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MITIGATED NEGATIVE DECLARATION

Project Name: Julian Avenue Major Subdivision (8 Lots); Tentative Map

Project Number(s): TM 5539, Log No. 07-14-009

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

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

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Drainage/Hydrology, Stormwater and Fire Protection
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.

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.

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. Standard Conditions 1 through 10.
2. Specific Conditions:
 - a. Prior to approval of the Final Map, improve or agree to improve and provide security for Street "A" in accordance with Public Road Standards for a Residential cul-de-sac, to a graded width of fifty-two feet (52') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at sixteen feet (16') from centerline to the satisfaction of the Director of Public Works.
 - b. Prior to approval of the Final Map, improve or agree to improve and provide security for the project side of Julian Avenue along the project frontage in accordance with Public Road Standards for a Light Collector Road, to a graded width of thirty feet (30') from centerline and to an improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved base with asphalt concrete curb, gutter, and sidewalk, with face of curb at

twenty feet (20') from centerline to the satisfaction of the Director of Public Works.

- c. Street "A" shall terminate with a cul-de-sac graded to a radius of forty-eight feet (48') and surfaced to a radius of thirty-eight feet (38') with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and sidewalk with face of curb at thirty-eight feet (38') from the radius point.
- d. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- e. The subdivider shall construct to the satisfaction of the Director of Public Works, a public street lighting system that complies with the following to the satisfaction of the director of public works: [DPW - Development Review Section]
 - (1) All fixtures shall use a high pressure sodium (HPS) vapor light source unless within 15 miles radius of Palomar or Mount Laguna observatories in which case fixtures shall use a low pressure sodium vapor light source.
 - (2) Deposit with the County of San Diego, through the Department of Public Works, a cash deposit sufficient to:
 - (a) Energize, maintain and operate the street lighting system until tax revenues begin accruing from the subdivision for those purposes.
 - (b) Pay the cost to process lighting district administration of this project. After recording of the Final Map, the subdivision shall be transferred without notice or hearing, to Zone A of the lighting district to operate and maintain the system.
- f. Have a registered civil engineer, a registered traffic engineer, or a licensed land surveyor provide a certified signed statement that physically, there is a minimum unobstructed sight distance in both directions along Julian Avenue from Street "A", for the prevailing

operating speed of traffic on Julian Avenue. 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. The engineer or surveyor shall further certify that the sight distance of adjacent driveways and street openings will not be adversely affected by this project. These certifications shall be approved to the satisfaction of the Director of Public Works.

(Drainage and Flood Control)

3. Standard Conditions 13 through 18.
4. Specific Conditions:
 - a. 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.
 - b. The subdivider shall cause the creation of a funding mechanism through a Community Facilities District (CFD), to proportionately support the on-going maintenance and operation of the Sundance Detention Basin. All of the foregoing shall be to the satisfaction of the Flood Control District and the Director of Public Works.

The Director of Publics Work hereby determines that:

- (1) This project lies adjacent to County Service Area (CSA) 136 and drains into Sundance Detention Basin currently operated and maintained by the CSA 136;
- (2) This residential subdivision will contribute concentrated drainage runoff and associated stormdrain facilities to the Sundance Detention Basin for benefits of this subdivision;
- (3) The CFD and special tax established for the new development associated with CSA 136 shall pay any additional costs associated with Sundance Detention Basin including but not limited to expanded services, rehabilitation and expanded capacity requirements if applicable;
- (4) The CFD and special tax established for the new development will help mitigate the additional services such

as maintenance and operation of related drainage facilities associated with the development of the property and necessary to deliver the storm water run-off into the Detention Basin.

- c. Provide on-site and any necessary off-site drainage easements to the satisfaction of the Director of Public Works and the Flood Control District. The easement shall provide that no building permits, or other construction, shall occur on the Lots without the developer or owner constructing on-site and off-site drainage facilities. The peak discharge from the site shall remain the same as pre-project conditions through appropriate inlets, pipes and energy dissipator into the Sundance Detention Basin. This easement and discharge requirements shall be reviewed and approved by the San Diego County Flood Control District.

(Grading Plans)

5. Standard Conditions 19(a-e).
6. Specific Conditions:
 - a. 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 Low Impact Development (LID), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
 - b. Establish a Category 2 post-construction BMP's maintenance agreement/mechanism (to include easements) to assure maintenance of these BMP's, and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines and the Watershed Protection Ordinance to the satisfaction of the Director of Public Works; or provide evidence of formation of a Category 3 Community Facility District.

- c. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works, in accordance with the County of San Diego Grading Ordinance. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

FAIR HOUSING

7. Standard Condition 20.

SANITATION

8. Standard Condition 21.

FIRE PROTECTION AND WATER SUPPLY

9. Standard Condition 23.1 and 23.2.

PLANNING AND ZONING ADMINISTRATION

10. Specific Conditions:
 - a. Prior to approval of a Final Map, the subdivider shall provide evidence that all existing structures shown on the Tentative Map "to be removed or relocated on the site" have been removed/relocated to the satisfaction of the Director of Public Works.

DEVELOPMENT IMPACT FEES

11. Specific Conditions:
 - a. Participate in the cost of a traffic signal installation at the intersection of Julian Avenue and Lake Jennings Park Road. The

amount of the developer's portion of the entire cost of the signal shall be \$450. The Planning Commission 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 Julian Avenue and Lake Jennings Park 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 Julian Avenue and Lake Jennings Park Road; and
- (5) The fee of \$450 is based on an estimate of the percentage of traffic this project will contribute to this intersection.

b. Street lights are required. Deposit with the County of San Diego, through the Department of Public Works, a cash deposit sufficient to:

- (1) Energize and operate the street lighting system until tax revenues begin accruing from the land division for those purposes.
- (2) The subdivider shall pay the cost to process lighting district administration of this project. After recording 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 operate and maintain the system.

FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

12. Specific Conditions:

- a. With the Final Map, dedicate the Street "A" road, in accordance with Public Road Standards for a Residential Cul-De-Sac Road to a right-of-way width of fifty-two feet (52') together with right to construct and maintain slopes and drainage facilities, including a twenty-foot (20') radius property line corner rounding at the street intersection. The above shall be to the satisfaction of the Director of Public Works.
- b. With the Final Map, dedicate or caused to be granted the project half of Julian Avenue along the project frontage in accordance with Public Road Standards for a Residential Collector width of thirty feet (30'), 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 centerline for Julian Avenue, which is shown on the Circulation Element of the County General Plan as a Light Collector Road. The following shall be shown on the Final Map:
 - (1) The centerline location as approved by the Department of Public Works.
- d. 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.
- e. The Final Map shall show a one-foot (1') access restriction easement along the easterly boundary line of lots 2, 3, 5, 6 and 7 to the satisfaction of the Director of Public Roads.
- f. With the approval of the Final Map, cause to be granted an Irrevocable Offer of Dedication (IOD) over Lot 3 to the County of San Diego Flood Control District.
- g. Cause the centerlines of Street "A" to be surveyed and monumented. Monumentation shall consist of street survey monuments, per Drawing M-10 Regional Standard Drawings when

the road, as improved, is at ultimate line and grade and 2" x 24" pipe when the road is not at ultimate line and grade.

- h. The Director of Public Works will assign a road survey number to the off-site public roads being created. If the off-site road is not shown on the Final Map, the developer shall file with the County Recorder a Record of Survey after approval of the Director of Public Works showing the centerline monumentation set with ties to adjacent property.
- i. 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. **To be in compliance with the Public Resources Code, all Subdivision Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.**
- j. If conducted prior to January 1, 2000, a survey for any Subdivision 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 Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.506(j)).

If conducted after December 31, 1999, a survey for any Subdivision 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.

(Miscellaneous)

13. Standard Conditions 25, 26, 27, and 28.
14. Specific Conditions:
 - a. No lot shall contain a net area of less than 10,000 square feet. [DPLU - Regulatory Planning Division]
 - b. Prior to recordation of this Final map and or approval and issuance of a grading permit the existing well on proposed Lot 5 will be destroyed under permit and inspection by DEH.
 - c. Prior to issuance of a building permit that includes demolition of onsite structures and prior to commencement of demolition or renovation activities, a survey shall be performed by a California Department of Health Services (DHS) certified lead inspector/risk assessor to determine the presence or absence of lead based paint (LBP). All lead containing materials scheduled for demolition must comply with applicable regulations for demolition methods and dust suppression. Lead containing materials shall be managed in accordance with applicable regulations including, at a minimum, the hazardous waste disposal requirements (Title 22 California Code of Regulations [CCR] Division 4.5), the worker health and safety requirements (Title 8 California Code of Regulations Section 1532.1), and the State Lead Accreditation, Certification, and Work Practice Requirements (Title 17 CCR Division 1, Chapter 8).
 - d. Prior to issuance of a building permit that includes demolition of onsite structures and prior to commencement of demolition or renovation activities, a facility survey shall be performed to determine the presence or absence of Asbestos Containing Materials (ACMs). Suspect materials that will be disturbed by the demolition or renovation activities shall be sampled and analyzed for asbestos content, or assumed to be asbestos containing. The survey shall be conducted by a person certified by Cal/OSHA pursuant to regulations implementing subdivision (b) of Section 9021.5 of the Labor Code, and shall have taken and passed an EPA-approved Building Inspector Course. Should regulated

asbestos containing materials be found, it shall be handled in compliance with the San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation. Evidence of completion of the facility survey shall consist of a signed, stamped statement from the person certified to complete the facility survey indicating that the survey has been completed and that either regulated asbestos is present or absent. If present, the letter shall describe the procedures that will be taken to remediate the hazard.

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

on _____

Rich Grunow, Planning Manager
Project Planning Division

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