



County of San Diego

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MITIGATED NEGATIVE DECLARATION

March 26, 2008

Project Name: Crossroads Investors, 4 Lots and a Remainder Parcel, TPM 20800, STP 06-013

Project Number(s): TPM 20800RPL¹, STP 06-013, Log No. 04-02-002

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

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

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Drainage, Noise, Stormwater, Fire Protection and Cultural Resources
1. California Environmental Quality Act Negative Declaration Findings:
Find, that this Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Negative Declaration and the comments received during the public review period, and; on the basis of the whole record before the decision-making body (including this Negative Declaration) that there is no substantial evidence that the project will have a significant effect on the environment.

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative

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

2. Required Mitigation Measures:

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

A. TRANSPORTATION

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

B. BIOLOGY

1. Prior to issuance of any permit and prior to recordation of the parcel map the applicant shall grant by separate document to the County of San Diego an open space easement as shown on the Open Space Exhibit dated **February 4, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-02-002. 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. **[DPLU, FEE]**

The sole exceptions to this prohibition are:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety

of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use.

- b. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
2. Prior to issuance of any permit and prior to recordation of the parcel map the applicant shall grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Open Space Exhibit dated **February 4, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-02-002. 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 prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are: **[DPLU, FEE]**
 - 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.
 3. Prior to issuance of grading or construction permits or on the Parcel Map, whichever comes first, the applicant shall grant to the County of San Diego a Steep Slope open space easement over portions of Parcel 4 and the Remainder Parcel as shown on the Open Space Exhibit dated **February 4, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-02-002. This easement is for the protection of steep slope lands 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.

The sole exceptions to this prohibition are as follows:

- a. Clearing of vegetation to protect existing or proposed structures that are in potential danger from fire, provided that the area of such clearance is the minimum necessary to comply with applicable fire codes or written orders of fire safety officials and that such slopes retain their native root stock or are replanted with native vegetation having a low fuel content, and provided further that the natural landform is not reconfigured.
 - b. Establishment or expansion of an agricultural operation, provided that the establishment or expansion of the operation must be completed in accordance with all applicable federal, state and local regulations (e.g., Clearing and Grading permit from the County of San Diego). The following shall be considered an agricultural operation for purposes of this exception: an operation that includes the cultivation, growing, and harvesting of animals, nursery products and flower crops; fruit and nut crops; livestock and poultry products; vegetable crops; livestock and poultry (including their associated enclosures); field crops; apiary products; timber and firewood; and nonbearing fruit and nut crops.
 - c. Activities required to be conducted pursuant to a revegetation, habitat management, or landscaping plan approved by the Director of Planning and Land Use.
4. Prior to the issuance of any building, grading, or construction permit, or approval of any grading, improvement, or building plans, and prior to recordation of the parcel map, provide evidence to the satisfaction of the Director of Planning and Land Use, that the open space signage has been installed.

The applicant shall submit a statement from a California Registered Engineer, or licensed surveyor that all open space signs along the open space boundary of lots(s) as shown on the Open Space Signage Plan dated February 4, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 04-02-002 have been installed.

[DPLU, FEE]

- a. 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"
Disturbance Beyond this Point is Restricted

by Easement

Information:

Contact County of San Diego, Department of Planning and
Land Use

Ref: ER 04-02-002”

5. Prior to the approval of the grading, improvement, or building plans, submit to the satisfaction of the Director of Planning and Land Use; a statement from a California Registered Engineer, or licensed surveyor that temporary construction fences have been placed in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The temporary fencing condition shall be released on a parcel-by-parcel basis. **[DPLU, FEE]**

C. NOISE

1. On the Final Parcel Map the applicant shall grant to the County of San Diego a Noise Protection Easement over the entire area of Parcels 3, 4, and the Remainder Parcel of Tentative Parcel Map 20800RPL1. This easement is for the mitigation of present and anticipated future excess noise levels from Old Highway 395 and Interstate 15 on residential uses of the affected parcels. The easement shall require: **[DPLU, FEE X 2]**

“Said Noise Protection easement requires that before the issuance of any building permit for any residential use within the noise protection easement located over the entire area of **Parcels 3, 4, and the Remainder Parcel**, the applicant shall comply with the following:”

- a. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County certified acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Old Highway 395, must utilize a Level of Service “C” traffic flow for a Collector roadway classification which is the designated General Plan Circulation Element buildout roadway classification.
- b. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the approved acoustical analysis into the project design and building plans.

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

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

A. HAZARDS

1. Ranger Road, along the project frontage shall be improved in accordance with Public Road Standards to a [one-half] graded width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at twenty feet (20') from centerline. Traffic striping for a transition asphalt concrete and taper transition to match the existing asphalt concrete pavement to the satisfaction of the Director of Public Works
2. All new and existing utility distribution facilities, including cable television lines, shall be placed underground. All utility installations shall be completed before surfacing the streets and installing concrete curbs, gutters, and sidewalks.
3. Three fire hydrants, together with an adequate water supply, shall be installed in accordance with the specifications of the North County Fire Protection District and San Diego County standards in the following locations: (1) the northwest corner of Parcel 1 at the intersection of the private road and Ranger Road, (2) prior to the radius of private road, and (3) within 100 feet of the Parcel 2 driveway, and prior to the radius of the cul-de-sac. On paved roads, a "blue dot" marker shall be installed in the pavement to indicate the location of the fire hydrants.
4. Design of water supply, type, and location of fire hydrants must be submitted to the North County Fire Protection District for approval prior to the issuance of a building permit for any parcel created by this subdivision.
5. The subdivider shall install a minimum water supply pipe to serve this minor subdivision in accordance with the standards of the Rainbow Municipal Water District.

6. The cul-de-sac shall be graded to a radius of thirty-eight feet (38') and improved with asphalt concrete to a radius of thirty-six feet (36'), shall be graded and improved with asphalt concrete, to the satisfaction of the North County Fire Protection District and the County of San Diego, Director of Public Works. [FIRE]
7. The to-be-named private easement road, from the proposed cul-de-sac to Ranger Road, shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete. The Improvement and Design Standards of Section 3.1(c) of the County Standards for Private Streets for one hundred (100) or less trips shall apply to the satisfaction of the Director of Public Works.
8. A street name sign, with a County approved street name, shall be installed and located at the intersection of the Ranger Road and proposed private road easement per San Diego County Design Standards DS-13.
9. A registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The to-be-named private easement road, including all slopes and the cul-de-sac, from the proposed cul-de-sac to Ranger Road are constructed entirely within the easement, including drainage structures, for the benefit of the land division." NOTE: If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or slope rights/a letter of permission shall be obtained/granted and the engineer or surveyor shall further certify that: "Slope rights/a letter of permission has been obtained/granted for work outside of the easement limits."
10. 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. The above shall be done to the satisfaction of the Director of Public Works.
11. The structural section for the private road shall be approved by the County of San Diego, Department of Public Works Materials Laboratory, prior to construction per Section 3.11 of the San Diego County Standards for Private Streets.

12. A permit shall be obtained from the County of San Diego, Department of Public Works for the improvements to be made within the public right-of-way. The connection of the private easement road to the County road will have to match the construction of the public road. A copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, shall be submitted to the Land Development Counter Services of the County of San Diego, Department of Public Works.
13. The to-be-named private easement road shall have an unobstructed vertical clearance of thirteen feet, six inches (13' 6") to the satisfaction of the North County Fire Protection District/Fire Department. [FIRE]
14. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "Physically, there is a minimum adequate unobstructed sight distance in both directions along Ranger Road from the proposed private easement road serving the project, for the prevailing operating speed of traffic on Ranger Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "said lines of sight fall within the existing right-of-way and a clear space easement is not required." These certifications shall be to the satisfaction of the Director of Public Works.
15. Lines of inundation to the limits of the 100-year flood along the watercourse, which flow through the property, shall be shown and labeled "Subject to Inundation By The 100-Year Flood" on the Parcel Map.
 - a. The subdivider's civil engineer will provide the necessary hydrology and hydraulics to define the 100-year floodplain limits and annotate the limits on a copy of the Tentative Parcel Map, approved by the County of San Diego, Director of Planning and Land Use. Each parcel shall have a flood-free building site to the satisfaction of the County of San Diego, Director of Public Works. If any of the parcels are found to be devoid of a buildable, flood-free site for a residence, the subdivider shall take appropriate action so that each parcel does have a buildable flood-free site. This pertains to watersheds having area of twenty-five (25) or more acres.

B. HYDROLOGY AND WATER QUALITY

1. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
2. The following site design measures and/or source control BMPs and/or treatment control BMPs will be employed to reduce potential pollutants in runoff to the maximum extent practicable, such that the proposed project will not cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses:
 - Silt Fence,
 - Fiber Rolls,
 - Street Sweeping and Vacuuming,
 - Storm Drain Inlet Protection,
 - Stockpile Management,
 - Solid Waste Management,
 - Stabilized Construction Entrance/ Exit,
 - Vehicle and equipment Maintenance,
 - Gravel Bag Berm,
 - Material Delivery and Storage,
 - Spill Prevention and Control,
 - Concrete Waste Management,
 - Water Conservation Practices,
 - Paving and Grinding Operations, and
 - Any minor slopes created incidental to construction and not subject to a major or minor grading permit shall be protected by covering with plastic or tarp prior to a rain event, and shall have vegetative cover reestablished within 180 days of completion of the slope and prior to final building approval.

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

on _____

Rich Grunow, Planning Manager
Regulatory Planning Division

RG:MS:tw