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MITIGATED NEGATIVE DECLARATION

November 27, 2008

Project Name: Kemerko Minor Subdivision

Project Numbers: TPM 20716, ER 03-14-002

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 a Biological Technical Report and Quino Checkerspot Butterfly Survey Report, Fire Protection Plan, Cultural Resource Survey, Drainage Study, Visual Study, and Stormwater Management Plan.
1. 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.

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. BIOLOGICAL REQUIREMENTS [DPLU]

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 and the California Department of Fish and Game an open space easement, or grant by separate document to the California Department of Fish and Game, a conservation easement, as shown on the Tentative Parcel Map 20716 RPL1 dated **October 18, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 03-14-002. 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 or the Director of Public Works.

- c. Construction, use, and maintenance of septic systems on Parcel 2 as shown on Tentative Parcel Map 20716 RPL1, dated **October 18, 2008** by the Department of Planning and Land Use on file with the Department of Planning and Land Use as Environmental Review Number 03-14-002.
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 Tentative Parcel Map 20716 RPL1 dated **October 18, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 03-14-002. 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]**
 1. Decking, fences, and similar facilities.
 2. 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.
- d. 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 Parcels 1, 2, 3, 4, and the Remainder Parcel as shown on the Preliminary Grading Plan 20716 RPL1 dated **October 18, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 03-14-002 have been installed. **[DPLU, FEE]**

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: 03-14-002”

- e. 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]**
- f. 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 Parcels 1, 2, 3, 4, and the Remainder Parcel as shown on the Preliminary Grading Plan for TPM 20716 RPL1 dated **October 18, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 03-14-002. **[DPLU, FEE]**
 1. The fence or wall shall be a minimum of four feet (4') high and consist of a three strand wire fence. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.

- g. 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 Parcels 1, 2, 3, 4, and the Remainder Parcel as shown on the Preliminary Grading Plan for TPM 20716 RPL1 dated **October 18, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 03-14-002 have been installed. **[DPLU, FEE]**

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: 03-14-002"

- h. 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:

(Biological Notes)

1. "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."
2. "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 Parcels 1, 2, 3, 4, and the Remainder Parcel as shown on the Preliminary Grading Plan for TPM 20716 RPL1 dated **October 18, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 03-14-002. 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.”

3. “Prior to the conclusion of grading activities and Final Grading Release or Occupancy of any building: Placement of open space signs is required.
 1. 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 Parcels 1, 2, 3, 4, and the Remainder Parcel as shown on the Preliminary Grading Plan for TPM 20716 RPL1 dated **October 18, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 03-14-002.
 2. 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.”
4. “Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of coastal sag scrub habitat during the breeding season of the California gnatcatcher. This is defined as occurring between March 1st and August 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 California gnatcatchers are present in the vicinity of the brushing, clearing or grading.” **[DPLU, FEE]**
 - i. Prior to issuance of any building permit for Parcel 2 only, the applicant shall provide evidence to the satisfaction of the Director of the Department of Planning and Land Use, that a County qualified biological consultant has been retained to perform the post construction reseeding of the leach field and all areas leading up to it. Evidence shall include a copy of the contract from the

biologist, a description of work, and an anticipated time table of the work to be completed. The biologist shall survey the area and collect seed from local plants and provide a plant palette suitable for mafic southern mixed chaparral habitat. **[DPLU FEE]**

- j. Prior to occupancy of any building permit for Parcel 2 only, the applicant shall provide evidence to the satisfaction of the Director of the Department of Planning and Land Use, that a County qualified biological consultant that was retained to perform the post construction reseeding of the leach field and all areas leading up to it pursuant to condition **B.2.i** above has completed the post construction reseeding of the leach field. Evidence shall include a brief letter report from the biologist, which describes the work along with photo documentation of the reseeded areas and that the biologist surveyed the area and the pre-approved plant palette suitable for mafic southern mixed chaparral habitat was used. **[DPLU FEE]**

C. NOISE [DPLU]

1. On the Final Parcel Map, grant to the County of San Diego a perpetual Noise Protection Easement as indicated on Tentative Parcel Map 20716 RPL1 dated **October 18, 2008**. The easement shall be placed over a strip of land 135 feet from the centerline of Mountain View Road on portions of Parcels 1 and 2. This easement is for the mitigation of present and anticipated future excess noise levels on residential uses of the affected Parcels. **[DPLU, FEE]**

“Said Noise Protection easement requires that before the issuance of any building or grading permit for any residential use within the noise protection easement on portions of Parcels 1 and 2” , the applicant shall: **[DPLU, FEE X 2]**

- 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 Mountain View Road shall use a traffic flow equivalent to a Level of Service “C” traffic flow for a 4-lane 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.

D. TRAILS [DPR]

1. On the Parcel Map, dedicate to the County of San Diego, and accept, a 20' non-motorized trail easement, as shown on the Tentative Parcel Map 20716 RPL1 dated **October 18, 2008** on file with the Department of Planning and Land Use.

E. PALEONTOLOGICAL RESOURCES [DPLU]

1. Prior to approval of any Grading and or Improvement Plans or any other permit, the applicant shall provide evidence to the satisfaction of the Director of Public Works (DPW) and or Planning and Land Use (DPLU) that the following notes have been placed on the Grading and or Improvement Plans: **[DPLU, FEE X 2]**
 - a. "This project site has marginal to low levels of sensitive Paleontological resources. All grading activities are subject to the *County of San Diego Grading Ordinance Section 87.430*, if any significant resources (Fossils) are encountered during grading activities. The grading contractor is responsible to monitor for paleontological resources during all grading activities. If any fossils are found greater than 12 inches in any dimension, stop all grading activities and contact the County Permit Compliance Coordinator with the Department of Planning and Land Use before continuing grading operations. "
 - b. "If **any** paleontological resources are discovered and salvaged, the monitoring, recovery, and subsequent work determined necessary shall be completed by or under the supervision of a Qualified Paleontologist pursuant to the San Diego Guidelines for Determining Significance for Paleontological Resources."
 - c. "Prior to Rough Grading Inspection (SEC. 87.421) do the following: If **no** paleontological resources were discovered, submit a "No Fossils Found" letter from the grading contractor to the director of Planning and Land Use stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego

Guidelines for Determining Significance for Paleontological Resources.“

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. Prior to recordation, a registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum of five hundred feet (500') of unobstructed sight distance looking southeasterly along Mountain View Road from the project entrance road and three hundred fifty feet (350') of unobstructed sight distance looking northwesterly along Mountain View Road, from the project entrance road per the Design Standards of Section 6.1.E of the County of San Diego Public Road Standards (approved June 30, 1999)." The vegetation, topography currently obstructing the 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." All of the foregoing shall be to the satisfaction of the Director of Public Works.

NOTE: A sight distance study was accepted by DPW, received November 9, 2004.

3. PRIVATE ROAD EASEMENTS [DPW] [FIRE]

- a. The Parcel Map shall show a minimum 40' wide private road easement from the cul-de-sac to Mountain View Road and to include 20' radius corner roundings at the road intersection.

- b. The Parcel Map shall show a minimum 38' radius cul-de-sac to the satisfaction of the San Diego Rural Fire Protection District and the County of San Diego, Director of Public Works.

4. ROAD DEDICATIONS

- a. Offer to dedicate the right-of-way required to complete a thirty-foot (30') wide, one-half right-of-way width on the project side of the centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty-foot (30') limit for that portion within the land division for Mountain View Road. The Parcel Map shall be prepared to show the offer being accepted. The above shall be to the satisfaction of the Director of Public Works.
- b. Cause to be granted an Irrevocable Offer of Dedication for real property for public highway required to complete a thirty-five foot (35') wide, one-half right-of-way width on each side of the ultimate centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty-five foot (35') limit for that portion within the land division for Mountain View Road (SF732).
- c. All off map dedications shall be by separate document.
- d. Any offer of dedication or grant of right-of-way shall be free of any burden or encumbrances which would interfere with the purposes for which the dedication or offer of dedication is required, per Section 81.705 (a) of the County Code, at the time of recordation of the Parcel Map.
- e. The subdivider shall relinquish access rights onto Mountain View Road, and for Mountain View Road (SF732), except for an opening for private easement road at approximately 395 feet northerly from the southwest corner of the property.

5. CIRCULATION ELEMENT ROADS [DPW]

- a. Prior to preparation of the Parcel Map, the engineer or surveyor preparing the map shall contact the Department of Public Works to determine the location of the centerline for Mountain View Road (SF732), which is shown on the Circulation Element of the County General Plan as a Collector Road plus bike lanes. The following shall be shown on the Parcel Map:

- (1) A building line which is sixty-five feet (65') from the centerline of the road and identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."
 - (2) Show the ultimate drainage and slope limits on the Parcel Map. A profile and cross-sections sufficient to verify these limits shall be submitted to the 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 road that serves the project through a private road maintenance agreement.
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: SBC/Pacific Bell/AT&T California, Olivenhain Municipal Water District, Yucca Mutual Water Company, 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. Certification by the Department of Environmental Health with respect to sewage disposal shall be shown on the Parcel Map. [DPLU]
- d. Prior to recordation of the Parcel Map, the subdivider shall obtain a commitment to provide water service for each parcel from the Padre Municipal Water District.
- e. If the Parcel Map records after **August 28, 2009**, a new certification for water service must be obtained from the Padre Municipal Water District.
- f. Prior to Parcel Map recordation provide evidence of annexation into CDF 04-1 of the San Diego Rural Fire Protection District.

8. FLOODING/DRAINAGE [DPW]

- a. The drainage swale which flow through the property shall be shown and labeled "Drainage Swale" on the Parcel Map. The County of San Diego, Director of Public Works, will provide this information by annotating the copy of the Tentative Parcel Map.
- b. Lines of inundation to the limits of the 100-year flood along the watercourses, 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 inundation 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. 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. PRIVATE ROAD IMPROVEMENTS [DPW] [FIRE]

- a. The to-be-named private easement road from the cul-de-sac to Mountain View Road; shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete and A.C. dikes at twenty feet (12') from centerline. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Roads for one hundred (100) or less trips shall apply. All of the foregoing shall be to the satisfaction of the Director of Public Works.

- b. The cul-de-sac shall be graded to a minimum radius of thirty-eight feet (38') and improved with asphalt concrete to a radius of thirty-six feet (36'), to the satisfaction of the San Diego Rural Fire Protection District and the County of San Diego, Director of Public Works.
- c. 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 Group of the County of San Diego, Department of Public Works. All improvement plans shall be designed in accordance with County Standards for Private Roads.
- d. 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.
- e. A registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The to-be-named private easement road, and the cul-de-sac, including all slopes, from the cul-de-sac to Mountain View Road, is 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."
- f. 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 Roads.
- g. 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 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.

- h. A street name sign, with a County approved street name, shall be installed and located at the intersection of the to-be-named private easement road, and Mountain View Road per San Diego County Design Standards DS-13.
- i. Prior to preparation of the Parcel Map, the applicant shall contact the Street Name Unit of the Department of Planning and Land Use, Building Division (858-694-3797) to discuss the road naming requirement for the development. Naming of the road is necessary for the health and safety of present and future residents.

2. FACILITY/UTILITY IMPROVEMENTS [DPLU]

- a. Three fire hydrants, together with an adequate water supply, shall be installed in accordance with the specifications of the San Diego Rural Fire Protection District, Padre Dam Municipal Water District and San Diego County standards at 1) the intersection of Mountain View Road and the proposed private access road; 2) on the proposed private access road, 350 feet from its intersection with Mountain View Road; and 3) at the 1,080 foot elevation on the proposed private access road. The hydrants shall be capable of delivering 1500 GPM (after sprinkler credit) with a 20 PSI residual. On paved roads, a "blue dot" marker shall be installed in the pavement to indicate the location of the fire hydrants.

Design of water supply, type, and location of fire hydrants must be submitted to the San Diego Rural Fire Protection District and the Padre Dam Municipal Water District for approval prior to the issuance of a building permit for any parcel created by this subdivision. [DPLU]

- b. Location of the fire hydrants shall be shown on the Preliminary Grading Plan 20716 RPL1 dated **October 18, 2008** when submitted to the San Diego Rural Fire Protection District.

3. SDG&E REQUIREMENT:

Prior to the approval of any grading or improvement plans and prior to issuance of any grading or construction permit for all parcels including the Remainder Parcel, all grading plans shall be submitted to the SDG&E Land Management Department. SDG&E shall review and provide a "Letter of Permission to Grade and Construct Improvements", before any County Grading or Construction Permit can be issued. This requirement can be released on a parcel by parcel basis.

D. WAIVER AND EXCEPTIONS [DPW] [DPLU]

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:

1. County of San Diego Subdivision Ordinance, Section 81.703(b)(3), to dedicate and improve streets in accordance with San Diego County Standards for Mountain View Road along the project frontage. This waiver of road improvements was supported by DPW per modification request, dated September 22, 2008.

E. 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/engineer'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. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for Low Impact Development (LID), 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.
5. 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.
6. 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.
7. 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.
8. Zoning regulations require that parcels 1, 2, and 3 shall contain a minimum net area of 4.0 acres (A72) and parcels 4 and the remainder shall contain a minimum net area of 8.0 acres (S92). 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.

9. The subject property is in the Multiple Rural Land Use Designation (18) of the General Plan and each parcel shall contain a minimum gross area of 4, 8, or 20 acres. Parcels 1 and 3 shall contain a minimum gross area of 4.0 acres. Parcel 2 shall contain a minimum gross area of 8.0 acres. Parcels 4 and the remainder shall contain a minimum gross area of 20.0 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.
10. Prior to approval of the Parcel Map, projects proposing to import municipal water to the site must provide evidence to satisfaction of the Director of Planning and Land Use that public water is available to the site.
11. 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.

12. The following notes 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.
 - b. The Remainder Parcel must be assessed for geologic and/or rock fall hazards by a registered geologist. The registered geologist shall assess and recommend appropriate mitigation measures, if applicable. This assessment must be completed to the satisfaction

of the Director of Department of Planning and Land Use prior to issuance of a Certificate of Compliance for the Remainder Parcel.
[DPLU, FEE]

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:VW:pc