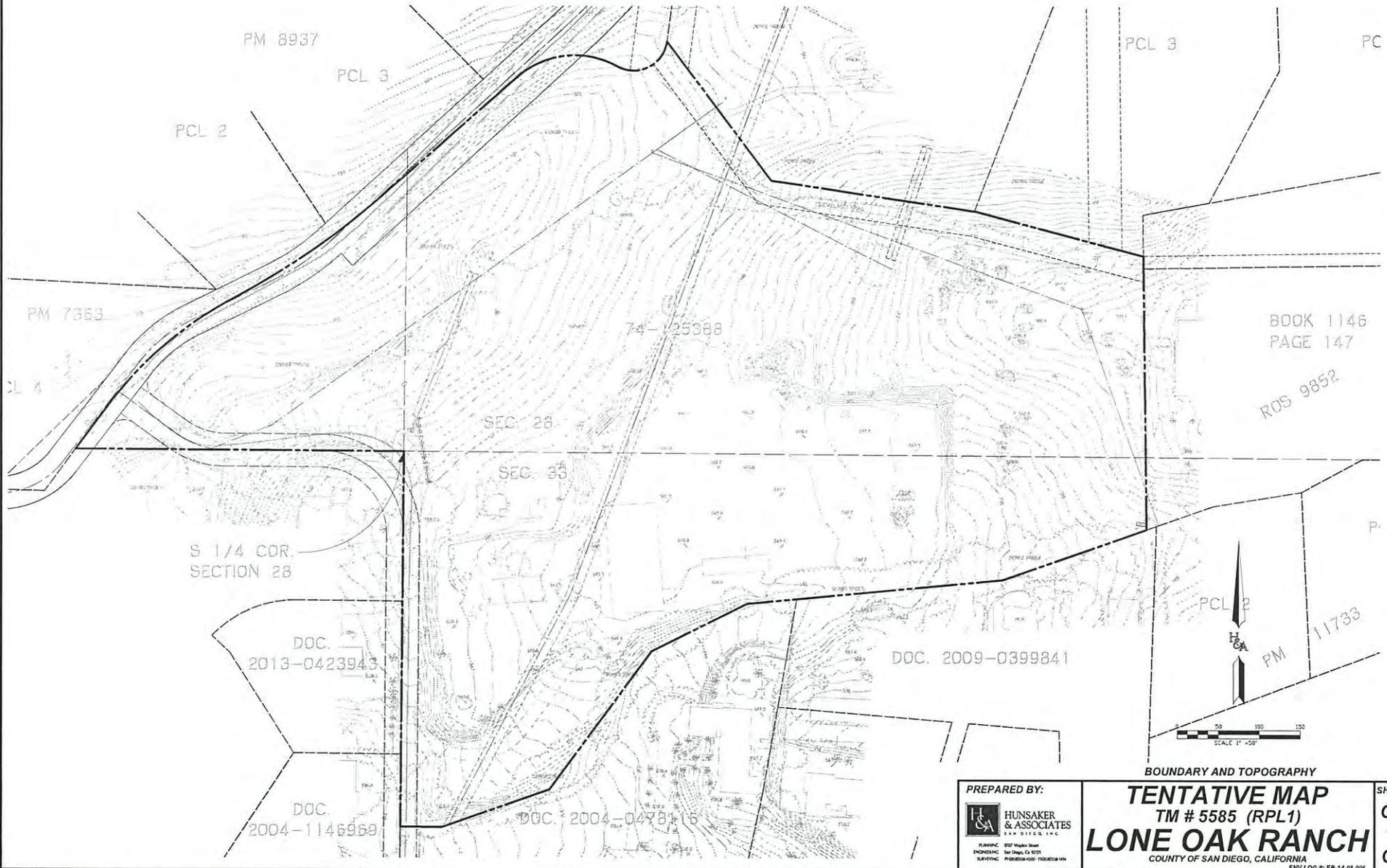
PREPARED BY:
 **HUNSAKER & ASSOCIATES**
 P.L.L.C.
10000
 10000
 10000

TENTATIVE MAP
TM # 5585 (RPL1)
LONE OAK RANCH
 COUNTY OF SAN DIEGO, CALIFORNIA
ENV LOG # ER-14-08-006

SHEET
C4
 OF
C9

DATE PLOTTED: 08/14/15 11:58 AM

County Of San Diego Tract TM # 5585 (RPL 1)



2 - 46

BOUNDARY AND TOPOGRAPHY

PREPARED BY:
 **HUNSAKER & ASSOCIATES**
 SAN DIEGO, CALIFORNIA
 PLANNING ENGINEERING SURVEYING
 3927 W. Valley Street
 San Diego, CA 92117
 (619) 594-1100
 HUNSAKER-ASSOCIATES.COM

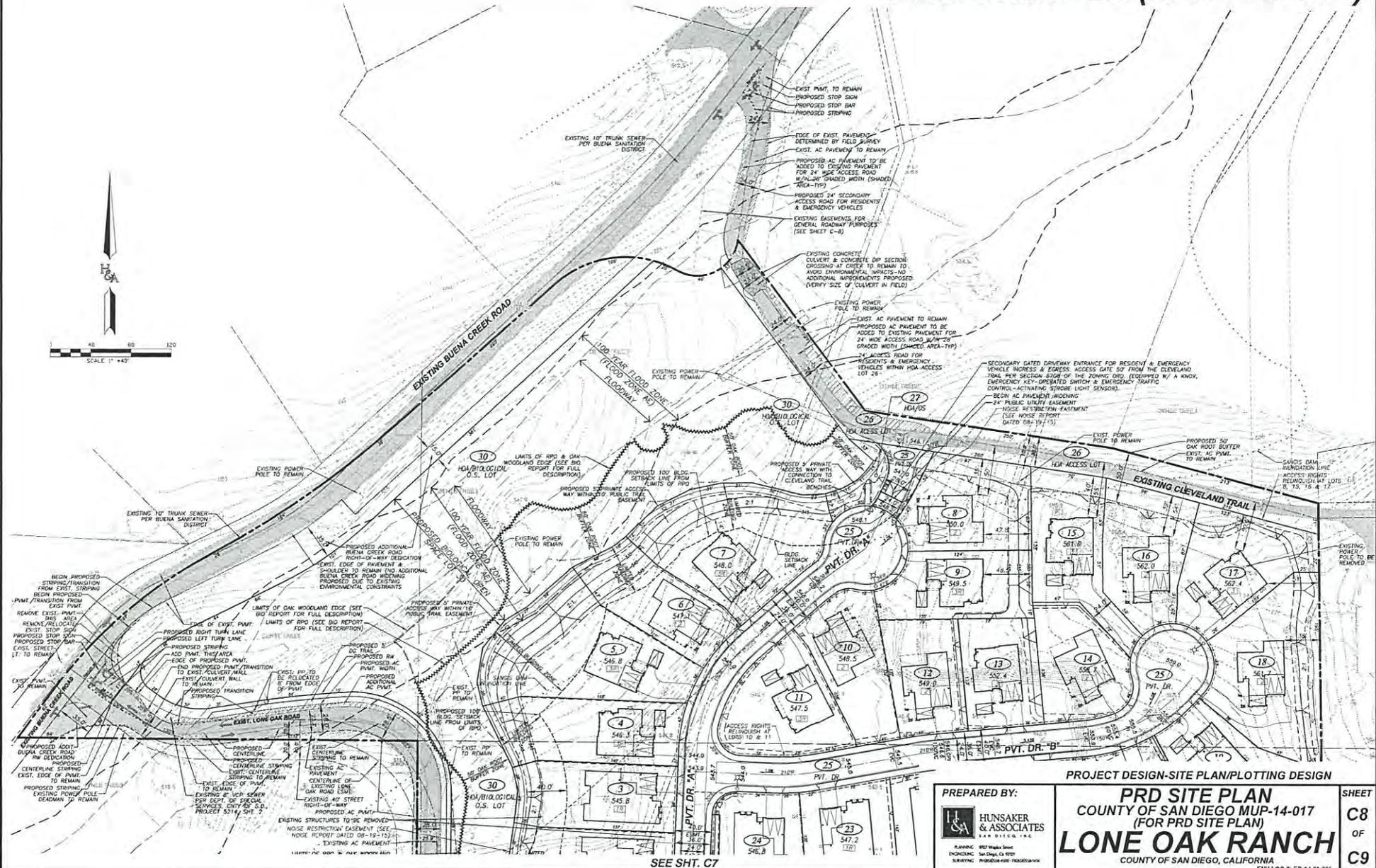
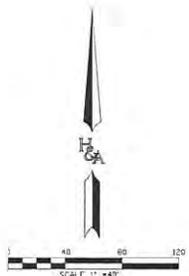
TENTATIVE MAP
 TM # 5585 (RPL1)
LONE OAK RANCH
 COUNTY OF SAN DIEGO, CALIFORNIA
 ENV LOG # ER-14-08-005

SHEET
C5
 OF
C9

© 2014 Hunsaker & Associates, Inc. TM # 5585 (RPL1) Map 00-000000

PRD Site Plan (MUP-14-017)

2 - 49



SEE SHT. C7

PREPARED BY:
 **HUNSAKER & ASSOCIATES**
 SAN DIEGO, CA
 PLANNING 952 Maple Street
 ENGINEERING 540 Chapel St. 3RD FLOOR
 SURVEYING 1600 VIA VALLEJUELO

PROJECT DESIGN-SITE PLAN/PLOTTING DESIGN
PRD SITE PLAN
 COUNTY OF SAN DIEGO MUP-14-017
 (FOR PRD SITE PLAN)
LONE OAK RANCH
 COUNTY OF SAN DIEGO, CALIFORNIA
 ENV LOG #: ER-14-03-006

SHEET
C8
 OF
C9

PRD Site Plan (MUP-14-017)



FIRE HYDRANT AND ONSITE STREET LIGHT LOCATIONS

PREPARED BY:
 **HUNSAKER & ASSOCIATES**
 A DIVISION OF
H&A ENGINEERING

PRD SITE PLAN
 COUNTY OF SAN DIEGO MUP-14-017
 (FOR PRD SITE PLAN)
LONE OAK RANCH
 COUNTY OF SAN DIEGO, CALIFORNIA

SHEET
C9
 OF
C9

PLANNING: 4000 Maple Street, San Diego, CA 92108
 ENGINEERING: 4000 Maple Street, San Diego, CA 92108
 SURVEYING: 4000 Maple Street, San Diego, CA 92108

ENV LOG # ER-14-08-006
 DATE: 08/14/14

2 - 50

LONE OAK RANCH

MARKER LONE OAK LLC.

ARCHITECTURAL SUBMITTAL PACKAGE





FIRST FLOOR PLAN 1 'A'

FIRST FLOOR: 3,008 SQ. FT.
GARAGE: 524 SQ. FT.

FIRST FLOOR: 3,008 SQ. FT.

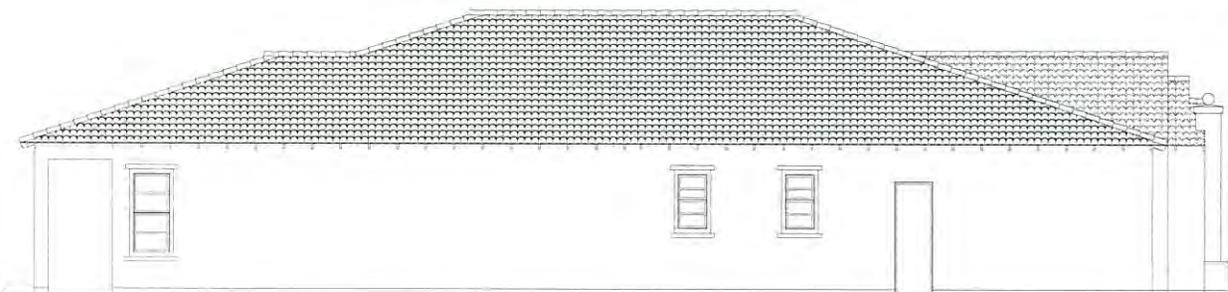
GARAGE: 524 SQ. FT.
TOTAL: 3,757 SQ. FT.

COVERAGE: 3,757 SQ. FT.

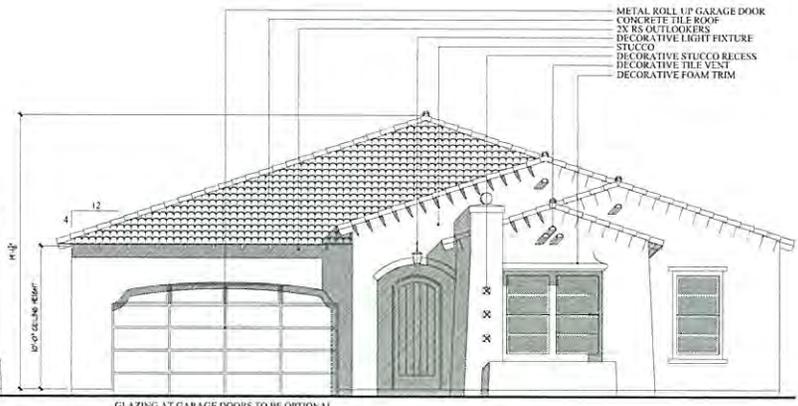
OCCUPANCY TYPE: R-3
CONSTRUCTION TYPE: TYPE VB

PLAN ONE
LONE OAK RANCH
MARKER LONE OAK LLC.





RIGHT SIDE ELEVATION 'A'
SCALE: 1/4" = 1'-0"

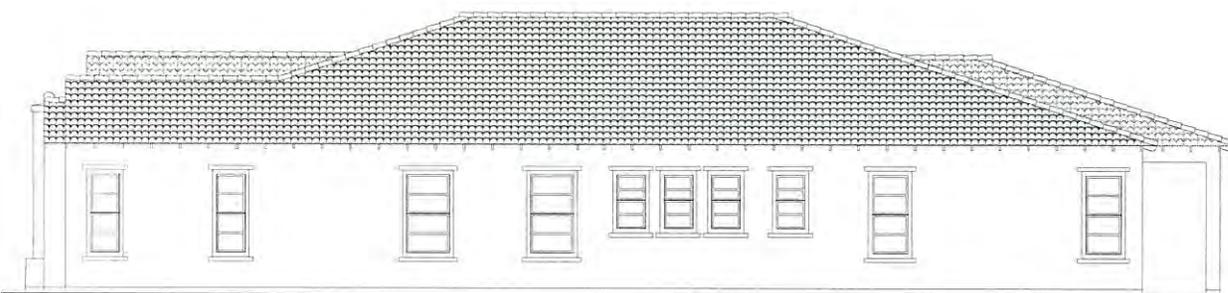


- METAL ROLL UP GARAGE DOOR
- CONCRETE TILE ROOF
- 2X RS OUTLOOKERS
- DECORATIVE LIGHT FIXTURE
- STUCCO
- DECORATIVE STUCCO RECESS
- DECORATIVE TILE VENT
- DECORATIVE FOAM TRIM

FRONT ELEVATION 'A'
SCALE: 1/4" = 1'-0"

SPANISH COLONIAL

GLAZING AT GARAGE DOORS TO BE OPTIONAL



LEFT SIDE ELEVATION 'A'
SCALE: 1/4" = 1'-0"



REAR ELEVATION 'A'
SCALE: 1/4" = 1'-0"

2-53

PLAN ONE - SPANISH COLONIAL
LONE OAK RANCH
MARKER LONE OAK LLC.



A-2

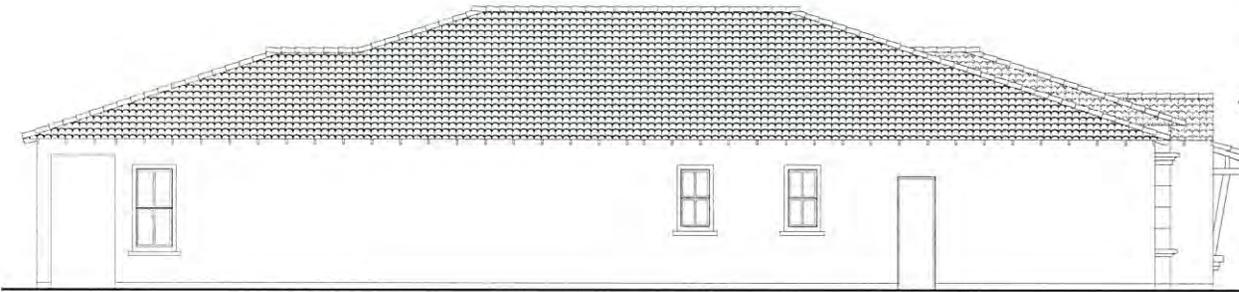


FIRST FLOOR PLAN 1 'B'

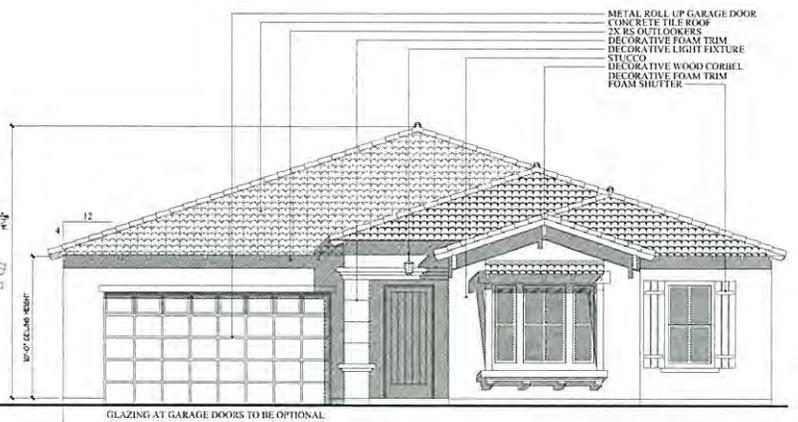
FIRST FLOOR: 3,008 SQ. FT.
GARAGE: 524 SQ. FT.

PLAN ONE
LONE OAK RANCH
MARKER LONE OAK LLC.



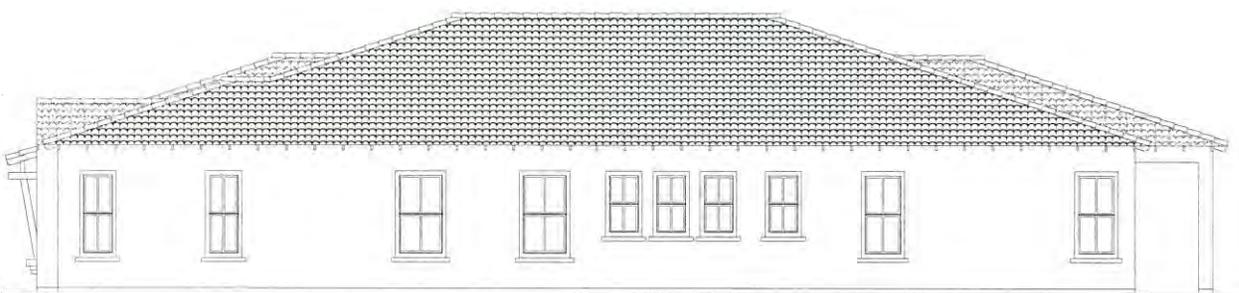


RIGHT SIDE ELEVATION 'B'
SCALE: 1/4" = 1'-0"

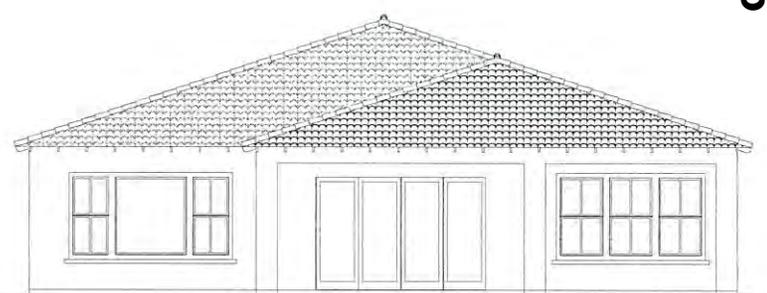


FRONT ELEVATION 'B'
SCALE: 1/4" = 1'-0"

SANTA BARBARA



LEFT SIDE ELEVATION 'B'
SCALE: 1/4" = 1'-0"



REAR ELEVATION 'B'
SCALE: 1/4" = 1'-0"

PLAN 0W0 - SANTA BARBARA
LONE OAK RANCH
MARKER LONE OAK LLC.



2 - 55

A-4

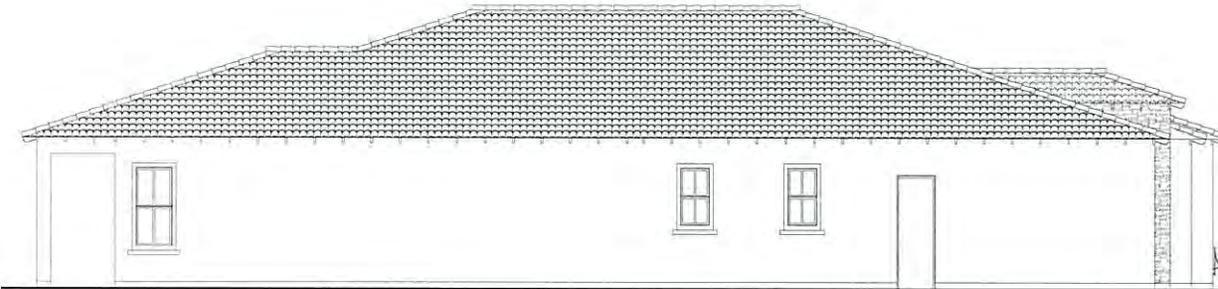


FIRST FLOOR PLAN | 'C'

FIRST FLOOR: 3,068 SQ. FT.
GARAGE: 524 SQ. FT.

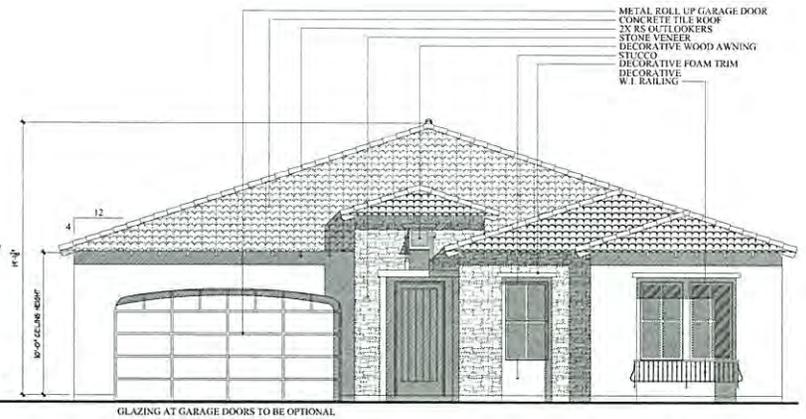
PLAN ONE
LONE OAK RANCH
MARKER LONE OAK LLC.
SCALE: 1/8" = 1'-0"





RIGHT SIDE ELEVATION 'C'

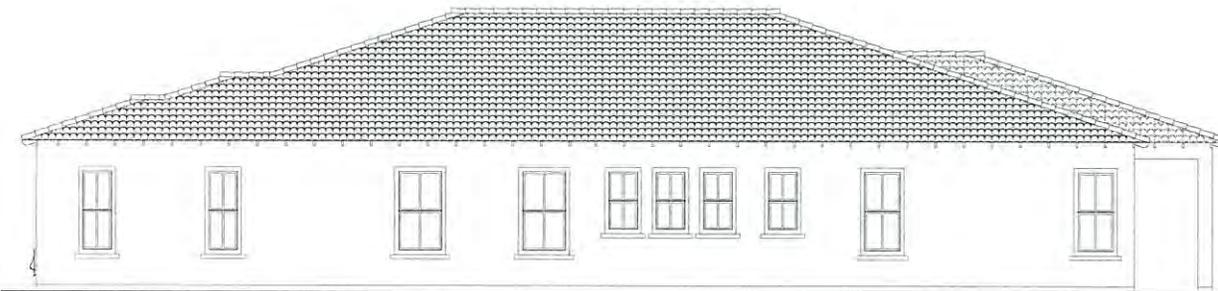
SCALE: 1/4" = 1'-0"



FRONT ELEVATION 'C'

SCALE: 1/4" = 1'-0"

TUSCAN



LEFT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"



REAR ELEVATION 'C'

SCALE: 1/4" = 1'-0"

PLAN ONE - TUSCAN
 LONE OAK RANCH
 MARKER LONE OAK LLC.

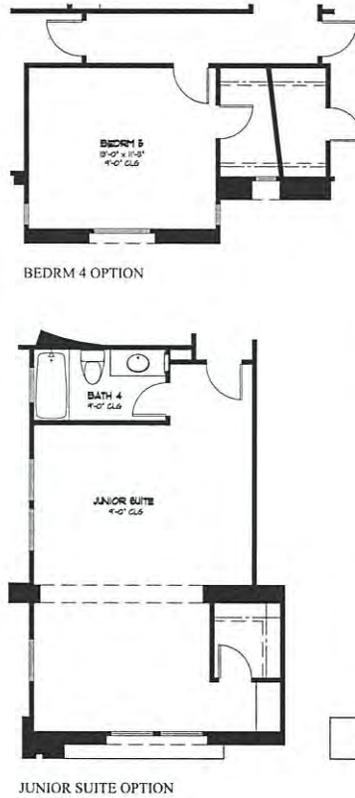


2-57

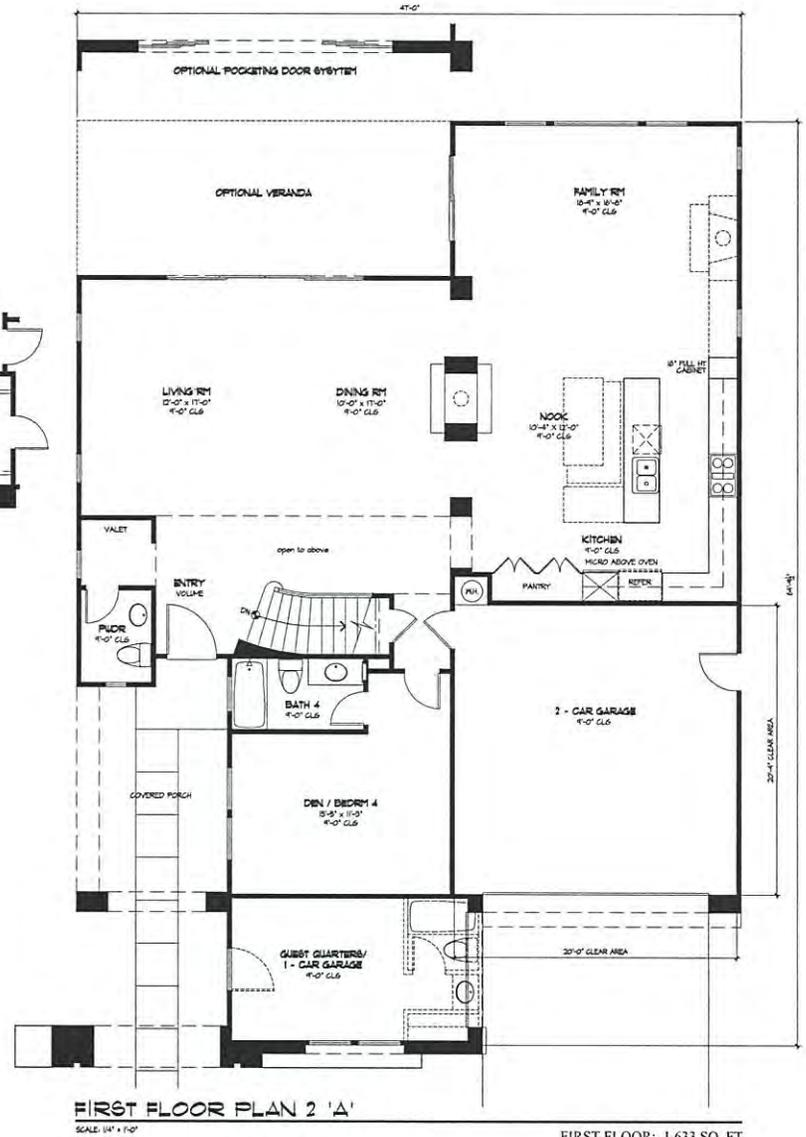
A-6



SECOND FLOOR PLAN 2 'A'
SCALE: 1/4" = 1'-0"



JUNIOR SUITE OPTION



FIRST FLOOR PLAN 2 'A'
SCALE: 1/4" = 1'-0"

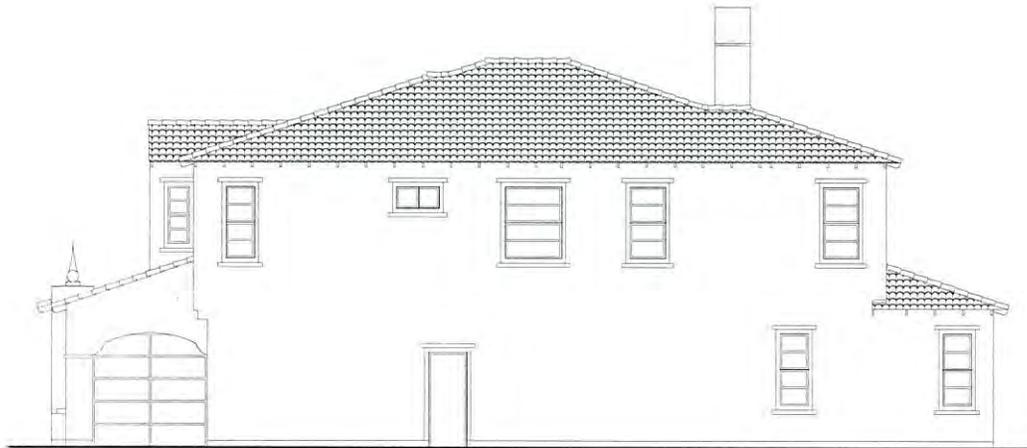
FIRST FLOOR: 1,633 SQ. FT.
SECOND FLOOR: 1,777 SQ. FT.
GARAGE: 601 SQ. FT.
TOTAL: 3,410 SQ. FT.

SECOND FLOOR OVERHANG: 171 SQ. FT.
COVERAGE: 2,234 SQ. FT.

OCCUPANCY TYPE: R-3
CONSTRUCTION TYPE: TYPE VB

PLAN TWO
LONE OAK RANCH
MARKER LONE OAK LLC.



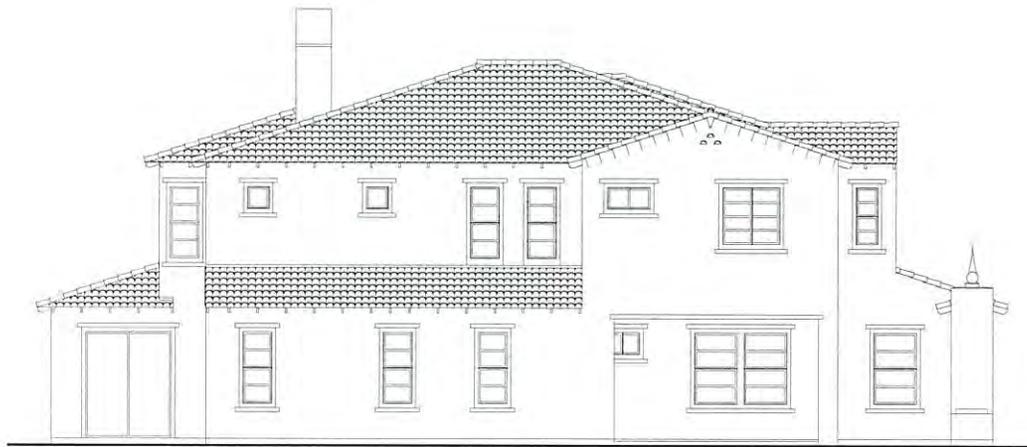


RIGHT SIDE ELEVATION 'A'
SCALE: 1/4" = 1'-0"



FRONT ELEVATION 'A'
SCALE: 1/4" = 1'-0"

SPANISH COLONIAL



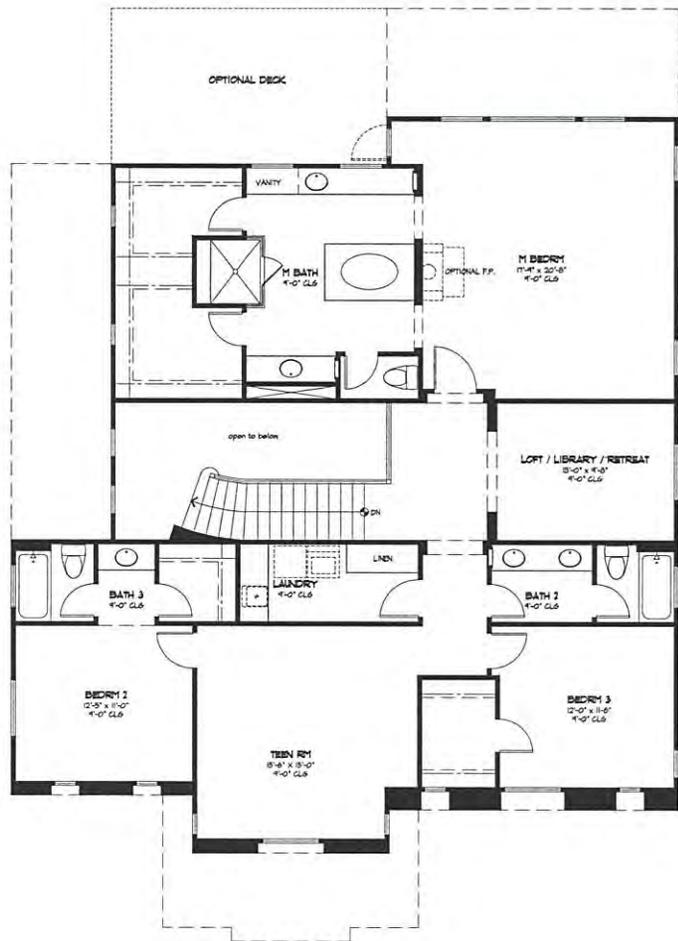
LEFT SIDE ELEVATION 'A'
SCALE: 1/4" = 1'-0"



REAR ELEVATION 'A'
SCALE: 1/4" = 1'-0"

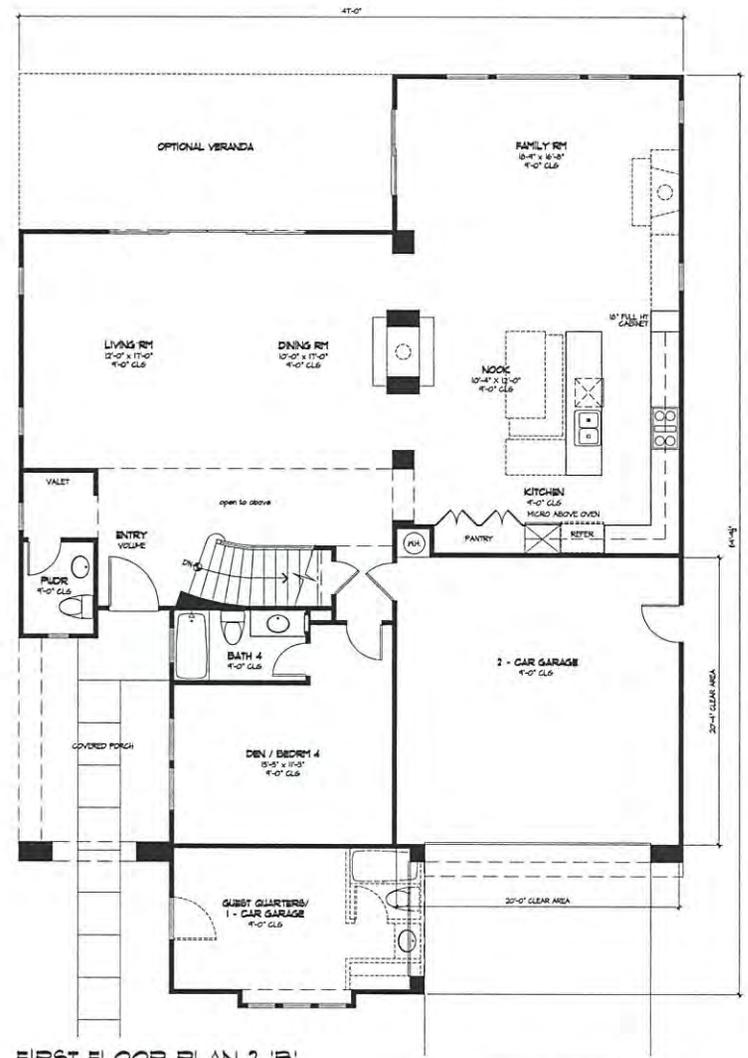
PLAN TWO - SPANISH COLONIAL
LONE OAK RANCH
MARKER LONE OAK LLC.





SECOND FLOOR PLAN 2 'B'

SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN 2 'B'

SCALE: 1/4" = 1'-0"

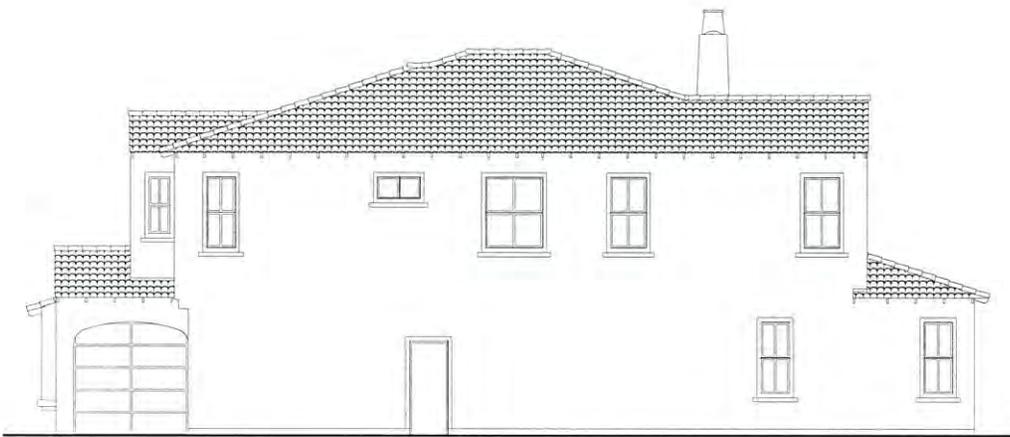
PLAN TWO
LONE OAK RANCH
MARKER LONE OAK LLC.



FIRST FLOOR: 1,633 SQ. FT.
SECOND FLOOR: 1,777 SQ. FT.
GARAGE: 601 SQ. FT.
TOTAL: 3,410 SQ. FT.
SECOND FLOOR OVERHANG: 171 SQ. FT.
COVERAGE: 2,234 SQ. FT.
OCCUPANCY TYPE: R-3
CONSTRUCTION TYPE: TYPE VB

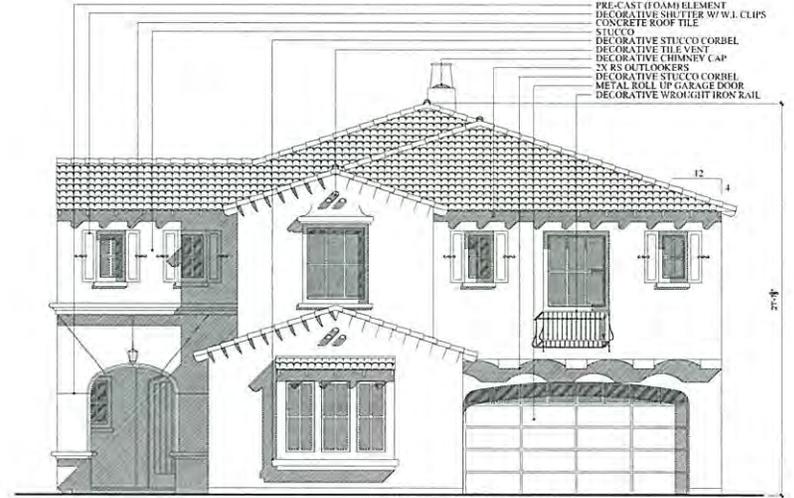
2 - 60

A-9



RIGHT SIDE ELEVATION 'B'

SCALE: 1/4" = 1'-0"

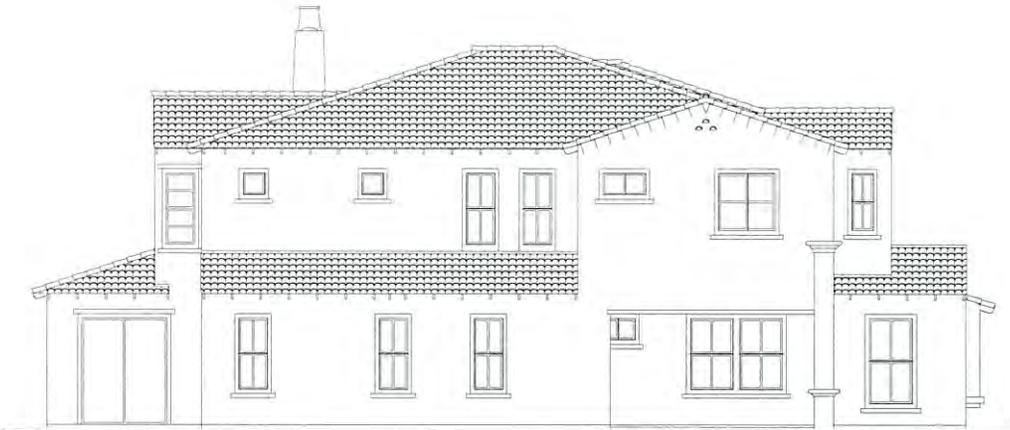


FRONT ELEVATION 'B'

SCALE: 1/4" = 1'-0"

SANTA BARBARA

GLAZING AT GARAGE DOORS TO BE OPTIONAL



LEFT SIDE ELEVATION 'B'

SCALE: 1/4" = 1'-0"



REAR ELEVATION 'B'

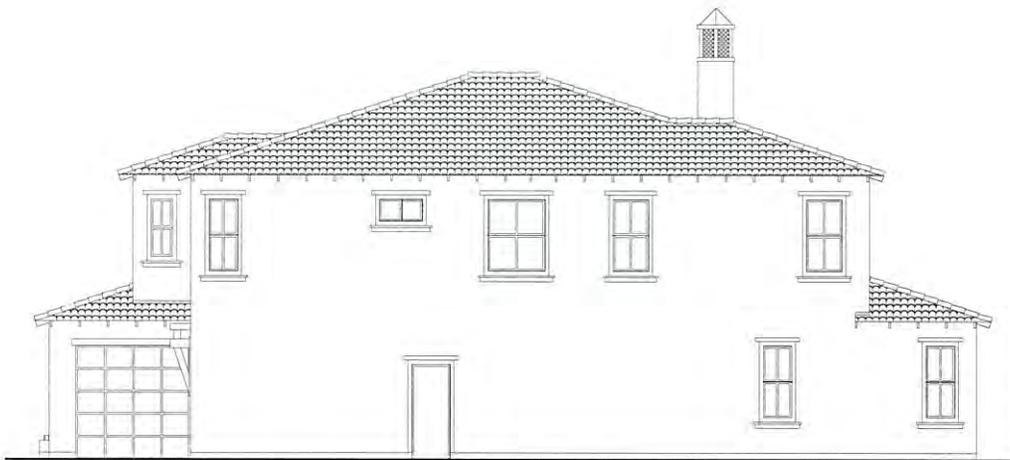
SCALE: 1/4" = 1'-0"

PLAN TWO - SANTA BARBARA
LONE OAK RANCH
MARKER LONE OAK LLC.



2-61

A-10



RIGHT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"



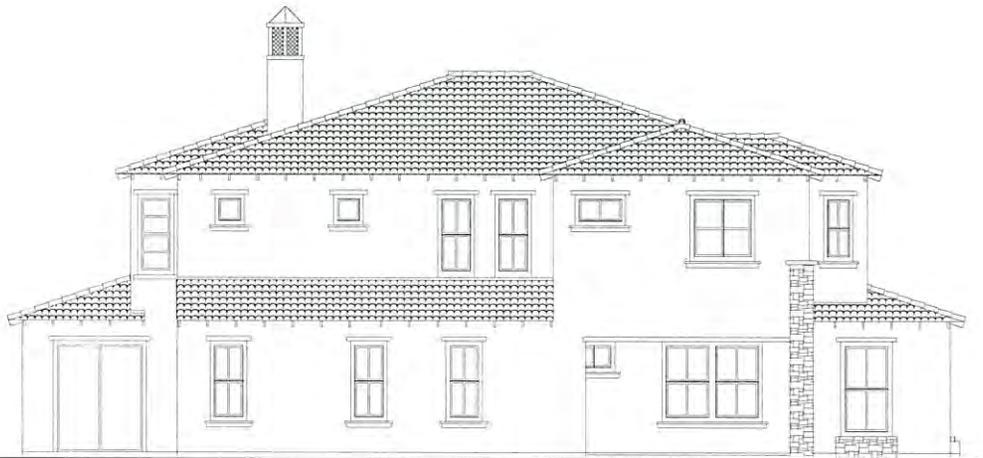
- STONE VENEER
- DECORATIVE STUCCO TRIM
- EXTERIOR LIGHT FIXTURE
- STUCCO
- DECORATIVE TILE TRIM
- DECORATIVE CHIMNEY CAP
- DECORATIVE RS WOOD SHELF
- DECORATIVE RS WOOD BELLIS
- METAL ROLL UP GARAGE DOOR
- 2X RS OUTLOOKERS

GLAZING AT GARAGE DOORS TO BE OPTIONAL

FRONT ELEVATION 'C'

SCALE: 1/4" = 1'-0"

TUSCAN



LEFT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"



REAR ELEVATION 'C'

SCALE: 1/4" = 1'-0"

2 - 63

PLAN TWO - TUSCAN
 LONE OAK RANCH
 MARKER LONE OAK LLC.





REAR ELEVATION 'A' W/ VERANDA

SCALE: 1/4" = 1'-0"



REAR ELEVATION 'B' W/ VERANDA

SCALE: 1/4" = 1'-0"

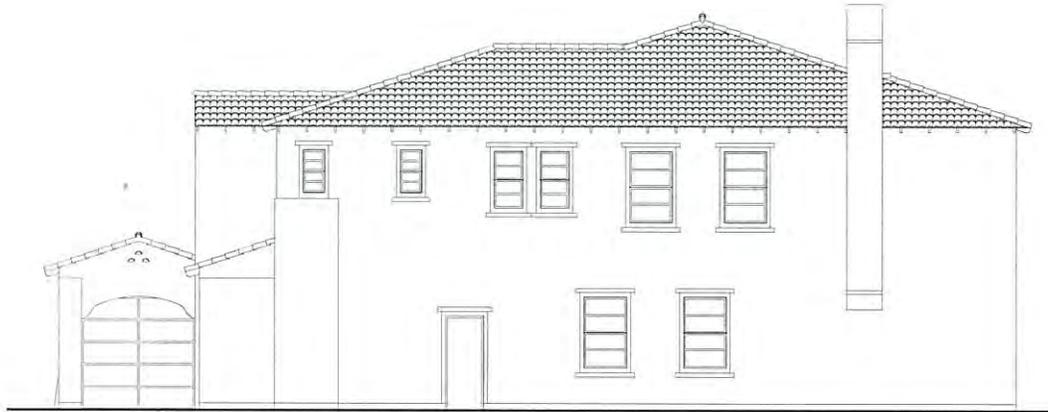


REAR ELEVATION 'C' W/ VERANDA

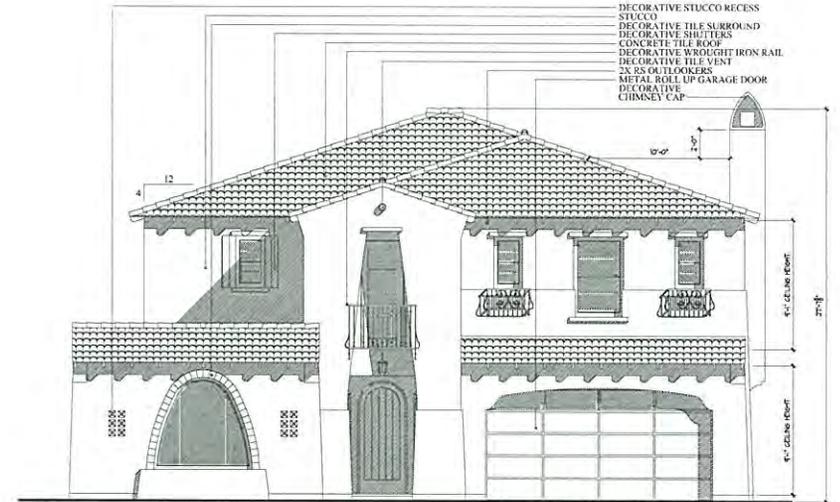
SCALE: 1/4" = 1'-0"

PLAN TWO - W/ VERANDA
 LONE OAK RANCH
 MARKER LONE OAK LLC.





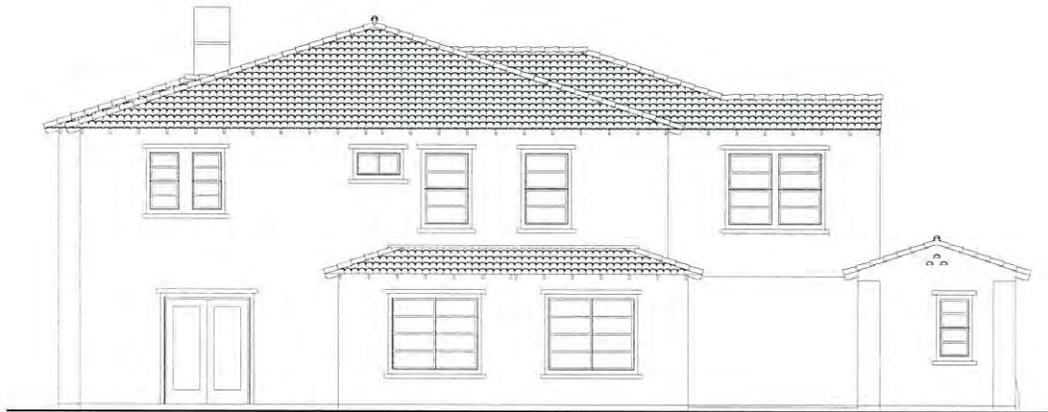
RIGHT SIDE ELEVATION 'A'
SCALE: 1/4" = 1'-0"



FRONT ELEVATION 'A'
SCALE: 1/4" = 1'-0"

SPANISH COLONIAL

GLAZING AT GARAGE DOORS TO BE OPTIONAL



LEFT SIDE ELEVATION 'A'
SCALE: 1/4" = 1'-0"

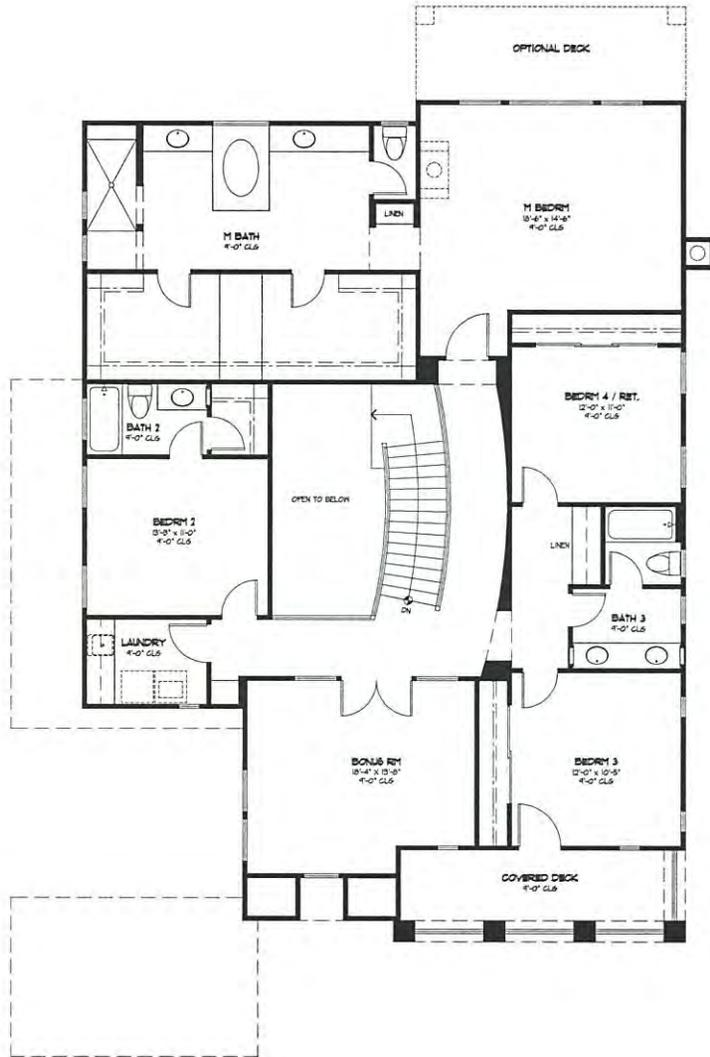


REAR ELEVATION 'A'
SCALE: 1/4" = 1'-0"

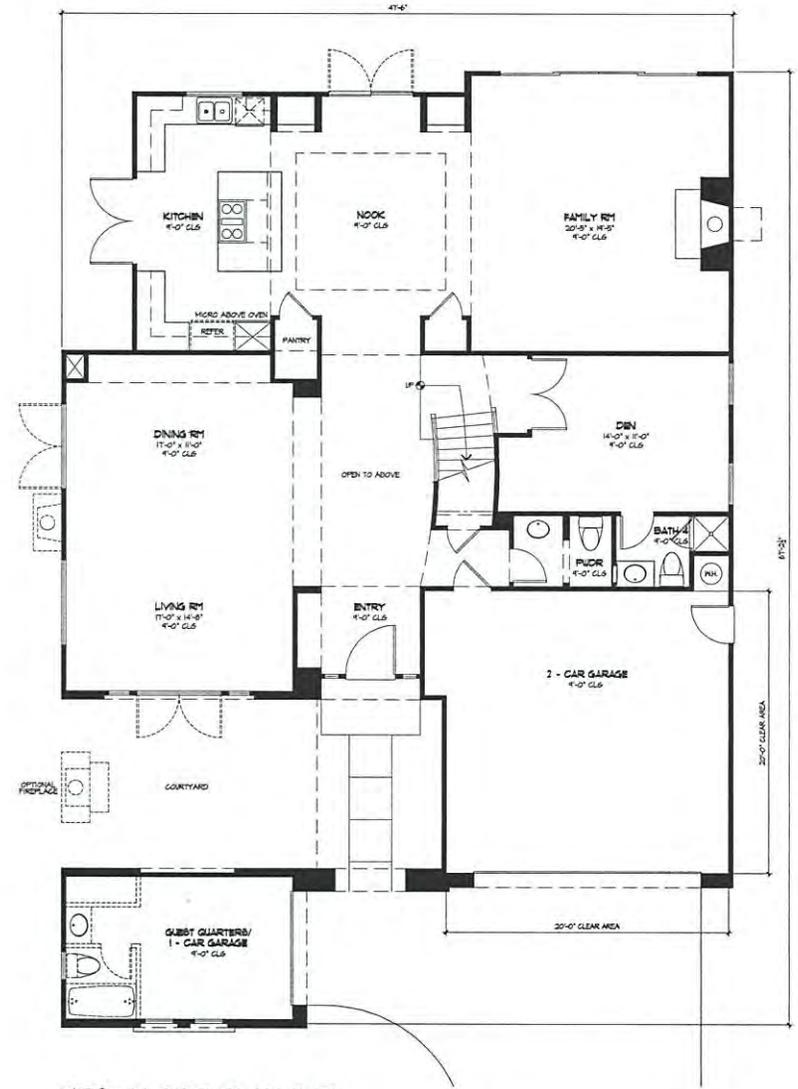
2 - 66

PLAN THREE - SPANISH COLONIAL
LONE OAK RANCH
MARKER LONE OAK LLC.





SECOND FLOOR PLAN 3 'B'
SCALE: 1/4" = 1'-0"

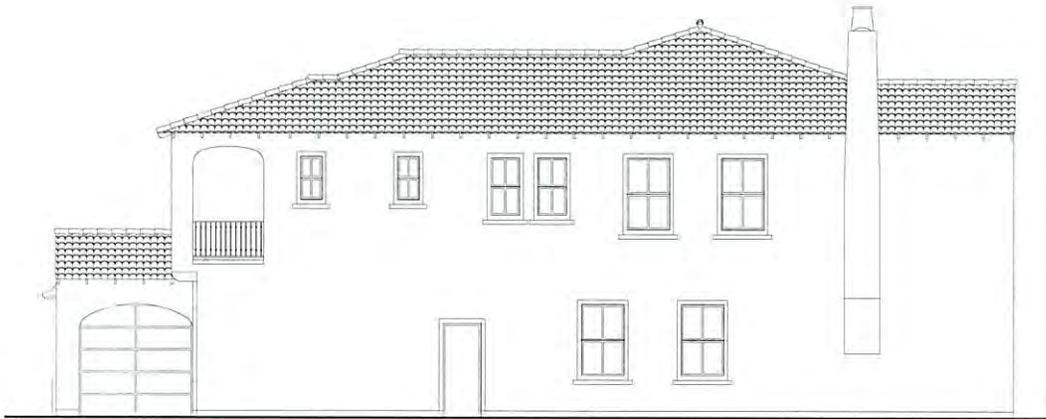


FIRST FLOOR PLAN 3 'B'
SCALE: 1/4" = 1'-0"

PLAN THREE
LONE OAK RANCH
MARKER LONE OAK LLC.

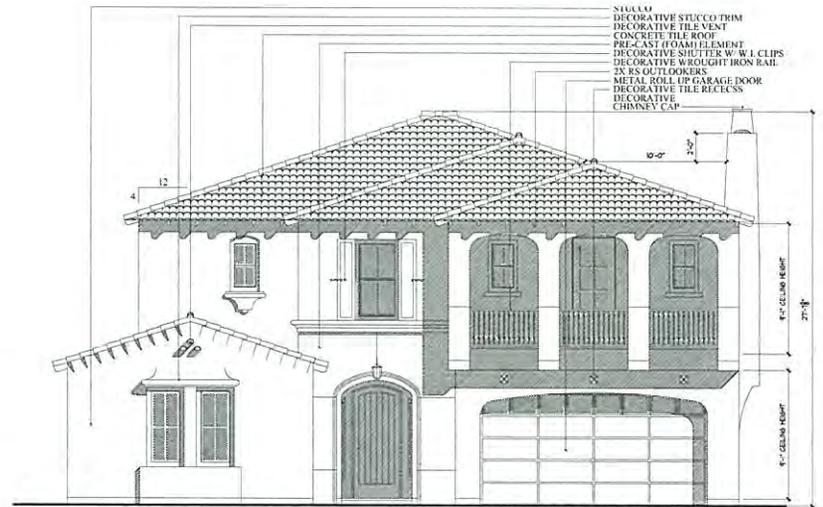


FIRST FLOOR: 1,740 SQ. FT.
SECOND FLOOR: 1,865 SQ. FT.
GARAGE: 604 SQ. FT.
TOTAL: 3,605 SQ. FT.
SECOND FLOOR OVERHANG: 104 SQ. FT.
COVERAGE: 2,344 SQ. FT.
OCCUPANCY TYPE: R-3
CONSTRUCTION TYPE: TYPE VB



RIGHT SIDE ELEVATION 'B'

SCALE: 1/4" = 1'-0"



FRONT ELEVATION 'B'

SCALE: 1/4" = 1'-0"

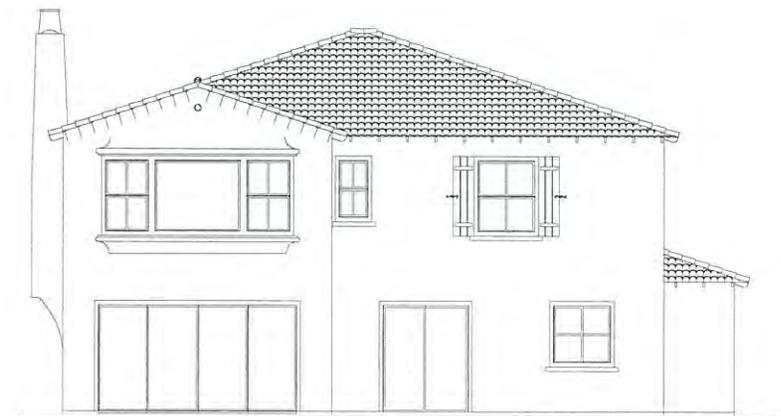
SANTA BARBARA

GLAZING AT GARAGE DOORS TO BE OPTIONAL.



LEFT SIDE ELEVATION 'B'

SCALE: 1/4" = 1'-0"



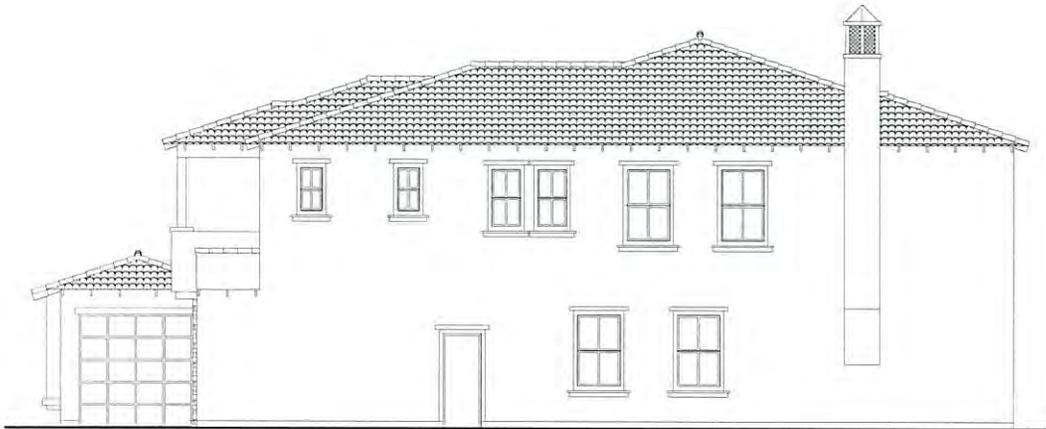
REAR ELEVATION 'B'

SCALE: 1/4" = 1'-0"

2 - 68

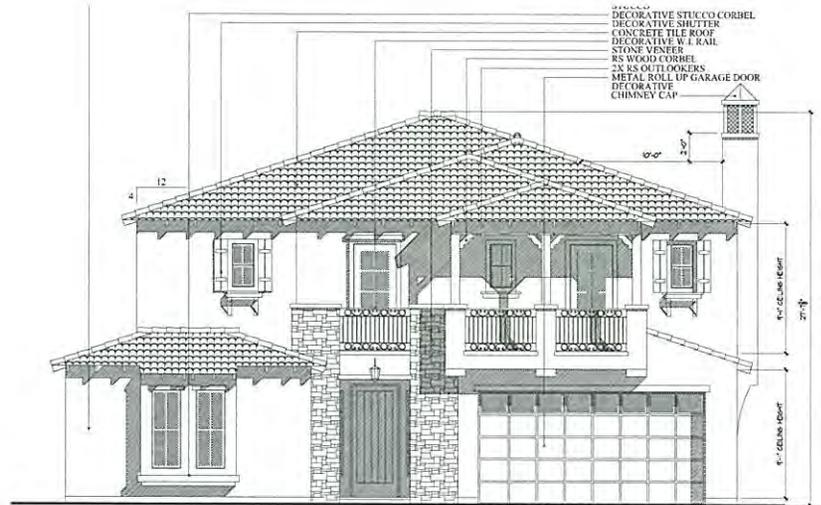
PLAN THREE - SANTA BARBARA
 LONE OAK RANCH
 MARKER LONE OAK LLC.





RIGHT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"



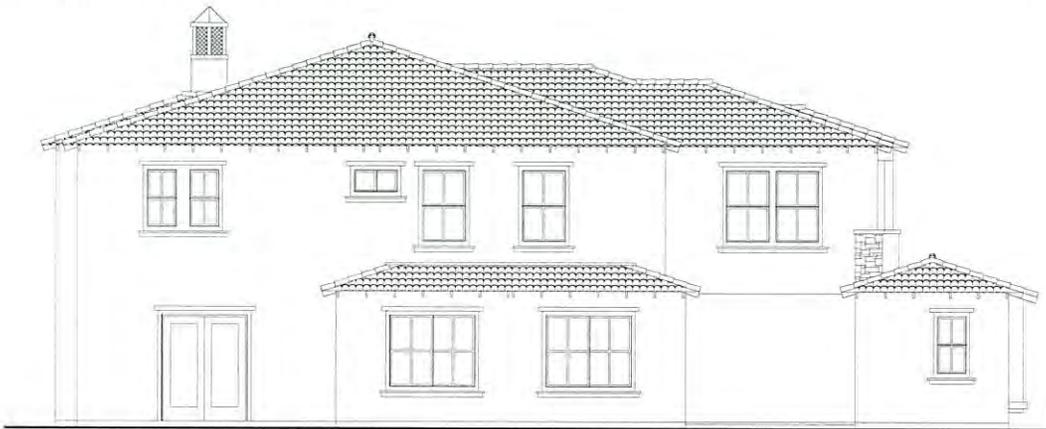
- DECORATIVE STUCCO CORBEL
- DECORATIVE SHUTTER
- CONCRETE TILE ROOF
- DECORATIVE W. L. RAIL
- STONE VENEER
- RS WOOD CORBEL
- 2X RS OUTLOOKERS
- METAL ROLL UP GARAGE DOOR
- DECORATIVE
- CHIMNEY CAP

GLAZING AT GARAGE DOORS TO BE OPTIONAL

FRONT ELEVATION 'C'

SCALE: 1/4" = 1'-0"

TUSCAN



LEFT SIDE ELEVATION 'C'

SCALE: 1/4" = 1'-0"



REAR ELEVATION 'C'

SCALE: 1/4" = 1'-0"

2-70

PLAN THREE - TUSCAN
 LONE OAK RANCH
 MARKER LONE OAK LLC.





REAR ELEVATION 'A' W/ EXTERIOR DECK
SCALE: 1/4" = 1'-0"



REAR ELEVATION 'B' W/ EXTERIOR DECK
SCALE: 1/4" = 1'-0"



REAR ELEVATION 'C' W/ EXTERIOR DECK
SCALE: 1/4" = 1'-0"

PLAN THREE - EXTERIOR DECK
LONE OAK RANCH
MARKER LONE OAK LLC.



2-71

***PROPOSED BMPs NOTE:**
ALL MANUFACTURED SLOPES SHALL BE SPRAYED WITH A BONDED FIBER MATRIX (BFM) AFTER GRADING TO PREVENT EROSION

NOTE:
SLOPE IRRIGATION & TREATMENT
SLOPE IRRIGATION, CHEMICAL WEED PREVENTION/KILLING AND FERTILIZATION SHALL BE DESIGNED AND IMPLEMENTED TO NOT NEGATIVELY INFLUENCE ADJACENT NATIVE VEGETATION AND TEMPORARY IRRIGATION SHALL BE PROVIDED, WHICH WILL BE REMOVED UPON PLANT ESTABLISHMENT AS APPROVED BY THE PROJECT BIOLOGIST IN ZONE B

NOTE:
EXISTING PLANT MATERIAL
PLANT MATERIAL THAT IS EITHER DAMAGED OR DESTROYED DURING CONSTRUCTION SHALL BE REPLACED IN TYPE AND SIZE REFER TO THE BIOLOGICAL RESOURCES REPORT AND EIR AS APPLICABLE. NO GRADING OR SOIL DISTURBANCE OF SURROUNDING SOIL WITHIN THE CANOPIES OF THE OAK AND SYCAMORE TREES SHALL OCCUR, SPECIFICALLY WITHIN THE 50' OAK ROOT BUFFER ZONE, THE 100' BUILDING SETBACK FROM THE RPO AND THE OPEN SPACE EASEMENT

NOTE A:
PROPOSED LANDSCAPING WITHIN SIGHT VISIBILITY AREAS SHALL BE PLACED 50' AS NOT TO OBSCURE VIEWS WHEN INSTALLED OR AT MATURITY. SHRUBS WITHIN THIS AREA SHALL BE NO TALLER THAN 30' AND TREES SHALL BE TRIMMED UP 6' FROM THE GROUND.

NOTE B:
ALL PLANTING BEDS SHALL RECEIVE A MINIMUM OF 2 INCHES OF ORGANIC MULCH TO FURTHER HELP CONSERVE WATER.

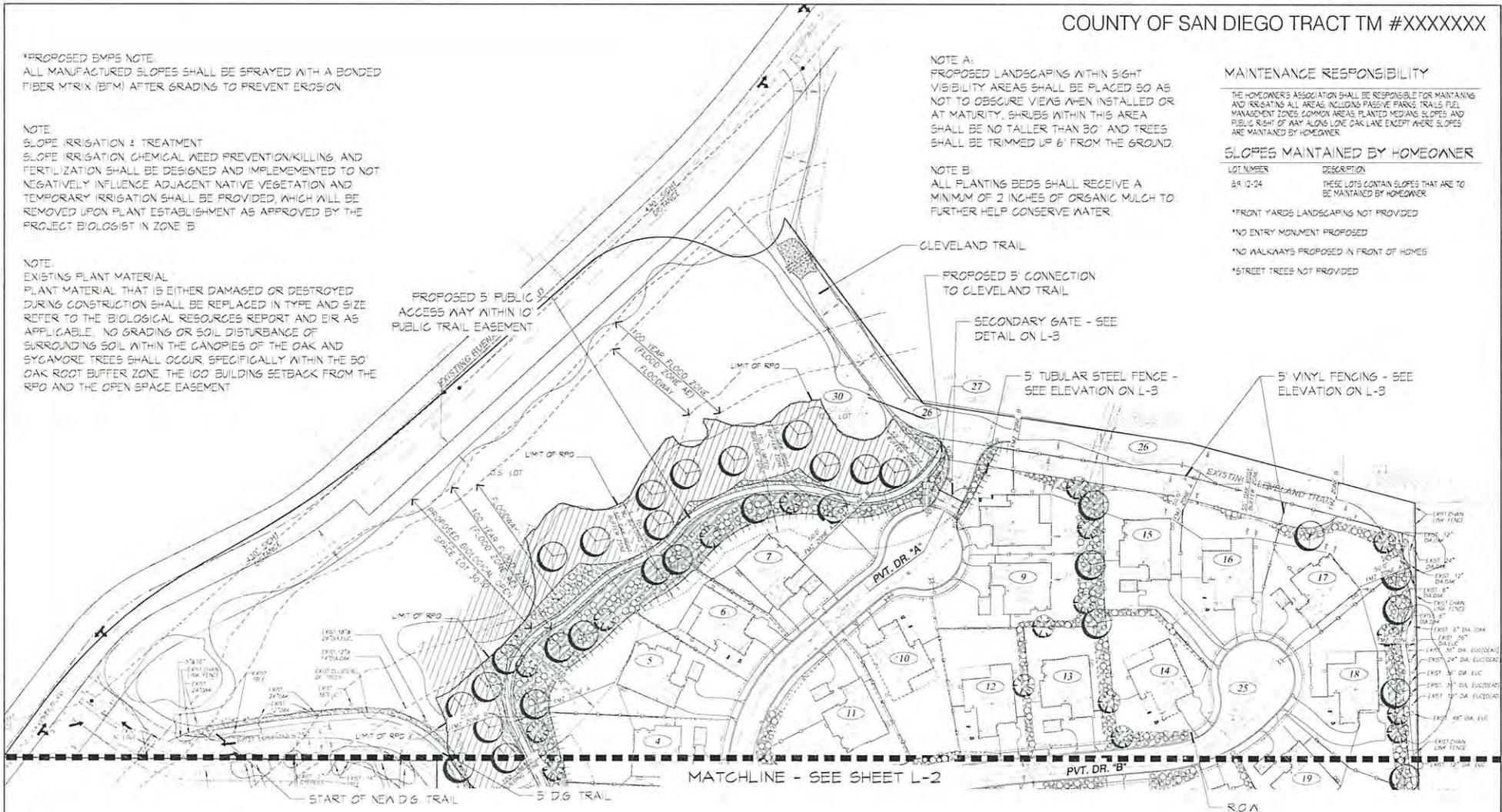
MAINTENANCE RESPONSIBILITY

THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTAINING AND IRRIGATING ALL AREAS INCLUDING PASSIVE PARKS, TRAILS, FUEL MANAGEMENT ZONES, COMMON AREAS, PLANTED MEDIANS, SLOPES, AND PUBLIC RIGHT OF WAY ALONG LONE OAK LANE EXCEPT WHERE SLOPES ARE MAINTAINED BY HOMEOWNER.

SLOPES MAINTAINED BY HOMEOWNER

LOT NUMBER	DESCRIPTION
BR 10-24	THESE LOTS CONTAIN SLOPES THAT ARE TO BE MAINTAINED BY HOMEOWNER

- *FRONT YARDS LANDSCAPING NOT PROVIDED
- *NO ENTRY MONUMENT PROPOSED
- *NO WALKWAYS PROPOSED IN FRONT OF HOMES
- *STREET TREES NOT PROVIDED



*SEE L-2 FOR PLANTING LEGEND
*SEE L-3 FOR FIRE SAFETY/DEFENSIBLE SPACE NOTES
*SEE L-3 FOR SAN DIEGO GRADING ORDINANCE NOTES



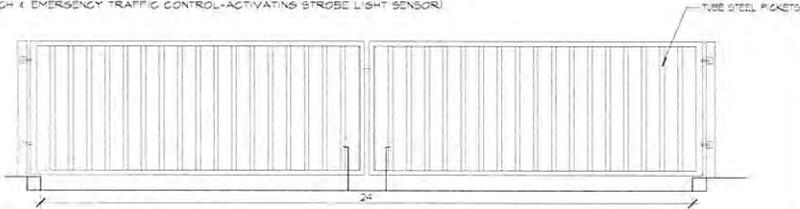
gmp
LANDSCAPE ARCHITECTURE & PLANNING
4200 Janss Valley Blvd. Suite 200 San Diego, CA 92121
619.434.8888
gmp@cmad.com
T: 619.434.8888

PROJECT DESIGN
TENTATIVE MAP
COUNTY OF SAN DIEGO TRACT TM # XXXX
LONE OAK RANCH
COUNTY OF SAN DIEGO, CALIFORNIA

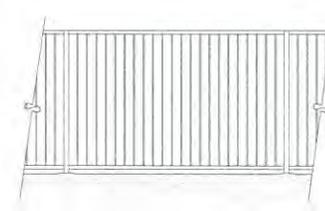
↑
SHEET
L1
OF
L3
PLOT DATE: 4/2/15

2-72

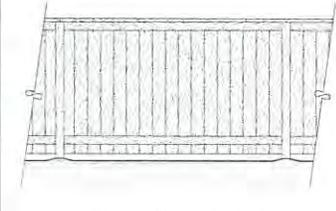
*SECONDARY GATE AT DRIVEWAY ENTRANCE FOR RESIDENT & EMERGENCY VEHICLE INGRESS & EGRESS ACCESS GATE 50 FROM THE CLEVELAND TRAIL PER SECTION 6708 OF THE ZONING ORD. EQUIPPED W/ A KNOX EMERGENCY KEY-OPERATED SWITCH & EMERGENCY TRAFFIC CONTROL-ACTIVATING STROBE LIGHT SENSOR



SECONDARY GATE

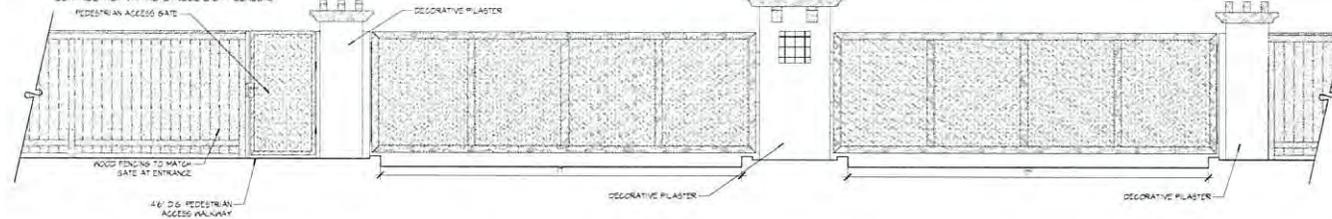


5'-0" TUBULAR STEEL FENCE



5'-0" VINYL FENCE

*PRIMARY GATED DRIVEWAY ENTRANCE TYPE III PER SDGHS DS-11 & SECTION 6708 OF THE ZONING ORD. EQUIPPED W/ A KNOX EMERGENCY KEY-OPERATED SWITCH & EMERGENCY TRAFFIC CONTROL-ACTIVATING STROBE LIGHT SENSOR



PRIMARY VEHICULAR GATE & PEDESTRIAN ACCESS

- *SEE L-1 FOR MAINTENANCE RESPONSIBILITY NOTES
- *SEE L-1 FOR NOTE A - SIGHT VISIBILITY
- *SEE L-1 FOR NOTE B- MULCH
- *SEE L-1 FOR PROPOSED BMP NOTES
- *SEE L-1 FOR SLOPES MAINTAINED BY OWNER NOTES
- *SEE L-1 FOR SLOPE IRRIGATION AND TREATMENT NOTES
- *SEE L-1 FOR EXISTING PLANT MATERIAL NOTES
- *SEE L-2 FOR PLANTING LEGEND

SAN DIEGO GRADING ORDINANCE: PLANTING

General: The face of all cut and fill slopes, in excess of 3 feet in vertical height, but only final slopes of any borrow pit, shall be planted and maintained with a ground cover or other planting to protect the slopes against erosion and instability. Planting shall commence as soon as slopes are completed on any portion of the site and shall be established upon all slopes prior to the final approval of the grading. In order to minimize the periods during which a cut or filled surface remains exposed, such planting shall provide for rapid short term coverage of the slope as well as long term permanent coverage. Planting materials and procedures shall conform to regulations adopted by the County Official. Other plant materials as specified by a landscape architect may be approved by the County Official. The permittee shall maintain such planting until it is well established as determined by the County Official, and at least until coverage of 70% as compared to the native background plants, is achieved.

Minimum Requirements: In addition to planting with ground cover, slopes in excess of fifteen feet in vertical height shall be planted with shrubs having a one gallon minimum size or trees having a five gallon minimum size. The maximum spacing for shrubs and trees shall be ten feet on center each way. The planting pattern, but not the minimum quantity, may be varied upon the recommendation of landscape architect and approval by the County Official.

SAN DIEGO GRADING ORDINANCE: IRRIGATION SYSTEM REQUIREMENTS

General: Except for agricultural grading permits and borrow pits, all slopes to be constructed shall be provided with an irrigation system which shall be used to promote the growth of the slope plantings to protect the slopes against erosion. Slopes for borrow pits shall be planted in accordance with the requirements of the applicable use permit and reclamation plan under Chapter 7 of this Division. The owner shall be responsible for installation and maintenance of the irrigation.

Minimum Requirements:

- Plans for the irrigation system shall be in accordance with County of San Diego's Water Conservation in Landscaping Ordinance and the Water Efficient Landscape Design Manual.
 - Specifications for Sprinkler Irrigation Systems and shall be approved by the County Official prior to installation.
 - The irrigation system shall be located relative to existing and proposed property lines to insure that the irrigation system and the slopes sprinkled thereby will both be within the same property boundaries.
 - The irrigation system shall be supplied or be readily converted so as to be supplied through the metered water service line serving each individual property.
 - The irrigation system shall provide uniform coverage for the slope area at a precipitation rate not exceeding the intake rate of the soil. A functional test of the irrigation system shall be performed to the satisfaction of the County Official prior to final approval of the rough grading.
 - Check valves shall be installed in the irrigation system to prevent siphon from lawn sprinkler heads.
 - Adequate back flow protection devices shall be installed in each irrigation system. Such devices shall be protected against physical damage during construction operations.
- (Added by Ord. No. 1547 (N.S.), effective 3-9-03)

DESIGN OBJECTIVES:

1. PLANTING WILL BE DESIGNED TO OBSCURE UNDESIRABLE VIEWS (AUTOMOBILES, STORAGE, UTILITY AREAS, ETC.) AND ADD CHARACTER AND INTEREST TO THE PROJECT.
2. ARCHITECTURAL ELEMENTS OF THE SITE WILL BE RELATED AND ENHANCED WITH PLANTING OF SIMILAR DESIGN CHARACTER.
3. ALL PLANT MATERIAL SELECTED FOR USE WILL BE OF A TYPE KNOWN TO BE SUCCESSFUL IN THE AREA OR IN SIMILAR CLIMATIC AND SOIL CONDITIONS TO CREATE A FRIENDLY, WARM AND VISUALLY ENJOYING LANDSCAPE ENVIRONMENT. THEMATIC COLOR SCHEMES WILL BE UTILIZED IN DEVELOPING PROJECT IDENTITY.
5. ALL OUTDOOR STORAGE, LOADS, REFUSE AND UTILITY AREAS WILL BE VISUALLY SCREENED ON ALL SIDES (EXCEPT AT ACCESS POINTS). PLANNING WILL BE USED TO SOFTEN HARD MATERIALS WHERE SUCH ARE USED FOR SCREENING.
6. VEHICULAR ENTRANCES WILL BE IDENTIFIED AND ACCENTED WITH SPECIAL GROUPINGS OF TREES, SHRUBS AND/OR GROUNDCOVERS.
7. SLOPE PLANTING, HYDROSEEDING AND MULCHING PROCESSES ARE INTENDED TO TAKE PLACE DURING THE APPROPRIATE SEASONS OF LATE FALL OR WINTER (NOVEMBER THROUGH FEBRUARY) FOR OPTIMUM RESULTS.
8. LANDSCAPE FINISH GRADING OBJECTIVES WILL INCLUDE POSITIVE SURFACE DRAINAGE OF PLANTED AREAS THROUGHOUT THE SITE.
9. IRRIGATION SYSTEMS WILL BE PERMANENT BELOW GROUND AUTOMATED SYSTEMS WERE ALLOWED FOR THE ESTABLISHMENT AND MAINTENANCE OF ALL PLANT MATERIAL. THESE SYSTEMS WILL BE INSTALLED AS SOON AS PRACTICAL AFTER GRADING AND PRIOR TO PLANT MATERIAL INSTALLATION AND HYDROSEEDING. THE IRRIGATION SYSTEM SHALL CONSIST OF LOW REGULATED RATE SPRAY HEADS FOR LAWN GROUND COVER, AND SHRUB PLANTER AREAS. ALL SLOPES SHALL BE IRRIGATED WITH SPRAY AND ROTOR HEADS. MICRO SPRAY HEADS MAY BE USED WHERE REASONABLE.
10. ALL SOILS WILL BE FERTILIZED, AMENDED AND TILLED TO CONFORM TO RECOMMENDATIONS MADE BY A SOIL TESTING LABORATORY AND/OR LANDSCAPE ARCHITECT IN ORDER TO PROMOTE HEALTHY AND VIGOROUS PLANT GROWTH.
11. ALL PLANTING AREAS WILL BE MAINTAINED IN A NEED AND DEBRIS FREE CONDITION.
12. ALL LANDSCAPING SHALL BE MAINTAINED BY HOMEOWNER'S ASSOCIATION, MAJOR FRONT, SIDE AND REAR YARD SLOPES SHALL BE MAINTAINED BY THE PROPERTY OWNER.

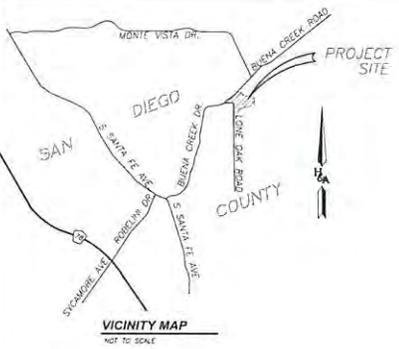
FIRE SAFETY/DEFENSIBLE SPACE NOTES:

- THE NOTES BELOW ARE FOR REFERENCE ONLY. SEE THE FIRE PROTECTION PLAN. ALL REFERENCES TO APPENDICES ARE FOUND IN THE FIRE PROTECTION PLAN PREPARED BY DUDEK AND ASSOCIATE.
- ZONE A - NON-FLAMMABLE IRRIGATED ZONE (STRUCTURE TO 50 FEET)**
 ZONE A IS APPLICABLE SITE WIDE FOR EVERY PERIMETER STRUCTURE AND IS MEASURED ON A HORIZONTAL PLANE FROM THE STRUCTURE OUTWARD TO 50 FEET IN ALL DIRECTIONS (OR UP TO 75 FEET FOR LOTS ADJACENT TO OPEN SPACE PARCEL #50). THIS ZONE WILL BE PLANTED WITH DROUGHT-TOLERANT, FIRE RESISTIVE PLANTS FROM THE APPROVED PLANT LIST (APPENDIX E). IT INCLUDES THE FOLLOWING KEY COMPONENTS:
- Landscape Plan prepared and submitted in compliance with VFPD Ordinance 21, FFP guidelines, and the VFPD approved plant list.
 - Combustible mulches and wood chips must be 12 inches away from any side of a combustible structure with weep screeds.
 - Non-combustible surface (pavement, concrete, decomposed granite, etc.) for pathways around the residences for VFPD access to doorways and rescue windows.
 - Irrigated wet zone (water conserving irrigation systems with efficient drip emitters and smart controllers).
 - No trees crowns within 10 feet of structures (at maturity). If the trees are considered fire resistant per VFPD standards. Non-fire resistant trees such as pines, must be planted and maintained 50 feet from the tree canopy to the closest structure.
 - Tree spacing of a minimum 10 feet between individual crowns at maturity for trees planted on less than 20% slope, and 20 feet, if planted on 21% to 40% slope, and 30 feet if planted greater than 41% slope. A grouping of two to three trees together can be considered as one large tree canopy from a wildfire flammability perspective.
 - No tree limb encroachment within 10 feet of a structure or chimney including outdoor fireplaces.
- ZONE B - NON-FLAMMABLE, REDUCED-FUEL ZONE (50-100 FEET FROM STRUCTURE)**
 ZONE B IS A THINNING ZONE WHERE NATIVE VEGETATION MAY REMAIN, NOT ALL NATIVE UNBROKEN VEGETATION MUST BE THINNED OUT BY 50% CANOPY COVER. ZONE B INCLUDES THE FOLLOWING KEY COMPONENTS THINNING OUT NATIVE VEGETATION:
- Man weeds and grasses or other ground cover to 6 inches high.
 - Minimum 20 feet between tree canopies. A grouping of two to three trees together can be considered as one large tree canopy from a wildfire flammability perspective.
 - Skirt or limb mature trees to one-third or 10 feet of the height, whichever is greater. This requires cutting the lower branches, if the tree is 30 feet tall, remove branches 10 feet up the trunk.
 - If shrubs or trees create a bladder effect, shrubs adjacent to increasingly taller trees should be removed or more aggressively skirting of the taller trees.
 - Horizontal thinning of native shrubs less than 6 feet high 20 feet on center.
 - Single-specimen native shrubs, exclusive of chamise, California sagebrush, California buckwheat, and sages, may be retained 20 feet on center.

FILE NAME: 15-REG-215-25-COUNTY OF SAN DIEGO TRACT TM #XXXXXXX

2-74

	420 Westlake Valley Blvd. Suite 200 San Marcos, CA 92069 760.574.8977	PROJECT DESIGN SHEET	L3 OF L3 PLOT DATE: 4/2/15
	LANDSCAPE ARCHITECTURE & PLANNING	TENTATIVE MAP COUNTY OF SAN DIEGO TRACT TM # XXXX LONE OAK RANCH COUNTY OF SAN DIEGO, CALIFORNIA	



- ### GENERAL DESIGN NOTES
- NO PUBLIC STREETS ARE PROPOSED WITH THIS PROJECT.
 - A PROPOSED PRIVATE ROAD MAINTENANCE AGREEMENT MODIFIED TO INCORPORATE A PRIVATE DRAINAGE MAINTENANCE AGREEMENT PER SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES SECTION 81.402(1)(1) & SECTION 81.402(1)(2) TO INCLUDE THE FOLLOWING:
 - ROAD MAINTENANCE-ON-SITE FOR PVT. DR. A & PVT. DR. B
 - DRAINAGE MAINTENANCE-ALL COMMON DRAINAGE STRUCTURES FULLY BENEFITING THE PROPOSED 30 LOTS
 - ALL PROPOSED UTILITIES SHALL BE UNDERGROUND. EASEMENTS SHALL BE PROVIDED AND/OR REMOVED AS NECESSARY PER THE APPROPRIATE DISTRICTS.
 - CONTOUR INTERVALS: 1 & 5 FEET.
 - MANUFACTURED SLOPE RATIOS SHALL BE VARIABLE (2:1 MAX).
 - FINISHED GRADES ARE APPROXIMATE ONLY AND SUBJECT TO CHANGE AT FINAL ENGINEERING AND SHALL BE CONSISTENT WITH THE COUNTY'S SUBSTANTIAL CONFORMANCE GUIDELINES.
 - PRELIMINARY GEOTECHNICAL INVESTIGATION INFORMATION WAS OBTAINED FROM THE PRELIMINARY GEOTECHNICAL REPORT PREPARED BY ADVANCED GEOTECHNICAL SOLUTIONS, INC. DATED 03-21-14 (REVISED 03-23-14), REPORT # 1309-08-B-2.
 - ALL BROW DITCHES SHALL BE SIZED AND BUILT PER THE APPROVED FINAL GRADING PLAN & HYDROLOGY REPORT.
 - ALL EXISTING UTILITIES TO BE PLACED UNDERGROUND PER SUBDIVISION ORDINANCE SECTION 81.404(A)(2), UNLESS UNDERGROUNDING WAIVED PER REQUEST NOTED ON SHEET C2, #3.

- ### EARTHWORK / GRADING QUANTITIES
- TOTAL RAW EARTHWORK VOLUME**
 AMOUNT OF CUT: 23,110.0 CUBIC YARDS
 AMOUNT OF FILL: 43,672.0 CUBIC YARDS
- TOTAL REMEDIAL GRADING VOLUME**
 AMOUNT OF CUT: 23,110.0 CUBIC YARDS
 AMOUNT OF FILL: 43,672.0 CUBIC YARDS
- 1. TOTAL CORRECTIVE GRADING VOLUME WILL BALANCE AT FINAL ENGINEERING (GEOTECHNICAL INFORMATION PROVIDED BY GEOTECH, INC.)**
2. EARTHWORK QUANTITIES BASED ON ADJUSTMENT MADE TO EARTHWORK TAKEN OFF DATED DATA.

- ### LEGEND
- PROJECT BOUNDARY
 - PROPOSED LOT LINE
 - PROPOSED EASEMENT LINE
 - PROPOSED PUBLIC SEWER MAIN WITH MANHOLE
A. SEWER FLOW DIRECTION (6" PVC UNLESS OTHERWISE NOTED)
 - EXISTING PUBLIC SEWER MAIN WITH MANHOLE
 - PROPOSED WATER MAIN WITH FIRE HYDRANT
(8" UNLESS OTHERWISE NOTED)
 - EXISTING WATER MAIN WITH FIRE HYDRANT
 - PROPOSED CENTERLINE STREET ELEVATION: 516.2
 - PROPOSED SPOT ELEVATION: 237.7
 - EXISTING CONTOURS
 - PROPOSED CONTOURS
 - PROPOSED CUT SLOPE W/ SLOPE GRADIENT (2:1 MAX)
 - PROPOSED FILL SLOPE W/ SLOPE GRADIENT (2:1 MAX)
 - LIMITS OF PROPOSED GRADING
 - EARTHEN SCALE
 - PROPOSED CONCRETE BROW DITCH
 - PROPOSED # OF STREET CENTERLINE GRADE
 - EXISTING STREET LIGHT
 - EXISTING BROW DITCH
 - PROPOSED STORM DRAIN SYSTEM
A. INLET OR CATCH BASIN
B. CULVERT
C. HEADWALL WITH RIPRAP
 - EXISTING STORM DRAIN SYSTEM
 - PROPOSED RETAINING WALL
 - TITLE REPORT ITEM NO. (SEE TW SHEET R)
 - PROPOSED LOT NUMBER WITH PAD ELEVATION: 547.4
 - ACCESS RIGHTS UNINDUSTRIED
 - PRD LIMITS
 - NOISE RESTRICTION EASEMENT

- ### GENERAL NOTES
- TOTAL EXISTING GROSS SITE AREA: 14.15 ACRES
TOTAL NET SITE AREA: 12.58 ACRES
(+ GROSS SITE AREA MINUS BROWN CREEK RD. & LONE OAK RD. = 1.57 AC)
 - TOTAL NUMBER OF LOTS: 30
RESIDENTIAL LOTS: 24
PVT. ST. & ACCESS LOTS (LOTS 25 & 26): 2
HOM. BS. LOTS (LOTS 27, 28, 29 & 30): 4
AVERAGE NET LOT SIZE: APPROX. 12,208 SF
MINIMUM NET LOT SIZE: APPROX. 8,397 SF
 - TOTAL NUMBER OF RESIDENTIAL UNITS: 24 SINGLE FAMILY
 - ASSESSOR'S PARCEL NUMBERS: 184-080-01 & 181-162-05
 - EXISTING GENERAL PLAN REGIONAL CATEGORY: VILLAGE
 - EXISTING GENERAL PLAN LAND USE DESIGNATION: VN-2 (VILLAGE RESIDENTIAL 2)
 - EXISTING/PROPOSED ZONING: PARCEL 184-080-01 ZONED RR (RURAL RESIDENTIAL) PARCEL 181-162-05 ZONED A70 (LIMITED AGRICULTURE) SEE ZONING BOOK THIS SHEET
 - GROSS DENSITY: 1.7 DU/AC (24 DU/574.15 AC.)
NET DENSITY: 1.9 DU/AC (24 DU/572.58 AC.)
 - EXISTING USE: SINGLE FAMILY RESIDENCE AND STORAGE SHEDS
 - PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 - TAX RATE AREA: 96236
 - THOMAS BROTHERS COORDINATES: 1108 02
 - COMMUNITY PLANNING AREA/SUBDIVISION: NORTH COUNTY METRO
 - CONSERVATION/OPEN SPACES: 258 + SUM OF 05 LOTS 27 & 30 DIVIDED BY TOTAL NET SITE AREA (+ SUM OF LOTS 27 & 30 = 136,964 SF/ TOTAL NET SITE AREA = 547,849 SF)

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 WORK HEREON, AND AGREES TO OBTAIN A VALID GRADING PERMIT BEFORE COMMENCING SUCH ACTIVITY.

OWNER
 OIQ, LLC
 A CALIFORNIA LIMITED LIABILITY COMPANY
 1530 INDUSTRIAL AVENUE
 ESCONDILO, CA 92029
 (760) 745-1776

SUBDIVIDER
 MANNER LONE OAK, LLC
 427 SOUTH CEDROS AVENUE, SUITE 201
 SOLANA BEACH, CA
 (866) 755-3300

DAN PAUL, REPRESENTATIVE DATE: 10/10/14
 MARC PERLMAN DATE: 10/10/14



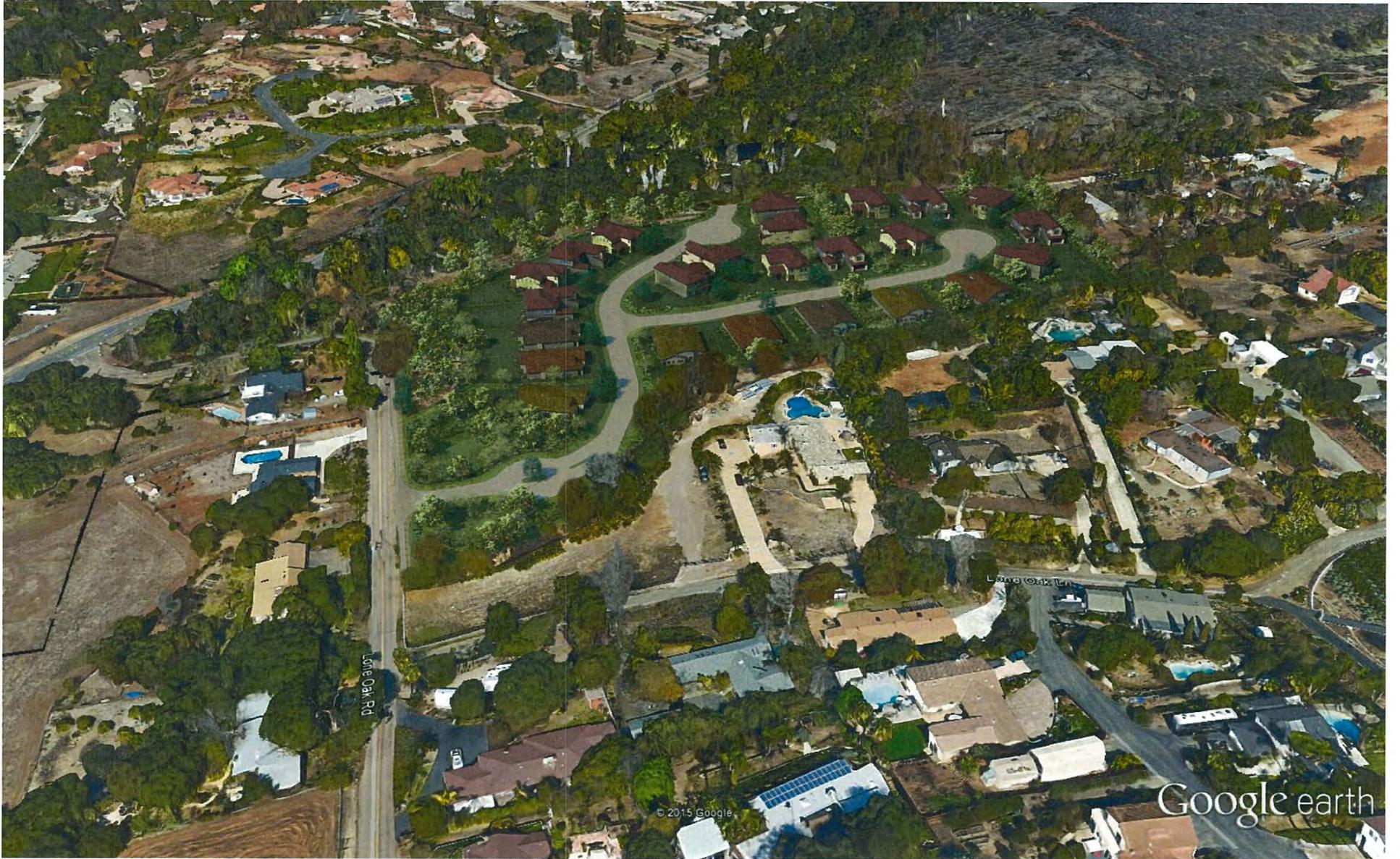
PREPARED BY: **HUNSAKER & ASSOCIATES** SAN DIEGO, INC.
 PLANNING, PRELIMINARY GRADING, ENGINEERING, SURVEYING, PROFESSIONAL PROGRAMS

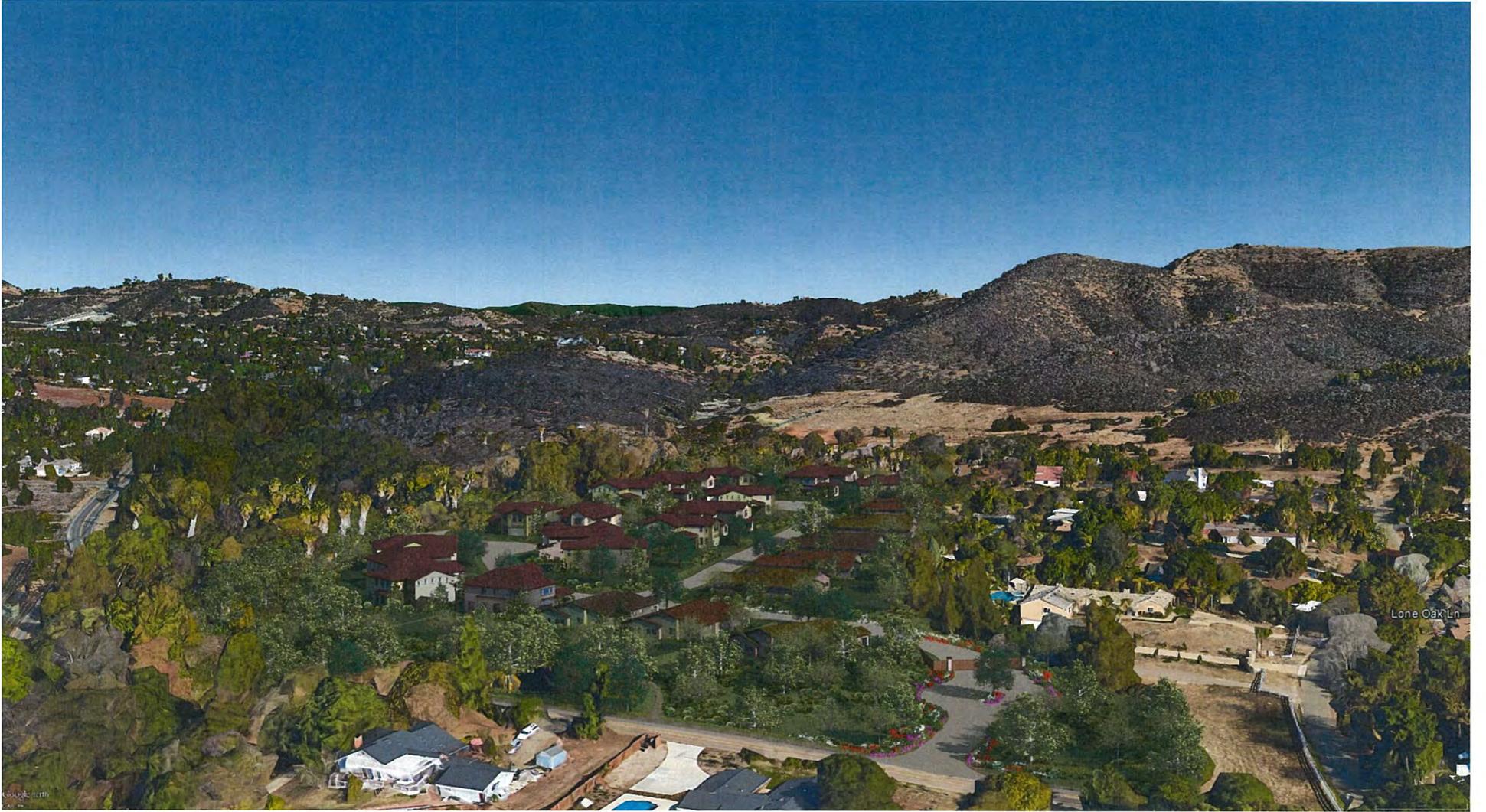
PRELIM GRADING PLAN
 COUNTY OF SAN DIEGO TRACT TM # 5585
LONE OAK RANCH
 COUNTY OF SAN DIEGO, CALIFORNIA

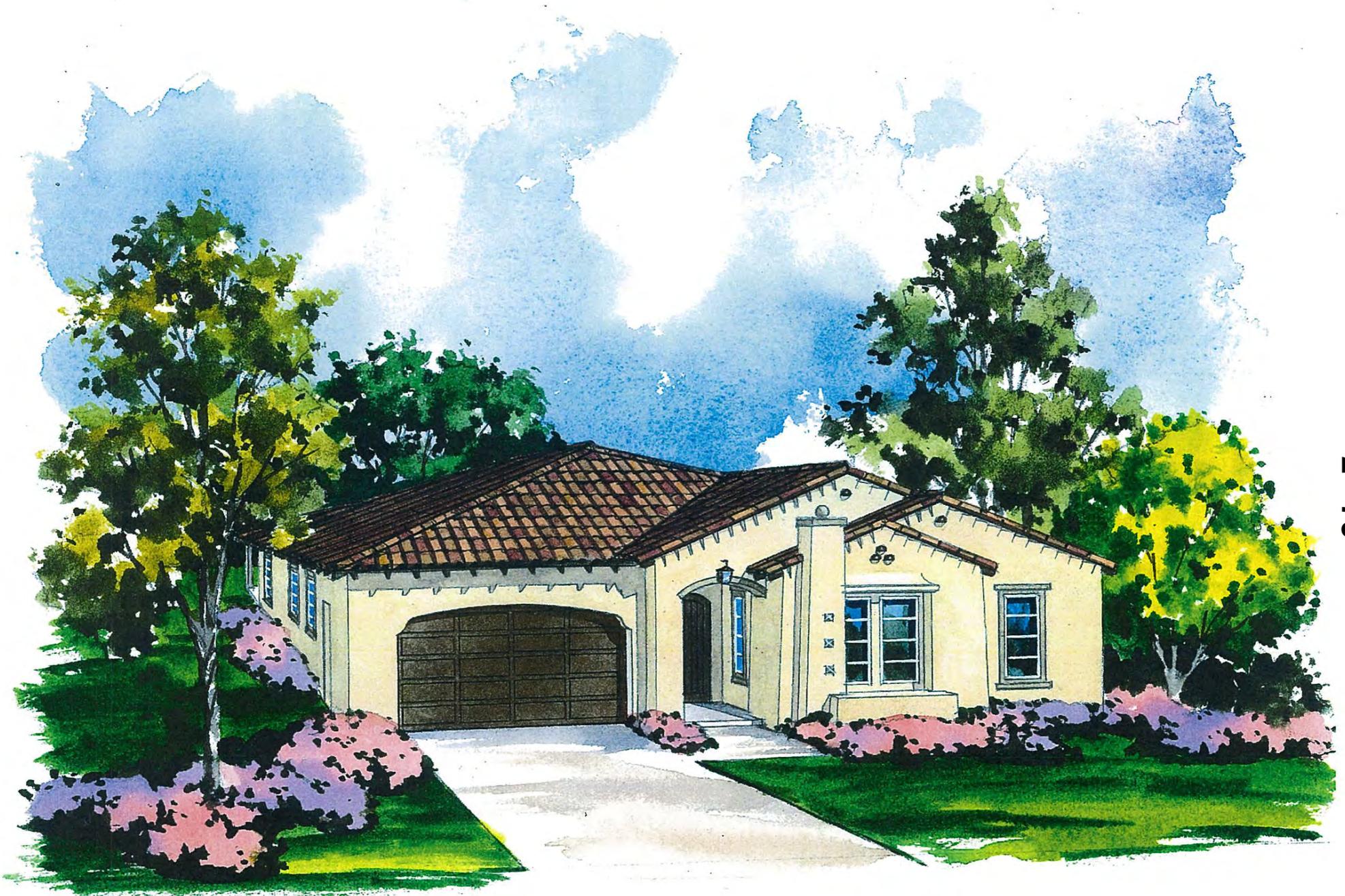
SHEET 1 OF 1

DATE: 10/10/14
 AUSA S. VALPANDA P.C.E. 47945
 MY REGISTRATION EXPIRES ON 12/31/15

Attachment B – Photosimulations







2-79

LONE OAK

SCHEME (7)

1A



2 - 80

LONE OWL

SCHEME (3)

2B



2 - 81

LONE OAK

SCHEME (12)

30



2-82

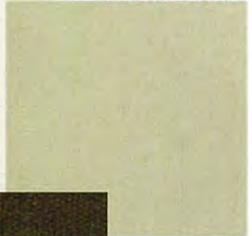
SCHEME ⑥

3CR SCHEME ⑩

LONE OAK

3AR SCHEME ①

SHEME 1

	STUCCO TRIM #1	TRIM #1	BRICK - WHERE APPLICABLE	ACCENT #1
PRIMARY STUCCO				
SECONDARY STUCCO "A" ELEVATION ONLY	STUCCO TRIM #2	TRIM #2	STONE - WHERE APPLICABLE	ACCENT #2
				
	AWNING			ACCENT #3
				
				ACCENT #4
ROOF FLAT TILE	ROOF FLAT TILE	ROOF 'S' TILE	ROOF 'S' TILE	

LONE OAK RANCH

SCHEME 2

PRIMARY STUCCO

STUCCO TRIM #1



TRIM #1



BRICK -
WHERE APPLICABLE



ACCENT #1



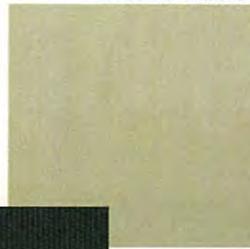
ACCENT #2



SECONDARY STUCCO
"A" ELEVATION ONLY



STUCCO TRIM #2



TRIM #2



STONE -
WHERE APPLICABLE



ACCENT #3



ACCENT #4



AWNING



ROOF FLAT TILE



ROOF FLAT TILE



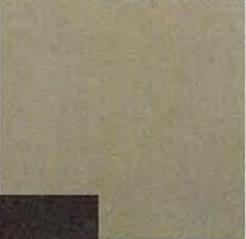
ROOF 'S' TILE



ROOF 'S' TILE

LONE OAK RANCH

SCHEME 3

	STUCCO TRIM #1	TRIM #1	BRICK - WHERE APPLICABLE	ACCENT #1
PRIMARY STUCCO				
SECONDARY STUCCO "A" ELEVATION ONLY	STUCCO TRIM #2	TRIM #2	STONE - WHERE APPLICABLE	ACCENT #2
				
	AWNING			ACCENT #3
				
				ACCENT #4
				
				

ROOF FLAT TILE

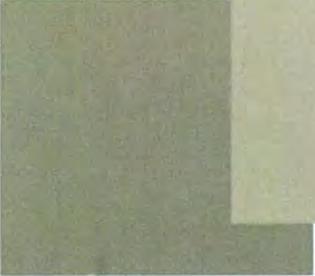
ROOF FLAT TILE

ROOF 'S' TILE

ROOF 'S' TILE

LONE OAK RANCH

SCHEME 4

	STUCCO TRIM #1	TRIM #1	BRICK - WHERE APPLICABLE	ACCENT #1
PRIMARY STUCCO				
SECONDARY STUCCO "A" ELEVATION ONLY	STUCCO TRIM #2			ACCENT #2
		TRIM #2	STONE - WHERE APPLICABLE	ACCENT #3
	AWNING			ACCENT #4
				
				
ROOF FLAT TILE	ROOF FLAT TILE	ROOF 'S' TILE	ROOF 'S' TILE	

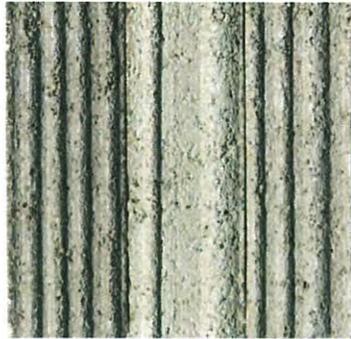
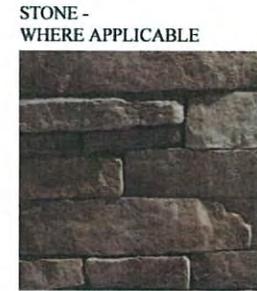
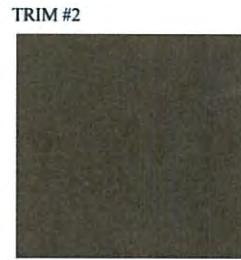
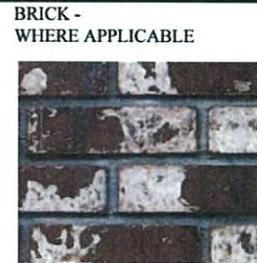
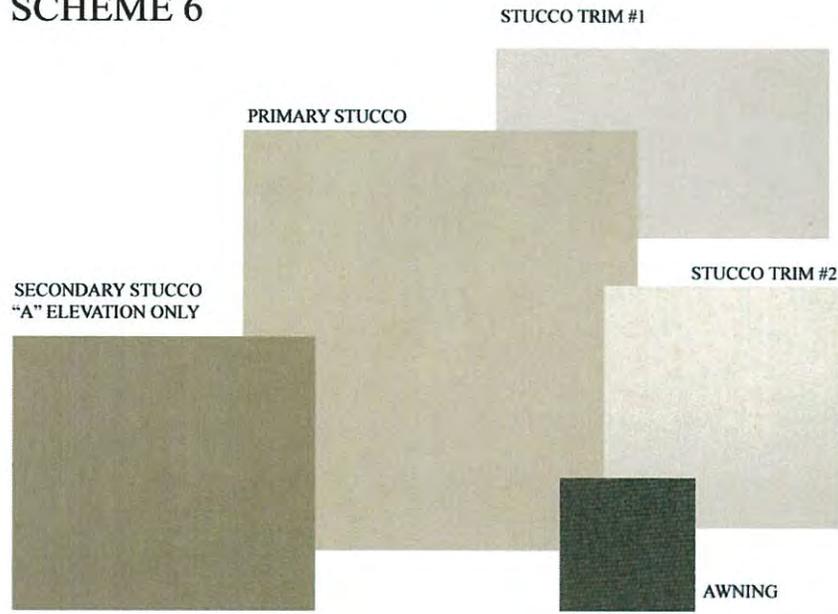
LONE OAK RANCH

SCHEME 5



LONE OAK RANCH

SCHEME 6



ROOF FLAT TILE



ROOF FLAT TILE



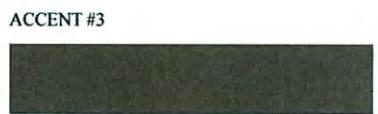
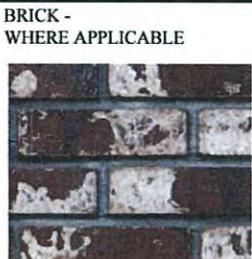
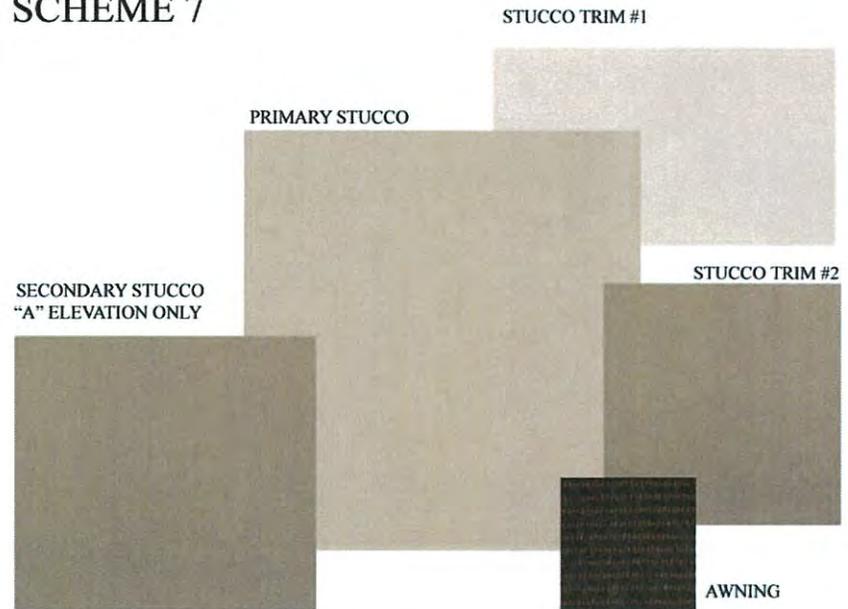
ROOF 'S' TILE



ROOF 'S' TILE

LONE OAK RANCH

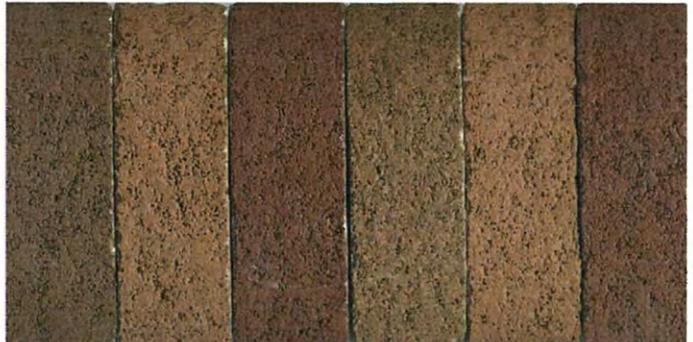
SCHEME 7



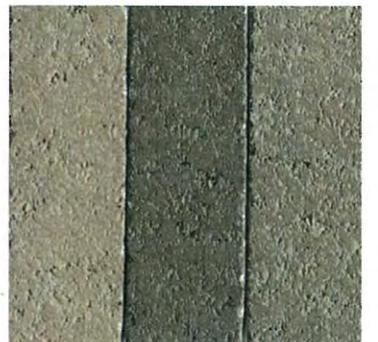
ROOF FLAT TILE



ROOF FLAT TILE



ROOF 'S' TILE



ROOF 'S' TILE

LONE OAK RANCH

SCHEME 8

PRIMARY STUCCO

SECONDARY STUCCO
"A" ELEVATION ONLY

STUCCO TRIM #1

STUCCO TRIM #2

AWNING

TRIM #1

TRIM #2

BRICK -
WHERE APPLICABLE

STONE -
WHERE APPLICABLE

ACCENT #1

ACCENT #2

ACCENT #3

ACCENT #4

ROOF FLAT TILE

ROOF FLAT TILE

ROOF 'S' TILE

ROOF 'S' TILE



LONE OAK RANCH

SCHEME 9

PRIMARY STUCCO

STUCCO TRIM #1

STUCCO TRIM #2

SECONDARY STUCCO
"A" ELEVATION ONLY

AWNING

TRIM #1

TRIM #2

BRICK -
WHERE APPLICABLE

STONE -
WHERE APPLICABLE

ACCENT #1

ACCENT #2

ACCENT #3

ACCENT #4

ROOF FLAT TILE

ROOF FLAT TILE

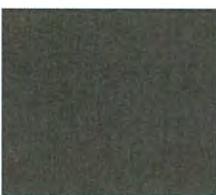
ROOF 'S' TILE

ROOF 'S' TILE

Detailed description: This material palette for 'Scheme 9' features a central arrangement of stucco and trim samples. The primary stucco is a dark taupe, while the secondary is a light tan. Two stucco trim colors are shown in cream and light beige. A dark green textured awning sample is also present. To the right, there are four accent color swatches in dark charcoal, dark forest green, dark brown, and medium brown. Below these are four roof tile samples: two flat tiles (one with a vertical ribbed texture, one with a horizontal ribbed texture) and two 'S' tiles (one with a vertical ribbed texture, one with a horizontal ribbed texture). Two material texture images are included: a brick pattern and a stone pattern.

LONE OAK RANCH

SCHEME 10

		STUCCO TRIM #1	TRIM #1	BRICK - WHERE APPLICABLE	ACCENT #1
	PRIMARY STUCCO				
SECONDARY STUCCO "A" ELEVATION ONLY		STUCCO TRIM #2			ACCENT #2
			TRIM #2	STONE - WHERE APPLICABLE	ACCENT #3
		AWNING			ACCENT #4
					
					
ROOF FLAT TILE					
					
	ROOF FLAT TILE				
					
			ROOF 'S' TILE		
					
				ROOF 'S' TILE	

LONE OAK RANCH

SCHEME 11

PRIMARY STUCCO

STUCCO TRIM #1

STUCCO TRIM #2

SECONDARY STUCCO
"A" ELEVATION ONLY

AWNING

TRIM #1

TRIM #2

BRICK -
WHERE APPLICABLE

STONE -
WHERE APPLICABLE

ACCENT #1

ACCENT #2

ACCENT #3

ACCENT #4

ROOF FLAT TILE

ROOF FLAT TILE

ROOF 'S' TILE

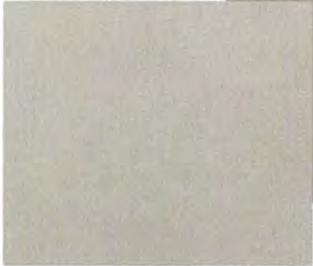
ROOF 'S' TILE



MISSION VIEW ESTATES

CONCORDIA HOMES

SCHEME 12

		STUCCO TRIM #1	TRIM #1	BRICK - WHERE APPLICABLE	ACCENT #1
	PRIMARY STUCCO				
SECONDARY STUCCO "A" ELEVATION ONLY		STUCCO TRIM #2			ACCENT #2
			TRIM #2	STONE - WHERE APPLICABLE	ACCENT #3
		AWNING			
					ACCENT #4
					
					
ROOF FLAT TILE	ROOF FLAT TILE	ROOF 'S' TILE		ROOF 'S' TILE	

MISSION VIEW ESTATES

CONCORDIA HOMES

**Attachment C – Resolution
Approving PDS2014-TM-5585**

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
TENTATIVE MAP NO. PDS2014-TM-5585)

WHEREAS, Tentative Map No. PDS2014-TM-5585 proposing the division of property located at APN 184-080-01 and 181-162-06 and generally described as:

THE PROPERTY DESCRIBED IN CERTIFICATE OF COMPLIANCE RECORDED MAY 14, 1974 AS FILE NO. 74 -125388, BEING THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, AND SOUTHWEST QUARTER or SOUTHWEST QUARTER OF SECTION 28, AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 1 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO. STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on April 22, 2014; and

WHEREAS, on March 11, 2016, the Planning Commission of the County of San Diego pursuant to Section 81.306 of the San Diego County Subdivision Ordinance held a duly advertised public hearing on said Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

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

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

MAP EXPIRATION: The approval of this Tentative Map Expires Thirty-Six (36) Months after the date of the approval of this Resolution at 4:00 P.M. Unless, prior to that date, an application for a Time Extension has been filed as provided by Section 81.313 of the County Subdivision Ordinance.

This approval Expires Thirty-Six (36) Months from said effective date at 4:00 P.M. Unless, prior to that date, an application for a Time Extension has been filed as provided by Section 81.313 of the County Subdivision Ordinance.

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

- (1) Standard Condition 8: Said condition states that all new and existing utility distribution facilities shall be placed underground. A Design Exception has been processed and the subdivision may waive utility undergrounding pursuant to Board Policy I-92. An exhibit provided with the Design Exception request approval dated 9-24-15 shows the poles to be removed and service to be placed underground. All other poles may remain. All utilities to be located satisfaction of the Directors of PDS and DPW.
- (2) Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification requires use of high pressure sodium (HPS) vapor light source unless within 15 miles radius of Palomar or Mount Laguna observatories (in which case fixtures shall use a low pressure sodium vapor light source) pursuant to direction from the Board of Supervisors [statement of proceedings of 1-29-03].
- (3) Standard Condition 27.1: Said condition states that the Final Map shall be filed as units or groups of units. The Final Map for this Tentative Map includes the entire area shown on the Tentative Map and shall not be filed in units.

PRELIMINARY GRADING PLAN: The approval of this Tentative Map here by adopts the Preliminary Grading and Improvement Plan dated March 11, 2016 consisting of 1 sheet (Attached Herein as Exhibit B) pursuant to Section 81.305 of the County Subdivision Ordinance. In accordance with the Section 87.207 of the County Grading Ordinance, Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to County of San Diego Grading Ordinance (Sec 87.701 et. al.)

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

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

30. **LNDSCP#X-LANDSCAPE DOCUMENTATION PACKAGE**

INTENT: In order to provide adequate Landscaping that complies with the County of San Diego's Water Efficient Landscape Design Manual, the County's Water Conservation in Landscaping Ordinance, and to ensure preservation of existing vegetation, including Oaks and Sycamore Trees, a Landscape Plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Documentation Package shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer and include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall obtain a permit from DPW approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to PDS.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used, which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the County's Light Pollution Code.

- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Additionally, the following items shall be addressed as part of the Landscape Plan: compliance with the projects' Fire Protection Plan.
- i. Demonstrate how existing Oaks and Sycamore Trees within the 50' Oak Root Buffer Zone, the 100' Building Setback from RPO, and the Open Space Easement will be protected during construction.

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the Landscape Documentation Package Checklist (PDS Form #404), submit them to the [PDS, PCC], and pay all applicable review fees. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Landscape Plans shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Plans for compliance with this condition.

31. BIO#1–BIOLOGICAL EASEMENT [PDS, FEE X 2]

In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance (RPO) and California Environmental Quality Act (CEQA), a biological open space easement shall be granted to avoid sensitive habitat and mitigate potential impacts to less than significant levels. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an open space easement, as shown on the approved tentative map. 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 applicable fire code of the Fire Authority Having Jurisdiction and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the DEH.
- c. Uses, activities, and placement of structures expressly permitted by the of Director of Planning & Development Services, whose permission may be given

only after following the procedures and complying with all requirements applicable to an Administrative Permit pursuant to The Zoning Ordinance of the County San Diego.

- d. Maintenance and construction of private and public drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section 1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.
- e. Construction, use and maintenance of a multi-use, non-motorized trail along the southeastern boundary of open space easement.

DOCUMENTATION: The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review - OR - The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the *[DGS, RP]*, and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of a Final Map and prior to the approval of any plan and issuance of any permit, the easements shall be executed and recorded. **MONITORING:** For recordation on the Final Map, *[PDS, LDR]* shall route the Final Map to *[PDS, PCC]* for approval prior to Final Map recordation – OR - for recordation by separate document, the *[DGS, RP]* shall prepare and approve the easement documents and send them to *[PDS, PCC]* and *[DPR GPM]* for preapproval. The *[PDS, PCC]* shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements *[DGS, RP]* shall forward a copy of the recorded documents to *[PDS, PCC]* for satisfaction of the condition or if recorded on the Final Map, the *[PDS LDR]* shall satisfy the condition after Final Map recordation.

32. BIO#2–LBZ EASEMENT [PDS, FEE X 2]

INTENT: In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance (RPO), 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 tentative map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

- a. Decking, fences, and similar facilities.
- b. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not

require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.

c. The installation of fencing.

DOCUMENTATION: The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review - OR - The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of a Final Map and prior to the approval of any plan and issuance of any permit, the easements shall be recorded. **MONITORING:** For recordation on the Final Map, the [PDS, LDR] shall route the Final Map to [PDS, PCC] for approval prior to Final Map recordation OR for recordation by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] and [DPR GPM] for preapproval. The [PDS, PCC] shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition - OR - if recorded on the Final Map, the [PDS LDR] shall satisfy the condition after Final Map recordation.

33. BIO#3—OFFSITE MITIGATION [PDS, FEE X2]

INTENT: In order to mitigate for the impacts to oak woodland habitat, 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 **1.32** acres of oak woodland habitat, located within a County-approved mitigation bank as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
- 1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 - 2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 - 3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

- 4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in San Diego County as indicated below:
- 1) Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS].
 - 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 managed by DPR, the RMP shall also be prepared and approved to the satisfaction of 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 purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
 - 5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

DOCUMENTATION: The applicant shall purchase the 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. **TIMING:** Prior to approval of a Final Map and prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the mitigation shall occur. **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] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

34. BIO#6–BIOLOGICAL MONITORING [PDS, FEE X2]

INTENT: In order to prevent inadvertent disturbance to areas outside the limits of grading, all grading, clearing, grubbing, trenching, and construction activities shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities to ensure that there are no impacts outside of the approved limits of grading and disturbance areas. The following shall be completed:

- a. The Biologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Biological Report Format and Requirement Guidelines and this permit. The contract provided to the county shall include an agreement that this will be completed, and a Memorandum of Understanding (MOU) between the biological consulting company and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- b. The cost of the monitoring shall be added to the grading bonds or bond separately.

DOCUMENTATION: The applicant shall provide a copy of the biological monitoring contract, cost estimate, and MOU to the [PDS, PCC]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to the approval of any plan, issuance of any permit, and prior to approval of the Final Map, the requirement shall be completed. **MONITORING:** The [PDS, PCC] shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, LDR], for inclusion in the grading bond cost estimate, and grading bonds.

35. CULT#1 ARCHAEOLOGICAL MONITORING [PDS, FEE X 2]

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 Principal Investigator (PI) 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 Project Archaeologist and Native American monitor shall also evaluate fill soils to determine that they are clean of 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 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 Final Map for PDS2014-TM-5585 and prior to the approval of any plan 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.

36. NOISE#X-NOISE RESTRICTION EASEMENT [PDS, FEE X 4]

INTENT: In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Table N-1 & N-2), 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 TM-5585 shall be granted on the Final 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 habitable use 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 dBA for interior noise, and a (CNEL) of 60 dBA for exterior noise levels for single-family developments. Exterior noise sensitive

land uses are defined by the General Plan Noise Element (Table N-1 & N-2). Future traffic noise level estimates must utilize a Level of Service "C" traffic flow for a Buena Creek Road.

- 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 show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review. **TIMING:** Prior to the approval of the Final Map, the requirements of this condition shall be completed. **MONITORING:** The [PDS, LDR] shall verify that the easement is indicated on the Final Map as specified and recorded.

37. AGR#4-AGRICULTURAL PRESERVATION – PACE MITIGATION [PDS, FEE X 2]

INTENT: In order to mitigate for impacts to agricultural resources, as defined by the Agricultural Resource Guidelines for Determining Significance, mitigation shall be acquired at a 1:1 ratio. **DESCRIPTION OF REQUIREMENT:** The applicant shall acquire Purchase of Agricultural Conservation Easement (PACE) mitigation credits from the County of San Diego, or provide for the conservation of 3.37 acres of agricultural resources, as defined by the Agricultural Resource Guidelines for Determining Significance, as indicated below:

- a. Option 1: If purchasing PACE mitigation credits from the County of San Diego, through the payment of in lieu fees to the PACE Program mitigation bank, evidence of the purchase shall include the following information:
 - 1) A cashier's receipt of the in lieu fee payment, referencing the project name and numbers, total fee payment amount and the represented amount of acreage mitigated for by the payment. One mitigation credit from the PACE Program would equate to one acre of land permanently protected

with an agricultural conservation easement within the PACE Program mitigation bank.

- 2) An accounting of the status of the County of San Diego PACE Program mitigation bank, which can be obtained from the PACE Program Manager Bulmaro Canseco. 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 (at time of in lieu fee payment).
- b. **Option 2:** In the event that PACE mitigation credits are unavailable or the applicant elects not to participate; the applicant shall preserve and protect 3.37 acres of agricultural resources, as defined by the Agricultural Resource Guidelines for Determining Significance, in an Agricultural Preservation Easement. The applicant shall grant an Agricultural Preservation Easement in perpetuity to the County of San Diego, over an area that contains an equivalent agricultural resource to this project. The conservation easements shall be located within the cumulative project area, or, at a location approved by the Director of PDS. The purpose of the easement is for the preservation and protection of agricultural resources to ensure that the land remains available for potential agricultural use in future. The easement shall prohibit the construction or placement of any residence, garage, or any accessory structure that is designed or intended for occupancy by humans or animals, and the placement of any recreational amenities; such as tennis courts or swimming pools. The only exceptions to this prohibition are:
- 1) Fences, walls, and similar structures, no higher than 6 feet or as regulated by zoning.
 - 2) Sheds and detached garages, less than 250 square feet in total floor area.
 - 3) Landscaping and agricultural uses
 - 4) Percolation and observation test holes.
 - 5) Irrigation water wells necessary for the support of the agriculture in the easement.
 - 6) Grading or clearing for agricultural purposes only.
- c. **Option 3:** The applicant may choose to mitigate 3.37 acres of agricultural resources through a combination of 1 and 2, so long as the total acreage of mitigation is equal to a 1:1 ratio, as required by the Agricultural Resource Guidelines for Determining Significance. Evidence of purchase as outlined in Option 1 shall be required. Prohibitions and exceptions as outlined in Option 2 shall apply to the Agricultural Preservation Easement granted by the applicant to the County of San Diego.

DOCUMENTATION: The applicant shall purchase the off-site mitigation through the PACE Program, as described in this condition and provide the evidence to the [PDS, PCC] for review and approval. In the event that PACE mitigation credits are unavailable or the applicant elects not to participate, 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. The [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] for pre-approval. The [PDS, PCC] shall pre-approve 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. **TIMING:** Prior to approval of a Final Map, prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit. **MONITORING:** The [PDS, PCC] shall review the documents provided for the satisfaction of this condition.

38. AG-2 APIARY NOTIFICATION: [PDS]

INTENT: In order to prevent impacts to the adjacent apiary located on APN 181-162-04-00 and to ensure the owner/operator is aware of future construction activities, the owner/operator of the apiary shall be notified of the start of construction. **DESCRIPTION OF REQUIREMENT:** The applicant shall add a note to all grading and improvement plans indicating that they will provide a notification via certified mail to the owner/operator of the apiary on APN 181-162-04-00 10 days prior to the start of any ground disturbance or construction activities. **DOCUMENTATION:** The applicant shall place a note on all grading and improvement plans requiring that the applicant comply with this condition. The note shall require that the applicant provide 1) a copy of letter mailed to the apiary owner/operator pursuant to this condition, and 2) a signed statement that this notification has been provided to the owner/operator of the apiary on APN 181-162-04-00. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit, the note shall be placed on the plans. **MONITORING:** The PDS PCC shall review the plans and ensure that this condition has been placed on all grading and improvement plans. Prior to any ground disturbance, a copy of the letter and signed statement verifying that the notification has been mailed shall be provided to the PDS PCC.

39. HAZ#1-STRUCTURE REMOVAL [PDS, FEE]

INTENT: In order to comply with the approved Tentative Map, PDS2014-TM-5585, the structures on site shall be removed or demolished. **DESCRIPTION OF REQUIREMENT:** The residence and commercial warehouse located on-site as shown on the approved Plot Plan, shall be removed or demolished. A Demolition Permit shall be obtained from [PDS BD]. Compliance with conditions HAZ#1 and HAZ#2 to determine the presence or absence of Lead Based Paints and/or Asbestos shall be completed before the County can issue a Demolition Permit. **DOCUMENTATION:** The applicant shall submit to the [PDS, PCC] a signed

stamped statement from a registered professional; Engineer, Surveyor, Contractor, which states, that the structures have been removed or demolished. The letter report shall also include before and after pictures of the area and structure(s). **TIMING:** Prior to recordation of a Final Map, prior to obtaining any building, grading, or construction permit (excluding demolition permit), or any other permit pursuant to this permit, and prior to commencement of construction or use of the property in reliance on this permit, the applicant shall comply with this condition. Alternatively, the applicant may place this condition on all Grading and Improvement Plans for the project requiring the surveys required by Condition 40 and 41 and structure demolition prior to any ground disturbance. The conditions noted on the Grading and Improvement plans shall be worded to the satisfaction of the Director of Planning and Development Services. **MONITORING:** The [PDS, PCC] shall review the statement and, photos, and any additional evidence for compliance with this condition.

40. HAZ#2-LEAD SURVEY [PDS, FEE X 2]

INTENT: In order to avoid hazards associated with Lead Based Paint (LBP) and to mitigate below levels of significance as established in the County of San Diego Hazardous Materials and Existing Contamination Guidelines for Determining Significance, the structures on site shall be surveyed for the presence of Lead Based Paint (LBP) because the structures were built prior to 1980 or are commercial structures. **DESCRIPTION OF REQUIREMENT:** A survey shall be performed before the removal or demolition of the residence and commercial warehouse located on-site as shown on the approved Plot Plan. The survey shall be completed by a California Department of Health Services (DHS) certified lead inspector/risk assessor to determine the presence or absence of lead based paint (LBP) located in the structure(s). The following conditions only apply if lead containing materials are found present:

- a. All lead containing materials shall be managed in accordance with applicable regulations including, at a minimum, the hazardous waste disposal requirements (Title 22 California Code of Regulations [CCR] Division 4.5), the worker health and safety requirements (Title 8 California Code of Regulations Section 1532.1), and the State Lead Accreditation, Certification, and Work Practice Requirements (Title 17 CCR Division 1, Chapter 8).
- b. All lead containing materials scheduled for demolition must comply with applicable regulations for demolition methods and dust suppression.

DOCUMENTATION: The applicant shall submit a letter or report prepared by a California DHS certified lead inspector/risk assessor to the [DEH HAZ MAT, APCD], which certifies that there was no LBP/LCM present, or all lead containing materials have been remediated pursuant to applicable regulations. **TIMING:** Prior to recordation of a Final Map, prior to the approval of any plan, issuance of any permit (excluding demolition permit), and prior to approval of the Final Map the applicant shall comply with this condition. Alternatively, the applicant may place this condition on all Grading and Improvement Plans for the project requiring the surveys required by Condition 40 and 41 and structure demolition

prior to any ground disturbance. The conditions noted on the Grading and Improvement plans shall be worded to the satisfaction of the Director of Planning and Development Services. **MONITORING:** The [DEH HAZ MAT, APCD] shall review the report and any additional evidence for compliance with this condition. The [PDS, PCC] shall review the completed and stamped report and any additional evidence for compliance with this condition.

41. HAZ#3-ASBESTOS SURVEY [PDS, FEE X 2]

INTENT: In order to avoid hazards associated with Asbestos Containing Materials (ACMs), and to mitigate below levels of significance as established in the County of San Diego Hazardous Materials and Existing Contamination Guidelines for Determining Significance, the structures on site shall be surveyed for the presence of ACMs because the structures were built prior to 1980 or are commercial structures. **DESCRIPTION OF REQUIREMENT:** A facility survey shall be performed to determine the presence or absence of Asbestos Containing Materials (ACMs) of the residence and commercial warehouse located on-site as shown on the approved Plot Plan:

- a. Suspect materials that will be disturbed by the demolition or renovation activities shall be sampled and analyzed for asbestos content. The survey shall be conducted by a person certified by Cal/OSHA pursuant to regulations implementing subdivision (b) of Section 9021.5 of the Labor Code, and shall have taken and passed an EPA-approved Building Inspector Course.
- b. If ACMs are found present, they shall be handled and remediated in compliance with the San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation.

DOCUMENTATION: The applicant shall submit to the [DEH HAZ MAT, APCD] a signed, stamped statement from the person certified to complete the facility survey indicating that the survey has been completed and that either regulated asbestos is present or absent. If regulated asbestos is present, the letter shall describe the procedures taken to remediate the hazard and certify that they have been remediated pursuant to code sections referenced above. **TIMING:** Prior to the recordation of a Final Map, prior to approval of any plan, issuance of any permit (excluding demolition permit), and prior to approval of the Final Map the applicant shall comply with this condition. Alternatively, the applicant may place this condition on all Grading and Improvement Plans for the project requiring the surveys required by Condition 40 and 41 and structure demolition prior to any ground disturbance. The conditions noted on the Grading and Improvement plans shall be worded to the satisfaction of the Director of Planning and Development Services. **MONITORING:** The [DEH HAZ MAT, APCD] shall review the report and any additional evidence for compliance with this condition. The [PDS, PCC] shall review the completed and stamped report and any additional evidence for compliance with this condition.

42. PLAN CONFORMANCE: [DPW, ESU] [GP, IP,] [DPR, TC, PP]

INTENT: In order to implement the required mitigation measures for the project, the required grading and improvement plans shall conform to the approved Conceptual Grading and Development Plan pursuant to Section 87.207 of the County Grading Ordinance. **DESCRIPTION OF REQUIREMENT:** The grading and improvement plans shall conform to the approved Conceptual Grading and Development Plan, which includes all of the following mitigation measures: . All conditions, requirements, mitigation measures and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) of this Permit. No deviation of the requirements can be made without modification of this permit. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the notes and items shall be placed on the plans as required. **MONITORING:** The *[DPW, Environmental Services Unit Division, PDS PCC, DPR, TC, or PDS, Building Division for Minor Grading]* 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.

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

INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5 existing deficit accounts associated with processing this Final Map shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this Final Map. **DOCUMENTATION:** The applicant shall provide a receipt to Planning & Development Services, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No Final Map can be issued if there are deficit deposit accounts. **TIMING:** Prior to the approval of any Final Map and prior to the approval of any plan and issuance of any permit, all fees and discretionary deposit accounts shall be paid. **MONITORING:** The PDS Zoning Counter shall review the receipts and verify that all PDS, DEH, and DPR deposit accounts have been paid.

44. DISCRETIONARY APPROVALS: [PDS, PCC] [MA] [PDS, FEE] INTENT:

In order to ensure that the proposed subdivision complies with the required Zoning for the Parcel the following additional discretionary approvals shall be obtained. **DESCRIPTION OF REQUIREMENT:** Obtain approval of PDS2014-MUP-14-017 from the Planning Commission, or the Board of Supervisors (whichever is the final hearing body). **DOCUMENTATION:** The applicant shall apply for and receive approval of the required discretionary approvals referenced above. Upon approval, provide a copy of the approval to the [PDS, PCC] for review and approval of this condition. **TIMING:** Prior to the approval of the Final Map, the

applicant shall comply with this condition. **MONITORING:** The [PDS, PCC] shall review the discretionary approval for compliance with this condition.

45. **ROADS#1–PUBLIC ROAD IMPROVEMENTS**

INTENT: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.404 and the Community Trails Master Plan, the below listed roads shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for **Lone Oak Road**, along the project frontage in accordance with Public Road Standards for a Residential Collector, to a graded width of thirty feet (30') from centerline and to an improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved base with asphalt concrete dike and five foot (5') Disintegrated Granite pathway, face of dike to be twenty feet (20') from centerline. The crossing over Buena Creek may remain as existing, as shown on the approved Preliminary Grading Plan. As necessary, provide transition, tapers, traffic striping to match existing pavement.
- b. Improve or agree to improve and provide security for **Lone Oak Road**, for the opposite side of the centerline of Lone Oak Road, along the project frontage in accordance with Public Road Standards for an Interim Road, to and to an improved width of eight feet (8') minimum from centerline with asphalt concrete pavement over approved base to provide a total minimum width of twenty eight feet (28') overall. The crossing over Buena Creek may remain as existing, as shown on the approved Preliminary Grading Plan. As necessary, provide transition, tapers, traffic striping to match existing pavement.
- c. Improve or agree to improve and provide security for the **Lone Oak Road / Buena Creek Road Intersection** to provide striping to have both left- and right-turn lanes from Lone Oak Road onto Buena Creek Road as shown on the approved Tentative Map.
- 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.

All plans and improvements shall be completed pursuant to the County of San Diego Public Road Standards, the Land Development Improvement Plan Checking Manual and the Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.

DOCUMENTATION: The applicant shall complete the following:

- e. Process and obtain approval of Improvement Plans to improve Lone Oak Road.
- f. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.408.

- g. Upon approval of the plans, pay all applicable inspection fees with [PDS, PDCI].
- h. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- i. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the Vista Fire Protection District and the [PDS, LDR].

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

46. **ROADS#2-PRIVATE ROAD IMPROVEMENTS**

INTENT: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.404, the private roads shall be improved.

DESCRIPTION OF REQUIREMENT:

- a. **Street 'A'** shall have a minimum forty foot (40') easement and be improved to a minimum graded width of twenty eight-feet (28') and to a minimum improved width of twenty-four feet (24')) with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred (100) to seven hundred fifty (750) trips shall apply.
- b. **Street 'B'** shall have a minimum forty foot (40') easement and be improved to a minimum graded width of twenty-eight feet (28') and to a minimum improved width of twenty-four feet (24') with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred (100) to seven hundred fifty (750) trips shall apply.
- c. **Cleveland Trail** shall have a minimum thirty foot (30') easement and be improved to a graded width of twenty eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base from Private Street 'A' to Buena Creek Road. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred (100) to seven hundred fifty (750) trips shall apply.

The existing dip section across Buena Creek along Cleveland Trail may remain "as-is".

- d. **Street 'A'** shall terminate with a cul-de-sac graded to a minimum radius of forty feet (40') and surfaced to a minimum radius of thirty six feet (36') with asphalt concrete pavement over approved base to the satisfaction of Vista Fire Protection District and the Director of PDS.
- e. **Street 'B'** shall terminate with a cul-de-sac graded to a minimum radius of forty feet (40') and surfaced to a minimum radius of thirty six feet (36') with asphalt concrete pavement over approved base to the satisfaction of Vista Fire Protection District and the Director of PDS.
- f. 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.

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

- g. Process and obtain approval of Improvement Plans to improve Private Street 'A', Private Street 'B', and Cleveland Trail.
- h. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.408.
- i. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- j. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

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

47. ROADS#3–PAVEMENT CUT POLICY

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

48. ROADS#4–ROAD DEDICATION (ONSITE ONLY)

INTENT: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.402, road right of way shall be dedicated to the County. **DESCRIPTION OF REQUIREMENT:**

- a. Dedicate on the Final Map to the County of San Diego an easement for public road purposes that provides fifty-five feet (55') from centerline along the project frontage of Buena Creek Road in accordance with County of San Diego Public Road Standards for a Major Road with a bike lane and sidewalk together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of PDS.
- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides thirty feet (30') from centerline of Lone Oak Road along the project frontage. Where the road is fully within the property boundary, dedicate on the Final Map to the County of San Diego an easement for road purposes that provides thirty feet (30') from centerline of Lone Oak Road 30' to the southwest of the centerline Note: Centerline will be determined by PDS and DPW after review of the Final Map and Improvement Plans.
- c. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides twenty foot (20') radii at the intersection of Lone Oak Road with Buena Creek Road.

The dedication shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. **DOCUMENTATION:** The applicant shall dedicate the easement on the

Final Map and show it as Accepted. **TIMING:** Prior to, or concurrent with the approval of the Final Map the onsite dedication shall be provided.. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the Final Map and Accepted by the County.

49. ROADS#5--PRIVATE ROAD MAINTENANCE AGREEMENT

INTENT: In order to ensure that the private roads approved with this subdivision are maintained, in accordance with Subdivision Ordinance Section 81.402(c), the applicant shall assume responsibility of the private roads. **DESCRIPTION OF REQUIREMENT:** A maintenance agreement shall be executed that indicates the following:

- a. Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of PDS.
- b. The Director of PDS shall be notified as to the final disposition of title (ownership) to Private Street 'A', Private Street 'B', and Cleveland Trail and place a note on the Final 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 PDS and indicate the ownership on the Final Map as indicated above. **TIMING:** Prior to the approval of the Final Map for 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 Final Map for compliance with this condition.

50. ROADS#6--PRIVATE ROAD EASEMENT

INTENT: In order to promote orderly development and to comply with the County Subdivision Ordinance Section 81.702 the easement(s) shall be provided. **DESCRIPTION OF REQUIREMENT:**

- a. The Final Map shall show twenty-foot (20') radius returns at the intersection of the road easements on-site.
- b. The Final Map shall show a minimum forty-foot (40') wide private road easement along Private Street 'A', Private Street 'B'.

DOCUMENTATION: The applicant shall show the easement on the Final Map. **TIMING:** Prior to approval of the Final Map, the easement shall be indicated on the Parcel Map. **MONITORING:** The [PDS, LDR] shall review the Final Map to ensure that the fire turnout easement is indicated pursuant to this condition.

51. ROADS#7-CENTERLINE LOCATION

INTENT: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.402 & 81.805, the centerline of Buena Creek Road shall be shown on the subdivision map. **DESCRIPTION OF**

REQUIREMENT: The desired location of the centerline for Buena Creek Road shall be determined, which is classified as a Major Road. The following shall be shown on the Final Map:

- a. The centerline location as approved by the Department of Planning and Development Services.
- b. The following shall be shown on the Final Map as "nontitle" information:
 - 1) The width of the right-of-way which is fifty-five feet (55') from the centerline and identified by a line drawn at the appropriate location and labeled, "Limit of Proposed Street Widening."
 - 2) A building line, which is eighty-five feet (85'), from the centerline and identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."
 - 3) Show the ultimate slopes and drainage facilities on the Final Map. A profile and cross-sections sufficient to verify these limits shall be submitted to the County of San Diego Department of Planning and Development Services for review and approval.

DOCUMENTATION: The applicant shall indicate the centerlines on the Final Map as indicated above. **TIMING:** Prior to the approval of the Final Map the centerline shall be indicated on the map. **MONITORING:** The [PDS, LDR] shall verify that the centerline is indicated on the Final Map.

52. ROADS#8-RELINQUISH ACCESS

INTENT: In order to promote orderly development and to comply with the Mobility Element of the General Plan, access shall be relinquished. **DESCRIPTION OF**

REQUIREMENT: Relinquish access rights onto Buena Creek Road. Only openings for Cleveland Trail and Lone Oak Road are permitted on Buena Creek Road. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.

DOCUMENTATION: The applicant shall prepare the pages of the Final Map and present them for review to [PDS, LDR]. Upon plotting of the relinquishment of access, the applicant shall provide copies of the documents to [DGS, RP] for review. **TIMING:** Prior to, or concurrent with the approval of the Final Map the access shall be relinquished. **MONITORING:** The [PDS, LDR] shall prepare and process the relinquishment of access with the Final Map and forward a copy of the recorded documents to [DGS, RP] for review and approval.

53. ROADS#9-SIGHT DISTANCE

INTENT: In order to comply with the Design Standards of Section 6.1, Table 5, of the County of San Diego Public Road Standards, an unobstructed view for safety while exiting the property and accessing a public road from the site, and unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:** Have a Registered Civil Engineer or a Licensed Land Surveyor provide the following certified signed statement:

"I, _____ (C ___ or LS ___) certify that there is _____ feet of unobstructed intersectional sight distance looking east from Lone Oak Road along Buena Creek Road measured 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, _____ (C ___ or LS ___) certify that there is a minimum of 260 feet of unobstructed intersectional sight distance looking west from Lone Oak Road along Buena Creek Road measured 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 AASHTO Stopping Sight Distance requirement of 260 feet.

"I, _____ (C ___ or LS ___) certify that there is _____ feet of unobstructed intersectional sight distance looking both directions from Cleveland Trail along Buena Creek Road measured 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, _____ (C ___ or LS ___) certify that there is _____ feet of unobstructed intersectional sight distance looking both directions from Private Street 'A' along Lone Oak Road measured 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."

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

54. STRMWTR#1–STORMWATER FACILITIES MAINTENANCE AGREEMENT

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

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

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

55. STRMWTR#2–EROSION CONTROL

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 10385 and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Management Plan (SWMP) and Stormwater Pollution Protection Plan (SWPPP) including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to Subdivision Ordinance 81.408, for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the County of San Diego Grading Ordinance Section 87.304(e). The cash deposit

collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to PDS authorizing the use of this deposit for emergency measures.

- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County PDS and/or DPW by the date agreed.

DOCUMENTATION: The applicant shall provide the letter of agreement and any additional security and or cash deposit to the [PDS, LDR]. **TIMING:** Prior to approval of the Final Map for all phases, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of the conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforce the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

56. DRAINAGE CULVERT STRUCTURAL CERTIFICATION

INTENT: In order to ensure that the culvert crossings along Lone Oak Road and the dip section crossing along Cleveland Trail, near the intersections with Buena Creek Road, are adequate and can handle construction traffic and increased Average Daily Trips resulting from the project. **DESCRIPTION OF REQUIREMENT:** The applicant shall provide certifications from a California licensed civil engineer documenting the condition of the existing culvert crossings along Lone Oak Road and Cleveland Trail. The certifications shall include, but not be limited to, statements that these culverts are structurally sound, can serve the construction traffic and increase in ADT resulting from the project; and safely accommodate fire trucks (minimum of 75,000 pounds). In the event that the culvert crossings are deficient, the civil engineer shall document the mitigation measures necessary to correct the structural deficiencies. In addition, the applicant shall be responsible for processing the necessary permits and completing the work necessary to correct any deficiencies, if any, identified by the civil engineer. **DOCUMENTATION:** The applicant shall provide the structural certifications on the culvert crossings to the satisfaction of the Director of Planning and Development Services (PDS) and the Director of Public Works (DPW). If any deficiencies are identified, the applicant shall be responsible for obtaining permits necessary to improve the drainage culverts to the satisfaction of the Director of PDS and DPW. **TIMING:** Prior to the approval of any plan, issuance of any permit, any grading and or improvement plans and issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit. Any work required shall be

included in the grading and/or improvement plans. **MONITORING:** The [POS, LOR] shall verify that this condition is complied with.

57. TRAFFIC CONTROL PLAN: [PDS, LOR] [GP, IP, UO].

INTENT: In order to mitigate below levels of significance for temporary construction traffic impacts, a traffic control plan shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** A Traffic Control Plan (TCP) shall be prepared that addresses the following, but is not only limited to: identify haul routes, disclose any road geometrics that limit project construction truck movements by using turning templates, number of trips per day, and destination.

- a. The implementation of the TCP shall be a condition of any grading, construction, and/or excavation permit issued by the County. Any additional County Traffic Control Permits shall be obtained as required and identified in the TCP. The applicant is responsible for the maintenance and repair of any damage caused by them to the on-site and off-site private and public roads that serve the property either during construction or subsequent operations."
- b. The applicant will repair those portions of the route that are be damaged by the heavy loads that loaded trucks place on the route identified. An agreement shall be executed, which will also include (1) a cash deposit for emergency traffic safety repairs; (2) long- term security for expected increased maintenance on the route identified; and (3) possible future asphaltic overlay requirements on the route identified.
- c. The TCP shall prohibit delivery of construction materials before 9:00 a.m. and after 4:00 p.m. to avoid conflict with construction traffic and peak traffic times.

DOCUMENTATION: The applicant shall have the TCP prepared by a licensed Traffic Engineer and submit it to [PDS, LOR] for review. The applicant shall also execute a secured agreement for any potential damages caused by heavy trucks on the identified haul route. The agreement and securities shall be approved to the satisfaction of the [PDS, LDR]. The applicant is responsible for obtaining any additional permits as identified in the TCP. **TIMING:** Prior to the approval of any plan, issuance of any permit, any grading and or improvement plans and issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit, a TCP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the TCP for compliance with this condition, and require any additional traffic or encroachment permits before any approval of the TCP. The TCP shall be implemented and made a condition of any associated County Construction, Grading or Encroachment Permit.

The following Grading and or Improvement Plan Notes **shall be placed on the Preliminary Grading Plan** and made conditions of the issuance of said permits. An email or disc will be provided with an electronic copy of the grading plan note language.

Noise

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

GP1. GENERAL TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

INTENT: In order to minimize temporary construction noise for grading operations associated with TM5585. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures and shall comply with the eight hour average sound level of 75 dBA pursuant to Noise Ordinance Section 36.408 & 36.409:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers
- d. Minimize the use of back up alarm.
- e. Equipment staging areas shall be placed at locations away farthest away from noise sensitive receivers as deemed feasible.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures and the County Noise Ordinance as described within this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction and construction equipment operations. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

BIOLOGY

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

GP2. BIO#1–BIOLOGICAL MONITORING [PDS, FEE X3]

INTENT: In order to prevent inadvertent disturbance to areas outside the limits of grading, all grading, clearing, grubbing, trenching, and construction activities shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all

grading, clearing, grubbing, trenching, and construction activities to ensure that there are no impacts outside of the approved limits of grading and disturbance areas. The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan:

- a. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by the [PDS, PCC].
- b. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements. Such meeting shall include the [PDS, PCC].

DOCUMENTATION: The Biological Monitor shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on the site sensitive biological resources that are to be avoided. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDC] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Biological Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and verify the installation of the temporary fencing and approve the training documentation prepared by the biologist.

GP3. BIO#2–TEMPORARY FENCING [PDS, FEE]

INTENT: In order to prevent inadvertent disturbance to sensitive habitat, temporary construction fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Prior to the commencement of any grading and/or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The placement of such fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed. **DOCUMENTATION:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **MONITORING:** The [PDS, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.”

GP4. BIO#3–RESOURCE AVOIDANCE [PDS, FEE X2]

INTENT: In order to avoid impacts to migratory birds protected under the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** If construction work must occur during the avian breeding season (February 1 to August 31), pre-construction nesting bird surveys shall be conducted within 72 hours of construction-related activities to identify the RAA and appropriate buffer widths brushing, clearing and/or grading, based on the following factors:

- a. Nesting chronologies
- b. Geographic location
- c. Existing ambient conditions (e.g., human activity within line of sight—cars, bikes, pedestrians, dogs, noise)
- d. Type and extent of disturbance anticipated (e.g., noise levels and quality [punctuated, continual, ground vibrations], blasting-related vibrations, etc.)
- e. Visibility of disturbance
- f. Influence of other environmental factors
- g. Species' site-specific level of habituation to the disturbance

The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no migratory birds or raptors 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 [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

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

GP5. BIO#3—BIOLOGICAL MONITORING [PDS, FEE X2]

INTENT: In order to prevent inadvertent disturbance to sensitive habitats, all grading, clearing, grubbing, trenching, and construction activities shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities to ensure that there are no impacts outside of the approved limits of grading and disturbance areas. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. The monitor(s) shall be on site during all grading and clearing activities that are in or adjacent to any biological open space areas or sensitive habitats. If there are disturbances, the monitor must report them immediately to the [PDS PCC]. Additionally, the biologist shall perform the following duties:

- a. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;
- b. Periodically monitor the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;
- c. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the gnatcatcher and its habitat, and the conservation measures that should be implemented during project construction;
- d. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, selectively placed, shielded, and directed away from preserved habitat;
- e. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US;
- f. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and [PDS PCC] within 24 hours; (8) produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and the PDS (final report will release bond);
- g. Confer with the Wildlife Agencies and [PDS PCC] within 24 hours any time protected habitat are being affected by construction;
- h. Attend construction meetings and other meetings as necessary.

DOCUMENTATION: The Project Biologist shall prepare and submit to the satisfaction the [PDS, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated above. **TIMING:** The following actions shall occur

throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall assure that the Project Biologist is on-site performing the Monitoring duties of this condition during all applicable grading activities as determined by the Biologist. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Biologist or applicant fails to comply with this condition. The [PDS, PCC] shall review and approve the monitoring reports for compliance with this condition.

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

GP6. BIO#4–BIOLOGICAL MONITORING [PDS, FEE]

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2014-TM-5585, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Biologist shall prepare and submit a final letter report substantiating his/her supervision of the grading activities and substantiating that grading did not impact additional areas of sensitive habitat or other sensitive biological resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources. It shall also include but not be limited to the following items:

- a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.
- b. Monitoring logs showing the date and time that the monitor was on site
- c. Photos of the site after the grading and clearing activities.

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

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

GP7. BIO#7–OPEN SPACE SIGNAGE & FENCING [PDS, FEE]

INTENT: In order to comply with Conditions **BIO#4** and **BIO#5** pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for PDS2014-TM-5585, the fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences and open space signs shall be placed along the boundary of the open space boundary of lots as shown on these plans

and the approved Conceptual Grading and Development Plan for PDS2014-TM-5585.

- 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.
- b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,
Planning & Development Services
Reference: PDS2014-TM-5585

DOCUMENTATION: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [PDS, PCC].

TIMING: Prior to the occupancy of any structure or use of the premises and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3) the fencing and signage shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

GP8. BIO#X-EASEMENT AVOIDANCE [PDS, 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, including RPO wetland and associated freshwater marsh habitat and oak woodland 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 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 applicable fire code of the Fire Authority Having Jurisdiction and the Memorandum of Understanding dated February 26, 1997, between the

wildlife agencies and the fire districts and any subsequent amendments thereto.

- b. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the DEH.
- c. Uses, activities, and placement of structures expressly permitted by the of Director of Planning & Development Services, whose permission may be given only after following the procedures and complying with all requirements applicable to an Administrative Permit pursuant to The Zoning Ordinance of the County San Diego.
- d. Maintenance and construction of private and public drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section 1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.
- e. Construction, use and maintenance of a multi-use, non-motorized trail along the southeastern boundary of open space easement.

DOCUMENTATION: The applicant shall provide a letter statement to the [PDS, 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

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

GP9. CULT#GR-1 ARCHAEOLOGICAL 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 Luiseno 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 Luiseno 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 Luiseno 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 confirm the attendance of the approved Project Archaeologist.

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

**GP10.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 Luiseno 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 Luiseno Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Luiseno Native American Monitor. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseno Native American Monitor.
- b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist or the Luiseno Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Luiseno Native American Monitor, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. 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 Luiseno 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 Luiseno 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.
- d. The Project Archaeologist shall submit monthly status reports to the Director of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report 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 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).*

GP11.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 Luiseno 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 [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:** [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).*

GP12.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.

or

Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

- 2) Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. 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 [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:** [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.

Air Quality

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

GP13. AIR#1–AIR QUALITY CONSTRUCTION

INTENT: In order to mitigate for fugitive dust emissions (PM10 and PM2.5)

DESCRIPTION OF REQUIREMENT: The project shall comply with the following Air Quality measures:

- a. Two applications of water will be applied during grading between dozer/scrapper passes, as necessary. Additional watering or acceptable non-toxic SDAPCD dust control agents will be applied during dry weather or windy days until dust emissions are not visible.
- b. Dirt storage piles will be enclosed, covered, watered three times daily, if necessary, or stabilized by chemical binders, tarps, fencing or other non-toxic erosion control according to manufacturers' specification.
- c. A 15-mile per hour (mph) speed limit will be enforced on unpaved surfaces.
- d. On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce resuspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.
- e. Haul trucks hauling dirt, sand, soil, or other loose materials will be covered or two feet of freeboard will be maintained.
- f. When active construction ceases on the site, disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the County and/or SDAPCD to reduce dust generation.

- g. All unpaved areas on the project site where maintenance activities would occur (e.g., around PV systems) will be dust controlled through the use of a permeable soil-binding agent that shall be biodegradable, eco-safe, and contain liquid copolymers that stabilize and solidify soils or aggregates and facilitate dust suppression.
 - h. After completion of grading, all internal unpaved roadways as well as the fire access road shall be covered with a permeable rock material consisting of either decomposed granite or gravel. If desired, the access roads may be paved, chip sealed, or chemically stabilized.
 - i. Sweepers or water trucks will be used to remove "track-out" at any point of public street access.
 - j. Grading will be suspended if winds exceed 25 mph or if visible dust plumes emanate from a site; disturbed areas will be stabilized if construction is delayed.
 - k. In accordance with the SDAPCD Rule 55 - Fugitive Dust Control, no dust and/or dirt will leave the property line. The following measures would be implemented to ensure the requirements of this rule are met:
 - a. Airborne Dust Beyond the Property Line: No person will engage in construction or demolition activity subject to this rule in a manner that discharges visible dust emissions into the atmosphere beyond the property line for a period or periods aggregating more than 3 minutes in any 60-minute period.
- 1) Track-out/Carry-out: Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out will be minimized by the use of any of the following erosion control measures:
- i. Track-out grates or gravel beds at each egress point.
 - ii. Wheel-washing at each egress during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and for outbound transport trucks.
 - iii. Secured tarps or cargo covering, watering, or treating of transported material.
 - iv. Removed at the conclusion of each work day when active operations cease, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only particulate matter smaller than 10 microns in diameter (PM10)-efficient street

sweepers certified to meet the most current South Coast Air Quality Management District (SCAQMD) Rule 1186 requirements will be used. The use of blowers for removal of track-out/carry-out will be prohibited under any circumstances.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of the construction activities. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

GP14. AIR#2: CONSTRUCTION EXHAUST EMISSIONS

INTENT: In order to reduce exhaust emissions **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measures:

- a. All nonroad, diesel engine construction equipment shall comply with United States Environmental Protection Agency –Certified Tier 2 emission standards and include best available control technology devices certified by the California Air Resources Board.

DOCUMENTATION: The applicant shall show compliance with this measure by providing the construction bid/estimate from the construction contractor that will be used. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** The [DPW, PDCI] shall make sure that the construction contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

Agriculture

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

GP15.MM AG-3 BEE/APIARY GRADING AND CONSTRUCTION NOTIFICATION: [PDS]

INTENT: In order to mitigate potential impacts to the adjacent apiary on APN 181-162-04-00, all grading and building contractors shall monitor bee activity and be informed by the applicant that the County of San Diego Agricultural Weights and Measures shall be notified immediately of any unusual or aggressive bee behavior by calling 1-800-200-BEES (2337). **DESCRIPTION OF REQUIREMENT:** All construction personnel shall monitor bee activity. If any unusual or aggressive bee activity is observed, grading and building contractors shall stop all work immediately and contact the County of San Diego Department of Agricultural Weights and Measures by calling 1-800-200-BEES (2337). **DOCUMENTATION:** The applicant shall place a copy of this condition on the

grading plans, improvement plans, and building plans for the project and provide a copy of the plans to the PDS PCC as well as a signed statement stating that all grading and building contractors have been made aware of this condition. **TIMING:** Prior to the approval of any plan and issuance of any permit, the signed statement and plans shall be provided to the PDS PCC. **MONITORING:** The PDS PCC shall review the signed statement and plans to ensure that all grading and building contractors have been notified and the note has been placed on the grading, improvement plans, and building plans.

Paleontology

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

GP16. PALEONTOLOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PC] [PDS, FEE X2] INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to , a Paleontological Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Paleontologist, and the PDS Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Paleontologist attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Paleontological Resource Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

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

GP17. PALEONTOLOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PC] [PDS, FEE X2] INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to , a Paleontological Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** This project site is has marginal to low levels of sensitive Paleontological resources. All grading activities are subject to the County of San Diego Grading Ordinance Section

87.430, if any significant resources (Fossils) are encountered during grading activities.

- a. The grading contractor is responsible to monitor for paleontological resources during all grading activities. If any fossils are found greater than 12 inches in any dimension, stop all grading activities and contact the [PDS, PCC] before continuing grading operations.
- b. If **any** paleontological resources are discovered and salvaged, the monitoring, recovery, and subsequent work determined necessary shall be completed by or under the supervision of a Qualified Paleontologist pursuant to the San Diego County Guidelines for Determining Significance for Paleontological Resources.

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

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

GP18.PALEONTOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE].

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2014-ER-14-08-006, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** One of the following letters shall be performed upon completion of the grading activities that require monitoring:

- a. If **no** paleontological resources were discovered, submit a "No Fossils Found" letter from the grading contractor to the [PDS, PCC] stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
- b. If Paleontological resources were encountered during grading, a letter shall be prepared 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 curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PCC] for review and approval. **TIMING:** Upon completion of all grading activities,

and prior to Rough Grading final Inspection (Grading Ordinance SEC 87.421.a.2), the letter report shall be completed. **MONITORING:** The [PDS, 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).*

GP19. PALEONTOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE].

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to , and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:

- a. If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Project Paleontologist:
 - 1) Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 - 2) Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;
 - 3) Submit a detailed report prepared by the Project Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources and identifying which accredited institution has agreed to accept the curated fossils. Submit TWO hard copies of the final Paleontological Resources Mitigation Report to the Director of PDS for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a CD. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.
 - 4) Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological

collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of PDS verifying that the curated fossils from the project site have been received by the institution.”

- 5) If no 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 Paleontologist.

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

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

1. The Tentative Map is consistent with all elements of the San Diego County General Plan and with the Village Residential 2 (VR2) Land Use Designation of the North County Metro Subregional Plan because it proposes a Residential use type at a density of 1.69 units per gross acre and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
2. The Tentative Map is consistent with The Zoning Ordinance because it proposes a residential use type with a minimum net lot size for residential lots of 8,509 in the RR and A70 Use Regulation with a Major Use Permit for a PRD in compliance with Section 6600 of the Zoning Ordinance;
3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the North County Metro Subregional Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;
4. The site is physically suitable for the residential type of development because the site is relatively flat, minimum amount of grading is proposed, and the parcel is large enough to support 24 units while preserving Buena Creek and Oak woodland in open space. In addition, the project fronts on Buena Creek Road, Lone Oak Road and Cleveland Trail which will provide access to the site;

5. The site is physically suitable for the proposed density of development because all public facilities are available to serve the subdivision. The project has received service availability forms for sewer, water, fire and school service. Also, the project fronts to two roads which provide access onto Buena Creek Road;
6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of the CEQA Section 15183 checklist dated September 3, 2015;
8. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and

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

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

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

County Subdivision Ordinance requirements:

- Allow a partial exception to Section 81.404(a)(7) of the Subdivision Ordinance, which requires that all new and existing utility distribution facilities be placed underground. A Design Exception has been processed and the subdivision may waive utility undergrounding pursuant to Board Policy I-92. An exhibit provided with the Design Exception request approval dated 9-24-15 shows the poles to be removed and service to be placed underground. All other poles may remain. All new utilities will be placed underground. All utilities to be located satisfaction of the Directors of PDS and DPW.

County Subdivision Ordinance design requirements:

N/A

County Zoning Ordinance design requirements:

N/A

County Public and Private Road Standards to permit:

- Allow the use of AASHTO stopping sight distance looking west along Buena Creek Road from the Lone Oak Road intersection. The corresponding stopping sight distance looking west is two hundred sixty feet (260').
- Reduce the improvement of the private easement road, Cleveland trail, in the vicinity of the existing concrete dip section. The dip section may remain "as-is", transition to twenty-four feet (24') wide improvements shall be provided on either side of the existing dip section, to the satisfaction of the Directors of PDS and DPW.
- Reduce the private road easement requirement for Cleveland Trail from forty feet (40') to thirty feet (30').

County Subdivision Ordinance design requirements to accommodate a Planned Development pursuant to PDS2014-MUP-14-017.

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 31-42, 44-46, 48-55 and GP-1 to GP-19

MAP PROCESSING REQUIREMENTS: The parcel map shall comply with the following processing requirements pursuant to the Sections 81.801 through 81.814 of the Subdivision Ordinance and the Subdivision Final Map Processing Manual.

- The Final map shall show an accurate and detailed vicinity map.
- The Basis of Bearings for the Final Map shall comply with Section 81.507 of the Subdivision Ordinance.
- Prior to the approval of the Final Map by the Department of Public

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

- The following notes shall appear on the Final Map:
 - All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.
 - At the time of recordation of the Final Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
 - The public and private easement roads serving this project shall be named. The responsible party shall contact the Street Address Section of Planning & Development Services (858-694-3797) to discuss the road naming requirements for the development. Naming of the roads is necessary for the health and safety of present and future residents.
 - Certification by the Department of Environmental Health with respect to water supply and sewage disposal shall be shown on the Final Map.
- The Zoning regulations require that each parcel shall contain a minimum net area as shown on the approved Plot Plan for PDS2014-MUP-14-017. Each parcel shall contain a minimum gross area as shown on PDS2014-MUP-14-017. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative Map is determined by the Department of Public Works to be below the zoning minimum, it becomes the responsibility of the subdivider to meet zoning requirements by lot redesign, or other applicable technique. The subdivider shall comply with the zoning area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.
- The subdivider shall comply with Section 81.406 of the County of San Diego subdivision ordinance as it pertains to monuments.

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

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

LIGHTING ORDINANCE COMPLIANCE: In order to comply with the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, 6324, and 6326, the onsite lighting shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, and 6324. 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 lighting. No additional lighting is permitted. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

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 way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

COMPLIANCE INSPECTION: In order to comply with Zoning Ordinance Section 7362.e the County shall inspect the Use Permit property for compliance with the terms of this Use Permit. The County Permit Compliance Officer will perform a site inspection and review the on-going conditions associated with this permit. The inspection shall be scheduled no later than the six months subsequent to establishing the intended use of the permit. If the County determines the applicant is not complying with the Major Use Permit terms and conditions the applicant shall allow the County to conduct follow up inspections more frequently than once every twelve months until the County determines the applicant is in compliance. The Property Owner/Permittee shall allow the County to inspect the property for which the Major Use Permit has been granted, at least once every twelve months, to determine if the Property Owner/Permittee is complying with all terms and conditions of the Use Permit. This requirement shall apply during the term of this permit.

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. 10385 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 date , 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 the property owner keep additional and updated information onsite concerning stormwater runoff. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

STORMWATER: Updated studies, including Hydromodification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10385 (N.S.), dated May 13, 2015 and Standard Urban Stormwater Mitigation Plan (SUSMP) Requirements for Development Applications, dated August 1, 2012. These requirements are subject to periodic adjustment as changes are made to the National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements imposed by the San Diego Regional Water Quality Control Board (Regional Board) on discharges from municipal separate storm sewer systems (MS4). The new MS4 Permit was adopted by the Regional Board on May 8, 2013 and amended on November 18, 2015. The County has begun the process of amending ordinances and taking other action to implement the new MS4 Permit. Additional studies and other action may be needed to comply with the new and future MS4 Permits.

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

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

<http://www.sdcounty.ca.gov/PDS/docs/LID-Handbook.pdf>.

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

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 87.202 (a) of the County Code.

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact 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 REQUIRED: An Encroachment Permit is required for any and all proposed/existing facilities within the County right-of-way. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works.

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

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance 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.

If you have any questions regarding these conditions, please contact Ernie Bartley at (858)694-3095 or email Ernest.Bartley@sdcounty.ca.gov

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

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 Maps.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC

Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
Department of Public Works (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit	ESU
Department of Environmental Health (DEH)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
Department of Parks and Recreation (DPR)			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
Department of General Service (DGS)			
Real Property Division	RP		

APPEAL PROCEDURE: Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with Section 81.310 of the Subdivision Ordinance and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the appellant body and/or the Board of Supervisors within TEN CALENDAR DAYS of the date of this Resolution AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. No Final Map shall be approved, no grading permit issues, and no building permits for model homes or other temporary uses as permitted by Section 6116 of the Zoning Ordinance shall be issued pursuant to said Tentative Map until after the expiration of the 10th day following adoption of this Resolution, or if an appeal is taken, until the appeal board has sustained the determination of this advisory body. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of adoption of this Resolution.

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

AYES:

NOES:

ABSENT:

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

cc: Dan Paul, GH 2, LLC, 1530 Industrial Ave., Escondido, CA 92029
Marc Perlman, Marker Lone Oak, 427 So. Cedros Ave., Suite 201, Solana Beach, CA 92075

email cc:
Ken Brazell, Team Leader, Land Development/Engineering, PDS
Dave Sibbet, Planning Manager, Project Planning, PDS

**Attachment D – Form of Decision
Approving PDS2014-MUP-14-017**



County of San Diego
PLANNING & DEVELOPMENT SERVICES

MARK WARDLAW
Director

DARREN GRETLER
Assistant Director

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

COMMISSIONERS

Peder Norby (Chairman)
Bryan Woods (Vice Chairman)
Michael Beck
Leon Brooks
Adam Day
David Pallinger
Michael Seiler

March 11, 2016

PERMITEE: MARKER LONE OAK, LLC
MAJOR USE PERMIT: PDS2014-MUP-14-017
E.R. NUMBER: PDS2014-ER-14-08-006
PROPERTY: NORTHEAST INTERSECTION
APN(S): 181-162-06 AND 184-080-01

DECISION OF THE PLANNING COMMISSION

This Major Use Permit for a residential subdivision for 24 single-family dwellings for PDS2014-TM-5585 consists of 33 sheets including plot plan, floor plans and elevations dated March 11, 2016. This permit authorizes a Planned Residential Development for a maximum of 24 single-family dwellings and related open space pursuant to Section 6600 and 7350 of the Zoning Ordinance.

The granting of this use permit also approves the Preliminary Grading and Improvement Plan dated March 11, 2016 consisting of 1 sheet. In accordance with the [Section 87.207 of the County Grading Ordinance](#), Environmental Mitigation Measures or other conditions of approval required and identified on the plan(s), shall be completed or implemented on the final engineering plan before any final 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 \(Sec 87.701 et. al.\)](#)

MAJOR USE PERMIT EXPIRATION: This Major Use Permit shall expire on **March 11, 2018** at 4:00 p.m. (or such longer period as may be approved pursuant to Section 7376 of The Zoning Ordinance of the County of San Diego prior to said expiration date)

unless construction or use in reliance on this Major Use Permit has commenced prior to said expiration date.

This Major Use Permit shall expire concurrently Tentative Map PDS2014-TM-5585 or three years following the recordation of the Final Map except where construction and/or use of the property in reliance on this permit has commenced. Recordation of a Final Map pursuant to Tentative Map PDS2014-TM-5585 and completion of (or entry into agreements to construct where permitted) all required improvements shall be deemed to establish such construction and/or use in reliance; provided however, that the period within which such construction and/or use must be commenced may be extended as provided by Section 7376 and provided further, that construction complies with zoning regulations in effect at the time of construction.

.....
SPECIFIC CONDITIONS: Compliance with the following Specific Conditions (Mitigation Measures when applicable) shall be established before the property can be used in reliance upon this Major Use Permit. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

ANY PERMIT: *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

1. COST RECOVERY: [PDS, DPW, DEH, DPR], [GP, CP, BP, UO]

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 a receipt to Planning & Development Services, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No permit can be issued if there are deficit deposit accounts. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and discretionary deposit accounts shall be paid. **MONITORING:** The PDS Zoning Counter shall review the receipts and verify that all PDS, DPW, DEH, and DPR deposit accounts have been paid.

2. RECORDATION OF DECISION: [PDS], [GP, CP, BP, UO]

INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an 'all purpose acknowledgement' and return the original Recordation Form to PDS. **DOCUMENTATION:** Signed and notarized original Recordation Form. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior

to use in reliance of this permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.

3. TENTATIVE MAP CONDITION SATISFACTION: [PDS, DPW, DEH, DPR], [GP, CP, BP, UO]

INTENT: In order to comply with the approved Tentative Map, all conditions of PDS2014-TM-5585 shall be met prior to use of the premises in reliance of this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall meet all of the conditions of PDS2014-TM-5585. **DOCUMENTATION:** The applicant shall provide evidence that all conditions for PDS2014-TM-5585 have been satisfied. **TIMING:** Prior to approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all PDS2014-TM-5585 condition shall be met. **MONITORING:** The PDS Zoning County shall review the conditions of PDS2014-TM-5585 and verify that all conditions have been satisfied.

4. AG-2 APIARY NOTIFICATION: [PDS]

INTENT: In order to prevent impacts to the adjacent apiary located on APN 181-162-04 and to ensure the owner/operator is aware of future construction activities, the owner/operator of the apiary shall be notified of the start of construction. **DESCRIPTION OF REQUIREMENT:** The applicant shall provide a notification via certified mail to the owner/operator of the apiary on APN 181-162-04 10 days prior to the start of any ground disturbance or construction activities. **DOCUMENTATION:** The applicant shall provide a copy of the letter and a signed statement stating that this notification has been provided to the owner/operator of the apiary on APN 181-162-04. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit, the notification shall be mailed. **MONITORING:** The PDS PCC shall review the copy of the letter and signed statement by the applicant verifying that the notification has been mailed.

5. BIO#4-OPEN SPACE SIGNAGE [PDS, FEE]

INTENT: In order to protect the proposed open space easement from entry, informational signs shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space signs shall be placed along the biological boundary of the open space lots as indicated on the approved tentative map. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,
Planning & Development Services
Reference: PDS2014-TM-5585

DOCUMENTATION: The applicant shall install the signs as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor, that the open space signs have been installed at the boundary of the open space easement(s). **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the open space signs shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

6. BIO#5–OPEN SPACE FENCING [PDS, FEE]

INTENT: In order to protect the proposed open space easement from entry, or 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 tentative map. The fencing design shall consist of a five-foot-high vinyl or split rail fence. **DOCUMENTATION:** The applicant shall install the fencing 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 at the open space easement boundary. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the fencing shall be placed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

BUILDING PERMIT: (Prior to approval of any building plan and the issuance of any building permit).

7. AQ-1 NATURAL GAS FIREPLACES: [PDS]

INTENT: In order to reduce area-wide emissions. **DESCRIPTION OF REQUIREMENT:** The following design features shall be implemented on all Building Plans for the project:

- a. Only natural gas fireplaces shall be installed in the proposed residences.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** Prior to approval of any building plan and the issuance of any building permit, the following design measures shall be implemented on the building plans. **MONITORING:** The [PDS, BPPR] shall make sure that the sustainable design measures are implemented on all building plans for the project.

8. **AG-3 BEE/APIARY GRADING AND CONSTRUCTION MONITORING: [PDS] – INTENT:** In order to mitigate potential impacts to the adjacent apiary on APN 181-162-04, all grading and building contractors shall monitor bee activity and be informed by the applicant that the County of San Diego Agricultural Weights and Measures shall be notified immediately of any unusual or aggressive bee behavior by calling 1-800-200-BEES (2337). **DESCRIPTION OF REQUIREMENT:** All construction personnel shall monitor bee activity. If any unusual or aggressive bee activity is observed, grading and building contractors shall stop all work immediately and contact the County of San Diego Department of Agricultural Weights and Measures by calling 1-800-200-BEES (2337). To ensure that all construction personnel are aware of this requirement, a copy of this condition shall be copied on a copy of all building permits for the project. **DOCUMENTATION:** The applicant shall place a copy of this condition on the grading plans, improvement plans, and building plans for the project and provide a copy of the plans to the [PDS PCC] as well as a signed statement stating that all grading and building contractors have been made aware of this condition. **TIMING:** Prior to the approval of any plan and issuance of any permit, the signed statement and plans shall be provided to the PDS PCC. **MONITORING:** The PDS PCC shall review the signed statement and plans to ensure that all grading and building contractors have been notified and the note has been placed on the grading, improvement plans, and building plans.

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

9. **ESTABLISHMENT OF HOA:**
INTENT: In order to ensure that a mechanism is in place for the ongoing maintenance of common areas, project amenities, open space fencing and signage, and the biological open space easement. **Description of requirement:** Provide documentation that a home owners association (HOA) has been established to maintain all common areas, project amenities, open space fencing and signage, and the biological open space easement in perpetuity. The HOA shall be responsible for adequately maintaining these areas and correcting any violation to the open space easement to the Satisfaction of the Director of Planning and Development Services. **Documentation:** The application shall provide adequate documentation to the [PDS, PCC] that an HOA has been formed and is required maintain the common areas, project amenities, open space fencing and signage, and the biological open space easement. **Timing:** Prior to any occupancy or establishment of any use of the property in reliance of this permit, the HOA shall be formed. **Monitoring:** The [PDS, PCC] shall ensure that this condition has been satisfied prior to occupancy.
10. **INSPECTION FEE: [PDS, ZONING][PDS, PCO] [UO][DPR, TC, PP].**
Intent: In order to comply with Zoning Ordinance Section 7362.e the Discretionary Inspection Fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the Discretionary Permit Inspection Fee at the [PDS, Zoning Counter] to

cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt showing that the inspection fee has been paid along with updated contact information [*PDS, PCC*]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [*PDS, Zoning Counter*] shall process an invoice and collect the fee for the Use Permit Compliance Inspection Fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

11. SITE PLAN IMPLEMENTATION: [PDS, BI] [UO] [DPR, TC, PP].

INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved plot plan and the building plans. This includes, but is not limited to:

- a. Improving all parking areas trails, parks and driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly screened, required and approved signage is installed and located properly, and all temporary construction facilities have been removed from the site.
- b. All houses shall be painted one of the approved color schemes on file with Planning and Development Services under PDS2014-MUP-14-017. The photographs shall also indicate that no two color schemes were used twice in a row.

DOCUMENTATION: The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Prior to any occupancy of the unit constructed, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **MONITORING:** The [*PDS, Building Inspector*] and DPR [TC, PP] shall inspect the site for compliance with the approved Building Plans. In addition, the applicant shall submit photographs indicate that the houses have been painted as required by section b of this condition.

12. CERTIFICATION OF INSTALLATION ACCORDING TO THE LANDSCAPE DOCUMENTATION PACKAGE: [PDS, BPR] [UO] [PDS, FEE]

INTENT: In order to provide adequate Landscaping that , and to comply with the [COSD Water Efficient Landscape Design Manual](#), the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Off-Street Parking Design Manual](#), the COSD Grading ordinance, the Design Guidelines, and the requirements of the Designator, all landscaping shall be installed. **DESCRIPTION OF REQUIREMENT:** All of the landscaping shall be installed pursuant to the approved Landscape Documentation Package . This does not supersede any erosion control plantings that may be applied pursuant to [Section 87.417 and](#)

87.418 of the County Grading Ordinance. These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the *[PDS, Landscape Architect, PCC] [DPR, TC, PP]*. **DOCUMENTATION:** The applicant shall submit to the *[PDS Landscape Architect, PCC]*, a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed. **MONITORING:** The *[PDS, Landscape Architect]* shall verify the landscape installation upon notification of occupancy or use of the property, and notify the *[PDS, PCC] [DPR, TC, PP]* of compliance with the approved Landscape Documentation Package.

13. FIRE PROTECTION PLAN : [PDS, PCC] [UO] [PDS, FEE X]

INTENT: In order to assure fire safety in compliance with the County of San Diego Fire Code Sections 96.1.4703 and 96.1.4707, the site shall be maintained in conformance with the approved Fire Protection Plan. **DESCRIPTION OF REQUIREMENT:** The following measures approved in the Fire Protection Plan shall be implemented and maintained:

- a. Vegetation management zones shall be maintained according to the approved Fire Protection Plan dated March 2015 from structures at all times.
- b. A 20-foot-wide clearance of flammable vegetation, up to 6 inches high, be provided on sides of all roads and driveways.

DOCUMENTATION: The applicant shall provide documentation (inspection report or photographs) that demonstrates compliance with the FPP. **TIMING:** Prior to occupancy of the first structure built in association with this permit, the FPP requirements shall be implemented. **MONITORING:** The *[PDS, PCC]* shall verify that the mitigation measures have been initially implemented pursuant to the approved building plans and the fire protection plan.

14. VISTA FIRE PROTECTION DISTRICT APPROVAL

INTENT: In order to assure compliance with all Vista Fire Protection District requirements. **DESCRIPTION OF REQUIREMENT:** The applicant shall comply with all Vista Fire Protection District Requirements, including but not limited to: 1) Provide a copy of the approved Fire Protection Plan to all current and subsequent owners; 2) Provide documentation that a document has been recorded in the title documents for each parcel to ensure that all current and future owners are obligated to comply with the conditions of the approved Fire Protection Plan; and 3) Provide documentation that ongoing maintenance and

inspection requirements have been combined in a summary sheet with the Fire District's approval to be provided to future owners of the lots. **DOCUMENTATION:** The applicant shall provide a letter from the Vista Fire Protection District indicating that all of their requirements have been addressed and that they have no objection to occupancy. **TIMING:** Prior to occupancy of the first structure built in association with this permit, the approval from the Vista Fire Protection District must be provided. **MONITORING:** The [PDS, PCC] shall review the Vista Fire Protection District letter and ensure they have no objection to occupancy.

15. CULT#2 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.

or

Evidence that all prehistoric materials collected during the archaeological monitoring program have been returned to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

- 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 or repatriated. 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 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 any occupancy or 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.

16. **WALL INSTALLATION: [PDS, BPPR] [BP] [PDS, FEE X 1]. INTENT:** In order to provide privacy from the project to the neighboring lot and to ensure that a solid wall is constructed along the eastern property line. **DESCRIPTION OF REQUIREMENT:** The following design measures shall be constructed.

- a. A solid earth tone split-face CMU block wall shall be installed along the eastern property line. Within 50 feet from the centerline of Cleveland trail, this wall shall be limited to 42 inches tall. The wall shall be installed from the southerly edge of the road easement for Cleveland Trail to the southern property line.

TIMING: Prior to any occupancy or use of the premises in reliance of the permit, the wall shall be constructed. **MONITORING:** The [PDS, BI] shall verify that the measures above have been constructed pursuant to the approved building plans and this permit's conditions.

ONGOING: *(Upon establishment of use The following conditions shall apply during the term of this permit).*

17. **SITE CONFORMANCE: [PDS, PCO] [OG] [DPR, TC, PP]. INTENT:** In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof,

specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s). This includes, but is not limited to maintaining the following:

- a. All parking, trails, parks and driveways areas, watering all landscaping at all times, painting all necessary aesthetics design features, and all lighting wall/fencing and required signage. Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703.
- b. Except as allowed by Condition 18, all single family dwelling shall meet the setbacks specified on sheet C7 of the approved plot plan for PDS2014-MUP-14-017.
- c. Lots 1-3 and 20-24 as shown on sheet C7 of the approved plot plan for PDS2014-MUP-14-017 shall be limited to one story in height.

DOCUMENTATION: The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

18. ACCESSORY USES: [PDS, PCO, BPPR] [OG].

INTENT: A Minor Deviation or Modification to a Site Plan is not required for any building, structure or projection listed in Section 4835 or any use listed in the Accessory Use Regulations, section 6150-6199 (or as otherwise referenced), provided the building, structure, or projection or use meets the specific accessory use setbacks in the Site Plan and meets all other conditions and restriction in the Site Plan. This condition is intended to comply with Zoning Ordinance Section 7175, ensuring the ability to allow for structures as detailed in this section without Minor Deviation or Modification. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s); should any accessory uses be proposed that do not meet the requirements as detailed in the Zoning Ordinance sections listed above, the property owner shall be responsible for obtaining all necessary permits. **DOCUMENTATION:** None. The property owner and permittee shall conform to the Zoning Ordinance requirements for Accessory Uses as detailed above and within the County Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

19. ON-GOING FIRE PROTECTION: [PDS, PCC] [OG]

INTENT: In order to comply with the County of San Diego Fire Code Sections 96.1.4903 and 96.1.4907, the site shall comply with the approved Fire Protection Plan. **DESCRIPTION OF REQUIREMENT:** The following measures approved in the Fire Protection Plan shall be implemented and maintained:

- a. Vegetation management zones shall be maintained according to the approved Fire Protection Plan dated March 2015 from structures at all times.
- b. A 20-foot-wide clearance of flammable vegetation, up to 6 inches high, be provided on sides of all roads and driveways.

DOCUMENTATION: The applicant shall comply with the requirements of the Fire Protection Plan and this condition for the life of this permit. **TIMING:** Upon establishment of the use, the conditions of the Fire Protection Plan shall be complied with for the term of this permit. **MONITORING:** The [PDS, PCC] shall verify that the mitigation measures have been implemented pursuant to the approved building plans and the fire protection plan. The [PDS, Code Enforcement Division] is responsible for enforcement of this permit. The Vista Fire Protection District shall be responsible for long-term implementation of fire clearing requirements.

20. ONGOING HOA MAINTENANCE:

Intent: In order to ensure that all common areas, project amenities and the biological open space are adequately maintained for the life of the project. **Description of requirement:** The HOA shall property maintain all common areas including the trail, common area landscaping, project fencing, and gates. In addition, the HOA shall maintain the biological open space easement in accordance with the open space easement language. The HOA shall be responsible for correcting any violation to the satisfaction of the Director of Planning and Development Services. **DOCUMENTATION:** None. The HOA shall maintain the biological open space, project common area, and Amenities in compliance with this condition. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

The following Grading and or Improvement Plan Notes **shall be placed on the Preliminary Grading Plan** and made conditions of the issuance of said permits. An email or disc will be provided with an electronic copy of the grading plan note language.

Noise

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

GP1. GENERAL TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

INTENT: In order to minimize temporary construction noise for grading operations associated with TM5585. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures and shall comply with the eight hour average sound level of 75 dBA pursuant to Noise Ordinance Section 36.408 & 36.409:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers
- d. Minimize the use of back up alarm.
- e. Equipment staging areas shall be placed at locations away farthest away from noise sensitive receivers as deemed feasible.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures and the County Noise Ordinance as described within this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction and construction equipment operations. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

BIOLOGY

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

GP2. BIO#1–BIOLOGICAL MONITORING [PDS, FEE X3]

INTENT: In order to prevent inadvertent disturbance to areas outside the limits of grading, all grading, clearing, grubbing, trenching, and construction activities shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities to ensure that there are no impacts outside of the approved limits of grading and disturbance areas. The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan:

- a. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by the [PDS, PCC].

- b. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements. Such meeting shall include the [PDS, PCC].

DOCUMENTATION: The Biological Monitor shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on the site sensitive biological resources that are to be avoided. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDC] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Biological Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and verify the installation of the temporary fencing and approve the training documentation prepared by the biologist.

GP3. BIO#2–TEMPORARY FENCING [PDS, FEE]

INTENT: In order to prevent inadvertent disturbance to sensitive habitat, temporary construction fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Prior to the commencement of any grading and/or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The placement of such fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed. **DOCUMENTATION:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **MONITORING:** The [PDS, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.”

GP4. BIO#3–RESOURCE AVOIDANCE [PDS, FEE X2]

INTENT: In order to avoid impacts to migratory birds protected under the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** If construction work must occur during the avian breeding season (February 1 to August 31), pre-construction nesting bird surveys shall be conducted within 72 hours of construction-related activities to identify the RAA and appropriate buffer widths brushing, clearing and/or grading, based on the following factors:

- a. Nesting chronologies

- b. Geographic location
- c. Existing ambient conditions (e.g., human activity within line of sight—cars, bikes, pedestrians, dogs, noise)
- d. Type and extent of disturbance anticipated (e.g., noise levels and quality [punctuated, continual, ground vibrations], blasting-related vibrations, etc.)
- e. Visibility of disturbance
- f. Influence of other environmental factors
- g. Species' site-specific level of habituation to the disturbance

The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no migratory birds or raptors 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, PDC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

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

GP5. BIO#3—BIOLOGICAL MONITORING [PDS, FEE X2]

INTENT: In order to prevent inadvertent disturbance to sensitive habitats, all grading, clearing, grubbing, trenching, and construction activities shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities to ensure that there are no impacts outside of the approved limits of grading and disturbance areas. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. The monitor(s) shall be on site during all grading and clearing activities that are in or adjacent to any biological open space areas

or sensitive habitats. If there are disturbances, the monitor must report them immediately to the [PDS PCC]. Additionally, the biologist shall perform the following duties:

- a. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;
- b. Periodically monitor the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;
- c. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the gnatcatcher and its habitat, and the conservation measures that should be implemented during project construction;
- d. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, selectively placed, shielded, and directed away from preserved habitat;
- e. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US;
- f. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and [PDS PCC] within 24 hours; (8) produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and the PDS (final report will release bond);
- g. Confer with the Wildlife Agencies and [PDS PCC] within 24 hours any time protected habitat are being affected by construction;
- h. Attend construction meetings and other meetings as necessary.

DOCUMENTATION: The Project Biologist shall prepare and submit to the satisfaction the [PDS, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated above. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDC] shall assure that the Project Biologist is on-site performing the Monitoring duties of this condition during all applicable grading activities as determined by the Biologist. The [DPW, PDC] shall contact the [PDS, PCC] if the Project Biologist or applicant fails to comply with this condition. The [PDS, PCC] shall review and approve the monitoring reports for compliance with this condition.

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

GP6. BIO#4–BIOLOGICAL MONITORING [PDS, FEE]

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2014-TM-5585, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Biologist shall prepare and submit a final letter report substantiating his/her supervision of the grading activities and substantiating that grading did not impact additional areas of sensitive habitat or other sensitive biological resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources. It shall also include but not be limited to the following items:

- a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.
- b. Monitoring logs showing the date and time that the monitor was on site
- c. Photos of the site after the grading and clearing activities.

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

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

GP7. BIO#7–OPEN SPACE SIGNAGE & FENCING [PDS, FEE]

INTENT: In order to comply with Conditions **BIO#4** and **BIO#5** pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for PDS2014-TM-5585, the fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences and open space signs shall be placed along the boundary of the open space boundary of lots as shown on these plans and the approved Conceptual Grading and Development Plan for PDS2014-TM-5585.

- 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.
- b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,
Planning & Development Services
Reference: PDS2014-TM-5585

DOCUMENTATION: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [PDS, PCC].
TIMING: Prior to the occupancy of any structure or use of the premises and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)) the fencing and signage shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

GP8. BIO#X-EASEMENT AVOIDANCE [PDS, 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, including RPO wetland and associated freshwater marsh habitat and oak woodland 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 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 applicable fire code of the Fire Authority Having Jurisdiction and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- b. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the DEH.
- c. Uses, activities, and placement of structures expressly permitted by the of Director of Planning & Development Services, whose permission may be given only after following the procedures and complying with all requirements

- applicable to an Administrative Permit pursuant to The Zoning Ordinance of the County San Diego.
- d. Maintenance and construction of private and public drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section 1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.
 - e. Construction, use and maintenance of a multi-use, non-motorized trail along the southeastern boundary of open space easement.

DOCUMENTATION: The applicant shall provide a letter statement to the [PDS, 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

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

GP9. CULT#GR-1 ARCHAEOLOGICAL 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 Luiseno 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 Luiseno 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 Luiseno 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 confirm the attendance of the approved Project Archaeologist.

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

**GP10. 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 Luiseno 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 Luiseno Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Luiseno Native American Monitor. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseno Native American Monitor.
- b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist or the Luiseno Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Luiseno Native American Monitor, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. 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 Luiseno 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 Luiseno 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.
- d. The Project Archaeologist shall submit monthly status reports to the Director of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report 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 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).*

GP11. 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 Luiseno 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 [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:** [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).*

GP12.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.

or

Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

- 2) Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. 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 [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:** [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.

Air Quality

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

GP13. AIR#1–AIR QUALITY CONSTRUCTION

INTENT: In order to mitigate for fugitive dust emissions (PM10 and PM2.5)

DESCRIPTION OF REQUIREMENT: The project shall comply with the following Air Quality measures:

- a. Two applications of water will be applied during grading between dozer/scrapper passes, as necessary. Additional watering or acceptable non-toxic SDAPCD dust control agents will be applied during dry weather or windy days until dust emissions are not visible.
- b. Dirt storage piles will be enclosed, covered, watered three times daily, if necessary, or stabilized by chemical binders, tarps, fencing or other non-toxic erosion control according to manufacturers' specification.
- c. A 15-mile per hour (mph) speed limit will be enforced on unpaved surfaces.
- d. On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce resuspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.
- e. Haul trucks hauling dirt, sand, soil, or other loose materials will be covered or two feet of freeboard will be maintained.
- f. When active construction ceases on the site, disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the County and/or SDAPCD to reduce dust generation.
- g. All unpaved areas on the project site where maintenance activities would occur (e.g., around PV systems) will be dust controlled through the use of a permeable soil-binding agent that shall be biodegradable, eco-safe, and contain liquid copolymers that stabilize and solidify soils or aggregates and facilitate dust suppression.
- h. After completion of grading, all internal unpaved roadways as well as the fire access road shall be covered with a permeable rock material consisting of either decomposed granite or gravel. If desired, the access roads may be paved, chip sealed, or chemically stabilized.

- i. Sweepers or water trucks will be used to remove “track-out” at any point of public street access.
 - j. Grading will be suspended if winds exceed 25 mph or if visible dust plumes emanate from a site; disturbed areas will be stabilized if construction is delayed.
 - k. In accordance with the SDAPCD Rule 55 - Fugitive Dust Control, no dust and/or dirt will leave the property line. The following measures would be implemented to ensure the requirements of this rule are met:
 - a. Airborne Dust Beyond the Property Line: No person will engage in construction or demolition activity subject to this rule in a manner that discharges visible dust emissions into the atmosphere beyond the property line for a period or periods aggregating more than 3 minutes in any 60-minute period.
- 1) Track-out/Carry-out: Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out will be minimized by the use of any of the following erosion control measures:
- i. Track-out grates or gravel beds at each egress point.
 - ii. Wheel-washing at each egress during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and for outbound transport trucks.
 - iii. Secured tarps or cargo covering, watering, or treating of transported material.
 - iv. Removed at the conclusion of each work day when active operations cease, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only particulate matter smaller than 10 microns in diameter (PM10)-efficient street sweepers certified to meet the most current South Coast Air Quality Management District (SCAQMD) Rule 1186 requirements will be used. The use of blowers for removal of track-out/carry-out will be prohibited under any circumstances.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of the construction activities. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality

requirements of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

GP14. AIR#2: CONSTRUCTION EXHAUST EMISSIONS

INTENT: In order to reduce exhaust emissions **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measures:

- a. All nonroad, diesel engine construction equipment shall comply with United States Environmental Protection Agency –Certified Tier 2 emission standards and include best available control technology devices certified by the California Air Resources Board.

DOCUMENTATION: The applicant shall show compliance with this measure by providing the construction bid/estimate from the construction contractor that will be used. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** The [DPW, PDCI] shall make sure that the construction contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

Agriculture

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

GP15.MM AG-3 BEE/APIARY GRADING AND CONSTRUCTION NOTIFICATION: [PDS]

INTENT: In order to mitigate potential impacts to the adjacent apiary on APN 181-162-04-00, all grading and building contractors shall monitor bee activity and be informed by the applicant that the County of San Diego Agricultural Weights and Measures shall be notified immediately of any unusual or aggressive bee behavior by calling 1-800-200-BEES (2337). **DESCRIPTION OF REQUIREMENT:** All construction personnel shall monitor bee activity. If any unusual or aggressive bee activity is observed, grading and building contractors shall stop all work immediately and contact the County of San Diego Department of Agricultural Weights and Measures by calling 1-800-200-BEES (2337). **DOCUMENTATION:** The applicant shall place a copy of this condition on the grading plans, improvement plans, and building plans for the project and provide a copy of the plans to the PDS PCC as well as a signed statement stating that all grading and building contractors have been made aware of this condition. **TIMING:** Prior to the approval of any plan and issuance of any permit, the signed statement and plans shall be provided to the PDS PCC. **MONITORING:** The PDS PCC shall review the signed statement and plans to ensure that all grading and building contractors have been notified and the note has been placed on the grading, improvement plans, and building plans.

Paleontology

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

GP16. PALEONTOLOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PC] [PDS, FEE X2] INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to , a Paleontological Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Paleontologist, and the PDS Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Paleontologist attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Paleontological Resource Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

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

GP17. PALEONTOLOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PC] [PDS, FEE X2] INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to , a Paleontological Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** This project site is has marginal to low levels of sensitive Paleontological resources. All grading activities are subject to the County of San Diego Grading Ordinance Section 87.430, if any significant resources (Fossils) are encountered during grading activities.

- a. The grading contractor is responsible to monitor for paleontological resources during all grading activities. If any fossils are found greater than 12 inches in any dimension, stop all grading activities and contact the [PDS, PCC] before continuing grading operations.

- b. If **any** paleontological resources are discovered and salvaged, the monitoring, recovery, and subsequent work determined necessary shall be completed by or under the supervision of a Qualified Paleontologist pursuant to the San Diego County Guidelines for Determining Significance for Paleontological Resources.

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

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

GP18.PALEONTOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE].

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2014-ER-14-08-006, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** One of the following letters shall be performed upon completion of the grading activities that require monitoring:

- a. If **no** paleontological resources were discovered, submit a “No Fossils Found” letter from the grading contractor to the [PDS, PCC] stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
- b. If Paleontological resources were encountered during grading, a letter shall be prepared 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 curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PCC] for review and approval. **TIMING:** Upon completion of all grading activities, and prior to Rough Grading final Inspection (Grading Ordinance SEC 87.421.a.2), the letter report shall be completed. **MONITORING:** The [PDS, 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).*

GP19. PALEONTOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE].

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to , and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:

- a. If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Project Paleontologist:
 - 1) Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 - 2) Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;
 - 3) Submit a detailed report prepared by the Project Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources and identifying which accredited institution has agreed to accept the curated fossils. Submit TWO hard copies of the final Paleontological Resources Mitigation Report to the Director of PDS for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a CD. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.
 - 4) Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of PDS verifying that the curated fossils from the project site have been received by the institution."

- 5) If no 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 Paleontologist.

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

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

Conditions: 3-9, 13-15, 18, 19, and GP1- GP19

MAJOR USE PERMIT FINDINGS

Pursuant to Section 7358 (see Section 7359 for additional findings required for a “Specific Hazardous Waste Facility Project” and for in lieu findings for Large Wind Turbine permits) of The Zoning Ordinance, the following findings in support of the granting of the Major Use Permit are made:

(a) *The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to*

1. *Harmony in scale, bulk, coverage, and density*

The project is a residential subdivision on 24 single-family dwellings ranging in size from approximately 8,400 square feet to 18,150 square feet, for an average of 12,270 square feet. The project site is subject to the Village Regional Category (VR-2) and is within the North County Metro Community Plan. Open space will be dedicated along the western portion of the project between the proposed houses and Buena Creek Road and total 25% of the area of the subdivision.

The area in which the project is located can be categorized as a residential, agricultural, and undisturbed property.

Scale, Bulk, and Coverage. The project is zoned for a minimum lot size of 0.5 acre and will include 24 residential lots ranging from 8,400 to 18,150 in size and also includes 3.1 acres of open space. Surrounding land uses are zoned for a minimum lot size of 0.5 acres. Abutting properties range in size from 0.3 to 29.4. Within one-half mile perimeter of the project, there are parcels that range in size from 0.1 to 46.8 acres. Also, approximately 637 parcels currently exist or have approved tentative maps. Of this total, 204 parcels, (32 percent) or nearly one-third, are one half acre or less, while the remaining approximately two-thirds (or 433 lots), are larger than one-half acre or larger.

The parcel is also subject to the “G” height designator, which allows for a maximum of two stories and 35 feet in height. The project proposes houses ranging in height from 20 to 28 feet in height and that are both one

and two stories. The surrounding properties are also subject to the “G” height designator and include both one and two story houses. The proposed houses have a maximum floor area of 3,757 square feet, which is similar to the floor area of the structures in the surrounding area. The proposed lot coverage also ranges from approximately 14 percent to 29 percent. Lot coverages for abutting lots that contain structures range from 2 to 25 percent.

The project will also retain mature trees and a large setback along the western and southern project boundary to help further camouflage the development. In addition, the project only proposes single story houses along the southern project boundary, where the development will abut existing houses. The project also includes a minimum 25-40’ setback from the western and southern property lines, a 50’ setback from the centerline of Cleveland Trail, and a large open space easement and detention basins between the proposed structures and Buena Creek Road and Lone Oak Road. Since the size and height of the proposed houses will be consistent with the surrounding houses and due to the design measures that have been incorporated into the project, the project would be consistent with the scale bulk and coverage of the surrounding area.

Density: The project is subject to the VR-2 land use designation that allows a density of two dwelling units per acre, or a total of 28 lots. The project proposes 24 lots, which equates to a density of 1.90 dwelling units per acre. Surrounding lands are designated VR-2 and Specific Plan Area. When viewed from a larger perspective, these smaller lot sizes and proposed density are consistent with the existing lot sizes and density of the surrounding community. A survey of the surrounding development patterns within a one-half mile radius of the project site shows that approximately 637 parcels currently exist or have approved tentative maps. Of this total, 204 parcels, 32% or nearly one-third, are one-half acre or less in size and have a density greater than or equal to two units per acre, while the remaining approximately two-thirds, or 433 lots, are one-half acre or larger and have a density of less than two units per acre. The project meets the density as identified in the General Plan and is consistent with surrounding land uses. Based on this the project would be consistent with the surrounding density.

2. *The availability of public facilities, services, and utilities*

The project would be served by the Vista Irrigation district for water, Buena Sanitation District for Sewer, and by the Vista Fire Protection District for fire service. The project also would be served by the Vista Unified School District. The project has received service availability forms from each of these districts. Additionally, a traffic analysis has been

performed for the proposed development and has determined that the project traffic will be adequately handled by the existing local roadway system. Therefore, the project has demonstrated adequate availability of public facilities, services, and utilities.

3. *The harmful effect, if any, upon desirable neighborhood character:*

The project is a residential conservation subdivision of 24-single family residential lots that includes a 3.1 acre open space easement. The area in which the project is located is within a Village designation of the General Plan. A survey of the surrounding development patterns within a one-half mile radius of the project site shows that approximately 637 parcels currently exist or have approved tentative maps. Of this total, 204 parcels, 32% or nearly one-third, are one-half acre or less in size and have a density greater than or equal to two units per acre, while the remaining approx. two-thirds, or 433 lots, are one-half acre or larger and have a density of less than two units per acre. The project is surrounded by single family residences on the eastern, southern, and western sides. Additionally, the project is bordered by Buena Creek Road on the west and by Lone Oak Road along a portion of the southern boundary of the project.

The project has incorporated design measures and mitigation measures to prevent any potential harmful effects or impacts upon desirable neighborhood character. The project proposes a landscape plan that includes Strawberry, Brisbane Box, Southern Magnolia, Fern Pine, Western Redbud, Crepe Myrtle, California Sycamore, Coast Live Oak, and African Sumac planted throughout the project site. The grading has also been designed to retain mature trees along the western and southern project boundary to help further reduce the potential impacts of the development on existing neighboring properties.

In addition, the project only proposes single story houses along the southern project boundary, where the development will abut existing homes and includes a minimum 25-40' setback from the western and southern property lines, a 50' setback from the centerline of Cleveland Trail, and a large open space easement and detention basins between the proposed structures and Buena Creek Road and Lone Oak Road. Where existing properties and homes directly adjoin the perimeter of the proposed development, lot sizes have been increased and single-story homes are proposed. Proposed rear yard setbacks have been increased to provide greater separations between proposed homes and their existing neighbors.

When considering the development pattern in the area that is largely made up of single family dwellings with a similar density and the design

features including landscaping and buffers, the project will not have a harmful effect upon desirable community character.

4. *The generation of traffic and the capacity and physical character of surrounding streets:*

The project would result in 240 average daily trips, which would be accommodated by Lone Oak Road, Cleveland Trail and Buena Creek Road. Buena Creek Road currently operates a level of service (LOS) D with 10,274 ADT south of Lone Oak Road and 9,214 ADT north of Lone Oak Road. The traffic study documented that the project would add 132 ADT traveling south along Buena Creek and 108 traveling north along Buena Creek. With these added trips, the project would still operate at a LOS D and the project would not have a direct impact on the road. This is consistent with General Plan Policy M-2.1 states "Require development projects to provide associated road improvements necessary to achieve a level of service "D" or higher..." The project would still grant an irrevocable offer of dedication along the projects frontage of Buena Creek Road adequate to build the road to the General Plans classification for a four lane road with a total width of 84 feet.

The traffic study also reviewed possible impacts along Lone Oak Road and Cleveland Trail. These two roads currently operate at LOS C or better. Based on the Traffic Study, it was determined that the project would have direct impacts at the intersection of Lone Oak Road and Buena Creek Road. No other impacts were identified. To mitigate this impact, the project has been designed and conditioned to install a left and right turn lane on Lone Oak Road at the intersection of Buena Creek Road. This improvement will bring all traffic impacts to less than significant. In addition, the project proposes to widen Cleveland Trail to 24 feet wide except for the existing dip section along Buena Creek and also proposes to improve Lone Oak Road to 28 feet from the intersection of Buena Creek Road and along the projects frontage. To mitigate for the projects cumulative impacts, the project would participate in the County's Transportation Impact Fee (TIF) program.

Since it was determined that the project would not have a direct impact on Buena Creek Road, would not change the level of service of Buena Creek Road, would improve the intersection of Lone Oak Road and Buena Creek Road, would improve both Cleveland Trail and Lone Oak Road, and would pay the TIF, the generation of the project's traffic could be accommodated by the surrounding streets and is consistent with the capacity and physical character of the surrounding streets.

5. *The suitability of the site for the type and intensity of use or development, which is proposed:*

The project is a Planned Residential Development and subdivision of 24 residential lots that includes the preservation of 3.1 acres of open space along a wetland and area of oak woodland in compliance with the Planned Residential Development standards of the San Diego County Zoning Ordinance. The site is suitable for the type and intensity of use that is proposed because the project fronts onto three roads: Lone Oak Road, Buena Creek, and Cleveland Trail. A traffic study has been completed which indicates that these roads are adequate to serve the project after the project improves the intersection of Lone Oak and Buena Creek Road.

In addition, the project has received service availability forms for water, sewer, fire, and school service. All service availability forms indicate that services are available to serve the project. The applicant has submitted studies indicating that the project would not impact the wetland area and would comply with all drainage and stormwater requirements. Finally, the project is consistent with the surrounding land uses and lot sizes as discussed above.

Since all utilities are available to serve the project, the project fronts on three separate roads that can serve the project, and the parcel is large enough to support the project while not impacting the wetland area and still complying with all drainage and stormwater requirements, the project site is suitable for the type and intensity of use or development that is proposed.

6. *Any other relevant impact of the proposed use:*

None.

(b) *The impacts, as described in Findings (a) above, and the location of the proposed use will be consistent with the San Diego County General Plan:*

As mentioned above, the San Diego County General Plan Land Use Designation for the subject property is Village Residential 2 (VR-2) which allows up to 2 units per gross acre and is within the North County Metro Subregional Plan. The gross acreage of the subject property at 14.15 acres would thus allow development of up to 28 dwelling units on the property. Therefore, the proposed 24-unit development is below the maximum 28 dwelling units, contemplated by the General Plan, the project is consistent with the assignment of Land Use Designations.

The project is also consistent with General Plan Policy LU-6.3 (Conservation-Oriented Project Design). This policy states "support conservation-oriented project design. This can be achieved with mechanisms such as, but not limited to, Specific Plans, lot area averaging, and reductions in lot size with corresponding requirements for preserved open space (Planned Residential

Developments). Projects that rely on lot size reductions should incorporate specific design techniques, perimeter lot sizes, or buffers, to achieve compatibility with community character. [See applicable community plan for possible relevant policies.]” The Lone Oak Ranch project is a proposed new 24-unit single family subdivision where more than 25% of the project site is proposed to be set aside as permanent biological open space in order to protect and preserve the most sensitive portion of the property. In addition, the project has also been designed to incorporate design measures and mitigation measures to prevent any potential harmful effects or impacts of upon adjoining properties. Where existing properties and homes directly adjoin the perimeter of the proposed development, lot sizes have been increased and single-story homes are proposed. Proposed rear yard setbacks have been increased to provide greater separations between proposed homes and their existing neighbors. The grading plan has been designed to maintain mature screening trees and shrubbery along the southern property line. The project includes a landscape plan that includes Strawberry, Brisbane Box, Southern Magnolia, Fern Pine, Western Redbud, Crepe Myrtle, California Sycamore, Coast Live Oak, and African Sumac planted throughout the project site.

The project is also consistent with General Plan Policy LU-6.6 (Integration of natural features into Project Design). This policy states “require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources”. The project is consistent with this policy because more than 25% of the project site’s most environmentally sensitive areas will be set aside as permanent open space for the preservation of a 3.1-acre area of habitat that is associated with Buena Creek and its ecosystem along the western boundary of the project site. The remaining portion of the site proposed for development is largely disturbed and relatively flat. The project grading and improvements have been designed to blend harmoniously with the existing gentle rolling terrain of the site.

- (c) *That the requirements of the California Environmental Quality Act have been complied with:*

The requirements of the California Environmental Quality Act have been complied with. A comprehensive environmental evaluation has been completed for the project as documented in the projects §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.

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

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LIGHTING ORDINANCE COMPLIANCE: In order to comply with the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, 6324, and 6326, the onsite lighting shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, and 6324. 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 lighting. No additional lighting is permitted. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

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 way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

COMPLIANCE INSPECTION: In order to comply with Zoning Ordinance Section 7362.e the County shall inspect the Use Permit property for compliance with the terms of this Use Permit. The County Permit Compliance Officer will perform a site inspection and review the on-going conditions associated with this permit. The inspection shall be scheduled no later than the six months subsequent to establishing the intended use of the permit. If the County determines the applicant is not complying with the Major Use Permit terms and conditions the applicant shall allow the County to conduct follow up inspections more frequently than once every twelve months until the County determines the applicant is in compliance. The Property Owner/Permittee shall allow the County to inspect the property for which the Major Use Permit has been granted, at least once every twelve months, to determine if the Property Owner/Permittee is complying with all

terms and conditions of the Use Permit. This requirement shall apply during the term of this permit.

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. 10385 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 date , 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 the property owner keep additional and updated information onsite concerning stormwater runoff. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

STORMWATER: Updated studies, including Hydromodification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10385 (N.S.), dated May 13, 2015 and Standard Urban Stormwater Mitigation Plan (SUSMP) Requirements for Development Applications, dated August 1, 2012. These requirements are subject to periodic adjustment as changes are made to the National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements imposed by the San Diego Regional Water Quality Control Board (Regional Board) on discharges from municipal separate storm sewer systems (MS4). The new MS4 Permit was adopted by the Regional Board on May 8, 2013 and amended on November 18, 2015. The County has begun the process of amending ordinances and taking other action to implement the new MS4 Permit. Additional studies and other action may be needed to comply with the new and future MS4 Permits.

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

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

<http://www.sdcountry.ca.gov/PDS/docs/LID-Handbook.pdf>.

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

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 87.202 (a) of the County Code.

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact 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 REQUIRED: An Encroachment Permit is required for any and all proposed/existing facilities within the County right-of-way. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works.

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

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to [County TIF Ordinance 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.

If you have any questions regarding these conditions, please contact Ernie Bartley at (858)694-3095 or email Ernest.Bartley@sdcounty.ca.gov

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

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.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR

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

APPEAL PROCEDURE: Within ten calendar days after the date of this Decision of the Planning Commission, the decision may be appealed to the Board of Supervisors in accordance with [Section 7366 of the County Zoning Ordinance](#). An appeal shall be filed with the Director of Planning & Development Services or by mail 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. Filing of an appeal will stay the decision of the Director until a hearing on your application is held and action is taken by the Planning Commission. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of approval of this Decision.

BY:

Cara Lacey, Chief
Project Planning Division
Planning & Development Services

cc: Dan Paul, GH 2, LLC, 1530 Industrial Ave., Escondido, CA 92029
Marc Perlman, Marker Lone Oak, 427 So. Cedros Ave., Suite 201, Solana
Beach, CA 92075

email cc:

Ken Brazell, Team Leader, Land Development/Engineering, PDS
Dave Sibbet, Planning Manager, Project Planning, PDS

Attachment E – Environmental Documentation

NOTICE OF EXEMPTION

TO: Recorder/County Clerk
Attn: James Scott
1600 Pacific Highway, M.S. A33
San Diego, CA 92101

FROM: County of San Diego
Planning & Development Services, M.S. O650
Attn: Project Planning Division Section Secretary

SUBJECT: FILING OF NOTICE OF EXEMPTION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name: Lone Oak TM and MUP; PDS2014-TM-5585, PDS2014-MUP-14-017; ER 14-08-006

Project Location: The project is located at the northeast corner of Lone Oak Road and Buena Creek Road; APN 181-162-06-00 and 184-080-01-00

Project Applicant: Marc Perlman Address: 427 So. Cedros Ave., Suite 201, Solana Beach, CA; 858-755-3350

Project Description: The project is a Tentative Map (TM) and Major Use Permit (MUP) for a Planned Residential Development. The TM proposes to subdivide a 14.15-acre parcel into 24 residential lots and 6 non-buildable lots. The MUP proposes a Planned Residential Development pursuant to Section 6600 of the Zoning Ordinance to allow for reduced interior setbacks and residential lots ranging in size from 8,509 to 17,863 square feet. Access to the site would be provided by a gated private road connecting to Lone Oak Road and Cleveland Trail. Road improvements are also proposed to Lone Oak Road and Cleveland Trail. Earthwork would consist of 73,850 cubic yards of balanced cut and fill. The property is zoned A70 (Limited Agriculture) and RR (Rural Residential). The General Plan Designation is Village Residential 2 (VR2).

Agency Approving Project: County of San Diego

County Contact Person: Michael Johnson Telephone Number: 858-694-3429

Date Form Completed: March 11, 2016

This is to advise that the County of San Diego Planning Commission has approved the above described project on _____ and found the project to be exempt from the CEQA under the following criteria:

1. Exempt status and applicable section of the CEQA ("C") and/or State CEQA Guidelines ("G"): (check only one)
 - Declared Emergency [C 21080(b)(3); G 15269(a)]
 - Emergency Project [C 21080(b)(4); G 15269(b)(c)]
 - Statutory Exemption. C Section:
 - Categorical Exemption. G Section:
 - G 15061(b)(3) - It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to the CEQA.
 - G 15182 - Residential Projects Pursuant to a Specific Plan
 - G 15183 - Projects Consistent with a Community Plan, General Plan, or Zoning
 - Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
2. Mitigation measures were were not made a condition of the approval of the project.
3. A Mitigation reporting or monitoring plan was was not adopted for this project.

Statement of reasons why project is exempt: The project is consistent with the General Plan for which an environmental impact report was certified, and meets all required findings in CEQA section 15183, as detailed in the Statement of Reasons for Exemption from Additional Environmental Review and 15183 Checklist dated September 3, 2015.

The following is to be filled in only upon formal project approval by the appropriate County of San Diego decision-making body.

Signature: _____ Telephone: (858) 694-3429

Name (Print): Michael Johnson Title: Planner

This Notice of Exemption has been signed and filed by the County of San Diego.

This notice must be filed with the Recorder/County Clerk as soon as possible after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15062.



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: September 3, 2015
Project Title: Lone Oak TM and MUP
Record ID: PDS2014-TM-5585; PDS2014-MUP-14-017; LOG NO. PDS2014-ER-14-08-006
Plan Area: North County Metro
GP Designation: VR-2
Density: 2-units per acre
Zoning: Limited Agriculture (A70) and Rural Residential (RR)
Min. Lot Size: 0.5 acre
Special Area Reg.: N/A
Lot Size: 0.05 – 3.95 acres with a Planned Development Major Use Permit
Applicant: Marc Perlman, Marker Lone Oak, LLC (858) 755-3350
Staff Contact: Michael Johnson - (858) 694-3429
Michael.Johnson1@sdcounty.ca.gov

Project Description

The project is a Tentative Map and Major Use Permit for a Planned Development to subdivide a 14.15-acre property into 24 residential lots and 6 non-buildable lots (lots comprised of private road easements, water quality detention basins, slopes, and open space). The site is located at 1535 Lone Oak Road in the North County Metro Community Plan Area. Access to the site would be provided by a private road connecting to Lone Oak Road as well as Cleveland Trail. Improvements are proposed to Lone Oak Road and Cleveland Trail as part of the project (as shown on the preliminary grading plan and TM). Water will be provided by the Vista Irrigation District and sewer would be provided by the Buena Sanitation District. Earthwork will consist of approximately 73,850 cubic yards of cut and fill.

The site is subject to the Village Residential VR-2 General Plan Regional Category, Land Use Designation Village. Zoning for the site is A70 (Limited Agriculture) and RR (Rural Residential). Additionally, the project proposes a Planned Development pursuant to Section 6600 through 6699 of the Zoning Ordinance. The Planned Development allows for a Major Use Permit to set the minimum lot size and setbacks as long as the project complies the maximum density provisions of the General Plan and complies with the Planned Development requirements. The project is consistent with density the 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 existing zoning, 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 Lone Oak Planned Development; PDS2014-TM-5585 and PDS2014-MUP-14-017; is consistent with the analysis performed for the GPU EIR. Further, the GPU EIR adequately anticipated and described the impacts of the proposed project, identified applicable mitigation measures necessary to reduce project specific impacts, and the project implements these mitigation measures (see [http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS_Aug2011/EIR/FEIR_7.00 - Mitigation Measures 2011.pdf](http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS_Aug2011/EIR/FEIR_7.00_-_Mitigation_Measures_2011.pdf) for complete list of GPU Mitigation Measures).

15183 Statement of Reasons

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.

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 would subdivide a 14.15-acre property into 24 residential lots, which is consistent with the 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 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.

In addition, as explained further in the 15183 Checklist below, all project impacts were adequately analyzed by the GPU EIR. The project could result in potentially significant impacts to Agricultural Resources, Biological Resources, Cultural Resources, Noise and Traffic. 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.

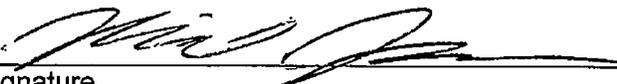
4. There is no substantial new information which results in more severe impacts than anticipated by the GPU EIR.

As explained in the 15183 exemption checklist below, 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 below, 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.

15183 Statement of Reasons

 9/3/15
Signature Date

Michael Johnson **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.

15183 Exemption Checklist

	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- 1(a) Based on a site visit completed by County staff Michael Johnson, the proposed project is located near the viewshed of a scenic vista. The viewshed and visible components of the landscape within that viewshed, including the underlying landform and overlaying land cover, establish the visual environment for the scenic vista. The visual environment of the subject scenic vista is located to the east and consists of a group of visually prominent undeveloped hillsides covered with native vegetation. The project proposes Tentative Map and Major Use Permit for a Planned Development to divide a 14.15-acre property into 24 residential lots and 6 non-buildable lots (lots comprised of private road easements, water quality detention basins, slopes, and open space). The project is compatible with the existing visual environment in terms of visual character and quality because: 1) The surrounding area is comprised of single-family residences similar to the proposed project; 2) The project includes a landscape plan that includes Strawberry, Brisbane Box, Southern Magnolia, Fern Pine, Western Redbud, Grape Myrtle, California Sycamore, Coast Live Oak, and African Sumac planted throughout the project site to help shield views of the proposed project; 3) The project will retain mature trees along the western and southern project boundary to help further camouflage the development; 4) The project only proposes single story houses along the southern project boundary, where the development will abut existing houses; and 5) The project includes a minimum 25-40' setback from the western and southern property lines, a 50' setback from the centerline of Cleveland Trail, and a large open space easement and detention basins between the proposed structures and Buena Creek Road and Lone Oak Road. Also, a Consistency Analysis was prepared by Hunsaker and Associates dated June 2015 that indicated the lot area averaging proposed by the Planned Development was consistent with the surrounding area because the surrounding area already contains lots of 0.5 acre or less in size. Therefore, the proposed project will not have a substantial adverse effect on a scenic vista.
- 1(b) The property is not within the viewshed of a County or state scenic highway. The project site also 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 visual and community character. The project is located at the northeast intersection of Buena Creek Road and Lone Oak Road in an area characterized by mostly single-family and agricultural uses. The addition of

15183 Exemption Checklist

24 new residential lots would not substantially degrade the visual quality of the site or its surroundings. Additionally, the project includes the following design measures that will shield some views of the project and ensure that the surrounding community character is maintained: 1) The project includes a landscape plan that includes Strawberry, Brisbane Box, Southern Magnolia, Fern Pine, Western Redbud, Grape Myrtle, California Sycamore, Coast Live Oak, and African Sumac planted throughout the project site to help shield views of the proposed project; 2) The project will retain mature trees along the western and southern project boundary to help further camouflage the development; 3) The project only proposes single story houses along the southern project boundary, where the development will abut existing houses; and 4) The project includes a minimum 25-40' setback from the western and southern property lines, a 50' setback from the centerline of Cleveland Trail, and a large open space easement and detention basins between the proposed structures and Buena Creek Road and Lone Oak Road. Also, a Consistency Analysis was prepared by Hunsaker and Associates dated June 2015 that indicated the lot area averaging proposed by the Planned Development was consistent with the surrounding area because the surrounding area already contains lots of 0.5 acre or less in size. Therefore, the proposed project will not have a substantial adverse effect on the existing visual character.

- 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 above, 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.

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?

Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
----------------------------------	--	-----------------------------------

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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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?

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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e) Involve other changes in the existing environment,

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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15183 Exemption Checklist

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 does not support any Farmland of Local Importance, Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site is designated as "Other Land". However, the site is considered an agricultural resource because it has contained agricultural uses in the past and contains Statewide Significance Soils (Huerhuero loam, 5 to 9 percent slopes, eroded and Wyman loam, 5 to 9 percent slope) and Prime Farmland Soils (Greenfield sandy loam, 2 to 5 percent slopes). Due to the presence of onsite agricultural resources, an Agricultural Analysis dated April 2015 was completed by Shawn Shamlou of Dudek based on the County's Local Agricultural Resources Assessment (LARA) model, which takes into account local factors that define the importance of San Diego County agricultural resources. The LARA model considers the availability of water resources, climate, soil quality, surrounding land use, topography, and land use or parcel size consistency between the project site and surrounding land uses. A more detailed discussion of the LARA model can be found in the Guidelines for Determining Significance for Agricultural Resources at <http://www.sdcdplu.org/dplu/Resource/docs/3~pdf/AG-Guidelines.pdf>.

In order for a site to be considered an important agricultural resource based on the LARA model, all three required LARA model factors (water, soil, and climate) must receive either a high or moderate score. A low score in any of these three categories would render a LARA model result that the site is not an important agricultural resource. Based on the onsite soils, climate and availability of water, the Agricultural Analysis determined that the site is considered an important agricultural resource.

To mitigate for impacts to agricultural resources, as defined by the Agricultural Resource Guidelines for Determining Significance, mitigation shall be acquired at a 1:1 ratio. The project is required to mitigate for any land that was historically used for agriculture and is currently on available soils that is going to be impacted by the project (See figure 7 of the Agricultural Analysis for the portion of this project that meets these requirements). The project will be conditioned to mitigate for 3.38 acres of direct impacts through the County of San Diego's Purchase of Agricultural Conservation Easement (PACE) program prior to issuance of any permit per mitigation measures MM AG-1 referenced in the projects Agricultural Analysis. This condition is consistent with Mitigation measure Agr-1.4 from the GPU EIR. Direct impacts to Agricultural Resources are less than significant with mitigation incorporated.

- 2(b) The project site is not located within or adjacent to a Williamson Act contract or agriculturally zoned land.
- 2(c) There are no timberland production zones on or near the property.
- 2(d) The project site is not located near any forest lands.
- 2(e) The project site is adjacent to Farmland of Statewide Importance and Prime Farmland as shown on the Farmland Mapping and Monitoring Program and active agricultural production areas. However, as discussed in the Agricultural Analysis, dated April 2015, prepared by Shawn Shamlou of Dudek on file with Planning & Development Services as Environmental Review Number PDS2014-ER-14-08-006 the project will not

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result in the potentially significant conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance or Farmland of Local Importance for the following reasons:

- The closest active agricultural operations are located several hundred feet from the site.
- The small agricultural operations in the surrounding area are composed primarily of palm tree groves on large-lot properties with single-family residences. The proposed project would not impact these operations because there are existing houses and roads located between the operation and the proposed project site. These small agricultural operations are currently surrounded by large-lot single-family residential units and development would be compatible with the surrounding agricultural uses, as palm tree groves do not utilize consistent loud machinery or create off-putting odor.
- The project site has a standard front-yard setback of 60 feet, interior side-yard setback of 15 feet, exterior side-yard setback of 35 feet, and rear-yard setback of 25 and 50 feet from the external boundary of the subdivision. The open space wetland/woodland lot includes an undisturbed 50-foot oak root buffer, which will extend approximately 700 feet along the western side of the project site. Residential structures will be required to be set back an additional 50 feet from this oak root buffer. This buffer area would create a larger setback from surrounding uses.
- The existing fence and numerous mature trees along the southern perimeter will remain in place and will provide another barrier to surrounding uses.
- The adjacent agricultural operations are located on single-family properties and are surrounded by residences that do not engage in agriculture. These agricultural operations have coexisted with residential land uses surrounding the operations for over 20 years.
- The agricultural operation to the south of the project site has a circular driveway surrounding the tree crops as well as tall trees and shrubbery. These objects create a buffer that will help to prevent trespassing, theft, or vandalism from occurring.
- The agricultural operation to the west is on a large property surrounded by fields of fallow agriculture and is separated from the project site by a number of roads and dozens of residences. These barriers would ensure that the proposed project would not be a source of vectors or pests.
- There are no areas under a Williamson Act Contract within 1/4 mile.
- In addition to the small agricultural operations in the surrounding area, there is an active apiary located on the property east of the project site. In order to prevent incompatibility with the proposed project, notification to the property owner prior to construction shall be required (see MM AG-2 within the Agricultural Analysis). In addition, in the event that construction crews notice aggressive bee behavior during grading and construction, construction work would stop and the County of San Diego Agricultural Weights and Measures shall be notified immediately (See MM AG-3 within the Agricultural analysis).

As mentioned in Section 2(a) above, the project would be required mitigate for 3.38 acres of direct impacts through the County of San Diego's PACE program for direct impacts to onsite agricultural resources.

Also, Mitigation measures AG-2 and AG-3 mentioned above are consistent with the GPU EIR Agr-1.2 mitigation measure. Among other things, this measure states that the County shall develop and implement programs/regulations that protect agricultural lands (such as CEQA Guidelines). The County of San Diego Guidelines for Determining

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Significance and Report Format and Content Requirements for Agricultural Resources states in section 5.2.1 that project design elements should be considered that would eliminate the potential conflict to off-site agricultural resources. These mitigation measures are also consistent with General Plan Policy COS-6.2, which requires that development minimize potential conflicts with adjacent agricultural operations through the incorporation of adequate buffers, setbacks, and project design measures to protect surrounding agriculture.

Conclusion

The project could result in potentially significant impacts to agricultural 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
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

3(a) The applicant 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

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from the project are below screening levels, and will not violate any ambient air quality standards.

- 3(b) The project proposes the construction of 24 single family homes. Grading operations associated with the construction of the project would be subject to the Grading Ordinance and San Diego Air Pollution Control District's Rule 55-Fugitive Dust Control, which require 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. Further, all off-road construction equipment would use U.S. Environmental Protection Agency (EPA) approved Tier 2 engines and would be equipped with CARB-approved diesel particulate filters. Tier 2 engines reduce emissions of NOx and diesel particulate filters reduce diesel exhaust emissions. In addition, the project would result in operational vehicle trips associated with the proposed land uses. However, as shown in the air quality study conducted for the project, operational-related emissions would not exceed County screening levels (Air Quality Assessment dated August 27, 2015).
- 3(c) The project would contribute PM10, NOx, and VOCs emissions from construction/grading and operational activities; however, the incremental increase would not exceed established screening thresholds (see question 3(b) above)). Further, as described above, construction equipment would be equipped with U.S. EPA Tier 2 engines and diesel particulate filters, further reducing exhaust emissions.
- 3(d) The proposed Project would develop 24 single-family residential units, but would not include any of the types of uses that have been identified as sources of air pollution by the California Air Resources Board (CARB). In addition, the Project would not place sensitive receptors within the CARB siting distances of the listed air pollutant sources. Further, Project emissions of PM10 and PM2.5 during operation would be below screening level thresholds (Air Quality Assessment dated August 27, 2015). 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 would not result in any permanent odor sources associated with operations. Odorous emissions disperse rapidly with increasing distance from the source and due to the small scale of construction activities, emissions would be minimal and temporary, ceasing once construction is complete. Therefore, construction related odors would not result in a new odor source that could adversely affect a substantial number of individuals. The Project would not place sensitive receptors within a close proximity to known odor sources. In addition, the residential development would not be a source of odors, as the operation of residential uses are not generally associated with odors. Impacts associated with odor sources are considered less than significant.

Conclusion

As discussed above, 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:			
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

4(a) Biological resources on the project site were evaluated in a Biological Resources Letter Report prepared by Dudek, dated February 2015. The northwest portion of the project site supports sensitive vegetation communities, including coast live oak woodland, freshwater marsh, disturbed southern coast live oak riparian forest, and non-native grassland; the remainder of the site contains non-native woodland, extensive agriculture, and disturbed/developed habitat. Directed surveys and habitat assessments were conducted on site for sensitive species considered endangered, rare, or threatened. Five special-status plant species have a moderate potential to occur within the project site; however, none were identified on site during the rare plant survey. One special-status wildlife species, red-shouldered hawk (*Buteo lineatus*) was observed calling in the project area. There is moderate potential for 21 wildlife species to occur on site during some stage of their life cycle (e.g., foraging, migration, or breeding), and a high potential for two wildlife species (turkey vulture [*Cathartes aura*] and yellow warbler [*Setophaga*

petechial brewsteri) occur on site; however, none were observed during surveys. The special-status wildlife with moderate or high potential to occur on site would primarily be associated with the riparian woodland or freshwater marsh associated with Buena Creek, outside of the proposed project impact area; therefore, no direct impacts to these species are anticipated. Potential short-term indirect impacts to biological resources related to project construction (e.g., dust, noise, general human presence, and construction-related soil erosion and runoff) and long-term indirect effects (e.g., introduction of non-native species, lighting, increased human presence, pets, and traffic) would be significant.

As considered by the GPU EIR, project impacts to sensitive habitat and/or species will be mitigated through ordinance compliance and through implementation of project-specific mitigation measures. The GPU EIR identified these mitigation measures as Bio-1.6 and Bio-1.7. Project-specific mitigation includes on-site preservation of 0.20 acre of non-native grassland, purchase of 1.32 acres of oak woodland habitat within the Daley Ranch Conservation Bank, biological monitoring and special care within excavated areas during construction to avoid impacts to wildlife, construction of permanent fencing and application of a limited building zone along the proposed open space lot to protect sensitive biological resources, use of the appropriate plant palette for landscaping, and breeding season avoidance.

- 4(b) A jurisdictional delineation conducted as part of the Biological Resources Letter Report (Dudek 2015) identified Buena Creek and associated freshwater marsh habitat as County Resource Protection Ordinance (RPO) resources. Within the project site, approximately 0.20 acre of unvegetated stream channel in Buena Creek is considered non-wetland waters and 0.11 acre of freshwater marsh is considered a wetland. These resources are under the jurisdiction of the Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), and the County. Based on the County RPO guidelines, an RPO wetland buffer was established to avoid direct impacts to the RPO resources. The RPO wetland buffer includes the adjacent disturbed southern coast live oak riparian forest, as well as a 50-foot buffer from the freshwater marsh habitat.

In addition to GPU EIR mitigation measures Bio-1.6 and Bio-1.7 noted above, the GPU EIR identified mitigation measures Bio-2.2, Bio-2.3, and Bio-2.4 to reduce direct and indirect project impacts to riparian and other sensitive habitats. As detailed in response a) above, direct and indirect impacts to sensitive habitats and wildlife would be mitigated through implementation of on-site habitat preservation and off-site habitat purchases, as well as construction of fencing and application of a limited building zone along the proposed open space lot and use of the appropriate plant palette for landscaping. Therefore, project impacts to riparian habitat or sensitive natural communities identified in the County Multiple Species Conservation Program (MSCP), County RPO, Natural Community Conservation Plan, Fish and Wildlife Code, Endangered Species Act, Clean Water Act, or any other local or regional plans, policies or regulations, are considered less than significant.

- 4(c) The project site contains freshwater marsh habitat that is considered federally protected wetland defined by Section 404 of the Clean Water Act. The project has been determined by County staff to be in compliance with Section 404 of the Clean Water Act, per the jurisdictional delineation conducted as part of the Biological Resources Letter Report. Wetlands defined under Section 404 of the Clean Water Act present within the project site would be completely protected within the proposed open space lot with an

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appropriate wetland buffer. No direct removal, filling, hydrological interruption, diversion, or obstruction of these resources would occur with the proposed project. Therefore, no impacts will occur to wetlands defined by Section 404 of the Clean Water Act and under the jurisdiction of the ACOE.

- 4(d) The project site likely functions as a local wildlife corridor as it connects to undeveloped land east and southwest of the site and includes a portion of Buena Creek. The proposed open space lot along the creek would maintain this area as a corridor for local wildlife movement. As such, impacts to wildlife movement corridors are considered to be less than significant.
- 4(e) 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, Special Area Management Plans, or any other local policies or ordinances that protect biological resources, including the MSCP, Biological Mitigation Ordinance, RPO, and Habitat Loss Permit (HLP).

Conclusion

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

- 5. No peculiar impacts to the project or its site have been identified.
- 6. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
- 7. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
- 8. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Directly or indirectly destroy a unique paleontological resource or site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- 5(a) Based on an analysis of records and a survey of the property by County approved archaeologist, Micah Hale, it has been determined that there are no impacts to historical resources because they do not occur within the project site. The results of the survey are provided in the cultural resources report titled, Negative Cultural Resources Survey Report for the Lone Oak Road Project, San Diego County, California (October 2014) prepared by Brad Comeau and Micah Hale.
- 5(b) No archaeological resources were found on the property during the archaeological survey. Both the Project Archaeologist and County staff contacted the Native American Heritage Commission (NAHC) for a listing of Native American Tribes whose ancestral lands may be impacted by the project. The NAHC response indicated that no Native American cultural resources, on record with the commission, were present on the project property. Responses were received from Pala, Pechanga, Rincon, and San Luis Rey. Pala and Rincon requested to be kept updated as the project progresses. San Luis Rey (SLR) requested a copy of the cultural study and met with County staff. SLR is satisfied with the requirement for an Archaeological Monitoring program. Pechanga requested additional information (geology study, off-site improvements, depth of prior mass grading, grading/development plans, and archaeological study). All requested information has been provided to Pechanga.

Regional coordination and consultation is identified in the GPU EIR as mitigation measures CUL-2.2, CUL-2.4, and CUL-2.6. Shelly Nelson (La Jolla Band of Mission Indians) of Saving Sacred Sites was a part of the survey crew engaged as the Native American monitor.

Although no resources were identified during site surveys, the potential exists for subsurface deposits. As such, an archaeological monitoring program is required. As considered by the GPU EIR, potential impacts to cultural resources will be mitigated through compliance with the Grading Ordinance and through conformance with the County's Cultural Resource Guidelines if resources are encountered. The archaeological monitoring program (CUL-2.5) will include the following requirements:

- Pre-Construction
 - Pre-construction meeting to be attended by the Project Archaeologist and Kumeyaay Native American monitor to explain the monitoring requirements.
- Construction
 - Monitoring. Both the Project Archaeologist and Luiseno Native American monitor are to be onsite during earth disturbing activities. The frequency and location of monitoring of native soils will be determined by the Project Archaeologist in consultation with the Luiseno Native American monitor. Monitoring of previously disturbed soils will be determined by the Project Archaeologist in consultation with the Luiseno Native American monitor.
 - If cultural resources are identified:
 - Both the Project Archaeologist and Luiseno Native American monitor have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
 - The Project Archaeologist shall contact the County Archaeologist.

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- The Project Archaeologist in consultation with the County Archaeologist and Luiseno Native American shall determine the significance of discovered resources.
 - Construction activities will be allowed to resume after the County Archaeologist has concurred with the significance evaluation.
 - Isolates and non-significant deposits shall be minimally documented in the field. Should the isolates and non-significant deposits not be collected by the Project Archaeologist, the Luiseno Native American monitor may collect the cultural material for transfer to a Tribal curation facility or repatriation program.
 - If cultural resources are determined to be significant, a Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in consultation with the Luiseno Native American monitor and approved by the County Archaeologist. The program shall include reasonable efforts to preserve (avoid) unique cultural resources or Sacred Sites; the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap if avoidance is infeasible; and data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).
 - Human Remains.
 - 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.
- Rough Grading
 - Upon completion of Rough Grading, a monitoring report shall be prepared identifying whether resources were encountered.
- Final Grading
 - A final report shall be prepared substantiating that earth-disturbing activities are completed and whether cultural resources were encountered.
 - Disposition of Cultural Material.
 - The final report shall include evidence that all prehistoric materials have been curated at a San Diego curation facility or Tribal curation facility that meets federal standards per 36 CFR Part 79 or

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alternatively that the prehistoric materials have been returned to a culturally affiliated Tribe.

- The final report shall include evidence that all historic materials have been curated at a San Diego curation facility that meets federal standards per 36 CFR Part 79.

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 County's Paleontological Resources Maps and data on San Diego County's geologic formations indicates that the project is located on geological formations that potentially contain unique paleontological resources (marginal rating). Proposed grading would include more than 2,500 cubic yards of excavation which has the potential to impact fossil deposits.

Accordingly, grading monitoring under the supervision of a standard monitor will be required. A standard monitor is a person who is on the project site during all original cutting of undisturbed substratum. The Standard Monitor must be designated by the Applicant and given the responsibility of watching for fossils so that the project is in conformance with Section 87.430 of the Grading Ordinance.

As considered by the GPU EIR, potential impacts to paleontological resources will be mitigated through ordinance compliance and through implementation of the following mitigation measures: grading monitoring under the supervision of a Standard Monitor and conformance with the County's Cultural Resource Guidelines if resources are encountered. The GPU EIR identified these mitigation measures as Cul-3.1.

5(e) Based on an analysis of records and archaeological surveys of the property, it has been determined that the project site does not include a 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 located within a "Landslide Susceptibility Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. Landslide Susceptibility Areas were developed based on landslide risk profiles included in the Multi Jurisdictional Hazard Mitigation Plan, San Diego, CA (URS, 2004). Landslide risk areas from this plan were based on data including steep slopes (greater than 25%); soil series data (SANDAG based on USGS 1970s series); soil-slip susceptibility from USGS; and Landslide Hazard Zone Maps (limited to western portion of the County) developed by the California Department of Conservation, Division of Mines and Geology (DMG). Also included within Landslide Susceptibility Areas are gabbroic soils on slopes steeper than

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15% in grade because these soils are slide prone. The project site contains less than 25% slope and does not show evidence of previous landslides. Therefore, there will be no potentially significant impact from the exposure of people or structures to adverse effects from adverse effects of landslides.

- 6(b) According to the Soil Survey of San Diego County, the soils on-site are identified as Greenfield sandy loam, 2 to 5 percent slopes and Huerhuero loam, 5 to 9 percent slopes, eroded that has a soil erodibility rating of severe. However, the project would 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, would 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 Greenfield sandy loam, 2 to 5 percent slopes and Huerhuero loam, 5 to 9 percent slopes, which are 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 would rely on public water and sewer for the disposal of wastewater. No septic tanks or alternative wastewater disposal systems are proposed.

Conclusion

As discussed above, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- 7(a) A GHG analysis was conducted for the proposed project and is included in the Global Climate Change Analysis dated 3/23/15. The analysis was conducted according to San Diego County Recommended Approach for Addressing Climate Change (2015).

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The project proposed the development of 24 single family residential units. The project would generate GHG emissions from construction activities, operational vehicle trips, and indirect emissions from waste generation and electricity demand.

The San Diego County Recommended Approach for Addressing Climate Change (2015) uses screening levels for determining the need for additional analysis. Screening levels are recommended based on various land use densities and project types. Projects that meet or fall below the screening thresholds are expected to result in 900 MT/year of GHG emissions or less and would not require additional analysis. The 50 unit standard for single-family residential land use would apply to the proposed project. The project proposes the development of 24 single-family residential units, and therefore would fall below the screening criteria of 50 units. For projects of this size, it is presumed that the construction and operational GHG emissions would not exceed 900 MT CO₂e per year, and there would be a less-than cumulatively considerable impact. Further, emissions modeling was conducted for the project and project-generated GHG emissions are anticipated to be 504.5 MT CO₂e/year.

7(b) As described above, the project would not result in a cumulatively considerable contribution to global climate change. As such, the project would be consistent with County goals and policies included in the County General Plan that address greenhouse gas reductions. Therefore, the project would be consistent with emissions reduction targets of Assembly Bill 32, the Global Warming Solutions Act. Thus, 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 above, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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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 site contains a residence and workshop/warehouse on site. Due to the age of these structures and the potential for asbestos and/or lead to have been present in construction materials, the completion of lead and/or asbestos surveys will be required as a condition in the final Decision.

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, the project site has not been subject to a release of hazardous substances. Additionally, a Phase I Environmental Site Assessment (ESA) was conducted on October 4, 2013 by Rincon Consultants, Inc. and the Limited Phase II ESA, dated November 7, 2013 were prepared for the project. Land uses on the 14.2-acre property historically consisted of agricultural uses. The Limited Phase II Environmental Site Assessment included field sampling of surficial soils from seven locations, at depths of six inches below ground surface (bgs) to one to two feet bgs on the property. The locations of the soil sample borings were chosen to represent general areas of potential collection and mixing of pesticides. Although several samples reported OCP concentrations above the laboratory detection limits, none were at or above their respective California Human Health Screening Level (CHHSLs). The Phase II findings concluded that there is no human health exposure concern on the subject property. Additionally, the project does not propose structures

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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 operations 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.
- 8f)(v) DAM EVACUATION PLAN: The project is not located within a dam inundation zone.
- 6(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 described in the approved Fire Protection Plan prepared for the project by Dudek, (March 2015). Also, a Fire Service Availability Letter dated April 22, 2014 has been received from the Vista Fire Protection District which indicates the expected emergency travel time to the project site to be three minutes which is within the five minute maximum travel time allowed by the County Public Facilities Element.
- 6(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 above, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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- 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 Buena (904.32) hydrologic subarea, within the Carlsbad hydrologic unit. The project is in proximity to Buena Creek and Agua Hedionda Creek which are listed on the Clean Water Act Section 303(d) list. 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 is a Tentative Map for residences which will involve temporary grading operations. The project will not use any groundwater as it relates to grading activities. In addition, the project does not involve operations that would interfere substantially with groundwater recharge.
- 9(e) As outlined in the project's SWMP, the project will implement 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.
- 9(f) The project will not significantly alter established drainage patterns or significantly increase the amount of runoff for the following reasons: The project will not alter the natural drainage patterns and will have facilities to mitigate any increase in flowrate associated with the development.
- 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.

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- 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 housing will be placed within a FEMA mapped floodplain or County-mapped floodplain or drainage with a watershed greater than 25 acres.
- 9(j) The project will not place within a 100-year flood hazard area structures which would impede or redirect flood flows.
- 9(k) The project does not propose to expose people or structures to a significant risk of loss, injury or death involving any 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 above, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 above, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11(a) The project site has been classified by the California Department of Conservation – Division of Mines and Geology as MRZ-3. However, the project site is surrounded by 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 above, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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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) 12(a) The project is a Tentative Map for a residential subdivision. Incorporation of noise barriers screening future traffic along nearby roadways would ensure the project would not expose people to potentially significant noise levels that exceed the allowable limits of the General Plan, Noise Ordinance, or other applicable standards for the following reasons:

General Plan – Noise Element Tables N-1 and N-2 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.

The project is comprised of a Tentative Map subdivision located in the North County Metro Subregional Plan area immediately abutting Buena Creek Road. The project is subject to the County Noise Element which requires proposed exterior noise sensitive land uses not to exceed the 60 dBA CNEL noise requirement for single family residences. Noise levels from future traffic traveling on Buena Creek Road were evaluated and determined that future traffic level noise levels would be 60 dBA CNEL below on the ground level elevation of Lots closest to Buena Creek Road. Proposed lots closest to Buena Creek Road with second story receptors would be exposed to levels over 60 dBA CNEL. Staff requires a Noise Restriction Easement dedication 400 feet from the Buena Creek Road centerline. This would ensure exterior and interior noise levels requirement continue to conform to County Noise Element. Off-site direct and cumulative noise impacts to off-site residences was also evaluated and determined that project related traffic on nearby roadways would not have a direct noise impact of 3 dBA or more and would not have a significant contributions to the cumulative noise in the area. Direct and cumulative noise impacts to off-site existing residences would not occur. Therefore, incorporation of an Noise Restriction Easement, the project would not expose existing or planned noise sensitive areas to noise in excess of 60 dB(A).

Noise Ordinance – Section 36-404: Non-transportation noise generated by the project is not expected to exceed the standards of the Noise Ordinance at or beyond the project's property line. The project does not involve any permanent noise producing equipment that would exceed applicable noise levels at the adjoining property line.

Noise Ordinance – Section 36-409: The project is subject to temporary construction noise as it relates to the County Noise Ordinance, Section 36.409. Grading equipment operations would be spread out over the project site from varying distances in relation to

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occupied property lines. No blasting or rock crushing is anticipated during the grading operations. General grading operations would be spread out over the project site from distances near the occupied property to distances of 400-feet or more away. Based upon the proposed project, the majority of the grading operations will occur more than 100-feet from the southern and eastern property lines with the exception of the minor grading needed for water quality basins near Lone Oak Lane and Lone Oak Road. At distances of more than 90-feet the grading activities are anticipated not to exceed the County's 75-dBA standard and no mitigation measures are required.

- 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) The project involves the following permanent noise sources that may increase the ambient noise level: Additional vehicular traffic on nearby roadways and activities associated with residential subdivisions. 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. Off-site direct and cumulative noise impacts to off-site residences was also evaluated and determined that project related traffic on nearby roadways would not have a direct noise impact of 3 dBA or more and would not have a significant contributions to the cumulative noise in the area. Direct and cumulative noise impacts to off-site existing residences are not anticipated. 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 is subject to temporary construction noise as it relates to the County Noise Ordinance, Section 36.409. Grading equipment operations would be spread out over the project site from varying distances in relation to occupied property lines. No blasting or rock crushing is anticipated during the grading operations. General grading operations would be spread out over the project site from distances near the occupied property to distances of 400-feet or more away. Based upon the proposed project, the majority of the grading operations will occur more than 100-feet from the southern and eastern property lines with the exception of the minor grading needed for water quality basins

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near Lone Oak Lane and Lone Oak Road. At distances of more than 90-feet the grading activities are anticipated not to exceed the County's 75-dBA standard and no mitigation measures are required.

12(e) The project is not located within an Airport Land Use Compatibility Plan (ALUCP) for airports or within 2 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 above, the project would not result in any significant impacts from noise with the incorporation of a Noise Restriction Easement dedication as recommended within the acoustical analysis. This is considered a feasible mitigation measure as contained within the GPU EIR which will be applied to the project; 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 a substantial number of existing housing units. The project will only remove one existing single family dwelling.

13(c) The proposed project will not displace a substantial number of people since the site only contains one single-family dwelling.

Conclusion

As discussed above, 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
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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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 above, 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
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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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 includes one private internal trail. Impacts from this amenity has been considered as part of the overall environmental analysis contained elsewhere in this document.

Conclusion

As discussed above, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- 16(a) The project will result in an additional 240 ADT. Those project trips have been analyzed in a traffic study dated February, 2015. No direct impacts were identified. The project will construct intersection improvements on Lone Oak Road at the intersection with Buena Creek Road. The project will not conflict with any established performance measures. In addition, the project would not conflict with policies related to non-motorized travel such as mass transit, pedestrian or bicycle facilities. The project would participate in the Transportation Impact Fee Program to mitigate potential cumulative impacts.
- 16(b) The project proposes an additional 240 ADT, therefore the project does 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.

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- 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 Vista 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 above, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Discussion

- 17(a) The project would discharge domestic waste to a community sewer system that is permitted to operate by the Regional Water Quality Control Board (RWQCB). A project facility availability form has been received from the Buena Sanitation District that indicates that there is adequate capacity to serve the project.
- 17(b) The project involves new water and wastewater pipeline extensions. However, these extensions will not result in additional adverse physical effects beyond those already identified in other sections of this environmental analysis.
- 17(c) The project involves new storm water drainage facilities. However, these extensions will not result in additional adverse physical effects beyond those already identified in other sections of this environmental analysis.
- 17(d) A Service Availability Letter from the Vista Irrigation District has been provided which indicates that there is adequate water to serve the project.
- 17(e) A Service Availability Letter from the Buena Sanitation District has been provided, which indicates that there is adequate wastewater capacity to serve the project.
- 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 above, 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, Shawn Shamlou (April, 2015). Agricultural Resources Report for the Lone Oak Road Project

LDN Consulting, Inc., Jeremy Loudon (August 27, 2015). Air Quality Assessment Lone Oak Ranch Residential Development.

Dudek, Anita Hayworth (February 2015). Biological Resources Project Report for the Lone Oak Road Project.

Dudek, Brad Comeau and Micah Hale (October 2014). Negative Cultural Resources Survey Report for the Lone Oak Road Project, San Diego County, California.

Hunsaker & Associates San Diego, Inc., Alisa S. Bialpando (October 8, 2014). Tentative Map Drainage Study for Lone Oak Ranch.

Dudek, Michael Huff (March 2013) Fire Protection Plan Lone Oak Road Project

LDN Consulting, Inc., Jeremy Loudon (March 23, 2015). Global Climate Change Lone Oak Ranch Residential Development

Hunsaker & Associates, Dan Rehm (June 2015), Lone Oak Ranch Consistency Analysis

Rincon Consultants, Inc., Julie Marshall and Walt Hamann (October 4, 2013). Phase I Environmental Site Assessment

Rincon Consultants, Inc, Carly Gagen-Chenney and Walt Hamann (November 7, 2013). Phase II Environmental Site Assessment.

Hunsaker & Associates San Diego, Inc., Alisa S. Bialpando (February 2, 2015). Major Stormwater Management Plan for Lone Oak Ranch.

KOA Corporation Planning & Engineering (February 2, 2015). Lone Oak Ranch Traffic Impact Study

LDN Consulting, Inc., Jeremy Loudon (August 19, 2015), Preliminary Noise Study Lone Oak Ranch Residential Development

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

15183 Exemption Checklist

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 THE LONE OAK TM AND MUP
PDS2014-TM-5585; PDS2014-MUP-14-017, PDS2014-ER-14-08-006**

September 3, 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, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

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

YES NO NOT APPLICABLE/EXEMPT

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:

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

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

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

Discussion:

Wetland and Wetland Buffers:

Based on the County RPO guidelines, RPO resources occurring onsite include Buena Creek and associated freshwater marsh community. The site contains coast live oak woodland and disturbed southern coast live oak riparian forest habitats, which are included within the proposed 50-foot RPO wetland buffer for Buena Creek. These sensitive habitats would be placed in a biological open space easement prior to the issuance of improvement or grading plans or prior to recordation of the Final Map, whichever comes first. Improvements to Lone Oak Road would result in impacts to coast live oak woodland and disturbed southern coast live oak riparian forest. According to Section 86.604(a)(5), crossing of RPO wetlands is an allowed use so long as there is (1) no feasible alternative to avoid the wetland, (2) the crossing is limited to the minimum number feasible, (3) the crossing is designed to cause least impact to the environment, (4) the least damaging construction methods are used, (5) crossing would serve adjoining properties, and (6) there is no net loss of wetlands. Impacts to the sensitive habitats within the RPO buffer area are associated with the existing Lone Oak Road, which connects adjoining properties. Impacts have been minimized to the extent practicable through project design, and the project proposes to mitigate for impacts to the sensitive habitats present within the RPO buffer at a 3:1 ratio. Additionally, a monitoring biologist will observe construction activities at the creek crossing in order to ensure that the least damaging construction methods are used. Therefore, no significant impact will occur because there will be no net loss of wetlands and the

proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

The project is in compliance. The project is adjacent to the Buena Creek floodway/floodplain fringe area, but there are no proposals for any offsite uses or improvements that need compliance with the Resource Protection Ordinance.

Steep Slopes:

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

Sensitive Habitat Lands:

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 or regional wildlife corridors were identified on the site, as described in the Biological Resources Letter Report prepared by Dudek, dated February 2015. 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 of San Diego approved archaeologist/historian, Micah Hale, and it has been determined that the property does not contain any archaeological/ historical sites. In addition, the project must comply with the San Diego County Grading, Clearing, and Watercourse Ordinance (§87.101-87.804), CEQA §15064.5(d), and §7050.5 of the Health & Safety Code. Section 87.429 of the Grading, Clearance, and Watercourse Ordinance requires the suspension of grading operations when human remains or Native American artifacts are encountered.

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 is compliance with the WPO. The Storm Water Management Plan (SWMP) provided for this project has been reviewed and is 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:

Even though the proposal could generate potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), the following noise mitigation measures are proposed to reduce the noise impacts to acceptable limits:

The project is comprised of a Tentative Map subdivision located in the North County Metro Subregional Plan area immediately abutting Buena Creek Road. The project is subject to the County Noise Element which requires proposed exterior noise sensitive land uses not to exceed the 60 dBA CNEL noise requirement for single family residences. Noise levels from future traffic traveling on Buena Creek Road were evaluated and determined that future traffic level noise levels would be 60 dBA CNEL below on the ground level elevation of Lots closest to Buena Creek Road. Proposed lots closest to Buena Creek Road with second story receptors would be exposed to levels over 60 dBA CNEL. Staff requires a Noise Restriction Easement dedication 400 feet from the Buena Creek Road centerline. This would ensure exterior and interior noise levels requirement continue to conform to County Noise Element. Off-site direct and cumulative noise impacts to off-site residences was also evaluated and determined that project related traffic on nearby roadways would not have a direct noise impact of 3 dBA or more and would not have a significant contributions to the cumulative noise in the area. Direct and cumulative noise impacts to off-site existing residences are not anticipated.

The project is also subject to temporary construction noise as it relates to the County Noise Ordinance, Section 36.409. Grading equipment operations would be spread out over the project site from varying distances in relation to occupied property lines. No blasting or rock crushing is anticipated during the grading operations. General grading operations would be spread out over the project site from distances near the occupied property to distances of 400-feet or more away. Based upon the proposed project, the majority of the grading operations will occur more than 100-feet from the southern and eastern property lines with the exception of the minor grading needed for water quality basins near Lone Oak Lane and Lone Oak Road. At distances of more than 90-feet the grading activities are anticipated not to exceed the County's 75-dBA standard and no mitigation measures are required.

Therefore, the project demonstrates Noise Ordinance compliance and incorporation of a Noise Restriction Easement dedication would ensure the project conforms to the County Noise Element noise standards.

Attachment F – Environmental Findings

Environmental Findings

1. In accordance with State CEQA Guidelines section 15183, find the project is exempt from further environmental review for the reasons stated in the Notice of Exemption dated March 11, 2016, 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 (GPU EIR) was certified, there are no project specific effects which are peculiar to the project or its site, there are no project impacts which the GPU EIR failed to analyze as significant effects, there are no potentially significant off-site and/or cumulative impacts which the GPU EIR failed to evaluate, there is no substantial new information which results in more severe impacts than anticipated by the GPU EIR, and that the application of uniformly applied development standards and policies, in addition to feasible mitigation measures included as project conditions would substantially mitigate the effects of the project, as explained in the 15183 Statement of Reasons dated September 3, 2015.
2. In accordance with State CEQA Guidelines section 15183(e)2, the Planning Commission, at a duly noticed public hearing on March 11, 2016, found that feasible mitigation measures identified in the General Plan Update EIR will be undertaken.
3. Find that the proposed project is consistent with the Resource Protection Ordinance (County Code, section 86.601 et seq.).
4. Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, section 67.801 et seq.).

Attachment G – Public Documentation

September 30, 2015

Mr. Michael Johnson, Planner County of San Diego, Planning and Development Services

RE: Lone Oak Ranch TM5585/Traffic Generation and Other Relevant Impact of the Proposed Project –

Follow up to our letter sent March 16, 2015

Dear Mr. Johnson,

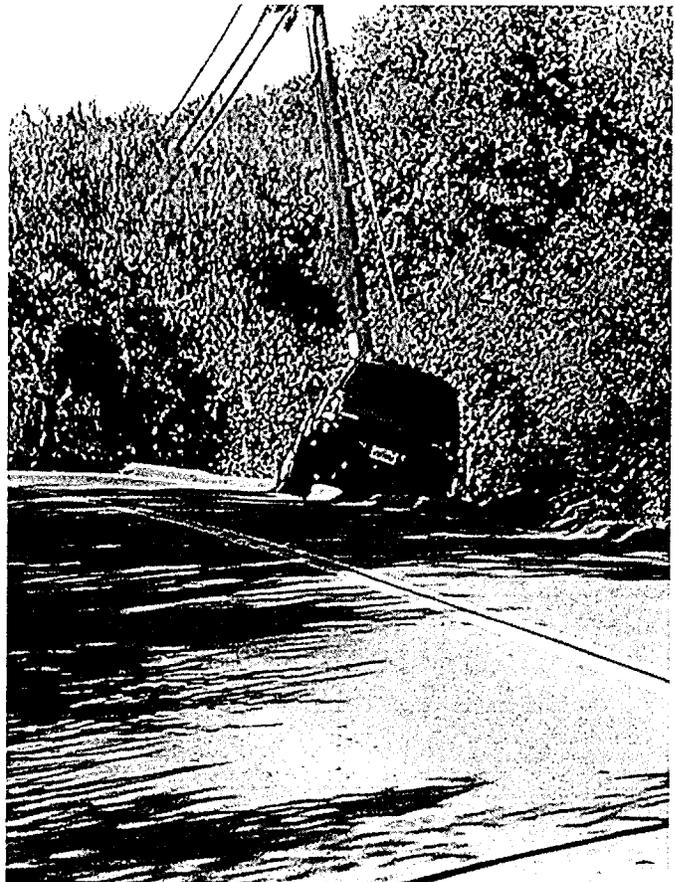
We have lived in the Walnut Cove community since 1995. Since then the County has approved several new housing developments in the local area without any infrastructure upgrades to our roads and surrounding area. Buena Creek, the only access to the area, is currently a two lane country road; in recent years, with the growth of Riverside County and the business parks in Vista and Carlsbad, Buena Creek has become the favored east-west corridor causing major backups during rush hour. Not only has there been a noticeable increase in noise and cars using Buena Creek as a cut-through during morning and evening rush hour, but also a rise in the number of cars speeding down the street with no traffic calming measures in place.

Unfortunately in the County's General Plan Buena Creek is categorized as a Major Road. Although the General plan doesn't prescribe an actual amount of traffic to be carried on Buena Creek, the Department of Transportation road design guides set expectations for a Major Road or Arterial road at between 400 and 2000 trips per hour at speeds up to 70mph. In the County plan it is slated to be a four lane highway with Class II bike lanes and sidewalks. We have had several traffic studies done on our segment of road showing that at peak hours Buena Creek begins to back up at less than 400 trips per hour and is completely backed up for nearly ½ mile as traffic reaches its peak at 800 trips per hour.

Just yesterday there was a major accident at about 3:45 pm. A car was North bound on Buena Creek Road when he suddenly veered sharply to the right and crashed head on into the power pole. The pole was severed and the wires swayed and caused a tree in the area to burn. The road had to be shut down for hours in order to replace the pole. This is another example of people driving too fast in unsafe conditions.

In addition, the Sprinter station at Buena Creek and South Santa Fe (SSF) has caused tremendous traffic backups, has no safe access for pedestrians, nor left turn vehicle access from SSF. Further, if the proposed Communities are approved, it will add an insurmountable amount of cars on Buena Creek.

The final concern is the complete lack of emergency access in the event of a fire. According to CALFIRE much of the area surrounding Buena Creek Road is classified as a "very high fire hazard severity zone." In the event of a wild fire like the recent Co-co's fire, hundreds of residents would be trapped as they sat in traffic, attempting to escape while going against the flow of emergency responders attempting to access the area to fight the fires.



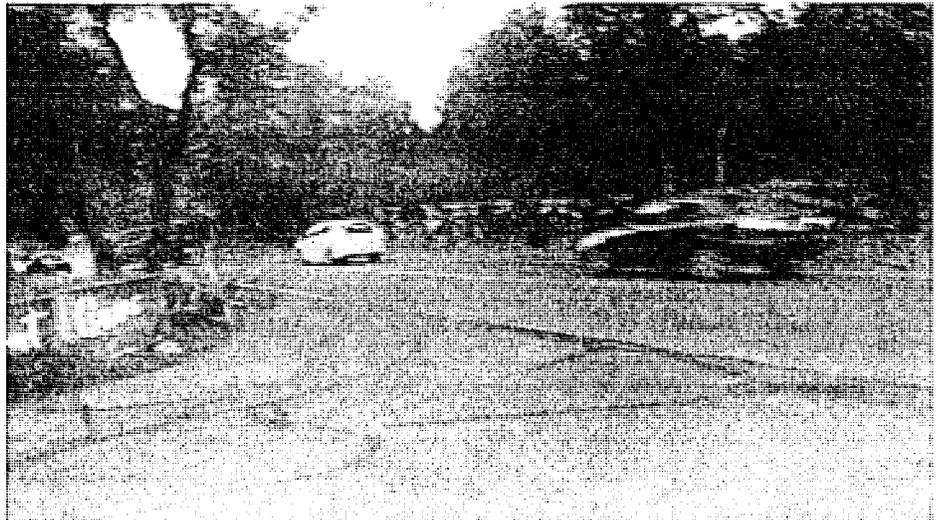
Issues that need to be addressed prior to the approval of the Lone Oak Ranch Project are:

1. Implement traffic calming measures including a traffic circle at Monte Vista and Buena Creek, (not a street light), stop signs and other suitable measures along the corridor. All of which are currently being considered by the County in Rancho Santa Fe.
2. Implement noise abatement measures along Buena Creek.
3. Create safe access to the Sprinter station for pedestrians traveling on Buena Creek between Monte Vista and South Santa Fe such as a DG trail on one side of Buena Creek like that on Twin Oaks Valley Road by the golf course. – Implement the current County trails map plan.
4. Address fire safety and evacuation plans.
5. Reclassify Buena Creek from its current designation as a Major Road on the County Mobility Element.
6. Limit access from Twin Oaks Valley Road to Buena Creek during rush hour by installing a no left or right turn access sign.
7. Impose weight restrictions on large vehicles.
8. **Do not allow** the builder to substitute an instrument of credit as opposed to making actual improvements to the area.
9. **Create additional emergency vehicle access and evacuation routes.**
10. **Allow the residents along Buena Creek and other designated areas to be represented by the Twin Oaks Valley Sponsor Group.**

Item #8 is critical. In the past, the County has allowed builders to substitute a letter of credit instead of making actual improvements to the area. **These funds need to be specifically earmarked and dedicated to our local area.** I believe this practice has been allowed due to the fact we've never had a Community Sponsor Group representing our interests to the County.

Attached is a recent picture showing the traffic back up in the morning between 7-710 AM on Buena Creek to Walnut Cove.

To conclude, we are not against smart growth but we want the County to represent our interests, and the interests of the current residents by making the necessary safety and infrastructure upgrades in our neighborhood.



Regards,

Todd and Betsy Landers
2120 Walnut Lane
Vista, CA 92084
760.712.7727

2

Johnson, Michael D.

From: Betsy Landers <blanders@cox.net>
Sent: Monday, October 05, 2015 7:14 AM
To: 'mark.wardlaw@sdcounty.ca.gov.'
Cc: Johnson, Michael D.; Finley, Giselle; CHIMOHOME@aol.com; tlandersusa@gmail.com; tecurrid@gmail.com; TomKumura@aol.com
Subject: Lone Oak Ranch TM5585/Traffic Generation and Other Relevant Impact of the Proposed Project –
Attachments: Letter to Michael Johnson.pdf

Hello Mark,

Just wanted to make sure you have a copy of the letter we sent to Michael last week.

Regards,
Betsy Landers
760.712.7727

From: Todd Landers [<mailto:tlandersusa@gmail.com>]
Sent: Friday, October 2, 2015 11:41 AM
To: michael.Johnson1@sdcounty.ca.gov
Cc: Betsy Landers
Subject: : Lone Oak Ranch TM5585/Traffic Generation and Other Relevant Impact of the Proposed Project –

Mr Johnson,

I live at 2120 Walnut Lane in Vista. My community, Walnut Cove, is along Buena Creek and we have been concerned by the number of development proposals being submitted without due consideration being given to the quality of life impacts of the citizens currently living in the area.

While we applaud the effort put forth by the developer of Lone Oak Ranch to work with the community we can not support the subject proposal because the County has failed to implement required updates to the infrastructure in the area for the safety and well being of the current and future residents.

As a resident and president of the Walnut Cove Home Owners Association, please review the attached letter prepared to highlight our concerns with the subject proposal.

Regards,

Todd Landers
2120 Walnut Lane,
Vista, CA 92084
760-271-3823

10/2/2015

For the Attention of Michael Johnson, Planner,
County of San Diego, Planning and Development Services.
Ref: Lone Oak Ranch TM5585.

Dear Michael,

My wife, Heather, and I live at 1565 Lone Oak Road, which is the 2nd house in from the corner, and directly across the street from the proposed development. We have 4 major concerns regarding the proposed development at 1535 Lone Oak Road:

1. Our property is directly across the street from the entry gate and we have serious concerns about the increased risk of theft and burglary due to increased exposure of hundreds of vehicles entering and exiting this development on a daily basis. Also, when it is dark we will have headlights flashing into our house every time a vehicle exits the property.
2. The developer is using lot averaging, and in their current designs they are not keeping with the characteristic of the existing neighborhood. Several acres of the proposed development are flood plane/riparian areas which are in no way developable. They are using that acreage to account for the lot averaging. This is creating a much greater density of homes than the entire surrounding area. If lot averaging is used, taking the space that is not able to be developed and counting it towards the lot sizes goes directly against the character of our community. They have also used Verona Hills HOA as part of the surrounding area, and this tract is in no way consistent with the character of our neighborhood.
3. Our community will not be able to handle the increased amount of traffic that this development will create on Lone Oak Road and Buena Creek. Many vehicles drive over the speed limit on Lone Oak Road, especially right where our house and the proposed development are located. If this development proceeds, this will need to be seriously looked at because this will create high exposure to vehicular accidents, especially at the exit gate and directly in front of our house. The 2nd part of traffic issue, is the increased vehicles that will use Buena Creek Road. Currently during rush hour it can take 10-15 minutes to exit Buena Creek, which is only a mile long. There is already a development that is building 50 homes (Sugar Bush) and by building 24 more homes will make this drive a complete nightmare.
4. Our neighborhood is at a high risk for potential fires to erupt. Seeing how there is already a major issue with traffic at rush hour, if a fire were to break out, the current roads would not be able to handle the evacuation. Building more homes without addressing this issue would be grossly negligent due to the safety of everyone in the neighborhood.

Lastly, just yesterday there was an accident where a vehicle ran straight into an electrical pole, causing the pole and electrical lines to break and cause small fire in the surrounding trees. Luckily we didn't have any Santa Ana winds, which is normal for this time of year, or the damage could have been much worse. The entire street was shut down for over 12 hours while they fixed the issue. This just goes to show how

dangerous and congested Buena Creek already is. It is unsafe and downright negligent to approve building more homes that will add to this problem. The county maintained road needs to be addressed and rectified before we continue to increase the density of the surrounding area.

If you have any questions please feel free to contact me.

Sincerely,

Spencer Bemus

Cell – (760)687-3811

Email – spencer.bemus@bemus.com

(4)

Johnson, Michael D.

From: Mike Dummer <dummer71@hotmail.com>
Sent: Friday, October 02, 2015 3:23 PM
To: Johnson, Michael D.
Subject: Proposed 24 home development on Lone Oak Road

Please reject the the proposed land development.

This project will exacerbate the failing status of traffic on Buena Creek Road and cause additional problems. Also fire evacuation is a great concern and the ability of the tiny bridges (which will not be improved/widened) on Lone Oak Road and Cleveland Trail to handle both the Lone Oak and Sugarbush residents' vehicles and emergency personnel in the event of fire evacuation. For these and many additional reasons, please reject he development.

VR,

Mike Dummer
Buena Creek Resident

LONE OAK RANCH DEVELOPMENT

MATT, KATHIE, LOUISE, AND DAKOTA DRAKE
1604 LONE OAK RD.
OCTOBER, 1, 2015

We would like to elaborate on a few of the concerns that resonate unilaterally with the primary objections to this project.

- The most important is the fire danger in this area and the lack of a substantiated plan of evacuation. When we saw the disastrous fire in Middletown in Northern California it hit home that could very well be our situation here. It would be difficult enough to evacuate now, however you add another 24 homes in Lone Oak Ranch and the proposed 45 homes in Sugarbush it would make it near impossible for everyone to escape safely. As it is now in the mornings the traffic westbound on Buena Creek Rd. towards So. Santa Fe Rd. can be backed up for a half of a mile or more.
- The environmental impact on our natural species of wildlife and insects such as the Monarch butterfly that is already in an endangered situation would be adversely affected. Also to mention the bees that we rely on to fertilize our fruit trees. The honey bee is also in a great decline.
- Our quality of life would be greatly impacted by the addition of construction noise, but all of the ambient noise going forward with the addition of so many homes in such near proximity to the existing residences. This is a very tranquil valley where all of the noises are amplified due to the serenity of our peaceful valley.
- We value the darkness of the night sky. It makes it relaxing to come home to a sky full of stars and the peacefulness of the evening. It is nice to be able to teach our son about the different constellations that are easily visible in the night sky. Such as Orion, Big and Little Dipper and the other evening we were able to view Saturn and sometimes Mars. These views would be greatly compromised with the addition of the new light influx from this proposed housing development.

LONE OAK RANCH DEVELOPMENT

MATT, KATHIE, LOUISE, AND DAKOTA DRAKE
1604 LONE OAK RD.
OCTOBER, 1, 2015

- There are also horses that live on a ranch here that incorporate that great country feeling. With the addition of this proposed development our country setting would diminish greatly and all of a sudden we would be in suburbia. This area wasn't designed for a development of this nature. The proposed plan would alter everyone lifestyle, including the animals.
- In addressing the result of more traffic noise from the addition of an average of 2 vehicles per household (48 additional vehicles) averaging 10 trips per day per vehicle or 240 total additional trips for the development per day. This many trips would add a tremendous amount of noise pollution. We already have far too many large oversized trucks that travel Buena Creek Rd as a short cut between the State Route 78 and interstate 15.
- Overall this is a very poorly planned project in a very delicate valley, considering the eco system and the residents it has no benefits to anyone but the developer who will never live here or have to accept the results of the outcome. For them it is about the money and not about the existing people who call the prized development of Lone Oak home.
- **WE AGREE WITH THE SAME CONCERNS AS THE OTHERS, LISTED BELOW.**
- Please note that the Lone Oak residents should address the fire evacuation issues specific to our community taking into account the proposed 24 home Lone Oak Ranch community and the future approved community of Sugarbush once the 45 homes on the open space are built. (Average daily trips are calculated as 10 per home per day.)
- Neither the very small Lone Oak Road or Cleveland Trail bridges will be widened. Cleveland Trail will be widened to 24 feet but the dip over the creek will remain the same. There is no mention of any evaluation of how this narrow bridge can handle Lone Oak Ranch and

LONE OAK RANCH DEVELOPMENT

MATT, KATHIE, LOUISE, AND DAKOTA DRAKE
 1604 LONE OAK RD.
 OCTOBER, 1, 2015

Sugarbush evacuees and incoming emergency vehicles in the event of a fire emergency. They confirm that fires are most likely to come from the East. The project would expose the existing Lone Oak community to inadequate emergency egress particularly with fire trucks entering Lone Oak Road and Lone Oak Lane.

- The County is not requiring the developer to make improvements to Buena Creek Road. There is no bus service or sidewalks to accommodate pedestrians walking to the Sprinter station. Buena Creek Road is dangerous for pedestrians. Cars and trucks have to cross the center line to avoid pedestrians and cyclists. The additional traffic impacts are proposed to be mitigated by payment of a Traffic Impact Fee. They say this is mitigation for the traffic impacts. Obviously it is not. They state, *"It is expected that the project will result in local and regional cumulative impacts. The mitigation for these cumulative impacts will be payment into the County's Traffic Impact fees that are to be determined."*
- The additional traffic created by the project is an unmitigated cumulative impact which cannot be mitigated by payment of TIF's. There are direct impacts to the following intersections with Buena Creek Road: Lone Oak Road, Monte Vista, South Santa Fe Avenue and all roads entering Buena Creek Road in the project's vicinity.
- Environmental/agricultural impacts will be 'mitigated' by buying acreage in a conservation mitigation bank in Daley Ranch, Escondido. They state: *'Direct impacts to Agricultural resources are less than significant with mitigation incorporated'*. Here again they use 'off-site' mitigation which in reality is no mitigation to the actual site and surrounding area.
- The project will create a new source of substantial light or glare which would adversely affect nighttime views in the area where we currently enjoy a dark sky at night.

LONE OAK RANCH DEVELOPMENT

MATT, KATHIE, LOUISE, AND DAKOTA DRAKE
1604 LONE OAK RD.
OCTOBER, 1, 2015

- Due to the County allowed 'lot averaging' the actual size of the homesites will be 1/4 acre lots. They show Verona Hills as an example. This is not consistent with our community character.
- They state that noise will have no impact. The project would have substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Construction will be permitted Monday through Saturday from 7am to 7pm. Noise barriers should be erected along the Lone Oak Lane south side of the project to protect the neighbors from construction noise.

In closing we are completely against this interference in our lives daily. It serves none of the residents in a positive matter from most importantly safety from fire, traffic incidents or the many different types of pollution it would create. As noted above this is a no win situation for the people of Lone Oak who have called this serene valley home for decades. The only solution is to not let this project proceed.

Sincerely;

Matt, Kathie, Louise and Dakota Drake

Johnson, Michael D.

From: Todd Landers <tlandersusa@gmail.com>
Sent: Friday, October 02, 2015 11:41 AM
To: Johnson, Michael D.
Cc: Betsy Landers
Subject: : Lone Oak Ranch TM5585/Traffic Generation and Other Relevant Impact of the Proposed Project –
Attachments: Letter to Michael Johnson.pdf

Mr Johnson,

I live at 2120 Walnut Lane in Vista. My community, Walnut Cove, is along Buena Creek and we have been concerned by the number of development proposals being submitted without due consideration being given to the quality of life impacts of the citizens currently living in the area.

While we applaud the effort put forth by the developer of Lone Oak Ranch to work with the community we can not support the subject proposal because the County has failed to implement required updates to the infrastructure in the area for the safety and well being of the current and future residents.

As a resident and president of the Walnut Cove Home Owners Association, please review the attached letter prepared to highlight our concerns with the subject proposal.

Regards,

Todd Landers
2120 Walnut Lane,
Vista, CA 92084
760-271-3823

(6)

Johnson, Michael D.

From: tecurrid@gmail.com
Sent: Friday, October 02, 2015 12:32 PM
To: Johnson, Michael D.
Cc: mark.wardlaw@sdcounty.gov
Subject: RE: TM5585, Lone Oak Ranch
Attachments: Sept 29 Letter.pdf

Hello Michael –

Attached is a letter I prepared regarding TM5585, demonstrating that the project results in significant, direct and unmitigated traffic impacts, and that the project is not eligible for a CEQA Section 15183 exemption as currently proposed.

If you wouldn't mind, please confirm timely receipt.

Also, I am assuming you as the assigned planner forward the letter to the Planning Commissioners and County Counsel, if not and I need to do so please let me know.

Thanks!

Tom Curriden
tecurrid@gmail.com

Sent from [Mail](#) for Windows 10

Michael Johnson, Project Planner

September 29, 2015

County of San Diego Planning Commission

RE: Tentative Map and Major Use Permit application TM5585

In this letter I will demonstrate that:

1. This project will result in direct and significant traffic impacts as defined in both the California Quality Act (CEQA) and applicable County documents, and that those impacts were not properly assessed in an inadequate traffic letter report prepared for the project; inadequate both in terms of fulfilling CEQA requirements and in terms of satisfying County of San Diego County traffic report requirements; and
2. Proper environmental review has not been done for the project in violation of CEQA, and the project is not eligible for a CEQA Section 15183 exemption now being proposed by County Planning staff.

Therefore, as detailed in my letter to Project Planner Michael Johnson of March 31, 2015 (ATTACHMENT A), because the project does not comply with the requirements of CEQA, required County Findings for a Major Use Permit "c." and, by extension Findings ('a') 4. and 5. cannot be made, and the Planning Commission cannot take action to approve the project at this time. The project must be denied or must be required to conduct proper and complete environmental review to include either (1) a mitigated Negative Declaration (MND) to include measures to mitigate the significant traffic-related impacts of the project identified in this letter to below a level of significance, or (2) prepare an EIR pursuant to CEQA in light of the significant unmitigated impacts, which under CEQA must include evaluation of alternatives to the project that can reduce project impacts to below the significance threshold, or (3) if significant impacts are not mitigated, the legislative body must adopt a statement of overriding considerations pursuant to CEQA.

BACKGROUND

Early this year, the County initially determined (properly) that the project was not exempt from environmental review under CEQA, and began preparing an Initial study for the project and was recommending a MND for the project with a variety of mitigation measures.

Even though the traffic study was still under preparation, County staff informed me at that time that project-related traffic impacts were going to be considered "indirect" impacts, and thus that payment of the County's adopted traffic impact fee (TIF), a fee used region-wide to address cumulative/secondary impacts from development, was going to be considered adequate mitigation for project traffic impacts.

On March 31 of this year, I wrote a detailed letter to project planner Michael Johnson (ATTACHMENT A) showing that:

- o "Direct" impacts (those which are generated by a project and occur at the time of project such as traffic impacts) and "indirect" impacts (indirect or secondary effects which occur later in time and further removed from the project) are both clearly defined in CEQA and the County's "NEXUS" study, used by the County as the legal basis for assessing the TIF,

and both clearly define project-related traffic impacts as direct. Reference is made to the March 31 letter for the complete citations.

- o In addition to being direct, project-related traffic impacts are clearly significant. According to all thresholds of significance including those adopted by the County (as I will detail below) peak hour project trip generation will clearly result in significant impacts to the Buena Creek/South Santa Fe intersection, an intersection well beyond a level of failure requiring multiple light cycles to cross at critical peak hour times. Though the traffic report was under preparation at that time and had not been released, basic math would indicate that the 240 ADT that would be assigned, with roughly 10% going to be peak hour trips, would clearly cross County adopted thresholds both in terms of the number of trips added to the intersection and the additional delay caused (County threshold is 1 second).

Thus, the letter concluded that **the required findings cannot be made for the Major Use Permit/Tentative Map because the project as designed would result in significant and direct impacts not mitigated by the project, contrary to CEQA.** The project would need to either be redesigned to bring those impacts to below a level of significance or an EIR must be prepared pursuant to CEQA in light of those significant unmitigated impacts, which under CEQA must include evaluation of alternatives to the project that can reduce project impacts to below the significance threshold.

Months later (I believe August), having heard nothing regarding the points raised in the March 31 letter, interested parties received notice from Mr. Johnson (**ATTACHMENT B**) that the environmental review process had been discontinued and that, rather, the County was now proposing a "Statement of Reasons For Exemption from Additional Environmental Review and 15183 Checklist Pursuant to CEQA". Attached to this statement are a set of 5 findings (erroneously) purporting to justify such an exemption and also having attached to it what appears to be the Initial Study checklist/discussion, including "Section 16 – Transportation and Traffic" which concludes that the project will not result in any significant traffic impacts based on a traffic study (which I show below is inadequate in terms of both County and CEQA requirements).

Inapplicability of CEQA Section 15183

Section 15183 (**ATTACHMENT C**) is a CEQA exemption intended to avoid repetitive environmental review through exemption of projects that are consistent with the general plan in terms of density (all projects must be consistent to be considered) and either do not have any environmental impacts specifically addressed in the EIR for the general plan, or do have impacts but those impacts can be mitigated by "uniformly applied development policies or standards...previously adopted by the city or county". It specifically **does not exempt from environmental review** project-specific impacts such as the project-related traffic impacts cited in this letter, ones "peculiar to the project" in the nomenclature of this section, ones that are not and cannot be foreseen or addressed in a general plan EIR.

Subsection 15183 (a) notes that this section is pursuant to a CEQA mandate that "... projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional review, *except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site.*" [emph. added]. Clearly, there are project-specific significant impacts associated with this project, as were outlined in my March 31 letter and further discussed below, ones that were not addressed in the County GPU EIR and have not been adequately analyzed (also per below) or mitigated for.

Subsection 15183(c) states "If an impact is not peculiar to...the project [the traffic impacts are peculiar to this project], ha[ve] been addressed as a significant effect in the prior EIR [these impacts were not] or can be substantially mitigated by the imposition of uniformly applied development policies or standards [the County has no such adopted policies or standards (again the TIF is for indirect impacts)] ...then an additional EIR need not be prepared... Again, clearly not applicable to this project.

Subsections 15183(f) and (g) provide guidance as to what is considered a "uniformly applied development policy or standard". Subsection (f) states that they must "...have been previously adopted by the city or county with a finding that ...[they] will substantially mitigate the environmental effect when applied to future projects." Examples are given in 15183(g). For illustrative purposes, one of the examples is "habitat protection and conservation ordinances". If a project has habitat on site and preserves that habitat in accordance with mitigation ratios set forth in General Plan/Subarea Plans would (for which an EIR was certified with a finding that such ratios in future projects would protect the habitat and mitigate future project impacts), no additional environmental review would be required, which makes sense. However, there are no County policies or standards for direct project-related traffic impacts. To the contrary, as noted above and as cited in the March 31 letter, the County's "NEXUS Study", the legal basis for the TIF, states explicitly that the TIF is to mitigate indirect impacts only (i.e. future, region-wide, removed from the project), and that it is the responsibility of development projects to mitigate their direct impacts at the time of project implementation.

Most concise and clear is the final subsection, 15183(j), which states "This section [15183] does not affect any requirement to analyze potentially significant offsite or cumulative impacts [such as the CEQA requirement to analyze such impacts] if those impacts were not adequately discussed in the prior EIR" [they were not/could not have been in the County GPU EIR].

Thus, it is clear that it is neither the intent nor the letter of Section 15183 to exempt development with significant project-specific impacts from environmental review – only those whose impacts were specifically addressed in the GP EIR or which can be mitigated by the "uniformly applied policies or standards" previously adopted by an agency discussed above (not the case here). That just stands to reason. The County (or any other) General Plan (or EIR for it) is a long-range, big picture document addressing the long term buildout effects on the various resources and infrastructure region-wide based upon long-range infrastructure projections (in the case of transportation). No GP EIR can or does foresee or address individual significant impacts of specific projects in the existing condition – that is the purpose of CEQA analysis. The EIR for the County General Update recognizes as much in numerous places, for example, relative to this project, at the top of page 2.15-18 where it states "The evaluation of peak hour intersection operations would be appropriate for addressing specific transportation corridors (i.e. intersections) that may be impacted by a proposed project [referring to projects such as this TM/MUP]. This approach is not feasible for the proposed project [referring to the County GPU/EIR], due to its size."

I must say that I (and I trust others) find in the County's approach a certain disingenuous circularity – attempting to exempt development projects with specific, direct and significant impacts by asserting that those impacts were addressed in a General Plan Update EIR – which itself acknowledges the obvious – that it cannot possibly assess or analyze such future project related direct impacts. To apply the logic of the County-proposed findings of exemption under Section 15183, which is to say that if a project is consistent in terms of density with a general plan, then its impacts must have been generally speaking addressed and thus eligible for exemption is preposterous, and not in keeping with the spirit or letter of the law. In fact, such an approach would dispense with CEQA/environmental review altogether except in cases of General Plan Updates or proposed General Plan Amendments that involve upzoning.

CEQA may not be perfect law, but is a good law with a noble intent – to require full disclosure of project impacts and address mitigation – and California is the better for it. In my 30+ years of working in public sector planning, I have never see environmental review initiated and then just abandoned/discontinued like this in order to change course and attempt to apply an exemption intended to avoid duplicative EIR reviews where impacts have been adequately addressed in a prior EIR, clearly not the case here. Perhaps that had something to do with the March 31 letter – I can't say for certain. The County development review staff need to meet their professional obligation to apply CEQA properly instead of shirking that responsibility.

Inadequacy of traffic report/analysis and significance of impacts

The intersection of Buena Creek Road and S. Santa Fe is a failing intersection, well beyond the point of failure (LOS F) by any standard, as is recognized by all including County traffic engineering staff. An intersection is considered failing when traffic cannot get through the intersection in one light cycle or 80 seconds delay in the case of the County. It typically requires multiple light cycles and long delays for southbound traffic to get through the intersection in the am and pm peak hours. At the pm peak hour, due to the priority that must be given to a long northbound left turn green arrow from Santa Fe to avoid problematic stacking on Robellini and ultimately Sycamore, the green for southbound cars on Buena Creek is reduced to where only about 5-6 vehicles can proceed through per cycle. This causes stacking to where it can commonly require 3-5 cycles to get through the intersection. In the am peak hour, the southbound green is longer and many more vehicles get through, but the am stacking of upwards of ¼ mile is such that it still requires multiple cycles to get through. This is just to give an indication as to the extent of the failure of that intersection.

At the time of my March 31 letter, the project traffic report had not been released for public review (though it is dated February 2015). However, based upon my experience as a planner, it was plain to see that the project would significantly impact that intersection based on the industry standard assignment of 240 Average Daily Trips, approximately 10% being assigned to am and pm peak hours. Clearly the additional traffic would exceed the County's threshold of significance, which is causing an additional 1 second delay at an LOS F intersection. Certainly, that intersection would be included in the traffic study's analysis I thought.

At the same time, the segment of Buena Creek Rd. between S. Santa Fe and Monte Vista is at a failing level of service, due primarily to the am and pm southbound stacking noted above as well as pm peak hour northbound stacking at the 3-way stop intersection of Buena Creek and Santa Fe, often extending approx. ¼ mile or more past the Buena Creek/Lone Oak Road intersection accessing this project. (LOS F characterized as "forced flow, extreme congestion"). I naturally assumed this section of Buena Creek would be evaluated as well.

Yet, when the traffic study was later released, **it didn't even address Buena Creek Road or the Buena Creek/S. Santa Fe intersection!** I was frankly astonished. From my experience, any project impact to a failing roadway segment and/or intersection isn't just something to look at in any traffic study, it's **the first thing** to be looked at. The report merely addressed the impact of the project to Lone Oak Road to its intersection with Buena Creek and its secondary Cleveland trail access. The report, given its narrow focus, simply noted that the only deficiency was the intersection of Lone Oak and Buena Creek, currently operating at LOS E at pm peak hour (presumably due to extensive southward queuing from the Monte Vita/Buena Creek intersection during pm peak hour). The report went on to note that the Lone Oak/Buena Creek intersection would remain at LOS E after project implementation and, given that other road segments were at LOS D or better, there would be no significant project impact. County staff the

used that conclusion as part of their "justification" of the 15183 CEQA exemption, included as part of ATTACHMENT B.

At the Sept. 16, 2015 hearing of the Twin Oaks Valley Sponsor Group regarding this project, when pressed by myself and other residents of the surrounding community and members of the sponsor group itself as to why such an apparently glaring omission (not addressing impacts to the Buena Creek or the Buena Creek/S. Santa Fe intersection), project traffic engineer Arnold Torma stated the scope of the report was dictated by County staff and he was simply following instructions. The County's assigned project planner then followed on stating that that was because the County guidelines on traffic report format and content requirements did not require them to address the Buena Creek/Santa Fe intersection.

Not so. ATTACHMENT D hereto are said "County of San Diego Report Format and Content Requirements". On page 2 we see that the 240 ADT generated by project place requires an "Issue Specific Traffic Report". Section 2.1.1 states that the review is to include nearby roads receiving over 200 ADT. Buena Creek receives all of the project's 240 ADT and thus needed to be addressed in the report, but was not. Further, at the bottom of p. 2 and onto p. 3 we see that "If the proposed project distributes over 100 ADT onto a Circulation Element Road (Buena Creek is a Circulation (now called Mobility) Element Road) operating at LOS F, however, a direct impact may be identified. Improvements to mitigate the added delay caused by the project would need to be identified. A traffic assessment to assist in the identification of appropriate mitigation may be required." **Again, not done.**

With respect to the S. Santa Fe/Buena Creek intersection, Section 2.1.1 states that the TIS must study any intersection receiving 6 or more peak hour trips "on a critical move" for intersections operating at LOS F. The project traffic report indicates that the project will add 7 southbound trips during the am peak hour to the intersection, and thus the intersection should have been studied. **It was not.** Section 3.1 states that "the study area intersections should include the intersections of Circulation [Mobility] Element and intersections where project-related traffic adds traffic to the right and/or left turn movement and exceeds peak hour thresholds." **That was not done for this project.** Further, that section states "If an overall intersection will operate at LOS E or F conditions with the project, a critical movement analysis is required. The analysis must identify how each movement (right, left, through, etc.) operates, how it will operate with the project, and whether there is a significant impact at each critical movement." **Not done.**

Finally, Section 5 requires that the TIS include a "Summary of Recommended Mitigation and Project Design Features" which is to include (p. 17) a "table identifying all identified impacts and the associated mitigation that would reduce the impact to less than significant." **Not done.**

So, to sum up: Because the project adds more than 200 trips to Buena Creek Rd. (the segment between S. Santa Fe and Monte Vista), it was required to study that segment and did not. Because it adds more than 100 ADT to that failing road segment, it crossed the County-adopted threshold of significance and identification of mitigation was required, which was not done. Because the project crossed the County-adopted threshold in terms of contribution of peak hour traffic to a failing intersection (Buena Creek/Santa Fe), analysis of that intersection, to include a critical movement analysis, was required but was not done. It was required to provide a table summarizing all identified impacts and all mitigation measures and design features needed to reduce impacts to below a level of significance and **did not.**

The traffic study is therefore clearly inadequate.

Significance

I have also attached the County's "Guidelines for Determining Significance" (ATTACHMENT E) to further demonstrate the significance of impacts

Table 1 on page 13 reiterates the significance thresholds for impacts for congested road segments cited earlier under traffic study requirements – 200 ADT for LOS E roadways and 100 ADT for LOS F roadways (Buena Creek). Again, we see that the 240 ADT generated by the proposed project is clearly a significant impact.

Interestingly, with regard to signalized intersections, several additional criteria are identified in these guidelines. On page 38 a failing signalized intersection further defined “LOS F describes operations with control delay greater than 80 seconds. This level is considered unacceptable to most drivers. It often occurs when the arrival flow rates exceed the capacity of lane groups. Many individual cycles fail.” As anyone driving southbound Buena Creek in the am or pm peak hour knows well, multiple cycles are typically required with delays well over 80 seconds. Clearly the Buena Creek/S.Santa Fe intersection is at LOS F under this definition as well.

For such LOS F intersections, the significant project impact threshold/allowable increase is specified in Table 2 as “Either a delay of 1 second or 5 peak hour trips or less on a critical movement” The 7 southbound am peak hour trips generated by the project clearly would exceed both trip number and 1 second threshold. The 5 pm peak hour trips would clearly exceed the 1 second delay threshold (recall that during the PM peak the southbound green is extremely compressed allowing only 5-6 vehicles through, due to the need for a lengthy green arrow for LT traffic from S. Santa Fe during the pm peak), after which motorists stacked on SB Buena Creek must wait approx. 2 minutes for the next green. Footnote 4 to the table states “For determining significance at signalized intersections with LOS F conditions, the analysis must evaluate both the delay and the number of trips on a critical movement, exceedance of either criteria.” **So again, the project will result in significant impacts to the intersection not analyzed in the traffic study or mitigated by the project.**

Section 5 (p.26) States “If a proposed project’s traffic results in a significant traffic impact...mitigation for the project impact must be proposed. If mitigation is infeasible or impractical, the technical, economic, and physical reasons for the infeasibility must be detailed to support a statement of overriding considerations under CEQA.” **Once again, this was not done.**

I have included Section 4.7/page 24 from those guidelines, titled “Hazards to Pedestrians or Bicyclists” due the extremely deficient and frankly dangerous condition on Buena Creek as regards pedestrians and bicyclists. Buena Creek is a narrow 2-lane with no shoulder and, in most places, no room outside the travel lane for pedestrians/bicyclists, and is used by all vehicles (including large semi tractor/trailers consuming virtually the entire lane) with substandard curve radii the design speed of the road or for large trucks to negotiate safely (the County did a speed/traffic survey that can be referred to for full details). This despite the fact that there is a heavy demand for ped/bicycle facilities due to the fact that Buena Creek feeds the Buena Creek Sprinter station. One frequently sees pedestrians, people in wheelchairs and bicycles in the travel lanes because they have nowhere else to go. Section 4.7 calls for a case-by-case determination of significant hazards to pedestrian/bicyclists based on a list of criteria including “The physical conditions of the project site and surrounding area, such as curves, slopes, walls landscaping and other barriers that may result vehicle/pedestrian , vehicle/bicycle conflicts.” As recommended by the Twin Oaks Sponsor Group, Buena Creek should be improved as a 2-lane community collector with segregated pathway facilities for pedestrians and bicyclists, and this project and those following that impact Buena Creek should contribute to the design and construction of those facilities (as, frankly, other projects in the past should have been required to do).

To reiterate, and in conclusion, the project as designed results in direct and significant impacts that were not adequately reviewed in an environmental document as required by CEQA and the project is not eligible for exemption from CEQA. Therefore, because the project does not comply with the requirements of CEQA, required County Findings for a Major Use Permit "c." and, by extension Findings ('a') 4. and 5. cannot be made, and the Planning Commission cannot take action to approve the project at this time. The project must be denied or must be required to conduct proper and complete environmental review to include either (1) a mitigated Negative Declaration (MND) to include measures to mitigate the significant traffic-related impacts of the project identified in this letter to below a level of significance, or (2) prepare an EIR pursuant to CEQA in light of the significant unmitigated impacts, which under CEQA must include evaluation of alternatives to the project that can reduce project impacts to below the significance threshold, or (3) if significant impacts are not mitigated, the legislative body must adopt a statement of overriding considerations pursuant to CEQA.

A Final note regarding Buena Creek Road

Again, Buena Creek Road is a 2-lane community collector with steep slopes on both sides for much of its length (between S. Santa Fe and Monte Vista) and no pedestrian improvements despite serving as an access point to the Buena Creek Sprinter Station.

As I remarked in my March 31 letter, Buena Creek has been designated as a 4-lane Major Road with a LOS E capacity of 34,000 (roughly double current capacity) on the County's "North County Metro Mobility Element" without any analysis of the feasibility of such a road at this location or its desirability. With regard even just to the segment between Monte Vista and Santa Fe, implementation of such a wide roadway width section would involve relocation and channelization (and likely unmitigable impacts) to the riparian area of Buena Creek itself, which parallels the road for much of the distance, massive grading and retaining structures (if at all possible) given the steeply-sloping terrain to either side of the road, and extensive taking of private property to achieve the needed width, all at prohibitive cost. County Engineering staff I have spoken with have stated there is no likelihood of such an expansion in the foreseeable future. Yet, despite that infeasibility, it was simply reclassified. As I again noted in my March 31 letter, good land use planning involves making informed, reasoned decisions based upon an accurate assessment of a project in the context of the infrastructure serving it, not disregarding (or mischaracterizing) direct project impacts or basing important land use decisions based on a false supposition as to what the infrastructure supporting it (e.g. roads) are or ultimately will be - by any sober assessment.

Sensible planning would recognize that Buena Creek is and will remain a 2-lane community collector in an area of rural character, and enhancements and improvements should be made as development occurs in the area and as the County is otherwise able provide along those lines. The Twin Oaks Valley Community Sponsor Group recognizes this and, at their meeting of March 18, 2015, directed County staff to propose initiation of an amendment to the Mobility Element to return the designation to the correct 2-lane status with implementation of a path/sidewalk plan, an action I strongly support.

To that end, projects such as this and those coming after that do impact the roadway system they rely on should be held to meet their legal responsibility, under CEQA and as required by the County's "NEXUS" Study and other County documents, to mitigate by improving it in conjunction with their development (not just by paying a TIF intended for indirect future impacts that can be used anywhere in the region). Aside from improvements to the Buena Creek/S. Santa Fe intersection, simple and relatively inexpensive things can be done to improve traffic flow on Buena Creek. For example, neighbors in the area and I have been advocating for placement of a traffic roundabout in place of the stop signs at the Buena Creek/Monte Vista intersection in order to keep traffic moving steadily and avoid the stacking that is hampering access

to Lone Oak and Cleveland Trail. I sent a letter to County traffic engineering staff with examples of other successful roundabouts within an 80 ft. right-of-way (the width at that intersection) in Encinitas and at Bird Rock, all of which could easily accommodate existing and anticipated future traffic levels. As I also noted in my March 31 letter, traffic engineering studies show that a 2-lane roadway with roundabouts and other features that keep traffic moving at a steady rate are superior to a 4-lane signalized roadway both in terms of traffic volume and in terms of safety to motorists and pedestrians. The County needs to follow the lead of the Twin Oaks Valley Community Sponsor Group in recognizing that Buena Creek will continue to be a 2-lane community collector and require that future development implement sensible improvements such as these to improve its function and safety.

Thank you for your consideration.

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Cc:

Mark Wardlaw, Director of Planning and Development Services

Michael Johnson, Planner
County of San Diego Planning and Development Services

March 31, 2015

RE: Tentative Map and Major Use Permit application TM5585

The purpose of this letter is to demonstrate that, due to reasons including improper environmental review pursuant to the California Environmental Quality Act (CEQA) and a failure to properly identify and mitigate for traffic-related impacts pursuant thereto, the required findings of fact to warrant approval of the above-referenced project cannot be made. As you know, all required findings of fact must be made by the lead agency to approve any discretionary application. Specifically:

County of San Diego required finding for a major use permit 'c. – "That the requirements of the California Environmental Quality Act (CEQA) have been complied with."

The project is not consistent with the requirements of CEQA (Finding c.) because the project results in significant, direct impacts unmitigated by the project, which requires preparation of an EIR pursuant to Section 15064 (a.1.) et. seq. of CEQA. As 'direct' impacts as defined by Section 15358 (a.1.) – i.e. primary effects of the project that occur when the project is developed, they require mitigation by the project. The County is incorrectly requiring neither the preparation of an EIR nor mitigation of project impacts by developers of the project. Rather, the County is improperly proposing to consider project impacts to be 'indirect' impacts (which are defined by CEQA Section 15358 (a.2) as "Indirect or secondary effects... [which] are later in time or further removed in distance" - clearly not the case here – and considering payment of a standard traffic impact fee (intended to address the indirect, cumulative long range effects of regional development in the County) as mitigation. This is contrary not only to CEQA but also with the County's own "NEXUS" study establishing the traffic fee as I will explain in more detail later in this letter.

Because proper environmental review is not being conducted and project impacts are not being mitigated, it is also not possible to make the required County major use permit findings ('a.' 4. and 5., those being:

- a. That the location, size, design and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 4. The generation of traffic and the capacity and physical character of surrounding streets;
 5. The suitability of the site for the type and intensity of use or development which is proposed.

With regard to 'a. 4.', as detailed later in this letter, the Buena Creek Rd./South Santa Fe intersection is well beyond the point of failure by any accepted traffic engineering standard, requiring multiple light cycles to cross during peak hours and creating various related problems for traffic from Buena Creek cross streets all the way from that intersection eastward approximately a mile to the Buena Creek/Monte Vista intersection. The capacity of Buena Creek is thus already beyond capacity at an acceptable level of service, which, when combined with the fact that the projects direct impacts are not being mitigated and thus exacerbate the problem, make it not possible to find 'a. 4.' Were an EIR to be completed as required by CEQA (but improperly not being required by the County), that report would

contain an analysis of project alternatives to avoid or reduce project impacts below the threshold of significance. Specifically, CEQA states (Section 126.6(a.)): "An EIR shall describe a range of reasonable alternatives to the project.....which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant impacts of the project, and evaluate the comparative merits, and evaluate the comparative merits of the alternatives. Further (15126.6 (b.): "Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if those alternatives would impede to some degree the attainment of project objectives, or would be more costly."

Were an EIR to be prepared in accordance with CEQA (thus satisfying finding (c.)), and a proper analysis done of ways to avoid or substantially lessen impacts (impact to the adjoining neighborhood roadway system) it might be possible to make findings (a. 4. And 5.). It is not possible failing that. Rather, the issue of project traffic impacts is being sidestepped by incorrectly calling them 'indirect' impacts and considering payment of a standard traffic fee by the developer to be mitigation (again more on this below).

Background

As you can see from the above, the 2 key terms in assessing the project in terms of its impacts and in terms of the proper form of environmental review and whether the findings can be made for the project are 'significance' and 'direct' vs. 'indirect' impacts. Let me now explain 'significance' of the project impacts in the context of the existing condition of the roadway system, and explain the distinction between 'direct' and 'indirect' impacts in light of the statutory definitions in the State CEQA Guidelines and the language of the County's NEXUS Study establishing traffic impact fees.

Significance

The intersection of Buena Creek Rd. and S. Santa Fe is a failing intersection, having serious implications for roadway segments up to approximately $\frac{1}{4}$ of a mile from that intersection. A 'failing intersection' as you know is defined in standard traffic engineering practices as one that requires more than one light cycle to get through at any time (usually morning and late afternoon/evening commute hours are the test). The Buena Creek/S. Santa Fe intersection is well beyond the point of failure, a fact recognized by all, including County Traffic Engineering staff based on my conversations with them. While we don't yet have the benefit of the traffic study being prepared for this project, previous reports have documented that the northeastward stacking of cars on Buena Creek is such that it can require several light cycles to get through its intersection with S. Santa Fe, a fact I can attest to as well as the other neighbors living along the Buena Creek corridor, many of whom you have heard from. I have lived here 16 years, and during that time I have witnessed traffic stacking on Buena Creek steadily increase to where it commonly backs up in the a.m. peak (say just before 8 a.m.) past Verona Hills Dr. and sometimes even past the entry to the Walnut Cove community – a distance of some $\frac{1}{4}$ of a mile. Because of signal priority given to westbound commuter traffic on Buena Creek in the morning, the green light window is relatively long and a larger number of cars can proceed through the intersection – but it still requires around 3 cycles to get through from Buena Creek. In the afternoon peak (circa 5 p.m.) the green light window for westbound traffic is quite short (allowing only about 5 cars through) owing to the fact that priority must be given to the high volume of eastbound commuter traffic to clear the left turn pocket on

Direct vs. Indirect Impact

It is my understanding that the County is preparing a Mitigated Negative Declaration (MND) for this application, as opposed to an EIR. As you know, a MND is an abbreviated form of environmental review which is commonly utilized when standard mitigation practiced can be used to mitigate project impacts at the time of project implementation (not the case here). Based on the latest conversation I had with you and the Traffic Engineer assigned to the project, while the County recognizes that although the project (plus cumulative) impacts are significant, i.e. add more than 2 seconds cuing time to a failing intersection, etc., the County is maintaining that imposition of a standard region-wide Traffic Impact Fee (TIF), established by the "County of San Diego Transportation Impact Fee Program NEXUS STUDY" will satisfy traffic mitigation requirements for the project. This is not consistent with either CEQA or the County's NEXUS STUDY itself.

Traffic impact fees are a commonly used tool by many jurisdictions use to prorate regional or jurisdiction-wide transportation network improvements. They are not intended to improve existing deficiencies or replace the need for mitigation of specific impacts created by individual proposed developments at the time of their implementation. The County's NEXUS STUDY itself recognizes this fact. I quote (page 3, bottom paragraph): "The TIF program does not address existing deficiencies. The TIF program does not mitigate direct impacts, which will continue to be the responsibility of individual developments."

As noted above, 'direct' impacts are defined by Section 15358 (a.1.) as the primary effects of the project that occur when the project is developed, they require mitigation by the project. The County is incorrectly requiring neither the preparation of an EIR nor mitigation of project impacts by developers of the project. Rather, the County is improperly proposing to consider project impacts to be 'indirect' impacts. 'Indirect' impacts are defined by CEQA Section 15358 (a.2) as "Indirect or secondary effects... [which] are later in time or further removed in distance" - examples given in CEQA are longer-range effects on land use patterns, air quality, natural systems/ecosystems. That is clearly not the case with traffic impacts that obviously occur immediately upon project implementation. By not considering such impacts as direct and requiring mitigation, and instead allowing payment of a standard traffic impact fee (intended to address the indirect, cumulative long range effects of regional development in the County) as mitigation, the County is not only acting inconsistently with its own NEXUS study but in violation of CEQA as well.

Conclusion

This project, due to its significant, direct and unmitigated impacts, **must prepare an EIR pursuant to Section 15064 (a.1.) et seq. of CEQA**, which is required to evaluate the cumulative impacts of other planned developments and is required to evaluate alternatives which could avoid or substantially lessen impacts. Therefore, as now proposed with a Mitigated Negative Declaration improperly using measures intended for indirect impacts (e.g. payment of traffic fees) to substitute for mitigation of project impacts at the time of project implementation, leaving direct impacts unaddressed. **The project is thus inconsistent with CEQA and required findings (a.) 4. and 5. and (c.) cannot be made for the reasons detailed above, and the project consequently must be denied as proposed.**

Final note regarding Buena Creek Road

I don't want to close without making one final very important point about Buena Creek Rd. that affects not just this project but all current and future projects that rely upon it for access.

Santa Fe and avoid excessive stacking on Robellini and Sycamore southward past University and points beyond.

Where a failing intersection exists as documented above, there are also standard, recognized thresholds used by traffic engineers in determining whether an impact is considered significant. For example, one such threshold used almost universally among jurisdictions (including the County of San Diego) is that an impact is considered significant if adds more than 2 seconds wait time at a failed intersection. The traffic study for this project will attribute 240 Average Daily Trips (ADTs) to this project (10 for each of the 24 homes) and will assign at least 10% or 24 of those trips to the morning and evening peak hours as a matter of standard practice. Additionally, the traffic report and environmental review (under CEQA) are required to assess the cumulative impact for significance of the traffic to be generated by the project in combination with other planned/approved projects affecting the subject intersection/roadway. In this instance, there is an approved and fully entitled 45-home project in close proximity to this site (450 ADT, 45 peak hour) as well several other projects in close proximity along Buena Creek east of its intersection with Monte Vista – an approved 8-lot TM just east of Starview Dr., the 13-lot “Sagewood Hills” project which for which grading has been done but the homes not yet built. There may well be others, but since there is already consensus as to the significance of impact, I am not here exhaustively researching this and providing precise numbers – the traffic report will do that. Suffice it to say that there are more than 800 ADTs already being added to Buena Creek, an impact that will clearly add well in excess of 2 seconds wait time at its intersection with S. Santa Fe (recall that only about 5 westbound cars are allowed through during the afternoon peak) and exacerbate existing problems along Buena Creek created by that stacking. Lastly, all this ignores the potentially significant impact of development of the former Merriam Mountain LP project (a formerly approx. 2,700-home project denied by the County Supervisors in 2010, but which is being resubmitted as a “downsized” approx. 2,100 home ‘Newland Sierra’ project) which would obviously add large amounts of traffic to the Deer Springs/Twin Oaks and (as an obvious choice for westbound traffic from that project) Buena Creek from Twin Oaks. Since this a ‘planned’ project under CEQA as a project in process and under consideration (though not at this time approved), the County should require the traffic report and environmental review for this project to include it in the cumulative impact analysis.

It should also be noted that due to the increasing levels of traffic on Buena Creek have created stacking issues for eastbound traffic (especially weekday afternoon/evening peak hour traffic) from the stop sign at the intersection of Buena Creek and Monte Vista. Apart from the stacking delay, this has caused related problems including hampering access to/from Buena Creek from Cleveland Trail and Lone Oak Rd. Those issues and others have been raised and discussed by neighbors at meetings of the Traffic Advisory Committee and Twin Oaks Community Sponsor Group, and for that reason I will not recount details here. In January of this year the Board of Supervisors recognized the Buena Creek/Monte Vista intersection as one warranting enhanced traffic management. In previous correspondence to the Traffic Advisory Committee and County Traffic Engineering staff, I have advocated for a roundabout at this intersection to keep traffic moving efficiently and avoid the stacking issues that both the current stop sign or a traffic signal present, and provided local examples of roundabouts that could fit within the right-of-way at that intersection, which other neighbors have also recommended. State planning law allows for off-site improvements to be required in conjunction with major subdivisions (5 or more lots), and CEQA requires mitigation for project impacts. Consequently, this project may and should be required to implement or participate in the implementation of such measures (e.g. improvement of the Buena Creek/Monte Vista intersection to improve traffic management and safety) as a mitigation measure in conjunction with any ultimate approval.

Buena Creek was apparently designated as a 4-lane Major Road with a LOS E capacity of 34,000 (roughly double current capacity) on the County's "North County Metro Mobility Element" without any analysis of the feasibility of such a road at this location or its desirability. With regard even just to the segment between Monte Vista and Santa Fe, implementation of such a wide roadway width section would involve unmitigated impacts to the riparian area of Buena Creek itself, which parallels the road for much of the distance, massive grading and retaining structures (if at all possible) given the steeply-sloping terrain to either side of the road, and extensive taking of private property to achieve the needed width at prohibitive cost. Even if possible, such a roadway would not correct the issues at the Buena Creek/Santa Fe intersection detailed above.

Rather, it must be recognized that Buena Creek is and will remain a 2-lane collector in an area of rural character, and enhancements and improvements should be made as development occurs in the area and as the County is otherwise able provide along those lines. The Twin Oaks Valley Community Sponsor Group recognizes this and, at their meeting of March 18, 2015, directed County staff to propose initiation of an amendment to the Mobility Element to return the designation to the correct 2-lane status with implementation of a path/sidewalk plan, an action I strongly support. Traffic engineering studies show that a 2-lane roadway with roundabouts and other features that keep traffic moving at a steady rate are superior to a 4-lane signalized roadway both in terms of traffic volume and in terms of safety to motorists and pedestrians. It also avoids the kind of stacking issues that currently exist on Buena Creek and will only be exacerbated if not addressed. The County needs to follow the lead of the Twin Oaks Valley Community Sponsor Group in recognizing that Buena Creek will continue to be a 2-lane collector and implement sensible improvements such as these to improve its function and safety.

Good land use planning involves making informed, reasoned decisions based upon an accurate assessment of a project in the context of the infrastructure serving it, not disregarding (or mischaracterizing) direct project impacts or basing important land use decisions based on a false supposition as to what the infrastructure supporting it (e.g. roads) are or ultimately will be - by any sober assessment.

Continuing to incrementally approve projects based such a false supposition as to what Buena Creek Rd. will ever be (or should be) is irresponsible and is poor planning, and will only making an already untenable situation much worse to the considerable detriment of the residents of this area, not to mention to others who rely on a convenient and effective transportation network.

The time to stop this practice is not years down the road when the area is paralyzed in gridlock - the time is now.

Thank you for your consideration.

Regards,

Tom Curriden
1133 Starview Dr.

cc:

Twin Oaks Valley Community Sponsor Group
Giselle Finley, County Traffic Engineering



County of San Diego

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Statement of Reasons for Exemption from Additional Environmental Review and 15183 Checklist Pursuant to CEQA Guidelines §15183

Date: September 3, 2015
Project Title: Lone Oak TM and MUP
Record ID: PDS2014-TM-5585; PDS2014-MUP-14-017; LOG NO. PDS2014-ER-14-08-006
Plan Area: North County Metro
GP Designation: VR-2
Density: 2-units per acre
Zoning: Limited Agriculture (A70) and Rural Residential (RR)
Min. Lot Size: 0.5 acre
Special Area Reg.: N/A
Lot Size: 0.05 – 3.95 acres with a Planned Development Major Use Permit
Applicant: Marc Perlman, Marker Lone Oak, LLC (858) 755-3350
Staff Contact: Michael Johnson - (858) 694-3429
Michael.Johnson1@sdcounty.ca.gov

Project Description

The project is a Tentative Map and Major Use Permit for a Planned Development to subdivide a 14.15-acre property into 24 residential lots and 6 non-buildable lots (lots comprised of private road easements, water quality detention basins, slopes, and open space). The site is located at 1535 Lone Oak Road in the North County Metro Community Plan Area. Access to the site would be provided by a private road connecting to Lone Oak Road as well as Cleveland Trail. Improvements are proposed to Lone Oak Road and Cleveland Trail as part of the project (as shown on the preliminary grading plan and TM). Water will be provided by the Vista Irrigation District and sewer would be provided by the Buena Sanitation District. Earthwork will consist of approximately 73,850 cubic yards of cut and fill.

The site is subject to the Village Residential VR-2 General Plan Regional Category, Land Use Designation Village. Zoning for the site is A70 (Limited Agriculture) and RR (Rural Residential). Additionally, the project proposes a Planned Development pursuant to Section 6600 through 6699 of the Zoning Ordinance. The Planned Development allows for a Major Use Permit to set the minimum lot size and setbacks as long as the project complies the maximum density provisions of the General Plan and complies with the Planned Development requirements. The project is consistent with density the and lot size requirements of the General Plan and Zoning Ordinance.

15183 Statement of Reasons

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 existing zoning, 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 SDCWA 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 Lone Oak Planned Development; PDS2014-TM-5585 and PDS2014-MUP-14-017; is consistent with the analysis performed for the GPU EIR. Further, the GPU EIR adequately anticipated and described the impacts of the proposed project, identified applicable mitigation measures necessary to reduce project specific impacts, and the project implements these mitigation measures (see [http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS_Aug2011/EIR/FEIR_7.00 - Mitigation Measures 2011.pdf](http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS_Aug2011/EIR/FEIR_7.00_-_Mitigation_Measures_2011.pdf) for complete list of GPU Mitigation Measures.

15183 Statement of Reasons

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.

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 would subdivide a 14.15-acre property into 24 residential lots, which is consistent with the 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 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.

In addition, as explained further in the 15183 Checklist below, all project impacts were adequately analyzed by the GPU EIR. The project could result in potentially significant impacts to Agricultural Resources, Biological Resources, Cultural Resources, Noise and Traffic. 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 below, 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 below, 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.

	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- 16(a) The project will result in an additional 240 ADT. Those project trips have been analyzed in a traffic study dated February, 2015. No direct impacts were identified. The project will construct intersection improvements on Lone Oak Road at the intersection with Buena Creek Road. The project will not conflict with any established performance measures. In addition, the project would not conflict with policies related to non-motorized travel such as mass transit, pedestrian or bicycle facilities. The project would participate in the Transportation Impact Fee Program to mitigate potential cumulative impacts.
- 16(b) The project proposes an additional 240 ADT, therefore the project does 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.

15183 Exemption Checklist

- 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 Vista 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 above, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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§ 15183. Projects Consistent with a Community Plan, General Plan, or Zoning.

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BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

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Title 14: Natural Resources

Division 6. Resources Agency

Chapter 3. Guidelines for Implementation of the California Environmental Quality Act

Article 12. Special Situations

14 CCR § 15183

§ 15183. Projects Consistent with a Community Plan, General Plan, or Zoning.

(a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

(b) In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

- (1) Are peculiar to the project or the parcel on which the project would be located,
- (2) 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,
- (3) 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
- (4) 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.

(c) If an impact is not peculiar to the parcel or to the 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, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact.

(d) This section shall apply only to projects which meet the following conditions:

- (1) The project is consistent with:
 - (A) A community plan adopted as part of a general plan,
 - (B) A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or
 - (C) A general plan of a local agency, and
- (2) An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

(e) This section shall limit the analysis of only those significant environmental effects for which:

- (1) Each public agency with authority to mitigate any of the significant effects on the environment identified in the EIR on the planning or zoning action undertakes or requires others to undertake mitigation measures specified in the EIR which the lead agency found to be feasible, and
- (2) The lead agency makes a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.

(f) An effect of a project on the environment shall not be considered peculiar to the project or the parcel for the purposes of this section if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect. The finding shall be based on substantial evidence which need not include an EIR. Such development policies or standards need not apply throughout the entire city or county, but can apply only within the zoning district in which the project is located, or within the area

subject to the community plan on which the lead agency is relying. Moreover, such policies or standards need not be part of the general plan or any community plan, but can be found within another pertinent planning document such as a zoning ordinance. Where a city or county, in previously adopting uniformly applied development policies or standards for imposition on future projects, failed to make a finding as to whether such policies or standards would substantially mitigate the effects of future projects, the decisionmaking body of the city or county, prior to approving such a future project pursuant to this section, may hold a public hearing for the purpose of considering whether, as applied to the project, such standards or policies would substantially mitigate the effects of the project. Such a public hearing need only be held if the city or county decides to apply the standards or policies as permitted in this section.

(g) Examples of uniformly applied development policies or standards include, but are not limited to:

- (1) Parking ordinances,
- (2) Public access requirements,
- (3) Grading ordinances,
- (4) Hillside development ordinances,
- (5) Flood plain ordinances,
- (6) Habitat protection or conservation ordinances,
- (7) View protection ordinances,
- (8) Requirements for reducing greenhouse gas emissions, as set forth in adopted land use plans, policies, or regulations.

(h) An environmental effect shall not be considered peculiar to the project or parcel solely because no uniformly applied development policy or standard is applicable to it.

(i) Where the prior EIR relied upon by the lead agency was prepared for a general plan or community plan that meets the requirements of this section, any rezoning action consistent with the general plan or community plan shall be treated as a project subject to this section.

(1) "Community plan" is defined as a part of the general plan of a city or county which applies to a defined geographic portion of the total area included in the general plan, includes or references each of the mandatory elements specified in Section 65302 of the Government Code, and contains specific development policies and implementation measures which will apply those policies to each involved parcel.

(2) For purposes of this section, "consistent" means that the density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan, community plan or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning. Where the zoning ordinance refers to the general plan or community plan for its density standard, the project shall be consistent with the applicable plan.

(j) This section does not affect any requirement to analyze potentially significant offsite or cumulative impacts if those impacts were not adequately discussed in the prior EIR. If a significant offsite or cumulative impact was adequately discussed in the prior EIR, then this section may be used as a basis for excluding further analysis of that offsite or cumulative impact.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Sections 21083.05 and 21083.3, Public Resources Code.

HISTORY

1. Amendment of section heading and subsections (a)(2) and (b) filed 1-30-86; effective thirtieth day thereafter (Register 86, No. 5).
2. Amendment of section heading and section filed 10-26-98; operative 10-26-98 pursuant to Public Resources Code section 21087 (Register 98, No. 44).
3. Change without regulatory effect amending Note filed 10-6-2005 pursuant to section 100, title 1, California Code of Regulations (Register 2005, No. 40).
4. New subsection (g)(8) and amendment of Note filed 2-16-2010; operative 3-18-2010 (Register 2010, No. 8).

This database is current through 9/18/15 Register 2015, No. 38

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COUNTY OF SAN DIEGO
REPORT FORMAT & CONTENT REQUIREMENTS
TRANSPORTATION AND TRAFFIC



LAND USE AND ENVIRONMENT GROUP

Department of Planning and Land Use
Department of Public Works

Second Revision
June 30, 2009

Second Modification
August 24, 2011

PURPOSE

These Transportation and Traffic Report Format and Content Requirements provide guidance on conducting traffic impact studies and preparing reports for discretionary projects being processed by the Land Use and Environment Group. These guidelines are designed to:

1. Ensure the quality, accuracy and completeness of traffic impact studies and reports.
2. Aid in staff's efficient and consistent review of maps and documents from different consultants.
3. Provide adequate information to make appropriate planning decisions and to make determinations regarding conformance with applicable regulations.
4. Increase the efficiency of the environmental review process and avoid unnecessary time delays.

Low ADT Range = 1240 ADT

Table 1 - County Criteria for the Need to Prepare a Traffic Impact Study (TIS)

PROJECT GENERATED TRAFFIC*	ISSUE SPECIFIC TIS	FOCUSED TIS	FULL TIS NEEDED	CONGESTION MANAGEMENT ANALYSIS NEEDED
<i>Less than 200 Average Daily Trips OR Less than 20 Peak Hour Trips</i>	No*	No*	No	No
<i>200-500 Average Daily Trips OR 20-50 Peak Hour Trips</i>	Yes	No	No	No
<i>500 Average Daily Trips OR 50 Peak Hour Trips</i>	No	Yes	No	No
<i>1,000 Average Daily Trips OR 100 Peak Hour Trips</i>	No	No	Yes	No
<i>2,400 Average Daily Trips OR 200 Peak Hour Trips</i>	No	No	Yes	Yes

* Other situations could result in a request for an Issue Specific or Focused Traffic Impact Study. These include, but are not limited to, those issues addressed in this report.

NOTE: Analysis of cumulative traffic impacts may require a Traffic Impact Study, even when project generated traffic volumes alone do not. See Attachment C.

2.1.1 Issue Specific Traffic Impact Study

Generally, an issue specific TIS will be required for projects that generate between 200 and 500 average daily trips (ADT) or between 20 and 50 peak hour trips that may potentially impact or alter the design of a nearby intersection or road segment. Typically, the scope of an issue specific traffic study is limited to nearby roads receiving over 200 ADT (100 ADT if adjacent road is operating at LOS F) and intersections receiving 21 or more peak hour trips (or 6 or more peak hour trips on a critical move for an adjacent intersection operating at LOS F). If warranted, county staff may also require an issue specific TIS based upon a field review, public comment, or recommendations of a planning group. For example, an examination of available sight distance, driveway access, access road geometrics, accident rates, capacity, parking capacity, intersection analysis or a signal timing study are issue specific/focused studies that could be required.

When a proposed project generates less than 200 average daily trips (ADT), in most cases (given the distribution of traffic onto County Circulation Element roads and the traffic impact criteria identified in Table 1), the proposed project will not result in direct traffic impacts. If the proposed project distributes over 100 ADT onto a County Circulation Element Road operating at LOS F, however, a direct impact may be

identified. Improvements to mitigate the added delay caused by the project would need to be identified. A traffic assessment to assist in the identification of appropriate mitigation may be required. Refer to attachment C for detailed discussion on the required scope of the cumulative analysis. If the proposed project is located adjacent to another jurisdiction or in close proximity to a freeway ramp, the applicant should coordinate with those jurisdictions or agencies regarding any potential need for traffic studies and/or mitigation.

2.1.2 Focused Traffic Impact Study (TIS)

A Focused TIS shall be prepared for all discretionary projects that generate between 500 and 1,000 total average daily trips (ADT) or between 50 and 100 peak-hour trips. The focused TIS shall assess potential traffic impacts to nearby local roads (streets) and intersections. The scope of the assessment of direct and cumulative traffic impacts should include the assessment of transportation facilities that would receive 25 or more peak hour trips from the proposed project. The 25 peak hour trip threshold should be based on the combined two-way (i.e. both directions, 2-way peak hour total) traffic volume of the roadway segment for either the AM or PM peak period. Other criteria for determining whether a focused traffic analysis is required may include the following:

- The proposed project includes a driveway to be located on a Circulation Element Road within 150 feet of an intersection with another Circulation Element Road.
- The proximity of transportation facilities currently operating at LOS E or F.
- The project includes a driveway that intersects an on-street bicycle lane or crosswalk in an area of high pedestrian activity.
- There are access risks or deficiencies associated with the adjoining street system due to curves, slopes, walls or other barriers to adequate lines of sight.
- The proposed project will result in a road alignment or design, which is inconsistent with the General Plan or community plan for the area or does not align with adjoining or proposed roads.

If the proposed project is located adjacent to another jurisdiction or in close proximity to a freeway ramp, additional cumulative traffic impacts outside the unincorporated area and not identified in the County's TIF program may occur. The applicant should coordinate with those jurisdictions or agencies regarding any potential need for traffic studies or mitigation. Refer to Attachment C for additional direction on determining the required scope of the cumulative analysis.

If the applicant/proposed project proposes to opt out of the County's TIF Program a full, complete and detailed cumulative traffic assessment will be required. Scoping of the detailed cumulative traffic assessment will extend beyond the 25 peak hour trip (2-way peak hour total) limit specified above and should include all roads and intersections that

4.1 Road Segments

Pursuant to the County's General Plan Public Facilities Element (PFE Pg. XII-4-18), new development must provide improvements or other measures to mitigate traffic impacts to avoid:

- (a) Reduction in Level of Service (LOS) below "C" for on-site Circulation Element roads;
- (b) Reduction in LOS below "D" for off-site and on-site abutting Circulation Element roads; and
- (c) "Significantly impacting congestion" on roads that operate at LOS "E" or "F". If impacts cannot be mitigated, the project cannot be approved unless a statement of overriding findings is made pursuant to the State CEQA Guidelines. The PFE, however, does not include specific guidelines for determining the amount of additional traffic that would "significantly impact congestion" on such roads.

The County has created the following guidelines to evaluate likely motor vehicle traffic impacts of a proposed project for road segments and intersections serving that project site, for purposes of determining whether the development would "significantly impact congestion" on the referenced LOS E and F roads. The guidelines are summarized in Table 1. The levels in Table 1 are based upon average operating conditions on County roadways. It should be noted that these levels only establish general guidelines, and that the specific project location must be taken into account in conducting an analysis of traffic impact from new development.

On-site Circulation Element Roads

PFE, Transportation, Policy 1.1 states that "new development shall provide needed roadway expansion and improvements on-site to meet demand created by the development, and to maintain a Level of Service C on Circulation Element Roads during peak traffic hours". Pursuant to this policy, a significant traffic impact would result if:

- ***The additional or redistributed ADT generated by the proposed land development project will cause on-site Circulation Element Roads to operate below LOS C during peak traffic hours except within the Otay Ranch and Harmony Grove Village plans as specified in the PFE, Implementation Measure 1.1.2.***

Off-site Circulation Element Roads

PFE, Transportation, Policy 1.1 also addresses offsite Circulation Element roads. It states, "new development shall provide off-site improvements designed to contribute to the overall achievement of a Level of Service D on Circulation Element Roads". Implementation Measure 1.1.3 addresses projects that would significantly impact

3.4 Road Segments

The TIS should provide table(s) describing the study area road segments with defined to/from extents; listing existing (E) traffic volumes, existing plus project (E+P), and existing plus project plus cumulative (E+P+C) volumes and the associated impacts with each of those scenarios. If a project area road segment is located within another jurisdiction, then that agency's significance thresholds should be used to determine significant impacts.

3.5 Intersections

Discuss the intersections (signalized and unsignalized) that are evaluated in the report. The TIS should provide table(s) listing the study area intersections and describing the existing (E), existing plus project (E+P) and existing plus project plus cumulative (E+P+C) operation. The study area intersections should include the intersections of Circulation Element roads and intersections where project-related traffic adds traffic to the right and/or left turn movement and exceeds the peak hour thresholds. If traffic operation issues are identified, additional side/minor street intersections may need to be included in the study area intersection analysis even though the proposed project is not expected to add significant traffic to the intersection turn movements. For example, there may be a concern that added project traffic on the major street through movement would make it difficult enter and/or exit the side/minor street.

If an overall intersection will operate at LOS E or F conditions with the project, then a critical movement analysis is required. The analysis must identify how each movement (right, left, through, etc) operates, how it will operate with the project, and whether there is a significant impact at each critical movement.

3.6 Two-lane Highways

Application of the County's Two-Lane Highway criteria should be identified in the TIS. Any application to a County road will require the approval of the Director of Public Works and should be submitted under separate cover for consideration before application of Impact identification.

3.7 Ramps

Follow Caltrans District 11 Ramp Metering Analysis and Caltrans Ramp Meter Design Guidelines.

3.8 Congestion Management Program

If a Congestion Management Program analysis is required, describe that analysis here. Coordination with the regional Congestion Management Agency (SANDAG) should occur early in the project process if large enough to meet CMP thresholds (2,400 ADT, 200 Peak Hour Trips).

is so important to have consistent end results, always consult with all affected jurisdictions, including Caltrans, regarding the analytical techniques and software being considered (especially if they differ from above) for the TIS.

3.0 REPORT FORMAT REQUIREMENTS

A thorough traffic impact study (TIS) will consider the potential effects of all aspects of a project (including all potential on- and off-site transportation impacts and improvements). The study should identify whether impacts are direct or cumulative in nature, determine whether the impacts are significant and proposed mitigation measures for any identified impacts. Direct traffic impacts are those that are caused by and immediately related to the project. Cumulative traffic impacts are traffic impacts that would result from traffic generated or redirected by the proposed project and past, present or future projects.

3.1 Typical Traffic Impact Study Outline

The required sections of a typical TIS are provided in the outline/Table of Contents below:

COVER PAGE
TABLE OF CONTENTS (Including a list of tables, maps & figures)
GLOSSARY OF TERMS AND ACRONYMS
EXECUTIVE SUMMARY
1.0 INTRODUCTION
1.1 <u>Purpose of the Report</u>
1.2 <u>Project Location and Description</u> (Including map of proposed project location & map of TIS Study Area; discuss construction and/or operational traffic, if applicable)
1.3 <u>Planning Requirements</u>
2.0 EXISTING CONDITIONS
2.1 <u>Existing Transportation Conditions</u>
2.2 <u>Existing Parking, Transit, & On-site Circulation</u>
3.0 PROJECT IMPACT ANALYSIS
3.1 <u>Analysis and Methodology</u>
3.2 <u>Project Trip Generation</u>
3.3 <u>Project Trip Distribution</u>
3.4 <u>Road Segments: (E, E+P, E+P+C)</u>
3.5 <u>Intersections (Signalized & Unsignalized): (E, E+P, E+P+C)</u>
3.6 <u>Two-lane Highways</u>

3.7	<u>Ramps</u> (if applicable)
3.8	<u>Congestion Management Program</u> (if applicable)
3.9	<u>Hazards Due To An Existing Transportation Design Feature</u> (if applicable)
3.10	<u>Hazards To Pedestrians Or Bicyclists</u> (if applicable)
3.11	<u>Public Transportation</u> (if applicable)
3.12	<u>Site Access</u>
3.13	<u>Impact Summary Table</u>
4.0	GENERAL PLAN CONSISTENCY AND BUILDOUT ANALYSIS
5.0	SUMMARY OF RECOMMENDED MITIGATION AND PROJECT DESIGN FEATURES
6.0	REFERENCES
7.0	LIST OF PREPARERS AND PERSONS AND ORGANIZATIONS CONTACTED
	TECHNICAL ATTACHMENTS (order will be determined by reference in report)

3.2 General Content Guidance

Cover Page

The cover page shall include the following information:

- Project common name
- Project numbers (i.e. TM, ZAP, etc.) including the environmental log number (ER)
- Date (original report date plus all revisions) must be revised during each iteration of the draft report)
- Name of County Approved CEQA Consultant preparing document, firm name (if applicable) and address
- Signature of County Approved CEQA Consultant
- Project proponent's name and address
- The following statement: Prepared for The County of San Diego

Table of Contents (Including a list of tables, maps & figures)

The table of contents should follow the recommended order and format outlined in this document. Page numbers should be assigned when possible especially to all the pertinent tables and figures. Titles of each attachment/appendix should be listed in the order in which they are referenced in the document.

Glossary of Terms and Acronyms

Provide a list of terms and acronyms used in the study.

Traffic Impacts at Joint County/City Facilities

- The TIF does cover cumulative traffic impacts for road segments and/or intersections that are located along county/city boundaries.
- The TIF does not cover cumulative traffic impacts that occur entirely within a neighboring city.

Traffic Impacts Outside of the County's Jurisdiction

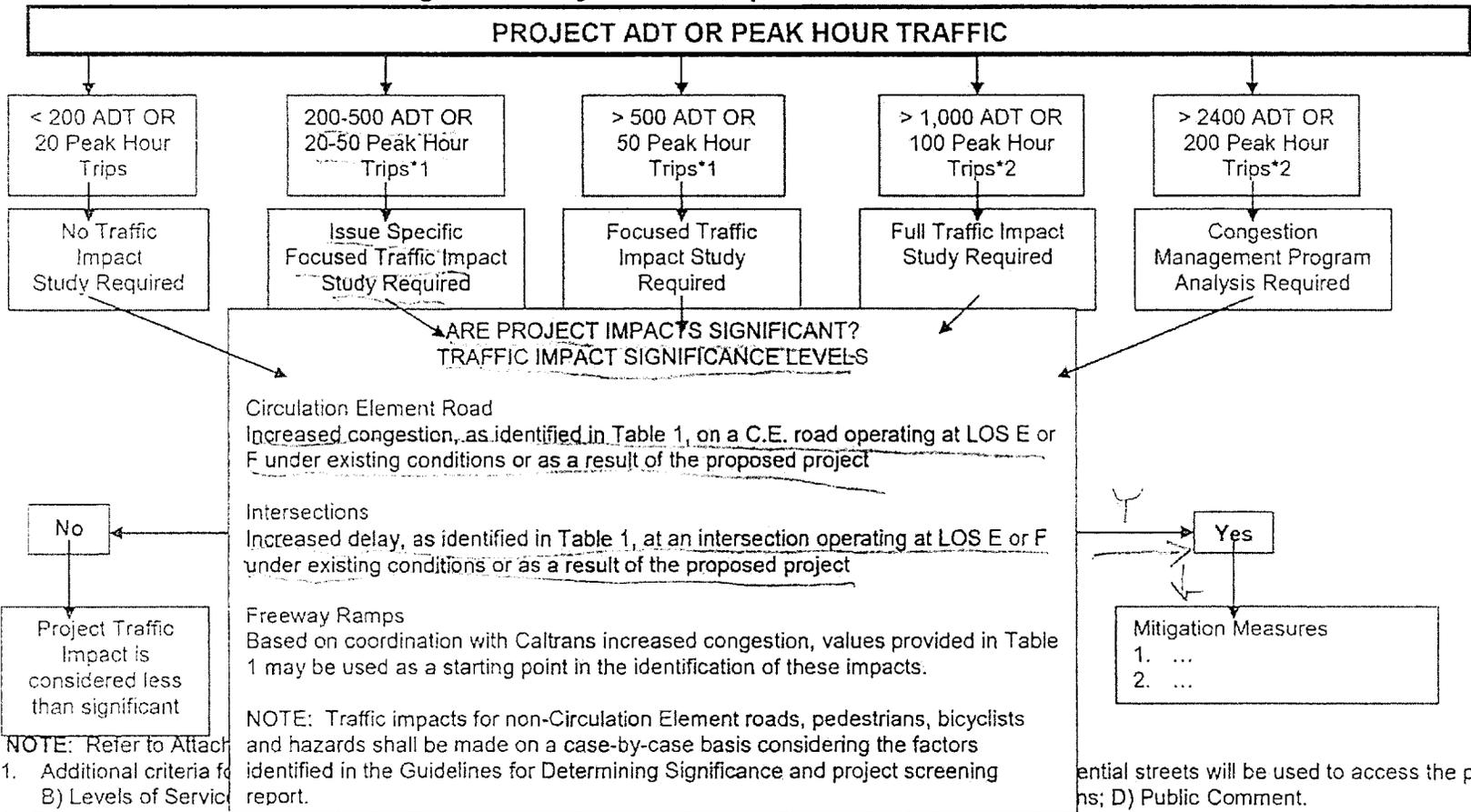
For traffic impacts located outside of the County's jurisdiction, applicants will be required to coordinate with the applicable City or agency regarding mitigation of impacts. As the implementation of mitigation measures outside of the County's jurisdiction is not under the control of the County, significant impacts in other jurisdictions will typically be considered *significant and unavoidable*. Mitigation for impacts in another jurisdiction could include payment into a City or non-County agency fee program or an agreement between an applicant and a City or agency to fund the construction of a specific traffic improvement found adequate by the County. The determination that mitigation for impacts outside of the County's jurisdiction would reduce impacts to a *less than significant* level will be at the discretion of the County and will consider various factors including, but not limited to:

- assurances that fair share payments will be used for improvements to impacted facilities and/or improvements to/construction of parallel roadway facilities that would alleviate traffic on impacted facilities.
- assurances that full funding and ultimate construction of roadway facilities needed to mitigate projected traffic impacts identified in cumulative analysis will occur prior to or concurrent with the occurrence of the cumulative impact
- adequacy of the planned improvements to accommodate cumulative traffic conditions

This section of the TIS should include:

- Table identifying all identified impacts and the associated mitigation that would reduce the impact to less than significant. The table shall include the intent of the mitigation measure (i.e. to mitigate for impacts to XX road segment), a description of the measure (i.e. improve to 20 foot graded width from xx to xx), and indicate when the requirement would need to be implemented (i.e. prior to Final Map, or Prior to Occupancy of Phase I, etc.)
- If the project would be developed in phases and mitigation is proposed to be phased accordingly, a phasing plan is required identifying the timing of implementation of mitigation measures in relation to project phases.
- Figure showing all proposed mitigations that include: intersection lane configurations, lane widths, raised medians, median openings, roadway and intersection dimensions, right-of-way, offset, etc.
- If cumulative impacts within the County's jurisdiction will occur, include a discussion of how the TIF mitigates cumulative impacts, as applicable. A discussion of how the TIF mitigates cumulative impacts can be found in section 2.2 of the Guidelines for Determining Significance for Traffic and Transportation. Refer to Attachment C for additional direction on the applicability of the TIF as

**Figure 1
Significant Project Traffic Impact Assessment Flow Chart**



NOTE: Refer to Attachment B) Levels of Service

1. Additional criteria for...
2. Typically ramp analysis is not required unless it is a CMP project. The need for a ramp analysis is based on the size & proximity of the road system.

essential streets will be used to access the project; ...; D) Public Comment.

COUNTY OF SAN DIEGO
GUIDELINES FOR DETERMINING SIGNIFICANCE
TRANSPORTATION AND TRAFFIC



LAND USE AND ENVIRONMENT GROUP

Department of Planning and Land Use
Department of Public Works

Second Revision
June 30, 2009

Second Modification
August 24, 2011

congestion on roads at LOS E or F. It states that new development that would significantly impact congestion on roads operating at LOS E or F, either currently or as a result of the project, will be denied unless improvements are scheduled to attain a LOS to D or better or appropriate mitigation is provided. The following significance guidelines define a method for evaluating whether or not increased traffic volumes generated or redistributed from a proposed project will “significantly impact congestion” on County roads, operating at LOS E or F, either currently or as a result of the project.

Traffic volume increases from public or private projects that result in one or more of the following criteria will have a significant traffic volume or level of service traffic impact on a road segment:

- *The additional or redistributed ADT generated by the proposed project will significantly increase congestion on a Circulation Element Road or State Highway currently operating at LOS E or LOS F, or will cause a Circulation Element Road or State Highway to operate at a LOS E or LOS F as a result of the proposed project as identified in Table 1, or*
- *The additional or redistributed ADT generated by the proposed project will cause a residential street to exceed its design capacity.*

Table 1

Measures of Significant Project Impacts to Congestion on Circulation Element Road Segments:
Allowable Increases on Congested Road Segments

Level of service	Two-lane road	Four-lane road	Six-lane road
LOS E	200 ADT	400 ADT	600 ADT
LOS F	100 ADT	200 ADT	300 ADT

Notes:

1. **By adding proposed project trips to all other trips from a list of projects, this same table must be used to determine if total cumulative impacts are significant. If cumulative impacts are found to be significant, each project that contributes additional trips must mitigate a share of the cumulative impacts.**
2. **The County may also determine impacts have occurred on roads even when a project’s traffic or cumulative impacts do not trigger an unacceptable level of service, when such traffic uses a significant amount of remaining road capacity.**

LOS E

The first significance criterion listed in Table 1 addresses roadways presently operating at LOS E. Based on these criteria, an impact from new development on an LOS E road would be reached when the increase in average daily trips (ADT) on a two-lane road exceeds 200 ADT. Using SANDAG’s “Brief Guide for Vehicular Traffic Generation Rates for the San Diego Region” for most discretionary projects this would generate less than 25 peak hour trips. On average, during peak hour conditions, this would be only one additional car every 2.4 minutes.

In summary, under extremely congested LOS F conditions, small changes and disruptions to the traffic flow can significantly affect traffic operations and additional project traffic can increase the likelihood or frequency of these events. Therefore, the LOS F ADT significance criteria was set at 100 ADT (50% of the LOS E criterion) to provide a higher level of assurance that the traffic allowed under the criterion would not significantly impact traffic operation on the road segment.

Non-Circulation Element Residential Streets

Levels of service are not applied to residential streets since their primary purpose is to serve abutting lots and not to carry through traffic, however, for projects that will substantially increase traffic volumes on residential streets, a comparison of the traffic volumes on the residential streets with the recommended design capacity must be provided. Recommended design capacities for residential non-Circulation Element streets are provided in the San Diego County Public and Private Road Standards. Traffic volume that exceeds the design capacity on residential streets may impact residences and should be analyzed on a case-by-case basis.

4.2 Intersections

This section provides guidance for evaluating adverse environmental effects a project may have on signalized and unsignalized intersections. Table 2 summarizes significant project impacts for signalized and unsignalized intersections.

**Table 2
Measures of Significant Project Impacts to Congestion on Intersections:
Allowable Increases on Congested Intersections**

Level of Service	Signalized	Unsignalized
LOS E	Delay of 2 seconds or less	20 or less peak hour trips on a critical movement
LOS F	Either a Delay of 1 second, or 5 peak hour trips or less on a critical movement	5 or less peak hour trips on a critical movement
Notes: 1. A critical movement is an intersection movement (right turn, left turn, through-movement) that experiences excessive queues, which typically operate at LOS F. Also if a project adds significant volume to a minor roadway approach, a gap study should be provided that details the headways between vehicles on the major roadway. 2. By adding proposed project trips to all other trips from a list of projects, these same tables are used to determine if total cumulative impacts are significant. If cumulative impacts are found to be significant, each project is responsible for mitigating its share of the cumulative impact. 3. The County may also determine impacts have occurred on roads even when a project's direct or cumulative impacts do not trigger an unacceptable level of service, when such traffic uses a significant amount of remaining road capacity. 4. For determining significance at signalized intersections with LOS F conditions, the analysis must evaluate both the delay and the number of trips on a critical movement, exceedance of either criteria result in a significant impact.		

intersection. The increase in peak hour trips to a critical move is a measurement of how many cars can be added to an existing queue. The addition of more than five trips (peak hour) per critical movement will normally be considered a significant impact. This significance criterion was selected because the five or less additional trips spread out over the peak hour would not significantly increase the length of an existing queue and would not be noticeable to the average driver (5 peak hour trips equals one trip every 12 minutes or 720 seconds).

For LOS F intersections, the 5 peak hour trips to a critical movement would not be noticeable to the average driver since the one additional trip during the 12 minute interval on average would clear the traffic signal cycles well within the 12 minute period. It should also be noted that if the 5 additional peak hour trips arrived at the same time these trips would also clear the traffic cycle and existing queue lengths would be re-established.

4.2.2 Unsignalized

Traffic volume increases from public or private projects that result in one or more of the following criteria will have a significant impact to an unsignalized intersection as listed in Table 2 and described as text below:

- *The additional or redistributed ADT generated by the proposed project will add 21 or more peak hour trips to a critical movement of an unsignalized intersection, and cause an unsignalized intersection to operate below LOS D, or*
- *The additional or redistributed ADT generated by the proposed project will add 21 or more peak hour trips to a critical movement of an unsignalized intersection currently operating at LOS E, or*
- *The additional or redistributed ADT generated by the proposed project will add 6 or more peak hour trips to a critical movement of an unsignalized intersection, and cause the unsignalized intersection to operate at LOS F, or*
- *The additional or redistributed ADT generated by the proposed project will add 6 or more peak hour trips to a critical movement of an unsignalized intersection currently operating at LOS F, or*
- *Based upon an evaluation of existing accident rates, the signal priority list, intersection geometrics, proximity of adjacent driveways, sight distance or other factors, the project would significantly impact the operations of the intersection.*

- Conformance of existing and proposed roads to the requirements of the private or public road standards, as applicable.

4.7 Hazards to Pedestrians or Bicyclists

Many roadways and intersections in the County do not currently have pedestrian or bicycle facilities. The roadways and intersections designed prior to adoption of current road standards may have conditions that may pose an increased risk if traffic volumes, pedestrian volumes, or bicycle volumes substantially increase along the road segment or at the intersection, as a result of the proposed project. Increased traffic generated or redistributed by a proposed project may cause a significant traffic operational impact to pedestrians or bicyclists. Therefore, it is necessary to evaluate potential hazards to pedestrians or bicyclists.

The determination of significant hazards to pedestrians or bicyclists shall be on a case-by-case basis, considering the following factors:

- Design features/physical configurations on a road segment or at an intersection that may adversely affect the visibility of pedestrians or bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists.
- The amount of pedestrian activity at the project access points that may adversely affect pedestrian safety.
- The preclusion or substantial hindrance of the provision of a planned bike lane or pedestrian facility on a roadway adjacent to the project site.
- The percentage or magnitude of increased traffic on the road due to the proposed project that may adversely affect pedestrian and bicycle safety.
- The physical conditions of the project site and surrounding area, such as curves, slopes, walls, landscaping or other barriers that may result in vehicle/pedestrian, vehicle/bicycle conflicts.
- Conformance of existing and proposed roads to the requirements of the private or public road standards, as applicable.
- The potential for a substantial increase in pedestrian or bicycle activity without the presence of adequate facilities.

5.0 STANDARD MITIGATION AND PROJECT DESIGN CONSIDERATIONS

If a proposed project's traffic results in a significant traffic impact (per the criteria specified above), mitigation for the traffic impact must be proposed. If mitigation is infeasible or impractical, the technical, economic, and physical reasons for the infeasibility must be detailed to support a statement of overriding considerations under CEQA. Potential mitigation measures can include traffic signal improvements, physical road improvements, street re-striping and parking prohibitions, fair share contributions toward identified, funded and scheduled projects, and transportation demand management programs.

A variety of possible generalized mitigation measures are provided below. It should be recognized that a variety of improvements may be required to mitigate direct impacts depending on the extent of the project's impact. For example, a project may identify a direct impact to a road segment; however the entire segment may not need to be improved. Depending on the situation, frontage improvements or turn pockets may adequately mitigate the impact. However, analysis must be provided to demonstrate that with implementation of the proposed mitigation measure, conditions would either not change or not become worse with the implementation of the project. For example, travel time or queue lengths may need to be quantified to justify the adequacy of a proposed mitigation measure as being proportional to the project's significant impact. It should be noted that fair share contributions are not adequate to fully mitigate a direct impact because the construction of actual improvements must be in place prior to the project impact occurring. Consult with County staff, as necessary, for further information. Conceptual striping plans to ensure feasibility of the proposed mitigation measures may be required.

5.1 Traffic Signal Improvements

- New Signal (provided that it meets traffic signal warrants)
- Signal modifications including timing, coordination, phasing improvements, etc.

5.2 Physical Road Improvements

- Turn Restrictions
- New Roadway
- Curve Realignment
- Roadway widening to add lanes or shoulders
- Provision of pathway or sidewalk
- Extension of truncated street
- Shoulder provisions for bicycle-lanes
- Redesign of freeway on- and off-ramps
- Median construction/modification to restrict access
- Flaring of intersections to add turn lanes
- Provision of passing lanes or turnouts
- Acceleration and deceleration lanes

LOS D describes operations with control delay greater than 35 and up to 55 sec/vehicle. At LOS D the influence of congestion becomes more noticeable. Many vehicles stop and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.

LOS E describes operations with control delay greater than 55 and up to 80 sec/vehicle. Individual cycle failures are frequent.

LOS F describes operations with control delay greater than 80 sec/vehicle. This level is considered unacceptable to most drivers. It often occurs when the arrival flow rates exceed the capacity of lane groups. Many individual cycles fail.

Unsignalized Intersections

Two-Way Stop-Controlled Intersections (TWSC)

Levels of service procedures are provided in the HCM for two-way stop-controlled (TWSC) intersections. Level of service for TWSC intersections is determined by estimating the control delay for each minor movement. The delay is estimated by determining the amount of available acceptable gaps for a driver to maneuver from and to the minor street. LOS is not defined for the intersection as a whole.

The LOS criteria for TWSC intersections are somewhat different from that of signalized intersections primarily because of different driver perceptions. The expectation is that a signalized intersection is designed to carry higher traffic volumes and experience greater delay than unsignalized intersections. LOS F occurs when there are not enough gaps of sufficient size to allow the minor street demand to safely cross through traffic on the major street. This is typically evident by extremely long control delays experienced by minor-street traffic. Drivers on the minor street may also start accepting smaller than usual gaps. In such cases safety may be a problem and some disruption of the major street traffic may occur.

All-Way Stop-Controlled Intersections (AWSC)

Levels of service procedures are provided in the HCM for all-way stop-controlled (AWSC) intersections. Level of service for AWSC intersections is determined by estimating the control delay per vehicle for each lane and each approach. The LOS for each approach and for the intersection as a whole is then estimated by computing weighted averages of the delay.

The LOS criteria for TWSC intersections are similar to those of signalized intersections. The criteria for LOS for AWSC intersections, however, have different values than for signalized intersections. The expectation is that a signalized intersection is designed to carry higher traffic volumes and experience greater delay than unsignalized intersections. A higher level of control delay is acceptable at a signalized intersection for the same LOS.

Tom and Mary Kumura
1602 Siddall Drive
Vista, CA 92084

Via email (Michael.Johnson1@sdcounty.ca.gov)

October 1, 2015

Mr. Mark Wardlaw, Director
C/o Mr. Michael Johnson
County of San Diego, Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

**RE: LONE OAK TENTATIVE MAP AND MAJOR USE PERMIT, LOG NO.
PDS2014-ER-14-08- 006; PDS2014-TM-5585; PDS2014-MUP-14-017.**

Mr. Wardlaw,

Upon review of the limited documentation/analysis provided under the CEQA exemption process, I have questions regarding the findings that were presented.

1. Why wasn't there a more comprehensive look at the impact of the traffic onto the current situation regarding Buena Creek Road conducted to ensure that there is not an undue burden to the local residents who surround the proposed Lone Oak project? The use of the CEQA exemption process appears to have short-changed the safety of the residents in the surrounding area by allowing such a narrow perspective.

Questions regarding Lone Oak CEQA Exemptions Analysis

Page 2

2. Additional study is needed to address the current safety and stability of the narrow bridge that serves as a major choke-point into the proposed project. It is unclear what mitigation steps will be needed to protect all those including First responders such as fire fighters and police. Why not study the impact of the bridge on the current and future circulation and address the safety concerns now before any disaster occurs?
3. Given that fires are becoming much more intense and faster as seen with the recent fires in Northern California and that we are in a very severe fire danger area, much more study is needed to protect the surrounding residents. Again, by using the CEQA exemption process, the fire study limited focus does not seem reasonable and a more comprehensive study should be conducted. By using the CEQA exemption process, what studies were not performed that would have taken place if CEQA was fully followed?
4. Prior to the approval of the project, there are significant safety issues that need to be resolved prior to the approval of the project including the fact that trucks with double trailers cannot safely navigate on the curves on Buena Creek Road.
5. The Twin Oaks Sponsor Group was unable to recommend approval of the project. (Four votes are needed for approval due to the Bylaws) The two motions that were voted on at the September 2015, were:
 - Motion 1 - Due to failure of existing roadway infrastructure {Buena Creek Road} to accommodate development Farrell moved for denial of the project. The vote was 2 to 3. Result = **Motion failed.**

- Motion 2 by Chapman to approve the project contingent upon on County earmarking funds to improve Buena Creek Road to address safety and downgrade its current classification prior to the issuance of permits. Peterson seconded the motion. Peterson, Chapman and Kumura voted for the motion and Binns and Farrell were opposition to the motion. (3 to 2) **Motion failed.**
6. Given the current situation with the draught, can the Vista Irrigation District be able to serve the additional 24 hours without causing undue hardship to the current residents?
 7. It was pointed out by the developer that the project is outside of the boundary of the Twin Oaks Sponsor Group. For over the past year, numerous residents from the Lona Oak, Sugar Bush and others outside the Twin Oaks Sponsor Group have asked that they be included into the area. Why hasn't this been done yet? The people feel that they are not given the same attention as others who reside in the Sponsor Group boundary. These same people feel detached from the local area and believe they have to fight twice as hard to be heard. Why not extend the boundary to allow them representation on the sponsor group?

Thank you for the opportunity to make comments and ask questions.

Sincerely,

Tom and Mary Kumura

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Johnson, Michael D.

From: Zachary Seech <zseech@gmail.com>
Sent: Thursday, October 01, 2015 9:57 PM
To: Johnson, Michael D.; Wardlaw, Mark
Subject: LONE OAK RANCH TM5585, RESIDENT RESPONSE

Michael Johnson, Project Manager
Planning and Development Services

5510 Overland Avenue, Suite 310,
San Diego, CA 92123

October 1, 2015

Reference: Lone Oak Ranch TM5585
Street address: 1535 Lone Oak Road, Vista, CA 92084

Mr. Johnson,

The Lone Oak Road neighbors see significant inconsistency between the development proposal and the required conditions for lot averaging.

As I understand the conditions to be met to justify lot averaging, the character of the community (including "harmony in scale, bulk, coverage, and density of structures") must be preserved and harmful effects (including traffic impacts) are to be effectively mitigated.

Neither of these has been true in the case of the proposed project.

An aerial view of the project would show the clumping of 24 large houses on lots of around 1/4 acre in the midst of our present decidedly rural setting with 1/2 to one (or more) acre lots, each with a home of individual design, positioned in its own way on its lot. The property 'set aside' to justify the lot averaging is unbuildable and subject to Resource Protection Ordinances. In any case, the requirement that the project would, after the lot averaging, be in harmony with the surrounding community in "scale, bulk, *coverage, and density*" (italics are mine) is not met by any reasonable standard.

Traffic is another consideration. By the County's own evaluation, Buena Creek Road was a "failing" (E) road even before the addition of the Sprinter station at the intersection with South Santa Fe Avenue and the resultant logjam congestion. Evacuation attempts in case of a wildfire could be catastrophic as we add new developments such as Sugarbush and Lone Oak Ranch with no full traffic study of the "direct impacts" on a valley with too few exit routes.

Please require an EIR and a full traffic study of the impact on the narrow, winding thoroughfare that runs down our valley so we will all know the extent of the dangers we are courting. Both the community character and the safety of local citizens imply that this number of units on this limited acreage should be reconsidered.

Respectfully,

Dr. Zachary Seech

1545 Lone Oak Road

Vista, CA 92084

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Johnson, Michael D.

From: CHIMOHOME@aol.com
Sent: Thursday, October 01, 2015 10:59 AM
To: Johnson, Michael D.
Cc: chimohome@aol.com
Subject: LONE OAK RANCH TM5585-LETTER REGARDING SECTION 15183 DISCLOSURE

Michael Johnson, Project Manager,
Planning and Development Services
5510 Overland Avenue, Suite 310,
San Diego, CA 92123

October 1, 2015

Reference: Lone Oak Ranch TM5585 - 24 homes at
1535 Lone Oak Road, Vista, CA 92084
Public Disclosure Notice of Section 15183 Document dated September 3, 2015

Dear Michael,

Ref: Major use findings: Page 31. Item 16: Transportation and Traffic:

I believe the reasoning behind using the CEQA Section 15183 criteria is wrong based on a failure to properly identify and mitigate for traffic-related impacts and other subjects discussed below. The project is not consistent with the requirements of CEQA because the project results in significant, direct impacts unmitigated by the project, which requires preparation of an EIR pursuant to Section 15064 (a.1.) of CEQA; direct impacts as defined by Section 15358 (a.1.) – i.e. primary effects of the project that occur when the project is developed, they require mitigation by the project.

The Traffic Impact Study states that no direct impacts were identified, ignoring the generation of traffic and physical character of the surrounding streets adjacent to the Lone Oak project and the ADT's of the proposed and/or approved projects of Sugarbush, Sagewood Hills, and the Tomlinson subdivision (and there may be others not known to me at this time). All are in close proximity to the Lone Oak project and along with the project, will have direct impacts on Buena Creek Road particularly at its intersections of Monte Vista, Lone Oak Road, South Santa Fe Avenue, and Twin Oaks Valley Road with almost 1000 ADT's cumulatively. The proposed Newland-Sierra project of 2,100 homes on Deer Springs Road, 2 miles from the Lone Oak project will further compound the traffic impacts to Buena Creek Road which is at a LOS E and F at peak hours.

The project proposes Payment of Traffic Impact Fees to mitigate potential cumulative impacts. It is my understanding that TIF'S are not intended to improve existing deficiencies or replace the need for mitigation of specific impacts created by individual proposed developments at the time of their implementation. The TIF program does not mitigate direct impacts, which will continue to be the responsibility of individual developments. Payment of TIF's does not mitigate the direct and significant impacts, once built-out, of this project and

therefore does not qualify for it to be processed under a Section 15183 exemption under the GPU EIR.

This brings me to the subject of fire evacuation for the Lone Oak community which has been discussed at great length for the last 1-1/2 years and previously discussed over 6 years with the Sugarbush subdivision.

We are in a designated high fire hazard area. I am not convinced that the Vista Fire Department (VFD) has adequately analyzed the true future impacts to our community once this project and others mentioned above have been built. With the cumulative effects of these projects all using the failing Buena Creek Road, there will be total grid-lock in the event of a fire evacuation. The Lone Oak Road bridge can barely squeeze two cars passing in either direction and in fact we all give way to any vehicle we encounter crossing the bridge because the proximity is dangerous as we are likely to hit wing mirrors etc. The Cleveland Trail bridge was never designed to carry heavy traffic and is even more unsuitable than the Lone Oak bridge. Neither bridge is proposed to be reinforced and widened. To think that either exit is adequate to carry our entire community of several hundred people along with hundreds more from the Sugarbush subdivision, along with emergency vehicles, is negligent and endangering the public. Therefore, the project does not qualify for it to be processed under a Section 15183 exemption under the GPU EIR because it has potentially significant impacts on and off-site not discussed in the GPU EIR.

PDS should require engineering, road elevation, and environmental studies of the Lone Oak and Cleveland Trail bridges to assess their ability to handle the neighborhood vehicles and fire department personnel for BOTH projects in the event of fire. A fire evacuation plan must be in place to protect the community and the VFD should instigate a traffic control plan that works!

Other comments in rebuttal to staff's analysis of the project:

Major Use Permit Findings:

a. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:

1. Harmony in scale, bulk, coverage, and density;

I understand the County's *'lot averaging'* concept but squeezing 24 homes onto 1/4 acre lots to satisfy the applicant's desire to maximize his take on the property is not in harmony with, or consistent with the neighboring community. In reality, as you are aware, a much smaller portion of the site is buildable due to several acres being in a floodplain and subject to Resource Protection Ordinances (RPO's).

We here in Lone Oak are zoned for minimum 1/2 acre lots and many homes sit on one acre or more. My neighbors keep farm animals; goats, geese, chickens, horses, as well as the usual family pets. It is a distinctly rural environment. In fact, the entire 4 mile stretch of Buena Creek

is very rural, with many large homes on large lots in excess of one acre, interspersed with multi-acre nurseries. (The one and only anomaly is Verona Hills near the Sprinter station at South Santa Fe.)

The proposed size of the homes is consistent with many in the area but the lot sizes are not. There is nothing 'ranch-style' about a 3000+ square foot home crammed onto a ¼ acre lot. The proposed development does not meet the criteria for density and harmony with the adjacent neighborhood. PDS should consider a reduction in density to around 15 homes which would sit on actual and minimum ½ acre lots, consistent with the surrounding community's character.

2. The availability of public facilities, services and utilities;

The project does not sit close to public transportation which is counter to the County's Smart Growth policy. Walkability to the Sprinter train station is not feasible with the danger of heavy traffic on Buena Creek road which has no footpath. Water remains a contentious issue not just for San Diego County but for the entire state. Water conservation and rationing is the foreseeable future for everyone who lives here despite San Diego's current positive water levels analysis, we are still subject to State mandated restrictions. In general, changes to the General Plan 2020 to higher density in rural areas, and in this case allowing 'lot averaging' where a site and surrounding community cannot support it is detrimental to the community.

3. The harmful effect, if any, upon desirable neighborhood character;

We live in an area of rolling hills, winding roads and lanes, with large lots of rural character. This is a sought after area which is no doubt why the applicant purchased the subject 14.15 acre parcel. We are able to view the night sky without glare from city lights several miles away. We do not hear freeway traffic and noise from human encroachment. We are now faced with the imminent Sugarbush Development of 45 homes directly abutting the Lone Oak community and now the 24 home Lone Oak Ranch development. The cumulative ensuing noise, traffic and night lights, inadequate egress etc., are going to have a substantial detrimental effect on the enjoyment and safety of our community and these effects were not adequately evaluated by the GPU EIR because they are peculiar to our community's situation. Therefore, the project cannot be processed under a Section 15183 exemption under the GPU EIR.

In conclusion, PDS has not evaluated the applicant's project taking into consideration the unmitigated, harmful and cumulative direct impacts of both developments (and others mentioned above) and their effects on the Lone Oak Community in terms of noise, traffic, pollution, and fire evacuation. By not considering such impacts as direct and requiring mitigation, the County is not only acting inconsistently with its own NEXUS study but in violation of CEQA as well; the project cannot be processed under a Section 15183 exemption.

Unless these concerns are mitigated by real solutions (and not just the applicant paying Traffic Impact Fees etc.), I cannot support the project when it goes before the Planning Commission later this year.

Respectfully submitted,

Lindsay Townley
2353 Lone Oak Lane
Vista, CA 92084
760-727-7679
Cell and Text 760-212-5738
chimohome@aol.com

10

Johnson, Michael D.

From: Joy Davis <joydavis30@hotmail.com>
Sent: Wednesday, September 30, 2015 8:12 PM
To: Johnson, Michael D.
Subject: RE: Lone Oak development of 24 homes

Michael Johnson
SD County

Michael,
I am opposed to this development for the following reasons

1. Buena Creek Road cannot SAFELY be navigated by the large construction trucks. The large trucks cannot stay in their lane and often cross the middle line forcing oncoming traffic to swerve to avoid collision. I live on Buena Creek Road and over the past 10 years have seen the number of large trucks increase. I also travel back and forth on this road daily and have been behind large trucks and cringe as they cross the center line as they are too large to fit in lane. I have had to stop, slow and swerve to avoid being struck by trucks crossing into my lane. Buena Creek Road needs to be reclassified to restrict large trucks. Hopefully before someone is killed.
2. The Lone Oak Development of 24 Homes does not allow home owners to have a horse, or small animals on the property. Therefore it doesn't fit with homes in the area. People move here to enjoy the country life and have animals.

I moved here from Del Mar to enjoy the country life. I enjoy the owls, The frogs in the creek, the hawks, ducks, possums, Golden Eagles, roadrunner, raccoons and other wildlife. Development of the 12 acres will have an adverse effect on wildlife, and my neighborhood. We cannot allow this community to become the city.

Respectfully submitted,

Joy A. Davis
2190 Buena Creek Road
Vista, CA 92084
Sent from Windows Mail



Johnson, Michael D.

From: steve carlyle <scarlyle@me.com>
Sent: Thursday, October 01, 2015 6:48 AM
To: Johnson, Michael D.
Subject: lone oak ranch

to Michael Johnson, County of San Diego Planning Services October 1 2015

Michael I am writing you to ask you to consider the voices of our neighborhood ,who clearly is in protest of this type of a project in this kind of area. There are too many relevant concerns to ignore being overall traffic loads , fire evacuation. Honestly if these home were left to actual half acre lots what would be so bad about that! What about the next project on the 40+acre on the other side of lone oak rd. We are clearly out of room on Buena Creek already . Do we overcrowd and leave no room for more development? And finally I seriously fear for my own families safety in the event of a fire that we wont even make it to Buena Creek. Please make the best decision for this project . Thank you Steve Carlyle
1660 Lone Oak Rd Vista 310 384 6880family s

(12)

Johnson, Michael D.

From: Jim Rosvall <jtrosvall@gmail.com>
Sent: Wednesday, September 30, 2015 1:56 PM
To: Johnson, Michael D.
Subject: Lone Oak Development

To County Planner, Michael Johnson
Concern: Lone Oak Development off Buena Creek at Cleveland Trail

We have been residents of the Buena Creek area, living on Sugarbush Terrace for the past twenty-six (26) years. During that time we have seen no improvements to Buena Creek Road, only steady deterioration. Last month you finally repaved the area between Sugarbush and Monte Vista that had been plagued for year with potholes. New developments have been approved, but the infrastructure remains a mess. You allowed developments on Ora Avo without requiring the developers to make necessary improvements to its intersection with Buena Creek. This is a blind intersection and is very dangerous in every direction. Now you want to approve an even larger development of 45 homes and no requirements to for improvements to Buena Creek. This is just ludicrous, you are putting the safety of every driver on Buena Creek in peril.

The Lone Oak development does not fit the lot sizes of the surround community. Almost every home has at least an acre of land. This will just exacerbate the traffic mess on Buena Creek. The developers have destroyed the riparian environment from the end of Sugarbush to Cleveland trail. Cutting down the chaparral and California oaks and replacing it with mulch. This is totally illegal. They should not be able to mitigate the chaparral that exists to an area miles away from us. This development does nothing to enrich and enhance our community. It only enhances the pocket books of the developers, who take their money and run. How about protecting the local homeowners for a change?

We pay the same tax rate as the cities of Vista and San Marcos, but receive very little in return. We feel that we are treated as a poor stepchild of the county. Our needs have been totally ignored. The portions of South Santa Fe in Vista and San Marcos have been improved to four lanes. The county portion remains at two lanes creating a continual bottleneck for anyone attempting to travel between the two cities. The intersection of South Santa Fe and Buena Creek is an absolute disaster. It should have been fixed when the Sprinter station went in. Instead, the changes exacerbated the situation. Vehicles back up a half mile or more during rush hour.

The idea that trucks larger than seven (7) tons are allowed on the road is dangerous and ludicrous. They are NOT allowed on Gopher Canyon or Deer Springs, both of which are wider streets and do not have sharp curves as does Buena Creek. Those large trucks just tear up the pavement and cannot negotiate the curves without going over the line. They have run my wife off the road on two different occasions. The trailered gravel trucks are the worst. They spew parts of their contents causing paint and windshield damage to our cars. My pick-up truck's windshield looks like I went through a sand storm in the desert. Those large trucks use the back roads of Vista as short cuts. They are not all making deliveries, I have followed them, and I know what they are doing. They pass two different schools on those narrow back roads.

You need to restrict Buena Creek Road to vehicles under 7 tons, and open Deer Springs and Twin Oaks Valley Road (Twin Oaks is already straight and has four lanes to the freeway) to these vehicles. You might as well do that because those large trucks use them illegally every day anyway. Also, there is significant pedestrian traffic up and down Buena Creek due to the Sprinter. All this presents dangerous situations and also causes more traffic congestion. The intersection at Santa Fe and Buena Creek needs to be redesigned so that Robelleni is eliminated and Sycamore goes straight through to Buena Creek.

In summary, for over a quarter of a century there has been no significant improvement to the infrastructure of Buena Creek, despite numerous developments and increased traffic in the area. The Cities of Vista and San Marcos have found the money to make improvements to the roads adjacent to the County. Why hasn't the County found the money to improve our infrastructure in the Buena Creek, South Santa Fe corridor? We feel that the lack of your action, allowing the deterioration of the Buena Creek infrastructure, will ultimately lead expensive law suits against the county, on the part of accident victims.

Very truly yours,

Jim and Kathie Rosvall
3286 Sugarbush Terrace
Vista, CA 92084
760-598-5685
jtrosvall@gmail.com

Jim and Kathie Rosvall
jtrosvall@gmail.com
760-598-5685

County of San Diego
Planning and Development Services
5510 Overland Avenue Suite 310
San Diego, CA 92123

September 28, 2015

Dear Mr. Michael Johnson,

Thank you for directing me to send along my concerns regarding PDS2014-TM-5585; PDS2014-MUP-14-017. I am the property owner at 2271 Buena Creek Road.

My major concern is Buena Creek Road itself. The traffic has increased on Buena Creek Road exponentially over the last several decades. Buena Creek Rd is no longer an ambling country road. In the past only a few cars would use Buena Creek. Now there are literally thousands per day. If you review your traffic records you will note how extreme the traffic has become.

For some reason beyond my comprehension the Verona Hills project along Buena Creek was County approved. This project increased the traffic considerably. Before Verona Hills Project the zoning was for larger lots, but Verona Hills was approved with a zoning change allowing for high-density dwellings. If my memory is correct, the Verona Hills Project reeked of cronyism. The rural area should have maintained a zoning on larger lots and less traffic. We now face more congestion, and even fatalities.

The congestion on Buena Creek now comes from a very curvy road, no sidewalks, speeding cars, Sprinter train at South Santa Fe, large equipment trucks using Buena Creek as a highway, commuters from Riverside County using Buena Creek as a short cut by not using Hwy 78 in Escondido, and increased usage by development along Buena Creek.

I had communicated with the County of San Diego of my concerns several years ago as the amount of my property damage was extreme. Literally hundreds of times have fences been destroyed on my property. When an offender can be held, if they have insurance, their Insurance Company repairs the fences. However, if they have no insurance I am responsible. My Insurance Company refused payment long ago, due to the numerous times the fences have been destroyed. The ultimate accident, of which I have enclosed photographs, is a car crashing through my fence and destroying the front room of my home. Three of my grandchildren were sleeping on couches and were seriously injured by the car. Fortunately they were not killed. One of my grandchildren still suffers from having head trauma.

After drawing attention to the seriousness, which had developed on Buena Creek Road The County, did place caution signs, speed limit signs, flashing lights, double no passing lanes, and changed a power pole by placing it further from Buena Creek Rd. Still after all this, last year a car went out of control and destroyed the fence, photo enclosed.

At present, due to the Sprinter at the intersection of Buena Creek and South Santa Fe, an increase in traffic has become a very major congestion. Those driving at peak hours of traffic have to wait as long as 10-15 minutes at that intersection.

What will be done ? Note the long-range proposal to Buena Creek on the County Maps. It shows a straightening Buena Creek Road condemning several acres of my property. If that occurs my residence will be subject to condemnation and loss of several acres of my property.

The overflow of rain water and water main breakage from developing projects surrounding my property have resulted in excess erosion of two access creeks on my property, and Buena Creek proper. Also mudflows caused by Vista Irrigation water main failures have caused property damage.

As a single property owner I am at the mercy of decisions of those on governmental agencies, county, state, and federal. I would request that I as a property owner be given the opportunity to participate in sensible solutions as we go forward into the future.

I have experienced several situations, which have affected me adversely with my property and know the future holds possible challenges for me. We all need advocates and hope we can sensibly discuss options and possible solutions to the wonderful beauty that has, in the past, existed along Buena Creek. But of more importance is the safety of all those who travel along Buena Creek.

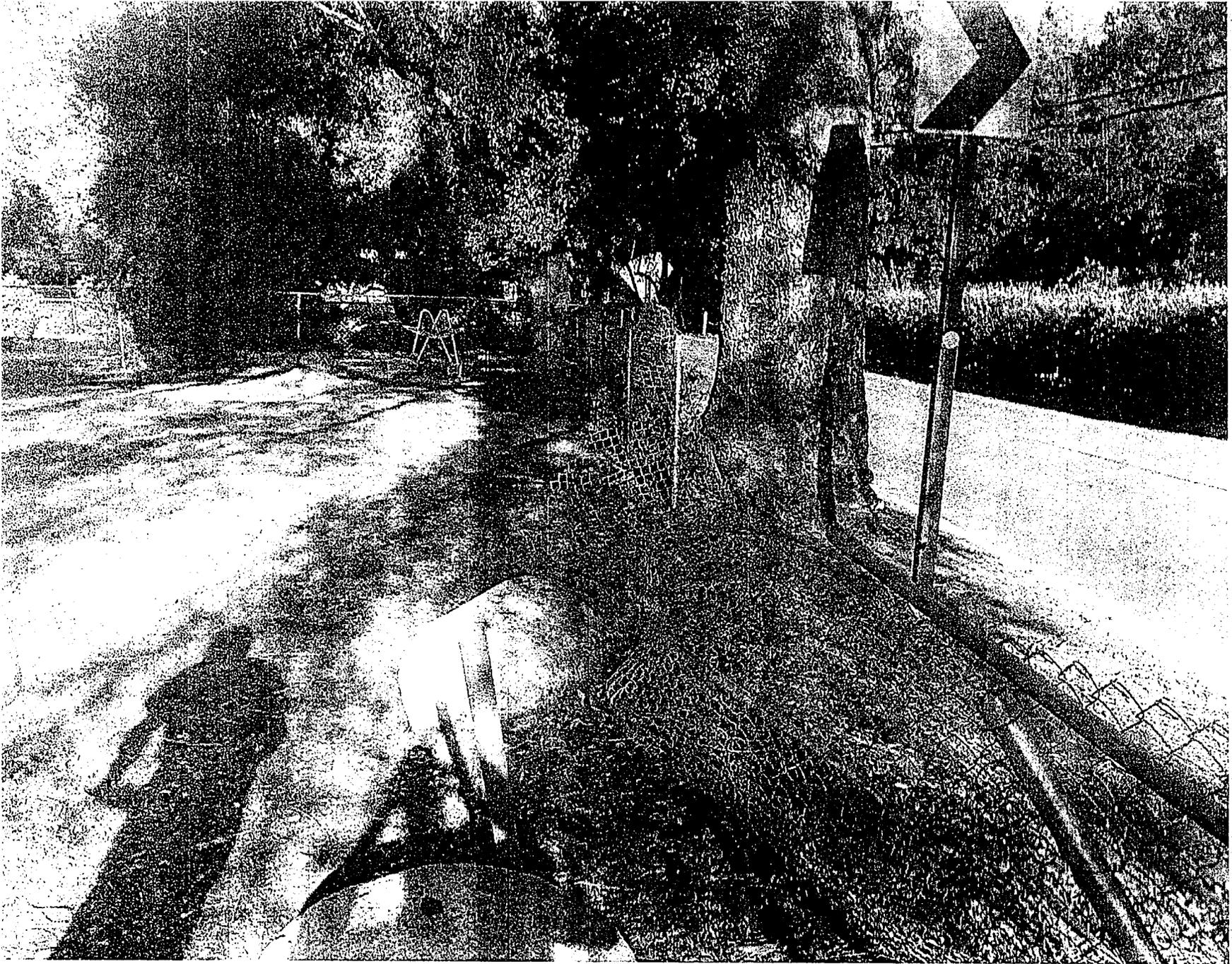
Respectfully yours,

Roy D Atkin

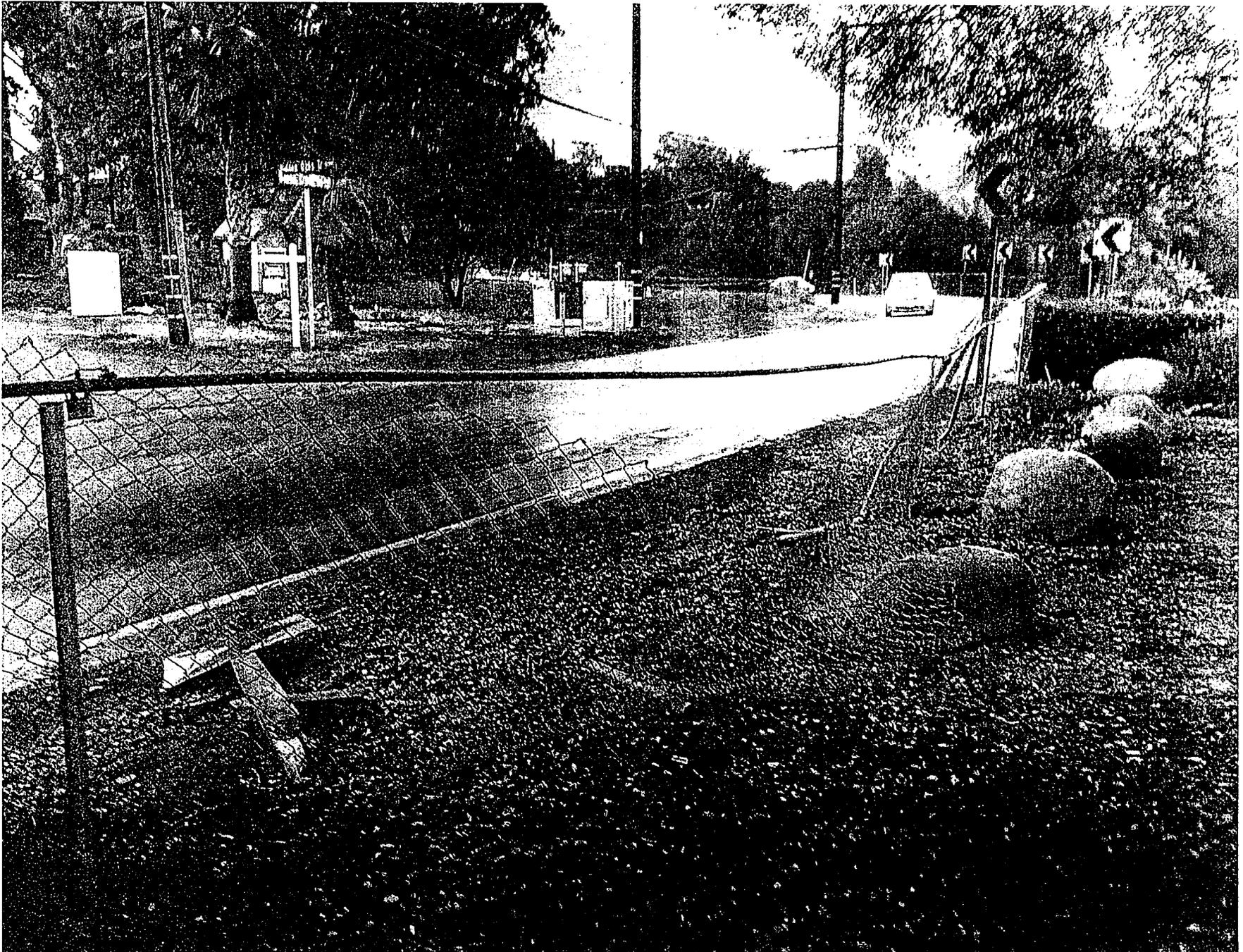
My mailing address is:
3565 Trieste Drive
Carlsbad, CA 92010
atfam2000@yahoo.com
760. 729.5326







2 - 301



2 - 302



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



September 24, 2015

Mr. Michael Johnson
County of San Diego Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, California 92123
Michael.Johnson1@sdcounty.ca.gov

Subject: California Department of Fish and Wildlife comments for Lone Oak Tentative Map and Major Use Permit (PDS2014-TM-5585; ER LOG NO.: PDS2014-ER-14-08-006; PDS2014-MUP-14-017), Statement of Reasons for Exemption from Additional Environmental Review and 15183 Checklist (30-day public disclosure period)

Dear Mr. Johnson:

The California Department of Fish and Wildlife (Department) has reviewed the Statement of Reasons for Exemption from Additional Environmental Review and the CEQA 15183 Checklist (dated September 3, 2015) for the Lone Oak Tentative Map and Major Use Permit (TM 5585; MUP 14-017). Comments on the 30-day public disclosure are requested by October 2, 2015. The comments provided herein are based on information provided in the findings statement and associated documents (including the Biological Resources Letter Report for the Lone Oak Project prepared by Dudek, dated February 13, 2015), our knowledge of sensitive and declining vegetation communities in the County of San Diego, and our participation in regional conservation planning efforts.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA, §§15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (Fish and Game Code §2050 et seq.) and other sections of the Fish and Game Code. The Department also administers the statewide Natural Community Conservation Planning (NCCP) program (Fish and Game Code 2800, et seq.). On March 17, 1998, the Department issued a 2835 Natural Community Conservation Planning (NCCP) permit for the San Diego South County Multiple Species Conservation Program (MSCP). The County and the Wildlife Agencies also entered into a planning agreement in 2008 to address regional conservation needs and future planned development in North and East County MSCP Planning Areas (County of San Diego, 2008 and 2013). The proposed project is located within the County's draft North County (NC-MSCP) planning area, but not within any Pre-Approved Mitigation Area (PAMA) or other conserved lands.

The Lone Oak project (project) is a Tentative Map and Major Use Permit for a Planned Development to subdivide a 14.15-acre property into 24 residential lots and 6 non-buildable lots (lots comprised of private road easements, water quality detention basins, slopes, and open space). The site is located at 1535 Lone Oak Road in the North County Metro Community Plan Area. Access to the site would be provided by a private road connecting to Lone Oak Road as

Mr. Michael Johnson
County of San Diego Planning and Development Services
June 29, 2015
Page 2 of 3

well as Cleveland Trail. Improvements are proposed to Lone Oak Road and Cleveland Trail as part of the project. Earthwork will consist of approximately 73,850 cubic yards of cut and fill.

The Department has the following comments that we recommend be addressed prior to the public hearing for this project:

1. The proposed project is located within the County's draft North County (MSCP) planning area, but not within any PAMA or other conserved lands. As described above, the County and the Wildlife Agencies entered into a planning agreement in 2008 for North County MSCP. The Planning Agreement has an interim project review process (Section 6.6) whereby forthcoming development proposals would be evaluated for consistency with the preliminary conservation objectives. These include ensuring development does not compromise successful completion and implementation of these pending plans and that CEQA, CESA, and Endangered Species Act compliance for interim projects will be applied. The CEQA 15183 exemption checklist is limited to citing that the project is consistent with the MSCP, Biological Mitigation Ordinance, and Resource Protection Ordinance (RPO) because on-site habitat preservation and off-site habitat purchases will be required to compensate for the loss of significant habitat. We recommend that the findings statement include supplemental discussion to address conformance with the interim planning agreement and all relevant conservation objectives as defined within the agreement. We recommend, to the extent practicable, that off-site mitigation for this project, including compensation for impacts to non-native grassland, occur in the PAMA within the same North County MSCP planning unit as the impact.
2. Item 4(d) of the CEQA 15183 exemption checklist indicates the project site likely functions as a local wildlife corridor, but under the Sensitive Habitat Lands section, the Ordinance Compliance Checklist indicates that the site was not eligible as sensitive because no functioning wildlife corridor was identified. The Department recommends clarification for compliance with section 86.604(f) of the RPO on this issue as it relates to conservation objectives defined in the interim planning agreement.

The Department appreciates the opportunity to comment on the MSCP findings statement and CEQA 15183 exemption checklist for this Project and to assist the County in further minimizing and mitigating project impacts to biological resources. We would appreciate confirmation by e-mail of your receipt of our comments and provide the Department notification of the hearing date for this project. If you have any questions, please contact Eric Hollenbeck (Senior Environmental Scientist-Specialist) of the Department at Eric.Hollenbeck@wildlife.ca.gov or (858) 467-2720.

Sincerely,



Gail K. Sevrens
Environmental Program Manager
South Coast Region

Mr. Michael Johnson
County of San Diego Planning and Development Services
June 29, 2015
Page 3 of 3

ec: David Mayer, CDFW, David.Mayer@wildlife.ca.gov
Doreen Stadtlander, USFWS, Doreen_Stadtlander@fws.gov
Michelle Durflinger, USFWS, Michelle_Durflinger@fws.gov

REFERENCES:

County of San Diego, 2008. Planning Agreement by and Among the County of San Diego, the California Department of Fish and Game, and the United States Fish and Wildlife Service regarding the North and East County Multiple Species Conservation Program Plans: Natural Community Conservation Program Plans and Habitat Conservation Plans. NCCP Planning Agreement No. 2810-2007-00205. October 29, 2008.

County of San Diego, 2013. North and East County MSCP Planning Agreement and related amendment. PA# 2810-2007-00205. Amendment to County of San Diego, the California Department of Fish and Wildlife and the United States Fish, and Wildlife Service Regarding the North and East County Multiple Species Conservation Program Plans: Natural Community Conservation Plans and Habitat Conservation Plans. November 15, 2013.

15

Johnson, Michael D.

From: Esguerra, Margarita@Wildlife <Margarita.Esguerra@wildlife.ca.gov>
Sent: Friday, September 25, 2015 3:33 PM
To: Johnson, Michael D.
Cc: Sevens, Gail@Wildlife; Mayer, David@Wildlife; Doreen_Stadtlander@fws.gov; michelle_durflinger@fws.gov; Hollenbeck, Eric@Wildlife; Duarte, Dolores@Wildlife
Subject: LoneOakTentativeMap PDS2014-TM-5585
Attachments: LoneOakTentativeMap PDS2014-tm-5585.pdf

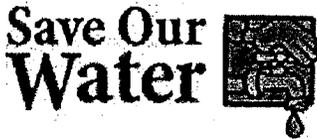
Mr. Johnson,

Copy of Comment Letter sent to your end. Original will follow.
For questions, please contact Eric Hollenbeck at (858) 467-2720.

Thank you.

Margarita Esguerra, OT
Department of Fish & Wildlife
South Coast Region
3883 Ruffin Road, San Diego CA, 92123
T (858) 467-4253 F (858) 467-4259
Work Schedule: 7:30am-5:00pm

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www.slrmissionindians.org*

September 22, 2015

Michael Johnson
Project Manager
Planning & Development Services
County of San Diego
5510 Overland Ave., Ste. 110
San Diego, CA 92123

VIA ELECTRONIC MAIL
Michael.Johnson1@sdcounty.ca.gov

**RE: COMMENTS ON THE NOTICE OF INTENT TO ADOPT FINDINGS
PURSUANT TO SECTION 15183 OF THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT REGARDING THE LONE OAK TENTATIVE MAP AND
MAJOR USE PERMIT PROJECT (PDS2014-ER-14-08-006; PDS2014-TM-5585;
PDS2014-MUP-14-017)**

Dear Mr. Johnson:

We, the San Luis Rey Band of Mission Indians (“Tribe”), have received and reviewed the County of San Diego’s (“County’s”) Notice of Intent to Adopt Findings Pursuant to Section 15183 of the California Environmental Quality Act (“Section 15183 Notice”) and all of its supporting documentation as it pertains specifically to the protection and preservation of cultural resources that are located within the parameters of the Lone Oak Tentative Map and Major Use Permit project’s (“Project’s”) property boundaries. After our review, the Tribe is satisfied with a majority of the proposed Cultural Resource Mitigation Measures as contained within the Section 15183 environmental document, and will not oppose its passage if additional mitigation measures are adopted to protect and preserve our Native American tribal cultural resources as requested herein.

First and foremost, the Tribe respectfully requests that the mitigation measure provided in the “pre-construction” portion of Section 5(b) be immediately corrected to state that a Luiseño Native American monitor is to be present during the pre-construction meeting, and not that of a Kumeyaay Native American monitor. This Project is within Luiseño territory, not Kumeyaay territory.

In addition, the Tribe respectfully requests that the County amend and/or modify the mitigation measure involving the “disposition of historical resources” in Section 5(b). Some tribal cultural resources may be categorized and/or classified as “historic” resources; however, the Tribe still treats these resources as tribal cultural resources. Currently, this mitigation measure provides only for curation of our unearthened historical resources. As the County is aware, it is a core Luiseño cultural and spiritual belief that all unearthened materials deemed to be tribal cultural resources be repatriated back to which

they were discovered, and NOT curated. As mentioned above, this belief is inclusive of both prehistoric and historic tribal cultural resources. Therefore, the Tribe respectfully requests that additional language be included under “disposition of historical resources” allowing for repatriation of our Luiseño tribal cultural resources that may not be classified as “prehistoric” given the probable date of their creation and/or use.

Moreover, SLR respectfully requests that an additional mitigation measure be included regarding the potential discovery of Native American remains. It is the Tribe’s request that the ancestral remains be kept *in situ* (in place), or in a secure location in close proximity to their discovery and that a forensic anthropologist perform their analysis of the remains on-site in the presence of a Luiseño Native American monitor. Any transportation of the ancestral remains would be considered by the Tribe as disrespectful and undignified treatment. Therefore, SLR respectfully recommends that this measure be modified as follows: *If suspected Native American human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. Suspected Native American remains shall be examined in the field by a forensic anthropologist and/or forensic osteologist and kept in a secure location at the site. A Luiseño Native American monitor shall be present during the examination of the remains. If the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted within 24 hours. The NAHC must then immediately notify the “Most Likely Descendant” of receiving notification of the discovery. The Most Likely Descendant shall then make recommendations within 48 hours, and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.*

Furthermore, the Tribe is opposed to any undocumented fill being used during the proposed development. In the event “fill” will be imported into the Project area, the Tribe requests that any proposed use of fill be clean of cultural resources and documented as such. It has been a practice of many in the construction profession to utilize fill materials that contained cultural resources from other “unknown” areas thereby contaminating the potential cultural landscape of the area being filled. This type of fill material is unacceptable. Moreover, if the fill material is to be utilized from areas within the Project boundaries, then we ask that that fill be analyzed and confirmed by an archeologist and/or Luiseño Native American monitor that such fill material does not contain cultural resources. A requirement that fill material be absent of any and all cultural resources should therefore be included as an additional mitigation measure of the Section 15183.

The Tribe also requests that copies of any and all reports created for and submitted to the County regarding the recovery and/or negative findings for tribal cultural resources be provided to the Tribe pursuant to the mitigation measures proposed in the Project’s Section 15183 mitigation language, such as the reporting requirements for post-rough grading and final grading of the Project.

Lastly, the Tribe strongly recommends that the County include an additional mitigation measure requiring the Project Applicant to enter into a pre-excavation agreement, otherwise known as a Tribal Cultural Resources Treatment and Monitoring Agreement. This agreement will contain provisions to address the proper treatment of any cultural resources or Native American human remains inadvertently uncovered during the course of the Project. Such an agreement is necessary to guarantee the proper treatment of cultural resources and Native American human remains displaced during a project development before such resources are impacted. Currently, the County Resource Guidelines do not state with any specificity how these sacred Luiseño resources should be treated. The Tribal Cultural Resource Treatment and Monitoring Agreement will provide the Project Applicant much needed guidance and a reasonable expectation of what is to occur if Native American human remains and/or associated burial goods are found during ground disturbing activities for their project. Therefore, SLR respectfully requests that in addition to the mitigation measures proposed within the Section 15183, the Project Applicant should be required to enter into a Tribal Cultural Resource Treatment and Monitoring Agreement prior to being issued a grading permit.

The San Luis Rey Band of Mission Indians appreciates this opportunity to provide the County of San Diego with our comments on the Lone Oak Tentative Map and Major Use Permit Project. As stated above, the Tribe is satisfied with the mitigation measures for Cultural Resources as proposed in the Section 15183 and respectfully requests that the additional mitigation measures discussed above be adopted by the County for this Project. As always, we look forward to working with the County to guarantee that the requirements of CEQA are rigorously applied to this Project and all projects. We thank you for your continuing assistance in protecting our invaluable Luiseño cultural resources.

Sincerely,



Merri Lopez-Keifer
Chief Legal Counsel
San Luis Rey Band of Mission Indians

cc: Melvin Vernon, SLR Tribal Captain
Carmen Mojado, SLR Secretary of Government Relations
Donna Beddow, Planning & Development Services, County of San Diego

(17)

Johnson, Michael D.

From: Merri Lopez-Keifer <lopezkeifer@gmail.com>
Sent: Tuesday, September 22, 2015 3:52 PM
To: Johnson, Michael D.
Cc: Beddow, Donna; Carmen Mojado
Subject: SLR Comments Regarding Section 15183 Notice - Lone Oak Project
Attachments: Lone Oak 15183 SLR Comment Letter.pdf

Dear Michael,

Attached please find a comment letter from the San Luis Rey Band of Mission Indians regarding the County's Notice of Intent to Adopt Findings Pursuant to Section 15183 of CEQA for the Lone Oak Tentative Map and Major Use Permit Project.

If you have any questions, please do not hesitate to contact me.

Best,

Merri

Merri Lopez-Keifer
Chief Legal Counsel
San Luis Rey Band of Mission Indians
(925) 457-3395
lopezkeifer@gmail.com

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Johnson, Michael D.

From: Dan Silver <dsilverla@me.com>
Sent: Friday, September 04, 2015 10:46 AM
To: Johnson, Michael D.
Cc: Lacey, Cara; Mindy Fogg
Subject: LONE OAK TENTATIVE MAP AND MAJOR USE PERMIT, LOG NO. PDS2014-ER-14-08-006; PDS2014-TM-5585; PDS2014-MUP-14-017

Dear Mr Johnson:

Endangered Habitats League has reviewed this proposed project from the aspects of General Plan conformance and biological resources, specifically as to whether it would prejudice the draft North County MSCP. We had no concerns or comments.

With best regards,
Dan Silver

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org

Michael Johnson, Planner

County of San Diego Planning and Development Services

March 31, 2015

RE: Tentative Map and Major Use Permit application TM5585

The purpose of this letter is to demonstrate that, due to reasons including improper environmental review pursuant to the California Environmental Quality Act (CEQA) and a failure to properly identify and mitigate for traffic-related impacts pursuant thereto, the required findings of fact to warrant approval of the above-referenced project cannot be made. As you know, all required findings of fact must be made by the lead agency to approve any discretionary application. Specifically:

County of San Diego required finding for a major use permit 'c. '– "That the requirements of the California Environmental Quality Act (CEQA) have been complied with."

The project is not consistent with the requirements of CEQA (Finding c.) because the project results in significant, direct impacts unmitigated by the project, which requires preparation of an EIR pursuant to Section 15064 (a.1.) et. seq. of CEQA. As 'direct' impacts as defined by Section 15358 (a.1.) – i.e. primary effects of the project that occur when the project is developed, they require mitigation by the project. The County is incorrectly requiring neither the preparation of an EIR nor mitigation of project impacts by developers of the project. Rather, the County is improperly proposing to consider project impacts to be 'indirect' impacts (which are defined by CEQA Section 15358 (a.2) as "Indirect or secondary effects... [which] are later in time or further removed in distance" - clearly not the case here – and considering payment of a standard traffic impact fee (intended to address the indirect, cumulative long range effects of regional development in the County) as mitigation. This is contrary not only to CEQA but also with the County's own "NEXUS" study establishing the traffic fee as I will explain in more detail later in this letter.

Because proper environmental review is not being conducted and project impacts are not being mitigated, it is also not possible to make the required County major use permit findings ('a.') 4. and 5., those being:

- a. That the location, size, design and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 4. The generation of traffic and the capacity and physical character of surrounding streets;
 5. The suitability of the site for the type and intensity of use or development which is proposed.

With regard to 'a. 4.', as detailed later in this letter, the Buena Creek Rd./South Santa Fe intersection is well beyond the point of failure by any accepted traffic engineering standard, requiring multiple light cycles to cross during peak hours and creating various related problems for traffic from Buena Creek cross streets all the way from that intersection eastward approximately a mile to the Buena Creek/Monte Vista intersection. The capacity of Buena Creek is thus already beyond capacity at an acceptable level of service, which, when combined with the fact that the projects direct impacts are not being mitigated and thus

exacerbate the problem, make it not possible to find 'a. 4.' Were an EIR to be completed as required by CEQA (but improperly not being required by the County), that report would contain an analysis of project alternatives to avoid or reduce project impacts below the threshold of significance. Specifically, CEQA states (Section 126.6(a.)): "An EIR shall describe a range of reasonable alternatives to the project.....which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant impacts of the project, and evaluate the comparative merits, and evaluate the comparative merits of the alternatives. Further (15126.6 (b.)): "Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if those alternatives would impede to some degree the attainment of project objectives, or would be more costly."

Were an EIR to be prepared in accordance with CEQA (thus satisfying finding (c.)), and a proper analysis done of ways to avoid or substantially lessen impacts (impact to the adjoining neighborhood roadway system) it might be possible to make findings (a. 4. And 5.). It is not possible failing that. Rather, the issue of project traffic impacts is being sidestepped by incorrectly calling them 'indirect' impacts and considering payment of a standard traffic fee by the developer to be mitigation (again more on this below).

Background

As you can see from the above, the 2 key terms in assessing the project in terms of its impacts and in terms of the proper form of environmental review and whether the findings can be made for the project are 'significance' and 'direct' vs. 'indirect' impacts. Let me now explain 'significance' of the project impacts in the context of the existing condition of the roadway system, and explain the distinction between 'direct' and 'indirect' impacts in light of the statutory definitions in the State CEQA Guidelines and the language of the County's NEXUS Study establishing traffic impact fees.

Significance

The intersection of Buena Creek Rd. and S. Santa Fe is a failing intersection, having serious implications for roadway segments up to approximately $\frac{3}{4}$ of a mile from that intersection. A 'failing intersection' as you know is defined in standard traffic engineering practices as one that requires more than one light cycle to get through at any time (usually morning and late afternoon/evening commute hours are the test). The Buena Creek/S. Santa Fe intersection is well beyond the point of failure, a fact recognized by all, including County Traffic Engineering staff based on my conversations with them. While we don't yet have the benefit of the traffic study being prepared for this project, previous reports have documented that the northeastward stacking of cars on Buena Creek is such that it can require several light cycles to get through its intersection with S. Santa Fe, a fact I can attest to as well as the other neighbors living along the Buena Creek corridor, many of whom you have heard from. I have lived here 16 years, and during that time I have witnessed traffic stacking on Buena Creek steadily increase to where it commonly backs up in the a.m. peak (say just before 8 a.m.) past Verona Hills Dr. and sometimes even past the entry to the Walnut Cove community – a distance of some $\frac{3}{4}$ of a mile. Because of signal priority given to westbound commuter traffic on Buena Creek in the morning, the green light window is relatively long and a larger number of cars can proceed through the intersection – but it still requires around 3 cycles to get through from Buena Creek. In the afternoon peak (circa 5 p.m.) the green light window for westbound traffic is quite short (allowing only about 5 cars through) owing to the fact that priority must be given to the high

volume of eastbound commuter traffic to clear the left turn pocket on Santa Fe and avoid excessive stacking on Robellini and Sycamore southward past University and points beyond.

Where a failing intersection exists as documented above, there are also standard, recognized thresholds used by traffic engineers in determining whether an impact is considered significant. For example, one such threshold used almost universally among jurisdictions (including the County of San Diego) is that an impact is considered significant if adds more than 2 seconds wait time at a failed intersection. The traffic study for this project will attribute 240 Average Daily Trips (ADTs) to this project (10 for each of the 24 homes) and will assign at least 10% or 24 of those trips to the morning and evening peak hours as a matter of standard practice. Additionally, the traffic report and environmental review (under CEQA) are required to assess the cumulative impact for significance of the traffic to be generated by the project in combination with other planned/approved projects affecting the subject intersection/roadway. In this instance, there is an approved and fully entitled 45-home project in close proximity to this site (450 ADT, 45 peak hour) as well several other projects in close proximity along Buena Creek east of its intersection with Monte Vista – an approved 8-lot TM just east of Starview Dr., the 13-lot “Sagewood Hills” project which for which grading has been done but the homes not yet built. There may well be others, but since there is already consensus as to the significance of impact, I am not here exhaustively researching this and providing precise numbers – the traffic report will do that. Suffice it to say that there are more than 800 ADTs already being added to Buena Creek, an impact that will clearly add well in excess of 2 seconds wait time at its intersection with S. Santa Fe (recall that only about 5 westbound cars are allowed through during the afternoon peak) and exacerbate existing problems along Buena Creek created by that stacking. Lastly, all this ignores the potentially significant impact of development of the former Merriam Mountain LP project (a formerly approx. 2,700-home project denied by the County Supervisors in 2010, but which is being resubmitted as a “downsized” approx.. 2,100 home ‘Newland Sierra’ project) which would obviously add large amounts of traffic to the Deer Springs/Twin Oaks and (as an obvious choice for westbound traffic from that project) Buena Creek from Twin Oaks. Since this a ‘planned’ project under CEQA as a project in process and under consideration (though not at this time approved), the County should require the traffic report and environmental review for this project to include it in the cumulative impact analysis.

It should also be noted that due to the increasing levels of traffic on Buena Creek have created stacking issues for eastbound traffic (especially weekday afternoon/evening peak hour traffic) from the stop sign at the intersection of Buena Creek and Monte Vista. Apart from the stacking delay, this has caused related problems including hampering access to/from Buena Creek from Cleveland Trail and Lone Oak Rd. Those issues and others have been raised and discussed by neighbors at meetings of the Traffic Advisory Committee and Twin Oaks Community Sponsor Group, and for that reason I will not recount details here. In January of this year the Board of Supervisors recognized the Buena Creek/Monte Vista intersection as one warranting enhanced traffic management. In previous correspondence to the Traffic Advisory Committee and County Traffic Engineering staff, I have advocated for a roundabout at this intersection to keep traffic moving efficiently and avoid the stacking issues that both the current stop sign or a traffic signal present, and provided local examples of roundabouts that could fit within the right-of-way at that intersection, which other neighbors have also recommended. State planning law allows for off-site improvements to be required in conjunction with major subdivisions (5 or more lots), and CEQA requires mitigation for project impacts. Consequently, this project may and should be required to implement or participate in the implementation of such measures (e.g. improvement of the Buena Creek/Monte Vista intersection to improve traffic management and safety) as a mitigation measure in conjunction with any ultimate approval.

Direct vs. Indirect Impact

It is my understanding that the County is preparing a Mitigated Negative Declaration (MND) for this application, as opposed to an EIR. As you know, a MND is an abbreviated form of environmental review which is commonly utilized when standard mitigation practiced can be used to mitigate project impacts at the time of project implementation (not the case here). Based on the latest conversation I had with you and the Traffic Engineer assigned to the project, while the County recognizes that although the project (plus cumulative) impacts are significant, i.e. add more than 2 seconds cuing time to a failing intersection, etc., the County is maintaining that imposition of a standard region-wide Traffic Impact Fee (TIF), established by the "County of San Diego Transportation Impact Fee Program NEXUS STUDY" will satisfy traffic mitigation requirements for the project. This is not consistent with either CEQA or the County's NEXUS STUDY itself.

Traffic impact fees are a commonly used tool by many jurisdictions use to prorate regional or jurisdiction-wide transportation network improvements. They are not intended to improve existing deficiencies or replace the need for mitigation of specific impacts created by individual proposed developments at the time of their implementation. The County's NEXUS STUDY itself recognizes this fact. I quote (page 3, bottom paragraph): "The TIF program does not address existing deficiencies. The TIF program does not mitigate direct impacts, which will continue to be the responsibility of individual developments."

As noted above, 'direct' impacts are defined by Section 15358 (a.1.) as the primary effects of the project that occur when the project is developed, they require mitigation by the project. The County is incorrectly requiring neither the preparation of an EIR nor mitigation of project impacts by developers of the project. Rather, the County is improperly proposing to consider project impacts to be 'indirect' impacts. 'Indirect' impacts are defined by CEQA Section 15358 (a.2) as "Indirect or secondary effects... [which] are later in time or further removed in distance" - examples given in CEQA are longer-range effects on land use patterns, air quality, natural systems/ecosystems. That is clearly not the case with traffic impacts that obviously occur immediately upon project implementation. By not considering such impacts as direct and requiring mitigation, and instead allowing payment of a standard traffic impact fee (intended to address the indirect, cumulative long range effects of regional development in the County) as mitigation, the County is not only acting inconsistently with its own NEXUS study but in violation of CEQA as well.

Conclusion

This project, due to its significant, direct and unmitigated impacts, must prepare an EIR pursuant to Section 15064 (a.1.) et seq. of CEQA, which is required to evaluate the cumulative impacts of other planned developments and is required to evaluate alternatives which could avoid or substantially lessen impacts. Therefore, as now proposed with a Mitigated Negative Declaration improperly using measures intended for indirect impacts (e.g. payment of traffic fees) to substitute for mitigation of project impacts at the time of project implementation, leaving direct impacts unaddressed. The project is thus inconsistent with CEQA and required findings (a.) 4. and 5. and (c.) cannot be made for the reasons detailed above, and the project consequently must be denied as proposed.

Final note regarding Buena Creek Road

I don't want to close without making one final very important point about Buena Creek Rd. that affects not just this project but all current and future projects that rely upon it for access.

Buena Creek was apparently designated as a 4-lane Major Road with a LOS E capacity of 34,000 (roughly double current capacity) on the County's "North County Metro Mobility Element" without any analysis of the feasibility of such a road at this location or its desirability. With regard even just to the segment between Monte Vista and Santa Fe, implementation of such a wide roadway width section would involve unmitigated impacts to the riparian area of Buena Creek itself, which parallels the road for much of the

distance, massive grading and retaining structures (if at all possible) given the steeply-sloping terrain to either side of the road, and extensive taking of private property to achieve the needed width at prohibitive cost. Even if possible, such a roadway would not correct the issues at the Buena Creek/Santa Fe intersection detailed above.

Rather, it must be recognized that Buena Creek is and will remain a 2-lane collector in an area of rural character, and enhancements and improvements should be made as development occurs in the area and as the County is otherwise able provide along those lines. The Twin Oaks Valley Community Sponsor Group recognizes this and, at their meeting of March 18, 2015, directed County staff to propose initiation of an amendment to the Mobility Element to return the designation to the correct 2-lane status with implementation of a path/sidewalk plan, an action I strongly support. Traffic engineering studies show that a 2-lane roadway with roundabouts and other features that keep traffic moving at a steady rate are superior to a 4-lane signalized roadway both in terms of traffic volume and in terms of safety to motorists and pedestrians. It also avoids the kind of stacking issues that currently exist on Buena Creek and will only be exacerbated if not addressed. The County needs to follow the lead of the Twin Oaks Valley Community Sponsor Group in recognizing that Buena Creek will continue to be a 2-lane collector and implement sensible improvements such as these to improve its function and safety.

Good land use planning involves making informed, reasoned decisions based upon an accurate assessment of a project in the context of the infrastructure serving it, not disregarding (or mischaracterizing) direct project impacts or basing important land use decisions based on a false supposition as to what the infrastructure supporting it (e.g. roads) are or ultimately will be - by any sober assessment.

Continuing to incrementally approve projects based such a false supposition as to what Buena Creek Rd. will ever be (or should be) is irresponsible and is poor planning, and will only making an already untenable situation much worse to the considerable detriment of the residents of this area, not to mention to others who rely on a convenient and effective transportation network.

The time to stop this practice is not years down the road when the area is paralyzed in gridlock - the time is now.

Thank you for your consideration.

Regards,



Ed Chocholek

2970 Deeb Dr

Vista, CA

92084



San Diego County Archaeological Society, Inc.

Environmental Review Committee

27 September 2015

To: Mr. Michael Johnson
Department of Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, California 92123

Subject: Notice of Intent to Adopt Findings Pursuant to CEQA Section 15183
Lone Oak Tentative Map and Major Use Permit
PDS2014-TM-5585, PDS-MUP-14-017, Log No. PDS2014-ER-14-08-006

Dear Mr. Johnson:

I have reviewed the subject document on behalf of this committee of the San Diego County Archaeological Society.

Based on the information in the public notice and the cultural resources report posted on the County's website, we have the following comments:

1. DPDS management and staff are well aware that SDCAS believes that not curating the entire archaeological collection (including from the testing phase but minus any recovered human remains and associated burial items), prehistoric and historic, from any project means that the impacts of the project are not completely mitigated. Doing so also exposes any archaeologist who is forced by the County to do so to be in violation of the Register of Professional Archaeologists (RPA) Code of Conduct and Standards of Research Performance. While the County does not explicitly require RPA, it is nevertheless the primary standard for establishing professional qualification. An archaeologist who does not curate non-burial cultural material could be subject to RPA disciplinary action, which could in turn expose the County to legal action.
2. Also as we have stated previously, we believe that failure to curate the collection, by preventing future study, results in unmitigated impacts, which are not permitted by CEQA except for EIRs. Hence, if the "or" alternative to curation is maintained, an EIR is required so that overriding findings can be made to justify the loss of scientific information to future citizens and researchers.
3. If the no-curation alternative is nevertheless retained by the county, we request 3D laser scanning of any and all artifacts deemed by the project archaeologist and/or Native American monitors to be unusual or of research or educational value due, for example, to their physical

characteristics. Such laser scanning is to be followed by 3D printing of reproductions for curation. Likewise, a copy of the digital scan should also be curated. We understand that some Tribes may also be interested in such scanned and reproduced items.

Other than the curation issue addressed above, we agree with the impact analysis and mitigation monitoring program proposed.

SDCAS appreciates being afforded the opportunity to review and comment upon this project's environmental impacts and documents.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: Dudek
SDCAS President
File

May 18, 2015

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch – TM 5585 – Buena Creek Trail Homeowners Association
LETTER OF SUPPORT FOR LONE OAK RANCH

Dear Mr. Johnson,

The Buena Creek Trail Homeowners Association (HOA) is located directly across the street, on Buena Creek Road, along almost the entire northwesterly length of the proposed Lone Oak Ranch development.

We are writing to voice our HOA community's support for the Lone Oak Ranch project.

The developers have been working extensively with all of the surrounding neighbors in order to address any potential issues and/or concerns. Many changes have been made to the proposed development based on this neighborhood outreach. The end result is that the project is now designed in such a way as to minimize its impacts to the surrounding neighborhood, while still meeting the existing zoning regulations and the County's General Plan designation for the property. We feel that the Lone Oak Ranch development will be a good fit for the community.

We very much appreciate the community outreach efforts and the developer's willingness to work with the neighborhood to make this development blend in with the community.

Sincerely,



Tim Black, President
Buena Creek Trial Homeowners Association
Vista, Ca 92084

October 27, 2014

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch (1535 Lone Oak Road) – Tentative Map

Dear Mr. Johnson,

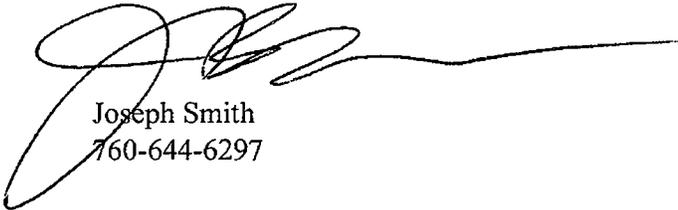
I own the 2.3 acre property located on the north side of Cleveland Trail (APN 181-162-25). My property is just north of the Lone Oak Ranch property off Cleveland Trail. (my future street is called Bella Vita Lane).

I am writing to submit my support for the Lone Oak Ranch project.

I have talked with the applicant, Marc Perlman and he has provided me with copies of his plan and described his redesign of the project. I think his development will be a good fit.

I appreciate Marc's communication with me and his willingness to work with the neighborhood to make his development blend in with the community.

Sincerely,



Joseph Smith
760-644-6297

March 12, 2015

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: LETTER OF SUPPORT FOR LONE OAK RANCH
1535 Lone Oak Road - TM 5585

Dear Mr. Johnson,

I live near to the proposed Lone Oak Ranch development. My home is located at 1233 Starview Drive, Vista, CA 92084.

I have reviewed the project and I'm writing to submit my support for Lone Oak Ranch.

The applicant has redesigned the project and modified his grading in order to preserve many of the trees that run along his property lines and provide a nice buffer between the project and the surrounding neighborhood. Additionally, in order to minimize the impact of the development and protect the privacy of his adjacent neighbors, he has reduced the number of lots and has changed many of the two story homes to single story homes.

I appreciate the modifications to the plans to minimize the impacts of the development and help enhance our community.

Sincerely,



Steve Nielsen
1233 Starview Dirve
Vista, CA 92084

September 25, 2014

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch (1535 Lone Oak Road) – Tentative Map

Dear Mr. Johnson,

I own the home and approximately 2.5 acre property located at 2324 Lone Oak Lane, Vista, CA 92084. My property is adjacent to the south of the Lone Oak Ranch property and we share a common property line that runs for approximately 440 feet in length.

I am writing to formally submit my support for the Lone Oak Ranch project.

I have met with the applicant, Marc Perlman, on a couple occasions. Based on my concerns, they redesigned the project and pulled their grading back in order to preserve many of the trees, and fence, that run along our shared boundary. Additionally, in order to help protect my privacy, they eliminated two lots and have changed their proposed two story homes along my property to single story homes.

I appreciate Marc's willingness to work with me and modify his plans to minimize the impacts of his development on my property.

Sincerely,



Eric Coates
2324 Lone Oak Lane
Vista, CA 92084

October 13, 2014

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
3510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch (1535 Lone Oak Road) -- Tentative Map

Dear Mr. Johnson,

I own the 2.9 acre property located on the north side of Cleveland Trail (APN 181-162-27). My property is adjacent to the north of the Lone Oak Ranch property and we share a common property line that runs for approximately 215 feet in length.

I am writing to submit my support for the Lone Oak Ranch project.

I have talked with the applicant, Marc Perlman and he has provided me with copies of his plan and described his redesign of the project. I think his development will be a good fit.

I appreciate Marc's communication with me and his willingness to work with the neighborhood to make his development blend in with the community.

Sincerely,

A handwritten signature in black ink, appearing to read "MSDae", followed by a long horizontal line extending to the right.

Mike Schaecher

October 30, 2014

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch (1535 Lone Oak Road) – Tentative Map

Dear Mr. Johnson,

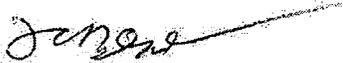
My home and property is located across Buena Creek Road from the Lone Oak Ranch property.

I am writing to submit my support for the Lone Oak Ranch project.

I have talked with the applicant, Marc Perlman and he has provided me with information about his plan and described his redesign of the project. I think his development will be a good fit.

I appreciate Marc's communication with me and his willingness to work with the neighborhood to make his development blend in with the community.

Sincerely,



Tim Black
2340 Buena Creek Trail
Vista, Ca 92084

September 25, 2014

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch (1535 Lone Oak Road) – Tentative Map

Dear Mr. Johnson,

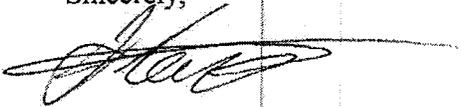
We own the home and approximately 2 acre property located at 2236 Lone Oak Lane, Vista, CA 92084. My property is adjacent to the south of the Lone Oak Ranch property and we share a common property line that runs for approximately 600 feet in length.

I am writing to submit my support for the Lone Oak Ranch project.

I have met with the applicant, Marc Perlman. He redesigned the project and modified their grading in order to preserve many of the trees that run along our shared boundary. Additionally, in order to help protect my privacy, they have reduced the number of lots and have changed their proposed two story homes along my property to single story homes.

I appreciate Marc's willingness to work with us and modify his plans to minimize the impacts of his development on my property.

Sincerely,



Flavio and Sonia Mora
2236 Lone Oak Lane
Vista, CA 92084

October 28, 2014

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch (1535 Lone Oak Road) – Tentative Map

Dear Mr. Johnson,

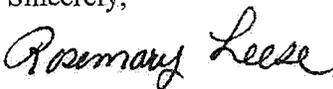
I own the 3.3 acre property located on the north side of Cleveland Trail (APN 181-162-26). My property is just north of the Lone Oak Ranch property off Cleveland Trail. (my future street will be called Bella Vita Lane)

I am writing to submit my support for the Lone Oak Ranch project.

I have talked with the applicant, Marc Perlman and he has provided me with copies of his plan and described his redesign of the project. I think his development will be a good fit.

I appreciate Marc's communication with me and his willingness to work with the neighborhood to make his development blend in with the community.

Sincerely,



Rosemary Leese
760-727-8796

February 25, 2015

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch (1535 Lone Oak Road) – Project Support

Dear Mr. Johnson,

We own the home and approximately 1.7 acre property located at 2377 Buena Creek Trail, Vista, CA 92084. My property is adjacent to the north of the Lone Oak Ranch property and we share a common property line that runs for approximately 200 feet in length.

I am writing to submit my support for the Lone Oak Ranch project.

I have met with the applicant, Marc Perlman. He has worked closely with the neighborhood and has addressed many of the concerns that have been raised. They have reduced the number of lots and have changed their proposed two story homes along Lone Oak Road to single story homes.

I appreciate Marc's willingness to work with us and modify his plans to minimize the impacts of his development on my property and the surrounding neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Land and Heather Kravig". The signature is written in a cursive style and is positioned above the typed name.

Wayne Land and Heather Kravig
2377 Buena Creek Trail
Vista, CA 92084

September 25, 2014

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch (1535 Lone Oak Road) – Tentative Map

Dear Mr. Johnson,

We own the home and approximately 2 acre property located at 2236 Lone Oak Lane, Vista, CA 92084. My property is adjacent to the south of the Lone Oak Ranch property and we share a common property line that runs for approximately 600 feet in length.

I am writing to submit my support for the Lone Oak Ranch project.

I have met with the applicant, Marc Perlman. He redesigned the project and modified their grading in order to preserve many of the trees that run along our shared boundary. Additionally, in order to help protect my privacy, they have reduced the number of lots and have changed their proposed two story homes along my property to single story homes.

I appreciate Marc's willingness to work with us and modify his plans to minimize the impacts of his development on my property.

Sincerely,



Flavio and Sonia Mora
2236 Lone Oak Lane
Vista, CA 92084

October 16, 2014

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch (1535 Lone Oak Road) – Tentative Map

Dear Mr. Johnson,

I own the home located at 1664 Lone Oak Road, Vista, CA 92084. My property is very close to the Lone Oak Ranch development.

I am writing to submit my support for the Lone Oak Ranch project.

I have met the applicant, Marc Perlman. He has redesigned the project and modified his grading in order to preserve many of the trees that run along his property lines. Additionally, in order to minimize the impact of the development and protect the privacy of his adjacent neighbors, he has reduced the number of lots and has changed some of his two story homes to single story homes.

I appreciate Marc's willingness to work with us and modify his plans to minimize the impacts of his development and help enhance our community.

Sincerely,

A handwritten signature in black ink, appearing to read 'Salina Behra', written over a horizontal line.

Salina Behra
1664 Lone Oak Road
Vista, CA 92084

September 14, 2015

Mike D Johnson
Land Use and Environmental Planner
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

RE: Lone Oak Ranch (1535 Lone Oak Road) – Tentative Map TM 5585

Dear Mr. Johnson,

We own the home and approximately 2.24 acre property located at 1651 Cleveland Trail, Vista, CA 92084. Our home is adjacent to the east of the Lone Oak Ranch property and we share a common property line that runs for approximately 330 feet in length.

We are writing to submit our Non-Opposition to the Lone Oak Ranch development.

We have met the applicant, Marc Perlman, on a couple occasions. They have designed their grading to preserve the trees that run along our shared property line. Additionally, in order to help protect our privacy, they have agreed to use a 6' tall solid masonry wall between our properties instead of the wood fence that was originally planned.

I appreciate Marc's willingness to work with us and design his plans to help minimize the impacts of his development on our property.

Sincerely,

A handwritten signature in cursive script that reads "Pat Christensen". The signature is written in black ink and is positioned above the typed name.

Pat and Rex Christensen
1651 Cleveland Trail
Vista, CA 92084

Johnson, Michael D.

From: Marc <marc@markercompany.com>
Sent: Thursday, September 10, 2015 9:24 AM
To: Johnson, Michael D.
Cc: Sibbet, David; Chris Brown; 'Dan Rehm'; 'Chine, Jeffrey'
Subject: Lone Oak TM and MUP, Log No. PDS2014-ER-14-08-006; PDS2014-TM-5585; PDS2014-MUP-14-017
Attachments: Buena Creek Trails HOA Letter 5-18-15.pdf; Eric Coates Support Letter 9-25-14 (S).pdf; Flavio & Sonia Mora Support Letter (S).pdf; Flavio & Sonia Mora Support Letter (S).pdf; Joe Smith Letter 10-27-14.pdf; Mike Schaecher Support Letter 10-13-14.pdf; Rosemary Leese Support Letter.pdf; Salina Behra Support Letter 10-16-14.pdf; Steve Nielsen Support Letter 3-12-15.pdf; Tim Black (TM-5585) Support Letter 10-31-14.pdf; Wayne & Heather Land 2-25-15.pdf

Mike, please accept the attached letter of project support from the adjacent and surrounding neighbors to the Lone Oak project referenced above. Please include these letters as part of the public response during the 30 CEQA day public notice period.

Also, please forward any other written or verbal comments that you receive during the public review period.

Thanks,

Marc R. Perlman
Marker Company, Inc.
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Lone Oak TM and MUP

PDS2014-TM-5585, PDS2014-MUP-14-017; PDS2014-ER-14-08-006

Public Disclosure Comments

Topic	Commenter	Response
1. Archaeology	<ul style="list-style-type: none"> <li data-bbox="370 380 597 499">• San Luis Rey Band of Mission Indians <li data-bbox="370 537 597 657">• San Diego County Archaeological Society 	<p data-bbox="626 380 1446 720">PDS has revised several conditions based on the comments received. The project conditions have been revised to require a Luiseno Native American monitor to be involved in the archaeological monitoring program and to include the repatriation of tribal cultural resources that are associated with the historic period. Curation is included as an alternative should repatriation not be feasible. Also, conditions requiring that the use of fill soils, whether from onsite or offsite sources be clean of cultural resources and to require that the applicant provide the San Luis Rey Band of Mission Indians a copy of all cultural reports have been added. A copy of the negative cultural survey report has been provided to the tribe.</p> <p data-bbox="626 751 1446 1371">Should human remains be discovered, the project is conditioned to stop all work in the area and no further disturbance shall occur until the County Coroner makes the necessary findings as to origin. The decision to leave the human remains in place or transport to the Coroner's lab is up to the Coroner. As such, the project cannot be conditioned to require the Coroner to travel to the site of discovery to make their analysis. The analysis of human remains is under the auspices of the office of the County Coroner and it is up to them to decide whether a forensic anthropologist is required and whether coordination with the Most Likely Descendent (MLD) will be necessary. Human remains must be evaluated by the Coroner in order to determine whether the NAHC needs to be contacted to identify a MLD. The project is conditioned to follow Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 that requires consultation between the property owner or their representative and the MLD to determine the appropriate treatment of human remains should they be discovered onsite and determined to be of Native American origin. No changes were made to the environmental documentation as a result of this comment.</p> <p data-bbox="626 1409 1446 1929">Comments opposed to the repatriation of artifacts were also received. These comments stated that impacts are not fully mitigated unless all artifacts are curated. The mitigation measures related to the disposition of prehistoric artifacts includes curating artifacts at the San Diego Archaeological Center or at a culturally affiliated Tribal curation center that meets Federal standards (36 CFR Part 79). Alternatively, the prehistoric artifacts may be repatriated (returned) to a culturally affiliated Tribe. Historic artifacts may only be curated at a San Diego curation facility and may not be repatriated or curated at a Tribal curation facility except for those items that are determined to be tribal cultural resources. CEQA identifies that curation (§15126.4b) may be an appropriate mitigation measure should data recovery be implemented but does not require curation. The balance of the comment is related to RPA standards and is not at variance with the environmental document. This commenter also states that an EIR is required if repatriation is maintained in the artifact disposition condition because the failure to</p>

		<p>curate results in unmitigated impacts (e.g. loss. of scientific information). The concern of the commenter related to the loss of scientific value for current and future generations is addressed through the requirement to provide the cultural studies to a repository for archival purposes. As such, the scientific value is retained through the information provided in the cultural study and there are no unmitigated impacts. No changes were made to the CEQA documentation as a result of this comment.</p> <p>Finally, a comment requesting that the project be conditioned to require laser scanning and 3-D printing reproductions of artifacts deemed by the project archaeologist and/or Native American monitors to be unusual or of research value was also received. Staff conducted the cultural survey and it was negative for resources. As such, no artifacts were identified. No changes were made to the CEQA documentation as a result of this comment.</p> <p>A discussion on archeological resources can also be found in part D of the Hearing Report.</p>
<p>2. Biology</p>	<p>Drake Davis Rosvall Fish and Wildlife</p>	<p>During the public disclosure period, concerns were raised regarding impacts to biological resources and the biological mitigation measures. As described in the biological resources discussion of the CEQA Guidelines Section 15183 Exemption Checklist and the Biological Resources Letter Report prepared by Dudek, dated February 2015, the project site supports several sensitive vegetation communities. The majority of the proposed impacts would occur within non-native and/or disturbed/developed habitat. Impacts to sensitive habitats include 0.17 acre of non-native grassland, 0.10 acre of coast live oak woodland (within road right-of-way), and 0.03 acre of disturbed southern live oak riparian forest (within road right-of-way), as well as 0.31 acre of oak root zone within disturbed and developed habitat. Impacts to non-native grassland would be mitigated through preservation of 0.20 acres of non-native grassland within the project site. Impacts to oak habitat would be mitigated through purchase of 1.32 acres of oak woodland habitat within the Daley Ranch Conservation Bank (located approximately 8 miles east of the project site), as well as onsite preservation of 0.30 acre of coast live oak woodland and 1.77 acres of southern live oak riparian forest. The purchase of mitigation credits within the Daley Ranch Conservation Bank to mitigate impacts to oak habitats is consistent with the definition of mitigation established in Section 15370 of the California Environmental Quality Act, which includes "Compensating for the impact by replacing or providing substitute resources or environments." Moreover, the Daley Ranch Conservation Bank credit area is described as follows on the Daley Ranch website: "This Credit Area extends from the Pacific Ocean to the inland mountain ranges, from the Mexico border to Riverside County" (http://www.escondido.org/daley-ranch-conservation-bank.aspx). Thus the proposed offsite habitat purchase is appropriately located for the project impact area.</p> <p>Concerns were also raised regarding potential impacts to wildlife. As described in the biological resources discussion of the CEQA Guidelines Section 15183 Exemption Checklist and the Biological</p>

Resources Letter Report prepared by Dudek, dated February 2015, while there is a moderate potential for 21 wildlife species to occur on site and a high potential for 2 wildlife species (turkey vulture and yellow warbler) to occur on site, none were observed during biological resources surveys conducted for the project. Additionally, the wildlife species with moderate or high potential to occur on site would primarily be associated with habitat that would not be impacted by the project; therefore, no direct impacts to these wildlife species are anticipated. Potential indirect impacts that may occur during project construction and operation were assessed as potentially significant, but would be reduced to less than significant levels through implementation of mitigation measures Bio-1.6 and Bio-1.7 identified in the County of San Diego General Plan Update Environmental Impact Report (EIR). Mitigation measure Bio-1.6 requires projects to implement the appropriate County ordinances to protect wetlands, wetland buffers, sensitive habitat lands, biological resource core areas, high-value habitat areas, and populations of rare or endangered plant or animal species. Mitigation measure Bio-1.7 requires projects located near sensitive resources to minimize edge effects by implementing the appropriate County ordinances and regulations. Additionally, measures such as biological monitoring during construction, installation of fencing and application of a limited building zone along open space areas would protect sensitive wildlife. Thus, impacts to wildlife would be less than significant.

Additionally the project site lies within the County of San Diego MSCP draft North County Plan Area, and this area is subject to evaluation of consistency with the Planning Agreement for the North and East County MSCP Plans (County of San Diego 2014). Consistent with the preliminary conservation objectives identified in the Planning Agreement, the project would provide for the protection of species and natural communities through avoidance and mitigation measures. In accordance with the Interim Review Process identified in the Planning Agreement, the project would provide on- and offsite mitigation for impacts to oak woodland and non-native grassland habitats, which would provide a long-term biological benefit, protect habitat of equal or greater value as that being impacted, and maintain connectivity between native habitat areas. Several surveys, including a jurisdictional wetland delineation and general vegetation mapping, off-site road and vegetation mapping, and focused rare plant survey have been conducted for the project to determine the locations of biologically sensitive habitat areas. The project has been sited to minimize impacts to sensitive biological resources and will provide for additional protection and conservation of special-status species, natural communities, and ecosystems through the proposed mitigation measures.

As discussed in the CEQA Guidelines Section 15183 Exemption Checklist discussion, project impacts to sensitive vegetation communities will be mitigated through ordinance compliance and project-specific measures, as identified in General Plan Update (GPU) Environmental Impacts Report (EIR) mitigation measures Bio-1.6, Bio-1.7, Bio-2.3, and Bio-2.4 through implementation of onsite habitat preservation and offsite habitat purchases.

		Additional discussion on biological resources can be found in part D of the Hearing Report.
3. Community Character	Bemus Drake Seech Townley Davis Carlyle Rosvall Chocholek	<p>During public disclosure, several concerns were received that the project and proposed lot sizes would not be consistent with community character. PDS staff reviewed surrounding land uses, the size of existing structures and lots in the surrounding area and design features of the project. Additionally, PDS reviewed the Land Use Consistency Analysis and visual simulations that were prepared. As documented in the 15183 checklist and community character analysis, the project has incorporated design measures to buffer the project from abutting property and to ensure that the project is consistent with the surrounding community character. These design measures include, maintaining a large open space buffer, clustering development within the central portions of the site, requiring that landscaping be installed as shown on the preliminary landscape plan, proposing houses that match the size of surrounding structures, limiting houses to one story in size along the southern property line, and accommodating additional ROW for Lone Oak Road within the project to maintain existing vegetation. An ongoing condition has also been placed on the Major Use Permit to ensure conformance with the County of San Diego Zoning Ordinance and lighting ordinance. All light fixtures would be required to be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and otherwise conform to the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, and 6324.</p> <p>Additionally, the project has been designed to propose lots sizes consistent with the surrounding area. Proposed lots range from 0.2 to 0.42-acre in size with a 3.1-acre open space lot. Surrounding land uses are also zoned for a minimum lot size of 0.5 acres. The Land Use Consistency Analysis determined that abutting properties range in size from 0.3 to 29.4. Within ½ mile perimeter of the project, there are parcels that range in size from 0.1 to 46.8 acres. A survey of the surrounding development patterns within a one-half mile radius of the project site shows that approximately 637 parcels currently exist or have approved tentative maps. Of this total, 204 parcels, (32 percent) or nearly one-third, are less than one half acre, while the remaining approximately two-thirds (or 433 lots), are one-half acre or larger.</p> <p>More information on community character can be found within the MUP findings and part D of the Hearing Report.</p>
4. Fire	Landers Drummer Bemus Drake Seech Townley Carlyle	<p>During public disclosure, concerns were raised that the project is located in a high fire severity zone and that an Evacuation Plan should be required. PDS reviewed these concerns and worked with the Vista Fire Protection District and County Fire Authority. Because the project is located within a very high fire severity zone, a Fire Protection Plan (FPP) was required to address project access, fire clearing, construction guidelines, and other design requirements of the project. As part of the Fire Protection Plan, the project is required to implement enhanced ignition resistive fire and building codes that address this location's fire environment. Construction would include enhanced ignition-resistant features, automatic interior sprinklers, appropriate fire flow and water</p>

		<p>capacity, roads, and supporting infrastructure and fuel modification areas consistent with the County Consolidated Fire Code and County Building Code.</p> <p>It was determined that a fire Evacuation Plan is not required for this project by the Fire District because it is designed with increased building standards. Additionally, the project complies with all applicable access requirements (including road width, capacity, secondary access, and dead end road length) and access has been reviewed and accepted by the Vista Fire Protection District and County Fire Authority. The FPP completed for the project addresses evacuation through the "ready, set, go" evacuation model. Any required evacuation would be coordinated using the County's communication system and would be coordinated with the Office of Emergency Services, fire agencies, and law enforcement based on the specific circumstances of the incident.</p>
<p>5. Noise</p>	<p>Landers Drake</p>	<p>During the public disclosure period, several comments were received regarding noise impacts from the proposed project. To address conformance with the County of San Diego Noise Ordinance and County of San Diego Noise Element, a noise report was prepared by LDN Consulting for the project. The project is subject to the County Noise Element which requires proposed exterior noise sensitive land uses not to exceed the 60 dBA CNEL noise requirement for single family residences. Noise levels from future traffic traveling on Buena Creek Road were evaluated and the study determined that future traffic noise levels would be below 60 dBA CNEL on the ground level elevation of lots closest to Buena Creek Road. Proposed lots closest to Buena Creek Road with second story receptors would be exposed to levels over 60 dBA CNEL. The project has been conditioned to grant a noise restriction easement 400 feet from the Buena Creek Road centerline. This easement would ensure exterior and interior noise levels requirements continue to conform to County Noise Element.</p> <p>Off-site direct and cumulative noise impacts to off-site residences was also evaluated. Based on the noise study, project related traffic on nearby roadways would not have a significant contributions to the cumulative noise in the area based on the existing traffic volumes and amount of trips this project would generate. Direct and cumulative noise impacts to off-site existing residences are not anticipated.</p> <p>The project is also subject to temporary construction noise as it relates to the County Noise Ordinance, Section 36.409. Grading equipment operations would be spread out over the project site from varying distances in relation to occupied property lines. No blasting or rock crushing is anticipated during the grading operations. Based upon the proposed project, the majority of the grading operations will occur more than 100-feet from the southern and eastern property lines with the exception of the minor grading needed for water quality basins near Lone Oak Lane and Lone Oak Road. At distances of more than 90-feet the grading activities are anticipated not to exceed the County's 75-dBA standard and no mitigation measures would be required. To ensure grading operations comply, the project has been conditioned to incorporate</p>

		<p>noise reducing measures during grading. These measures include turning off equipment when not in use, maintaining equipment in proper condition, using equipment with effective mufflers, minimizing the use of back-up alarms, and ensuring that staging areas be placed in locations that are farthest away from sensitive receivers.</p>
6. Traffic	<p>Landers Bemus Drummer Drake Curriden Kumura Seech Townley Davis Carlyle Rosvall Atkin Chocholek</p>	<p>Comments were received indicating that the project would have direct traffic impacts. In response, PDS staff re-reviewed the project's Traffic Impact Study (TIS) and determined that it was completed in compliance with CEQA and the San Diego County CEQA Transportation/Traffic Guidelines. The TIS findings indicate that the project would not result in a direct traffic impact to Buena Creek Road. The project would add 240 trips per day onto Buena Creek Road (132 trips to/from west, 108 to/from east). Buena Creek Road currently carries about 10,000 trips per day. The added 240 trips per day would equate to about a 2% increase in daily traffic along Buena Creek Road. Buena Creek Road currently operates at a LOS D (acceptable LOS) and would still operate at a LOS D after this project. The proposed project would not add enough traffic to cause Buena Creek Road to fall to a deficient LOS (E or F).</p> <p>In addition, the TIS analyzed the intersections along Buena Creek Road at Lone Oak Road and Cleveland Trail. The intersections analyzed in the TIS were determined by criteria in the County's Transportation and Traffic Guidelines. The TIS study area/scope was based on a 25 peak hour trip threshold (Report Format and Contract Requirements, Section 3.1). Based on the TIS analysis, the project would not result in a direct impact to either intersection based on the added traffic the project would generate during the morning or evening peak traffic periods. The project would generate 19 trips during morning peak hour (about 1 extra trip every 3 minutes) and 24 trips during evening peak hour (about 1 extra trip every 2.5 minutes). The Buena Creek Road/S.Santa Fe Avenue intersection was not included in the TIS intersection analysis because the Lone Oak project would not add 25 or more peak hour trips.</p> <p>Concerns were also raised regarding cumulative impacts. The TIS acknowledges that the proposed project would result in local (North County Metro) and regional (North TIF region) cumulative traffic impacts and the mitigation measure would be payment into the County's TIF program. The project's estimated TIF payment would be \$96,912 (North County Metro – Village). Future improvements to Buena Creek Road and other Mobility Element roads in the North County Metro area would come from a variety of sources including local funds and developer improvements. An additional cumulative analysis is not required for this project due to the amount of trips generated by the project and since it is consistent with the General Plan. As discussed in the General Plan Update EIR, the project would pay the TIF to address cumulative impacts. Traffic volumes along Buena Creek Road are projected to increase as development occurs within the San Diego region which is the basis of the road's 4-lane Major Road Mobility Element classification. Some of the projected traffic increase would be due to other development projects located along Buena Creek Road like the</p>

		<p>Sugarbush/Quintessa development, but a substantial amount of the existing and future traffic is related to regional traffic traveling to/from I-15 to SR-78.</p> <p>PDS has also reviewed concerns regarding construction trucks using Buena Creek Road. There is no restriction on trucks using Buena Creek Road. However, to help ensure that construction traffic does not become problematic, the project has been conditioned to require a Haul Route Plan that would require that the applicant provide a plan to analyze construction traffic prior to issuance of a grading permit. If any issues were identified, additional conditions would be added to better regulate construction traffic.</p> <p>Several other concerns were also raised regarding potential safety issues along Buena Creek Road. Based on these concerns, PDS in conjunction with DPW staff analyzed Buena Creek Road and the project's access points onto Buena Creek Road. The project access points (Cleveland Trail and Lone Oak Road) meet the required sight distance in order to allow cars pulling onto Buena Creek Road to see adequately in both directions. Impacts would also be less than significant based on the low volume of traffic generated from the project and since the LOS would remain at D. While the project frontage along Buena Creek Road is relatively straight, there are several existing curves along Buena Creek Road located to the south of the project site. To address prior community traffic safety concerns, DPW has installed speed limit signs, flashing lights, and larger chevron signs along these turns.</p> <p>Additional discussion on traffic and road improvements can be found in part D of the Hearing Report.</p>
<p>7. Environmental Document</p>	<p>Kumura Curriden Seech Townley</p>	<p>Comments were received indicating that the project does not qualify for an exemption pursuant to CEQA Section 15183. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and the project qualifies for an Exemption from Additional Environmental Review pursuant to CEQA Guidelines Section 15183 (Attachments E & F of the Hearing Report). CEQA Guidelines Section 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 this site, the General Plan allows 28 units and the project proposes 24). For the proposed project, the planning level document is the General Plan Updated EIR, certified by the Board of Supervisors on August 3, 2011. Attachment E includes the "Statement of Reasons for Exemption" which details the analysis of environmental effects. The project level environmental resource area analysis includes technical studies for Agriculture, Air Quality, Archaeological, Biological, Fire Protection, Land Use Consistency, Traffic, Noise, and a Phase 1 and Phase 2 Environmental Site Assessment. County staff found that the project would not cause any significant effects on the environment. Details of project mitigation measures can be found in the Resolution and Form of Decision (Attachments C and D).</p>

Attachment H – Sponsor Group Minutes

Final Minutes: September 16, 2015 meeting of the
TWIN OAKS VALLEY COMMUNITY SPONSOR GROUP

Roll Call and Advisory Role Statement

Kumura called the meeting to order: Present: Tom Kumura(Chair), Karen Binns and Eric Chapman (Co-Vice chairs)Sandra Farrell (Secretary), and Rob Peterson. Gil Jemmott was absent.

Review of Minutes for May: Motion by Kumura and seconded by Binns

Motion passed 4-0-1. Chapman abstained because he was not at the May meeting.

Public Communication:

Mike Hunsaker VWD 24 percent water will be permanent and there will be an additional 40% increase in reduction on top of the existing 24 % reduction now in place.

Jessie Colman representing Colman family trust who lives in the City of San Marcos requested help regarding a County agricultural operation that had intentionally diverted runoff through his property causing damage. He said the property owner, Sam Woo, had been sited but hadn't done anything to fixed the problem. Colman said neither the County, City of San Marcos nor Water Quality Control Board had addressed the problem. Peterson said he and Binns had seen the state of the site and confirmed Colman's concerns. Peterson requested the item be placed on the agenda and code enforcement be invited to our meeting. A local sheriff, Jason Omundson, who was in attendance offered assistance from the Sheriffs Department. Kumura agreed to place the item on the agenda

Lee Rainer who lived off of Buena creek requested to receive agendas.

A resident complained the closure of the hazardous waste disposal in Vista to County residents has caused increased dumping along Buena Creek Road.

Jason Omundson, Crime Prevention Specialist of the San Diego County Sheriffs,

provided a presentation regarding types of services offered by the Sheriff's Department.

He said the Sheriff's Department would do security inspection of any property and offer suggestions on how to make homes less prone to burglaries. He recommended active motion sensor lights and not leaving purses and valuables in the car. He noted that the Graffiti problem on south Santa Fe and Buena Creek Road was due to it being a turf boundary area for two gangs. He recommended placing a mural on one of the walls along South Santa Fe in the County currently being tagged by gangs. Farrell noted in her comment letter to the EIR for South Santa Fe Road Improvements she had requested climbing ivy to be planted along the walls. Sheriff Omundson took suggestions from the community and said the Sheriff's Department was working with apartment owners in the area and letting them know if any tenants were causing problems. He noted the CHP handled road issues while Caltrans handled dumping and graffiti. Sheriff Omundson noted the Sprinter station created a problem for the community with 81 calls of illegal activity to the Sheriff's Department since January and he said that was a lot of calls. Residents in the audience reported: pan handling at Buena Creek and South Santa Fe, dumping of toxic waste along Buena Creek Road and along Lone Oak Lane, and possible illegal activity at 1990 South Santa Fe, a former pot shop, was being used late at night because there are cars seen behind the building at night and in lots at Robellini Drive and South Santa Fe Road.

Numbers to Call:

CalTrans, Rudy Ramirez 760 510-2453 cell phone for graffiti and trash cleanup

Call: Sheriff's Department at: 858-565-5200 to report crime

Kumura said the Caltrans sign on Monte Vista about road construction that had finished months ago needed to be removed. Kumura thanked Sheriff Omundson for his time to help the community.

ACTION ITEMS:

LONE OAK TENTATIVE MAP AND MAJOR USE PERMIT, LOG NO. PDS2014-ER-14-08- 006; PDS2014-TM-5585; PDS2014-MUP-14-017. Applicant, Mark Perlman for the Marker company said the General Plan allowed for 28 dwelling units and the zoning allowed for 25 but they proposed to build 24 homes on the 14.2 acres of his project site. The project density proposed was 1.69 units per acre, homes that were to be large with 5 bedrooms with 3 car garages. Most people in attendance stated that they supported development but were concerned with the projects traffic, especially during a major wildfire event. Some residents said current traffic on Buena Creek Road was so bad in the morning and evenings that people on Lone Oak were unable to exit their driveways. Perlman noted his project will add an additional egress from Lone Oak Lane to Buena Creek Road and that the Sugarbush project, approve a couple of years ago, would improve Cleveland Trail. Perlman suggested that residents take up concerns about egress during a wildfire with Vista Fire Protection District.

Most people in attendance expressed that it was a wonderful project yet they had some concerns.

Due to the small size of the project it was not required to have a comprehensive traffic study and some residents believed that the County's lack of adequate consideration for cumulative traffic impacts of multiple small development projects along Buena Creek Road had helped make Buena Creek unsafe and unable to handle current traffic. Others acknowledged that a large part of the traffic was using Buena Creek Road as an alternative to SR78 to bypass heavily congested San Marcos.

The project will generate the number of trips to warrant a stop light and the Board of Supervisors has approved a stop light which is anticipated to be installed in 2-3 years. One resident, a planner who retired from the City of Encinitas, said experience had shown a traffic light wouldn't solve the problem but could make traffic worse. He recommended a traffic circle. He said he had worked on traffic circles and an 80-foot wide circle would work for Buena Creek Road. It would keep traffic flow even, and traveling at a lower, safer speed. In addition, he said a traffic circle would reduce noise and pollution as cars would not have the stops and starts that are common with a traffic light.

Other residents felt the project was too dense and not in character with existing neighborhood. They felt the proposed large houses on smaller lots didn't allow for having horses and other rural activities found on adjacent properties.

Chapman thought he could support the project and thought the developer had done a good job trying to address concerns by the community. Farrell asked how many of the 14.2 acres of the project was within the floodplain and neither the developer nor the County planner could respond. Looking at the plot plan she noted most of the open space proposed to be preserved as "open space" was on the west side and within a 100 year flood plain thereby making it undevelopable and only suitable for open space.

Perlman responded that he could have included the flood plain open space areas as parts of some of the back yards of homes adjacent to the creek.

Kumura said the County needed to address the issues along Buena Creek Road before going forward with more development. He said an evacuation plan needs to be done for the area during a wildfire event given the number of existing homes and the restricted methods of egress from Lone Oak Lane and out Buena Creek. He felt the County shouldn't short change existing residents by not have a wildfire evacuation plan.

Due to failure of existing roadway infrastructure {Buena Creek Road} to accommodate development Farrell moved for denial of the project. Motion failed. (2-3-0)

Motion by Chapman to approve the project contingent upon the County earmarking funds to improve Buena Creek Road to address safety and downgrade its current classification prior to the issuance of permits. Peterson seconded the motion. Peterson, Chapman and Kumura voted for the motion and Binns and Farrell were in opposition to the motion. Motion failed (3-2-0).

Group Business:

Twin Oaks Valley Community Plan: Kumura reported he had not heard from Eric Lardy on the status of the group's request for Staff assistance to complete the Community Plan which is referenced in County General Plan or on the request by residents to be included in the Twin Oaks Valley Community Planning Area.

Update on Request for Staff Assistance to Complete California Department of Transportation (Caltrans) Sustainable Transportation Planning Grants: Kumura said he would contact the County about applying for the grant to study how to make Buena Creek Road safer and accommodate pedestrian traffic trying to access the Sprinter Station.

Kumura said he was following up with Vallecitos Water District to have a representative come and address the community regarding the drought.

Kumura mentioned the group was looking for new members and urged people in the audience to apply.

Respectfully Submitted, Sandra Farrell, Acting Secretary

Final Minutes: February 18, 2015 meeting of the
TWIN OAKS VALLEY COMMUNITY SPONSOR GROUP

Roll Call and Advisory Role Statement

Kumura called the meeting to order: Present: Sandra Farrell (Secretary), Eric Chapman (Co-Vice Chair), Gil Jemmott), Karen Binns (Co-Vice chair), Tom Kumura, Rob Peterson was three minutes late.

Review of Minutes Farrell moved for approval of the minutes with corrections Binns seconded.
Motion passed 6-0-0

Public Communications, Presentations and Announcements:

Linda Bailey from Newland Sierra mentioned the scoping meeting the NOP of the Newland Sierra project to be held on March 4th. Nancy Froning said she would take community input and help organize concerns.

Note from audience that it was hard to hear meeting over the noise from refrigeration units at the back of the room and asked if there was some way to reconfigure the room to help block the noise.

PDS2014-TM-5585; PDS2014-MUP-14-017; 1535 Lone Oak Road; APN 181-162-06 & 184-080-01; Major Use Permit for 24 single-family lots on 14.15 acres. Marc Perlman of the Marker co presented the proposed project that is off of Lone Oak Lane. Also present to present the project was Chris Brown, former Chief of Staff to Supervisor Bill Horn, a consultant for the applicant and Michael Johnson a County staff person. Although outside the planning area the group has agreed to hear this item because the proposed project would have an impact on the Twin Oaks planning area. Originally 26 homes, it was reduced to 24 homes with single story homes along boundaries adjacent to Lone Oak Lane residents. Proposed is 1.69 units per acre average density with 4.25 acres in permanent open space. Applicant would save 95% of the existing trees and add a dozen specimen oak trees to the site along with scrubs to screen the project from adjacent homes. They also build a community trail and add 3-foot additional width to lone oak. Homes would sell for an estimated 700k in the current market but the applicant was hopeful the price would increase by the time the homes were on the market in 2016.

A resident of Lone Oak Lane complained her family had not been notified about the project and asked why since she felt the project would impact them. Residents voiced concerns about traffic which backed up along Buena Creek Road from the Sprinter Station to Monte Vista Road. Several residents wanted traffic calming measures as a condition of the project. A roundabout was suggested by a resident who had designed the traffic circle in Encinitas and said a roundabout would work better to calm traffic and regulate traffic at Monte Vista than a signal. Fire safety was a key issue and many worried the added density would make it unsafe for them as well as new residents to evacuate during a wildfire. Residents wanted to know how the area would be evacuated. A fire evacuation plan was requested. Kumura said the main issues with the project seemed to be density, traffic and fire safety and recommended waiting until the draft EIR was completed and reviewed by the group before the group took a position.

PDS2014-MUP-14-047, Verizon Wireless Cell Tower Project, 3857 Blue Bird Canyon Court, Vista, CA 92084, APN:181-181-43; Major Use Permit for 60-foot high faux mono-eucalyptus tree. Applicant made presentation along with their RF engineer, Bill Hammond, who had calculated the RF frequencies confirmed the exposure was within federal limits. A resident who lived across from the proposed installation said he work in the wireless communications business and had suffered brain cancer due to exposure similar to the wattage of RF waves being proposed. He was upset because the antenna arrays

pointed right into his home. No photo or elevations were supplied by the applicant to disprove the concerned resident's statement. Hammond said the waves are non-ionized radiation and they are not cumulative. The applicant and homeowner across from the site agreed to discuss the matter further and the applicant said they would provide an additional photo simulation to show the impacts of the installation to alleviate the resident's concerns. Chapman reminded the group that it could not consider health impacts when deciding on this type of application. Farrell expressed concern about the visual mass of such a tall tower and wanted to know how the base of the tower would be screened. Binns was concerned the plot plan and photo sims didn't show the tower's relationship to adjacent residences. Kumura requested the applicant provide an additional photo simulation, landscape plan, and plot plan showing the location of adjacent residents and distances to homes and elevations showing the relationship between those homes and the towers need to be presented for review prior to the group making a decision.

Update to modify Twin Oaks Planning Area Boundary: Carolyn Reed, a resident from one of the County islands in San Marcos, requested her area be added to the Twin Oaks planning area. The group moved over to the side table where the Twin Oaks planning area map was displayed. Several residents on Buena Creek Road made the same request and wanted the boundary to be extended west to the Sprinter Station. Jarrett Ramaiya from the County said he would talk to Eric Lardy about the process of getting a boundary adjustment. The group then returned to the dais and continued the discussion. Farrell said Policy I-1 had details about how to expand the boundary. Kumura said they would request the help of the County to research taking in the County Islands and the area west to the Sprinter Station into the Twin Oaks planning area.

Leadership in Energy and Environmental Design for New Development (LEED-ND)

Farrell updated the community on the County meeting and talked about what she understood the County meant regarding allowing urban development in rural areas as long as it followed LEED ND. She and Rick Gittings (Gittings is former San Marcos City Manager and now development consultant) admitted they didn't know how LEED applied to planning and were familiar with it from a green building perspective. Farrell had attended a "Smart Growth" Conference in San Diego in early 2000 sponsored by the Local Government Commission and felt much of what the County presented as Leed ND was similar to what was in 2000 as Smart Growth. Farrell said the basic idea of Smart Growth was to design and develop communities that all services and amenities as well as employment were within either walking distance or existing public transportation. People would walk more and use cars less. She noted San Elijo had been considered a Smart Growth community because it had a village core but the village core was struggling since most of the people in San Elijo shopped in Encinitas or Carlsbad and not in San Elijo's village core. Rick Gittings agreed saying San Elijo wasn't dense enough to be a Smart Growth community. He thought smart growth belonged in very dense urban areas like Mission Valley because they had the amenities and transportation system, however in suburban communities, you couldn't consider them smart growth communities because they required people to get in their cars and leave the community to do most tasks. After a discussion of what occurred at the County meeting and online information circulated about LEED-ND Kumura moved that he invite Eric Lardy to attend the next meeting and enlighten the community on LEED-ND. Peterson seconded and motion passed 6-0-0

Update on Request for Staff Assistance to Complete Community Plan: Kumura provided an update on his communications with the County. Farrell had mentioned that if the County couldn't find the money to complete the community plan maybe the community would have to so that the plan gets completed. She didn't blame staff for the delay and said the Board of Supervisors kept putting other projects they felt more important in front of getting community plans done. Peterson asked how private money could be accepted to be used to pay for a public expense. Farrell responded they would need to

see if it was possible. Kumura recommend requesting Supervisor Horn to use some of his yearly discretionary money to help pay for finishing the community plan. Peterson moved for Kumura to draft a letter to the County requesting a formal timeline and costs to finish the Twin Oaks Community Plan. Farrell seconded and motion passed. 6-0-0

Group Business

Tom Kumura said that Michael McIntire had resigned from the I-15 Design Review Board and asked for someone from the community to fill that vacant position.

Kumura noted the March 31st date to have Form 700 into the County

Respectfully Submitted, Sandra Farrell, Secretary

Attachment I – Ownership Disclosure



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

Record ID(s) TM5585 MJP14-017 ER14-08-006

Assessor's Parcel Number(s) 181-162-06-00 & 184-080-01-00

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

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

Dan Paul (GH 2, LLC)
Marc Perlman (Marker Lone Oak, LLC)

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

Dan Paul (GH 2, LLC) DOUG JENSEN
Marc Perlman (Marker Lone Oak, LLC)
MARK BOVENZI

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

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

Signature of Applicant
Print Name
Date

SDC PDS RCVD 04-22-14
TM5585