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MITIGATED NEGATIVE DECLARATION

February 10, 2009

Project Name: Daniels Tentative Map

Project Number(s): TM 5364, ER# 04-02-009

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. Attached extended studies for Grading, Hydrology, Agriculture, Archaeology, Traffic, and Stormwater Management

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:

TRANSPORTATION: 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.

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

PLANS AND SPECIFICATIONS**Street Improvements**

1. Standard Conditions 1 through 10.
2. Specific Conditions:
 - a. Improve or agree to improve and provide security for Green Canyon Road (SC 71), a Circulation Element Light Collector, along the easterly boundary of Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one-half graded width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and nine and one-half feet (9.5') wide Class II walkway/pathway with face of curb at twenty feet (20') from centerline. The centerline of Green Canyon Road shall be realigned as necessary to conform to County Public Light Collector Road Standards, with traffic striping, with traffic control, and with taper transitions constructed to meet existing improvements. All the foregoing shall be to the satisfaction of the Director of Public Works.

- b. Improve or agree to improve and provide security for the private easement road, Street 'A', from Green Canyon Road improvements westerly to access driveways to Lots 6 and 7 to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike where necessary to control drainage. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply. All of the above shall be to the satisfaction of the Director of Public Works.
- c. Hand-rake and compact asphalt concrete surfacing material 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.
- d. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "Physically, there is a minimum adequate unobstructed sight distance in both directions along Green Canyon Road from the proposed private easement road, Street A serving the project, for the prevailing operating speed of traffic on Green 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.
- e. Terminate Street A at Lots 6 and 7 with a cul-de-sac graded to a radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with asphalt concrete dike with the face of dike at thirty-six feet (36') from the radius point to the satisfaction of the North County Fire Protection District and the Director of Public Works.
- f. If guarded access is used along Street A, improve it in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works. Gates installed across Street 'A' and emergency access road to conform to NCFPD standards for electric gates, to include opticom strobe sensor, exit loop detectors, battery backup, and Knox key switch. Gate across emergency access road must be an electric gate, to conform

to same standards as noted above.

- g. Posting and red stripe road less than thirty-six foot (36') improved width to the satisfaction of the North County Fire Protection District. Show this information on the Final Map as "Non Title Information".

Access/Flood Control

3. Standard Conditions 13 through 18.
4. Specific Conditions:
 - a. On-site and Off-site drainage easements shall be provided to the satisfaction of the Director of Public Works.
 - b. Comply with applicable storm water 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, Storm water Management, and Discharge Control Ordinance (Ordinance No. 9424, Ordinance No. 9426, and Ordinance No. 9518) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning storm water runoff. This requirement shall be to the satisfaction of the Director of Public Works.
 - c. It is determined that the project includes category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.

FAIR HOUSING

5. Standard Condition 20.

SANITATION

6. Standard Condition 22.

7. Specific Conditions:

- a. Prior to recordation of a Final Map, the subdivider shall provide evidence that the existing septic system serving the existing home and guest house on parcel 5 of the Tentative Map has been abandoned and a new septic system has been installed to the satisfaction of the Director of Environmental Health.

FIRE PROTECTION AND WATER SUPPLY

8. Standard Conditions 23.1 and 23.2.

PLANNING AND ZONING ADMINISTRATION

9. Specific Conditions:

- a. No lot shall contain a net area of less than one acre. [DPLU - Regulatory Planning Division]
- b. Prior to approval of a Final Map, the subdivider shall provide evidence that the "existing barn to be removed" on parcel 4 of the Tentative Map has been removed to the satisfaction of the Director of Public Works.

DEVELOPMENT IMPACT FEES

10. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
- b. Deposit with the County Department of Public Works \$220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

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

11. Specific Conditions:

- a. Prior to approval of the Final Map, cause to be granted that portion of Green Canyon Road (SC 71), a Circulation Element Light Collector, which lies within the boundary of the related Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one-half width of thirty feet (30') each side of centerline in accordance with Public Light Collector Road Standards, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- b. Contact the Department of Public Works to determine the desired location of the centerline for Green Canyon Road (SC 71), which is shown on the Circulation Element of the County General Plan as a Light Collector. The following shall be shown on the Final Map:
 - (1) The centerline location as approved by the Department of Public Works.
- c. Because private roads are approved as a condition of this subdivision, the following shall apply:
 - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
 - (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Final Map as to the final title status of said roads.
 - (3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- d. If the private roads are separate lots, they shall have lot numbers consecutive with the other lot numbers.
- e. Road widths less than thirty-six foot (36') improved width will require posting and red striping to the satisfaction of the North County Fire Protection District. This information shall be shown on the Final Map as "Non Title Information".
- f. 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.

- g. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- h. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

MISCELLANEOUS

- 12. Standard Conditions 25-29.

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

Planning Commission

on _____

Rosemary Rowan, Planning Manager
Project Planning Division

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