



ERIC GIBSON
DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcounty.ca.gov/dplu

MITIGATED NEGATIVE DECLARATION

October 23, 2008

Project Name: Tran Minor Subdivision (4 Lots and a Remainder); Tentative Parcel Map

Project Number(s): TPM 20835RPL²/ER 04-02-021

**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 Biology, Cultural Resources, Drainage, Fire and Stormwater
1. California Environmental Quality Act 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; 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 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 Fencing and Signage Exhibit dated **August 15, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-02-021. 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 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.

- 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 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 Fencing and Signage Exhibit dated **August 15, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-02-021. 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:
- 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 any permit and prior to recordation of the parcel map, the applicant shall provide for the approval of the Director of Planning and Land Use evidence that 7.4 acres of non-native grassland or habitat of similar function and value has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the Northern Foothills Ecoregion. Evidence of purchase shall include the following information to be provided by the mitigation bank:
- a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 - b. 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.

- c. 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.
- d. 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.

-OR-

Provide for the conservation and habitat management of a minimum of 7.4 acres of non-native grassland or habitat of similar function and value located in the Northern Foothills Ecoregion. A Resource Management Plan (RMP) for the non-native grassland or coastal sage scrub habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- 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 Parcel 1 and the Remainder Parcel as shown on the Open Space Fencing and Signage Exhibit dated August 15, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 04-02-021 have been installed.

- 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: 04-02-021”

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.
 - a. Prior to the issuance of any Building, grading, or construction permit, or approval of any grading, improvement, or building plans, provide evidence to the satisfaction of the Director of Planning and Land Use the grading, and or improvement plans, and or building plans show permanent fences or walls along the open space boundary of Parcel 1 and the Remainder Parcel as shown on the Open Space Fencing and Signage Exhibit dated August 15, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 04-02-021.
 - (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. Prior to the issuance of any building, grading, or construction permit, or approval of any grading, improvement, or building plans, 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 Parcel 1 and the Remainder Parcel as shown on the Open Space Fencing and Signage Exhibit dated August 15, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 04-02-021 have been installed.

- (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"
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by Easement
Information:

Contact County of San Diego, Department of Planning and
Land Use
Ref: 04-02-021"

(Biological Notes)

6. Prior to the approval of any grading, improvement, or building plans and issuance of any permit, provide evidence to the satisfaction of the Director of Planning and Land Use or Public Works, that the following specific environmental notes have been placed on any of the following plans as applicable: grading, and or improvement plans, and or building plans:

"Temporary construction fencing is 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."

"Prior to the conclusion of grading activities and Final Grading Release or Occupancy of any building: Placement of permanent fencing or walls is required. 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 installed along the biological open space boundary of Parcel 1 and the Remainder Parcel as shown on the Open Space Fencing and Signage Exhibit dated August 15, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 04-02-021. 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."

"Prior to the conclusion of grading activities and Final Grading Release or Occupancy of any building: Placement of open space signs is required."

- a. 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 installed along the biological open space boundary of Parcel 1 and the Remainder Parcel as shown on the Open Space Fencing and Signage Exhibit dated August 15, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 04-02-021.

- b. 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.”

“Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of southern willow scrub habitat during the breeding season of migratory birds. This is defined as occurring between February 15th and August 31st. 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 nests are present in the vicinity of the brushing, clearing or grading.”

C. NOISE

1. Grant to the County of San Diego a Noise Protection Easement over a strip of land 260 feet from the centerline of Gopher Canyon Road on Parcels 1, 3, and the Remainder Parcel. This easement is for the mitigation of present and anticipated future excess noise levels on residential uses of the affected parcels. The easement shall require:

Prior to issuance of any building or grading permits for any residential use within the noise protection easement, the applicant shall:

- a. Complete to the satisfaction of the Director 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 Gopher Canyon Road shall use a traffic flow equivalent to a level of service of "C" traffic flow for a Collector road that is 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.

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.

B. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE A PARCEL MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY RECORDER OF SAN DIEGO COUNTY:

1. THE PARCEL MAP SHALL SHOW AN ACCURATE AND DETAILED VICINITY MAP.

2. SIGHT DISTANCE [DPW]

- a. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that "Physically, there is an adequate unobstructed sight distance in both directions along Gopher Canyon Road from the private easement road, Valley of the King Road, serving the project, for the prevailing operating speed of traffic on Gopher Canyon Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. These certifications shall be to the satisfaction of the Director of Public Works.

3. PRIVATE ROAD EASEMENTS [DPW] [FIRE]

- a. The Parcel Map shall show a forty feet (40') minimum radius cul-de-sac or a hammerhead turnaround located at the intersection of Parcel 1, 2 and remainder Parcel to the satisfaction of the Deer Springs Fire Protection District and the Director of Public Works. [FIRE]

- b. The Parcel Map shall show a thirty-six feet (36') minimum radius cul-de-sac or a hammerhead turnaround located at the driveway of Parcel 3 to the satisfaction of the Deer Springs Fire Protection District and the Director of Public Works. [FIRE]
- c. The Parcel Map shall show forty feet (40') wide proposed on-site private easement road from the on-site proposed cul-de-sac northerly thence westerly to Valley of The Kings Road.
- d. The Parcel map shall show forty feet (40') wide private road easement, Valley of The Kings Road from Southwest corner of Parcel 4 northerly to Gopher Canyon Road.

4. ROAD DEDICATIONS [DPW]

- a. The subdivider shall relinquish access rights into Gopher Canyon Road, except for the forty feet wide existing private road, Valley of the King Road.

5. CIRCULATION ELEMENT ROADS [DPW]

- a. Prior to preparation of the Parcel Map, contact Route Locations of the Department of Public Works (874-4202) to determine the desired location of the centerline for Gopher Canyon Road (SF 1415), which is shown on the Circulation Element of the County General Plan as a Collector road with bike lane. The following shall be shown on the Parcel Map:
 - (1) The centerline location as approved by the County of San Diego, Department of Public Works.
 - (2) The width of the right-of-way which is fifty-six feet (56') from the centerline and identified by a line drawn at the appropriate location and labeled, "Limit of Proposed Street Widening" as shown on PM 12858.
 - (3) A building line which is eighty-one feet (81') from the centerline of the road and identified by a line drawn at the appropriate location and labeled, "Limit of Building Line" as shown on PM 12858.
 - (4) Show the ultimate drainage and slope limits on the Parcel Map. A profile and cross-section sufficient to verify these

limits shall be submitted to the County of San Diego, Department of Public Works, for review and approval.

6. SPECIAL DISTRICTS/ROAD MAINTENANCE/COVENANTS/DEVELOPMENT IMPACT FEES [DPW]

- a. The subdivider shall authorize special districts to process the project into the San Diego County Street Lighting District. After recordation of the Parcel Map, the land division shall be transferred, without notice or hearing, to Zone "A" of the San Diego County Street Lighting District to maintain existing street lights.
- b. The subdivider shall provide for maintenance of the on-site private roads that serves the project through private road maintenance agreement(s).

7. FACILITY/UTILITY ARRANGEMENTS [DPW] [DPLU]

- a. Where private easement roads are not being dedicated, or where each of the proposed parcels is not on a public street, the subdivider shall provide the County of San Diego, Director of Public Works, with letters from serving utility companies stating that arrangements satisfactory to the utility have been made to serve all parcels being created. No letter will be required from the following: Pacific Bell and Rainbow Municipal Water District. [DPW]
- b. The subdivider shall comply with Section 66436 of the Government Code by furnishing to the County of San Diego, Department of Public Works, a certification from each public utility and each public entity owning easements within the proposed land division stating that: (a) they have received from the subdivider a copy of the proposed Parcel Map; (b) they object or do not object to the filing of the Map without their signature. [DPW]
- c. Prior to recordation of the Parcel Map, 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.

8. FLOODING/DRAINAGE [DPW]

a. 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.

(1) 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.

C. BECAUSE THEY HAVE BEEN FOUND NECESSARY FOR THE PUBLIC HEALTH AND SAFETY AND ARE A NECESSARY PREREQUISITE TO THE ORDERLY DEVELOPMENT OF THE AREA, THE FOLLOWING PUBLIC IMPROVEMENTS MUST BE COMPLETED OR A SECURED AGREEMENT EXECUTED PRIOR TO RECORDING A PARCEL MAP. THE AGREEMENT REQUIRES POSTING OF SECURITY IN FORM OF A CASH DEPOSIT, IRREVOCABLE LETTER OF CREDIT OR AN INSTRUMENT OF CREDIT VALUED AT, OR MORE THAN, THE ESTIMATED IMPROVEMENT COST. IT ALSO REQUIRES IMPROVEMENTS BE COMPLETED WITHIN TWENTY-FOUR (24) MONTHS FROM THE DATE OF RECORDING THE PARCEL MAP OR PRIOR TO THE ISSUANCE OF A PERMIT OR OTHER GRANT OF APPROVAL FOR THE DEVELOPMENT OF A PARCEL CREATED BY THIS MAP, WHICHEVER COMES FIRST UNLESS OTHERWISE NOTED. NOTE: THE PROCESSING OF SECURITY TAKES APPROXIMATELY TWO (2) MONTHS. YOU SHOULD INITIATE THIS PROCESS TWO (2) MONTHS PRIOR TO RECORDING THE PARCEL MAP. [DPW] [DPLU]

1. PUBLIC ROAD IMPROVEMENTS [DPW]

a. Gopher Canyon Road along a project frontage shall be improved in accordance with Public Road Standards to a [one-half] graded width of forty-eight feet (48') with thirty-eight feet (38') of asphalt concrete pavement over approved base with asphalt concrete dike with face of dike at thirty-eight feet (38') 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.

- b. 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.
- c. Portland cement concrete cross gutters shall be constructed where water crosses the roadways.
- d. The exact depth of improved base material shall be based on soil tests approved by the County of San Diego, Director of Public Works.
- e. A construction permit shall be obtained for the work within the right-of-way.
- f. Plans for public road improvements shall be prepared by a registered civil engineer and submitted to the County of San Diego, Director of Public Works. The following items shall also apply:
 - (1) Street alignment and grade, including the change of any existing or proposed street alignment and grade, shall be as required by the County of San Diego, Director of Public Works.
 - (2) Sight distance at all intersections shall conform to the intersectional sight distance criteria as provided by the County of San Diego Public Road Standards.
 - (3) Plans and specifications for the improvement of all streets, rights-of-way, drainage easements and all culverts, drainage channels and all private easements shall meet with the approval of the County of San Diego, Director of Public Works.
- g. The County Engineer will assign a road survey number to the off-site public roads being created. The subdivider shall show the centerline monumentation set, right-of-way lines and ties to adjacent property on the Parcel Map or file with the County Recorder a Record of Survey, after approval by the County Engineer.

- D. THE FOLLOWING IMPROVEMENTS MAY BE COMPLETED PRIOR TO RECORDING OF A PARCEL MAP OR THEY MUST BE LISTED ON THE PARCEL MAP AND THE SUBDIVIDER SHALL EXECUTE A "COVENANT OF IMPROVEMENT REQUIREMENTS" WHICH SHALL LIST THE CONDITIONS THAT REMAIN TO BE COMPLETED. THE COVENANT SHALL BE RECORDED BY THE DEPARTMENT OF PUBLIC WORKS PRIOR TO RECORDING THE PARCEL MAP. THE COVENANT SHALL BE NOTED ON THE PARCEL MAP.

(IMPROVEMENT PLANS AND COST ESTIMATES ARE NOT DEFERRABLE) THE COVENANT OF IMPROVEMENT REQUIREMENTS SHALL NOTE THE ESTIMATE OF COST TO INSTALL AND/OR CONSTRUCT ANY DEFERRED IMPROVEMENTS. THE ESTIMATE OF COST SHALL BE BASED UPON IMPROVEMENT PLANS. THE PLANS SHALL INCLUDE A SIGNED STATEMENT BY THE PRIVATE ENGINEER-OF-WORK STATING THAT THE PLANS ARE SUFFICIENT FOR THE PURPOSE OF PROVIDING THE REQUIRED ESTIMATE OF THE COST FOR THE PRIVATE EASEMENT ROADS AND PRIVATE FACILITIES. THE ESTIMATE SHALL HAVE THE ENGINEER'S SIGNATURE AND STAMP ON THE FRONT PAGE ALONG WITH A STATEMENT THAT IT IS THE ENGINEER'S ESTIMATE OF THE APPROXIMATE COST AS OF THE DATE THE ESTIMATE WAS PREPARED FOR THE PRIVATE ROAD AND FACILITIES REQUIRED BY THE FINAL NOTICE OF APPROVAL AND THE SAN DIEGO COUNTY STANDARDS FOR PRIVATE STREETS. SAID COVENANT SHALL BE TITLED "COVENANT OF IMPROVEMENT REQUIREMENT, A BUILDING PERMIT PROHIBITION". IF THE COVENANT HAS BEEN RECORDED, NO BUILDING PERMIT, AND NO FURTHER GRANT OF APPROVAL FOR DEVELOPMENT MAY BE ISSUED UNTIL THE SUBDIVIDER PRESENTS A COPY OF THE RELEASE OF IMPROVEMENT REQUIREMENTS RECORDED BY THE DEPARTMENT OF PUBLIC WORKS, STATING THAT ALL OF THE REQUIRED IMPROVEMENTS LISTED IN THE COVENANT OF IMPROVEMENT REQUIREMENTS AND NOTED ON THE PARCEL MAP HAVE BEEN COMPLIED WITH, EXCEPT A GRADING OR CONSTRUCTION PERMIT AND/OR A PERMIT TO INSTALL UTILITIES WITHIN THE PRIVATE EASEMENT, MAY BE ISSUED. (NOTE: FOR WATER STORAGE FACILITIES AND/OR FUELBREAKS, A RELEASE OF IMPROVEMENT REQUIREMENTS IS ONLY REQUIRED TO STATE THAT THE IMPROVEMENTS HAVE BEEN COMPLIED WITH FOR THE PARTICULAR PARCEL FOR WHICH A BUILDING PERMIT IS BEING REQUESTED.) [DPW] [DPLU]

1. FACILITY/UTILITY IMPROVEMENTS [DPLU]

- a. 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.
- b. One (1) fire hydrant, together with an adequate water supply, shall be installed in accordance with the specifications of the Deer Springs Fire Protection District and San Diego County standards in the vicinity of northwest corner of Parcel 2. On paved roads, a "blue dot" marker shall be installed in the pavement to indicate the location of the fire hydrant.

Design of water supply, type, and location of fire hydrant must be submitted to the Deer Springs Fire Protection District for approval prior to the issuance of a building permit for any parcel created by this subdivision.

2. PRIVATE ROAD IMPROVEMENTS [DPW] [FIRE]

- a. The on-site cul-de-sac shall be graded to a radius of forty feet (40') and improved with asphalt concrete to a radius of thirty-six feet (36'), or the hammerhead turnaround shall be graded and improved with asphalt concrete, to the satisfaction of the Deer Springs Fire Protection District Fire Department and the County of San Diego, Director of Public Works. [FIRE]
- b. The proposed cul-de-sac located at the driveway of Parcel 3 shall be graded to a radius of thirty-six feet (36') and improved with asphalt concrete to a radius of thirty-four feet (34'), or the hammerhead turnaround shall be graded and improved with asphalt concrete, to the satisfaction of the Deer Springs Fire Protection District Fire Department and the County of San Diego, Director of Public Works. [FIRE]
- c. The proposed unnamed private road easement from the proposed cul-de-sac northerly thence westerly to Valley of The King 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.
- d. Plans and a processing deposit for the private road improvements, as determined by the County of San Diego, Department of Public Works, shall be submitted to the Improvements and Grading

Counter of the County of San Diego, Department of Public Works. All improvement plans shall be designed in accordance with County Standards for Private Streets.

- e. Prior to construction of private road improvements, the subdivider shall notify the County of San Diego, Department of Public Works, submit copies of the blueline plans, and post an inspection deposit.
- f. A street name sign, with a County approved street name, shall be installed and located at the intersection of Gopher Canyon Road and Valley of The King Road per San Diego County Design Standards DS-13.
- g. A registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The proposed private easement road, including all slopes and the cul-de-sac or hammerhead turnaround, from the proposed cul-de-sac northerly thence westerly to Valley of The Kings 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."
- h. 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.
- i. The structural section, both new and existing, 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.
- j. 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.

- k. The proposed private easement road, shall have an unobstructed vertical clearance of thirteen feet, six inches (13' 6") to the satisfaction of the Fire Protection District/Fire Department. [FIRE]

3. PRIVATE DRIVEWAYS [DPW] [FIRE]

- a. Driveways shall have a minimum of sixteen feet (16') of improved width. Private residential driveways more than one hundred fifty feet (150') shall be provided with approved provisions for emergency vehicle turnaround to the satisfaction of the North County Fire Protection District and the County of San Diego, Director of Public Works. [DPW] [FIRE]

E. WAIVER AND EXCEPTIONS [DPW] [DPLU]

1. This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County of San Diego Subdivision Ordinance, the County of San Diego Public and Private Road Standards and all other required ordinances of San Diego County except for a waiver or modification of public road improvements requirements on **Gopher Canyon Road along project frontage (Section C.1.)**.

County of San Diego Subdivision Ordinance, Section 81.703(a)(1), to dedicate and improve streets in accordance with San Diego County Standards. This modification is granted because of the following reasons:

- a. The ultimate improvement width is more than the required right of way's dedication width.
- b. It is unlikely that there will be any future road widenings by existing owners or by future development in the vicinity of the project.
- c. There are no curbs, gutters, sidewalks, or road widening improvements in the immediate vicinity and widening the road to ultimate width would be inconsistent with the existing roads in the area.

(1) Spot improvements would be undesirable because of:

- (a) Road transitional problems;

- (b) Drainage pickup and discharge (no continuity); and
- (c) Utility relocation problems.

F. OTHER REQUIREMENTS [DPW] [DPLU]

1. The Basis of Bearings for the Parcel Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. **To be in compliance with the Public Resources Code, all Parcel Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.**
2. Prior to January 1, 2000, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, 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 County of San Diego, Director of Public Works (Refer to San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

After December 31, 1999, a survey for any Parcel Map that is to be based on state plane coordinates shall 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 or better, 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 Grid-to-Ground distances shall be shown on the map.

For purposes of this section, the date of survey for the field observed connections shall be the date of survey as indicated in the surveyor's/engineers's certificate as shown on the final map.

3. 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. 9589) 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.

4. The following note shall appear on the Parcel Map:

All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.
5. At the time of recordation of the Parcel Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
6. Prior to the approval of the Parcel Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Parcel Map report from a qualified title insurance company.
7. Zoning regulations require that each parcel shall contain a minimum net area of 2 acres. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative Parcel Map is determined by the Department of Public Works to be below the zoning minimum, it becomes the responsibility of the subdivider to meet zoning requirements by lot redesign, or other applicable technique. The subdivider shall comply with the zoning area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.
8. The subject property is in the (17) Estate Residential Designation of the General Plan and each parcel shall contain a minimum gross area of 2 acres. If, as a result of survey calculations or for any other reason, the area of any parcel shown on this Tentative Parcel Map is determined by the Department of Public Works to be below the required minimum, it becomes the responsibility of the subdivider to meet area requirements by lot redesign. The subdivider shall comply with the area requirements in

full before the Department of Public Works may file a Parcel Map with the County Recorder.

9. The public and private easement roads serving this project shall be named.

Prior to preparation of the Parcel Map, the responsible party shall contact the Street Address Section of the Department of Planning and Land Use (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.

10. The following note shall appear on the Parcel Map:
 - a. This subdivision includes a designated remainder parcel, which is not being created for purposes of sale, lease or financing. Prior to sale, lease or financing of the designated remainder parcel, a Certificate of Compliance or Conditional Certificate of Compliance must be obtained from the Department of Planning and Land Use and must be recorded. Additional improvements, exactions or other requirements may be imposed as a condition of approval of such a Conditional Certificate of Compliance.”

G. SPECIAL INFORMATION TO STAFF

1. Public sewers are not available to this property at this time, and therefore, individual subsurface disposal systems, subject to the approval of the County of San Diego Department of Health Services, must be utilized.

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

on _____

Richard Grunow, Planning Manager
Regulatory Planning Division

RG:MS:lm