

## MITIGATED NEGATIVE DECLARATION

January 17, 2008

Project Name: Bonsall Subdivision

Project Number(s): TM 5427RPL<sup>2</sup>, R05-006, S05-026, S05-027, S05-050;  
Log No. 05-02-013

### **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 Noise Analysis, Biological Report and Supporting Information, Archaeological Survey Report, Storm Water Management Plan, Drainage Study, Traffic Impact Analysis.

#### **I. California Environmental Quality Act Mitigated Negative Declaration Findings:**

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

## II. Required Mitigation Measures:

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

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

### PLANS AND SPECIFICATIONS

Specific Biological Conditions: DPLU

1. Prior to the approval of any plans, issuance of any permits, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Items" have been indicated on the grading, and or improvement plans:
  - a. The grading, and or improvement plans, shall indicate permanent fences or walls along the open space boundaries as shown on the Open Space Fencing and Signage Plan in the Biological Report dated **October 2006** on file with the Department of Planning and Land Use as Environmental Review Number 05-02-013.
    - (1) The fence or wall shall be a minimum of four feet (4') high and consist of split rail. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.
  - b. The grading, and or improvement plans shall indicate open space signs placed every 100' along the open space boundaries as shown on the Open Space Fencing and Signage Plan in the Biological Report dated **October 2006** on file with the Department of Planning and Land Use as Environmental Review Number 05-02-013.
    - (1) 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: 05-02-013”

2. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following “Specific Environmental Notes” have been placed on the grading, and or improvement plans:
  - a. “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 temporary fencing shall be removed after the conclusion of such activity.”
  - b. “Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of native or naturalized habitat during the breeding season for listed and or migratory bird species. This is defined as occurring between February 1<sup>st</sup> to September 15th. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no active bird nests are present in the vicinity of the brushing, clearing or grading based on a field survey completed within one week of the proposed onset of ground disturbance.” **[DPLU, FEE]**
  - c. “Prior to the conclusion of grading activities and Final Grading Release, provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences or walls, and open space signs have been placed along the biological open space boundaries as shown on these plans and the Open Space Fencing and Signage Plan in the Biological Report dated **October 2006** on file with the Department of Planning and Land Use as Environmental Review Number 05-02-013. “ **[DPLU, FEE]**
- (1) 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.

- (2) 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: 05-02-013."

Specific Cultural Conditions: [DPLU]

1. Prior to the approval of any plans, issuance of any permits, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Items" have been indicated on the grading, and or improvement plans:
  - a. The County certified archaeologist/historian and Native American monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program.
  - b. The project archaeologist shall monitor all areas identified for development including off-site improvements.
  - c. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite full-time to perform full-time monitoring, as determined by the Project Archaeologist of the excavations. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.
  - d. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s)

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. The Principal Investigator shall contact the County Archaeologist at the time of discovery. The Principal Investigator, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Principal investigator and approved by the County Archaeologist, then carried out using professional archaeological methods.

- e. The archaeological monitor(s) and Native American monitor shall monitor all areas identified for development.
- f. If any Native American burials, human skeletal or other remains including associated grave goods are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Principal Investigator in order to determine proper treatment and disposition of the remains.
- g. The Principal Investigator shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction. [DPLU, FEE]
- h. Prior to rough grading inspection sign-off, provide evidence that the field grading monitoring activities have been completed to the satisfaction of the Director of Planning and Land Use. Evidence shall be in the form of a letter from the Principal Investigator. [DPLU, FEE]
- i. Prior to Final Grading Release, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents

the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall include the following: [DPLU, FEE x 2]

- (1) Department of Parks and Recreation Primary and Archaeological Site forms.
- (2) Evidence that all cultural collected during the grading monitoring program has been curated at a San Diego 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 shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

**Or**

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the Principal Investigator that the grading monitoring activities have been completed.

Specific Noise Conditions: DPLU

1. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:
  - a. Provide evidence to the satisfaction of the Director of Public Works that a temporary construction noise barrier has been shown on the grading and or improvement plans:

- (1) The temporary construction noise barrier along the southern and eastern boundaries of the project site will be eight feet (8') high with a minimum surface density of 3 pounds per square foot, consisting of plywood, masonry, wood, berm, plastic, fiberglass, steel or a combination of these materials with no cracks or gaps through or below the wall. If wood is used, temporary barrier design shall incorporate tongue and groove with a minimum thickness of 7/8 of an inch.
  - (2) Temporary construction noise barrier details and location are shown on Section: Project Impacts and Figure 3 in the noise report prepared by LSA received on December 18, 2007. The temporary construction noise barrier located along the southern and eastern boundaries of the project site will remain during the grading phases. Noise report is on file with the Department of Planning and Land Use as case number Tentative Parcel Map TM 5427.
2. Prior to rough grading sign off, provide evidence to the satisfaction of the Director of Planning and Land Use; that a temporary construction noise barrier has been constructed along the southern and eastern boundaries of the project site, pursuant to the approved grading plan. Evidence of the wall shall consist of the following:
  - a. A signed, stamped statement from a California Registered Engineer, licensed surveyor or County approved noise consultant, and photographic evidence that the noise wall has been constructed.

## MISCELLANEOUS

### Specific Biological Conditions: DPLU

1. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map the applicant shall grant to the County of San Diego by separate document, an open space easement as shown on the Open Space Exhibit dated **December 18, 2007** on file with the Department of Planning and Land Use as Environmental Review Number 05-02-013. 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 exception(s) to this prohibition is:

- 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.b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.
  - c. 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 approval of grading and/or improvement plans, and prior to approval of the Final Map Grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Open Space Exhibit dated **December 18, 2007** on file with the Department of Planning and Land Use as Environmental Review Number 05-02-013. 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. Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel modification requirements so that they will

- not be required within any portion of the biological open space easement.
- b. Decking, fences, and similar facilities.
  - c. 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 approval of grading and/or improvement plans, and prior to approval of the Final Map, provide evidence to the satisfaction of the Director of Planning and Land Use that the following "Agency Permits" have been obtained:
- a. Provide the Director of Planning and Land Use with a copy of a Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands or provide evidence satisfactory to the Director of Planning and Land Use that such permit is not required.  
**[DPLU, FEE]**
  - b. Provide the Director of Planning and Land Use with a copy of a Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed or provide evidence satisfactory to the Director of Planning and Land Use that such an agreement is not required.  
**[DPLU, FEE]**

Specific Cultural Resources Conditions: DPLU

1. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map the applicant shall implement a grading monitoring and data recovery program to mitigate potential impacts to undiscovered buried archaeological resources on the Bonsall Subdivision TM 5427RPL<sup>2</sup> Project, 05-0041014 to the satisfaction of the Director of Planning and Land Use. This program shall include, but shall not be limited to, the following actions:
2. Provide evidence to the satisfaction of the Director of Planning and Land Use (DPLU) that a County certified archaeologist has been contracted to

implement a grading monitoring and data recovery program. A letter from the Principal Investigator shall be submitted to the Director of Planning and Land Use. The letter shall include the following guidelines: **[DPLU, FEE]**

- a. The project archaeologist shall contract with a Native American monitor to be involved with the grading monitoring program as outlined in the County of San Diego Report Format and Content Guidelines (2006).
- b. The County certified archaeologist/historian and Native American monitor shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program as outlined in the County of San Diego Report Format and Content Guidelines (2006).
- c. The project archaeologist shall monitor all areas identified for development including off-site improvements.
- d. An adequate number of monitors (archaeological/historical/Native American) shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored.
- e. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite: full-time to perform full-time monitoring, as determined by the Project Archaeologist of the excavations. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.
- f. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.

- g. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) 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. The Principal Investigator shall contact the County Archaeologist at the time of discovery. The Principal Investigator, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Principal Investigator and approved by the County Archaeologist, then carried out using professional archaeological methods.
- h. If any Native American burials, human skeletal or other remains including associated grave goods are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the Principal Investigator in order to determine proper treatment and disposition of the remains.
- i. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Principal Investigator shall determine the amount of material to be recovered for an adequate artifact sample for analysis.
- j. In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading monitoring program shall be processed and curated at a San Diego 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 shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation

facility identifying that archaeological materials have been received and that all fees have been paid.

- k. Monthly status reports shall be submitted to the Director of Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.
- l. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of Planning and Land Use prior to the issuance of any building permits. The report shall include Department of Parks and Recreation Primary and Archaeological Site forms.
- m. In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

Specific Noise Conditions: DPLU

- 1. Prior to issuance of grading permits or construction permits, or on the Final Map, whichever comes first, the applicant shall grant to the County of San Diego a perpetual Noise Protection Easement, as shown on Tentative Map TM 5427RPL<sup>2</sup>. The easement shall be placed over the first 136 feet from the centerline of Camino del Cielo. The easement is for the mitigation of present and anticipated future excess noise levels on residential uses of the affected Parcel. **[DPLU, FEE]**
- 2. Said Noise Protection easement requires that before the issuance of any building or grading permit for any residential use within the noise protection easement over a strip of land 136 feet from the centerline of Camino del Cielo, the applicant shall: **[DPLU, FEE X2]**

- 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 Camino del Cielo shall use a traffic flow equivalent to a Level of Service "C" traffic flow for a Collector road that 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 acoustical analysis into the project design and building plans.

Specific Transportation Conditions:

1. Prior to issuance of construction permits, the applicant shall pay a Transportation Impact Fee. 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.

**III. 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.

This project is required to pay the Transportation Impact Fee (TIF) in accordance with County Ordinance # 9712.

Subject Tentative Map is a subdivision located in Bonsall, between W. Lilac Road and Camino Del Cielo. It proposes to subdivide 55 acres into: 1 condominium lot with a total of 76 residential condominium units, and 1 open space lot.

If the Planning Commission or Board of Supervisors approves this Tentative Map, approval should be subject to the conditions and requirements of Division I of Title 8 of the San Diego County Code.

- B. The "Standard Conditions for Tentative Subdivision Maps," approved by the Board of Supervisors on June 16, 2000 and filed with the Clerk as Document No. 740858(a), shall be made conditions of this Tentative Map approval. Only those exceptions to the Standard Conditions set forth in this resolution will be authorized.
- C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County.

#### PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. Standard Conditions 1 through 11.
2. Specific Conditions:
  - a. Provide a drawing showing existing W. Lilac Road improvements including: pavement, drainage, signing and striping, street lighting and other facilities in relation to the subject boundary and proposed road right-of-way and dedications including public drainage easements. This drawing shall also show all dimensions and locations of all trails easements and dedications to the satisfaction of the Department of Parks and Recreation, DPR. All of the above shall be to the satisfaction of the Director of Public Works.
  - b. Improve or agree to improve and provide security for Camino Del Cielo (SC 260), along the Project's southeasterly boundary, at Lot 1, to a minimum graded one-half width of forty-two feet (42') and to an improved width of thirty-two feet (32'), twenty feet on the Project side of centerline and with Portland cement concrete curb, gutter, and sidewalk with face of curb at thirty-two feet (32'), from centerline. The project improvements shall be widened as necessary to meet existing Camino Del Cielo improvements, and to provide a Bike lane, and a left turn lane into the project's entrance driveway, and conform to County Public Light Collector Road Standards, with traffic striping, with traffic control, and with taper

transitions. Improvements shall include all safety and access provisions as recommended in the traffic report approved by the Department of Public Works. Provide grading, paving, and walkway transitions at both ends of the Project improvements to meet existing or proposed improvements. All of the above shall be to the satisfaction of the Director of Public Works.

- c. Provide driveway access from the site to publicly maintained roadway, Camino Del Cielo which meets all County ordinances and standards to the satisfaction of the Director of Public Works.
- d. Provide a signed, sealed and dated letter from a registered civil engineer, a registered traffic engineer, or a licensed land surveyor that states: "Physically, there is a minimum unobstructed sight distance in both directions along Camino Del Cielo from the project access driveway for the prevailing operating speed of traffic on Camino Del Cielo, per Section 6.1E of the Public Road Standards (approved July 14, 1999)." Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- e. Private interior driveways, parking areas, turnarounds, and signage shall be provide to the requirements of the North County Fire Protection District, and as approved by the Director of Public Works.
- f. Asphalted 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 asphaltic 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.
- g. Improve or agree to improve and provide security for the trails or pathways as specified under Streets and Dedication per design standards and the following conditions provided by the Director of Parks and Recreation. This shall be to the satisfaction of the Director of Public Works.

- (1) Clear and brush the four access trail easement locations, (Points A., B., C. and D.) within the West Lilac Road Right-of-Way for trail user safety and improved line of sight (horizontal and vertical clearance) as shown on Trail Easement Exhibit (Attachment A.) This shall be to the satisfaction of the Director of the Department of Parks and Recreation.
- (2) All access trail easements shall be improved to provide smooth transition from the trail to West Lilac Road (Points B. C. and D.) and Camino del Cielo (Point A.) as shown on the Trail Easement Exhibit (Attachment A). This shall be to the satisfaction of the Director of the Department of Parks and Recreation.

(Drainage and Flood Control)

3. Standard Conditions 13 through 18.
4. Specific Conditions:
  - a. A flowage easement shall be granted to the San Diego County for those portions of all lots subject to inundation by a 100-year flood, from a drainage area in excess of one (1) square mile.
  - b. The 100-year flood line of the natural channels crossing all lots with drainage watersheds in excess of twenty-five (25) acres shall be clearly delineated on the non-title information sheet of the Final Map.
  - c. On-site and Off-site drainage easements shall be provided to the satisfaction of the Director of Public Works.
  - d. Private storm drains, detention basins, stormwater treatment facilities, desilting basins and other drainage facilities shall be privately maintained by a private maintenance mechanism such as a homeowners association or other private entity (to ensure perpetual maintenance) acceptable to the satisfaction of the Director of Public Works.

- e. A Waiver and Release Agreement shall be obtained from each property owner who is impacted by significant changes (to include diversion and concentration) in downstream flow characteristics resulting from grading, private roads, utility easements or access roads, or other improvements, to the satisfaction of the Director of Public Works.

(Grading Plans)

5. Standard Conditions 19(a-e).
6. Specific Conditions:
  - a. Obtain letters of permission for all off-site grading.
  - b. Comply with 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, Ordinance No. 9426, and Ordinance No. 9518) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information on-site concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
  - c. It is determined that the project includes Category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.

## DEVELOPMENT IMPACT FEES

### 7. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
- b. Pay a fee into a fund for the Transnet SR 76 Widening project. The amount of such fee shall be the value of the proposed SR 76/East Vista Way intersection improvements-(a second westbound though lane on SR 76 for a distance of 500 feet before and after the SR 76/E. Vista Way intersection) or as otherwise determined acceptable by CALTRANS as adequate mitigation for the project's impacts to SR 76.
- c. Deposit with the County Department of Public Works \$220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.
- d. Participate in the cost of traffic signal installations at the intersection of Camino Del Rey with West Lilac Road. The amount of the developer's portion of the entire cost of the signal shall be \$4,250. The Planning Commission/Board of Supervisors hereby determines that:
  - (1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
  - (2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Camino Del Rey with West Lilac Road;
  - (3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;

- (4) This residential subdivision will contribute additional traffic to the intersection of Camino Del Rey with West Lilac Road;  
and
  - (5) The fee of \$4250 is based on an estimate of the percentage of traffic this project will contribute to this intersection.
- e. Participate in the cost of traffic signal installations at the intersection of Camino Del Rey with Old River Road. The amount of the developer's portion of the entire cost of the signal shall be \$3830. The Planning Commission/Board of Supervisors hereby determines that:
- (1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
  - (2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Camino Del Rey with Old River Road;
  - (3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;
  - (4) This residential subdivision will contribute additional traffic to the intersection of Camino Del Rey with Old River Road; and
  - (5) The fee of \$3830 is based on an estimate of the percentage of traffic this project will contribute to this intersection.
- f. Participate in the cost of traffic signal installations at the intersection of Camino Del Rey with Camino Del Cielo. The amount of the developer's portion of the entire cost of the signal shall be \$3,500. The Planning Commission/Board of Supervisors hereby determines that:
- (1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
  - (2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Camino Del Rey with Camino Del Cielo;

- (3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;
- (4) This residential subdivision will contribute additional traffic to the intersection of Camino Del Rey with Camino Del Cielo; and
- (5) The fee of \$3500 is based on an estimate of the percentage of traffic this project will contribute to this intersection.

## FINAL MAP RECORDATION

### (Streets and Dedication)

#### 8. Specific Conditions:

- a. On the Final Map dedicate the right-of-way for West Lilac Road, within the subdivision boundary as shown on a drawing prepared per C.2.a, to include existing and project-proposed street and drainage improvements and adjoining parkway width, together with right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.
- b. On the Final Map dedicate, the project half of Camino Del Cielo, along the project's Lot 1 boundary on project side of centerline to a one-half width of forty-two feet (42') as necessary to meet existing Camino Del Cielo improvements and conform to County Public Light Collector Road Standards, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- c. Contact Route Locations of the Department of Public Works to determine the desired location of the centerlines of all circulation element roads, which are shown on the Circulation Element of the County General Plan. The following shall be shown on the Final Map:  
  
"The centerline location as approved by the Department of Public Works."

- d. On the final map relinquish access rights along the project's W. Lilac Road and Camino Del Cielo frontages except for a driveway access to Lot 1 to the satisfaction of the Director of Public Works.
  - (1) With the recording of the Final Map, the County shall vacate or abandon the easement for flowage of Water and Incidental purposes granted to the San Diego County, Drainage Maintenance District No. 1, per Doc No 76-273555 recorded August 23, 1976 of Official Records.
  
- e. With the Final Map, or prior to approval of the final map dedicate a 20-foot wide non-motorized trail easement as follows: (Refer to the attached Trail Easement Exhibit).
  - (1) Starting at the project's east corner at Camino del Cielo thence northerly to West Lilac Road, from Point A. to Point B. (approximately 120 feet). The 20-foot wide non-motorized trail easement shall continue thence westerly along the existing trail to Point C (approximately 2,575 feet) thence southerly along the existing trail to Point D (approximately 1,275 feet).
  - (2) Provide an extension at Points B, C, and D to serve for trail access from the limits of the above described 20-foot wide trail to the West Lilac Road dedicated Right of Way to the satisfaction of the Director of the Department of Parks and Recreation.
  - (3) Provide an extension at Point A to serve for trail access from the limits of the above described 20-foot wide trail to the Camino del Cielo dedicated Right of Way to the satisfaction of the Director of the Department of Parks and Recreation.
  
- f. Cause to be granted an Irrevocable Offer of Dedication (IOD) for real property, a 20-foot wide non-motorized trail easement to the subdivision boundary Point D to Point E (approximately 1,120 feet). The IOD will extend southeasterly from Point D around a cluster of trees, thence westerly and southerly along West Lilac Road to Point E at the southerly property line. See the Trail Easement Exhibit Attachment A.

The center line of the trail easements and Irrevocable Offer to Dedicate shall be placed generally over the center line of the existing disturbed areas within the Fuel Management Area (FMZ). The trail tread shall be a minimum of six-feet wide or the width of the existing tread which ever is greater. Trails shall not be in a state of disrepair due to erosion or other conditions in conformance to the Design and Construction Guidelines in the Community Trails Master Plan and to the satisfaction of the Director of Parks and Recreation and Director of Public Works.

- g. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- h. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- i. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

#### MISCELLANEOUS

- 9. Standard Conditions 25, 26, 27, and 28.

## **WAIVER AND EXCEPTIONS**

These recommendations are pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public Road and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the following:

- a. Standard Conditions for Tentative Maps:
  - (1) Standard Condition 22: Said condition pertains to private subsurface sewage disposal systems this project is required to be served by a public sewer system. Standard Condition 21 applies to this project.
  - (2) Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups.
- b. Project Conditions, improvements of frontage public roads:
  - (1) DPW approved request to remove requirements to improve the project's frontage with W. Lilac Road, the segment of Camino Del Cielo along the project's northeasterly frontage, and including the W. Lilac Road/Camino Del Cielo intersection.
- c. Section 6.1.C of the Public Road Standards requires a minimum 300 feet between Non-Circulation Roads entering a Circulation Element Road. An exception request has been submitted request to allow driveway access to Lot 1 from Camino Del Cielo, a Circulation Element Road within 300 feet of three existing private residential driveways.

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TM 5427RPL<sup>2</sup>, R05-006, S05-026, S05-027, S05-050;  
Log No. 05-02-013

January 17, 2008

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

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on \_\_\_\_\_

ROSEMARY ROWAN, Planning Manager  
Regulatory Planning Division

RR:TP:jcr

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